



# Legislature of Ontario Debates

Fourth Session of the Thirty-First Parliament

May 27-June 19, 1980

HON. ALAN POPE











No. 58

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# Legislature of Ontario Debates

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**Fourth Session, 31st Parliament**

Tuesday, May 27, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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TUESDAY, MAY 27, 1980

The House met at 2:01 p.m.

Prayers.

## INCO CONTROL ORDER HEARING

**Mr. Cassidy:** Mr. Speaker, I have a question of privilege arising out of a press release that was distributed by the Minister of the Environment on May 22, last Thursday. This press release gave only eight days for interested parties to prepare written briefs with reference to the Inco control order and the hearings to be held in Sudbury. In addition, the press release fixed next Wednesday, June 4, as the evening when the public meeting was to be held in Sudbury.

That Wednesday happens to be the day when the Environment estimates are due to be held here in this Legislature. It is not possible for the Environment critics of the opposition parties to be here until 6 p.m. and then to be in Sudbury at a meeting to begin at 7 p.m. I want to suggest that there is a deliberate infringement of the privileges of this House in excluding the Environment critics of the opposition parties from taking part in a hearing which, in any case, should not have been undertaken with such a short notice to the interested public.

**Hon. Mr. Parrott:** Mr. Speaker, with great respect, there was no conflict intended. As a matter of fact, I think my estimates were scheduled some time earlier and were postponed. Indeed, I have had to rearrange my own schedule, not that I object to that, but surely no one would think I set that date of our estimates. That was set by the House leaders. It has been postponed at least twice; so there can be no deliberate attempt on our part to have a conflict of dates.

Secondly, I am torn between the insistence that we get on with the job and the delaying of a hearing, and I think a hearing is essential. I do not think it would be absolutely essential for the critics to be at the opening session, if they should choose to be at Sudbury, if that is a greater priority. If they choose to be there the next day since it may not conclude on June 4, I am sure

the hearing officer is more than prepared to hear all testimony.

**Mr. Cassidy:** On the question of privilege, since the minister says now it was not a deliberate kind of intention on the part of his ministry, and in view of the fact that people who have waited 10 years to get this hearing now have to prepare briefs within only seven or eight days, would the minister consider postponing the hearings at Sudbury by a couple of weeks so the Environment critics of the opposition parties can take part during all of the hearings, not just part of them, and so the public can adequately participate on this very important matter that affects Sudbury and all of Ontario affected by the acid rain from Sudbury's emissions?

**Mr. Speaker:** Your point has been made, and it's not within the purview of the presiding officer of this House either to orchestrate the calling of business of this House or what goes on outside the House. You have made your point, and if the Minister of the Environment chooses to do anything about it, I'm sure he will notify you in due course.

## STATEMENTS BY THE MINISTRY

### ACIDIC PRECIPITATION

**Hon. Mr. Parrott:** Mr. Speaker, I am tabling today three reports compiled by my ministry which provide factual analyses of acidic precipitation affecting the Muskoka-Haliburton and Sudbury areas of the province.

The first report is labelled Acidic Precipitation in South-Central Ontario: Analysis of Source Regions using Air Parcel Trajectories. The second one is Bulk Deposition in the Sudbury and Muskoka-Haliburton Areas of Ontario during the Shutdown of Inco Limited in Sudbury. The third report is An Analysis of the Impact of Inco Emissions on Precipitation Quality in the Sudbury Area.

The first study, based on actual monitoring of rain and snow from 1976 to 1979, shows that 90 per cent of the acid contributions come from sources south of the Muskoka-Haliburton areas and 10 per cent from north of these areas. I would like to add that south

means exactly that: south of Muskoka-Haliburton and not just south of the Ontario border. Northerly sources account for roughly nine per cent of the acid, seven per cent of the sulphate and eight per cent of the nitrates. The sources to the south and south-west contribute 80 per cent of the acid, 75 per cent of the sulphate and 65 per cent of the nitrates.

The second report, the bulk deposition study, compared measurements of all atmospheric fallout, both wet and dry. We were able to record these findings both before and during the prolonged shutdown of Inco's Sudbury operations. We found that acid loadings to our lakes did not show any marked change in the Sudbury area or in Muskoka-Haliburton during the period of the Inco shutdown in 1978.

The incontestable conclusion is that long-range transport of pollutants from a southerly direction has a major impact on our resort areas. The smelter complex has a major effect on copper and nickel depositions up to 40 kilometres away from Sudbury, a small effect on sulphate deposition close to Sudbury, and a minimal effect on acid loadings near Sudbury. Nevertheless, the acid loadings do have, without doubt, their effects on other parts of Canada and the United States. It is for this reason that our goal is to have Inco emissions at the lowest possible level as determined by the comprehensive studies to be undertaken by the federal-provincial task force.

The impact of Inco emissions study confirms the contribution of Inco's summer season emissions to the total wet deposition in the Sudbury area, depending on the weather system passing through the area. For acids, sulphur and a number of trace metals, the Inco contribution in this area is about 10 per cent of the total during warm fronts, and twice that amount during cold fronts. About 40 per cent of copper and nickel deposition there can be attributed to Inco regardless of the weather.

2:10 p.m.

Taking the whole picture into consideration, there is no doubt that the emission effects of Inco on the immediate Sudbury area cannot be ignored. The long-range and long-term effects are still a serious concern for this government and we will continue our activities to deal with them.

These studies also underline the need for international abatement to deal with the long-range transport of contaminants. We will be referring these studies, along with our continuing research, to the Ontario-Canada task

force which we are establishing to investigate and report on the abatement of emissions from smelting operations in the Sudbury area.

We are continuing our sampling and analysis program to gain additional information. I believe, however, that these reports have this major significance:

First, the results are based on extensive field measurements and meteorological analysis which reflect the best technology and methodology. This information is particularly valuable in the light of the preliminary state of computer-simulated models. It will do much to strengthen the accuracy of computer-simulated projections under development by both federal and provincial scientists.

Second, they provide a sound data base to measure the effects of abatement programs now under way and other measures still to come at Sudbury and other areas containing significant sources.

Third, when this information is combined with the initiatives Ontario is taking in pollution abatement, the urgent need for action in the United States and Canada is apparent.

We have shown that Ontario has acted and is prepared to act on pollution control, as I have emphasized so many times before. We believe that both Canadian and US sources must be controlled. With the continued close co-operation and support that exists between the federal and provincial governments on this matter, I feel confident we shall succeed.

Because these reports are technical and highly complex, we arranged for copies to be made available this morning for the opposition leaders and my critics. Ministry staff are available to answer any questions. I would also like to say that on the advice of my colleague the member for Muskoka (Hon. F. S. Miller), I have agreed that ministry personnel at all levels will be more than willing to attend a public meeting in his riding to outline fully all the scientific data available.

#### LIMITED PARTNERSHIPS

**Hon. Mr. Drea:** Mr. Speaker, later today I will be introducing a new Limited Partnerships Act to replace the current act.

Ontario has had a Limited Partnerships Act since 1849 and the legislation has been carried forward since that time without substantial change. For most of this century the corporation has been the favoured investment vehicle, while interest in limited partnerships has declined. But recent changes in tax legislation have generated renewed interest in the limited partnership, particularly for invest-

ment in mineral, oil and gas exploration and film making.

As evidence of this increased interest, we have noticed a continual rise in the number of limited partnership registrations over the past few years. Last year, for example, 344 limited partnerships were registered with my ministry. The previous year's total was only 195.

Admittedly, these figures are just a small fraction of the total number of new businesses being created annually in the province. In fact, the 344 limited partnerships formed last year represent less than one per cent of the 50,000 new businesses registered last year. But we expect this new bill will encourage the formation of many more new limited partnerships.

The new act is designed to make it easier for business people to form limited partnerships and to ensure the protection of limited liability even when the composition of the partnership changes. Under existing legislation, a limited partner could lose his limited liability as a result of things over which he has no control, such as the death of one of the partners.

Under the proposed bill, investors would retain their limited liability despite changes in the partnership, as long as they did not take control of the business or sign and register a false declaration that would cause a loss to a third party.

In addition, the paperwork needed to register changes in the partnership will be reduced. Under the present act, every time a change in the membership or financial contribution by members occurs, a new certificate of limited partnership must be filed by all the partners. When you consider that some limited partnerships have 200 members or more, this requirement can be very time-consuming. Under the proposed bill, only the specific changes must be filed.

The proposed bill also clarifies the status of extraprovincial limited partnerships operating in Ontario, by making it mandatory for these businesses to register and appoint an attorney-for-service in our province. This will ensure disclosure of the particulars for persons who deal with the partnership in Ontario.

At the present time it is not clear whether a resident of Ontario who invests in an extraprovincial limited partnership which carries on business in Ontario but is not registered here has limited liabilities. The proposed bill will clarify this by providing that the limited liability of the investor is covered by the laws where the extraprovincial limited partnership is organized.

Limited partnerships formed outside of Ontario but operating in the province will be given 60 days to register after the commencement of the act.

In brief, by updating the act we will not only make the limited partnership a more attractive business vehicle but, because of increased investment, it will also create new jobs and business in the province.

## FOREST FIRES

**Mr. T. P. Reid:** Mr. Speaker, before we go on to oral questions, I wonder if the Premier, in the absence of the Minister of Natural Resources (Mr. Auld), would be able to update us on the fire situation in northern Ontario. Particularly, could he tell us whether the Ontario government has made any request to the federal government for assistance of the armed forces in assisting in firefighting in the north?

**Hon. Mr. Davis:** Mr. Speaker, the last word I had, just a few moments ago, was that the situation is roughly as it was yesterday. The two ministers involved are keeping a very close eye on it.

I took Friday afternoon to visit Dryden and Red Lake myself to see personally what was happening and to meet some of the people who were being evacuated from Red Lake. When I was there, the Canadian Armed Forces were involved in the evacuation. From the people I discussed it with, I think it was extremely well handled. Obviously the people were not enthused about having to leave their community but because of the organization everybody appeared to be in good spirits and understanding.

In terms of the actual firefighting itself, I cannot tell the honourable member whether requests have gone forward, whether there is a need for additional personnel per se, or whether it is just a question of equipment. If I have any further information on that I shall inform the member. I can only say, from my discussions with the senior people there, they were making every effort to contain the fires where possible. Most important they were dealing with the people who could be affected by the forest fires in a way that the people up there at least seem to feel was going extremely well.

I cannot give the House any further information than that. This information I have just given was received about half an hour ago. If I have anything further before the end of the question period I will inform the House.

## ORAL QUESTIONS

## INCO EMISSIONS

Mr. S. Smith: Mr. Speaker, I have a question of the Minister of the Environment. I thank him for sending me copies of the technical studies released today. These studies, in my reading, would appear to have some serious technical flaws which I suspect would be best discussed in estimates. I am sure the minister and I agree that Inco is a major polluter, that the pollution is going somewhere and that a substantial amount of it is going to Muskoka and Haliburton.

However much we may disagree on the numbers, would he explain to the House why he has been unwilling to bring a proper control order in the Inco case, one which would insist that by the end of 1984-85 they have the proper furnaces in place which would bring their emissions below 1,000 tons a day? Granted that would be expensive, but the minister must surely have read the reports indicating that the company can afford that level of cleanup. Why has the minister continued to hope that the Inco emissions are going somewhere else, and to continue to permit Inco to pollute at its present level?

Hon. Mr. Parrott: Mr. Speaker, I am sorry that the Leader of the Opposition did not have the time this morning to go and hear the people who he said are making serious technical errors and question them on it. That was the precise purpose of that opportunity which he was not able to avail himself of.

Second, I have a good deal of evidence that suggests we are taking very much the appropriate action. The paper that the Leader of the Opposition put forward yesterday talked about levels of 2,250 tons in two and a half years. Our order is 1,950 tons by that time. He talked about 1,000 tons. I am quoting from the paper he quoted at great length just yesterday. If he will read it, he will understand that the levels are 2,250 in two and a half years. Ours will be much lower than that.

2:20 p.m.

May I repeat, our order is much lower than the paper the honourable member quoted as the definitive study. We are much in advance of what he is proposing. That is on the record, and I do not know how the honourable member can possibly deny that. He is talking about four or five years; we are saying by 1981 we will have the study, we will have the information, we will have

the knowledge to come to the lowest possible level.

I think it is about time the honourable member started to live in the realistic world. We are doing a great deal. May I read a letter received this morning from the Action Seminar on Acidic Precipitation? It is addressed to myself:

"Dear Dr. Parrott: The ASAP wishes to commend you for the recent initiative to achieve a reduction in sulphur emissions at Inco"—and I can go on. It is a very complimentary letter about what we are doing and what we will continue to do. They have the faith in this government to do it; we will continue to deliver the goods.

Mr. S. Smith: Mr. Speaker, I can tell you that whatever compliments the minister has received, he is certainly not going to receive them from me or anyone else knowledgeable on the matter.

Would the minister explain why it is that he has told Inco it can continue to pollute basically at its present level for the next two years, then come down some 20 or 25 per cent to 1,950 tons? Why does he need to produce a study, when there are studies available which should tell the minister, as they tell me and anyone else who cares to read them, that Inco could come down by 60 per cent within four years by putting in new furnaces? It would cost them more than \$400 million, but they would save close to \$300 million on energy alone. Why does the minister not have the courage to tell Inco to cut down to the 60 per cent they are capable of cutting down to, instead of delivering the goods, as he says, which is simply delivering the goods to Inco instead of the people of Ontario?

Hon. Mr. Parrott: Let me read the bottom line of this report which the member opposite quotes at such great length. I read it and I will be glad to table it for you, Mr. Speaker. The member opposite just said they have all the studies necessary.

This report is only a preliminary assessment of the reductions in emissions which appear to be feasible. That is a long way from the suggestion that was just put forward.

That is the bottom line in the report that was quoted so extensively yesterday. I have it here; I read all of the figures that are on there. It is on page nine, if the member wants to check it out: Emission requirement, 2,250 tons; startup time, two and a half years.

The member seems to fail to understand that one cannot instantly turn on a switch



and have all of these technical things develop in a huge operation the size of Inco; it takes a considerable period of time, and they are starting now to do it. They have been working on this new system of pyrrhotite separation for some considerable period of time. They are committed to go to the system, and even if it does not work, the control order stands. We will bring them down to 1,950, which is below the level they propose.

**Mr. Laughren:** Mr. Speaker, how is it that the Minister of the Environment can take such pride in requiring that Inco get down to 1,950 tons in a couple of years, when the control order, which his ministry imposed back 10 years ago, directed that Inco get down to 750 tons?

How is it the minister can stand there in his place and say he is delivering the goods to the people of Ontario when he has almost tripled the amount of allowable emissions from Inco which he decided 10 years ago was not acceptable?

**Hon. Mr. Parrott:** I invite the member to make those kind of statements at his home town on June 4, because he knows and the rest of us know there was no known technology to get to 750 tons. There is not now and there was not then. If he wants 750 tons, I would suggest that the member go home to his riding and talk about a 75 per cent layoff at Inco, where there is not the technology to do it.

I want to emphasize—I said it in my statement today and I will repeat it a thousand times, if it is necessary to do so—that the provincial-federal task force will have public representation to go to the lowest possible level. That is the only figure we should honestly be considering. It is a very significant issue, not just to one area of this province. It is a tremendously significant issue to all the people of this province. I understand that.

I and this government will not rest nor will we be satisfied until we come to that point: the lowest possible level of emissions. We have taken the first step in Ontario. Let the others now come forward and offer as much as we have delivered.

**Mr. Laughren:** On a point of privilege.

**Mr. Speaker:** What is your point of privilege?

**Mr. Laughren:** Mr. Speaker, the Minister of the Environment has implied that I say one thing in this chamber and another thing back in the Sudbury Basin. That is simply untrue, and I would ask that you direct the minister to withdraw it. Also, I would point out to you, Mr. Speaker, that Inco itself admitted at one time that the company could get down to

1,500 tons per day and the minister allowed it off the hook on that admission.

**Mr. S. Smith:** Why does the minister continue that scare tactic, that old bogymen about layoffs at Inco, when he knows very well there will be no 75 per cent layoff at Inco? There will be no layoffs there. There will be increased jobs in the pollution control industry. There will be increased jobs in the fertilizer industry using the sulphuric acid byproduct. Every study in his ministry tells him there will be more jobs when Inco is forced to clean up, not fewer jobs.

Why does the minister use that old chestnut? Why does the minister not have the guts to go to Inco and have a policy about acid rain which consists of more than the present one which seems to be to seed the clouds with Roloids and hope for the best?

**Hon. Mr. Parrott:** Mr. Speaker, I am afraid that looking at the clock there is not time enough left this afternoon, if we dealt with no other issue than the number of times the leader of the Liberal Party has gone around this province, not just spreading gloom and doom, but making paranoid statements on so many issues. Then he worries about us making those kind of statements.

The statement was made that to go to 750 tons instantly like this leaves no alternative. I want to come, as I have said, not to 750, but to the lowest possible level on a phased basis using the best technology available. I want to do it as soon as possible, and this government supports me all the way.

**Mr. Cassidy:** Mr. Speaker, can the minister explain how the public is to comment intelligently on the proposed control order when the ministry is rushing to finish the public hearings on the control order before there is adequate time to assess the documentation that is only now being made available, and when the major study by the Economic Council of Canada on sulphur dioxide emissions by Inco and the cost of regulating or controlling those emissions will not be published until the middle of June? Why is the government trying to get the control order to protect Inco wrapped up before we know what the facts are and before the public can comment on how much further we could reduce those sulphur dioxide emissions?

2:30 p.m.

**Hon. Mr. Parrott:** Mr. Speaker, I would like to go over what that hearing is. It is not, as other meetings have been, an environmental assessment hearing. There will be an open house the previous days. There will be an opportunity for those without large expertise to comment on their position. The leader

of the third party and his critic have had light years to prepare their position.

**Mr. Martel:** So have you.

**Hon. Mr. Parrott:** Indeed we have. All of the members of this House have spent many years, many hours in committees, discussing this order. We have all had a great opportunity to get to know the facts and to question the experts who have testimony before committees. That will continue to go on. I do not want for one second to cut off the public's participation in this process. It will continue to go on. This is only one step in a continuing role to bring us to that lowest possible emission level that we all seek.

#### ONTARIO POPULATION LOSS

**Mr. S. Smith:** Mr. Speaker, I have a question of the Premier. The Premier will recall that the figures last year indicated that Ontario was losing population rather rapidly on the basis of a net interprovincial migration. Despite the influx of people from Quebec, we were losing people to the west at quite a rate. I suggested that Ontario had become a place to leave and the Premier, as I recall, went around the bend at the time.

Is the Premier now aware of the latest figures which would indicate that the rate of emigration from Ontario, the rate of net loss of population interprovincially from Ontario, has increased by some 90 per cent in the last few months? Is he aware for instance on a one-year basis—

**Mr. Havrot:** Maybe it is because of you.

**Mr. S. Smith:** There are a few over there who should have left, but they might be better to listen for a while.

**Mr. Havrot:** Why did you leave Quebec?

**Mr. S. Smith:** The fact is, in the year from January to January, although we had an influx of approximately 17,000 people from Quebec, we lost 27,000 people, mostly to Alberta and British Columbia.

Would the Premier agree that these people are in effect voting and giving their opinion of his government by voting with their feet? Does he have any figures regarding the extent to which the people leaving are educated? How many skilled workers are we losing? Can he provide figures as to the categories of the people we are losing at the moment under his leadership?

**Hon. Mr. Davis:** Mr. Speaker, any of those who may be moving to the west for either permanent or short-term occupations obviously are leaving well educated, in spite

of any observations by the Leader of the Opposition.

In his usual rhetorical, enlightened, constructive fashion he suggested they are voting with their feet, but at least we on this side of the House do not think with ours; we try to handle decisions intelligently.

I listened to some of his rhetoric the other day and I thought he meant it when he suggested that it was a time to cool the debates between provinces. Then I knew he had reverted; those high moments of a few days ago, when he tried to be a statesman, dissipated when his political ambition became too great for him. Or perhaps McMaster said to him, "You have to be back by the end of the year; so you had better move up or move out." I understand that.

I would say this province over the years has benefited in terms of people coming from outside Canada. I am not one of those who was particularly delighted when people, say from the maritime provinces, felt they had to move to Ontario for what might have been economic benefit. I do not think that is a healthy thing for the country. I take no great satisfaction that people have moved out of Quebec into this province. I am sure the Leader of the Opposition does, because that would be consistent with his point of view. I am not disturbed at all that some Ontarians are going to other parts of Canada. Surely that is what this country is all about.

When we see other provinces growing in economic terms, where we are then the beneficiaries as well, surely the Leader of the Opposition, if he is going to be the statesman he tried to be a week ago, should be sharing in the understanding that when other parts of Canada experience economic growth we in this province are ultimately the beneficiaries.

I have no concern about people moving. I know of several young people who have gone to Calgary for a short period. They are not going to stay there in perpetuity, but there are certain job opportunities there. Why shouldn't they go? It is a great experience. They may even persuade some Albertans that in central Canada we aren't quite as selfish as the people in Alberta on occasion think we are. I have to tell members the people in Alberta aren't nearly as selfish or as nasty as the Leader of the Opposition construes them to be.

Interjections.

**Hon. Mr. Davis:** Oh, come on. Listen, I can show the member material on what he has said about the poor government of

Alberta that would curl his hair, if it needs any further curling.

If the Leader of the Opposition is trying to embarrass this government by saying people are moving from Ontario to seek job opportunities in other parts of Canada at this moment in our history, all I can say is his frustrations are showing. It doesn't concern me at all, because the realities are still there.

This province, in terms of our technology, in terms of the manufacturing sector and in terms of job opportunities for the majority of people, is the healthiest jurisdiction in Canada. And I have news for the member: it is going to stay that way for a number of years for a multitude of reasons, one of which is that we are still going to be here and his party is still going to be over there.

Interjections.

**Mr. S. Smith:** Since the Premier appears to be continuing his program of beating the bushes over in London, England, to get skilled workers, when he finishes with his personal insults—

Interjections.

**Mr. Speaker:** Order. Order.

**Mr. S. Smith:**—could he take a little time to tell us how many of the 27,000 people who have left Ontario this year fall into the category of skilled workers? Could he do that?

Could he also comment on the fact that since things have stabilized in Quebec and since we would have had a net loss of 27,000 had it not been for the influx of people from Quebec, does he anticipate a continued influx from that province? If not, is he at all alarmed about the rate at which we are losing population to other provinces?

**Hon. Mr. Davis:** I think we should look at our net population figures as well, and I am not going to take any personal credit, but I have done more than my share and more than the Leader of the Opposition in terms of perpetuating the numbers game in this province. I am not accusing him of lack of effort. Don't take that as a personal insult.

Interjections.

**Hon. Mr. Davis:** I didn't know he was so thin-skinned. What always amazes me is that the Leader of the Opposition can say as many sarcastic things as he likes about my colleagues in the cabinet. I stand up here to have a little fun and he starts taking it personally. I say to him, don't take it so personally. He is embarrassing all of his colleagues around him. They are sitting there with dumbfounded looks. Look at the member for Kitchener (Mr. Breithaupt). Look at that

distant relative of mine from Kitchener who sits there in embarrassment when his leader says some of these things. How are you, Jamie?

Interjections.

**Hon. Mr. Davis:** Mr. Speaker, I would be delighted to try and get a breakdown for the member.

Interjections.

**Mr. T. P. Reid:** Answer the question.

**Hon. Mr. Davis:** Listen, I say nice things about the member's wife. I just wish he would take her judgement a little more often.

I will try again. If we include lawyers as being skilled workers, I know two or three lawyers who have gone to Calgary. I know two or three people in the entertainment business whom I think are very skilled. Are they skilled workers in the Leader of the Opposition's view?

I will try to get a breakdown for him, but I just have to repeat what I said. If one can get up in this House and talk about Canada, if one can go back to the rhetoric of a week or so ago, surely one has to appreciate that it is in the national interest if we have some mobility of population if other provincial economies are growing.

2:40 p.m.

**Mr. S. Smith:** That's your leading expert at the moment.

**Hon. Mr. Davis:** I see. So now if you are a Canadian and you move from one province to another, you are an export. I have always thought if you are a Canadian, you are a Canadian in whatever province you might happen to live.

**Mr. Peterson:** Mr. Speaker, I have a supplementary with respect to the Premier's point about the free movement of people between provincial borders. A couple of weeks ago I asked the Minister of Labour about the legislation that has been introduced in both Newfoundland and Nova Scotia about preferential hiring in the oil business, and I understand there is now a preferential hiring bill in Nova Scotia pertaining to civil service jobs. Why does the Premier of this province not stand up and take a strong stand against that kind of preferential legislation and why does he not give serious thought to challenging that in the courts?

**Hon. Mr. Davis:** Mr. Speaker, the member was not here for my statement the other day. I will just reread the first part of the statement I made: "The principles that we support in terms of a new constitution . . ."

**Mr. S. Smith:** Oh, don't quote that.

**Hon. Mr. Davis:** He doesn't want me to quote it. Why doesn't he?

**Mr. S. Smith:** It's a waste of time.

**Hon. Mr. Davis:** Sure. He would contest everything in the courts. That's how he brings about harmony within the country. There's no question that we would have a great influx of lawyers if he ever had his way. We would be in the courts on every single issue.

**Mr. T. P. Reid:** He might win some.

Interjections.

**Mr. Speaker:** Order. Would the Premier just address himself to the supplementary question?

**Hon. Mr. Davis:** Mr. Speaker, I have been so impressed by the member for Hamilton West when he speaks that I just want to help him as much as I can.

I have already made my views known. We will never have such legislation in this province. The first principle, and it was put in some order of priority, is that we believe the constitution should contain measures to eliminate barriers to the free flow of people, goods and services across the country so as to enhance the economic ties within Confederation.

**Mr. S. Smith:** Hawker Siddeley; Babcock and Wilcox.

**Hon. Mr. Davis:** Does the member want me to go back to chapter and verse on some of the things his colleagues have raised with respect to preferential purchasing in this province? Never mind. I will debate Hawker Siddeley with him any time.

That's our answer to it. We want to see it in the constitution that a Canadian is a Canadian, not like the member's leader says, an export. A Canadian is a Canadian wherever he lives, and legislation should reflect that.

#### IRON ORE PELLETS

**Mr. Cassidy:** Mr. Speaker, I have a question for the Minister of Natural Resources about a threatened industry in Ontario, the iron ore industry, and about the minister's statement last Thursday in the House when I was up in northern Ontario.

Since the minister's statement, which came in response to seven months of questioning by this party, contained absolutely no strategy for the future development of the iron ore industry in northern Ontario, are we to take it that the government intends to abandon the iron ore industry in Ontario, as well as any pretence of an industrial strategy that would link the future of iron ore industry to the steel industry in Ontario?

**Hon. Mr. Auld:** Mr. Speaker, of course not, and I think the honourable member

knows that. What I said was the reason for the problems that we currently face was the situation in the steel industry in North America at the present time and the noncompetitive position we have with certain of our ores. I thought I made it quite clear.

**Mr. Cassidy:** Could the minister then say what is the strategy of the government as to developing the iron ore industry to meet the additional demand for some eight million tons of ore a year in this province's steel industry during the 1980s? Since the government now has put a total of \$54.4 million into the acquisition of land for and the development of the Townsend site, what kind of money is the government prepared to put into one-industry towns in northern Ontario which are being forced to close down because of the shutdown of the iron ore industry in those northern single-industry towns?

**Hon. Mr. Auld:** Mr. Speaker, one of the reasons our exports of finished steel are holding up is that we have a highly competitive steel industry. Our problem is not in the steel industry; it is in the kind of ore that we are mining in Ontario. I am sure the honourable member is aware that Canada is a major exporter on balance of iron ore. But the ore we have been talking about in north-western Ontario is simply not competitive.

If the steel companies in Hamilton and Sault Ste. Marie were required to use it, I suspect they would be uncompetitive in their own exports, at which they are now doing very well.

**Mr. T. P. Reid:** Mr. Speaker, has the minister had any conversations with his counterpart in Ottawa with regard to the whole iron and steel industry in Canada and the exports that go along with it with a view to having a Canada-wide industrial strategy, not just an Ontario strategy in this regard?

**Hon. Mr. Auld:** Mr. Speaker, I think I touched on that aspect, not in my statement last week, but in one some time ago. If we were to take any measures which would reduce the imports of US ore coming to Ontario, it seems very likely the United States would take countervailing action against Canadian exports of ore and of finished steel.

I have had discussions with the federal minister in connection with Inco, sea-bed mining and that sort of thing. I have not been specifically discussing iron ore as yet.

**Mr. Martel:** Mr. Speaker, I would sure like to know how sea-bed mining, which is for nickel, got into the iron ore industry discussion.

Will the minister table with the House the names of the mining companies in the United

States in which the steel industry has equity, the equity position of those steel companies in each of those mining operations, the volume of production of those mines in the United States and the volume that each steel company is obtaining from each mining company in the United States so that we can determine whether the steel companies are obtaining volumes of ore that are in excess of their equity position from the United States rather than Canada?

**Hon. Mr. Auld:** Mr. Speaker, I will study that question and see how much of the information would be available. As far as the ownership of a publicly-owned company is concerned, it changes from day to day as shares are sold. I think it would be very difficult to get a perfectly accurate figure. I will look at that question in print and see what sort of answer I can get and what information we would have available that would be accurate.

**Mr. Cassidy:** Has the minister sat down with the heads of the three steel companies in the province to determine from them why they are not prepared to use more Ontario iron ore? Are the minister and the government prepared to table for this House what it would cost, if anything, for those steel mills to continue to use iron ore from Ontario rather than buying iron ore from the United States at the expense of thousands of jobs in northern Ontario?

**Hon. Mr. Auld:** Mr. Speaker, I happen to have with me a statement which indicates why our ore is noncompetitive. It is technical. I am not a metallurgist, but I would like to read it—it won't take very long—to indicate what the problem really is:

"Standard steelmaking practice is to produce pig iron containing three to four per cent carbon in the blast furnace. Pig iron is the basic iron used to feed the furnaces that refine that iron to steel. The pig iron is refined in open-hearth furnaces, basic oxygen furnaces and some electric furnaces. A blast furnace—one blast furnace—"will feed several refining furnaces and therefore must not contain alloys."

I see the member for Sudbury East is smiling. He obviously knows all this, but I don't. So I will continue to read it.

**Mr. Martel:** Then you should learn.

**Hon. Mr. Auld:** "Alloy steels are made in the refining furnace and this is where any alloys are added, such as nickel. A pig iron containing nickel could not be used in most steel-refining furnaces because the vast majority of steel contains no alloys, only carbon.

Inco's iron ore pellet contains 0.2 per cent nickel, which is too high for most steels made. Inco's iron ore pellet was also high in alkalis, which attack blast furnace refractory lining. To remove the alkalis, you must increase the silica in the slag in the blast furnace. However, when this is done, less sulphur is removed from the iron than desired and the sulphur removal must be done by more costly methods later in the refining furnace.

2:50 p.m.

"Inco's iron ore pellets contain about 30 per cent oxygen. This oxygen is removed during melting the pig iron in blast furnaces. Electric furnaces are not designed to reduce oxygen in the ore. It is energy-inefficient compared to a blast furnace and too costly a method to remove oxygen.

"Iron ore pellets can be reduced to sponge iron in gas- and coal-fired kilns, but the process is costly and the final product—pre-reduced iron pellets or sponge iron [which we discussed briefly last week]—must compete with scrap steel. Scrap steel is in good supply and predicted to remain so for some years in North America."

**Mr. Speaker:** Does the honourable member have another page?

**Hon. Mr. Auld:** Just a paragraph, Mr. Speaker.

This, I think, is the key: "Scrap steel would have to sell for over US\$130 per long ton before those pellets could compete, and the present-day price of scrap steel is between \$40 and \$80 per ton.

"Electric furnaces are used to produce steel, especially alloy steel, by utilizing scrap steel. This is very energy-efficient because the steel has already been refined and it requires much less energy to just remelt than to produce steel from iron ore."

**Mr. Speaker:** I want to thank the honourable minister for that lesson in metallurgy. I will add two minutes to the question period.

**Mr. Martel:** How come they refined it up until just now then? With all that nonsense—

**Mr. Speaker:** Order.

#### PRECORONARY PROGRAMS

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Health. Is the Minister of Health aware that the precoronary program of emergency assistance to heart attack victims in the Sault Ste. Marie area, which was provided by paramedics who operated through the ambulance service in that area, has been forced to close down because of an edict from the College of Phy-

sicians and Surgeons of Ontario? This was despite the fact it had reduced the fatality rate among heart attack victims from 15 per cent of those stricken with heart attacks to five per cent.

Is the minister aware that the program was forced to close down last November 1? And what action will the government take to get the College of Physicians and Surgeons to remove its opposition and get this lifesaving program back on the road?

**Hon. Mr. Timbrell:** Mr. Speaker, I will be glad to look into the specific details of that program. The College of Physicians and Surgeons co-operated in a number of experiments that have been conducted around the province in the use of those paramedics.

I have to point out that the term "paramedics" means different things to just about every person one deals with. I am afraid we get drawn down the garden path sometimes the way they use the term in the United States, and the fact it means many things to different people.

I have not had an approach from that ambulance service or the attendants, to my knowledge, but I will be glad to look at that program.

**Mr. Cassidy:** Is the minister prepared to consider favourably similar proposals for an emergency assistance program provided by paramedics in the province's ambulances in the Ottawa area? It is estimated there are more than 100 cases every month there where lives can be saved or where people can be brought into hospital in much better shape if they get assistance at the scene of the heart attack or the accident.

Is the minister or the government prepared to ensure that this kind of paramedic preventive service is put into place and is not blocked by the opposition of physicians in the province, or the College of Physicians and Surgeons, to the use of paramedics at the scene where they are most needed?

**Hon. Mr. Timbrell:** I can assure the member that no development would be blocked by such opposition, but I want to point out a few things. My understanding is that in the case of cardiac arrest, if within the first four minutes there is no doctor, paramedic—whatever that means to the member—or emergency medical care assistant, 93 per cent of whom in this province have cardiopulmonary resuscitation qualifications, then the chances of doing anything for a person suffering cardiac arrest are almost nil. That is the advice I have had consistently.

In Ottawa, let me also point out, there is a cardiac wagon that operates out of the Ottawa Civic Hospital on the initiative of the medical staff of that hospital.

Finally, there are a variety of experiments under way in parts of the province in employing training staff to a higher level than an emergency medical care assistant. These are being evaluated to determine whether we need to go further.

We still have a number of people working in the ambulance services of the province who have not got the full EMCA standards. I would like to see them, in the next few years, brought up to that level, which is recognized as one of the highest minimum levels of qualification for an ambulance service anywhere in North America, including many jurisdictions that supposedly have paramedics. Our standard qualification in Ontario is higher than many jurisdictions that claim to have paramedics.

**Mr. Wildman:** Mr. Speaker, is the minister not aware that the reason the program is no longer an adequate operation in Sault Ste. Marie is that there is not a doctor on duty 24 hours a day in the emergency room of the hospital? Because of that, these paramedics who have the skills in the area, the ambulance operators whom the minister has described as being so highly skilled, are not able to use those skills. Is the minister prepared to provide the kind of funds necessary so that there is a doctor on duty 24 hours a day and so that those skills can be used to help save lives in the Sault Ste. Marie area?

**Hon. Mr. Timbrell:** Mr. Speaker, I am very pleased the honourable member raised that matter. I am sure he would support the activities of the health council in that area in working with the hospitals to rationalize the services between those two hospitals, which are literally no further apart than the width of this chamber, to improve the services. I think that is something that can result from the rationalization of the services between those two hospitals which I have consistently supported and promoted with the hospitals and with the health council.

#### GAS RATE STRUCTURE

**Mr. Peterson:** A question for the Minister of Energy, Mr. Speaker: I want to ask him about the rate structure for gas in this province. How can the minister support a rate structure whereby the owner of a duplex, who occupies one of the units in that duplex, would have to pay a commercial-industrial rate for that gas as opposed to, for example, someone who owned two houses and rented



one and only had to pay a residential rate for that? How can the minister support that kind of structure?

**Hon. Mr. Welch:** Mr. Speaker, if the honourable member will give me the particulars, I will be glad to get some information from the Ontario Energy Board which has the jurisdiction for making these determinations. If the honourable member has some particulars and will share them with me, I will be glad to send them along to the chairman of the Ontario Energy Board and ask for some explanation with respect to that particular rate.

**Mr. Peterson:** The particulars consist of the rate card, which I assume the minister would probably know a great deal about and concern himself about. Would the minister not agree that, if he does not already know, he should study it to make sure we have built in the proper incentives for people to convert from other fuels—as we are trying to do—to the gas alternative? Would he examine it in that light and recommend to the Ontario Energy Board, his people in charge of the rate structures, that we should not penalize people who have small duplexes and that kind of thing?

**Hon. Mr. Welch:** I prefer to take the matter up with the board.

**Mr. Sargent:** Mr. Speaker, would the minister advise us of his concern about the fact that Union Gas has applied for a rate increase while it is diversifying in other industries? Is the minister allowing, through the Ontario Energy Board, increased rates from the taxpayers of Ontario so they can diversify their capital funds?

3:00 p.m.

**Hon. Mr. Welch:** Mr. Speaker, that would not be my understanding as to how the Ontario Energy Board would arrive at a determination. I do not know what relationship other activities of the company would have with respect to establishing the rate for the fuel. If the honourable member has any information he wants to share with me, I can assure him I would be glad to pass it on to the members of the board.

#### SHOP CANADIAN PROGRAM

**Mr. Foulds:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. In view of the minister's well-known penchant for supporting Canadian products, as enunciated last week in the House, could the minister advise the House what action he or his colleague the Minister of Industry and Tourism (Mr. Grossman) can

or will take in view of the misleading practice of Stanley Hardware, as illustrated by this pair of butt hinges, which clearly indicates on the outside of the package that they are made in Canada, and when the purchaser—myself—who bought them in Thunder Bay on May 3 opened the package and looked inside they were clearly stamped "Made in the USA"? The purchaser had purchased them in preference to an American product, which was sold next door.

**Hon. Mr. Drea:** Mr. Speaker, if the member will give me the details of the purchase, we will investigate. I may say that my conversion to Canadian products has been known for some time. I regard that as a very poor practice.

I think I can say this for the Minister of Industry and Tourism (Mr. Grossman), even though he is not here: there are a number of people today who are increasingly—and I welcome it—becoming very label-conscious, particularly with regard to the point of origin. Invariably, when a situation like this occurs those people feel rather bitterly betrayed. One can take it back, I suppose, but they feel that having shopped Canadian they were entitled to an accurate description of the goods.

If the member will give me the details, I will look into it. I am sure the Minister of Industry and Tourism shares my concern in this regard.

**Mr. Foulds:** Surely the Minister of Consumer and Commercial Relations would agree publicly that such a practice does undermine the Shop Canadian Program promoted by his government and by his colleagues?

**Hon. Mr. Drea:** Mr. Speaker, it does more than undermine a program of the government. We can have all the programs in the world, but all the programs can do is motivate people to take a little extra time to compare the labels, the quality and so on. When they find they have been bitterly betrayed after taking that extra effort, it is a betrayal of the public interest, not just a government program.

#### JUNIOR AGRICULTURALIST PROGRAM

**Mr. McKessock:** Mr. Speaker, I have a question of the Minister of Agriculture and Food pertaining to the junior agriculturalist program. As the minister knows, this program is to give nonfarm students agricultural experience and they have an orientation day before attending the farm.

Is the minister aware that some of these students in the past year did not get this

orientation day because the day fell on the same day as their exams and the form states that when this happens the exams take priority? Is he aware that the farmers would like these students to have this orientation day so they at least know what a tractor is before attending a farm, for their own safety and for other reasons?

**Hon. Mr. Henderson:** Mr. Speaker, in response to the honourable member, I had the pleasure two Fridays ago to shake the hands of all the graduates at Centralia. Last Friday I shook the hands of all the graduates at Ridgeway. This Friday I will shake the hands of all the graduates at Kemptonville. I spoke to all those students. I asked them if they had any recommendations to me, as the minister, and not one of them brought this to my attention. But we will look at it.

**Mr. McKessock:** Apparently the minister is not aware of what I am talking about. This does not concern agricultural students; it concerns students from high schools throughout Ontario who have had no agricultural experience. This agricultural program of the ministry is to give nonfarm students agricultural experience in Ontario. My question is: Would the minister see they get their orientation day, the one day that gives them some experience on a farm, before they go out onto these farms?

**Hon. Mr. Henderson:** The honourable member is asking about our summer student program, I believe, and not about our agricultural school program, which I took it to mean.

I am sure the honourable member must not be aware of the programs that our colleges have with the farmers in surrounding areas orienting our students. I will look at his concern and see whether it can be corrected.

#### ELDORADO PLANT AT BLIND RIVER

**Mr. Wildman:** Mr. Speaker, I have a question of the Provincial Secretary for Resources Development. Could the minister indicate whether his government is willing to change its position and provide funding from the regional priorities budget to assist Blind River in providing the infrastructure for the new Eldorado Nuclear Limited plant, which the federal government has designated for that community?

**Hon. Mr. Brunelle:** Mr. Speaker, we are very pleased that the refineries will be built in the Blind River area and this government will do everything possible to assist in whatever is required.

**Mr. Wildman:** Does that mean the provincial government is prepared to provide the

money for which the community has been asking for years to construct the Granary Lake Road between Blind River and Elliot Lake? Is it prepared to provide the extra funding for the sewer extension to enable the community to deal with the expansion that will take place as a result of the industrial expansion there?

**Hon. Mr. Brunelle:** Should those matters be presented, they will be considered.

**Mr. S. Smith:** When the minister says his government is very pleased that this refinery is being built in Blind River, is he speaking for the the entire government, including the Premier and the member for Northumberland (Mr. Rowe)?

**Hon. Mr. Brunelle:** Mr. Speaker, when the refinery is built it will create employment. What we are most interested in is employment; so we are very pleased, especially since it is going into an area where there is quite a demand for employment in northern Ontario.

#### THE TIN DRUM

**Hon. Mr. Drea:** Mr. Speaker, yesterday the Leader of the Opposition asked questions of the Attorney General concerning the supposed suppression of a board decision. There was no suppression of any decision by the board. I will be very brief in the chronology, but obviously the Leader of the Opposition acted on erroneous information.

On April 22, a decision on cuts was reached by the board. On April 30, a review was requested by the distributor. Between May 2 and May 5, the film was reviewed. There was no decision reached.

On May 14, one member indicated a wish to have a decision on the review. On the morning of May 15, the board made a decision. All the board members initialled the decision, which was for three cuts involving children.

On May 15, there was a letter from a solicitor offering the English cut. On May 16, the decision of the 15th was conveyed by telephone to the solicitor. The solicitor asked for time to reply to his client.

On May 21, the solicitor asked for a written decision. On May 22, the written decision, which was identical to the phone call, went out. The solicitor informed us today that, unfortunately, he did not receive the letter. The letter of May 22 was delivered by courier to the solicitor today.

There was no suppression of any decision. On April 22, they were informed of the first decision. On May 16, the very day after the second decision, they were informed.



**Mr. S. Smith:** Mr. Speaker, if the minister will take time to read my question of yesterday, which I put to the Attorney General in his absence, I said the allegations of suppression of a decision were in the *Globe and Mail*.

However, the allegation by the lawyer that his letter was not conveyed by the chairman to the other members is an allegation the lawyer put to me indirectly, but put to me. May I ask, therefore, what explanation the minister has accepted for the apparent fact that the lawyer's offer to accept the English cut was allegedly not presented to the other members of the board?

3:10 p.m.

**Hon. Mr. Drea:** On May 14 a member of the board requested a meeting on May 15 so the decision would be made. The decision was made and all seven members of the board initialled the decision to make three cuts. The lawyer's letter arrived after that decision was made. The decision was made on the review. How many times does the member opposite want to review?

**Mr. S. Smith:** They might have re-considered it.

**Hon. Mr. Drea:** The cut that was offered in that letter was not among the cuts at that time, or indeed the one cut that is often mentioned. It was a letter that was redundant by the time it arrived.

**Mr. S. Smith:** The chairman said it was a personal letter.

**Hon. Mr. Drea:** I looked today at the letter that was sent to the chairman but, on the basis of a decision having been reached, that letter was no longer of any relevance.

Could I ask the Leader of the Opposition just one thing? If the cracks about the tin god were about me, that is fine. But if the cracks were about the director of the Ontario Board of Censors, I think, in the light of the chronology I have given the honourable member, there is some appropriate action to be taken.

**Mr. S. Smith:** I do not mind. If no decision in favour of one cut was ever taken informally or formally at the board and the *Globe and Mail* article was totally in error, and if the head of the board of censors will tell the *Globe and Mail* that its article was totally in error, then I would apologize for any inference otherwise that I may have made.

I continue to believe, however—and I hope the minister will agree—that even though a decision had been taken one day earlier, the letter that was sent to the director of the

board surely should have been sent to the other members as well and should not have been regarded by him as a personal letter.

#### CIVIL SERVICE SALARY INCREASES

**Mr. Nixon:** Mr. Speaker, I have a question for the Chairman of Management Board of Cabinet, if I may have his attention. Can he explain to the House why he accepted the recommendation of the Civil Service Commission and approved a 12 per cent increase in salaries for the secretaries of cabinet ministers, deputy ministers and parliamentary assistants, when the general increase for most of the employees of the government was between eight and nine per cent, and particularly when the leader of the government is making speeches about holding the line on salaries and government costs?

**Hon. Mr. McCague:** Mr. Speaker, when we were dealing with the union on salaries in connection with the secretaries and clerical series, the union made a very strong case for equalizing the rates of pay for those two series. It resulted in us having to give an additional increase of about three and a half per cent in the secretary series in the bargaining unit. It is part of the philosophy, with which some members of the House agree, that there should be equal pay for equal work. So the same percentage was applied to the secretaries of ministers and deputy ministers as was the case in all the secretaries series within government.

**Mr. Nixon:** If the explanation is equal pay for work of equal value, I would like that documented and I hope the minister would be prepared to table the information. Is he aware of the report entitled *Compensation in Canada: A Study of Public and Private Sectors*, put out in April by the Conference Board in Canada, where on page 22 it says as follows: "Provincial governments tend to pay higher rates than the private sector for all positions and, as a result, average between eight and 18 per cent above the private sector"? If he is aware of that, does he not agree that he is the person, as chairman of management board, who should surely attempt to fulfil at least the indications made by the leader of the government and try to keep some control on these increases?

**Hon. Mr. McCague:** Since the member has the book in his hand, and I have one also, I would like to refer him to page 55, where there is a little clearer story of what is going on. He will notice that in most classifications we are behind the average percentage increases throughout Canada, except for a

couple of classes like OPP constable and nurse 2.

If the member will also turn back in his book to page VI, he will see it explained—this is what was missing in all articles that I have seen in the press. It says: "The provincial government enterprise sector"—and I think the member will agree that the enterprise sector is not actually the provincial government; it is the outside agencies—"and the municipal government sector are the only public sectors in which hourly rates of pay are consistently higher than those for comparable jobs in the private sector."

**Mr. Martel:** Would the chairman of management board meet with his colleagues on the Board of Internal Economy to indicate that if they believe in equal pay for work of equal value, they should support my motion? It would have given 12 per cent to the legislative assistants around here because it was based on the 1977 decision that these categories be the same. If the minister's colleagues won't get up enough courage to support that, maybe the Liberal representative would; yesterday he opposed it as well.

**Mr. Nixon:** You are darned right I opposed it, and I would oppose it again.

**Mr. Martel:** Yes, you're darned right. You want it both ways.

**Mr. Nixon:** Well, somebody has to do things right around this place.

**Mr. Martel:** Yes, I know.

**Hon. Mr. McCague:** Mr. Speaker, the members from this side on the Board of Internal Economy have already spoken to me to verify what I just said.

#### VISITORS

**Mr. Van Horne:** Mr. Speaker, in the light of the earlier comments from members of both sides of this House about the people leaving Ontario or coming to Ontario, I do not want it construed on behalf of any of the members that we are not pleased to have with us 21 visiting students from British Columbia who are guests here in our province.

#### KEATING CHANNEL DREDGING

**Mr. R. F. Johnston:** Mr. Speaker, my question is to the Minister of the Environment. It concerns a drastic change of opinion by his ministry on the Keating Channel dredging matter.

On February 19 of this year, Mr. Salbach, the assistant director of the ministry's water resources branch, wrote a memo that recom-

mended the ministry withdraw its approval for the Toronto Harbour Commission's proposal for the dredging disposal in Toronto harbour. On February 28, the ministry's officials, including Mr. Salbach, attended an interagency meeting where they not only approved the proposal but also agreed to help pay for it to the tune of \$55,000. What changed between February 19 and February 28? What was the blinding revelation that changed their opinion?

**Hon. Mr. Parrott:** I would have to review that, Mr. Speaker. I do not know what transpired specifically. No doubt new information came forward. I would be glad to get that to the member.

**Mr. R. F. Johnston:** Since the February 19 memo stated that one of the major reasons for withdrawing approval was the Toronto Harbour Commission's frequent past violations of water quality guidelines, could the minister say what changed about that between February 19 and February 28? Since another reason given was the high probability of water contamination at the Toronto city intakes if dredging spoils were dumped in 1980, could the minister tell us what changed there between February 19 and February 28 for his ministry to give money to this proposal?

**Hon. Mr. Parrott:** Mr. Speaker, there were many meetings on this, not only within our own ministry but I am sure also with other ministries. I would have to review that period of time to know what transpired, to look at the dialogue with other ministries and other agencies. I would be glad to do that, but I do not have that information available to me at this minute.

**Mr. Speaker:** The time for oral questions has expired.

#### REPORT

##### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

**Mr. Gaunt** reported the following resolution:

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, 1981: university support program, \$942,979,000; college and adult education support program, \$487,931,000; and student affairs program, \$95,316,000.

## INTRODUCTION OF BILLS

## LIMITED PARTNERSHIPS ACT

Hon. Mr. Drea moved first reading of Bill 85, An Act to revise the Limited Partnership Act.

Motion agreed to.

GOTHIC MINES & OILS  
LIMITED ACT

Mr. Kennedy moved first reading of Bill Pr12, An Act to revive Gothic Mines & Oils Limited.

Motion agreed to.

## WRITTEN QUESTIONS

Mr. Peterson: Mr. Speaker, I have a point of order if there are no other bills. I want your advice on this matter. I put a question on the Order Paper, question 76, which I want to draw to your attention and ask your advice. It was tabled on April 1, 1980. There was an interim answer on April 14, 1980, and then it says, "Approximate date information available, week of May 19, 1980." As I am sure you are aware, or at least take judicial notice of, Mr. Speaker, it is now May 27. I would like your advice on what remedies I have as a private member of this House to make sure the government does not give misleading information on the Order Paper.

Hon. Mr. Wells: Mr. Speaker, that answer will be available Thursday or Friday.

Mr. Speaker: That does not comply with the standing order. I think there is a responsibility to bring those forward in the times allocated and specified by the standing order itself, or some reasonable explanation should be given.

Hon. Mr. Wells: Mr. Speaker, I believe it says, "Approximate date information available, week of May 19." Approximate means give or take a couple of weeks.

Mr. Speaker: It is not very precise.

## BILL 35

Mr. Peterson: I have one more point of order, Mr. Speaker, and I want your advice on this. How can I use your good offices to assist me to force the government House leader to drag forward Bill 35, An Act respecting the Disclosure of Tax Incentive Costs, which had the unanimous consent of this House?

Mr. Speaker: I cannot offer any relief.

Mr. Peterson: You helped me with my last problem, and I am most grateful to you.

Mr. Speaker: I do not order the business of the House, unfortunately.

Mr. Peterson: Would the government House leader take note? Could I ask him when he plans to call Bill 35 forward?

ANSWERS TO QUESTIONS ON  
NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 150, 156, 160, 162 to 167, 173 and the interim answer to question 171 standing on the Notice Paper. (See appendix, page 2250.)

Mr. Speaker: Order. Would the member for Sudbury East stop interfering with the business of the House.

Mr. Martel: I'm not. I'm doing about 14 different jobs.

Mr. Speaker: You've been standing in front of the last three ministers I've called on.

## ORDERS OF THE DAY

LABOUR RELATIONS  
AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 73, An Act to amend the Labour Relations Act.

Hon. Mr. Elgie: As honourable members know, Bill 204, An Act to amend the Labour Relations Act, was passed by this Legislature last December. One of the principal features of that bill was to extend existing regional bargaining rights of construction unions in the industrial, commercial and institutional sector of the construction industry and to make those bargaining rights province-wide in scope.

In addition, after May 1, 1980, the bill required that bargaining rights in that same sector, the ICI sector, be obtained on a province-wide basis. The bill also imposed restrictions on the use of selective strikes and lockouts and imposed a statutory time limit for ratification of memoranda of settlement.

The bill, as introduced, passed with all-party support and came into effect on May 1, 1980. Following the passage of Bill 204, I received representations from certain groups affected by the legislation, claiming that one provision of the bill, section 131(a), was overly restrictive in that it deprived local trade unions, as opposed to the provincial employee bargaining agencies, of their long-recognized capacity to make applications for certification.

It was further contended that the bill, strictly construed, prevented local unions and local building trades councils from seeking

voluntary recognition as they had always been entitled to do in the past.

Finally, it was also argued that the section precluded the Ontario Labour Relations Board from continuing its longtime, normal practice of granting bargaining rights to a trade union in a certification proceeding for all sectors of the construction industry in the appropriate geographical area.

In view of these highly technical but important contentions, the matters were referred by me to Mr. George Adams for consideration and advice. As special counsel, Mr. Adams consulted with representatives of affected trade unions and employers and issued a report to me suggesting certain changes to Bill 204.

Mr. Adams's report was circulated to those who made representations to him, to the members of the Construction Industry Review Panel, to all interested persons who requested copies of the report and, I might add, to both opposition parties.

Generally, the reaction to the report has been favourable. It is supported by the Construction Industry Review Panel whose mandate is to advise me on a broad range of matters relating to construction industry bargaining. On the other hand, some groups opposed any amendments, arguing that Bill 204 should be tested before any changes are considered.

I have met with all parties I know of who have expressed an interest in the proposed amendments. While there is not total agreement, I am of the view that in the interest of continuing stability in industrial relations in the construction industry, the amendments proposed by Mr. Adams, which I believe are fair and reasonable, ought to be supported.

As I mentioned earlier, Bill 73 deals only with section 131(a) of the Labour Relations Act, the section dealing with the acquisition of bargaining rights. It does not deal with bargaining itself. The proposed amendments modify that section in three respects, and again, let me emphasize, without in any way altering the fact that bargaining is to be carried on on a province-wide basis.

The first amendment has to do with voluntary recognition. In addition to the right now accorded to an employee bargaining agency, this amendment enables a local trade union that is an affiliated bargaining agency, as well as a building trades council on behalf of its affiliates, to enter into province-wide recognition agreements. It should be emphasized that while local unions and buildings trades councils may be parties

to recognition agreements as a result of the proposed amendments, the bargaining rights so acquired vest in the provincial bargaining agency preserving the principle of province-wide, single-trade bargaining by individual trade bargaining agencies.

3:30 p.m.

The second proposed amendment gives a local trade union, as well as the provincial bargaining agency, the right to apply for certification in the industrial, commercial and institutional sector on behalf of all associated locals in the province. This is an alternative method that may be selected, as Bill 204 already allows the provincial bargaining agency to do that. This recognizes the fact that organizing in the real world is done at the local level, and it supports that principle.

The third feature of this bill melds a basic requirement of the original section 131(a) with an accepted and long-standing certification practice of the Ontario Labour Relations Board. Prior to Bill 204, certification in the construction industry was granted for a specific geographic region without limiting it as to sector. The resulting certificate therefore applied to all sectors of the construction industry in that particular geographic area.

It has been contended that Bill 204, as enacted, can be construed to deprive an applicant union from obtaining area bargaining rights for non-industrial, commercial and industrial sector work in circumstances where its membership position would have previously entitled it to acquire such rights. Accordingly, the final amendment proposed restores this right in those situations where the union is able to show the requisite employee support in an appropriate geographic area.

**Mr. Van Horne:** Mr. Speaker, Bill 73 will be supported by the Liberal caucus, but not without considerable discussion and, for that matter, considerable soul-searching. As we see it, essentially what we are going to do is put the stamp of approval on what is already an established practice, which could have been effected if Bill 204, which was passed in December of last year, had been implemented as it should have been on May 1.

Second, the feeling we have is that we will be providing some kind of assistance to the labour portion of our community by keeping the lid on what would appear to be a rather volatile situation in so far as present bargaining is concerned in the construction industry.

The minister has reviewed the history of Bill 22 and Bill 204. I would like to remind the House that when Bill 22 was being discussed across the province, representation from our caucus had its input and stressed, among other things, the inclusion of Ontario Hydro in the provisions for Bill 22. Our caucus still feels the same way, that is, Hydro should have been and should be included in that provision, which was an amendment to the Labour Relations Act.

Further, when Bill 204 was brought on stream late last fall, our caucus felt there was every reason for the minister—and we asked him in the debate—to establish an inquiry into subcontracting, as he has the right and privilege to do under existing legislation. We still feel that is a major problem in the construction industry.

When that bill was brought to us last fall there was considerable urgency. It was as though our party, if not both opposition parties, was being forced into quick agreement with something the government felt had to be done before we left for the winter recess. One can only speculate what kind of thinking went into the preparation of that bill, but the process of speeding things through led to further complications. Those complications came to us in the months of February and March with a hurried series of meetings through representation from the Toronto Building Trades Council and representation from the Construction Industry Review Panel. In that instance too it seemed that there was urgency. Everything had to be done almost yesterday.

For those reasons, I suppose some members of the building trades council felt our caucus in particular was being obtuse and was providing nothing more than blockage to their bargaining process. Perhaps it was to that end that some comments were made about me and about our caucus in the Daily Commercial News on Monday, May 12. "Changes to Bill Stalled" is the headline of the article.

Quite frankly, I make no apologies if the bill was stalled. I make no apologies on my own behalf or on behalf of my caucus for trying to insist that legislation that is brought to us gets some kind of thorough discussion and thorough debate. We, as a caucus, were not prepared when we first saw the proposed amendments, keeping in mind—which some people did not—that at the time of the printing of this, on May 12, the proposed amendments had not been introduced as proper legislation in the House. All that we had seen was a proposal brought into our caucus. If

that is justification for calling our caucus a bunch of stallers, then I take offence.

I do think that there is need for understanding that we, as legislators, have to take the responsibility for examining as carefully and as thoroughly as possible legislation, or proposed legislation for that matter, that is brought in front of us. Albeit the proposal seemed to be simple and albeit the government was willing to provide whatever expertise we were after to get any details explained or clarified, in spite of that, we felt the need to have as thorough a debate as we could. It was not until our caucus meeting this morning that final agreement or approval was given to this bill, Bill 73.

With that by way of background from within the caucus, I think it is important to underline the two concerns we had with Bill 22 and with Bill 204, bringing us up to the present time. What we tried to stress with Bill 22 was the inclusion of Ontario Hydro, and what we tried to stress with Bill 204 was the need for the minister to look into subcontracting.

Let me stop at that point and digress ever so briefly. It may be common knowledge—if it isn't, I hope that saying it now will help it to be more common—that our caucus has had a labour task force visiting about the province in the last few months. In the course of those visits, it was drawn to our attention very clearly, particularly from people in northern Ontario, that when Bill 22 was brought on stream, many labour union people and contractors wanted no part of it. Beyond that, when Bill 204 was brought to their attention in northern Ontario—unfortunately brought to their attention after the fact—they did not want it. I am going to quote a portion of a brief that was presented to our labour task force, a brief that made specific reference to both Bills 22 and 204:

"This legislation never had support of rank-and-file members of building trades unions whose livelihood it was most likely to affect. Grass-roots support, as you called it, was never there. In fact, there was quite a concentrated opposition to the new legislation at the grass-roots level.

"Various briefs and petitions were presented to the legislators and protest meetings were held in opposition to the new legislation. The most vocal of these groups was an ad hoc committee to repeal Bill 22. It presented petitions signed by thousands of construction workers in Ontario, to no avail, as the legislation steamrollered any and all opposition and province-wide bargaining became a fact of life."

This brief, again from one group of people, the International Brotherhood of Electrical Workers in a community in northern Ontario, is representative of what was presented to us on at least four different occasions in the last two weeks.

3:40 p.m.

I think it is abundantly clear that we have to draw attention to a third factor as far as province-wide bargaining is concerned. That third factor is that there is need for the minister to consider some form of regionalizing in so far as the bargaining process is concerned. Time and time again it came through to us that the bargaining process is one thing in Toronto or in southern Ontario; it's another thing in northern Ontario.

I notice that the Minister of Education (Miss Stephenson) is here. I do not want to miss the opportunity to make her aware of the fact that she was mentioned in this brief. On page three—I will share this brief with the minister after the fact—this piece of labour legislation, or “masterpiece” as it is called, ignored British Columbia's experience and even some of Mr. Frank's recommendations. I see Mr. Frank is here today.

They speak in medical terms: “It was delivered in Queen's Park by that famous midwife, Dr. Bette Stephenson, then Minister of Labour.” So they have not forgotten; and their concern, which is reflected here in 1977, is repeated again in 1980.

That third factor is the need to consider a review, if not the undertaking, of some regionalizing in so far as collective bargaining is concerned. It is almost a contradiction in terms, I know, but the point these people are trying to make to us is, and they say it very clearly: “Our local was chartered in 1951, and until 1978 we always negotiated our own agreements. Sometimes they were good and sometimes not, but they were our agreements and we were happy to live with them.” That's how they feel.

The concern then is about a situation in which the Toronto Building Trades Council is the tail that wags the dog, Ontario.

Finally, the most recent concern that has been brought to us about Bill 22, Bill 204 and Bill 73, was one that was brought to us just today. I would hope the minister would check into this concern. I heard that a problem with this type of legislation is reflected in a happening such as we have had in the last day or so and will likely continue for another day or so. Apparently, mechanical contractors have signed an agreement with the pipe trades council, and this was done on Sunday last. Apparently, this agreement was

one in which the chairman of the pipe trades council assured management that they would be back to work by Tuesday; that is, today. However, the understanding given to me this morning was that in Sudbury and Oshawa-Peterborough the workers determined they were not ready to go back.

The question then becomes, how does one get them back on the job? If one has to go so far as a cease-and-desist order, must he get one on each and every job in the Sudbury area or the Oshawa-Peterborough area?

If that is a legitimate concern—and certainly it made sense when it was called in to me this morning, from what I know of the law—then one has to ask the question, is there something else that we will be amending in another month or another three or four months?

The point is that in the last two instances, Bill 73 and Bill 204, we have gone through a rather hurried exercise. It is not our role as a political party, or my role as a critic in this area of responsibility, to hold up the process. But it is my role to examine it as thoroughly and as carefully as I and my resources can do, and then to pass my findings on to my caucus members and get some consensus to bring to this House. It has been a difficult exercise for some of the reasons I have brought forward today.

In summary, let me say that we are going to support this, but it has been difficult. Again I would ask the minister to take a look at subcontracting, and I would say to him to take a look as openly and as quickly as he can. I do not think it would suffice for the minister or for cabinet to hire a private law firm or a single individual to take a quick look into the legal ramifications. I think it would be much better if the minister had an open inquiry into the whole process of subcontracting.

**Mr. Mackenzie:** Mr. Speaker, Bill 73 simply clarifies the situation with regard to Bill 204 and the facts of everyday life in organizing in the construction industry.

The local union or council of trade unions have to have the right to move quickly on the job site or there would be little organizing and little security for the workers involved. The amendments have the support not only of the Toronto Building Trades Council but also of the provincial Building Trades Council of the construction industry. The fact that the amendments do give the right to councils of trade unions to sign voluntary recognition agreements or allow a local union to sign a voluntary recognition agreement is essential to the wellbeing of the construction industry.

A local now can file an application for certification, provided it has the required number of workers in the province.

The error, if any, may have been that we did move a little too quickly, without looking at all the ramifications of Bill 204. However, our caucus has no hesitation whatsoever in supporting these amendments. They make sense, and they should be passed quickly. They underline the facts of life in terms of organizing on construction sites.

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

**Mr. Van Horne:** Excuse me.

**Mr. Deputy Speaker:** The honourable member has already spoken.

**Mr. Van Horne:** On a point of privilege, Mr. Speaker—there cannot be any other point—I would ask you to rule on it.

I did receive a sheet, and I guess the privilege would be that I am not given to understand the bill properly, if in fact the two amendments suggested in the sheet I got this morning were not properly introduced.

Was that the intention of the Minister of Labour, or has that happened?

**Mr. Deputy Speaker:** There certainly have not been any amendments. They come before a committee of the whole House.

**Hon. Mr. Elgie:** Mr. Speaker, I want to thank both the critics of the opposition parties for their remarks. I am particularly sensitive to the fact that the member for London North (Mr. Van Horne) is sincere in his comments. I appreciate them. I have to say that because my cousin supports him and works for the member for London North in his riding. If I did not support him, I would have troubles in my family.

I was interested in many of the remarks the member for London North made. He talked about my review of Bill 22 and Bill 204. Actually, I referred only to Bill 204. I hope in his review of Bill 22 and Bill 204, as he travelled through the province as Labour critic, he also took note of the fact that there is no one in the construction industry who understands it thoroughly who would not agree that bargaining in the construction industry has been improved considerably as a result of Bill 22.

I frankly do not have any sense that there is anybody who has considered it carefully who would object to that statement or who would not support it. I suppose one can say the jury is still out on Bill 204. But we are now in a position where all the trades but four have settled already. That is pretty good

time, I think. We are now into mid-May and, as I recall, it was well into June or July before things had been resolved two years ago.

In accepting the advice of the joint management-labour Construction Industry Review Panel, we have acted in accordance with proper direction. That does not mean that everybody on that panel from management represents all management's views, or that everybody from labour on that panel represents all labour's views.

They are trying to bring a consensus to the industry to produce an industry that functions effectively and to the benefit of public interest. Thoughtful people would agree that is what they were doing, and trying to do, when they made those recommendations. Bill 22 has achieved that to some degree. Although the jury may still be out to some degree on Bill 204, I think the initial evidence, the prima facie case, is very supportive with regard to that bill as well.

The member raised the question of the Electrical Power Systems Construction Association before, and he will recall at that time that really we were talking about the Ellis report. Ellis did investigate that whole questions and made certain recommendations. I advised him at that time there had been certain restructuring on a voluntary basis in EPSCA, and that Ellis was to play some role in that restructured EPSCA.

3:50 p.m.

Subsequent information given to me indicates that voluntary restructuring is proceeding and proceeding very satisfactorily. I do not know how the member feels, but I feel that if things are taking place in the community voluntarily because parties agree upon it, one should leave it alone. One achieves nothing by interfering when they are working things out themselves. That is the information I have.

I am pleased to keep the member informed of progress about EPSCA and the voluntary arrangements that are taking place from time to time. If he has any suggestions as a result of slowing of progress or some halting of progress, I would be glad to discuss that with him. That is not a difficult problem for me, and I suggest it probably is not for him either, because he and I agree that if people can work it out themselves it should be done.

The issue of an industrial inquiry into subcontracting was raised when we debated Bill 204. I think the member should know that the issue of subcontracting is squarely before the Ontario Labour Relations Board now in a case involving bricklayers 1 and bricklayers 2. I have no idea when the judge-



ment will come down on that, but an issue is there four square.

I think the member would agree in the presence of such a situation it would be inappropriate at this time to intervene when the matter may be resolved to some person's satisfaction by such an inquiry. Certainly that is the appropriate body to deal with it. If it is before them, then we will know what they think about it. That is their job.

**Mr. Van Horne:** The question is to intervene if it is not resolved.

**Hon. Mr. Elgie:** I always like to see what is going to come from a process before making any decisions beforehand.

I do not think the member for London North really meant it to be as critical as it may have sounded to some when he suggested there was considerable urgency and that we were forced into a quick passage. If he were to consult with his leader, he would know that early last October, his leader attended the Provincial Building and Construction Trades Council of Ontario in London. He was on the panel at that time. When asked by members from the floor what his feelings would be with regard to province-wide extension of bargaining rights, he made it very clear that if he had the opportunity to see the words in the bill beforehand, he would support that principle.

I would like to suggest that is what we did do. We did give the member the words beforehand. As I understand it, the Construction Industry Review Panel met with him and discussed it beforehand. I would suggest, in all fairness, that process his leader suggested in that forum was carried out.

**Mr. Van Horne:** From the end of October to the middle of December is six weeks.

**Hon. Mr. Elgie:** Let me finish, please, I will say the Construction Industry Review Panel may well have not brought in the suggestion as early as one might have wished it could, but that was the fact of life I had to face, the member had to face and we all had to face. I think he will agree there was a free and open exchange of information in the process. If he feels there was some urgency, I hope he is not suggesting there was some lack of information and data provided for the process.

Again, I cannot agree with the member when he suggests there is some urgency about Bill 73. Certainly, there is a degree of urgency because negotiations are now taking place. As of May 1, certification of voluntary recognition and acquisition of other sectoral bargaining rights are at issue whenever anybody wants to organize. To

that degree, the member is right; there is a certain degree of urgency.

Although there may be some desire to have this settled so that it does not disrupt anything we deem to be reasonable in the construction industry, there was time for a thorough and thoughtful review by someone who, I happen to think, is a very well-informed individual, Chairman Adams. There was time for him to review the whole problem and to consult with the parties and anybody who was interested and time for the member to be provided with a report and with the small supplementary report for review. Once again, although he may say the period of time of a month and a half, two months or whatever it was, was short and brief, I hope he will not suggest the information provided, including discussions with members of my staff about the meaning of the bill, would indicate there is any lack of material in the process. I have a great deal of sympathy with the comments the member made about an article that appeared in one of the newspapers. I had not seen it until he showed it to me. I do not think it needs to be elaborated upon, except to say it was unfortunate. I may say publicly I have not experienced any obstruction, or any attempted obstruction, from either party in discussion or negotiations about this bill. I would agree that the comments made in the article were not appropriate.

The member then referred to his caucus's tour throughout Ontario, mentioning they encountered many unions and contractors who did not want Bill 22 or Bill 204. I do not doubt there are some unions and contractors who did not want Bill 22 or Bill 204, but I would like to emphasize once again that those who examine the facts cannot help but agree that Bill 22 has done what it was intended to do. I submit that Bill 204 is also on the way to confirming what we felt it would do in terms of the construction industry negotiation process and construction industry relations.

I find it very difficult to accept the member's allegation that things were steamrollered through in 1976 with the intimation that perhaps the same was true with Bill 204. I have outlined the reasons why I cannot accept that. I find it pretty hard to accept in a minority government position when the members could have stopped that process at any time, I do not think it is a fair criticism, and I think the member is in a bit of a sticky wicket when he makes that claim, if he will pardon the Blue Jays' phrase.



He suggested there was a need for regionalizing of bargaining. Careful, or I will get Mr. Davidson at his wicket too, and I am not sure his wicket could take it.

**Mr. Foulds:** Mr. Speaker, is that parliamentary?

**Mr. Deputy Speaker:** Order.

**Hon. Mr. Elgie:** I make note of the fact that the member suggested there was a need for regionalizing of bargaining. With the greatest of respect, I suspect that recommendation came from those who did not want Bill 22 or Bill 204, because the purpose of those bills was to do just the reverse: to get rid of regional bargaining, which was causing confusion for the industry, for employees, employers and the general public, with walkouts, strikes, failure to get agreements and all sorts of problems. Those were the very things that led us to introduce Bill 22 and Bill 204, and if the member is asking if I am prepared to consider going backwards, I do not think there is evidence to support such a move.

In Bill 73, we are at least recognizing some structural regional matters which need to be preserved and I am pleased he is going to support those structural regional and procedural matters that deserve to be preserved.

In passing, I cannot help but remark on the comment someone made that we had ignored the BC experience. I would suspect so, because it is multisector trade bargaining and not single-trade bargaining as we have here in the province. I think the BC experience was examined and I suspect the older man sitting beside the Cheshire cat down there took that into consideration when he recommended that there be single-trade bargaining.

The member for London North commented on some problem with mechanical contractors. I presume he is referring to the fact that on Sunday there was a memorandum of agreement signed which has yet to be ratified, and there may be some work stoppages. If that is so, I would submit if it is illegal then there is a remedy for it. It is certainly not a matter to be dealt with in this bill. I would be pleased to look into it for him if he would like further information, because I'm sure if there is any illegal work stoppage, he would be interested in knowing about it.

Motion agreed to.

Ordered for committee of the whole House.  
4:00 p.m.

House in committee of the whole.

## LABOUR RELATIONS AMENDMENT ACT

Consideration of Bill 73, An Act to amend the Labour Relations Act.

On section 1:

**Mr. Deputy Chairman:** Hon. Mr. Elgie moves that subsection 1 of section 131(a) of the act as set out in section 1 of the bill be amended by inserting after the word "one" in line 11, the word "appropriate"; and he further moves that the said subsection of section 131(a) of the act be amended by striking out "a" on line 12 and inserting in lieu thereof the word "such."

**Hon. Mr. Elgie:** Mr. Chairman, I raised this matter with the staff and as a result of those discussions have proposed this amendment. Subsection 1 allows the applicant to select which geographic area or areas it will include in its application for certification. This freedom of selection is necessary because of the diverse circumstances which pertain to any particular application.

At the same time, however, this freedom could be abused if rights are sought for geographic areas in which, for example, no employees are employed or if areas are selected for purely technical reasons and bear no affinity to the bulk of employees for whom bargaining rights are being requested.

Accordingly, the Ontario Labour Relations Board is given clear authority to prevent abuses of this somewhat complex procedure and to do so in the light of basic labour relations principles. The board has a general mandate to deal with appropriate bargaining units and the amendment makes clear that this authority also applies to the selection of geographic areas under the subsection.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill 73, as amended, reported.

On motion by Hon. Mr. Elgie, the committee of the whole House reported one bill with amendment.

## MUNICIPAL AMENDMENT ACT

**Mr. Rotenberg,** on behalf of Hon. Mr. Wells, moved second reading of Bill 46, An Act to amend the Municipal Act.

**Mr. Rotenberg:** Mr. Speaker, I am pleased to move second reading of Bill 46, which contains several amendments to the Municipal Act. I would like to comment briefly on these amendments and then ask the House to pass the bill for second reading.

Section 1 of the bill deals with the concern raised by several municipalities. It has been a long-standing practice for members of municipal councils to serve as volunteer firefighters. The concern is that volunteer firefighters might be considered to be employees of the municipality, in which case they would be prohibited from holding office under section 36(1) of the Municipal Act. The government wants to ensure that members of council are able to serve as volunteer firefighters. This amendment will clear up any possibility that they might be disqualified and will ensure that they are able to serve as volunteer firefighters.

Section 2(1) and section 5 of the bill are as a result of a request from the council of the city of Toronto. They are complementary provisions to the provisions passed in 1978 which allow a municipal council to provide liability insurance and to pay damages sustained by councillors or employees in proceedings resulting from the performance of their duties. The proposed amendments will permit council to pay the costs and damages of persons who are no longer councillors or employees at the time the judgement is rendered. Of course, they would have been councillors or employees at the time of the action which resulted in the lawsuit.

Section 2(2) is consistent with the government's policy of giving municipalities more flexibility in determining the composition of their various boards, committees and commissions. The proposed amendment will permit council to determine the number on a parks board of management and will delete the requirement now in the act for a minimum of two councillors on the board. We had similar amendments to the Municipal Act for boards of management other than parks boards last session, members will recall.

Section 3 of the bill proposes a considerable number of important changes to the business improvement area provisions of section 361, as a result of requests from many municipalities and boards of management of business improvement areas. These amendments will provide greater flexibility for both councils and boards and will ensure that financial control rests firmly with the members of council. I would stress that these amendments are permissive and not mandatory on various councils.

In summary, the amendments are as follows: to allow a council to exempt entire properties or portions of properties from an improvement area; to require Ontario Municipal Board approval of a bylaw designating or altering an improvement area only when

objection has been received to the bylaw (up until now OMB approval was mandatory in all cases); to remove the requirement that a council must wait two years before again attempting to establish an improvement area after one has been previously blocked by petition; to remove the requirement that all members appointed to board of management be qualified to be electors in a municipality, but a person so appointed must be assessed, or must be the nominee of a person assessed. That is, a corporation who is assessed can appoint or suggest a nominee to the board of management.

The bill will also allow a board to plan projects covering two or more years by authorizing, but only with the approval of council, to incur debts extending beyond the current year.

Finally, this bill will allow a council to set maximum and minimum yearly charges for affected persons within the improvement area and to set different charges for persons who, in council's opinion, derive different levels of benefit from the establishment of the area.

This bill had first reading more than a month ago and it has been circulated to all the municipalities in Ontario. The subject matter of the bill had been discussed previously with many of the municipal councils, the Municipal Liaison Committee and so on. However, we have received an objection from the city of Ottawa and from their business improvement areas indicating they are not happy with a number of provisions of the bill.

I do not agree with the objections the city of Ottawa has raised. It has been before their planning board this morning and will go to their council a week from now. They have asked, in effect, for the chance to speak to the Legislature about their objections to the bill. Having said I do not agree with their objections, I feel we should facilitate the city of Ottawa if possible. Therefore, after second reading of the bill, I will recommend the bill go to the standing committee on general government for the possibility of Ottawa making representation, and it is to be hoped the bill will be back in June so it can be passed at this spring session.

With those comments, I commend the bill to the House and ask the members for their support.

**Mr. Epp:** At the outset, Mr. Speaker, I should indicate that we will obviously support this bill. The Minister of Intergovernmental Affairs (Mr. Wells) indicated only a few weeks ago during estimates that he had three major goals he wanted to achieve with respect to

legislation. One was to remove archaic provisions in various municipal acts. The second was to eliminate redundant provisions. The third was to modernize the language.

4:10 p.m.

I suppose, particularly with respect to the first two, this bill fits the criteria and the goals the minister established for himself and his ministry. A few minutes ago, the parliamentary assistant to the minister indicated that when dealing with the amendment that pertains to voluntary firefighting a member of council now would also be able to serve as a firefighter. I suppose the converse would also be true, that a firefighter would also be able to serve as a councillor.

**Mr. Rotenberg:** Voluntary.

**Mr. Epp:** A voluntary firefighter would be able to serve as a councillor. This is very important, simply because a voluntary firefighter would ordinarily not be paid and there is no reason why he should not be able to serve on council and as a firefighter at the same time. This was overlooked when the legislation was originally drawn up, and I am sure it has been violated many times by people who are both firefighters and councillors. I would think a councillor would have a real interest in the community and would want to serve as a firefighter. I am sure that has happened in many cases in Ontario, yet to my knowledge this piece of legislation has not been tested in the courts. Therefore, it has not been corrected in this House until the first reading of the bill about a month ago.

There are two other amendments I want to speak to briefly. One is the amendment which allows the municipalities to exempt properties from a business improvement area. I think it was in 1970 that the bill introducing business improvement areas in Ontario was passed. I have before me some material Mr. Brown, the director of the community renewal branch, sent me some months ago when I requested it. It is a fairly complete set of material which deals with the introduction of the business improvement area, the legislation itself, the landscaping and beautification, the organization and the marketing of these areas.

I have grown up in and was involved in a municipality which had a business improvement area. During the time I was mayor we decided to make some changes in the business improvement area. I looked at this act, which was introduced in 1970, as one of the best pieces of legislation this government has ever produced. I have no hesitancy in saying that even if I do sit across the House

from the government, I have recommended it to other municipalities and suggested names in my own municipality that they might contact who are very familiar with this piece of legislation.

What it does is facilitate the various businesses in a community getting together and having a certain amount on their tax bills used to beautify the area in front of their stores, improve curbs, sidewalks, lighting or to put trees in—whatever they are going to do to improve the area. This in turn would attract more pedestrian traffic, it's hoped, and improve their business ventures.

Some saw a shortcoming with the legislation. At the time we expanded the area which the improvement district in the city of Waterloo covered, there was a member on council—a very able and distinguished lawyer—who was very much opposed to the legislation. He felt that as a lawyer within this business improvement area he would not derive any benefit by having this area designated. Even if he was going to pay an extra \$50, \$100 or \$200 a year through his taxes, he was not going to benefit simply because he did not think he would be getting any of this walk-in traffic. He was making his appointments, but people would not be coming to his law firm in this case because he happened to be located in this business improvement area. I am sure that other people, doctors and those who did not have this walk-in traffic, felt as he did and were probably looking for an amendment to the act whereby the council in its wisdom, if it saw fit, could exempt these various businesses. The amendment we have before us will obviously facilitate that.

I agree that this bill should be referred to the standing committee on general government. I understand that representatives of the city of Ottawa, as the parliamentary assistant to the minister has indicated, will be coming before the committee to make representations not to make this amendment. I would like to draw to their attention that by putting this amendment in and by having it included in this bill, it does facilitate more local autonomy for municipalities. I have spoken in this House on a number of occasions for more local autonomy. I would hope the city of Ottawa would reconsider its position and not argue against more local autonomy for the city of Ottawa.

Surely to goodness, the city of Ottawa, with all due respect to that council and its leadership, which I am sure is very able, would be one of the municipalities in the province which would be most fervently in

favour of having more local autonomy, particularly since it has the tremendous presence of the federal government there. Obviously, their decisions and actions must often be overshadowed by what happens in the federal capital and what the federal government does. This section of the bill will give more autonomy to local municipalities. Ottawa would obviously be one of those.

I want to address the third item very briefly. It removes the requirement that members of boards of management in business improvement areas would qualify as members of council. I am not sure what has led up to this particular amendment. Maybe the parliamentary assistant could clarify this. I think it is a step in the right direction. There are people below the voting age who might have businesses or play certain parts in businesses, or there may be people who do not qualify because of residency requirements to be members of council, but could have quite an investment in a community and may be excellent members of a board of management in a business improvement area. Therefore, they should not be exempted by the shortcomings of legislation.

Keeping this in mind, I reiterate that we will support this bill and the amendments included in it, and we encourage the government to bring forth other amendments which, in turn, would give greater autonomy to local municipalities.

Mr. Isaacs: Mr. Speaker, it is a pleasure to rise and participate in debating a bill dealing with very minor matters that are of concern to our municipalities. While these matters are very minor, nevertheless they are of great concern to the municipalities affected. By making my comments, I do not intend to belittle the importance of them, but I want to suggest strongly it is incredible to me that we are dealing with the problems that face our municipalities in this manner by bringing in a bill which contains four separate provisions on matters which are not of world-shattering importance.

Our municipalities are facing very serious problems that are not getting the attention they should. Even if we set aside for one moment the matter of the financial problems municipal governments are facing, we also have before us the resolutions passed by the Association of Municipalities of Ontario at its convention last summer, the overwhelming majority of which have been totally ignored by the government. We have a great deal of paper put out by AMO, by the MLC, by the municipalities themselves and by the other municipal organizations that come to

us month after month, and much of that relates to very serious problems.

4:20 p.m.

Yet we have a bill before us which is dealing with some problems that, while significant, are very small in terms of the total concept of problems facing municipal government. That is not to say we should not be dealing with these, but I suggest very strongly to the parliamentary assistant, and I would suggest to the minister if he were here, that it is about time we looked very seriously at putting in place a charter for municipalities as I suggested to the minister during the debate last week on his estimates. It was not exactly a debate. It was a kind of one-sided conversation, because I did not get any response from the minister as to what he thought of the approach. But if we put in place a charter for municipalities that defined the broad area within which municipal government could operate, then we would not need this kind of bill at all.

On the specific principles of the bill, we are prepared to accept the concept that volunteer firefighters can continue to be members of council and that members of council can be volunteer firefighters. In fact, we welcome that provision, because it was the intent of the Legislature in its previous dealings with this matter that volunteer firefighters not be excluded from being members of municipal council. If there is uncertainty in people's minds, then it should be cleaned up, and this section cleans it up.

I want to suggest, however, to the parliamentary assistant that it does still leave the problem of conflict of interest. Given that we have not dealt in this House with the matter of conflict of interest, I suggest to the parliamentary assistant that we could get into some very awkward problems, not only when municipal councils are dealing with the indemnity for volunteer firefighters, but also when municipal councils are dealing with the buying of fire equipment, the building of new fire stations, et cetera. Unless we get around to dealing with the very serious problem of conflict of interest, then this particular section may not deal properly with the problem that is raised and which it attempts to deal with.

On the second matter contained in this bill, the extension of the provision of indemnity for municipal councillors and for employees, we continue to express the concern we have expressed in the past, that we do not believe the approach the government has taken is the right approach.

We reiterate that we believe the approach suggested by the liaison committee of the Professional Associations of Municipalities of Ontario, generally known as PAMO, is the approach that would have been more appropriate. In other words, rather than enabling the municipality to pay very substantial legal costs and to pay whatever judgements are finally made, if indeed a judgement is made in a particular case, we would have preferred that there be some clear and specific exclusion from liability for certain elected officials and certain appointed officials for some of the functions they perform during the course of their duties.

The PAMO approach was rejected by the government last year when this matter was dealt with. Indeed, it was in 1978 that it first came before us, and therefore we have to look at this particular section in the context of what we have in place now. We have come to the conclusion, given that municipalities have the power now for all their elected officials and for all their appointed officials, both to purchase insurance and to pay the legal costs and judgements if they so wish, that it is probably reasonable that this power be extended to those elected and appointed officials who are referred to in the section; in other words, to cover those errors or omissions that occurred subsequent to June 20, 1978.

It is difficult, Mr. Speaker, as I know you are aware, in some of these circumstances to make a judgement as to whether to permit a particular extension of a power when one is in general not supportive of the power itself. But in this particular circumstance, and given that it is a relatively minor extension of power, we are prepared to support this particular section.

With regard to the matter of the freeing up of parks board membership, that concept in general is one that is consistent with the idea of a charter for municipal government about which we have spoken before. A local council, an elected body, should be able to appoint those bodies that it sees as being necessary for the conduct of the municipal business, and there should not necessarily be constraints in the legislation.

I want to mention one point, however, with regard to this section. As I read it, it would enable the municipality to appoint, as a board of parks management, a board of one person. That is surely not what is intended in anybody's mind by the idea of a board of parks management, particularly if that one person happened to be a full-time employee of the municipality. It is legisla-

tion that enables the municipal council and any accountable body to divest itself of responsibility for parks management. While we are prepared to accept the section the way it is worded, I sincerely hope that no municipal council would decide to appoint one person as a board of parks management.

The major component of this bill relates to the changes to the concept of business improvement area. Indeed, the bill is a very major re-enactment of the concepts relating to business improvement areas.

I find the bill to be terribly protective. It provides so many checks and balances that it becomes almost impossible for a local council to exercise any of the discretion it might see as appropriate in a particular circumstance. For that reason, I am sure we are going to see municipal councils continue to come back to us seeking private bills or changes to the legislation which enable them to do the little things they need to do in order to make a business improvement area work in their particular circumstance.

It relates again to the matter of trust that we place in municipal councils. If the government is saying that it is not prepared to trust a municipal council to be responsive to its electorate and its taxpayers, I suppose it's necessary that the protections that are contained in this be built in, in the detail that is contained in this bill. But I find it strange that these great protections are built into the legislation to make sure that anybody who objects is always entitled to a full OMB hearing, that the council can balance things however it wants and yet still be subject to a vote of the people who are affected.

There is an inadequate definition of the purpose of a business improvement area. There is a difficulty in terms of the business improvement area gaining access to additional sources of funds which would enable them to balance the money they raise from the local levy with grants that come from this government or from some other source. Indeed, there are still problems with the downtown revitalization program that continue to be problems for municipalities in getting money to assist with this kind of work. It is rather strange that we build this incredibly complex business improvement area system but do not give it any initiative, any prod, to get under way except the prod that is brought about by the businessmen themselves.

There are matters in their relating to OMB hearings and the like which are going to slow down the entire process, and that is

necessary if we recognize the right of individuals to object as they see fit. Nevertheless, the fundamental issue of accountability of the local council for its actions is lacking in many of the provisions of this section of the bill.

4:30 p.m.

In addition, I want to suggest to the parliamentary assistant that the whole matter of what to do when a business improvement area is wound up is still not being properly addressed. I would refer the parliamentary assistant to section 7 of Bill P14 which deals with business improvement areas. Given that, there is currently private legislation before us, I have to ask why he did not take that concept and incorporate it into this bill as well, instead of looking at more private legislation to deal with these problems. That is just an example of what I mean when I say the whole thing is so restricted that municipalities have to keep coming back for minor amendments or for private legislation in order to go about the business they see as being important.

Those are my general comments. We understand the reason why this is going to go to committee. We continue to suggest that there is still not the proper consultation. For the parliamentary assistant to come here today and tell us the planning board in the city of Ottawa was discussing this bill this morning, and still has not properly prepared its comments on the legislation is surely another demonstration of how bad communication can be between this government and the municipal level of government.

These problems have been with us for a long time, and yet we get a bill that was introduced four weeks ago, with which we are trying to deal now, even though our municipal councils, which in some cases meet only once a month, have not properly had the opportunity to study its provisions and to decide whether they wish to make presentations or any comments.

I suggest to the parliamentary assistant that if communication were better, we could probably have dealt with this bill in committee of the whole House instead of having to refer it outside the House and wait for things to be dealt with while our municipal friends sort out exactly what they wish to comment upon.

I am not being critical of municipal councils when I say that, but I am being critical of the system of communication which is not allowing them proper time to respond.

We are going to see a lot more examples of that between now and when the House rises for the summer. I am sure the parliamentary assistant knows exactly what I mean.

We will be supporting this bill. We look forward to having it in committee and to receiving submissions from any of our municipal colleagues.

**Mr. Haggerty:** Mr. Speaker, I want to address myself to Bill 46, section 1, which permits volunteer firefighters to become members of council, if so elected.

Past legislation as it related to the Municipal Act has been rather discriminatory. I can recall one incident where a provincial assessor ran for local council in the city of Port Colborne and was elected, and there were questions about his eligibility to sit on council, not being an employee of the local municipality but being an employee of the province of Ontario.

Perhaps this person was discriminated against; he almost lost his job by being elected to local council. He had to be transferred from the Niagara region assessment office and now is employed with the Hamilton branch of the provincial assessment office.

I noticed, and I hope I am correct on this, that school teachers can be elected to a school board.

The previous speaker mentioned the matter of clarifying conflict of interest. Clarifying that matter would improve the Municipal Act considerably. People who are involved in real estate can be members of council, and there can definitely be conflicts of interest. Normally in those cases the person will abstain from voting on a particular matter, but the impression of a conflict of interest still exists.

I suggest that is an area that should be looked at.

I welcome the section which includes volunteer firefighters, but it does not improve the situation that much. Why cannot a paid firefighter sit as a member of council? Why cannot a policeman be a member of council? In a sense, they become second-class citizens when deprived of being able to serve the public in another manner. That is an area the government should be looking at. There is no reason why a policeman who may be employed in the city of Niagara Falls cannot sit on a council in Fort Erie or Port Colborne or some other area. These are areas the minister should be looking at very closely in the matter of conflict of interest.

Another area I am a little bit concerned about is the proposed amendment in section 2 which removes the requirement that a



board of management for parks must have at least three and not more than seven members. The amendment also removes the requirement that at least two members of the board must be members of council where the board is composed of more than four members.

A number of us who have sat on councils in previous years can recall the difficulties we used to have when the school boards brought in their budgets for approval. Sometimes it left the impression that council was at fault for the huge rate increase for that municipality. In this particular section, by removing council from the board of management for parks, I can see that we are going to run into the same difficulty. These persons are going to be establishing a little kingdom there where they are going to be spending money perhaps beyond their means and, finally, council is going to have to sit back and object to some of the expenditures. By that time, it will be too late because it will have no authority under this section to control such expenditures.

In the regional municipality of Niagara, where there are different boards and commissions, there are appointees from the regional council, for example, who sit on the police board and the children's aid society. They are there as a communications link between council and those particular boards that are established. I think it is a good principle. If we get away from this, it could run a number of municipalities into difficulty. It will cause some problems in those particular areas.

The explanatory note on section 3(2) says: "At present, all bylaws passed under subsection 1 must be referred to the municipal board. Under the proposed amendment to this subsection and subsection 18, the bylaw will be referred to the municipal board only where an objection to the bylaw is received." This is one of the amendments we dealt with when I happened to be a member of the select committee dealing with matters related to the Ontario Municipal Board and whether we should disband it or continue with it. One of our key recommendations was that we should follow in this direction, provided all information and documents were made available to the public.

The section on approvals by the Ontario Municipal Board says the municipality must send out notices to those parties that are concerned. Sometimes 400 feet or 600 feet do not cover a broad enough area. Perhaps it should be properly advertised.

On a number of occasions in newspapers, advertisements of proposed bylaws are in the finest print one can see. In fact, sometimes it is difficult to follow the intent of the bylaw with such small print in the newspapers. People have a tendency to miss it. Everybody does not read newspapers. Municipalities may choose to advertise in a weekly newspaper or in a daily paper or they may go to a larger newspaper. In my area in particular, it is rather costly to the municipality that may have to advertise in about four newspapers. We must inform the public of the intent of the wishes of council in what it wants to pursue as many of the problems relate to the Planning Act. In this particular area the public must be well aware of all the documents pertaining to the subject.

4:40 p.m.

The other thing I want to discuss is subsection 361(16a) under section 3, regarding council's authority as it relates to a bylaw. It does not say they shall; it says, "Notwithstanding subsection 16, the council may by bylaw provide that the sum required for the purposes mentioned therein shall be levied as a special charge upon and shall be borne and paid by persons in the area assessed for business assessment. . ."

My experience in sitting on local council was that those who received a benefit should pay for it. Under here it does not say that it "shall"; it says it "may." In other words, we could have a board of management to look after the local improvement of a business sector in a municipality. I suggest the council may pass a bylaw to collect certain maximum or minimum charges with respect to a levy for the purpose of the board of management.

If a council does not elect to go by this particular section, it can be a charge over the whole area of the municipality. I am afraid a number of municipalities have run into difficulties in this particular area where they have allowed new business developments, such as shopping plazas on the outside of a municipality, and now they find the downtown core is disappearing, in a sense. The stores are being closed up, a number of them are vacant, and business is not being carried on downtown.

In the past, council should have had enough foresight to look at this particular area and say, "Look, let's protect the downtown business sector here and provide them with certain amenities to improve the business sector." As a taxpayer, I find it rather difficult to accept that in many cases we

subsidize these larger malls by having to increase services, such as larger sewage disposal plants, water treatment plants, new roads, et cetera, when we already have the services downtown.

We seem to forget the downtown businessmen who can provide a good business sector for the consuming public. I do not like the word "may" there. Those who are receiving the benefit now should be picking up the bigger part of the tab instead of spreading it over the general public to pick up the cost of downtown revitalization programs.

These are the areas I am concerned about and perhaps the parliamentary assistant will take a good, close look at them.

Mr. Germa: Mr. Speaker, I will not unduly delay passage of this bill, but I do want to bring to the member for Wilson Heights (Mr. Rotenberg) a concern I have. That is the erosion of accountability of elected members. This subject has been spoken to in this chamber very often, regarding the administration of Ontario as it relates to the 300 or so boards and commissions out there spending public dollars, without having accountability for collecting those public dollars.

In this bill we see a further erosion of expenditures of public dollars when the bill removes the provision that a member of the board of parks management has to be a councillor. I speak from years of experience as a municipal councillor and as a member of this Legislature. I am one of those old-fashioned guys who think the person who levies and collects the tax dollar should also be responsible for spending that tax dollar. It is as simple as that. Those persons who are elected and go out and levy a rate should not have to levy a rate they have no part in spending.

When the board of parks management now is not required to have a councillor on it I can very well see what the member for Erie recited as it related to the school board, which has no responsibility to the elected member. The school board comes to the municipal council and says: "Levy this rate on our behalf and don't ask us any questions about how we spend it. Just get us the money, hand it to us and we will spend it in our greater wisdom." This is exactly where the board of parks management is going to end up. I think the parliamentary assistant has some explaining to do.

I am not surprised that it is coming out of this government. By doing it this way the elected member has a buffer between him-

self and the taxpayer; and that is a great ruse for us elected members. I know it is a headache to be sitting on all these numerous boards and commissions and to be accountable to the electorate. If you can put the barrier of a board of parks management between you and the citizen, then you as the elected member can escape responsibility and liability.

As far as appointments to the boards of parks management are concerned, I agree that it requires that those who are appointed are qualified to hold office. I agree that those are the only people who should be in charge of spending public funds. But when I go to the appointment of the board of management of an improvement area the whole principle changes. In this case, one of the members must be a councillor.

I would suggest that the government cannot have it both ways. If it is good to have a councillor on the board of management of an improvement area, then it is also good to have an elected councillor on the board of parks management. But in this bill we are going in both directions.

Also, a point of confusion is that the other members of the board of parks management do not have to be qualified to be elected to office. This is also contrary to what is called for in the election to the board of parks management. So we have two different conflicts here, and the parliamentary assistant has not explained that to us in a fashion that would give us any faith that he knows what he is doing. One cannot go in four directions at once and still maintain credibility.

But this is the principle of this government. They have got away with this ruse over these past 37 years by appointing people not liable to be elected and thus protecting themselves from public recrimination. The same thing could happen here as far as a municipal council is concerned.

I believe that every board and commission should include a representative from the municipal council. I found from my experience on a municipal council it not only protected the council from a non-responsible board, it also was a liaison between those bodies spending money and the council. When the budgets are formulated at the board or commission level, the councillor on that board or commission has the responsibility of bringing that budget to the council and selling it to the council.

He would be very careful, as a member of that board or commission, in formulating the budget in a way that it would be acceptable to the rest of his colleagues on the council. He would have some idea of what the coun-



cil was aiming at. He would have some idea of the amount of dollars that were necessary to be raised in the global budget. If there are ordinary citizens on the board without any connection to the council, not knowing what the council's long-range plans are, they have no way of formulating a budget with any common sense.

**Mr. Rotenberg:** Mr. Speaker, I thank all the honourable members opposite who have indicated their support of this bill. I would like to comment briefly on some of the questions that have been raised. I will attempt to answer all of them reasonably to the satisfaction of the members opposite.

The member for Waterloo North raised the matter about the volunteer firefighters. The problem has been that some volunteer fire departments pay a per diem or an honorarium. Once the money has been paid, this has caused some problems. This is why we want to straighten out that matter.

I thank the member for Waterloo North for the compliment to the government that the 1970 legislation for the business improvement areas was, I think he said, "one of the finest pieces of legislation this government has ever passed." But even fine pieces of legislation are open for improvement and, as a result of representations from many municipalities and boards of business improvement areas, we are improving and making even better what was one of the best pieces of legislation to come forward.

A number of members raised the problem of the member of the board of management of the business improvement area not being eligible to be a member of council. The problem is simply this: Many of the businesses assessed in the business improvement area specifically, paying large sums towards the business improvement areas, are incorporated companies. As members know, a corporation is not on the voters list. Often the owner, manager, whoever would normally be eligible if it were not a corporation, would be assessed as a business and put on the voters' list as a business person. That person may not live within the municipality. Quite often, a person might have his business in one municipality and live in another. That person would not be an elector in the municipality, although he would have a large stake in the business improvement area.

As a result of the requests from many municipalities in business improvement areas, we feel it is proper for a person, including a corporation, assessed in the business improvement area, to have a nominee who would be eligible to be a member of a board of man-

agement even though that person, because of residency or because he is assessed as a corporation, would not be eligible to be on the voters' list of that municipality.

The member for Wentworth raised a number of matters which he says are lacking in this bill, but really are not part of this bill. I would not comment on what is not here other than to say they will all come forward in the course of time.

He has indicated we are being somewhat protective by building certain checks and balances into the business improvement area. I am surprised that the member for Wentworth, as I read his remarks—and if I am reading them incorrectly, I am sure he will correct me—seems to be indicating that citizens, taxpayers, should not have the right to object which they now have. He is saying we should take from the taxpayers, the citizens, the right to object and the right to go before the Ontario Municipal Board with those objections.

We are making more permissive legislation in business improvement areas, making it easier for the merchants and the councils, both of whom asked for these things, to bring forward objections in the business improvement areas. We do not want to take away, as the member for Wentworth seems to indicate, the citizens' and taxpayers' right to objection before the Ontario Municipal Board which they now have.

This is as a result of a number of suggestions, some of which have come through in private bills and some of which have come through from various municipalities. We have consolidated all of these suggestions into one bill to correct the business improvement area legislation.

I do not want to be critical of the city of Ottawa. This has not just come forward in the last few weeks. This bill comes as a result of consultation with many municipalities, through MLC, AMO and a number of other organizations. These suggestions, many of them from the Ministry of Housing, have been around for the past three or four years and have been discussed for the past three or four years. They were not new when the bill came forward on April 28. Of the 854 municipalities in the province, we have heard objections from only one. The other municipalities are happy with the consultation, happy with the process. I do not want to be critical of Ottawa, but the city has been informed of the process throughout; Ottawa has been informed over several years as to what is happening. They do have the right, at the last

minute, to raise their objections, but it is not as a result of lack of consultation or lack of information going forward from this government.

The member for Erie raised the matter of conflict of interest with respect to fire-fighters. I would point out to him and the members opposite that the new conflict-of-interest legislation now is in preparation. It is hoped that it will be before this House soon, though I am not making any promise as to exactly when it will be coming forward.

The member for Erie and the member for Sudbury raised a question about the parks board of management. I would point out to both of them that this is permissive legislation. It removes the requirement for a council to appoint two councillors to the board of management.

What we are doing by this change in legislation is responding to requests from some municipalities that disagree with the point of view put forward by the member for Erie and the member for Sudbury that there must be members of council on these boards of management. Those councils that want members of council on can keep them; those that feel it is not necessary now have the right not to have those councillors on the board of management.

I would point out to both those members that there is a difference between a parks board of management and a board of education. When a board of education by statute passes its budget, it goes forward to city council or the municipal council for collection. Municipal council does not have the right to change the budgetary requests of a board of education. A parks board of management is like a committee. Their estimates and their budget requests come before council, and council can deal with them and can change them.

There is a considerable difference, I would submit, between a board of management and a board of education. The main point I would stress is that this is permissive legislation and it is only for those councils that do not want to have their members on a board of parks management. I would point out that last fall we made the same amendment for arena boards and so on, and that seemed to have the consent of this House.

The member for Erie was also a little worried about objections before the Ontario Municipal Board as far as notices in the paper go. I would point out to him under the business improvement area legislation all owners who will be assessed must be notified by registered mail of the proposed assessment, so they all get a letter. It is not like

a notice in the paper. Therefore, there will be no problem as far as knowledge of the matter is concerned.

The member for Erie also mentioned the "may" in section 16a of the act. I would submit to him section 16a has to be read along with section 16. What 16a does—and this is again at the request of a number of municipalities—is to allow a municipal council or a business improvement area board of management to add a special assessment to those property owners it deems are getting a special value from the business improvement area. It does not relieve the business improvement area as a whole from paying the total cost of the business improvement area. They may use section 16a, which means different costs to different people, but if they do not use section 16a, in effect, they would revert back to section 16, which says the total cost is distributed over the total business improvement area. The "may," I would point out to the member for Erie, is just a "may" of varying charges, not a "may" of charging the business improvement area as a whole.

The member for Sudbury also raised, as the member for Erie did, the problem of people who are not members of council being on a board of management of a business improvement area. As I indicated a moment ago, we feel that those who are going to contribute directly to a business improvement area should have the right to be represented. Because of the anomaly in our situation where an unincorporated businessman is on the voters' list, but an incorporated business is not on the voters' list, that is right and proper as far as voting is concerned. Certainly, when these businesses are being specially assessed for a business improvement area, they should equally have the right to be represented.

With those remarks, I thank the members opposite for their support.

Motion agreed to.

Ordered for standing committee on general government.

#### SUCCESSION DUTY ACT SUPPLEMENTARY PROVISIONS ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 62, An Act for the making of Additional Provisions for the Levy and Payment of Succession Duty by or in respect of Property or Persons to whom the Succession Duty Act remains Applicable.

**Mr. Speaker:** The Minister of Revenue has made an opening comment. Does he wish to make another for clarification before we see if anybody else has a comment?

**Hon. Mr. Maeck:** Perhaps for continuity, Mr. Speaker, I might recall to the members that I had made an opening statement explaining the purpose of this legislation, and I advised the members that I would be presenting three amendments to this particular bill. Those amendments were distributed to the critics in the opposition parties. I have nothing further to add to my initial statement at this time.

5 p.m.

**Mr. Haggerty:** Mr. Speaker, I want to address myself to Bill 62 as it relates to the Succession Duty Act. If I interpret the bill as brought forward now, the amendments are to plug up some loopholes that applied after the repeal of the act on April 11, 1979. Often the methodology used in the final assessment of succession duty rates is a very complex matter. An appeal, hearings and litigation can be time-consuming and costly to concerned parties. The usual method of resolving disagreements is through a judicial hearing and interpretation of the existing act and legislation.

In revoking the legislation, the minister should have given full consideration to the matter of repealing the act as related to preserving the tax revenues in excess of \$100 million. When they get into that area the question is how much of that \$100 million the minister will now derive from the changes in the present legislation.

The comments of the Treasurer (Mr. F. S. Miller) on the repeal of the Succession Duty Act in April 1979 were rather short and stated that Ontario followed the lead of eight of the other provinces in Canada, including the Socialist province of Saskatchewan, in deciding the combination of capital gains tax and income taxes were inadequate in terms of overall taxation of wealth. At that time the official opposition supported the bill to repeal the act on the basis that the amendment to the Income Tax Act in 1972 brought more of an equitable means of taxation and rescinding the Succession Duty Act removed a form of double taxation.

I was hoping we would be looking for new areas of legislation when the Treasurer suggested "capital gains tax probably should be indexed, because currently the capital gains tax is truly a tax on capital and not just on gain." I thought we would see some changes in this particular type of taxing policy the government now has, particularly

income tax and capital gains tax, and improvements in the area relating to capital on wealth. The minister has brought in an Act for the making of Additional Provisions for the Levy and Payment of Succession Duty by or in respect of Property or Persons to whom the Succession Duty Act remains Applicable. I thought we would see an advancement in the area where there is wealth; it should be taxed.

We must be concerned about amendments to be moved in committee to section 4, relating to the extinguishment or transfer of interest and providing the minister with absolute discretionary powers. It is our view that support for the surviving spouse should be of major concern in arriving at a fair decision. There may be some questions about deferred taxes in this area. I hope in the minister's discretionary powers the matter of the surviving spouse will be of key importance in the administering of any estate.

The questions I want to ask the minister are: With the proposed amendment, how much of the \$100 million will be recovered? Since the repeal of the act in April 1979, what has become of the staff who provided the previous administration of the act? Has there been any cutback in staff or personnel? Are they still within the ministry? Have they been relocated in some other area of the ministry? By enforcing this amendment now, will they be able to keep the present staff or will it be increased in some form?

**Mr. Charlton:** Mr. Speaker, I will be brief. We in this caucus, unlike our colleagues to the right, opposed the repeal of the Succession Duty Act last year. We are prepared at the very least to do whatever we can to assist the minister to collect all of those tax dollars which this province should collect from those properties affected prior to the repeal of the tax.

We have also had a look through the proposed amendments and we have no objections to any of them. On that basis we are going to support the bill.

**Mr. Lawlor:** Mr. Speaker, I had not intended to speak on this bill, but this subject has always been a bugbear with me. I may as well relieve my shattered nerves to a greater extent than previously.

In 1967, a committee of this House was formed and did monumental work. I refer to the Smith committee on taxation, which surveyed all this thing and in lieu of capital gains taxation recommended against abolition of the legislation itself, and on very good grounds.

The capital gains taxation which the government is substituting for succession duty

is not an adequate measure, if one wishes, as I do, to create some form of egalitarianism in society. The word "equality" means justice. There are immense pools of wealth that are exempt from any form of taxation, in effect, under this legislation. If that wealth on one side of the fence is garnering interest or some form of dividend, then it is taxable; so be it. On the other side of the fence—capital gains taxation—if there is an increment to the wealth in capital terms, it will be subject to taxation. There are all kinds of loopholes. But the pools in great families remain and it works against the common weal and against the best interest.

In those days Deacon and I sat together on the thing. Our nostrums would never be accepted in the present society, by the present government or even by the Liberal Party. We felt there might be only one form of taxation, and it was quite contrary to what the government has done and is doing. That one taxation would be on death and would be very tough and very heavy. It would make adequate provision for widows and orphans but, as for the rest, it would be subject to extremely high rates of taxation. In other words, each generation makes it on their own in the strongest and most laissez-faire form of conservative principle. We are self-made men. God had nothing to do with it.

If government members want to follow consistently their wretched philosophy, that is really where the tax could fall. There could be only one tax: death tax. Lift the burden of too much wealth from an individual family and redistribute it. Then government problems with respect to unbalanced budgets and a hundred other things would be totally obviated overnight if it moved to a fairly rational policy on this score.

Perhaps government members should sit down during the summer and rethink their whole position with respect to this. At the end of the day perhaps they would come up with a socially acceptable taxation policy.

Hon. Mr. Maeck: Mr. Speaker, the member for Erie posed two questions. He wanted to know how much of the \$100 million would be collected. We expect to collect all of it, give or take a million or two here or there. The idea of this legislation is to collect \$100 million that we feel we would lose without this piece of legislation, and we expect to collect it.

5:10 p.m.

We are talking about estate taxes that are already there, that have happened prior to the lifting of the Succession Duty Act. We

have a pretty good handle on the amounts we are talking about. We feel that \$100 million is a respectable figure, and that is the amount we hope to collect because of this legislation. I would assure members, we are not talking about additional taxes. We are talking only about taxes that would have been due and payable had we not repealed the Succession Duty Act and the Gift Tax Act.

The member wanted to know about the staff of that branch of the ministry. The staff has been reduced considerably. We are still dealing with estates. He will know by the legislation that there is six months after death for the estate to report to the Ministry of Revenue on succession duties. It is only recently that there have been no more estates coming in to be processed.

We have reduced the staff. Some of them have been moved into other areas of the ministry and some of them have gone to other ministries. There are a few in that particular branch right now who are declared redundant; that does not necessarily mean they are going to be laid off or any such thing as that, but it puts them in a position where they get first choice of another job within the government if there is one that is suitable for them.

The member for Hamilton Mountain (Mr. Charlton) really posed no questions; so I have no reply to him other than to thank him and his associates for supporting the bill. To the member for Lakeshore (Mr. Lawlor), the big thrust was that there may be only one form of taxation. We have repealed a few forms of taxation since I became the minister—the Succession Duty Act, the Gift Tax Act, and the Land Speculation Tax Act. We are gradually moving to fewer sources of taxation than there were, albeit I know they are not the ones the member would prefer us to move to.

Mr. Lawlor: You got rid of poll tax too.

Hon. Mr. Maeck: I believe poll tax is still collected in some small municipalities in the province. We do not do it provincially.

I think that answers all of the questions that were asked.

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

#### SUCCESSION DUTY ACT SUPPLEMENTARY PROVISIONS ACT

Consideration of Bill 62, An Act for the making of Additional Provisions for the

Levy and Payment of Succession Duty by or in respect of Property or Persons to whom the Succession Duty Act remains Applicable.

Sections 1 and 2 agreed to.

**Mr. Chairman:** Hon. Mr. Maeck moves that section 3(2) of the bill be amended by inserting after the word "act" in the fourth line of the said subsection the words "before the arising or coming into existence of such entitlement."

**Hon. Mr. Maeck:** Mr. Chairman, I have sent these amendments to both opposition critics and I understand they are in support of them. I will not go into a lot of detail on them unless it is so requested by the other members.

Section 3, as amended, agreed to.

On section 4:

**Mr. Chairman:** Hon. Mr. Maeck moves that section 4 of the bill be amended by adding thereto the following subsection: "Notwithstanding section 3, where the entitlement referred to in that section arises from the release, surrender, waiver, transfer or extinguishment of any right of interest, and where the minister in his absolute discretion is satisfied that such release, surrender, waiver, transfer or extinguishment is not for the purpose of reducing duties payable under the Succession Duty Act, and is for the purpose of providing for the dependents of the deceased, or effecting a compromise or settlement of a dispute in the administration of the estate of the deceased but carrying out the true intent and purposes of the deceased expressed in his will, or facilitating the administration of the estate of the deceased, section 3 shall not apply to such release, surrender, waiver, transfer or extinguishment."

**Hon. Mr. Maeck:** Perhaps I could give a short explanation on this particular amendment.

**Mr. Nixon:** Read what they wrote.

**Hon. Mr. Maeck:** That is exactly what I am going to do. So the words are properly focused in Hansard, I am going to read from a statement prepared by my staff. Let Hansard show all that.

The purpose of the amendment adding the new subsection is to provide in section 4 the same relieving provisions from the effect of section 3 of the bill, in respect of disclaimers, transfers, et cetera, as is already provided in section 4, for the exercise of discretion to confer benefits on persons named by the deceased in his will, his beneficiaries, of any discretion given by the deceased.

The effect of the new subsection is that where the minister is satisfied that the bene-

fits arising from disclaimer, transfer and so on are not for the purpose of reducing duty and are for the purpose of benefiting a dependant of the deceased or of carrying out the intentions of the will of the deceased, or of settling a dispute in the estate of the deceased, any consequent reduction of duty will be allowed. No additional duty will become payable.

This amendment makes applicable to section 3(i)(b) of the bill the same principles as apply to section 3(i)(a).

Motion agreed to.

Section 4, as amended, agreed to.

Sections 5 to 8, inclusive, agreed to.

On section 9:

**Mr. Chairman:** Hon. Mr. Maeck moves that section 9 of the bill be amended by adding thereto the following words: "provided that no duty under this act shall be payable in accordance with subsection 3 of section 3, where it is established by evidence satisfactory to the minister that the entitlement described in subsection 1 of section 3 arose or came into existence prior to April 29, 1980."

**Hon. Mr. Maeck:** Mr. Chairman, because of the matter of retroactivity in this particular section, perhaps I should read into the record the explanation of that particular amendment.

Considerable objection on principle has been made to the retroactive application of the bill. I feel that from the point of view of fairness, its retroactive application will ensure that all people are treated equally under the act and will pay their fair share of tax. However, I recognize that a distinction can be drawn between the two elements of the retroactive application of this particular bill.

One of those elements is to prevent refunds of duty that has already been paid or has become payable. The other element is the imposition of the new tax on benefits taken after the repeal of the Succession Duty Act.

In order to recognize the genuine concern of those who feel that retroactive taxation would be particularly unfair, the amendment will ensure that where tax would be imposed as a result of conferring of a benefit, that tax will apply only if the entitlement described in section 3(i) of the bill comes into existence or arises on or after April 29, 1980, which is the date on which the bill was introduced.

5:20 p.m.

For those entitlements that arose prior to that date, the consequences of section 3(iii)

of the bill will not apply. Refunds will remain prohibited whenever the entitlement arose, but additional taxation will not result for any entitlement that arose or came into existence prior to the introduction of this bill. After the introduction of the bill, everyone was on notice as to the proposal of the government contained in the bill.

I feel the amendment is a fair balance between those who are concerned with retroactive taxation and the concern of the government over the loss of revenue that could result in post mortem arrangements after the repeal of the Succession Duty Act.

**Mr. Lawlor:** I just want to play the enfant terrible. What if it happened yesterday? What if the benefit was conferred at that point? Would we have to bring in another amendment subsequently to bring it right up to the date until such time as this is proclaimed?

**Hon. Mr. Maeck:** No. This whole act deals with succession duty as it applied prior to when we repeal the act. We are talking about estates that were already there prior to April 29, 1979. We are not dealing with someone who may die tomorrow or died yesterday. We are talking about estates that were already in place before the repeal.

**Mr. Lawlor:** But the benefits accrue subsequent to that date. The cutoff period is now April 29, 1980.

**Hon. Mr. Maeck:** Right.

**Mr. Chairman:** Does the member for Lakeshore wish to ask a question?

**Mr. Lawlor:** That was my question.

**Hon. Mr. Maeck:** Does the member want to repeat his question?

**Mr. Lawlor:** We are carrying that benefit forward. If benefits fall in during that period subsequent to when this legislation went into effect on the retroactive principle, we set up a second retroactive principle that is April 29 this year. I am saying the benefit in question could have occurred the day before yesterday. What do we do then?

**Hon. Mr. Maeck:** We have not set up a second retroactive principle. We have removed one. The retroactivity now applies only to those estates that have already paid taxes or have been assessed to pay taxes. Those are the ones where the retroactivity applies.

**Mr. Lawlor:** The whole thing counts.

**Hon. Mr. Maeck:** We removed the activity in the other ones. They will remain as they were. We will not be collecting for those.

**Mr. Haggerty:** I am a little bit lost. In the original bill the act comes into force the day

it receives royal assent and applies with respect to every deceased person whose death occurred before April 11, 1979, and to any event or transaction occurring before and after this date comes into force.

The minister's proposed amendment is to change it from April 9, 1979, to April 29, 1980. That is almost like a year of grace. I still cannot quite grasp the area where the minister says this will remove the retroactive aspect.

**Hon. Mr. Maeck:** That is my mistake. I was referring to April 29 when I was dealing with the member for Lakeshore. Actually, the date the Succession Duty Act was repealed was April 11. The reason I am using April 29 is that is the date this bill was introduced. What we are saying is that once the bill is introduced we do not consider that to be retroactive. There is no retroactivity there because it was introduced. Everybody is on notice that this is the way the law is going to be. We are not worried about retroactivity from that time on. We are worried about the retroactivity between April 29, 1980, when we introduced this particular bill and April 11, 1979, when we repealed the Succession Duty Act.

Motion agreed to.

Section 9, as amended, agreed to.

Section 10 agreed to.

Bill 62, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with amendments.

#### EXECUTIVE COUNCIL ACT

Resuming the adjourned debate on the motion for second reading of Bill 43, An Act to amend the Executive Council Act.

**Hon. Mr. Wells:** Mr. Speaker, I would be pleased to wind up with a very quick reading of the bill. It is a small bill and it is very self-evident what the bill concerns. It is a companion bill to the Legislative Assembly Act. I am happy to support it, as I know are other members of this House.

Motion agreed to.

Ordered for third reading.

#### TABLING OF DOCUMENT

**Ms. Bryden:** On a point of privilege, Mr. Speaker: Today the Minister of the Environment (Mr. Parrott) read from a document and said, "I will be glad to table it for the Leader of the Opposition." I do not believe this document has been tabled. I would like

to obtain it before tomorrow morning if possible. Is it possible for the Clerk to seek that document and send it to me?

**Mr. Acting Speaker:** I do not think it is up to the Clerk to do that. Perhaps the minister will hear that you have made that request or it may reach his ears. If he can do so, I am sure he will be glad to. I do not think that is a matter, however, that the chair can force him to produce.

**Ms. Bryden:** Mr. Speaker, if he said he would table it, presumably he should have tabled it.

**Mr. Acting Speaker:** If he said he would table it, presumably he should keep his word. But it is not up to the chair to force him to keep his word or not to keep his word. That is a matter between him and yourself.

The House recessed at 5:27 p.m.



## APPENDIX

(See page 2229)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## SALARY INCREASES

150. Mr. Isaacs: What was the average percentage increase in total compensation received by employees in each management module in each year since 1970? Will the Chairman of Management Board of Cabinet confirm that the information provided in response to written question 101 first tabled December 14, 1979, retabled April 8, 1980, and answered April 10, 1980, is the average percentage increase in salary range and that the average percentage increase in total compensation (salary plus benefits) paid to continuing full-time employees in each module is higher? (Tabled May 2, 1980. Interim answer May 15, 1980. Approximate date information available May 23, 1980.)

Hon. Mr. McCague: The average percentage increase in total compensation received by employees in each management module in each year since 1970 is shown on the attached table.

It is confirmed that the information provided in response to question 101, April 10,

1980, was the average percentage increase in salary only.

The average percentage increase in total compensation, which refers, in addition to salary, to costs arising from merits and increases in the level of premium payment and benefit entitlements is higher than increases to salary.

Calculation of total compensation increases have been made using the same methodology as employed in AIB reporting. As the information provided in response to question 101 was derived using a different methodology, data base, and salary cycle from that required for total compensation costing, it was necessary to rework the salary figures previously provided. All data was then converted to a common base, and for pre-AIB years, retroactively reconstructed, in order to ensure consistency and thus meaningful interpretation of the data.

Both sets of figures, i.e., increases to salary and increases to total compensation have been incorporated in the table to facilitate comparisons.

## AVERAGE PERCENTAGE INCREASE

Year	Form of Compensation	Module				
		Admin.	Prof.	Tech.	Cler.	Oper.
1970-71	Salary	6.00	6.00	6.00	6.00	9.00
	Total compensation	6.34	6.34	6.34	6.34	9.30
1971-72	Salary	7.00	7.00	7.50	7.50	6.00
	Total compensation	7.30	7.30	7.80	7.80	6.34
1972-73	Salary	5.00	5.00	5.50	7.00	7.00
	Total compensation	5.34	5.34	5.83	7.30	7.30
1973-74	Salary	7.30	7.20	7.20	8.96	10.50
	Total compensation	7.87	7.77	7.77	9.50	11.10
1974-75	Salary	11.00	11.00	11.00	12.00	21.50
	Total compensation	11.20	11.20	11.20	12.40	21.54
1975-76	Salary	7.70	7.30	8.30	8.40	7.58
	Total compensation	8.03	7.57	8.62	8.57	7.90
1976-77	Salary	9.50	8.70	9.80	7.80	7.78
	Total compensation	9.59	8.86	9.94	7.86	7.94
1977-78	Salary	6.45	5.80	6.96	5.60	5.60
	Total compensation	6.83	6.20	7.30	5.91	5.85
1978-79	Salary	4.00	4.00	4.00	4.00	4.00
	Total compensation	4.30	4.30	4.30	4.30	4.30
1979-80	Salary	5.00	5.00	5.75	4.50	4.00
	Total compensation	5.50	5.50	6.25	5.02	4.52

Note: The figures provided should be considered approximations only, for the following reasons. A certain amount of extrapolation was required both because of conversion of all data to a common data base and salary cycle and because data was not, in the past,

retained in a form amenable to this kind of analysis. The development of these figures is further complicated by changes in review dates, category restructuring and broad-banding, all occurring within the last decade.



### WASTEFUL CUTTING PRACTICES

**156. Mr. T. P. Reid:** Would the Ministry of Natural Resources table the number of timber companies that were charged under section 24(4) of the Crown Timber Act in regard to wasteful cutting practices in the forest? Please provide the names of the company and the amount of the fine. How does the ministry define "wasteful cutting" under section 24 of the act? (Tabled May 8, 1980.)

**Hon. Mr. Auld:** I have prepared a table showing the licensees who have been penalized under the Crown Timber Act during the past two years for wasteful practices in forest operations.

Wasteful practices in forest operations are defined in section 21 of regulation 159, RRO 1970, as amended by Ontario regulation 161/72, made under the Crown Timber Act.

The penalties noted in the table are for contravention of the aforementioned section 21.

#### PENALTIES IMPOSED UNDER THE CROWN TIMBER ACT FOR WASTEFUL PRACTICES DURING 1978-79 AND 1979-80

1978-79	
Licensee	Penalty
Spruce Falls Power and Paper Company Limited	\$ 290.58
Chantier Co-operative De Barker Henry Johnson Timber Company Limited	261.96
Weldwood of Canada Limited	172.26
Weyerhaeuser Canada Limited	4,757.49
	84.05
1979-80	
Licensee	Penalty
Kimberly-Clark of Canada Limited	\$ 497.68
Algonquin Forestry Authority	2,586.00
Bracebridge Lumber Company Limited	80.64
Kearney Lumber Limited	53.00
Spruce Falls Power and Paper Company Limited	141.70
Chantier Co-operative De Barker Bois A. Lachance Lumber Limited	143.55
Abitibi-Price Inc.	49.77
Cochrane Enterprises Limited	707.00
L. Blais	635.00
R. Whitfield	160.18
Midway Lumber Mills Limited	533.18
	224.71

### RETIRED MUNICIPAL EMPLOYEES

**160. Mr. Isaacs:** Will the minister advise municipalities that sections 352(64) and

352(66) of the Municipal Act do not prevent the paying of OHIP and extended health care insurance premiums for retired employees who are below age 65? Will the minister take steps to ensure that municipal retirees under age 65 are not denied these benefits as a result of unclear legislation? (Tabled May 12, 1980.)

**Hon. Mr. Wells:** The relevant section of the Municipal Act is section 352, paragraph 66, which specifically deals with the provision of various types of health insurance for employees as defined in paragraph 64. This definition does not include retired employees. I would be willing to consider amending the Municipal Act to permit municipalities to negotiate such benefits for retired employees.

### AID TO PENSIONERS

**162. Mr. S. Smith:** Would the Treasurer table the following information with regard to Ontario budget 1980 proposals of assistance to pensioners. (1) How much will the government of Ontario save annually as a consequence of the fact that some pensioners will receive less under the new program than under the program in place prior to the budget; (2) How much will it cost the government of Ontario to administer the new program? (Tabled May 12, 1980.)

**Hon. F. S. Miller:** (1) The government of Ontario is not saving any money under the new program of property tax grants, pensioner grants and enriched Gains payments. The government is, in fact, spending an additional \$75 million in 1980-81 to assist pensioners.

The budget package for Ontario pensioners creates a system where property tax benefits are geared to property taxes, and where income support is provided through an income support mechanism. This rationalization of programs does mean that some pensioners lose some benefits that were delivered under the tax credit program. However, in order to put in place a system of benefits that, first, gets tax relief to pensioners when they incur the property taxes and, second, that exhibit a degree of universality, certain adjustments had to be made.

(2) It is estimated that the new grant programs will add about \$3 million in administrative costs annually after allowing for savings from reduced federal tax credit administration.

### MINAKI LODGE

**163. Mr. Eakins:** Would the Minister of Industry and Tourism supply the following

information on Minaki Lodge: (1) the report recently submitted by the consultants' firm of Pannell, Kerr, Forster and Company; (2) the interest costs incurred so far on the Minaki investment; (3) the interest costs anticipated in the future when the additional funds have been invested in Minaki; (4) the projected cash flow after taking into account the interest costs; (5) the servicing costs associated with the Minaki investment; (6) the government's best estimate of the total cost of the entire Minaki investment. (Tabled May 12, 1980.)

See sessional paper 113.

### INQUESTS

164. Mr. Lupusella: Will the Solicitor General inform the House of: (a) the number of deaths, by region which occurred in Ontario during each of the calendar (or fiscal if more appropriate) years 1978 and 1979 which fell within the meaning of section 9 of the Coroners Act, 1972, and which were the subject of coroner's investigations pursuant to section 13(1) of the act; (b) the number of inquests, by region, which were necessary as a result of such investigations in each of such years; (c) the categories or classifications of such investigations and inquests by region, et cetera, police homicide, in hospitals, nursing homes, construction sites, et cetera, or such other breakdown of this information as may best inform the House? (Tabled May 13, 1980.)

See sessional paper 114.

### HEALTH UNITS STUDY

165. Mr. Breagh: Would the Minister of Health table A Study of Public Health Units prepared by the fiscal resources branch of the Ministry of Health, February, 1980? (Tabled May 13, 1980.)

See sessional paper 115.

### WORK INCENTIVE PROGRAM

166. Mr. R. F. Johnston: Will the ministry table in the Legislature the data which support the statement of the Minister of Community and Social Services on May 12, 1980, that people who have participated in the work incentive program "have on an

average more than doubled their levels of income"? Will he provide (in aggregate) the amount of income received from employment by participants in the program, and the amount of income from other sources broken down by source? (Tabled May 13, 1980.)

Hon. Mr. Norton: In responding to the above question, it should be noted that my statement referred to a comparison of the average total monthly income of work incentive (WIN) recipients with their average social assistance allowances for the period January 1 to March 31, 1980.

I would like to take this opportunity to provide a more detailed explanation of the information I presented in the Legislature on May 12, 1980.

As I indicated previously, the comparison is based on the average total monthly income of WIN recipients. Total monthly income includes income from earnings, from all other sources and the actual WIN allowance. It is important to note that average figures were used in developing this data. The reason for this is that WIN allowances vary considerably depending on family size, age and number of children, the nature and extent of any disability and gross income. In order to compensate for these variations in allowances, average figures were employed in the calculations.

The average total monthly income of WIN recipients is then compared to the average monthly social assistance allowance to which these recipients would have been entitled had they not entered the new program. This allowance is based on average actual cheque amounts issued to FBA/Gains-D recipients. Again average figures are used in order to compensate for variations in allowances provided under the FBA/Gains-D program.

Accordingly, the average total monthly income of work incentive recipients for the first three months of the program was \$705.35. The average monthly social assistance allowance that these clients would have received had they not entered the WIN program was \$350.21. In other words, over the first three months of the program, the total income of WIN recipients was on average 2.01 times greater than what they would have received had they remained on social assistance.

The table below illustrates this comparison:

	January 1980	February 1980	March 1980	3 Months Average
Number of cases	47	340	539	
Average earnings	\$ 574.08	\$595.68	\$587.74	\$589.96
Average other income	37.82	30.16	32.94	32.17
Average WIN allowance	85.42	81.36	84.20	83.22
(A) Total	\$697.32	\$707.20	\$704.88	\$705.35
(B) Average FBA/Gains-D allowance	\$347.31	\$350.36	\$350.43	\$350.21
Ratio (A) to (B)	2.01	2.02	2.01	2.01

Obviously, the ratio between the present income status of WIN recipients and their income status had they remained on social assistance will depend on what assumptions are made.

For example, if average monthly "other" income was imputed to be available to WIN recipients when they were still on social assistance, then this ratio would change. As indicated in the above table, we have calculated the average monthly "other" income of WIN recipients to be \$32.17. If this amount were added to the average monthly FBA Gains-D cheque entitlement then the difference between average total monthly incomes of work incentive and social assistance recipients will decline from \$355.14 to \$322.97. The corresponding income ratio would fall from 2.01 to 1.84.

On the other hand, if one includes the phase-out benefits to which all WIN recipients are entitled, in the calculation of their total monthly income, the difference between average total monthly incomes of work incentive and social assistance recipients would increase from \$355.14 to \$408.79. The corresponding income ratio would increase from 2.01 to 2.17.

Similarly, it is possible to take into account child tax credits and family allowance payments. These income transfers are provided regardless of whether individuals are on the work incentive program or on social assistance. However, should these benefits be considered, the income ratio between work incentives and social assistance recipients would decrease from 2.01 to 1.87.

One additional complication should be noted. The honourable member may recall that I recently announced a 10 per cent increase in social assistance allowances for FBA and Gains-D recipients effective April 1, 1980. If this increase is taken into consideration then the difference between average total monthly income of the 704 work incentive recipients in April 1980 and average

monthly social assistance allowance will have slightly declined from \$355.14 to \$338.16 over four months. The corresponding income ratio would decrease from 2.01 to 1.92. However, I would also note that we are currently studying improvements to the WIN program in light of the recently announced increases in social assistance allowances as well as other factors. Should any modifications be introduced with respect to the work incentive program, the income ratio may well increase once again.

It is obvious that there are many statistical variations which may be used in providing these income comparisons. However, it is equally obvious that regardless of which method is employed, the total average monthly incomes of recipients of the work incentive program are substantially higher when compared to what they would have received had they continued to remain dependent on social assistance.

In response to the second part of the honourable member's question, I have provided the following data which indicates (on aggregate) the amount of income received from employment by participants in the program, and the amount of income from other sources broken down by source:

#### WORK INCENTIVE PROGRAM CUMULATIVE SUMMARY

(For all cases January 1 to March 31, 1980)

##### Income by sources

Income source	Amounts
1. Gross earnings	\$548,202.84
2. WIN payments	68,350.70
3. "Other" income:	
roomer and rental income	610.00
boarder income	1,920.00
industrial pensions	175.48
maintenance payments	19,171.01
government allowances	7,027.16
Total "other" income	\$ 28,903.65
Cumulative total	\$645,457.19

## FAMILY BENEFITS

167. Mr. R. F. Johnston: Will the ministry table in the Legislature the calculations referred to by the Minister of Community and Social Services in answer to a question from the member for Ottawa Centre (Mr. Cassidy) on May 8, 1980, with respect to the requests for increases in family benefits levels made by the Family Benefits Work Group, when the minister said, "At the present time on an annual basis of introducing those changes according to the most accurate calculations that my staff have been able to do at this point, would be about \$1,100,000,000 in increased costs to my ministry a year"? (Tabled May 13, 1980.)

Hon. Mr. Norton: In September 1979, staff of my ministry prepared detailed costings of the Family Benefits Work Group demand to set assistance rates at the levels of the budgetary guidelines established by the Social Planning Council of Metropolitan Toronto.

The calculations prepared at that time are summarized below. Since higher assistance rates will result in new applications from nonrecipients, estimates were prepared for such increased case load as well as for the present case load.

Family benefits/Gains-D	
—present case load	\$ 332.9m
—increased case load	307.1m
General Welfare Assistance	
—present case load	317.8m
—increased case load	31.8m
Gains-A	
—present case load	192.0m
—increased case load	31.4m
Total overall additional cost	\$1,213.0m

The basis of such calculations is of necessity technical and the amounts are estimates based on the best available data. The method and key assumptions upon which the calculations were made are described below:

Costs for the present family benefits/Gains-D case load were based on a computerized model using actual data.

Only limited data are available to estimate the increased assistance case loads resulting from an increase in rates. The estimate of 32,840 additional family benefits/Gains-D cases is based on Survey of Consumer Finance data for sole support mother-led families. No estimate was made for increased cases from other target groups such as the disabled or the permanently unemployable. No adjustment was made for the impact of the work group's recommendation to exempt the first 120 hours of employment income.

The costs of the latter item would be substantial.

Cost estimates for the present general assistance case load assumed that the current mix of singles (55 per cent) and families (45 per cent) would continue and that families were composed of two adults and one child 10 to 15 years old (average family size was 3.1).

Since few data were available to assist in estimating the increased general assistance case load resulting from higher rates, it was assumed that such costs would equal 10 per cent of the increased costs to the present case load.

General assistance costs include the municipal portion (20 per cent).

Since general assistance single rates based on social planning council guidelines would be above the Gains-Aged rates, it was assumed that existing Gains-Aged recipients would be eligible for the difference between the Gains guarantee and the social planning council levels. Note that calculations assumed the current Gains-Aged policy of no asset testing would remain.

The increased Gains-Aged case load was based on the number of federal guaranteed income supplement recipients ineligible on income grounds for the Gains-A cheque.

Calculations assumed that Family Benefits Work Group demands were exclusive of family allowances, child tax credits, et cetera (\$375.6 million).

It was recognized at the time the calculations were made that they may understate true costs since: (a) they were based on 1978 guidelines and therefore did not reflect subsequent inflation or the recently released budgetary guideline for single parents; and (b) they did not recognize the higher needs of the disabled and aged.

Detailed calculations have not been prepared since September 1979. While the recent increases in social assistance rates and support levels for the aged would tend to reduce the previous estimate, this effect would more than be offset by other factors, e.g., the Family Benefits Work Group recent demands have been based on the higher single-parent budgetary guide which, for a mother with two young children, is 36.8 per cent above their previous request.

MINISTRY OF HEALTH  
ADVERTISING

173. Mr. Conway: (1) What is the total advertising budget for the Ministry of Health? (2) What advertising agency is employed? (3) Were tenders let for the ac-

count? (4) What is the total cost for commercial time and production costs for commercial messages featuring the Minister of Health? (Tabled May 15, 1980.)

**Hon. Mr. Timbrell:** (1) \$1.5 million; (2) Russell T. Kelley Inc. of Hamilton; (3) Yes; (4) Nil.

#### INTERIM ANSWER

**171. Mr. Lupusella:** Will the Ministry of the Solicitor General provide figures on the number and percentage of recruits with: (i) university degrees, (ii) college degrees, and (iii) no post-secondary educational qualifications entering the following regional and municipal police forces, and the Ontario Provincial Police, for the year 1970 and for

each subsequent year? Will the ministry also provide figures on the proportion of each force made up of officers with the educational backgrounds identified above, for 1970 and for each subsequent year. Regional Police Forces—Durham; Haldimand-Norfolk; Halton; Hamilton-Wentworth; Niagara; Peel; Sudbury; Waterloo; York. Municipal Police Forces—Barrie; Belleville; Brantford; Brockville; Chatham; Cornwall; Guelph; Kingston; London; North Bay; Orillia; Ottawa; Owen Sound; Pembroke; Peterborough; St. Thomas; Sarnia; Sault Ste. Marie; Stratford; Thunder Bay; Timmins; Vanier; Windsor; Woodstock. (Tabled May 15, 1980.)

**Hon. Mr. McMurtry:** The answer to question 171 will be ready on or about October 30.

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No. 59

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# Legislature of Ontario Debates

Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, May 27, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, MAY 27, 1980

The House resumed at 8:02 p.m.

## METROPOLITAN POLICE FORCE COMPLAINTS PROJECT ACT, 1980 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act for the establishment and conduct of a Project in the Municipality of Metropolitan Toronto to improve methods of processing Complaints by members of the Public against Police Officers on the Metropolitan Police Force.

**Mr. Ziembra:** Mr. Speaker, back in 1974 there was quite an upsetting situation in west Toronto. The immigrant workers at Artistic Woodwork Company Limited were on strike and they managed to get the support of a number of people on the left and a number of people in the NDP. The police used the emergency task force for the first time, I believe, in any major way. On any given day one could find dozens of riot squad police on this picket line, which was mostly made up of immigrant workers and students. The police could be quite brutal at times. I myself witnessed the following incident.

We would get there about 5:30 or 6 a.m. and the scabs would be driven through in a large bus that was boarded up, or a van or a large truck. The police would form a flying wedge and escort the truck or whatever vehicles were taking them in through the picket line. But on a number of occasions I witnessed the emergency task force police remove the badges they wear in their hats and tuck them in behind the ribbon on the hat. Then they would wade into the picket line and would kick a picketer where it hurts the most. Sometimes it would even lead to charges—not charges against the police but charges against the picketers.

That situation went on for many weeks and more than 100 people ended up being charged. That was six years ago, as I said, and the last case was heard some time in 1977. It was a very bitter situation and a lot of people were turned off by the tactics of the emergency task force. So much so, that I believe the police decided to look at the labour

situation in Metro. They appointed Sergeant Stan Gayler as the head of the labour relations unit—I think that is the official title.

Some of us were a bit apprehensive about Sergeant Gayler's activities when Canada Packers Limited locked out its workers for 12 weeks in support of Swift Canadian Company Limited, its competitor. The situation in the packing house area got fairly tense. Sergeant Gayler arrived on the scene and the union did not know what to make of him. But he went out of his way to assist the workers and he calmed down what could have been a violent situation. In fact, after the lock-out, the president of the union wrote a letter to the chief of police thanking him for Stan Gayler's and his partner's assistance. I cannot remember his partner's name.

But I think there was a turning point somewhere in the mid-1970s as far as the Toronto police force and labour were concerned. There has not been, to my knowledge, any abuse of police powers on the picket line in Metropolitan Toronto since then.

Lancia-Bravo Foods was on strike last year, and the scabs would wear masks as they drove trucks through the picket lines. Many of the workers were immigrants—many of the women were Italian and Portuguese. They thought the masked men driving the trucks through the picket line were criminals. They wanted to know why the police were assisting these criminals through the picket line. Sergeant Stan Gayler came on the scene and explained the situation to them. I would say he prevented some of the local police, who were not that sensitive to the workers, from arresting some of the picketers who felt very strongly that their picket line was being abused.

I cannot say that the police anywhere else in the province have been as sensitive to labour issues as Metropolitan Toronto police. I do not want to go into the Radio Shack situation, but we all know there were hundreds of police used to control a handful of women.

Right now there is a strike in process in Burlington, involving Nelson Crushed Stone and Dufferin Aggregates. Dozens of police are escorting scab truck drivers through the picket lines. I must ask the Solicitor General

(Mr. McMurtry) about what I would term a kind of roadside justice that took place on May 16. On this day, a scab jumped down from his truck and assaulted one of the strikers. He was charged by the police and he was taken to a cruiser and held until he could appear in court I suppose.

A striker was charged shortly after and the police made a deal with the union—one scab for one striker. They let them both free. I do not see that the police have this right to determine who goes free and who does not. In fact, if the striker committed an offence he should have been charged, but so should the scab. Perhaps the Solicitor General could look into that.

8:10 p.m.

Bill 47 still gives the police the job of investigating the police. This investigation can take anywhere from two weeks to a year, and we don't know how long it will take. We do know one or two things for sure. While the police are investigating on behalf of one of their colleagues, they are certainly going to cover themselves. They are going to make sure they get witnesses who will support their position and they will have a pretty good case before they let it go to that second stage, where the complaint goes to the commissioner to appear before the tribunal. In other words, they will have a darned good chance to cover up their actions. They will also get to the witnesses and they may even get to the person who is complaining.

Very few people would carry on a complaint, wouldn't lose their nerve, after being dealt with by the police. In fact, many people believe they could end up being charged if they present themselves to the police complaining about police activities. There is an element of intimidation that shouldn't be there.

In this party, we believe there must be an independent review and that takes me to the whole topic of peer policing. It seems every professional group in our society, whether it is doctors, lawyers, druggists or dentists, insists on being judged by its peers. They all insist their fellow professionals sit in judgement on them. Why can't these professionals, including the police, trust the citizens? That is a very good question.

We have the Metro police commission. People in the minority groups have no use for the police commission, especially Commissioner McKay. He is an old Tory hack from west Toronto who ran as a federal candidate once and lost handily. He did act as official agent for one Otto Jelinek who was successful in west Toronto. To our everlasting shame we weren't able to defeat the

man and he has gone somewhere out to Halton now to represent people out there.

The Tories paid off Win McKay by giving him this commissioner's job and he has distinguished himself by attacking a leader of a black community, as well as a trustee and one other individual.

We have another commissioner Mr. Phil Givens. We all know about Mr. Givens. The member for Wilson Heights (Mr. Rotenberg) owes his seat to that little sweetheart deal. He bought that seat by arranging for a judgeship for Mr. Givens and a seat on the commission. Mr. Givens has been nothing but an apologist for the police ever since. In fact, I don't believe the police commission exerts any kind of control at all over the police.

That brings me to the public's perception of the police. Whenever anyone suggests there may be something wrong with the commission or with the brass, immediately there are pro-police letters to the editor and it is pretty hard to fight that. We have letters to the editor from people who fear the unknown killer, the unknown rapist, a thug in the night and things that go bump in the night. They are almost willing to do away with many of their civil liberties to get protection from the police. They turn their back; they don't want to hear about any sort of activities on the part of the police that might not be acceptable.

In our community today we are faced with a number of issues of racism that have led to racial tensions with both the black community and the south Asian community. My colleagues, the members for Riverdale (Mr. Renwick), Scarborough West (Mr. R. F. Johnston), Bellwoods (Mr. McClellan) and York South (Mr. MacDonald) had an opportunity to meet with the leaders of the Sikh community last Friday.

These people feel the police aren't really that interested in serving and protecting them. They feel that name-calling is something that is totally unacceptable to their culture. It affects the Sikhs more than almost any other group to be called Paki. That is the one term they feel very strongly about. They believe that name-calling should be a criminal offence. It insults their integrity as citizens of Canada to be called names. Many of them complain to us about the insensitivity of the police. In fact, one of their number had been a police officer and was eventually let go. There is a case before the Ontario Human Rights Commission right now attempting to resolve the situation.

We had an opportunity to meet with one of these black leaders, Mr. Dudley Laws.

He felt Bill 47 wasn't worth the paper it was written on. He still thought it gave the police the job of investigating themselves. Mr. Laws explained that two of the main problems the black community faces are entry into people's homes and proper identification when police stop an individual on the street.

That may not sound like a real problem to the members of the Legislature, but it is a class question. There aren't too many people stopped on the street in the wealthier neighbourhoods of this city, but there are in the working-class neighbourhoods. Mr. Laws especially objected to police searching a home and leaving belongings scattered all over the place. Mr. Laws also feels very strongly about the Albert Johnson case. I won't go into that, because it is before the courts. He did make the point that Mr. Johnson complained to the Ontario Human Rights Commission eight times prior to his death and it wasn't until after his death that the commission contacted the police.

The Provincial Secretary for Justice (Mr. Walker) reports that 17,000 individuals are jailed needlessly every year. I wonder how many of them are jailed under the circumstances that my friend Brando Paris was jailed. This is the chap who appeared on a picket line on a Monday. He was picked up for his alleged offence on the Friday and held over a Thanksgiving weekend in prison. He was refused bail by the justice of the peace because the justice of the peace was told by the police that this individual had an outstanding charge and there should be a show-cause hearing. This show cause seems to be a real stumbling block in our justice system. The police make that determination. If they believe someone should appear for a show-cause hearing, then the accused is automatically jailed until a justice of peace gets around to seeing him.

There was a chap demonstrating here last week who was jailed for allegedly assaulting one of our security guards. The sergeant at No. 52 station believed that Mr. Gian Singh should appear for a show-cause hearing. I appeared on Mr. Singh's behalf and I think I was successful or partly successful in persuading the sergeant, because Mr. Singh assured him he wouldn't cause any more disturbance here at the Legislature and he was released that night.

8:20 p.m.

But I wonder how many of these 17,000 people are jailed on the technicality that some desk sergeant decides, for whatever reason, to keep these fellows in jail overnight for a show-cause hearing? How many

people are discouraged from attending a picket line because the police arrest them and insist on a show-cause hearing, keep them overnight and release them the next day?

The police must serve and protect society. At the same time they must respect our rights and our liberty. They must also respect our dignity. I believe the police must be diligent and courteous in exercising this authority. For that reason, we need a civilian to hear complaints and act on them.

**Mr. Nixon:** Mr. Speaker, I want to speak briefly about my long-held conviction that the need for some sort of review of police activity and complaints procedure is important. I welcome that aspect of the bill.

However, as I look at the bill, I feel the concept and principle of civilian review is somewhat weaker than I personally, and I believe as a Liberal, would expect. I know the Solicitor General prides himself on being seen by the public, and certainly by the police, as standing strongly and firmly in support of the police. I join him in that very sincerely.

I come from a part of the world where everybody supports the police, even the people being arrested. They have a good reputation, and it is sort of born and bred in them that the police in that part of the world—and frankly I believe all parts of our world of Ontario—understand not only the need for but the fact of civilian control. I do not know of any police officers who feel any other sort of control and jurisdiction would be better.

The attitudes of the Ontario Provincial Police, which has a great deal to do with law enforcement in my constituency, are very proper indeed. Having talked to a few of them personally about this I have not even sensed any substantial resentment to the concept of a thoroughly and totally civilian complaints review procedure. They are used to the jurisdiction of the police commissions. We have argued in this House many times about the makeup of those commissions and my views remain unchanged.

The Solicitor General knows that the Liberal Party has frequently put forward amendments to the basic structure of police commissions, in the light of the fact that judges should not be operating in that capacity. There is an intrinsic conflict of interest. I was interested to hear our former colleague John Clement being quoted extensively in the last few days. He indicated that any change from the present composition of police commissions would be a very serious and drastic backward step leading to, I think

in his words, chaos. If the police commissions were formed from those people appointed, seconded or nominated by locally elected councils, civilian control of the police would somehow become chaotic. I do not agree with that, but it is really not what we are talking about at this time.

The police officers I have talked to, sometimes at the side of the road when they are talking to me about certain other matters, certainly accept what I consider to be a healthy democratic concept of civilian control of law enforcement. In this connection I have a great deal of confidence in the Solicitor General, who exemplifies a good many aspects where civilian control is seen to reside. I believe the police have a certain substantial confidence in the office, in fact probably in the individual, and that's a good thing.

The feeling that the police are not going to accept a complaint procedure involving an investigation outside their jurisdiction is ill-conceived. The police, in all their training and understanding of their views, have accepted this concept of civilian control, and I believe they would accept eventually the concept of a complete civilian review in a way that would become them and would become the strength of our democratic society.

My colleagues have expressed quite firmly the view that we feel there should be a specific complaints procedure. My colleagues have expressed, and may express later this evening, our concerns that the minister, in presenting the bill, has not made it clear, as we would hope, that the civilian aspect of the investigation, if not in all circumstances at least in most circumstances, would be implicit and well understood.

I have been quite concerned, as I know every other member of the House has been, with recent events in Metropolitan Toronto. The very tragic event some months ago that led to the commitment by the government to introduce this bill has been followed up by other events in the last few days, particularly with racial overtones, that make it clear to all of us that the easy time in law enforcement that we didn't know was easy, may be drawing to a close. As is so often the case, many of the more unacceptable aspects of life in the United States seem to be visited on us, perhaps a decade or a large part of a decade after we read about it in the United States, and said, "Thank God that's not us."

We might as well look at those circumstances as an express train coming towards us and we are standing right in the middle

of the track. It happens to us no matter how careful and how well intentioned we are. We have an opportunity here, even though pressures are coming on us very substantially, to establish a procedure which is going to be better than that implicit in the principle of Bill 47.

I don't know whether I was offended—I think I was—to hear Alderman Sparrow comment a few days ago about the dangers coming this summer season in Toronto. He has to say things the way he sees them, but often I feel those kinds of comments almost lead people to fulfil the prophecies made. I can't criticize him; he is what he is and he has made very strong statements on this and other matters for a long time.

Most people seem to feel that at least he is one elected person who has the confidence of those communities within this Metropolitan area who feel they are not at the centre of the attention of the movers and shakers in government, in police forces, in police commissions and in public life.

I was concerned at his statements and while I didn't like them, I had a feeling that whatever his motives, and I must assume they are the best, he might be right. If he is, it will not be good enough for us to have a complaints procedure that is seen to be anything but completely community controlled and oriented and civilian in its aspects.

8:30 p.m.

I guess it was almost 10 years ago that these arguments, public and to some extent philosophical, were taking place around the jurisdiction of metropolitan New York. I don't think their experience has been the best. I don't think they have a process for reviewing complaints that has the confidence of everybody, whether it's the police or the citizens or the minority groups or anybody else. But I well remember the intransigent position taken by the police spokesmen at the time, through their own professional organization and in other ways.

I know a fairly strong stand has been taken by the police in our own jurisdiction but I feel that we in this House, and the Solicitor General particularly, can take a position of substantially more leadership than is implicit in this bill.

The House must surely be aware that these problems exist well outside Metropolitan Toronto. Police officers, wherever they are exercising their duties, face very substantial challenges and trials and I don't envy them. I would not be set up in many ways to fulfil their duties. I have the greatest admiration for them, almost without reservation. Whether



one is in a rural area, a small urban area, wherever—

**Hon. Mr. Snow:** —don't like those OPP.

**Mr. Nixon:** If the minister would do something about his silly speed limits. At least he is more sensible in this respect than the principle in this bill, but that's another matter. Both of them drive around in those limousines. I see the Solicitor General is already looking at the clock.

**Mr. Sterling:** Did you get pinched again, Bob?

**Mr. Nixon:** I'm down to four points and I'm heading even lower.

In a sense we understand that this is an experimental procedure. I feel there are other municipalities and areas which would benefit as well. I feel it is too late to come to Metropolitan Toronto and say, "Let's try it here." We ought to have a procedure which, even if it were interim or experimental, would be available across the province.

I hesitate to suggest that we would have a full bureaucracy set up parallel to the Ombudsman or the various other public offices, but I would predict—and politicians do this—that eventually we will come to that.

I have always also felt that the Solicitor General, whoever occupies that office, has in the past, does now, and will in the future carry out the essential civilian post, more or less as the traditional minister of the interior does in other jurisdictions. That is the penultimate—maybe two steps away from the ultimate—source of control and power and jurisdiction as far as the police are concerned.

We are fortunate in Ontario that the police understand that. I think they also are reasonably well satisfied with the police commission, although the opposition parties, and the Liberal Party particularly, have indicated their dissatisfaction with the composition of those commissions.

I feel the Solicitor General has the responsibility to act in many aspects as a complaint department himself. I have never felt the present Solicitor General was unwilling to respond in that way. Occasionally, along with the rest of us, he tends to respond a bit politically, but that's to be understood since we're politicians, all of us with certain experience, all of us with certain aspirations.

I feel the bill, for me as an individual—and believe it or not, as a philosophical liberal—does not go far enough to make it clear that the complaints are going to be heard by civilians, they are going to be investigated under civilian control, and they're going to be judged by civilians.

This is more than a flaw in the principle; it really is a problem. I know my colleagues have put forward our concerns. I hope it could be made clear by the government, either through this spokesman or in the future by somebody else, or perhaps by a new government, that the approach to this complaints procedure has to be based on the primacy, the position of the civilian review, investigation and judgement that is delegated by all of us as members here in this chamber in our capacity as representing all the civilians.

I have some grave concerns about the principle of the bill. I intend to let my colleague the member for St. George (Mrs. Campbell) express those in more specific terms.

**Mrs. Campbell:** Mr. Speaker, in rising to speak to this bill, I have some preliminary comments. I am deeply concerned that the perception has been abroad in the land that those of us who do not agree with the so-called principle of this bill are somehow or other denigrating the police. I want to say as strongly as I can that I do not think the police in Metropolitan Toronto have any stronger friend than they have in me. I have worked with them through a long period of problems. I think I know their operation reasonably well. I think of some of the great people I have known. Two of them, two detectives, to my regret remain anonymous to me because I did not have the wit on the occasion to get their names.

I would like to take members back for a moment in time to just a little vignette of what goes on in Toronto and the way in which the police handle situations. I go back to a hot summer day in the 1960s when the Metropolitan Toronto Licensing Commission was sitting and torturing itself with what should happen to Norm's Grill and Spot One. I can recall a person who came before that commission. It was not a person whom people would look to with any degree of sympathy initially. She was a woman who was quite young, but looked rather old. She was a prostitute, a woman who was on dope. I can recall Mr. Gardiner, who for all his brusque ways was one of those people with a very great heart, as he listened to her giving testimony, explaining that she had tried to kick this habit in some miserable little room all by herself. It was assessed among some of us that this was a human being. I was interested because nobody at that time knew what to do about her. In the 1960s, while we had places for men to be placed in other than jail, we did not accord

that same sort of service or facility to a woman in this position.

I had occasion to talk to these two detectives. They certainly were tough detectives. They were men who were doing their job. As we tried to get some solution and, in fact, did get the Salvation Army to come in, they said to me, "We were worried about what would happen to that woman. We were prepared to take her back with us where at least she would have a roof over her head."

8:40 p.m.

This is the kind of thing that goes on in downtown Toronto. It is part of a picture. It is not the whole picture. I am thinking of a young officer who came to my office last week and who explained to me—he was pretty new to this business—that he was effecting an arrest. He stated he had seen the victim, a child, whose head was beaten in. The child had been taken off in an ambulance and he was seeking to make an arrest. What happened was, as he said, the group that gathered around him protesting the arrest had not been there to see what had gone on before.

He said, "You know, we are human, and it is awfully hard to take what we have to take and not answer back." I believe that today officers are up against this, partly because this government has never seen fit to bring in procedures in which the public have confidence. I want it clearly understood that from my point of view I am not looking to change here because I am opposed to the police.

Now what do we have? I regret I have not had the information from the Solicitor General that I asked for and he stated he would get for me. One of the things that perhaps we should all have had an opportunity to look at, anonymized perhaps, is the kind of records there are in the present police complaints bureau, and whether in fact there is a pattern where some officers appear and appear and appear, and there is no solution to the complaints.

I think it is the perception of the procedures which has caused a large part of the problem, coupled with the fact that this government is absolutely intransigent in looking at the police commission and trying to make it reflect a little more closely the mosaic that is Metropolitan Toronto.

Having met with some groups of women, we could well see the kind of vigilante movement we have seen in California and in British Columbia, which has developed because the women do not perceive that they have any protection in the matter of sexual

harassment. They may be wrong; they may also be right.

We have discussed some of the problems we face in our society. I raised the question with the Solicitor General the other day in the matter of the Fotomat strike. I met four rather petite women who were on the picket line. Somehow or other there were seven police cruisers, which does seem a little like overkill, but that is not, in my view, the fault of the police. Police are called and they respond. I think police are taking the blame for a lot of things for which they are not initially responsible.

Also, in our society there are societal attitudes and all of us have a job to do in trying to help to work our way through these societal attitudes. Having said all that, in the strongest terms I can I want to say to the Solicitor General my colleagues have expressed their reservations to this bill.

We are caught in the dilemma of the way in which the procedures work in this House. As my colleague who just spoke indicated, he would like to have some assurance from the Solicitor General as to what his position would be with reference to amendments to this bill. There is no way I will accept the concept of police investigating police. I am fighting the same concept, as the minister knows, of lawyers investigating lawyers. I'm consistent at least.

We certainly are of the opinion that the bill must have that amendment to make it palatable in any way to us. I would invite the Solicitor General to tell us what his position would be in the event that an amendment to that effect were to be brought in and carried in this bill. How firmly entrenched is he in this?

**Hon. Mr. McMurtry:** Are you suggesting another police force to investigate the police force? No, I won't accept that.

**Mrs. Campbell:** I'm delighted to have that answer. It cuts my speech by a great deal.

**Hon. Mr. McMurtry:** I won't accept the destruction of the Metropolitan Toronto police force by your hands or anybody else's.

**Mrs. Campbell:** With respect, as far as I am concerned I have never heard such complete garbage in my life as that which has just been mouthed by the Solicitor General.

In so far as my party and I are concerned, I believe the answer to our dilemma in this second reading has been given. There is no question in my mind that the commissioner must be ab initio in the complaint system. My colleagues have expressed the fact that the commissioner might well, for example,

decide that the complaint was not one which he wished to pursue. But if there is a complaint which in his opinion is serious, then there is no question in our mind or in our philosophy but that the commissioner must have the direction of the investigation or, with respect, speaking at least for myself, I cannot support this bill on second reading. I would like the Solicitor General to understand the degree of commitment I am making to a principle. I do not think any of us can afford partisan stances on this bill.

8:50 p.m.

If I thought for a moment it would destroy the Metropolitan Toronto police I would not be taking it either, but the Metropolitan Toronto police are a lot stronger than the Solicitor General gives them credit for.

I have indicated what we would find necessary to give support to this second reading. The Solicitor General cannot look at what we are saying with reason rather than emotion, for goodness sake. I thought that was reserved only for women in politics. I see men can have emotions too. If the Solicitor General cannot be prevailed upon to at least listen to what we are saying, then I am afraid I will not support second reading of this bill.

**Mr. Renwick:** Mr. Speaker, the course of my remarks this evening will probably reflect the way I now feel about the bill, and perhaps be somewhat of a plea or a foretaste of what may take place when the bill goes out to committee. I would like to have a clear and unequivocal statement by the minister when he replies in this debate, assuming he chooses to do so, about the bill going out to committee and what his plans are.

We are prepared, after the division tonight, to put the bill out to committee under the rules with 20 members standing in their place in order that it will go out. But I do not think that is necessary if the minister very clearly indicates that the bill will go out to a committee so that people will have an opportunity to address the committee about their concerns related to it.

My feelings have developed over a long period of time about this whole question of the civilian review of police complaints, having tried to study objectively the bill which is before the assembly this evening; having tried to look objectively again at the statement of principles published by this party and which appears as a resolution on the Order Paper; and having studied Bill 11 standing in the name of my colleague the

member for Scarborough-Ellesmere (Mr. Warner), in which we tried to reflect, albeit not perfectly, those principles in the sections and provisions of that bill.

Those principles have been around for a long time. We were called upon to issue the principles simply because of the inordinate delay of the Solicitor General in introducing the bill both at the end of the last session and again this session. The minister had the benefit of our statement of principles at that time. He had the benefit of our thoughts about it, and we were consulted by his special adviser with respect to the bill.

I have a sensation that with goodwill—and I emphasize it will have to be with goodwill—in the committee the major concerns of our party reflected in our statement of principles can be accommodated in a very real way if the minister will move at all. I know the immense pressures the minister is under, both from his own innate stubbornness about these kinds of things and also because of the pressures which are brought to bear on him by the various interest groups he has to deal with in preparing the bill.

I tend to be—my caucus will attest to this—almost an incurable optimist in believing that in tough situations it is possible for reasonable people to accommodate their principles within the framework of the English language in a way which will accomplish the public interest and need. This is required at this time and we cannot afford the luxury of any further delay.

There has to be a genuine effort in the committee to arrive at that conclusion. I think it is possible. I do not consider that the divergences, while significant and of principle in the way the bill is now drafted, cannot, without doing disservice to the concerns and principles of the Solicitor General, also meet the concerns and principles of the New Democratic Party.

So it is in that sense that I do not intend to stand here in some adamant and hostile position about the bill being all wrong. I have on occasion felt deeply enough about the way in which this bill has come before the assembly, and in the inordinate procrastination about it, to make me think that whenever the bill did arrive I could do nothing but fail to support it.

I am not going to support the bill tonight and our caucus is not going to support the bill tonight. I want to make it very clear that doesn't mean it is not possible for the bill to be dealt with objectively and carefully, taking into account not only the views expressed by members of the government

party and the Solicitor General, but the views expressed by members of this party.

I want the minister to understand that his party holds across the swath of lower-tier seats in the city two of the central core ones. One of them is held by the member for St. George, who has expressed deep concern about this bill. The other ridings across the bottom of the city, where the major problems with respect to the kinds of incidents have occurred which led to this bill being introduced in the first place are represented by this party.

I want him, in a nonpartisan sense, to understand that we reflect in our debate about this bill not only our particular ideological position, but the fact that we represent the ridings and areas composed of constituents who have very real difficulties from time to time with the police.

I know no one ever will, but if one wanted to examine the Hansard of the comments made by myself and my colleague the member for Lakeshore (Mr. Lawlor) on various topics, the one consistent theme that we have been inseparable on over the years has been our conception of the police forces in the province. We have put it on record many times. We have gone back year in and year out about the basic framework of the police establishment in Ontario, in particular because we both represent ridings in Metropolitan Toronto.

9 p.m.

I know this is a bill dealing with the complaints procedure but I must touch, at least briefly, the fundamental bases of what we are talking about when we talk about police complaints. I know all my colleagues in the assembly are quite aware of the role which the police play in our society, but without being technically legal, let me speak for a moment about a substantive provision of the Police Act. Let us be certain what we are talking about when we talk about police officers. The particular sections are 54 and 55 of the Police Act.

I am not going to read them exactly as they appear because they involve some legalese and I want to be certain their key elements are before the assembly when we are speaking about them. First of all, section 54 has a very simple statement. I am paraphrasing, leaving out the extraneous legalese that appears in that section. Every police officer "has authority to act as a constable throughout Ontario." Some people may say the operative part is "throughout Ontario." The operative part is "as a constable throughout Ontario." That's the basic clause. In section

55 it says a police officer is charged with "the duty of preserving the peace, preventing robberies and other crimes and offences... apprehending offenders, laying information before the proper tribunal, and prosecuting and aiding in the prosecuting of offenders..." Those are four very specific, very clear duties imposed on police officers by the Police Act. It goes on to say all police officers have "generally all the powers and privileges and are liable to all the duties and responsibilities that belong to constables."

My colleague from Lakeshore and myself, from time to time supported by other members of the caucus but principally the two of us, have emphasized for a long time that—

**An hon. member:** Too long.

**Mr. Renwick:** —the key word in the police force in Ontario, despite the fact that it has fallen into disuse, is "constable." The office of constable is the key to what we are talking about and I deplore the consequences which have flowed because the title of constable has fallen into disuse. It's not for any sense of nostalgia but simply because we have lost sight of the word's fundamental connotation in a tradition that came to us in a very valuable way, in a democratic society, from Great Britain and the whole of the tradition that surrounds the use of that term.

I am not going to go on about that. I could go on, because it's fundamental, but I want to emphasize that it continues to be my colleague's concern and my concern because it is a mirror of what has happened to the police forces in Ontario and why we are having certain troubles and problems.

**Mr. Lawlor:** It's too Americanized.

**Mr. Renwick:** Let me make a second very important point about what we are talking about in this bill. I am not certain I can express it perfectly. I have tried to jot it down so I will not get involved in some garrulous dissertation. I want the Solicitor General to know this is how I feel, and this feeling is shared by my colleagues. In some senses, we do demand more of the police than we do of other groups, or, more accurate, we become especially concerned when the police fail to meet our demands. This must be the case, because it is to the police we look to deal with so many of our problems, and it is to the police we entrust the legitimate use of force.

I am not going to speak at any great length about force, but that is what I understand to be the concern the public has about the police. We ask them to do many tasks which cannot be done in any other way in a democratic society, and we expect they will

reflect us in the performance of those duties in a way which will be a credit to them and a credit to the community they are designed to serve.

I have often admired the patience, the determination and on many occasions the fortitude with which the police have dealt in the city of Toronto with very difficult situations. They have met the standard we expect of them. Let me express that in a somewhat different way. What distinguishes a democratic society from any other society is that the police reflect the democratic society; they are not an arm of the state. In nondemocratic societies they are an arm of the state; they are here to tell the citizenry what they are to do and when they are to do it.

I know the Solicitor General travels a great deal. He understands that when he goes into a particular country that is not democratic and sees how the police relate to the community they serve. It is an entirely different way to the way in which the police in a democratic society such as ours respond to the society.

We find at the present time that the changing nature of our society in Ontario, particularly in Metropolitan Toronto, has caused us to require of the police that they meet and respond to that change as a reflection of that society. Many of the problems which have arisen over the last few years in Metropolitan Toronto have occurred because citizens, thinking about their police, observing what they see of the police in operation, understanding the way in which the police are required to deal with the society in which they are concerned, have an anxiety and a concern that the leadership of the police has failed to have the police respond to that society in its changing need. I emphasize the leadership because in my mind it is a failure of leadership in the Metropolitan Toronto police that has caused practically all the problems we have today.

Perhaps this is an excursion not quite within the confines of the debate. If one takes all the diffusion of special arrangements which the Solicitor General has taken or has nudged other elements in the police in Metropolitan Toronto to take, they all comprise items which needed to be looked at, but very few, if any, came on the direct initiative of the Metropolitan Toronto Board of Commissioners of Police. That particular commission is set up under the Municipality of Metropolitan Toronto Act and the appointees to the board are all designated in one way or another, but they are mainly

appointees of this government. There has been a total failure of leadership by that Metropolitan Toronto police commission which has reflected itself in the incapacity of the police force in very important aspects of its adjustment to society to move with the society with which it has to deal.

9:10 p.m.

Most of us realize that while we talk about the police constable as a law enforcement officer, he is there primarily to keep the peace as well as to enforce the law. In many ways it is in that role that he establishes his relationship with the community, and it is that connection with the community which has suffered serious damage in Metropolitan Toronto. That has happened for all the reasons which all of us talk about whenever we talk about the police—the separation of the policeman in his vehicle from the beat he used to patrol not so many years ago in the city, and in the sense that he belonged to the community where he worked, lived, moved and had his being. All of those things are matters which are part of conversations about the police but reflect, in my view, a very profound concern that we have as we come to the whole question of the police and our concerns about it.

I want to focus directly on the bill now before us, Bill 47. But before doing so, let me just comment about the statement made by the justice group of this caucus shortly after the Albert Johnson killing, in which my colleagues and I expressed our concerns about that particular incident. We then raised, in addition, the other concerns which we had. There were four or five of those concerns. My colleagues and I in the justice group, that is, the members for High Park-Swansea (Mr. Ziembra), Scarborough-Ellesmere (Mr. Warner), Dovercourt (Mr. Lupusella), Lakeshore (Mr. Lawlor) and Scarborough West (Mr. R. F. Johnston), ended our statement of September 7 by saying:

“The Johnson case and other recent events lead us to believe that we also need a meticulous investigation of and report on the whole pattern of Metro police activity in relation to recent immigrant communities and in the handling of family and neighbourhood disputes in all communities.

“This investigation must cover the following matters: the training and procedures of the police, with particular reference to the handling of family and neighbourhood disputes and the use of force; the procedures used by the police in stopping citizens, interrogating and questioning them; the manner in which citizen complaints about police beha-

viour are investigated; and the composition and structure of the police commission.”

Basically, that is the framework of concerns we had, but in the time available to me I want to move, if I may, specifically to Bill 47. In the Solicitor General's estimates last year, I recall discussing my concern that the bill, which had then been tabled in the House, was accompanied from time to time by expressions of the Solicitor General that, by and large, in North America the civilian review procedure was in disrepute, would not work and was not an acceptable procedure. That is the way in which I thought the minister was approaching the whole topic, and I do not have any reason to believe that is not the way he is approaching it. He is very reluctant, and it is that very reluctance which may ultimately prove our inability to reach a consensus about a sound bill to deal with this whole problem.

I then asked in the Solicitor General's estimates if the staff would be good enough to provide me with the background papers they had studied to come to this conclusion, and they very kindly gave me quite a long list of documents and copies of the various documents, all of which make very fascinating reading.

But they missed out on one key point. The reason the civilian review procedure fell into such disrepute had its origins in the period, which my colleague the member for Brant-Oxford-Norfolk (Mr. Nixon) referred to, and time passes more quickly than he thinks. In fact, it was about 14 years ago that John Lindsay, then the mayor of New York City, in fulfilment of an election pledge prior to his next re-election campaign in July 1966, appointed a civilian complaints review board.

The attack that was mounted by the police force in New York City against that particular proposal of his came very close to defeating the then mayor in the election on November 8, 1966. The attack that was made by the police was an unbelievable attack. It was not unique to New York City and was ultimately reflected in other major cities, particularly in the city of Philadelphia, where the commissioner of police, Rizzo, dominated the scene to such an extent that he then became mayor and to such an extent that it was only a year ago that the federal government preferred indictments against the mayor of Philadelphia and other members of the police commission in Philadelphia because of the pattern of violence which they condoned.

**Mr. Nixon:** Was he convicted?

**Mr. Renwick:** The trial has not taken place as yet.

I do not consider that what happened in New York City, and subsequently in other cities in the United States, has to be or should be repeated here or would be condoned here by the police or anyone else.

I quote from a book—its title will endear itself to the Solicitor General—*The Politics of Protest*. It happens to be a report submitted by Jerome Skolnick, director of the task force on violent aspects of protest and confrontation of the National Commission on the Causes and Prevention of Violence. In this report it is stated:

“Both because it served as an example for police elsewhere and because of its role in the evolution towards militancy of the police involved, the most single significant case is the civilian review board battle in New York City. There, in 1966, the largest police force in America, led by the Patrolmen's Benevolent Association, successfully appealed to the public to vote a civilian review board out of existence.

“On July 7, 1966, Mayor Lindsay fulfilled a campaign promise by appointing a review board made up of three policemen and four civilians. The PBA placed a referendum on the November ballot to abolish the board. From then on, until the election, the PBA conducted one of the most hard-fought and bitter political campaigns in New York City's history. According to a number of accounts, policemen campaigned hard while on duty, patrol cars and wagons bore anti-review board signs, police passed out literature and even harassed persons campaigning on the other side. Many have claimed that at the height of the campaign cars with bumper stickers supporting civilian review were flagrantly ticketed while an anti-review sticker seemed to make autos almost ticketproof.”

It goes on at some length. “One poster depicted damaged stores and a rubble-strewn street and read, ‘This is the aftermath of a riot in a city that had a civilian review board.’ Included in the text was a statement by J. Edgar Hoover that civilian review boards virtually paralysed the police. Another poster showed a young girl fearfully leaving a subway exit on to a dark street. ‘The civilian review board must be stopped. Her life, your life may depend on it.’

“On November 8, 1966, election night, the civilian review board was buried by a landslide of almost two to one. Similar battles have long since been waged in cities throughout the nation.”

9:20 p.m.

In the United States that was the end of the civilian review procedure for practical



purposes. I am simply saying to the Solicitor General that should not in any way dissuade us from looking at a model for a civilian review of police complaints that will be a model of which we can all be very proud.

I would have hoped—and I know it is not within the possibility of even an ecumenical body such as this assembly—that immediately after we have had the vote on second reading of Bill 47, we could perhaps move second reading of the bill of my colleague the member for Scarborough-Ellesmere (Mr. Warner), Bill 11, and refer the two bills out to the committee. They both reflect two different starting points from which we can at some point reach the kind of consensus and agreement—not compromise at the expense of principle, but consensus on the basis of principle—that will result in the kind of bill we want.

As I turn to Bill 47 specifically, I need not read into the record the principles we espouse. We will have an opportunity in committee to distribute copies of the principles we have tried to espouse broadly. They are in the form of a resolution and appear on the Order Paper, as does my colleague's Bill 11. I will not take up the time of the House on that question.

I want to spend a little bit of time talking about the kinds of complaints because we have tended to lump them altogether into the word "complaint," both in the bill and in our discussion of it. Each of us tends to fasten upon the particular kind of complaint we are thinking about. For some of us, there are different kinds of areas of police activity which can give rise to the kinds of complaints that require the bill.

Others think it is some form of cosmetic operation simply because what we are really talking about is that confrontation that takes place through the car window when you are stopped by a police officer, Mr. Speaker, on a busy morning because you have exceeded the speed limit. Your temper flares and his temper flares. Before you know it, you are having something which we call a personality clash due to the heat of the summer morning or the cold of the winter evening or perhaps because you have imbibed the one drink that keeps you below the level of the requirement for impaired driving. It is that kind of thing that is, somehow or other, just two people who are having a little clash. Tomorrow they will apologize to each other, if given the proper forum, shake hands and disappear, each agreeing that one is a fine citizen and the other is certainly an exemplary police officer.

That is one kind of problem. I don't want to minimize it because the tensions of police work are bound to lead in any situation to that kind of flareup between one citizen and another citizen where the one citizen has the duty, on behalf of the other citizen, of carrying out the law and trying to enforce it, particularly in the area of traffic.

The other areas are much more serious and of much greater concern to us. Let me start at the far end and work back into the kinds of complaint concerns where the seriousness of the infringement of the freedoms or the liberties of the citizen are of a different magnitude. I am speaking of that period of time from after the arrest until the interrogation is completed. That is a very significant area where complaints must have an avenue for registration and open dealing to determine whether or not they are justified and whether or not there has been any unnecessary or excessive use of force.

A year ago in the Solicitor General's estimates I drew the attention of the Solicitor General and his advisers to the report of the committee of inquiry into police interrogation procedures in Northern Ireland. It was presented to the Parliament of the United Kingdom by the Secretary of State for Northern Ireland in March 1979. It is a particularly illuminating report because it had to deal with the interrogation procedures in very difficult and tense circumstances of terrorism and other violent political action but which were grounded in criminal offences or in similar activities.

In the principal conclusions, there are some very important recommendations which that body made. They recommended, for example, that a code of conduct should be drawn up for interviewing officers to form a separate section of the code governing police. One can look as one wants to through Ontario's Police Act, but there is no code of behaviour with respect to police officers during the course of interrogation.

Everyone knows the interrogation of apprehended persons in our society with respect to the proof of crimes is an integral part of what we accept as the criminal process. Everyone knows that in the circumstances of that interrogation, in private, in isolation, in circumstances of psychological pressure, there can be incidents of violence and excessive force within police stations, on the way to police stations or in police cruisers that may very well be the basis for some complaint. That kind of complaint touches upon one of the serious flaws which is inherent in this bill.

When we move back to the period during an arrest, the actual confrontation under which a person resists an arrest being made is another situation which can give rise to the kinds of complaints which must have a proper avenue for civilian review. There is also that period of escalation in many cases, leading up to the arrest period, which may also give rise to complaints which require a procedure for settlement. This should be done in a way that will satisfy both the police officer representing the public and the public whom the police officer represents.

The Solicitor General also will be aware of three other areas of continuing concern. One involves union activities on picket lines. The whole history, tradition and background of it have been that the police are against the unions. I am not saying that is a valid position now, but the whole history of the union movement meant that the police were on the side of the employers and against the unions.

We in this party have tried to emphasize time and time again the importance that police officers, through a course of training and understanding, must come to accept that the right to strike, the right to picket, the right of lawful association and all of the civil liberties of our time are part and parcel of our society. They may not necessarily approve of these things, but they are the rights of those people just as much as anyone else.

9:30 p.m.

Then there is the whole question of behaviour or styles or fashions of people, about which there is nothing criminal, but which are considered by many people to be deviant behaviour. That brings up the whole question of the prejudices of the society towards people who are gay and the attitudes we have about that kind of problem. It requires intelligent, objective assessment to say that is acceptable behaviour and is not criminal behaviour. People must have the sense that that does not deserve or bring upon them some special attention from the police because the police, reflecting the society they represent, may have views about that kind of behaviour which makes it distasteful or emotionally unacceptable to them.

The Solicitor General chairs—I don't know how many votes he has, though my count would indicate he probably has three—the cabinet committee on race relations. That committee is composed of the Attorney General, Solicitor General, Minister of Education and Minister of Labour with the Attorney General as chairman.

**Hon. Mr. McMurtry:** And the Minister of Culture and Recreation.

**Mr. Renwick:** The Attorney General is not only the chairman, but he is also the Solicitor General and the Attorney General. I don't know what he and the Minister of Culture and Recreation do. I just don't understand how that operates but he works very closely with the race relations commissioner, Dr. Ubale, who is a very personal friend of his. Indeed, he is inseparable. Very rarely can I attend a meeting, even a private meeting with people in my own riding representing minority groups, but that Dr. Ubale appears there with me at the meeting to join in the discussion and, undoubtedly, in a kind and friendly way, to let the Attorney General know what the member for Riverdale was up to on that particular occasion.

The minister is well aware that attitudes of people towards people of different races create significant problems. By our training, background and behaviour, we treat different people in different ways. Nowhere is that more clearly reflected than in a multicultural society which is relatively new in origin as that society attempts to accommodate itself to all of those changes.

Those are the kinds of complaints we are talking about. They cover a very broad spectrum of bias, prejudice, attitude, culture and relationships between dominant groups and subservient subordinate groups in this society in a way which requires that the police reflect that community and reflect it in a way which does credit to the community which it does serve.

I reiterate what I said at the beginning. It is the failure of the leadership of the police in the Metropolitan Toronto Board of Commissioners of Police, which this minister is not prepared to face up to, which has meant that the police force has not responded in the way it should have responded.

One of the methods by which we can restore that kind of relationship is by an adequate civilian review procedure. If one takes the bill which is now before us—and there are three or four major points that we have significant problems with in the bill—at no point in the process can the citizen who registers the complaint require as a right a hearing by the board. We establish a police complaints board. The public complaints commissioner is the chairman of that board. The public complaints commissioner in a funny way has certain equivalences, but not an identical relationship, to the registrar in the format developed by the New Democratic Party.



But if one examines the bill very carefully, there is no way the citizen can at any point in the process get to the point where he says: "I want a hearing before the police complaints board." I simply draw the attention of the House to section 18 where that right is totally nonexistent. The only ways in which hearings can be held are if the police chief has referred a matter in a certain way, a police officer has appealed to the board, or the public complaints commissioner has himself ordered a hearing. That is a fundamental and significant omission in our view.

Another problem we have with the bill is the immense internalization and anonymity surrounding the establishment under this act of the public complaints investigation bureau as a branch of the Metropolitan Toronto police force and who the person is in that particular bureau to whom the citizen can go, knowing that person is in charge of that bureau and is the person to whom the complaint can be made if the civilian decides he will go there and not to the public complaints commissioner.

The other major concern we have with the bill is that the process that involves the chief of police and this particular branch of the Metropolitan Toronto police is such a long drawn-out process, or could be such a long drawn-out process, that there would be no way in which a citizen at the end of that process would want to take any further step about it, even if he could appeal to the public complaints commissioner.

There is a point in the first 30 days or before the first interim report is made about any complaint where the public complaints commissioner can intrude on the process and carry out his own particular hearing. But it is only the first 30-day period, and he is not going to do it except in some unusual circumstances where the intervention calls for it.

Our party believes it may be possible to work it out in the process of work in the committee. But we feel there is a fundamental flaw in having this question of civilian complaints dealt with within the internalized apparatus of the Metropolitan Toronto police. We are not saying there must not be an informal arrangement by which certain kinds of complaints can be ironed out. We are not asking that every single complaint should go through the whole process. But in order to reach that informal solution of problems in an atmosphere conducive to settlement work, the civilian has to have the backstop right to go and have the hearing if

he wishes to. That will do more to make sure the informal arrangements for the resolution of certain of the complaints can be carried out because he knows he is free to carry out the exercise of his right.

We have not in this bill conferred any significant right on anyone. We have, as usual, adopted a procedural method designed to produce a solution that is just and acceptable, but we have done it without conferring any right. In the Legal Aid Act we at least conferred the right, even though in certain areas we then had to carve it out, cut it back a little bit and make it discretionary in the process, but the main body of the Legal Aid Plan was to confer a right. This bill will never be acceptable so long as that is not incorporated.

9:40 p.m.

There are other very serious errors. We do not know why the minister clings to the view that the appointments to this board dealing with Metropolitan Toronto must be by the provincial government. The provincial government is in politics and the Metro council is in politics, but the Metro council governs the Metropolitan Toronto area. After all, he has accepted the dreadful device known as the project. Whenever any of these projects report there will be nobody in this assembly who was here at the inception, so no one will ever understand whether the project worked or didn't work. We have had that device tried on us on a number of occasions.

I am also very much concerned that there should be some clear indication somewhere that this isn't such a tippy-toe, timid procedure for an area such as Metropolitan Toronto that it could not be adopted as a project by some suitable enabling clause by any regional government or any other urban area in Ontario, should it choose to adopt it, in an enlightened sense of the public interest and the future of its police force. We don't have to play God to the municipalities. We should be able to say to them, "This is the best kind of project this assembly could work out," assuming we reach the kind of agreement I am hopeful will be permitted within the committee. Then we could say to any of the other provinces: "This is the project. You may want to try this. You may want to have your own project for two or three years and see whether or not it works and is conducive to the improvement of relationships between the public and the police."

I think I have covered most of the matters I wanted to touch upon related to this bill. The final remark I would like to make is to

repeat what I said at the beginning. I would want this to come to a committee outside the House, so we can hear the delegations who are concerned and have very special interests in this area—and everybody is entitled to let us have their special interests in this area. With competent members of the assembly on it, of which there are of course 125, less the cabinet—I didn't mean the cabinet was incompetent; I meant the cabinet wouldn't be sitting on the committee—that committee can fashion a bill where I think we can have our principles, the government can have its principles, the Liberal Party, insofar as its principles are discernible, can have its principles and we can all fashion a bill which will be a very fine model.

One of the documents the Solicitor General sent over to me a while back dealing with this matter has quite a fascinating article. Written in 1974 it dealt with that benighted place, Philadelphia, which was published in the Temple Law Quarterly. I thought it had two or three comments that are well worth ending my remarks with. They point to the possibility of finding the theme under which we can reach agreement about the bill and where the common interests are going to have to be united in order to reach that point. I am quoting from the conclusion of that quite scholarly article.

"In order to reach a possible solution to the problem of civilian complaints of police conduct, one must search for some emerging thread of shared values among the involved parties which could serve as the basis for a working relation on a civilian complaint review system. Due to the minorities' exclusion from the process of shaping the prevailing values of our era, this search for shared values between minorities and police is particularly difficult. There is a great disparity in the values held by police and minorities and at times very little value sharing.

"However, in the area of police conduct there appears to be one value or goal which is shared by each of the interest groups: the goal of police restraint. All groups generally agree with the principle of police restraint, but they do not agree as to the exact form or degree of restraint which should be imposed or the parties who should restrain the police.

"An ineffective civilian complaint review system will not carry out that particular goal. An effective institutional remedy is imperative and all would benefit by the emergence of such a remedy. The police could eliminate counter-productive police misconduct, and the minorities' complaints would be heard and acted upon by a fairly constituted board."

At the very end of the article, it states: "Independent of these external indications of the need for some form of civilian review of police misconduct, there are certain intrinsic needs of the community which can only be satisfied by civilian review. First, only a civilian review board can best promote the community interest in police restraint, for such a board will not limit the scope of its inquiry merely to the internal problems of police regulation infractions as the present civilian complaint review system has"—and that was speaking about the one in Philadelphia.

"Secondly, a civilian review board will demand substantial justification for police misconduct and will not accept the typical stereotyped characterization of minorities' behaviour as justification for police actions."

I think that is quite sufficient, other than to remark upon the Police Act itself in so far as the bill of the Solicitor General is concerned, where section 2 says, "This act applies only to complaints made by members of the public respecting the conduct of police officers on the Metropolitan Police Force and hearings under this act and disciplinary proceedings under the Police Act and the regulations thereunder arising out of such complaints."

The code set out in the regulations to the Police Act has not been drafted in any way with the kind of complaint in mind that in most cases comes before this kind of civilian review board. As I spoke of the necessity of a code or regulations establishing a code with respect to interrogation procedures by the police both on and off the police station site, I also recommend that the code be changed. When one reads the code and the kinds of charges of which the police officers may be found guilty under the various headings, such as discreditable conduct—perhaps under that one we can pick it up as acting in a manner prejudicial to discipline or likely to bring discredit upon the reputation of the police force, we have to strain quite a bit to find any particular area where the complaint of the civilian has any bearing on what they are talking about.

The second heading is "Insubordination," and that describes that. The third one is "Neglect of duty." The fourth one is "Deceit." The fifth one is "Corrupt practices." The next one is "Breach of confidence." The next one is, "Unlawful or unnecessary exercise of authority, damage to clothing or equipment, consuming intoxicating liquor in a manner prejudicial to duty, lending money to a superior"—one must never do that—"and

borrowing money or accepting a present from any inferior in rank."

A reading of those would indicate the code is not directed towards the civilian complaint as envisaged by Bill 47. The cursory or elliptical way in which that has been included in section 2 of the bill will mean that that code of conduct, which is established by regulation in the Police Act for internal force discipline, will need substantial work done on it in order to meet the requirements of the civilian complaints review part.

9:50 p.m.

The Solicitor General probably thinks I am going to continue to think up comments to make, but my very last one at this time is that we were very concerned in our statement of principles that the review process of the civilian review board should not have any authority to intrude upon the disciplinary procedures of the force. A reading of our statement of principles would indicate we relied on publicity and the notification to the chief of police, to the board of police commissioners and to the Metropolitan council of the particulars of any kind of investigation or the recommendations and conclusions that were found in any particular thing, and we left it then up to the chief of police in his force to exercise his own discipline.

With regard to the discipline of the police force, which is essential to its sound operation, I have very serious reservations about having a provision for intervention by the civilian board as to what should be done by the police as a result of an investigation. We could very well think simply of the kind of way in which we tried to structure it, that publicity itself would look after that kind of question. The police chief, being concerned and proud about his force—and I know of no police chief who has held office in my adult years who would not want to do it in the proper circumstances—would take the report and, in the light of that, if it was properly done, exercise his own discipline and not have some civilian board enforcing the discipline within the force.

I have gone on at some length, Mr. Speaker, but I wanted to express personal concerns and concerns of the caucus as well as to express, as I hope I have, on two or three occasions during the course of my remarks, the anticipatory hope that by the time we re-assemble in this chamber, I think early in October, we will have a model which can attract the unanimous support of all the members of this assembly without having to infringe in any way upon the basic attitudes which we have raised to the point of prin-

ciple and which I am sure the Solicitor General has raised to a point of principle, and that that accommodation, particularly if my colleague the member for Lakeshore (Mr. Lawlor) is on that committee when those discussions take place, will lead to that much to be desired result.

Mr. Sweeney: Mr. Speaker, I rise in a slight state of hesitancy to speak very briefly to this bill because I do not have the legal background or experience of the member for St. George (Mrs. Campbell) or the member for Riverdale (Mr. Renwick) and because I do not have the experience in Metro Toronto that many of the members on all sides of the House have.

But I still feel a need to address a few words to the bill because I have a sense that what we are debating here tonight, although initially restricted to Metro Toronto, may not restrict itself over the long run just to Metro Toronto.

It has been my own experience in that great area of Waterloo county, or Waterloo region as it is properly called, that we have on a number of occasions been the inheritor of other experiments that have been tried out in Metro. Our form of regional government was inherited from Metro and our consolidated school board was inherited from Metro. I suspect very strongly that this project, which we hope will be amended—and I address that remark to the Solicitor General—will prove to have some advantages which will then spread throughout the entire province. That is the first reason I wanted to address myself to it.

The second one is that perhaps one of the most highly publicized examples of the public's wanting to make a complaint against the police force took place in the regional municipality of Waterloo. I am referring to that famous case of our former chief Syd Brown.

I want to share with my colleagues that that particular experience was one that had two very strong public reactions. As a number of members may recall, the particular incident involved some rather heavy-handed treatment of some members of a motor cycle gang. One aspect of public reaction was that they got exactly what they deserved and they should have probably got a couple of more licks. That was the one side of the coin.

The other side of the coin, and equally strong, was that some members of the Waterloo police force had gone too far. They had gone beyond the proper exercise of their role. I say that because even those who were

concerned about the police having gone too far in that situation were concerned because they felt in the long run the wellbeing of all citizens was at stake. They did not for one minute believe the motor cycle gang members should not have been dealt with by the police in the proper fashion. They did not believe, given the circumstances as they were revealed, that the motor cycle members did not deserve to be taken in by the police. What concerned them was whether anyone was safe if the police could deal with anybody, any citizen, any human being in such an arbitrary fashion, regardless of the reason—and the evidence has clearly shown that the provocation did not warrant the kind of action that took place.

I say that recognizing the very difficult job police have to do. I think I speak for many of my constituents, who also recognize the very difficult job the police have to do. As has been pointed out by the member for Riverdale, the police are one of the few segments of our society that are given such sweeping powers. They are given the power to use force when necessary. They are given the power even to use the ultimate force, the power to kill, when it becomes necessary.

We have no one else in a situation like that in our society, except the army during war time. In the normal day-by-day affairs of our society, we don't give that kind of power to anybody. Therefore, every policeman who puts on that badge carries the burden of that responsibility. At the same time, because of that power, every single policeman or policewoman knows that he or she must literally bend over backwards to use the greatest possible restraint. That is a heavy burden they have to carry.

One of the things we have been able to look back on in the past with nostalgia is that frequently the mere presence of the policeman on the beat was sufficient in many cases to prevent wrongdoing from taking place.

10 p.m.

We know there are many changes in our society. There are fewer policemen on the beat and most of our police officers are in cars these days.

As an aside, in my own city of Kitchener that is not necessarily true. There are still many police officers on the beat. In many cases, because of their presence, a great deal of prevention takes place rather than a cure being necessary. Nevertheless, the point I'm trying to make is that I, as a member of this Legislature, and the con-

stituents whom I represent recognize the serious responsibility and the heavy burden that all police officers have to carry.

Yet what are we dealing with in this case? There are two sides to it, as there always seem to be when we have a point of conflict. I want to repeat the words of my colleague the member for St. George (Mrs. Campbell) that we do not in any way want our request for an amendment to imply that we are ganging up against the police. That is not the point at all. The police officers are one side of this issue and the general public is the other side of this issue. We must weigh the needs of both in the balance. We can't say one is all right and one is all wrong. That is not the issue here. There are the two sides, two dimensions.

Let us just stop for a second and try to understand the emotional state of a member of the public who, for whatever reason, decides he or she wants to make a complaint against a police officer's action. Most of us are very rarely in a police station. Most of us very rarely have a direct, face-to-face confrontation with a police officer. This is not something we do on a regular basis. When it does occur it makes a tremendous emotional drain upon us. We have severe reservations.

Yet here we have a member of the public who already has had a confrontation with a police officer—and we are not talking here about hardened criminals but about law-abiding citizens 99.9 per cent of the time. I do not think it matters in this situation that we have a citizen who may have done something wrong. That is not the issue. The fact is that we are asking complainants to go initially to the very group of people with whom they have had the confrontation.

That is our concern and that is the point we are trying to get across to the Solicitor General. If we are going to set up a civilian process, then surely that person should have the right to go to someone other than a police officer. Someone other than a police officer should make the first decision as to what is to be done with that complaint. The commissioner might very well decide, after hearing both sides of the argument, to turn it over to the police for further investigation.

We have no opposition to that. Our opposition is to who gets it first and who makes the first decision. That is the problem. All we're asking from the Solicitor General is to understand the basic situation that's here.

If we look at the title of this bill, it says, "to improve methods of processing com-

plaints by members of the public." Then we turn over the page where the explanatory note says, "The commissioner shall monitor and review the handling of complaints by the police."

Those two statements are in contradiction to one another. In the first case, we say the public is going to process it, and in the second statement we say the police are going to process it. The commissioner is simply going to monitor and review the process. That is where our problem is. That is where this conflict comes in. All we are asking from the Solicitor General is to recognize that in this kind of situation, as in few others, one of the most important, significant and essential components is that justice must be perceived to be done.

We have members of the public here who are not on a regular basis dealing with the police, or who have already had a confrontation with the police and are going to be very reluctant. I would predict to the Solicitor General that many people who should raise a complaint will not do it. They are going to be reluctant to go to another police officer. If we believe in the principle of this legislation and want this legislation to be applied and to work, then we must provide the opportunity in it for members of the public making complaints to go to a civilian review board first and make their complaints, to give that review board the first opportunity to decide what will happen. It may be turned over to the police or it may not. That is the issue at stake here.

While we respect, admire and want to assist in every way we can the police officers involved, they are one side of the issue. The other side is the public, and we must give them a fair chance as well.

**Mr. Bolan:** Mr. Speaker, I would like to make a few comments on the bill. In fact, I have several comments to make on it, particularly with respect to the point that on my reading of the bill the opportunity is simply not there for citizens to make complaints. The main reason for this, as my colleague from Kitchener-Wilmot (Mr. Sweeney) has said, is that the complaints are being processed by a member of the police force against which the complaint is being launched. I submit that is wrong. If people are to be invited to go out and make legitimate complaints against what they consider to be wrongs, then they would like to go to a place where there is an independent body completely separated from the administrative branch of government.

The other thing that concerns me about the bill is that it is on a trial basis with respect to Metropolitan Toronto only. What

about all the other areas in the province where there are abuses about which people complain? What is to happen to the people in those areas? Are they merely to be held in limbo until this little trial exercise has had an opportunity to work its way through the system? It is like running little, funny polls, as the government has been doing over the past while. If it is something which is deemed to be reasonably accepted by the public then they are going to look at the whole thing again, run it through and then maybe apply it to all of Ontario.

I submit that is not the way to introduce legislation. It should be uniform, and it should apply to all the people of the province. It should not be set up in the manner in which this bill is.

**Mr. Speaker:** Does any other member wish to speak on second reading?

**Mr. Lawlor:** Can we speak a second time?

**Mr. Speaker:** No. Does the honourable member for Burlington South wish to say something?

**Mr. Kerr:** Mr. Speaker, I have some knowledge of the proposed legislation. As honourable members know, it has been discussed by this House and by the Solicitor General's ministry for some years.

There have been reports, royal commissions and other studies with respect to civilian review boards, all coming to different conclusions. The main thrust of some of the remarks that have been made in the last half hour or so, particularly by the member for Kitchener-Wilmot (Mr. Sweeney), was the importance of the complaint by the citizen being made to a civilian review board at the first opportunity and initially.

10:10 p.m.

I do not agree with that, mainly because I would say 90 per cent of the complaints that are made about police and police actions are cleared up after an initial interview with the police chief or one of the senior officers on a police force.

Honourable members have referred to the police in a very general sort of way, but there is a form of employer-employee relationship between police officers and the rank and file of the police force. There is no group of people in society who are more disciplined than police officers. They are under strict control to adhere to a certain conduct and a certain behaviour 24 hours a day. Although there are always a few bad apples in any force, the overwhelming number of police officers in Metropolitan Toronto or anywhere in this province I am

aware of are upstanding men and women who are dedicated to their job and not interested in any form of police brutality or harassment.

In dealing with the point that has been raised, particularly by the member for Kit-chener-Wilmot, I would suggest that initially, as this bill provides, the first complaint should go to the police force, to a police officer who is in charge of complaints against the members of that force. That person is then called up on the carpet, told that certain allegations have been made against him and asked how he answers to those.

If this bill is the same one I had something to do with, I assume the complainant will be able to appear before somebody on the force to make that complaint. If that person who complains is not satisfied with the disposition of that complaint, then he has an opportunity to go further and eventually before a civilian review board. As I say, 90 per cent of the complaints are settled at that first level, sometimes with just an apology from the police officer, particularly in a multicultural community such as Metropolitan Toronto where there is a certain amount of feeling, language problems and a different idea as to the role of a police officer than there may have been back in the old country.

When that person sees there is some interest by the police department and senior police officers in his complaint, if it is dealt with with some despatch, if he gets a hearing and some attention and if the police officer is in many respects forced to appear before his accuser and answer those complaints, at that point in the overwhelming majority of cases the matter is closed.

I think this Legislature would be wrong in changing that procedure. We should not be too naive about investigations of accusations of police brutality. As was suggested by the honourable member, we will give it to a civilian or group of civilians who will investigate, but the fact is that they will ask the police force or some members of that police force to investigate. The same process will be followed except that the police officer will not hear the charge; a civilian review board will.

If this bill is approved this evening, I suggest we will find from experience a year or two years from now that what I have said regarding the number of settlements of complaints was correct.

**Hon. Mr. McMurtry:** Mr. Speaker, obviously I have enjoyed a great deal the debate on principle and second reading of this important bill, Bill 47.

I think I have a fairly clear understanding of the concerns of the members of the New Democratic Party. They have indicated that they are hoping the bill will go out to committee; I have no objections to that. They have the right—the 20 members—to request it. Given their desire, I make it quite clear that I would not attempt in any way to stand in the way, and I obviously cannot.

It may well be that other interested groups may wish to speak to this matter or to be heard before a committee of this Legislature. I might say in that context that we have consulted a large number of individuals outside the police community as well as having had consultation within the police community, because, needless to say, a bill of this nature is obviously going to be highly controversial. It is the type of legislation that, quite frankly, is capable of creating a great deal of misunderstanding as to the objectives of the legislation. That misunderstanding, with great respect, has been reflected by some of the comments I have heard during the two evenings we have been discussing this legislation. But we have no objections to the bill going out to committee, if it gets that far.

The members of the New Democratic Party have said they want to have the opportunity of discussing this bill in committee. They want the opportunity for certain citizen groups and others to appear before the committee and have urged me to accede to their request, which I have. On the one hand they want it to go out to committee, while on the other hand they want to vote against the bill on second reading. I must admit I am a little bit puzzled as to what they are hoping to accomplish through this exercise. I had assumed that if the bill did not pass second reading it obviously would not go out to committee. So I have to confess that I am a little confused as to the goals of the New Democratic Party in this matter.

In so far as the official opposition is concerned the critic for the Ministry of the Solicitor General, the member for Niagara Falls (Mr. Kerrio), stated that he supported the principle of the bill. They were also going to discuss some possible amendments in committee; that was the view of the member for York Centre (Mr. Stong). He had suggested some possible amendments, and I am going to deal with that as that appears to be causing some concern within the ranks of the Liberal Party.

I do not know what sort of hospitality was afforded to other members of the Liberal Party this evening, but some members have stood up in the Legislature and taken a very different position than the esteemed justice



critic and the esteemed member for York Centre. But it must have been a great gathering.

In any event, I am a little puzzled as to what precisely is the concern of the Liberal Party. I think part of the problem that has been caused in this whole debate is some of these almost slogans, "Police can't investigate police," or "Police should investigate police." When we deal in absolute terms such as this I think we probably create an unnecessary degree of polarization. We also create misunderstanding about what the legislation is all about.

10:20 p.m.

The member for St. George stands up and says, "I cannot support any legislation that involves police investigating allegations of police misconduct." Then she suddenly decides that her position is going to stand or fall on that. A few minutes later the member for Kitchener-Wilmot says, "I would like the complaints commissioner to have an opportunity to review the bill first, but I assume that it may be a case where the police should be investigating." It seems to me to represent two very different approaches.

I think we get into difficulty when we attempt to talk about this very important legislation in absolute terms. We are not talking about police investigating allegations against police—at least not in my view. This legislation does not attempt to enshrine any principle for or against in absolute terms. It is quite clear that the police are to be encouraged to resolve these complaints. As the former Solicitor General said, 90 per cent of these complaints at the present time are resolved informally. But we have built into the legislation the office of commissioner for citizens' complaints who will have the authority to inquire into and investigate, as I refer to in section 14(3).

What we are trying to accomplish in this legislation is to maintain the quality of police-citizen relationships that we do enjoy in this area. The former Solicitor General states—and it is a figure that I think I am fairly familiar with—that 90 per cent of these citizens' complaints against the police are resolved informally to the satisfaction of the citizen—by the normal human interaction between the police forces and the citizen. We certainly do not want to create, as has apparently been suggested, legislation that is going to impede and significantly obstruct that informal resolution to citizens' complaints. I think it is essential to bear that in mind. Successful policing is going to depend essen-

tially upon maintaining that healthy relationship at the community level between the members of the community and the local police.

Where citizen review boards have gone a-foul, where they have created enormous problems in the policing community and for the citizens, is that they have been imposed on this relationship. They have become a barrier between the citizen and the police department. This informal resolution that I think really has achieved a very high degree of success in this province can be lost by this simplistic suggestion that automatically police should not be entitled or encouraged or allowed to investigate allegations of misconduct against members of their own force.

Obviously, to talk about the whole issue, the whole principle, in absolute terms is to miss the whole point of what we are trying to accomplish in this legislation, that is, a high degree of flexibility. We are concerned about citizens, even if they may be in a very small minority. Regardless of how small that minority may be, we have to be concerned about the number of citizens who feel the present system doesn't afford a reasonable degree of fairness to them. It is that relatively small minority this legislation hopes to reach.

The Metropolitan Toronto police department, the Metropolitan Toronto Board of Commissioners of Police and the Metropolitan Toronto Council all recognize they can improve the existing situation and can enhance the process. They have requested us to introduce this legislation. Fundamental to this legislation, with respect, should be the principle that we do not, if I may speak in the vernacular, throw out the baby with the bath water and that we do not do anything to undermine the very effective police community relationship that at present exists.

What we are trying to do is to build on to that and at the same time to continue to encourage the informal resolution of citizens' complaints against the police, which are often resolved simply by a police officer who may be the object of a complaint and the concerned citizen just sitting down together—not having to march before some citizens' review board—in an office and talking the issue out. No adversarial process is structured to interfere with this informal resolution. That is fundamental to this legislation. On top of that, what we are trying to do is create another office for the first time in this province, the office of the commissioner for citizens' complaints, and an alternative forum for the citizens to be heard.

The member for Lakeshore (Mr. Lawlor) was casting some aspersions—I know tongue in cheek—in the general direction of some of my advisers. I can say at the outset my instructions to my advisers were that, having looked at the matter in other jurisdictions, reviewed the matter carefully and having some degree of familiarity, we were not going to create a separate, independent investigative body that would automatically review each and every citizen's complaint.

I come back to the issue of police investigating complaints against the police. I might say this issue was debated at great length in the British House of Commons. The decision of that body was that the police should continue to investigate police complaints against themselves. It was a very careful, very thoughtful, very considered debate over a long period of time. The British system has been in existence for only two or three years, so we can't make any final judgement on its effectiveness.

**Mr. Speaker:** Is the Solicitor General going to be much longer?

**Hon. Mr. McMurtry:** Yes, I will be a few more minutes, Mr. Speaker.

On motion by Hon. Mr. McMurtry, the debate was adjourned.

**Mr. Speaker:** Under standing order 28, a motion to adjourn the House has been deemed to have been made. The honourable member for Downsview has indicated his displeasure with the answer given by the Solicitor General on an earlier occasion. I will hear the honourable member for up to five minutes.

#### POLICE ROLE IN LABOUR DISPUTES

**Mr. Di Santo:** Mr. Speaker, we have been asking on this side of the House, myself and the member for Hamilton East (Mr. Mackenzie), a question related to a strike which has been dragging on for four weeks now at Nelson Crushed Stone and Dufferin Aggregates. I notice the Solicitor General has not done us the courtesy of listening and replying to a question that was directed to him. He has walked out of the House. I think that is an insult to the Legislature. By walking out, he is doing nothing else but confirming what the unions have been saying, that the police in this strike have been playing the role of protecting the scabs and allowing the company to break a legal strike and to break the union.

In that strike are involved people who have invested capital which is relevant for them. All their income is derived from the work they do in those places. In the present situation they are put in a condition of total despair and frustration. We had at that strike the police force in an outrageous number, 50 policemen on a picket line where there were not more than 20 to 25 picketers. We have the pictures. It looks like an army trying to stop peaceful picketers trying to defend their jobs and trying to negotiate with a company which has been defaulting on their past verbal commitments. The only thing the truckers are asking for is job security. They have invested \$65,000 in buying trucks and have been working for up to 15 and 25 years in those quarries. All at once, by refusing to bargain with them in good faith, the company is depriving them of the only income available to them.

This company has set up firms that are in effect subcontracting jobs to independent truckers and, therefore, making the life of the dependent truckers impossible. That is one of the major reasons why the strike is dragging on for such a long time. Recently, the company has set up a centralized dispatching system which is one of the systems by which former managers from the same company give the jobs to the truckers they choose. They ask for a percentage that goes up to 15 to 20 per cent, which means that at this point the dependent truckers do not have the security of the job, do not have a fixed fee for the materials they transport and are totally at the mercy of the company.

The role of the police in this strike, instead of being neutral and providing a service to the workers as well as to the employer, is one that protects only the interest of the employer. One can see from the pictures they blocked the entry to the quarries. As a local newspaper, the Canadian Champion said: "Fifty police officers, the majority on foot, were escorting the independent truckers slowly but surely." That is what the police are doing. The Solicitor General, by leaving the House, has become an accomplice in their actions.

**Mr. Speaker:** The honourable member's time has expired.

Interjections.

**Mr. Speaker:** It would appear this matter is now dispensed with.

The House adjourned at 10:36 p.m.



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No. 60

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, May 29, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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THURSDAY, MAY 29, 1980

The House met at 2 p.m.

Prayers.

## OMBUDSMAN'S REPORT

**Mr. Speaker:** I beg to inform the House that the seventh report of the Ontario Ombudsman has been tabled today. Copies will be distributed to all members in their mail-boxes.

## DISPUTE AT AMR CENTRES

**Hon. Mr. Norton:** Mr. Speaker, you may recall that on Monday of this week the Leader of the Opposition (Mr. S. Smith) asked me a question in the House relating to the settlement in regard to the Metropolitan Toronto Association for the Mentally Retarded. I responded to that question at the time, indicating to him there had been no additional funds allocated to that association.

The following day, in the Hamilton Spec-tator, there appeared an article purportedly based upon an interview with the Leader of the Opposition, in which he was quoted as acknowledging that I had indicated there were no additional funds being flowe'd to that association.

It then went on, and I trust this is not an accurate quote, to have the honourable member say, "Whether Toronto got an agreement from Norton on the side or not, or whether something else is going on I don't know, but I'm going to try to find out."

The implication of that statement, if it is an accurate quotation from the honourable member, is an infringement upon my privileges as a member of this House. He is essentially suggesting that he does not believe I honestly answered that question when asked in this Legislature the day before.

I find that an offensive attitude for the honourable member to take, especially since there are negotiations going on in that community. He would appear to be deliberately creating doubt in the minds of the parties that there might have been some private, on-the-side arrangement between me or my ministry and the Metropolitan Toronto association.

That can only serve, I suggest, to make more difficult the negotiations going on in

Hamilton at the present time by creating those unfounded doubts.

**Mr. Nixon:** On a point of privilege, Mr. Speaker, perhaps the minister would be aware of the concern, not only felt by the people in Hamilton but expressed by their representative, who happens to be the Leader of the Opposition, that the strike there has been going on for many weeks. The people, many of them with college degrees, who are paid less than \$10,000, find it difficult to determine why a similar circumstance in Toronto was settled within a few days and the ministry could not find the funds, the assistance or the leadership to bring about a similar settlement in Hamilton.

**Hon. Mr. Norton:** Mr. Speaker, the honourable member is suggesting I do not share that concern. Obviously I do; we have been working with that association. I think the point of privilege at stake here is one that relates to a statement by the Leader of the Opposition. I am not questioning his concern about the seriousness of that situation, but I think it is totally unjustified that the honourable member would leave this House after receiving an answer, and then exacerbate an already difficult situation by sending doubts in the minds of the parties to that negotiation in his own riding.

**Mr. McClellan:** I want to say to the same point, Mr. Speaker, that I believe the minister when he says, in effect, that he was as miserly towards Toronto as he has been towards Hamilton.

**Mr. Speaker:** The Minister of Community and Social Services has alleged some impropriety on behalf of the member for Hamilton West. I think we should wait until the honourable member's return and give him an opportunity to explain what it was he said and what he intended.

## REMARKS BY MEMBER FOR HIGH PARK-SWANSEA

**Mr. Rotenberg:** On a point of privilege, Mr. Speaker: In the Legislature on Tuesday evening last, on page 2010-2 of Instant Hansard, the member for High Park-Swansea said the following: "We have got another commissioner, Mr. Phil Givens. We all know

about Mr. Givens. The member for—what is it?—the member for Wilson Heights owes his seat to that little sweetheart deal.”

Mr. Breithaupt: What deal was it? It was not that deal at all.

Interjections.

Mr. Rotenberg: Mr. Speaker, could I continue without interruption? It is interesting: the members opposite do not take the rules of this House seriously, but I think they should.

The member went on to say: “He bought that seat by arranging for a judgeship for Mr. Givens and a seat on the commission.” Aside from the fact that the member for High Park-Swansea does not even bother to check his facts, because I cannot see any connection between the former member—

Interjections.

Mr. Rotenberg: Mr. Speaker, could I have a little order? I consider this a serious matter, even though the members opposite do not.

Aside from the fact that Mr. Givens was a former member from another riding, and never had any connection with the riding of Wilson Heights, which I represent, I think it is contrary to the rules of this House, which state that no member during debate shall make allegations against another member, or no member shall impute false or dishonest motives to another member.

I would submit, Mr. Speaker, that the member for High Park-Swansea, in excess of the usual points of privilege in this House where members accuse others of misleading or telling lies and that sort of thing, is accusing me, when he says, “He bought that seat,” of political corruption and criminal activity. It is a serious allegation to impute that someone could buy a seat in the year 1977. It is insulting to me, it is insulting to the voters of Wilson Heights riding, and I would ask the member for High Park-Swansea not only to apologize and withdraw the remark, but to apologize to me and to the voters of Wilson Heights.

2:10 p.m.

Mr. Ziembra: Mr. Speaker, I will be offering my apology, but first I would like to say that both the members for Wilson Heights and Armourdale (Mr. McCaffrey) owe their seats to a sweetheart deal the Tories made with the former representatives of those seats. Mr. Givens was offered a judgeship and Mr. Vern Singer was offered a seat on the Ontario Municipal Board.

I am offering an apology because I confused the two patronage situations. Further,

I would like to say that one of the ways the Tories have managed to maintain power in this province for the last 37 years is through just those kinds of patronage situations.

Mr. Rotenberg: Mr. Speaker, I find the conduct of the member for High Park-Swansea totally unacceptable.

Ms. Gigantes: Resign.

Mr. Swart: Then resign.

Mr. Rotenberg: I am coming to that in a moment. To stand up in this House and to insult me and the voters of Wilson Heights riding by saying as the member said that I owe my seat “to a sweetheart deal” is to me totally unparliamentary, totally uncalled for and totally beyond what should happen in this House. The member has still accused me of improper conduct in elections and I would submit to you, Mr. Speaker, it is the tradition of the British parliamentary tradition which we follow that when a member accuses another member of political corruption, which is what the member has accused me of, it is up to the member to prove that case.

If what he says is true, and if he can prove that case, it would be incumbent upon me to resign my seat if I got my seat in an improper manner. Conversely, having made those charges and not having withdrawn the charges, I submit that if the member does not prove them, it is incumbent upon him to resign his seat. I will put my seat on the line. Will he put his seat on the line?

Mr. Speaker: The member for Wilson Heights has used a lot of superlatives in rising to speak to his point of privilege that I did not hear in the quote that he attributed to the honourable member for High Park-Swansea.

Mr. Nixon: He didn't say it was untrue, Mr. Speaker.

Mr. Speaker: Order. I will look at the record and see whether or not I think the member for Wilson Heights has a prima facie case for a privilege.

## STATEMENTS BY THE MINISTRY

### FOREST FIRES

Hon. Mr. Bernier: Mr. Speaker, my colleague the Minister of Natural Resources (Mr. Auld) is at the centre of the forest fire scene at this time, accompanied by the Chairman of Management Board of Cabinet (Mr. McCague), with plans to return later today. I have been asked to give a situation report on the fires in the province at this time.

This morning's count was that 115 fires are burning across northern Ontario. Of these, more than 30 are new fires, mainly caused by lightning activity during the night. Efforts are being made to put them out while they are still in the initial stage. During the past few days, such efforts have been largely successful. As for the major fires, of which we have three, things look a little brighter today because the weather has been helping for a change.

Parts of Red Lake-14 fire had an inch of rain last night, and a westerly wind is now blowing the blaze back on to itself. The extensive work our crews have been able to perform on the eastern and southeastern sides of this fire in the past few days should be of great assistance at this stage. Conditions have improved to the point that Red Lake officials have asked essential town personnel, numbering about 95, to return to the town to get the town operating again. These include utilities, communications, hospital and town staff.

This process has been begun to prepare the town for the return of the evacuees, most of whom have been in Manitoba for some time. However, at the very earliest it will be two or three days before the mass return can begin.

The largest fire, Kenora-23, which covered 300,000 acres yesterday, is also stable at this time. Last night's rain over much of the area helped the firefighters to get a good hold on the back end of the fire. However, it is still uncontrolled and a threat to many communities. The towns of Kenora, Vermilion Bay and Dryden and the surrounding areas remain on evacuation alert.

As for Geraldton-5, the fire which threatened the Indian community of Fort Hope in the area northeast of Thunder Bay and caused the evacuation of the residents, it is still a threat. However, for the moment the fire is in a stable condition; that is, it is being held by our crews.

As the members will know, restrictions on travel still remain over the entire area west of Lake Nipigon to the Manitoba border. Although the Trans-Canada Highway, highway 17, was reopened the day before yesterday, it is limited to through traffic. No one is being allowed to travel on any side roads. Although the train lines are also operating, nonessential people are not permitted to travel anywhere from the train stations in that area.

The rest of northern Ontario, east of Lake Nipigon, is on restricted fire zone status; that is, no open fires are permitted. But except for fire areas such as those covered by Geraldton-

5 and the 30 to 40 fires burning in that part of the north, normal operations are going on. Tourist camps are operating, for example, and people can come and go more or less as they please but the need for great care with anything which might start a fire cannot be over-emphasized.

We are working to get this information out to prospective visitors from elsewhere in the province and outside our borders, including the United States. Another important point is that, because of the severity of the forest fire situation, the Ministry of Natural Resources went on a top fire priority at the beginning of this week. All MNR staff who can assist in firefighting and support activities have arrived during this week in the north or are being sent there. Across the entire province the Ministry of Natural Resources is carrying on only the necessary minimum of normal operations. It is definitely not business as usual as far as the ministry is concerned.

As a result all services—including provincial parks, land management, fish and wildlife activities and forest and mineral resources operations by the staff—have been thinned out. People requiring such services from the ministry are asked to be patient during this emergency. This situation will remain until the serious fire conditions are drastically reduced.

There is considerable and successful inter-ministry co-ordination of the activities in the fire-affected areas that is worth bringing to members' attention. The Ontario Provincial Police, of course, are working closely with the MNR staff at every stage. Particularly important is the role of the Ministry of Northern Affairs staff who are extremely active in helping with activities such as evacuation contingency planning as well as the evacuees.

The major example is that Northern Affairs has taken over the co-ordination for the Ontario government of the maintenance and care for the Red Lake evacuees now staying at three Manitoba points. The ministry will arrange for their return when the time comes, working closely with the Red Lake town officials, the OPP and MNR representatives.

Although we have had a bit of good luck overnight with the weather in the northwest and in the north-central regions, combustible conditions are so bad that an inch of rain here and there only helps specific fires on a relatively temporary basis. Much more and concentrated rainfall and other weather benefits are needed before the tinder-dry state of the north can be effectively neutralized.

## ASSISTANCE TO FARMERS

**Hon. Mr. Henderson:** Thank you, Mr. Speaker. The various statements for the opposition are in the hands of the page.

It is my pleasure to announce to the Legislature today the details of the Ontario Farm Interest Assistance Program for 1980. As members will recall, I announced this program on May 8, 1980, at which time I promised to release the details as soon as they were available. I have met several times with the Ontario Federation of Agriculture to develop criteria for a farmer's eligibility in this program.

I might add here that representatives from the federation of agriculture are supposed to be in the gallery, although I have not seen them. They told me they would be.

2:20 p.m.

The program has been established to assist farmers who have been hard hit by interest rates on operating loans since April 1 this year. The program will run until December 31, 1980. Farm corporations and farm partnerships are eligible under the same terms as individual farmers. Assistance is available for money borrowed to cover operating expenses on food production and livestock production. Loans for capital purchases of such items as machinery are not eligible.

Items which qualify include seed, fertilizer, fuel, spray, twine, feeder cattle and pigs, machinery repairs, hired labour and custom work. This is by no means the complete list and applicants should seek assistance from the ministry's local offices.

The maximum amount of loans which will be covered under the program for any one farmer is \$75,000. That's up from \$50,000 in the original amount.

**Mr. Riddell:** Fifty per cent.

**Hon. Mr. Henderson:** Yes, 50 per cent.

The assistance is a subsidy of up to three per cent on operating capital borrowed above the 12 per cent. Interest eligible for rebate is the amount charged for operating loans between April 1 and December 31, 1980. To be eligible, a farmer must have had a gross annual income from farming of at least \$8,000 in the 12 months immediately preceding the date of the application. Also, to be eligible, the applicant must own less than 75 per cent of the farm assets in comparison to the liabilities.

Application forms and brochures will soon be available from the local agricultural representatives' offices and from lending institutions around the province. My staff can assist farmers in filling out the forms, but I would like

to point out that the forms must be verified by a representative of the lending institution, whether a chartered bank, a credit union or a trust company.

At the moment, it looks as if the interest rates are on their way down to more reasonable levels. It is my sincere hope this trend will continue. However, farming is a seasonal business. Earlier this year, with the growing season about to begin, our farmers could not wait for interest rates to come down. They had to make their operating loans at whatever rates they could get. For many of them, this could have meant severe hardship. This program will take some of the burden off our farmers' shoulders this year.

**Mr. G. I. Miller:** Can I ask a question?

**Mr. Speaker:** No.

## ORAL QUESTIONS

## FOREST FIRES

**Mr. Nixon:** Mr. Speaker, I would like to put a question to the Minister of Northern Affairs, based on his statement to the House. Has there been a formal declaration of an emergency, which will mean that the involvement of Canada, through aircraft and certain personnel, will be at least partly paid for from federal sources?

**Hon. Mr. Bernier:** Mr. Speaker, the conduct and co-operation of the federal government has been outstanding in this particular case. The military has been most helpful and most responsive to any request that we have made to it. While we have not worked out the financial details yet, I'm sure we will be doing that in the weeks and days ahead.

**Mr. Nixon:** Supplementary: My source of most information, Metro Morning, indicated in an interview this morning, which the minister may have heard, that in fact there were substantially large charges pending from the government of Canada which would be at least cut in half if there were a formal declaration of a state of emergency.

I don't understand the details of this but surely the Minister of Northern Affairs would know that there are certain procedures required so that other levels of government can assist and use their funds without charging them back to our Treasury. Can the minister give us further information on that?

**Hon. Mr. Bernier:** Mr. Speaker, if the federal government is anxious to assist, and I hope it is, I can assure the member for Brant-Oxford-Norfolk we will do everything in our power to put the necessary requests and proposals in place to make sure this comes about.



**Mr. Foulds:** Supplementary, Mr. Speaker: I would like to ask the minister if he feels there are enough personnel available on the firefighting scene both from the federal and provincial levels? What plans does the ministry have in order to spell them off so sufficient rest is given to them, because certainly from reports we are able to hear not only from Metro Morning but from the northern media and on the spot reports, those people on the front lines deserve a lot of credit and congratulations.

**Hon. Mr. Bernier:** Mr. Speaker, I certainly appreciate the honourable member's complimentary remarks and I think they are very fitting at this time. As members know I have spent the better part of last week right at the fire scene, along with my colleague the Minister of Natural Resources (Mr. Auld). From what I have seen, and I do not have a handle on the exact numbers of personnel there—it is literally in the thousands—I have to say there are sufficient human resources to man all the equipment we have. Equipment has been brought in from Alberta. The United States Forest Service has brought in equipment from Boise, Idaho, and we have brought in equipment from as far away as Alaska. There is no shortage of equipment and no shortage of personnel. I can make that assurance having been there personally.

**Mr. Breithaupt:** Mr. Speaker, the members of the Canadian Armed Forces who are involved in the events with respect to the fire, are they there as a result of a request by the government of Ontario in accordance with the aid to the civil power proceedings in the normal way?

**Hon. Mr. Bernier:** Mr. Speaker, the military people were brought in for the evacuation operations in the Red Lake and Fort Hope areas. The native people were evacuated down to Geraldton. The Red Lake people were taken into Winnipeg and are now stationed at Rivers, Gimli and Brandon, Manitoba.

I have to compliment the military and the federal government for the efficient and effective way that they evacuated those communities. They were brought in at the request of the government of Ontario and the Ministry of Natural Resources.

**Mr. Nixon:** Supplementary, Mr. Speaker: Can the minister indicate to the House what formula is going to be utilized to assist private individuals in paying for personal losses? Are we going to be fooling around with the usual type of procedure where the government down here matches dollar for dollar what is raised locally, or are we in fact going

to accept the principle that the disaster has occurred and it is the responsibility of all the taxpayers to assist in paying these costs?

**Hon. Mr. Bernier:** Mr. Speaker, last Sunday evening the Minister of Natural Resources and the Attorney General and Solicitor General (Mr. McMurtry) were in Dryden along with me. We issued a statement at that time assuring the evacuees from all of those communities in northern Ontario that the government of Ontario would look after all their reasonable out-of-pocket expenses. There would be no problem with those expenses. We also assured the municipalities that any cost incurred because of the fires and the evacuation or anything that is related to the disaster at this time would be looked after 100 per cent by the province of Ontario.

I made that assurance again, particularly when I visited the communities of Gimli, Rivers and Brandon, to assure those evacuees that there is no problem. I asked them to keep track of their out-of-pocket expenses as best they could, and if they had receipts that would be so much the better.

Our plan now is to move into those communities and to disburse funds in answer to those requests that we will have from evacuees when they return. I can assure the members we will not be nickel-and-diming the evacuees.

#### MINISTRY ADVERTISING

**Mr. Nixon:** Mr. Speaker, I would like to put a question to the Minister of Industry and Tourism having to do with his new advertising program which is referred to in the Toronto Sun this morning, but which has also been referred to in this House on a number of occasions.

2:30 p.m.

Does the minister recall the information put to him by our tourism spokesman, the member for Victoria-Haliburton (Mr. Eakins), on October 26, 1978, and also earlier that year on June 5, 1978, when he indicated clearly that the travel deficit involving Ontario was going to be substantial and would amount to \$500 million? Since the minister was warned at that time, and must have received the same information from other sources, why is he undertaking to spend \$9.6 million with the advertising firm of Camp Associates Advertising Limited in order to improve the Ontario position in this travel deficit at this late date, when other jurisdictions have so successfully improved their own positions at our expense? Is it possible that this is just a part of a co-ordinated ap-

proach on behalf of the Progressive Conservative Party to use public funds even further to sell its own dubious re-election hope?

**Hon. Mr. Grossman:** Mr. Speaker, we really don't have a concern about our chance of re-election being dubious. Even if we did, unlike certain friends of the honourable member in other places, we would not be using public funds to try to enhance our image. Our image needs no enhancing.

It is not accurate for the honourable member to suggest that other jurisdictions in Canada have increased at the expense of Ontario.

**Mr. Nixon:** New York; I love New York.

**Hon. Mr. Grossman:** He said other Canadian jurisdictions. In fact, our share of the Canadian tourism market has increased in each of the last two or three years—it certainly increased last year—so we have been improving our record.

Second, last year it appears that Ontario's tourism deficit decreased from about \$600 million to about \$480 million. Considering inflated dollars, the member will appreciate just how much we have improved on our deficit position since his colleague made those statements two years ago. In other words, in 1979, with inflated 1979 dollars added to it, we still improved our deficit position by over \$100 million. This is about 20 per cent—quite a remarkable increase.

Why did we increase our budget this year? Quite simple. Five years ago, New York state was spending \$250,000 on tourism advertising. This year it will spend \$12 million. Members have seen the results of that. It has been quite impressive; they have attracted a lot of tourists.

Our traditional advertising budget has been in the neighbourhood of \$5 million. This year the basic tourism advertising budget would have been \$6 million. We got an additional \$3.5 million pointed towards the campaign called "Ontario—yours to discover!" to promote tourism within Ontario, because last year, with the exception of overseas travel, the greatest growth in our market was in the domestic market. The Ontario market, Quebec and Manitoba are our greatest growth markets, and we are going to spend the \$3.5 million extra in those three markets this year.

I believe the Liberal tourism critic would support the new "Ontario—yours to discover!" campaign. He and very many others have been pointing out the need to advertise heavily in domestic markets where all the growth is.

I should add one other thing. In order to dent the tourism deficit any analysis will show that the great deficit comes from Canadians travelling outside this country. We get a good share of people from outside this country coming to Ontario. The deficit comes from Canadians leaving this country. This campaign is pointed precisely towards that market, to get them to stay in this country and find out what attractions are available.

**Mr. Nixon:** Does the minister agree that it would be accurate to predict that we will be in a bath of "Grossmanitis" around Toronto and Ontario for all of the backlit signs, multicolour brochures, ad campaigns and television hype that he can possibly put together in support of the PC Party and another little campaign he has got in mind?

How come they are so successful in New York without mentioning their minister of tourism and the governor? Why do we have to listen to this minister, the Attorney General (Mr. McMurtry), and the Deputy Premier (Mr. Welch) and all these birds trying to sell something for Ontario? The province is a very good product, but the subliminal product leaves something to be desired.

**Hon. Mr. Grossman:** I can only say the experts in the business tell us that some of us are better at it than Joel Aldred.

**Mr. Eakins:** Mr. Speaker, I have a two-part question for the minister. First, I am sure the minister is aware of the success of the promotional campaign "I Love New York." In that state officials have now confirmed that \$4 has been returned for every \$1 invested. Would the minister tell us if there were any studies done in connection with the Ontario campaign that would indicate to us what kind of return is anticipated for investment in that campaign, and would he table that for us, please?

Second, will the minister be contacting the business section of the Toronto Sun and correcting the figure given for the Ontario tourism deficit? It states on the business page that our deficit is \$491,000, when in fact it is \$491 million. Will the minister be writing to them personally to correct that?

**Hon. Mr. Grossman:** The Sun was just anticipating the results of our new campaign.

May I say with regard to the studies, in point of fact the "Ontario—yours to discover!" campaign was built specifically in response to market studies done over the last few years and a careful analysis of last year's tourism pattern. As the honourable member knows

very well, one of the problems that Canada has is a lack of an adequate data base. The Canadian Government Office of Tourism does not have a system to assemble enough of this information for us, as many other countries do. So we began with an absence of enough data, and assembled what we could.

We did some market studies and some of those will be tabled shortly or have already been tabled by us in response to some of those requests for surveys. We did do all the homework on it and, having seen it, I am sure the member will agree the advertising campaign is particularly appropriate.

#### POLICE COMPLAINTS LEGISLATION

**Mr. Cassidy:** I have a new question for the Premier, Mr. Speaker, to establish what plans the government has to ensure the police complaints bill can be passed in principle before the House rises at the end of June.

Thanks to their flip-flop on Tuesday night from their original position, the Liberals agree with our view that the police should not be investigating themselves under a complaints procedure in this province. Will the government agree to make that change in the bill to ensure that there is an independent investigation process and that the bill can go to second reading in the month of June?

**Hon. Mr. Davis:** Mr. Speaker, I find that a little bit contradictory. I was not here for the discussion the other night, but I do have a little difficulty in reconciling the position of the New Democratic Party with what I understand was perhaps a somewhat altered position on the part of the Liberal Party, a position which may not yet be ultimately determined. I am not aware of that. I can only ask the leader of the New Democratic Party, as one who works in this environment, how he can talk about wanting a bill to go to committee after he decides he wants to defeat it on second reading?

Surely the logical approach to take would be to pass it during second reading; then, if he wishes to debate it further in terms of some sections, he can do it in the committee stage. My impression is that the members of the New Democratic Party have no intention of letting it get to committee, even though they talk about hearing it at committee.

**Mr. Cassidy:** Will the Premier in the first place say what the government will do to ensure that this bill can respect the will of the majority of members in this minority parliament and that the bill can be accepted by the Legislature and go forward? Will the Premier not also accept that the reason the

Liberal party now has changed its view and the reason why we believe there should be independent investigation of complaints against the police is precisely to ensure credibility in the process? Will the Premier not also agree that this was the recommendation of the Maloney commission and at the time was accepted by the government?

**Hon. Mr. Davis:** Mr. Speaker, I must go back to the answer I gave before. I will not deny that the Liberal Party of Ontario has on occasion, like once a week or once every day, changed its position on some fundamental issue. That has never been debatable. It is a recognized fact.

**Mr. Conway:** Meet me at Spadina.

**Hon. Mr. Davis:** Listen, I have to tell the member I made my position known on Spadina and it has been consistent ever since. There are some members of his caucus who still are not sure what position they have on Spadina.

2:40 p.m.

**Mr. Conway:** Where does the Premier stand today on Spadina?

**Hon. Mr. Davis:** Exactly where I stood in 1971. That is exactly where the road was in 1971. If the member wants to get into a couple of other issues about where I stood in 1971, I could remind him, but I shall not. I can remind him where his own party stood and how it has changed in its ambivalence. I am delighted the acting leader of the Liberal Party today is not as sensitive as others. I am always delighted to exchange with him.

I say to the leader of the New Democratic Party I can give him the assurance this bill will get to committee when he recognizes his responsibility and approves it at second reading so it can get to committee.

**Mr. MacDonald:** On a point of order, Mr. Speaker. Will you draw to the attention of the Premier that on at least two occasions in this House we have sent bills out to committee so that the government could make amendments before we gave the bill second reading? It would get him off the hook.

**Hon. Mr. Davis:** On that point of order, Mr. Speaker: With great respect, who wants off the hook? Members opposite are the ones who want off the hook. They have been talking about it going to committee. We all know how it gets to committee: give it approval on second reading.

**Mr. Nixon:** Mr. Speaker, since we are giving each other lessons in parliamentary procedure, would the Premier not agree that the government decides its position, puts it to

the House and stands or falls on that basis? The only way the bill is going to continue without being defeated is if there is a clear undertaking, as we required as the official opposition, that there be changes in the bill so that the police will not be investigating themselves in the first instance which was the position put by my colleagues when they accepted the principle of this sort of review.

It is difficult to cope with the NDP, who want to vote against the bill and have it anyway. It is difficult to know what they want. Is the Premier going to change the bill or is he going to have it defeated?

**Hon. Mr. Davis:** It is not our intent to have the bill defeated. We want the proper form of legislation. I would only remind the acting leader of the Liberal Party that my impression, and I think it was a very valid impression, was that after discussions with those people who have expressed an interest, who sometimes act as critics in the field of justice, they indicated they were in support of the principle of the bill.

I see the honourable member smiling. He knows full well he indicated this to the Solicitor General (Mr. McMurtry). If his critic changes his mind as a result of his rhetoric and eloquence, I cannot account for that. Why does he not tell them he said that?

**Mr. Cassidy:** Will the Premier not understand the reason the bill now is facing defeat is that the government insists on the principle that the police should investigate themselves, despite the opposition of our party, despite the conversion of the Liberal Party to that point of view and despite the fact the public of Ontario wants an independent review process? Will the government not change that part of its position in order to ensure that a police review and a civilian complaints procedure can become a reality in Metropolitan Toronto?

**Hon. Mr. Davis:** I understand the point of view of the leader of the New Democratic Party who, when things are going well, wishes to share in the benefits of this form of minority government, but when it comes to matters of specific issue is sometimes not so inclined to do so. Our responsibility is for the legislation that is finally approved. I have found very few members opposite on difficult issues accepting some of the responsibilities themselves for legislation they may have opposed here in this House. That is part of the system and I understand it.

Our responsibility is for the administration. If the Solicitor General in his wisdom, if this is a matter of government policy, feels that there is a better route to go, then it is

our responsibility to make that determination. What we shall do with respect to this bill is something the government will assess.

I would say to the leader of the New Democratic Party not to wander off to the press and say he wanted that committee. The ability to get it to committee was in his hands Tuesday evening. Our understanding was that the Liberal Party of Ontario, prior to some of the discussion, had made it quite clear it supported the principle of the bill. Whether they have undergone some conversion or not, I can not account for their mental gymnastics and I never have been able to do so, but that was the understanding.

If the vote had gone as anticipated on Tuesday evening, it might be at committee today. Who knows? I can only say once again to the leader that I am not giving lectures on the parliamentary system. The member for York South (Mr. MacDonald) is quite right, but I would point out to him it is also quite simple to get a bill to committee after second reading. Why do members opposite not vote for it on second reading and have it move on the process?

#### MINING DEATHS

**Mr. Cassidy:** I have a question for the Minister of Labour, Mr. Speaker, about the alarming increase in fatalities among miners in Ontario in 1980. Is the minister aware that there have been 11 fatalities in five months in mining in Ontario? Is he aware that, if this rate continues, we will have 26 mining fatalities in Ontario over the course of the full year of 1980, compared with an average of only 11 deaths in the last three years?

What steps has the government taken to investigate the sharp increase in mining fatalities this year? Will the minister make a full report to the House and to labour representatives on why so many miners are being killed?

**Hon. Mr. Elgie:** Mr. Speaker, I think the leader of the third party has raised a very important problem. It is quite true that there has been a dramatic change. Frankly, I am not able to explain why, but we have the mining division investigating it and I have been advised that the Mines Accident Prevention Association is investigating it.

It was not more than three or four months ago, I suppose, at the beginning of January—and the members from Sudbury will recall this—that the Steelworkers from Inco, along with management, proclaimed with a great deal of pride that we had seen a great year because the number of accidents had been reduced dramatically.

It is unusual, and I share everybody's concern about a situation that remains unexplained. The member has no argument from me that it is an area that I intend to pursue and I will be glad to report.

I cannot give the member a time on that, because some investigations will have to take place and some decisions made about whether there is going to be a coroner's inquest, charges laid and things like that. I have no hesitation in saying I will make any information I obtain public when I can do so.

**Mr. Cassidy:** We would like to hear a statement from the minister before this House rises and not have it deferred until some time in the fall, because there is a need for answers now.

In view of the fact that the Ham commission reported four years ago and recommended as a high priority that the industry and government and labour standardize qualifications and ensure that mining becomes a trade, will the minister explain why that has not yet been done and what steps the government will take to ensure that mining be treated as a trade as one means of reducing the fatalities that are taking lives in the mines right now?

**Hon. Mr. Elgie:** Mr. Speaker, let's be reasonable, let's be fair. I am not saying I will not report before the House adjourns. I am saying that if there are no obstacles to my doing so, I will be pleased to do so. If I cannot, then I will have to report whenever I can.

As to the other issue, I do not have the background information available at the present time about the matter the honourable member raised, but I will be pleased to look into it and report to the House.

**Mr. Martel:** Mr. Speaker, is the minister prepared to look at the possibility of establishing a commissioner of mine safety to investigate not only these fatalities but also possibly to look into aspects of mining such as bad lighting which lead to fatalities and the number of fatalities that occur as a result of loose falling so that recommendations can be made to the mine safety committee and so on to try to get rid of some of those long-term causes which occur over and over again?

**Hon. Mr. Elgie:** I am sure the member does not expect an instant answer to that. I am not trying to be obstructionistic about it because it may well be a very valid suggestion. I am prepared to look at it and discuss it with officials.

**Mr. Foulds:** Mr. Speaker, I wonder whether the minister could at least report to the House before we rise this spring on the nature and cause of the fatalities and what steps the ministry can take to avoid similar kinds of accidents occurring this year, particularly since we have, as my leader pointed out, a good deal of the year yet to run?

**Hon. Mr. Elgie:** As I have said, we are looking at a number of the fatalities, and so long as there are no obstacles to my giving that information to the member, I have no hesitation in doing so.

2:50 p.m.

### SKILL TRAINING

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Labour. In view of the large numbers of unemployed in the city of Windsor and Essex county area, in view of the anticipated need for skilled workers within the next year or so when the automotive industry becomes more active with new technology and new machinery, and in view of the unutilized or underutilized facilities in many of the industries in the city of Windsor and Essex county, will the Minister of Labour undertake a massive retraining, upgrading or skills training program of, say, 1,000 unemployed Windsor workers in this program, financed jointly with the federal government and in co-operation with the unions and industry? In that way, when the automotive industry does become more active again, there will be a ready source of available manpower and we will not have to go to offshore countries for skilled help to man the industry.

**Hon. Mr. Elgie:** Mr. Speaker, I think the member and his party agree that the activities the government now has under way to try to resolve the issue of skills shortages in this province are being viewed by others and by other provinces as quite effective in a general way.

The member's question relates to a specific situation in Windsor, and I am sure he knows from his colleagues in Ottawa that we expect within the next week or so to be receiving information from the Minister of Employment and Immigration about a job-creation package he had indicated would be available towards the end of May or early June.

At this time, I cannot commit myself or this government to anything until that package is received and evaluated.

**Mr. B. Newman:** Is the minister aware that such a scheme, the employment of 1,000 un-

employed individuals, not only would develop the needed skills for tomorrow but also could lighten welfare and unemployment costs in the Windsor area? That would relieve payment from three levels of government, and it would not only take individuals off the unemployment insurance rolls but also provide employment by way of skills training to those who no longer qualify for unemployment insurance and/or transitional assistance benefits.

**Hon. Mr. Elgie:** I am well aware of the information the member gives me. I would also be interested to know whether he has talked with the Community Industrial Training Council. As he knows, an employer-sponsored training program does exist in the Windsor area. I would be interested to know—and probably the first thing the Minister of Colleges and Universities (Miss Stephenson) would want to know as well—whether facilities were available in Windsor for in-industry training of skilled personnel. That is something that would have to be explored. But the first thing to do would be to speak to the Community Industrial Training Council.

Having said all that, I still go back to my original position that at this point we are still awaiting the package which, it has been indicated, is coming from Ottawa. As soon as that has arrived, and is reviewed and evaluated, the government will give consideration to other matters.

**Mr. Cooke:** Mr. Speaker, first of all, I would like to ask the minister whether he can update us on what the position of the federal government is and what his position is on transitional assistance benefits, and whether we are making any progress.

Second, do the minister and his government see a responsibility to participate in whatever aid package does come forward on job creation for the Windsor area? He did not participate to the full extent in the Chrysler agreement, and therefore he should have about \$40 million to contribute to the Windsor area for job creation programs.

**Hon. Mr. Elgie:** If we can go to the last item first, I think the member would have been the first to criticize us had we accepted the \$50-million package that was being proposed as the only proposal that was available for this government. I do not think he meant to suggest that what we got was not appropriate. I think that what was obtained was excellent.

The member asked about transitional assistance benefits. I have indicated on a couple

of occasions to the member in the past, and to the member for Windsor-Walkerville (Mr. B. Newman), that I have written to the minister. As the member also knows, I met with him on March 28, along with other ministers of this government, and on that occasion he also met with the United Auto Workers about this issue.

At that time, he indicated he had not made any decision about the TAB program. He indicated to us he would be getting back to us at some future date for further discussion. I have the impression that such discussions would hinge upon the employment package he indicated he would be announcing later this month or early next month.

#### KEATING CHANNEL DREDGING

**Mr. R. F. Johnston:** Mr. Speaker, my question is to the Minister of the Environment. It relates to the Keating Channel dredging proposal recently approved by the Minister of the Environment, which would remove 300,000 cubic yards of sediment, loaded with oil, grease, lead and other contaminants from the channel, and dump it in a marine site on the east harbour headland, a site which until recently was opposed by the ministry because of the high probability that the contaminants would find their way to the water intake for the city of Toronto.

In view of the fact that one of the rationales given by the minister for not holding a full environmental impact study of the proposal prior to its approval was the imminent danger of flooding by the Don River if the dredging was not done this summer, could the minister tell the House what he is planning to do to provide an adequate solution to these two hazards of pollution or flooding?

**Hon. Mr. Parrott:** Mr. Speaker, on the first question relative to the assessment and the hearing, I think I indicated in my response on Tuesday to an almost identical question that we would get back to the member. On the question of flooding, I think it would be appropriate to ask the Minister of Natural Resources (Mr. Auld) that same question if the member would like to redirect it.

**Mr. R. F. Johnston:** He is not in the House. I would rather not redirect it to him until he is in the House. I will ask a supplementary of the Minister of the Environment.

As the dredging proposal has been in the works for several years, during which time the Environmental Protection Act, the Ontario Water Resources Act and the Environmental Assessment Act were all in effect, but



these were waived in favour of backroom negotiations which have brought us to the predicament we are in, and given the air of urgency, crisis and confusion surrounding this matter, will the minister consider an exceptional measure in this case and appoint a person of stature and qualification to deal immediately with it as a one-man commission and to report quickly on this Hobson's choice of flooding or contamination? I am thinking of someone like Dr. James Ham, the president of the University of Toronto, who has a background in engineering and environmental expertise.

**Hon. Mr. Parrott:** It seems to me we are rehashing the same thing. There was one suggestion in there which we will consider.

### CARTIER SQUARE DEVELOPMENT

**Mr. Sterling:** Mr. Speaker, I have a question of the Minister of Government Services. I would like to know when the plans for the Ottawa courthouse are going to proceed into the planning stages. What is the present status of the planning and the site for the courthouse?

**Hon. Mr. Wiseman:** Mr. Speaker, I would like to inform the House that everything is proceeding as planned. We have a site plan, which has been presented to the National Capital Commission. I understand they have shown this to the city just this week. I have not had a report on that, but I am hopeful that the city and the National Capital Commission will agree to the site plan that has been presented to them.

**Mr. Sterling:** Can the minister give us any timing on when he expects to receive an answer from the city as to when it is going to make some definite commitment about whether it is going to turn over the road allowance between the two sites about which has he been negotiating?

**Hon. Mr. Wiseman:** I will let the member know as soon as the site plan is agreed upon. As he knows, if the site plan is agreed upon, we are hoping to secure the additional piece of land which at one time was going to be sold for an American embassy. We will arrange the building on that big lot. If we agree to the site plan, it would mean the city would have to deed us the road allowance, which has never been opened but which, however, is deeded to the city. Once we get the site plan agreed upon, we hope that will mean the city will deed that road allowance to us and we will not have any problems at that time.

**Mr. Roy:** Mr. Speaker, following a meeting to which the member for Ottawa South (Mr. Bennett) graciously invited me, after the member for Ottawa Centre (Mr. Cassidy) invited himself—

**Hon. Mr. Davis:** That is where you are going to spend most of your life. Be kind about it.

**Mr. Roy:** You are darned right. It is an important institution. They should have a fine courthouse in Ottawa. I take great interest in that.

3 p.m.

**Mr. Speaker:** Would you like to ask a question about it?

**Mr. Roy:** Yes, I will, Mr. Speaker.

The question to the minister is as follows: Did the minister get in writing a commitment from the member for Ottawa Centre that he is in favour of that site for the courthouse? Did he get that from the mayor of Ottawa? Did he get a commitment in writing from these people as well that there will be no delay in the period that has been fixed for completion; that is, February 1985?

**Hon. Mr. Wiseman:** No, I did not.

**Mr. Cassidy:** Mr. Speaker, perhaps the record in Hansard will be sufficient. Both the mayor of Ottawa and I gave a personal commitment to the minister at that meeting that we believed the courthouse should be built on the Cartier Square site. We also gave personal commitments to ensure that the date for completion of the courthouse would be respected and would be met.

Will the minister undertake, also for the record in Hansard, that he agreed there should be a study for a concept plan for all of Cartier Square, in which the province would participate, along with the municipal and federal authorities, and that study should be done within a 90-day period, as the architects employed by the province recommended?

**Hon. Mr. Wiseman:** I would like to clear up a statement the honourable member made. I did not make that commitment. I said the Honourable Paul Cosgrave has that responsibility, being head of the National Capital Commission, and that I would not say one way or the other until I spoke to him. In my conversations with him, I understood him to be of the opinion that it was his responsibility, which it is, to head up the national commission, and he was not about to turn that authority over to the city of Ottawa.

The mayor, as the honourable members know, when she left that day said she would

get back to me and let me know whether she was right or I was right. Up until this time I have not heard. I had an update this morning and that is what I gave to the honourable member who asked the original question.

### JUNIOR AGRICULTURIST PROGRAM

**Hon. Mr. Henderson:** Mr. Speaker, I have a response to a question posed by the member for Grey (Mr. McKessock) on May 27. To help clarify the situation, first may I say the member was correct in stating that one member of the junior agriculturalist program was unable to attend one of the orientation days organized by my ministry because final examinations fell on that day.

Last year, when it was not possible, because final examinations must come first, the co-ordinator in the program made arrangements to cover personally the information given in the orientation program to the student involved.

This year we are again scheduling eight orientation programs, and again it may be that some of them will conflict with final examinations. If a student is unable to attend orientation day, then every effort will be made to schedule him or her into another orientation session. If this is not possible, then once again the area co-ordinators will cover the material on a one-to-one basis with the students.

My staff advised me that the orientation program will be presented on June 11, 1980, to the junior agriculturalists selected from the Grey-Bruce and Simcoe county area.

**Mr. McKessock:** Mr. Speaker, would the minister consider starting the program a week later to make sure the orientation day can be held after the examinations, which would also allow the program to extend a week longer into the harvest?

**Hon. Mr. Henderson:** I stated there was one student last year who was not able to attend the orientation. To reschedule the whole thing because of one student seems a little bit unfair to me. My staff are ready to give the necessary information to that student on a personal basis. So at this moment I would have a difficult time convincing myself we should change it because there are areas in the province where we need the students earlier.

### ENVIRONMENTAL HEARINGS

**Mr. McGuigan:** Mr. Speaker, my question is to the Minister of the Environment. Since

the Premier's offer of funding of witnesses at environmental hearings has turned out to be only the regular power of the Environmental Assessment Board, would the minister consider setting up a funding mechanism whereby municipalities or citizens' groups could fund witnesses prior to the Environmental Assessment Board hearings so these people would be in a position to prepare their case prior to the opening of the hearings? Second, would the minister also consider funding consultants who would make an objective analysis and critique of the proposals prior to the hearing?

**Hon. Mr. Parrott:** Mr. Speaker, the environmental proposal does precisely that. It has a total presentation of all the ramifications of that proposal. That is the whole purpose of an environmental assessment.

**Mr. Gaunt:** Mr. Speaker, has the minister given any consideration—and we did discuss this yesterday at estimates—to the Canadian Environmental Law Association's presentation with respect to funding of citizens before environmental assessment board hearings?

**Hon. Mr. Parrott:** What is bothering me a great deal about this particular item is that particularly the leader of the Liberal Party seems to want to short-circuit the hearing. I do not understand why he wants to do that. It is the process that we in this Legislature set up. It is a process that we believe and the whole Legislature believes is the most open, most complete process of hearing everyone's concerns that there is in North America and indeed in the world. It is a tremendously open process.

What I hear time and time again, however, is not that we let the hearing process work as it is intended to, but that we short-circuit it and say two things: (1) We have no confidence in the board to make a right decision, and (2) we are opposed, period, before any facts are known. It seems to me that destroys the very process being touted by those who question an excellent process. I find that hard to understand.

We should allow the process, which is the best by all acknowledgements, to work and work fully—and that is the way I think it should be—and stop talking about the inability of the board to hear or judge properly, and certainly stop talking about opposing before we know anything about it.

### CARE OF PHYSICALLY HANDICAPPED

**Mr. McClellan:** Mr. Speaker, I have a question for the Minister of Community and



Social Services. Now that about 30 days have passed since we last raised the question of Three Trilliums Community Place and the new deadline is upon us, and once again the apartment accommodation for the physically handicapped is threatened with collapse, may I ask the minister whether he has come to a resolution of the problem and whether he can tell us today that the province is prepared to move off its intransigent position and to fund Three Trilliums Community Place at 100 per cent?

**Hon. Mr. Norton:** Mr. Speaker, following question period today, I will be meeting with a number of people who are present in the gallery at the moment representing the interests of the Three Trilliums project. We will be discussing the current position and what options remain at the present time.

I would inform the honourable member that in spite of the repeated efforts on my part, representing the government, to put forward proposals that I believe move substantially towards what Metro was holding out for in a ransom on the other side of this equation, I have not yet had a positive response from either the social services committee of Metro, the chairman or anyone else.

3:10 p.m.

Other municipalities have indicated formally an interest in cost sharing in this program. Even if Metropolitan Toronto persists in its present position and for the time being at least is willing to abandon or ignore the needs of this group of citizens, the government of this province will not allow those citizens to be held at ransom any further.

**Mr. McClellan:** I do not want to choose between blackmailers in this issue, but the minister has made commitments to the handicapped community since 1974 to fund independent community living arrangements, with never a hint until six months ago of cost sharing. He has funded projects since 1976 at 100 per cent. Most important, he established a precedent with respect to the developmentally handicapped, for example, under the Developmental Services Act whereby residences and services are funded at 100 per cent.

In view of all this, does he not agree that to be consistent with his own promises and practices and his own legislation for the developmentally handicapped, the wise and just course of policy is to fund at the provincial level of 100 per cent?

**Hon. Mr. Norton:** As is commonly the case when the honourable member gets

wrought up on any issue, he has again begun to muddy the scene and the issues. The answer simply to his question is no.

I happen to believe that the physically handicapped citizens of this province are entitled to the same services as other citizens on the same basis. I do not believe, as do some other persons, that physically handicapped persons have a health problem; it is not a sickness. What they are in need of is a social service, and it ought to be delivered to them on the same basis as it is delivered to other citizens of this province.

In terms of the concept of normalization of living accommodation, the services that are delivered to the elderly or persons who may be less severely handicapped in their own homes are delivered through an existing program of this government—homemakers and nursing service, for example. Is it precisely in the same manner that I believe the physically handicapped people of this province ought to receive the service as well.

However, as I said, until the matter is resolved with Metro, the Metropolitan Toronto council may suffer somewhat, but the handicapped will not.

**Mr. Sweeney:** Mr. Speaker, could the minister say whether it is true that there are only six municipalities in the province which have had informal discussions with him along these lines? Is it not true that of those, only two have informally agreed to go with the 80-20 split? Does that not strongly suggest that his province-wide policy is not an appropriate one for most of the municipalities in the province, not just Toronto?

**Hon. Mr. Norton:** I cannot confirm precisely how many municipalities have been engaged in informal discussions at this point with staff of the ministry. The answer to the second part of the question is no.

## GM SETTLEMENTS

**Mr. Breithaupt:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations with respect to the General Motors situation on substituted engines in cars, which follows the question asked by my leader of the Attorney General (Mr. McMurtry) on Tuesday.

Could the minister explain how it is that the two-year limitation period on prosecutions under the Business Practices Act has expired without any action on the part of the minister which would have provided an equitable remedy for the hundreds of motorists who have been subjected to these mis-

representations? Can the minister explain how we will arrive at a settlement with General Motors in this case without the potential clout of a criminal prosecution to back up his negotiating position?

**Hon. Mr. Drea:** Mr. Speaker, first of all, at that time under the Business Practices Act we could not have taken General Motors to court at any time. The representation was not made by General Motors; it was made by the dealer, and the dealer was unaware of the switch. If one reads the history of this thing, it was only found out by accident in the United States. A man wanted a filter on his Oldsmobile engine and somebody at General Motors called down and said, "Put a Chev one on."

On the second matter, I think the negotiation position is valid. I am very confident that before the House ends we will have a very pleasant announcement.

**Mr. Breithaupt:** The minister said in Hansard almost a year ago, on June 8, 1979, and I quote from page 2722, "In no way, shape, or form are we suggesting that each one of these people go into the courts." What are these people supposed to do now?

**Hon. Mr. Drea:** I said I was hopeful of giving a very pleasant announcement within a couple of weeks.

The problem with those people going into court is that nowhere in all of North America has there been any expert evidence adduced as to whether a Chev 310, or whatever the engine was, is equal to, better than or lesser than the Rocket 88. Nobody has challenged by an evidentiary proceeding whether there was an actual loss. In every case it has been the General Motors offer. The \$200 has not been challenged, and the warranty work has not been challenged as to whether it is up, down or equal.

All the owners have been very co-operative. We have explained what their position was all the way through. They often talk about court, and we point out that one of the difficulties would be establishing whether they were damaged. There have been small claims court losses in other jurisdictions. On that basis they have put their faith in us, and I am very confident we will be there.

The obvious question is—and they have understood this all the way through—in the price of a very quick settlement is the minister setting out new laws for the rich and for the poor? The demand being made upon me is that I will give them immunity to prosecution if compensation of some description is offered after the event. The moment

one opens up that door, it is really open. The point at which compensation should be given weight is at the time of sentencing, as it is in all other matters.

**Mr. Cassidy:** Mr. Speaker, would the minister explain why everybody is out of step except him? Specifically, would he explain why he continues to resist an offer made by General Motors after this offer has been critically examined and now accepted, I think, by 49 states in the United States and by the governments of seven provinces in Canada? Why is the deal so wrong if those people who drive Chevymobiles have got protection in those other 56 jurisdictions? Why does this government continue to drag its feet at the expense of people who were similarly hit here?

**Hon. Mr. Drea:** I am not dragging my feet at all. Nova Scotia, New Brunswick and Newfoundland will not sign for precisely the same reason that I will not.

The New Democratic Party commended me in a private communication for the approach I took to General Motors in that I am not going to give them immunity. If the member is telling me for the sake of a signature I should grant a big company immunity provided they do something right, then what happened to his long history of principles?

Interjections.

**Mr. Speaker:** Order.

3:20 p.m.

#### DISPUTE AT AMR CENTRES

**Mr. Mackenzie:** Mr. Speaker, I have a question for the Minister of Community and Social Services. Inasmuch as the provincial funding available at yesterday's meeting between Local 3009 of the Canadian Union of Public Employees and the Hamilton and District Association for the Mentally Retarded was inadequate in achieving a settlement, can the minister tell the House whether his ministry looked at the books of the local association? Has it found anything, other than inadequate provincial funding, that would justify the total inadequacy of the wages for the workers providing the essential service they are? If not, can he tell us why there were no additional funds from the ministry, other than the original offer, and yet suddenly the association came up with enough money to make an additional offer yesterday?

**Hon. Mr. Norton:** Mr. Speaker, I can confirm that the staff of my ministry, both financial officers and auditors subsequently, on two occasions have examined the financial situation of that association. I think it is sufficient

for me at this point simply to say we are satisfied that funds exist in that association that ought to lead to a settlement.

**Mr. Mackenzie:** Is the minister aware of the problems of some of the clients and their families which may result in the necessity of institutionalization very quickly of some of the clients involved? What assistance is his ministry willing to offer these families where they may find such a move necessary?

**Hon. Mr. Norton:** My advice to anyone who is facing those kinds of difficulties would be to contact immediately the staff of my ministry in the area office in Hamilton. I think they will find our staff very co-operative in trying to resolve their difficulties.

**Mr. M. N. Davison:** Supplementary: Is the minister saying—and I want him to be very clear and specific about this—it is the impression of his staff, after looking at all of the books of the association, that there is currently enough money in the association to bring those levels of payment to staff up to the levels paid to other people doing similar jobs in other jurisdictions? Is he therefore implying that somewhere the association has been wasteful or somehow has misused the funds it has? If that is the case, would he give us specifics on that?

**Hon. Mr. Norton:** None of those assumptions is correct. The answer to the latter part is no, I will not.

#### AIR ACCIDENT

**Mr. Sweeney:** I have a question for the Attorney General, Mr. Speaker. My question relates to the air crash last week over Kitchener in which one plane crashed on a front lawn and killed two people and another one was forced to land on the road. Coroner Dr. J. G. Christ seemed unsure what form of inquest or inquiry would take place and whether criminal charges would be laid. Given the circumstances of this accident, to what degree can the provincial government be involved and to what degree can it ensure the residents of that area that something will be done about this?

**Hon. Mr. McMurtry:** Mr. Speaker, I have to admit I was not aware of this particular tragedy. I would have thought the provincial coroner would have jurisdiction. I know this has been a matter—and it may be of interest to the members—of some debate with respect to some proposed federal legislation in the accident field, be it an aircraft accident or a train accident, as to the roles of the federal investigatory body as opposed to the provincial coroner's office. I have always taken the

position that the provincial coroner should have jurisdiction in so far as ordering an inquest into these circumstances. I would have thought the provincial coroner would have jurisdiction in the matter the member has just related to me.

I have not heard of the tragedy before, but I will inquire into it and get back to the honourable member.

#### INTRODUCTION OF BILLS

##### PROVINCIAL OFFENCES AMENDMENT ACT

Mr. Warner moved first reading of Bill 86, An Act to amend the Provincial Offences Act, 1979.

Motion agreed to.

**Mr. Warner:** Mr. Speaker, the purpose of this bill is to declare that every person who is arrested on the grounds of having committed a provincial offence is entitled to retain and instruct counsel without delay. It is a good bill and should be passed.

##### LAW SOCIETY AMENDMENT ACT

Mr. Samis moved first reading of Bill 87, An Act to amend the Law Society Act.

Motion agreed to.

**Mr. Samis:** Mr. Speaker, the purpose of this bill is to permit lawyers in Ontario to advertise their services to members of the general public and, I might add, beyond the present regulations adopted by the law society.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Gregory:** Mr. Speaker, before the orders of the day I wish to table the answers to question 19 and 172 and the interim answer to question 169 standing on the Notice Paper. (See appendix, page 2322.)

#### ORDERS OF THE DAY

##### PRIVATE MEMBERS' PUBLIC BUSINESS

##### POLICE GRANTS

Mr. Eakins moved resolution 20:

That in the opinion of this House municipalities with nonregional police forces should receive the same per capita police grant as regional municipalities.

**Mr. Eakins:** Mr. Speaker, I would like to indicate I would like to reserve three minutes for summing up at the end of the debate.

I am very pleased to introduce this resolution. This question has been of concern for a

number of years, and I believe it is time it was addressed in the House and that we had some definite commitment from the government about whether it is going to reform the Police Act in regard to the complete act, or whether it is going to remove some of these inequities and make sure municipal police forces receive compensation and assistance on a par with those regional police forces.

As one who served as a councillor and as a mayor, I am very much aware of the need for such a resolution. I wish to thank Mayor Flynn and the council of the town of Lindsay for their strong support and encouragement in presenting this resolution. The same resolution as I am presenting today has been supported by the Association of Municipalities of Ontario at their convention last year and will be introduced again this year by a number of municipalities, including the towns of Picton and Palmerston.

Strong support has also come from the city of Windsor, the Association of Municipal Clerks and Treasurers of Ontario and the Organizations of Small Urban Municipalities of Ontario and the Association of Police Governing Authorities.

I would like to place on record the feeling of the municipal people of this province by reading into the record the resolution that appeared at the Association of Municipalities of Ontario convention last year. This resolution is one of long standing. I might say credit for this resolution originally must go to the town of Tilbury under Mayor Charles Carrick, which has been a strong supporter of equal assistance to these municipalities.

3:30 p.m.

"Whereas the cost of providing police protection in those municipalities having their own police force has increased beyond the means of the average ratepayer; and whereas ratepayers in those municipalities having their own police force are paying for the cost of police protection by the municipal police force and are also contributing towards the cost of police protection provided by the Ontario Provincial Police; and whereas the province of Ontario has consistently refused requests of those municipalities having their own police force that police protection be provided within the municipality by the Ontario Provincial Police by agreement with the municipality.

"Therefore, be it resolved that the province of Ontario be requested to pay the same grant of \$15 per capita to municipalities that have a nonregional police force as is presently paid to regional municipalities, rather than have the present \$10 per capita being

paid to municipalities having a nonregional police force."

This was supported at the convention, and I am sure it is going to be supported again this year. Many of the problems and concerns can be summarized in statements made to the public accounts committee just recently, on May 1, by Mr. J. D. Hilton, the Deputy Solicitor General. I will quote some of his remarks to highlight the problem that exists today:

"We have in the province of Ontario a hotchpotch of relationships between the Ontario Provincial Police and certain municipalities. We have some municipalities that pay for their policing and we have other municipalities that don't pay for their policing. Some municipalities pay part of their policing. Some municipalities have police grants of \$15 and other municipalities have \$10 grants. This has been of some concern to me. I brought it to the attention of Mr. McMurtry, and it is of some concern to him.

"The establishment of regional government is one problem that affected the dual-grant structure. For instance, Thunder Bay was made up of three municipalities that came together, not as a region but as a city; so they got no startup grant for that unification. They only get the municipal grant that is payable to a city, that is, \$10, while Durham, Peel, Halton, Niagara and so on receive their grants on the basis of regional government and get \$15.

"Representation has been made to the minister and to myself by certain small rural towns that say it should be the other way around, and I can see some justification in their arguments. They say, 'When we go out to buy a police car, we buy one. When we go out to buy uniforms, we buy three. A region goes out and buys them cheaper by the dozen. We are the ones that should be getting the higher grants, rather than the larger places that have the greater purchasing power.' I'm not prepared to say whether that's right or wrong—I don't know—but I think it's something that should be seriously looked at."

Policing and the problems associated with policing have been seriously looked at, as Mr. Hilton is suggesting. On July 20, 1977, Emil K. Pukacz, special consultant, was appointed by order in council 2055-77, to look into policing and other services in Ontario. On October 28, 1978, Mr. Pukacz reported: "I have the honour of submitting herewith the final report of my study and investigation with appropriate recommendations."

I would ask why the Solicitor General has kept this report secret and hidden for the last year and a half. Why has this report been kept from the Ontario Association of Police Chiefs until about a month ago? Why has our critic the member for St. George (Mrs. Campbell) only just received a copy of the report after demanding one about three weeks ago? If this government would table and deal with the report, then I feel such a resolution as this might not be necessary. But because it has not been tabled, we have no alternative but to proceed and place this resolution before this House.

If our municipalities are to be served and protected, our police forces must have adequate facilities, adequate training and up-to-date equipment. This means adequate financing. If they are to be involved in crime detection and crime prevention, they cannot be expected to carry out the functions they are now saddled with. For instance, the transportation of prisoners is performed in each case at the direction of the courts. I agree with the Pukacz report that this does not and should not fall within the responsibilities and functions of our law enforcement agencies. Why should well-paid and highly trained police officers, with their various benefits, be acting as chauffeurs on a shuttle service?

This report states that the use of specially trained and highly remunerated police officers for custodial functions on the way to court and in the courts could be performed at a much lower cost by trained civilian staff, custodial or special officers.

This is one reason why the costs of municipal policing are high. I want to say again, as the Solicitor General is leaving, that I am going to be pressing in the House for the release of the Pukacz report, which has been shelved for a year and a half and which the Solicitor General has not seen fit to present to this House. I say that as the Solicitor General departs through the door. I would hope that either he or his parliamentary assistant would be here to answer some of the questions in regard to this report.

Mr. Speaker, if you were to review the per capita grants for policing between police forces of regional municipalities and non-regional forces, you would see a very substantial inequity. In 1977, the grants paid to municipalities amounted to \$91,948,395, or 25 per cent of the cost municipally for policing by the municipal police departments and under the OPP contracts. You would also see that regional municipalities with regional police force—excluding Metro Toronto, which is subject to a specific assessment—received

per capita grants for policing amounting to 34.47 per cent of their cost of policing in 1977.

Not only are smaller area forces not receiving their fair share of assistance, our major nonregional departments are not receiving their fair share by comparison. In 1977, for example, Ottawa received 16.19 per cent; Windsor, 17.22 per cent; Kingston, 20.40 per cent; Belleville, 19.11 per cent; Sarnia, 23.13 per cent; London, 24.23 per cent; Peterborough, 21.64 per cent; Cornwall, 23.38 per cent; Guelph, 24.80 per cent; Sault Ste. Marie, 25.05 per cent; Timmins, 25.32 per cent; North Bay, 18.43 per cent; and Thunder Bay, 21.51 per cent.

This is unfair and shows clearly the price we are paying for regional government. The percentages I have given show clearly the inequities in the application of this grant. They become even more obvious if we take into consideration the fact that most of the regional police departments are responsible for mixed urban and rural policing, where the rural is much less expensive and requires fewer resources than the policing of the cities I have just referred to. Those cities, with minor exceptions, are responsible for policing dense urban populations.

Metro Toronto, as I have mentioned, is subject to a special assessment. This is the seat of the provincial government, agencies of the federal government, foreign consulates and missions. It also must deal with unpredictable emergencies.

Ottawa is the seat of the federal government and foreign embassies. Windsor, bordering on the large American metropolis of Detroit, must also provide additional security services similar to those provided by Metro Toronto but only to a lesser degree because of the size of the city. The situation in Ottawa and in Windsor is clearly shown in an analysis of their costs in manpower.

3:40 p.m.

I want to use an example of policing costs and what it can mean to taxpayers in the smaller communities. For the town of Lindsay, with a population of 13,755, and a police force of 22 officers and three civilians, the 1980 budget totalled \$768,000. The 1980 per capita cost is \$57.14. The unconditional police grant in 1979, at \$10 per capita, amounted to \$136,870.

If the per capita grant were increased to \$15, it would mean an extra \$68,775. This would lower the mill rate by 2.9 mills and would reduce the police per capita cost from \$57.14 to \$42.15. In 1979, the per capita payment to the town of Lindsay represented

19.3 per cent of this police budget. In 1980, that percentage will be reduced to 17.9 per cent. This is a well-administered force with a good chief, good manpower and good equipment, but the inequities in provincial support must be addressed and changed.

I would like to read into the record some of the comments made to show what serious changes must be made in Ontario in regard to policing. This is from the report the Solicitor General refuses to make public. It is from his own consultant and shows that major changes are needed in Ontario. I want to read some of his comments.

"The provincial financing of municipal police services by the present system of unconditional grants implies that the population of regional municipalities with a regional police force requires more protection than that of cities, towns, townships or villages with their own police departments. This system of financial support to policing deprives the Solicitor General, who is ultimately responsible for the development, operations and control of the law enforcement in the province, from the equitable apportionment of financial resources, according to the factual requirements of policing in various regions of the province, with a specific emphasis upon the respective allocation of such resources between the municipal police departments and the Ontario Provincial Police where one supplements the other in the basic function of maintaining law and order in the municipality.

"The existing inequities in the financing of municipal policing can only be rectified by "(1) removing provincial financing of all policing in Ontario from the system of municipal unconditional grants.

"(2) transferring budgetary funds for this purpose from the direct control of the Ministry of Treasury and Economics, or the Ministry of Intergovernmental Affairs, to the Ministry of the Solicitor General, directly responsible for the law enforcement in Ontario; and

"(3) directing the Ministry of the Solicitor General in conjunction with the Ontario Police Commission to develop comprehensive standards for municipal policing by regional and local police departments in the Ontario Provincial Police, including criteria governing provincial financing of these operations."

This report makes some very definite and far-ranging recommendations, and I think it is time the minister tabled this in the House and got on with looking into policing in this province.

The conclusions and the report of the Pukacz task force must be tabled officially and immediately in this Legislature. This report has sat hidden for a year and a half and, as a result, needed reforms in our police functions and financing have been stalled. In the meantime, the Solicitor General must take the initiative and assure equal treatment of nonregional municipal police forces by making their per capita grants equal to those of regional municipal police forces.

Mr. Deputy Speaker: The honourable member has three minutes remaining. Does he wish to reserve those three minutes?

Mr. Eakins: Yes.

Mr. Bounsall: I say very strongly, Mr. Speaker, that I support the resolution put forward by the member for Victoria-Haliburton in this regard. There is no longer, if there ever was, any valid reason at all for the differences in police funding and the per capita grant to be paid to nonregional municipalities and regional municipalities.

We all know the reason why some of the funding arrangements arose with respect to regional municipalities. Additional payments and different payment arrangements were made in various categories to those municipalities that were about to form themselves into regional municipalities or were given as an incentive to form themselves. That did not work. When they were forced into regional government, the government sweetened the pot a bit by making these higher per capita grants, either as an incentive or as a bonus to smooth over feelings with respect to financing when they were forced into it.

When one looks at some of these costs of regional municipalities vis-à-vis other municipalities, particularly when it comes to the cost of the police forces, it is clear there is no real difference in the costs that have arisen. There should therefore never have been a difference between the per capita payments to police forces in municipalities that are not regional and in regional municipalities.

It is time this inequality and these discrepancies should end. In fact, I would recommend not only that they end now but, having recognized the fact, there should definitely be some payments for the inequalities of the past that have persisted.

The various regional and municipal bodies have spoken to this point. I understand the Association of Municipalities of Ontario has collected data that show there is no differ-



ence in the costs of policing across this province. No argument can be made that regional police forces have higher expenses than do large municipal police forces that are not regionalized. The representatives who attend the Provincial Municipal Liaison Committee have brought these facts to the attention of the provincial side which attends those committee meetings, with the frustrating situation that no action has been taken.

One of the prime movers in pointing this out has been Mayor Albert Weeks of Windsor, who is quite adept at looking at financial figures and their impact and understanding. He has been talking about the grave inequality that occurs in funding between his city of Windsor and various others in the province and the regionalized municipalities in the police funding factor and has pointed out there is no valid reason for it.

As the mover of the resolution indicated, in the list of cities where he gave the percentage of provincial support, Windsor is again one of the very lowest at 17.22 per cent of the costs. Here Windsor is being very badly disadvantaged. It has been disadvantaged on the equalization factors, and there still is not a true modification of the equalization factors taking place.

On the normal municipal equalization factors, not counting the present year we are in, Windsor is cumulatively \$20 million behind where it should be. This year, depending what is finally agreed upon, there will be another \$5 million or \$6 million added to that figure. If the amount of money that is going to come forth this year is \$3 million, as opposed to the \$8-million discrepancy because of the improper equalization of the municipal assessment, we than have added to that a much lower payment by the province in support of municipal police funding to the tune of only 17.22 per cent. We have in Windsor a situation that is intolerable, with the city short-changed on virtually every side.

In bringing forth this topic as a matter for various municipal agendas in the province, the mayor of Windsor, as he has always done, has shown his great concern not just for the finances of his own city, but also for those of other cities in Ontario which are being disadvantaged in exactly the same way. I ask this government why it allows these discrepancies and these inequalities to persist.

3:50 p.m.

If the government felt there was a commitment at a certain level that must be carried through to the regional municipalities

on the percentage of the funding of their police costs which cannot be evened out across the province, then there is a distinct obligation on this government to bring the other municipalities' per capita grants up to those of the regions. If that firm commitment is not there and if this government continues to argue that it simply does not have the funds to bring all the other municipalities into an equal position with the regional municipalities but do not have a locked-in amount for the regions to which they must adhere, then those grants should be evened out across the province.

Those grants should be evened out for all people in Ontario, bearing in mind that a provincial tax collection base is preferable to a municipal property tax collection base, so the nonregional forces can be brought up in funding to those of the regional forces. I definitely recommended using the much wider and fairer provincial tax resource base.

In any event, the inequality that exists between our major municipalities and our regional municipalities must end. I do not know how long this government figures it can have these inequalities persist across the province without all the people in those municipalities getting totally disenchanted with this government. I would say to this government, when one sees those inequalities arise, one can hardly credit what is happening in terms of what will happen in electoral terms unless these are redressed and redressed immediately.

I cannot understand the political lack of awareness occurring on the part of this government when we have those inequalities continuing to exist and people becoming more and more aware of them. Certainly the municipalities are now aware of them, and they are giving interviews to the press to that effect. If the government is at all interested in its political survival, it will equalize these police cost payments to all municipalities right across the province.

Windsor is in dire need of such equalization, as are all those municipalities that are not regional, whose costs for policing are the same and whose equipment costs are virtually the same. That must be recognized and that financial difference made up. The particular problem with Windsor is that they are already being severely short-changed on the equalization factor.

I commend this resolution very highly to the government. They should support this resolution and take action immediately to see that the sense of it is implemented, that these payments are equalized and that those payments are made in the current year. In addi-

tion, they should consider paying redress payments over two or three years to those municipalities where those differences have existed. In essence, they should be showing a deficit on their accounts owed to them by the provincial government for those additional costs which they have borne for 10 years.

I would say to the members across the House, they should support this resolution. Many of them must come from municipalities that are suffering the same disadvantages. I hope we will hear the members opposite speaking in favour of this resolution today and doing everything within their power to influence their colleagues in the cabinet to see that this inequality is ended.

Mr. J. Johnson: Mr. Speaker, I am pleased to have this opportunity to express my deep concerns on the issue of police funding. As a member who represents rural Ontario, where many of my constituents depend on small but efficient local police departments, I fully support the resolution calling for the same per capita police grants as regional municipalities receive in the province.

I have received resolutions of a similar nature from the towns of Fergus, Shelburne, Mount Forest, Palmerston and Harriston and have been corresponding with the Minister of Intergovernmental Affairs (Mr. Wells) and the Solicitor General (Mr. McMurtry) since the beginning of the year.

I fully understand the arguments presented by both sides in this issue but I feel, as do many of the municipal councils in my riding, that the per capita funding is simply not covering the costs and that funding must be brought to the same level as that which regional police forces now receive. Rising police costs are placing an increasing strain on already limited municipal budgets. Since 1977, local and regional police spending has increased by approximately 28 per cent, while provincial grants have risen by only three per cent. In 1980 alone, police costs are up 10 per cent over last year's level, while the grant, which is based on population growth, will increase by only one per cent.

Police grants are continuing to fall behind the rising costs of operation. Both municipal and regional forces face similar increases, yet municipalities received one third less grant per capita. In addition to rising costs caused by inflation, the Ontario Police Commission continually demands updating and improving of equipment standards for police forces of only five to 10 ment. I fully support the reasoning behind the OPC policy; the people of Ontario have a right to the best possible service that can be provided. But small rural

communities simply do not have the same tax base from which to finance these improvements.

A prime example of this problem now faces the tritown police answering service of Mount Forest, Harriston and Palmerston. An Ontario Police Commission directive calls for a new communications facility to be constructed which will increase the costs of operation to \$75,000 a year, a jump of 248 per cent over the present communications operation. To compound matters in this issue, the OPP will not relay critical information from the Canadian Police Information Centre to the tritown communications group through the present system. Improvements of this nature, if they are warranted, will place undue pressure on the limited tax base in the tritown area. The municipalities will have to use funds from general revenues to pay for the new system or increase taxes to the residents.

The distinction between municipal and regional police forces will continue to decline in the 1980s. It has been assumed that all police forces in the province perform similar duties and provide similar services and, as a result, face similar costs. Yet the province continues to fund the municipal and regional forces at different levels. Many police arbitrators accept this as fact and make their decisions when settling police contracts based on this assumption.

Another fact that sometimes is overlooked is that municipalities with their own police forces may call in the OPP for assistance in specialty areas such as violent crime investigations, search and rescue and many other services.

This argument is given by those who feel the status quo on per capita grant should be maintained. But I do not think arbitrators consider this when settling police contracts. As a result, the municipal police officers in most cases are receiving comparable wages to regional and OPP officers.

To further compound the problem, the cost of maintaining regional police is spread over the whole region, while in counties only the towns that have their own police forces bear the costs. Therefore, the residents of a municipality with a police force pay more tax dollars than a community that does not have its own police department but relies on the OPP for protection.

These are a couple of areas of concern that could be alleviated by increasing the per capita police grant to municipalities. To reinforce my position, I would like to refer briefly to a few examples that I am familiar



with in my own riding of Wellington-Dufferin-Peel.

As a former mayor and chairman of the local police commission, I received firsthand experience in the hiring of municipal police officers and have been involved in police contract negotiations. The municipal police officer is a constable with good common sense who is able to handle a wide variety of situations that develop in small towns which require much more personal involvement. Specialty skills are not usually required and special equipment is not usually available. Yet under the present contract dispute system used throughout Ontario, an arbitrator is appointed by the Solicitor General to settle contract negotiations.

4 p.m.

Very often, the arbitrator bases his decision—as was the case in Fergus—on regional and Ontario Provincial Police contracts. The arbitration settlement based on regional police salaries is very often higher than the police association demanded when discussions began. As a result, small communities are paying top dollar for police protection.

In the case of the Fergus contract settlement, arbitrators compared the Fergus police force salaries to those of the OPP, the Waterloo regional force, and the Guelph and Orangeville forces. The arbitrator compared salaries and dental plans. It was decided that Fergus police were in a catch-up situation in the area of salary, and they were awarded a 21 per cent increase over two years, with a similar dental plan. Therefore, under the present system of arbitration, a municipality like Fergus, with nowhere near a similar tax base and with a smaller per capita funding by the province, must pay salaries based on those of regional police forces.

This situation cannot continue. Obviously the arbitrator is trying to be as fair as possible, but rural municipalities cannot continue to face 21 per cent increases in salaries and three per cent increases in funding. How are small communities expected to cover these costs without continually raising property taxes?

In closing, I urge all members to support this resolution brought forward by the member for Victoria-Haliburton.

Mr. McKessock: Mr. Speaker, I want first to commend the Liberal member for Victoria-Haliburton for bringing forth this resolution which, if passed today, would indicate that in the opinion of this House municipalities with police forces should receive the same per capita grant from this government as regional municipalities do for their police forces. This

discrepancy, where regional municipalities get \$15 per capita to run their forces and other municipalities get only \$10 per capita, has been going on for too long.

I have had delegations down to meet with the Solicitor General on various police matters, and this topic always brought forward. Why don't Harriston, Durham, Meaford and all the other small towns in Ontario get at least the same per capita police grant as regional municipalities? In fact, I think it should be reversed, with \$15 going to the small towns and \$10 to the regions, which have larger assessments and are more capable of paying the extra.

Mr. Foulds: Let's not be parochial. Equalization will do.

Mr. McKessock: Okay. We will settle for equalization.

When we met with the Solicitor General, he said although he tended to agree with us, he had control of the police forces but not of the funding. We would have to go to the Minister of Intergovernmental Affairs and the Treasurer (Mr. F. S. Miller). Surely the Solicitor General will want the best policing possible in all municipalities and will be pressing the Minister of Intergovernmental Affairs himself to get this change made immediately.

I went to the Treasurer, and he said: "The responsibility for per capita grants rests with the Minister of Intergovernmental Affairs. Accordingly, I am deferring to my colleague, the Hon. Thomas Wells, to deal with your query." It seemed everyone was deferring the matter to the Minister of Intergovernmental Affairs. That's great, we thought; we will get down to the man who makes the decisions.

We went to the Minister of Intergovernmental Affairs, and he said: "The enriched grant for regional municipalities was introduced some years ago in order to take account of the startup costs of regional forces and the responsibility which those forces were absorbing from the OPP, both in terms of rural policing and general police administration."

I want to inject here that some municipalities are so burdened with police funding that they are considering turning the policing back to the Ontario Provincial Police. I think it best that the government give these municipalities equal funding before this happens or more work will be put on the already limited OPP force.

As to startup costs, surely every municipality has startup costs, but the government seems to be saying by giving regions more that it costs more to police a region than it does a town. I do not agree. Policing is

policing wherever it is, and a per capita amount seems to be a logical way of funding. But it must be the same for all municipalities.

I will finish with a quotation from the Minister of Intergovernmental Affairs' letter. He says: "A number of municipalities have, together with the Association of Municipalities of Ontario, now asked that the regional grant rate be extended to all municipalities providing police services. The government is reviewing the issue to see whether a change in the grant would be appropriate in light of the present conditions and what other option might be available with respect to policing in smaller towns. However, in the meantime, I have indicated that the existing grant rates will continue at the current level until at least the end of 1980."

How long does it take to decide whether it is appropriate? I have been saying for the past four years that the funding is not appropriate the way it is, and I have been prompted by the municipalities out there. This is a resolution I have from the town of Palmerston:

"Whereas the government for the province of Ontario, to create regional police forces, increased the per capita grant for policing to regional municipalities; and whereas regional municipalities have a much higher and wider tax base on which to levy costs of policing, and we feel this type of funding is very unfair and we can see no justification for it; and at a meeting with the Hon. Roy McMurtry, Solicitor General for the province of Ontario, he agreed with this statement; now, therefore, be it resolved that the council of the corporation of the town of Palmerston hereby requests the government for the province of Ontario to increase the per capita grant for policing to municipalities having their own police force to the same rate of per capita grant for policing as that received by regional municipalities."

The Solicitor General tells me no legislation is required—only a change in policy and regulation. Surely, if this House passes this resolution today, that will be review enough and the decision will be made for the government. It can proceed to send the increased funding to those nonregional municipalities to allow them to keep the laws of this land upheld and to keep peace and order in all parts of Ontario with no discrimination in funding which could make it otherwise.

Mr. Foulds: Mr. Speaker, I rise in support of the resolution. At least for the members of my party, it is a unanimous support

of the resolution by those present in the House at the moment.

There are a number of reasons why I rise to support the resolution. They fall into two categories. One is that I am very pleased the member has brought forward the resolution in terms of principle. I am also very pleased because it gives me a platform on which to discuss a particular interest that I have with regard to my own municipality, the city of Thunder Bay.

For the moment, I want to talk about the principle involved. Surely the principle is that it costs so much per capita to police an area just in straight, logical terms. If the grant is a per capita grant, then it should apply no matter what the district being administered is—regional, one-tier municipality, village or what have you. Presumably that is worked out in the establishment of the per capita grant, and so I think the principle involved is a good one.

4:10 p.m.

If I may get into the second part of my discourse, I think Thunder Bay provides an important example of the disparity. Presumably the reasons that gave rise to regional municipalities having a larger grant had to do with larger responsibilities. Thunder Bay happened to be one of those municipalities that did not become a regional municipality in name but did so in fact.

The former cities of Port Arthur and Fort William, along with two rural municipalities or parts thereof, were amalgamated to create Thunder Bay. Instead of becoming a two-tier level of government, it decided, for good reason, to become a one-tier level of government. That made a lot of sense and might have made a lot of sense in other areas where regional government developed, because it has led to streamlining of administration. We are celebrating our 10th year as an amalgamated municipality. Some of the frictions caused 10 years ago have dissipated and the municipality is working well. If I may get in a plug, we are celebrating a very fine 10th anniversary this year in which all members are invited to participate.

The municipality received no startup grants for police services at a transitional stage, at the beginning, as did regional municipalities. Nor does it receive the extra grant at the present time. It has suffered in two ways: because it did not receive any startup grants and because on an operational basis it receives the lowest of the grants, \$10 instead of \$15.

I will get to the Minister of Northern Affairs (Mr. Bernier) in a moment, because

I know he is very sympathetic to the underpaid position, which has been put to him on a number of occasions. The Solicitor General is sympathetic to the municipality. Both the municipality and the elected representatives in that municipality recognize that fully. For the edification of other members, I want to give a few statistics in terms of the back-ground.

In 1970, in the newly amalgamated city of Thunder Bay, the former police departments of Port Arthur and Fort William joined to form the Thunder Bay police force, adding to their area of jurisdiction large portions of McIntyre and Neebing, which were formerly policed by the Ontario Provincial Police. They increased their territory 156 per cent when those two rural areas were added; there was an extra 156 per cent of territory to be policed.

As well, the municipalities improved the quality of the policing. Instead of the OPP policing on a demand-call basis, they have upgraded service to a regular patrol for various reasons, including expansion of the municipality into that area. There is a planned, systematic, around-the-clock patrol, and I must say it is handled extremely well. It is important to recognize that the present police force in Thunder Bay has accepted the additional responsibility and done it, I may say with some pride, extremely well. But they have done it at some disadvantage.

The regionalization of other police forces in the province took place following the amalgamation of Thunder Bay, and the 1972 system of grants for policing began to show disparity between municipal and regional police forces. Presumably that was to offset the cost of taking over areas formerly policed by the OPP. The same principle applies in Thunder Bay.

Recently, the Ontario Police Commission did a report on the Thunder Bay police, a very good report which was finally made public, to the satisfaction of all parties. They recommended that a joint, centralized police station be established for a whole host of reasons I will not go into. One has to do with the morale of the police force and one has to do with providing better service. In a municipality of that size, the two divided police headquarters do not seem to work properly.

The equalization of the grants would go a long way to solving the problem in Thunder Bay. To give an example, if Thunder Bay from the beginning, in 1972, had been awarded the grants on the basis of regional police forces instead of on the basis of the city rate, it would have had an addi-

tional \$3,097,000 over the past seven years. That is just about the amount of money it needs from the provincial government in assistance for the new police headquarters. As I said, I know they have been in contact with the Solicitor General (Mr. McMurtry) and the Minister of Northern Affairs (Mr. Bernier), who has been extremely sympathetic, and they are very grateful for that.

I know there are some problems that need to be worked out, but I would urge all government members, as well as members on this side, to support this principle. I think the working out will be a lot easier. I know my good friend the member for Fort William (Mr. Hennessy) associates himself with and supports the city council resolution asking for the implementation of the equalization of the grants for the city of Thunder Bay.

I do not have time to quote from all of the documents and letters I have. The Minister of Intergovernmental Affairs (Mr. Wells), who seems to be the goat some people want to single out, has had some second thoughts. I want to quote from a letter he wrote to the municipality of Thunder Bay. In effect, he says, "too bad for the present." I won't read the five paragraphs that say that, but I think there is some hope, because in the second last paragraph of his letter he says: "I do not wish to deny that there is evidence that the gaps in police costs between the regional municipalities maintaining upper-tier forces and other kinds of municipalities has been narrowing recently."

In other words, he recognizes that the costs are becoming the same and probably always have been the same. He goes on: "The province is aware of this growing concern among many municipalities and is reviewing the present differential in the police component of the unconditional grant. The necessary province-wide analysis is complex because of problems of cost comparison and will simply not be available in time for any changes in present funding arrangements until at least the end of 1980.

"You may be assured, however, that the needs of the city of Thunder Bay in comparison to other municipalities will certainly be taken into consideration in the current review of the police grant."

I would urge the government, as a result of this resolution, to get on with that review and have it completed so that at least for next year's municipal grants the principle embodied in this resolution can be adopted. It is important, as we have heard from members on all sides, not merely for a

municipality like Thunder Bay—although I think that is probably one of the most dramatic examples—but for all single-tier municipalities.

That gets me on to the final point I would like to make, which I think is important. I have never been known—and I don't quite know how to phrase it—as one of those tough, mean, Claire Hoy type of law-and-order men, but I have enormous respect for police forces in this day and age. It is not so much that we need to throw in a lot of extra money to solve the problem, but we do need to give extra money so that in this day and age the different kinds of policing and the more complex kinds of policing that are necessary, even in one-tier municipalities, are adequately funded, not for the benefit of the police so much, but for the benefit of the citizens as a whole.

**Mr. Hodgson:** Mr. Speaker, I am going to be the devil's advocate in this debate. I cannot support the resolution by the member for Victoria-Haliburton. I will try in the few minutes I have to give justification for the difference in grants between the local municipalities and regional governments.

I notice that everybody who spoke for the resolution does not live in a region. It is a motherhood resolution. I could support it too if I were not in a region.

4:20 p.m.

As members of this House will know, it was the wisdom of the government of Ontario to form regional governments. Regional governments were formed in areas where there were growth problems. Our economy began to boom in the 1950s and 1960s, and many people moved to the areas around the cities. People moved to towns and villages which could not afford to pay for the services that the average Ontarian had come to expect.

Many of the municipal units were too small and became suburbs. Urban sprawl made a mockery of their boundaries. I participated in this progress, because I was a navigator of regional government, particularly in York. The basic goal was local government. We succeeded in getting it. It was a thorough overhaul of the municipal system.

All the problems have not disappeared. But the regional system is working. It has proved to be an effective way to handle growth. Along with population growth come big-city problems: more crime, more traffic control offences and more family discord. The regional police forces were set up with this in mind.

Unlike municipalities in outlying areas, the new regional governments were not going to rely on much help from the Ontario Provincial Police. In fact, they do not get any help from the OPP, except control of the provincial highways.

The idea of the per capita grant was that the regions were setting up full service for police forces, just like the people who moved from the larger centres were getting and would expect in the new areas. Obviously they need all kinds of resources the smaller municipalities get from the OPP. I do not think anybody in this Legislature can deny that the smaller police forces get a lot of help from the OPP. Some, in fact, get all their policing with very little cost at all.

I would say to the mover of the resolution that is one thing that should be worked out. They all should pay for the services they receive, in the same amount, as far as the smaller municipalities and the larger ones are concerned.

**Mr. Eakins:** They're paying for their own forces as well as for the OPP.

**Mr. Hodgson:** Some are not paying for their own force. They are getting OPP assistance. The member should come to me afterwards, and I will show him a couple that are getting it for very little cost.

**Mr. Eakins:** Let the member come to me and I will show him his own government's report that has not been tabled yet.

**Mr. Hodgson:** There is still a need for a higher per capita grant for regional police forces.

The region of York's budget for 1980 will be \$11 million, and they receive \$3 million in grants. From the report, the member says they were getting as much as 34 per cent grant. For York, it comes to between 25 per cent and 26 per cent. Depending on the size of the population of the region, I would say they were getting as much as 34 per cent. I know they do a good police job.

Basically this is because of the regional need for bigger forces. Regional municipalities cover large urban centres, small towns, villages and large rural areas. All these extremes require police protection. To provide this service, regional forces must spend more for cars, trucks, motorcycles, boats and snowmobiles. They require other types of equipment as well.

They have larger fleets of all these vehicles. They have higher costs for maintenance. They need to spend more on gas and oil for long trips, tires and extra equipment, such as roof lights, fender lights, safety flares, fire extin-

guishers—which all cost more. Also, the regional forces cover very large areas. Their size means that higher mileage figures are logged on the patrol vehicles. This means more frequent purchase of patrol vehicles.

The size and scope of the regional municipalities makes policing expensive in other ways. A reliable communications system is necessary for every police force. In a large regional municipality this may mean installing more than one radio tower. A better grade of radio is required in the patrol vehicles in the large areas. It costs more to obtain these. It also costs more to install them in new cars, motorcycles and other vehicles. Changeover costs are very high.

Telephone communications are a big item in regional police budgets. Telephone communications have to cover a lot more external lines. There are several buildings scattered over a large area and they have to be joined by extensions.

When the regions were formed, municipalities transferred buildings to the new regional government. Once people realized this was happening, spending on replacement and maintenance had a natural tendency to stop. This resulted in increased startup costs, for the new governments needed to bring the buildings up to an acceptable standard.

This was a real justification for increased per capita grant costs for regional forces, and remains one today. Many of the buildings of the regional forces were old. Also, many were poorly located for regional needs. Regional forces have found that to provide good service, they have to rebuild at better locations. For the fast patrol service, police have to be stationed at various points in the region, and it costs more for these buildings. They do permit some reduction in man-hours, however.

These centralized buildings also make it more convenient for people to get to police stations. This is necessary to recover stolen or lost property and to get firearm certificates and things of that sort.

Increasing the nonregional rate from the present \$10 per person would cause massive pressure to increase the regional rate. These forces are still building up to the level they need. They are in growing communities which need growing police services.

As I said at the start, I have not heard anyone on our side of the House or on that side of the House who lives in a region say the region does not need this extra money. It is a motherhood resolution, but the regions will need the high grants for some time to come.

**Mr. J. Reed:** Mr. Speaker, I will be brief. I want to speak in support of this resolution because I am from an area with a region. I want to point out to the government that, according to the former Treasurer, Mr. McKeough, who has now departed from this House, the main reason the regional system was set up in the first place was for improved efficiency.

I can remember debating this issue as far back as 1970, long before my days in politics, when the regional idea was being promoted by members of the government. One of the key points made by those members time and time again was that regional government was to be more efficient than municipal government. It is incredible that the system of perks and advantages is being carried on to this day, long after regional government was implemented, and a long time after the transfer and startup costs and so on were—

**Mr. Hodgson:** Are you advocating that we cut down on some of the regional grants?

**Mr. J. Reed:** Mr. Speaker, the honourable member must understand that as long as the discrepancy continues, as long as the differential continues between the municipal system as we have it and the regional system, it is a continuing admission of the failure of the regional idea. It is a continuing admission of failure.

4:30 p.m.

When one sees the economic advantages given to the regional system and then sees the regional system's costs escalate way over and above the costs of doing municipal business in the municipalities which did not adopt regional government, one can only conclude that the efficiencies so widely touted and advertised when regional government was pushed down our throats in Halton have not materialized. Because those things are continued today, it is apparent to the government they are not going to materialize.

We are dealing with at least one municipality in our region that has had a tax increase this year of 21 per cent. That is under this so-called efficient regional system. If the government wanted to put in money where its mouth is in this kind of thing, at least it would put the municipalities on equal footing with the regional system and allow the true economics to show through, rather than continuing this façade that has been going on all these years.

It is time we got a true equalized picture; so I urge every member of the House to support this resolution, on the understanding that until this financial equalization takes place, not only with the police forces but

also in all the other areas, it will be a continuing admission of failure on the part of the government to make anything out of regional government.

Mr. O'Neil: Mr. Speaker, I rise in support of this resolution. I know the member for Victoria-Haliburton has a riding much the same as my own. In my case, I speak mainly of the two larger municipalities, the city of Belleville and the town of Trenton, which have two of the best police forces in Ontario.

At a time of restraint when grants have been cut back by the provincial government, I know it is very difficult for the police forces to get the funds they require to run an adequate police force. They are under restraint because of the increased taxes that municipal taxpayers are forced to pay. Therefore, when we have councils cutting back on the money going to them, it sometimes makes it very difficult.

I know the difference in percentage between what is paid out to the regions and what is paid out to municipalities. If we were able to get additional funds for towns and cities such as this, it would mean they would possibly have a couple more constables or another car for patrol. In these two municipalities particularly, the work load is very heavy. Having to cover 24 hours with the restricted amount of manpower and equipment they have makes it very difficult.

I rise in support of this resolution. I hope all members on all sides of the House will support the resolution of the member for Victoria-Haliburton so that things will be more equitable for some of the smaller municipalities that do not have regional government.

Mr. Eakins: Mr. Speaker, in summing up, I would like to take the opportunity to express my appreciation to all who participated in the debate, and especially to those who spoke in favour of this resolution.

I feel this is an appropriate time to impress upon government the needs of those municipalities that have their own police forces and are not receiving the same funding as the police forces under regional government in Ontario.

I appreciate the comments of the member for Wellington-Dufferin-Peel (Mr. J. Johnson), as one who has served in municipal office. He has certainly caught the spirit and the needs of the municipal people and municipal councils in trying to operate a first-class police force without having sufficient funding to do so.

The member for Port Arthur (Mr. Foulds) has pointed out very well the fact that his

municipality, if any in Ontario, is perhaps taking a hosing when it comes to the equalization of grants. I well remember when the municipalities came together. They formed what might be termed a region in this part of Ontario. Because they did not have the name of a region or were not referred to as a region, they received no startup grants. At the present time, they are still receiving only the \$10 grant from the government rather than the \$15. I was delighted the Minister of Northern Affairs (Mr. Bernier) was in the House. I hope he and his colleagues will look into these inequities.

In closing, I want to urge the members of the Conservative Party in the government to press the Solicitor General (Mr. McMurtry) to make public and table in the House The Report of the Special Consultant on Police and Other Services to the Administration of Justice in Ontario—a report which was commissioned on July 20, 1977, and which was completed and released to the ministry on October 8, 1978.

This report proposes some sweeping changes as far as policing in Ontario is concerned. Until this report is tabled in the House and until we have discussion on it, we are not going to see equal opportunity for the small municipal police forces and the city police forces in this province.

I urge all members to support this resolution, and I impress upon the government the need for reform.

#### UNIVERSAL POLITICAL RIGHTS

Mr. Renwick moved resolution 24:

That this assembly request the select committee on the Ombudsman to consult with the United Nations Commission on Human Rights, Amnesty International and the International Commission of Jurists and others, if advisable, with a view to reporting to this assembly on ways in which this assembly may act to make its voice heard against political killings, imprisonment, terror and torture.

Mr. Renwick: Mr. Speaker, I rise to speak to this resolution mainly and principally to share with the members of the assembly my sense of impotence and frustration about the inability I have to participate or be seen to participate in some small way in dealing with the question of the violation in many countries of the world, and not necessarily always excluding our own, of the political rights of individuals.

First of all, I want to emphasize that in my resolution I am speaking about the fact that this assembly may act to make its voice



heard against political killings, political imprisonment, political terror and political torture. The connotation of my remarks is basically within that framework.

Let me make very clear to this assembly that totally distant from my mind and having nothing to do with the reasons I put the resolution on the Order Paper was the intention to raise any questions about the right of this assembly to participate in international affairs; nor have I given any thought whatsoever to its being some other version of constitutionality. That has nothing to do with the kind of suggestion I put gently on the Order Paper about this matter. In other words, I am not asking for any specific action. I am not asking that the select committee on the Ombudsman travel abroad and get involved in something called international affairs.

4:40 p.m.

What I am only saying and asking is that this assembly support the resolution to say to the committee which appeared to me to be the obvious one—the select committee on the Ombudsman—will it perhaps take a look at what Amnesty International does, will it perhaps take a look at what the International Commission of Jurists does and will it perhaps, in whatever way it sees fit, look at the work of the United Nations Commission on Human Rights to see whether in some small way, divorced entirely from political considerations and from any suggestion about us playing a role on the international scene, we can do some small thing as an assembly to indicate our support for the work of those organizations and to be able to say: “Yes, we are concerned.”

I make that very careful caveat, because it would be so far removed from my intention if this matter were to be dealt with by this assembly saying: “Oh, it’s the member for Riverdale wanting somehow or other to take some role in international relations, in international affairs, for the Ontario assembly.” It is not that at all. It is related solely to our concern as individuals elected into an assembly on a representative basis, dealing in a democratic society with items which come to our attention of significant violations of individual political rights in other jurisdictions, and to see whether in that framework, in some small way, we can associate ourselves with the aims and objectives of those organizations.

One of the other ways I want to deal with this topic, in expressing the frustration and concern I have, is my concern that in the kind of world in which we live, the media

one way or another brings to our attention in a very dominating way, almost as a single issue matter, for a limited period of public attention, matters of the utmost concern in basic human rights and basic political rights. Then they disappear from the scene and something else takes its place. It is almost as if there is a rhythm to the public attention span that the media grants to us. We all know examples of it.

How does one cope in an assembly when for a period of time front and centre in the news media is the destruction of the people in Cambodia? To be superseded then by what? The tragedy and plight of the Vietnamese boat people. To be superseded by what? The tragedy involved in the hostage taking in Iran. It is an interesting sidelight that since the failure of the so-called rescue mission of the United States government, we very seldom see anything about the hostages in Iran who were totally preoccupying the public media. But the hostages in Iran are still hostages. They are still suffering the identical deprivation of liberty for political reasons, through no fault of their own, now as they were three weeks ago, but who reads about it now?

I think the point is very clear. I think all of us will say the events that call forward this media response outlast the span of public attention. We are a continuing body; the events are continuing events. Can we make some connection in some way? I have used the group disasters as an example, but in a very real sense my resolution is directed towards cases of political oppression of individuals because they have attempted to exercise their political rights.

I want to talk briefly about the three institutions I happen to refer to in my resolution so we can see what role they play and what, if anything, we can do to assist them.

Amnesty International is an organization that was founded in 1961 on the individual initiative of a barrister in the United Kingdom. It was only to be a one-year project, but the response was so great that over a period of time it became a continuing body and has served a very valuable purpose. So much so that in 1977 Amnesty International was awarded the Nobel Peace Prize for its work in proclaiming 1977 as Prisoner of Conscience Year. This was in respect of people detained anywhere for their beliefs, colour, ethnic origin, religion or language, provided they have neither used nor advocated violence. The citation commended Amnesty International for having given practical, humanitarian and impartial support to

people imprisoned because of their social, religious or political beliefs.

That organization, in a very short time, has intervened on behalf of some 15,000 individuals who have been imprisoned in one way or another because of their political beliefs and because of their fundamental opposition in many cases to the political oppression in the countries in which they live. Amnesty International has been of great assistance in achieving the release of upwards of at least 50 per cent of those on whose behalf they have intervened.

Amnesty International is very much an individual membership organization, but it also has national sections, of which Canada is one. By the end of the last decade it had a membership of some 180,000 people distributed in more than 100 countries. Of course, Amnesty International has here a Canadian section—many of us are members of that Canadian section—and it publishes regularly a bulletin about the very matters of which I am concerned.

By coincidence this matter is being debated in the assembly today, and the annual general meeting of the Canadian section of Amnesty International will take place tomorrow and the next day in Sackville, New Brunswick. It did seem to me, fortuitous as that may be, if this resolution were passed it would be helpful and a very real incentive and support for the work of the Canadian section of Amnesty International and for the work of the whole of that organization if we could send to them a notice that this assembly had passed this resolution.

The other organization is the International Commission of Jurists, and the Canadian section has had some very eminent Canadians involved in it. The late Hon. Justice Joseph Thorson was for many years the president of the Canadian section of the International Commission of Jurists. It has a connection through to the United Nations of which it is very proud. It was founded in Switzerland in 1952, I think, and it is an organization primarily related to the law respecting individual rights and the rule of law throughout the world. It sends missions to various countries to talk about specific matters and to make reports on specific matters.

There are men sitting on that International Commission of Jurists of the highest standing. I think of Haim Cohn, who sits on the Supreme Court of Israel. I think of John Humphrey, who is a Canadian representative who has served for many years in that role. There are any number of persons who sit on the International Commission of Jurists who

have a very real role to play in trying to protect and extend respect for the political rights and the rule of law of individuals throughout the world.

4:50 p.m.

Again, its mode of operation is simply to send observers, to make inquiries and to issue reports. One of its major regular publications is *The Review*, published quarterly by the jurists. It deals with a number of very significant matters, not the least of which is related strangely enough to the statistical information made available by the Provincial Secretary for Justice and the Minister of Correctional Services (Mr. Walker) related to detention prior to trial in Ontario and all the aspects of that problem. It is interesting to note that one of the major articles in the latest issue of *The Review* of the International Commission of Jurists discusses pre-trial detention in western Europe. It covers the procedures, the numbers and the reasons for pre-trial detention in the major western countries, including the United Kingdom.

I want to ask the assembly to share my concern. I want to ask the assembly to approve of the resolution. I want to emphasize I have no idea that we are going to make a great mark in the world in protecting individuals. I have no illusions about the magnitude of the problem and the difficulty of anybody adequately affecting and protecting individual rights on the scale to which those rights are entitled throughout the world. I do think, in a strange way, that a democratic assembly which owes its existence to a tradition of individual freedom, individual liberty and individual rights on behalf of the society which it represents may in some small way be able, through one of its committees, to come back to the assembly and say there are one or two things this assembly can do on a totally non-partisan basis and as a representative group without any intention of playing any great role.

They can indicate, for example, an expression of support for the work of those organizations. They can express, if they wish to, that perhaps every year in this assembly we would appoint one or two people to attend the annual general meeting of the Canadian section of Amnesty International and the International Commission of Jurists when it meets in Canada.

It may show some visible interest and support for the work. It may even be, considering the number of organizations of one kind or another to which we contribute on occasion, that right out of the funds available to this assembly—not the funds available to



the government ministry, but out of the funds available to this assembly—we might make a contribution to the support of the work of those bodies.

It may well be that on a continuing basis, the select committee on the Ombudsman, if that is the proper committee and the proper way to deal with it, would say, this assembly will this month write on behalf of a particular prisoner detained for political reasons in his own country to see whether we can contribute in some small way to his release from incarceration.

Let me plead with my colleagues in the assembly not to confuse my request with any suggestion that we are involved in, or that I want in any way to involve us in, something called external affairs, international affairs, or any of those matters. I am just asking that we, as a representative assembly of individuals in a democratic society, decide on one, two, three or four things we can do on a continuing basis to support in legitimate cases the rights of individuals detained for political reasons in other countries.

I think we can do that. I think we can do it in a way that will not interfere with the relationship Canada must have with foreign governments. I think we can do it on the basis of humanitarian concern. I think we can do it with adequate consultation so that we do not infringe on international affairs but act in a way that makes sense.

It did appear to me that if the select committee on the Ombudsman were to consult with the Canadian section of Amnesty International, the Canadian section of the International Commission of Jurists and go through, say, the Canadian ambassador to the United Nations to representative persons in the United Nations Commission on Human Rights, it just may be they could report back and say, "Yes, there are two, three or four small things which we in a small way can do on a continuing basis to deal with this kind of problem."

Mr. Speaker, you will note I have not attempted, and there was no need for me in an assembly like this, to regale the assembly with particular incidents. We are all aware of them and we hear about them regularly. They appear in the press. They have their fashions. One of the matters of utmost concern to me is that they become fashionable for a period and then the detention of the person continues and the isolation of the person continues, but it passes out of our minds. We have some claim to continuity here. It may be in that continuous way we can assert our interest in, our concern for

and our support of the kinds of institutions which are involved.

I am quite sure many members of the assembly receive the same Bulletin of Amnesty International and the same Review of the International Commission of Jurists, but the topics in any one very clearly illustrate the immensity of my personal concern and the sense of frustration I have.

I suppose if Clausewitz was right and war is the continuation of politics by other means, perhaps in a way I spent some short time incarcerated for something called political beliefs. I have some knowledge of the kind of isolation involved. It is basically within that framework of a very personal plea to the assembly I would ask that this resolution in that limited way be adopted by the House.

**Hon. Mr. Grossman:** Mr. Speaker, I have looked forward to my participation in today's debate. I welcome the initiative taken by the member for Riverdale. I must begin by saying I have one or two reservations, but essentially I support the thrust of what he has proposed.

To deal quickly with my reservations, first, I am not sure whether the select committee on the Ombudsman is the proper vehicle for making these inquiries and reporting to the House. At the same time, I cannot suggest a different or other mechanism which may be as effective as that committee.

Second, I must say I can see the day down the road when members of this assembly will perhaps sadly be called on in a rather repetitive fashion as a group to join behind a resolution or proposal brought to add some pressure to the lobbies and forces against the political imprisonment, killings and terrorists' acts the member refers to.

It has dawned upon me that some of the most meaningful and touching moments I spent in political life have been those which have centred on some of the demonstrations supporting the causes of political prisoners. Some of the best moments have come from the thoughts of individual legislators whose consciences have been pricked and challenged by the particularly outrageous nature of the case in question.

5 p.m.

In a sense, I worry about the institutionalization of some of these very important personal matters. I say they are personal matters, because when we develop institutional responses we fail to grasp the full meaning and implications of the cause we are supporting. All of us in this assembly on occasion have been caught up in a rather

mechanical exercise, perhaps not on civil rights matters but on other matters, where we have truly voted without a complete and full understanding of the nature of what was being undertaken. If there is any area in which we must have that full and complete understanding, if for no other reason than to develop the proper degree of outrage over what we are talking about, it is surely the area brought to the fore by this resolution.

Of course, marshalling the resources of this assembly may or may not move mountains in those countries where these political violations are being perpetrated. It would be far more effective if the members of this assembly, individually as members of their own communities, were able and willing to play leading roles and had the capacity, drive and initiative to play leading roles in mobilizing public support throughout this nation and throughout this province in protesting against the very things this resolution asks this assembly to do in a rather institutional way.

None the less, those are simply my reservations. I think the latter reservation I have raised goes to the heart and core of what we are talking about.

I do support this resolution, though, because in broad terms it reinforces for us as legislators, individually or collectively, the need to be involved in those matters in nations far removed from ours, thousands of miles away in some cases, and to get involved in the violations of civil rights occurring there.

My grandparents fled from Poland in the first 10 years of this century, sensing somehow that some great disaster would befall those of the Jewish faith later in this century. They did not fully understand the real danger of that, but made enormous sacrifices without the benefit of any sort of public support or outrage, or of any political support overseas that might have helped that thrust. They simply came across in about 1908 or 1909 in the bottom of cattle boats to start a new life here, free from persecution. Little did they understand what awaited those who stayed behind, who did not quite have the wherewithal to make that adventure in the early part of the 20th century.

Yet we find, incredibly, 20 or 30 years later, when these matters were truly in the forefront of international politics, on the front pages of the newspapers, there was still the sense that the problem was far removed. I suppose it was in 1939 the ship, *The St. Louis*, was turned away from Canadian and other shores with many hundreds of Jews

who subsequently were to go to their deaths on that very same ship.

Why? Because the problem was not up front; it was not on the main streets of our cities and towns. They were essentially left on their own and eventually perished. Here we had an incident on the very borders of our country.

Happily, things seem to have changed. They have changed to the degree to which, today, we are in a position where the Chinese-Vietnamese refugees are taken in in very large numbers. Yet, let us be honest, there is not a true sense of outrage at the slaughter occurring in that part of the world.

Like the member for Riverdale (Mr. Renwick), I feel there is no point in my standing here and making a list of all the outrages and violations. The ones we see and the ones we talk about, even the ones I have referred to, are just the absolutely obvious ones. They are not the ones occurring in at least equal numbers, unseen to us. For every Scharansky and Nudel, for every Ginzburg and Moroz, the latter two having been saved by international pressure, there are hundreds of thousands behind them who do not have the luxury—if one can even believe the use of the word—of having some degree of free world support for the causes they are leading, some free world support to get them out of their internal exile, their internal imprisonment, their internal torture.

As the member for Riverdale also pointed out, when we do get involved on an individual basis, too often we are down there in front of a mass gathering, a rally, to give some assistance, and yet we tend to focus on a single individual. What we forget too often is that the individuals we are trying to free, the Scharanskys or the Ginzburgs, are the focal point of our activity not for themselves but because they are involved in speaking for hundreds of thousands of others who stayed behind when they, in the case of Ginzburg, are let out simply to put the issue on the back burner in the democracies of North America for a period of months.

We do have a history—let's face it—of forgetting those who are left behind when the Ginzburgs come out. Anything we can do as individual members, or collectively, to continue to focus on the hundreds of thousands left behind, I think is important.

I also thought, in looking at the resolution, that those of us in this forum, as elected members, ought to be sensitive to a full and complete definition of those acts of political imprisonment, those acts that deny those in other countries their full freedoms, and draw as broad a definition as we can

around those kinds of activities which we should be concerned about, individually or collectively.

I think of the millions throughout this world who truly do not have, for example, the right to full and complete information. The right to full and complete information is almost as important as many of the other things we talk about, because without that access to information, without the right to know about international concerns, international pressures, rights, privileges, even duties and responsibilities, no citizen can properly measure the degree to which he or she has civil rights and human rights.

Without the right to information, one is severely handicapped and truly not free. It is almost as important, surely, as the right to habeas corpus.

**Mr. Deputy Speaker:** The honourable member's time has now expired.

**Hon. Mr. Grossman:** Mr. Speaker, in closing, may I say that these and other rights, a full and complete outline of what we mean by political imprisonment and protection of human rights, should also be considered in the light of this resolution, as we discuss the alternatives laid before this House quite fairly and openly and properly by this resolution.

**Mr. Nixon:** Mr. Speaker, I have the impression that there is probably more political imprisonment, killing and torture going on in the world today on a regular, almost accepted basis, than there has been at any time in history.

I believe the previous speaker is perhaps entirely too optimistic. I sensed that he said in his comments that the world is getting better in that regard. I do not believe it. I think it is getting worse.

I think there are more totalitarian governments which undertake a modern, professional approach to punishment and eliciting information by torture than ever before. I regret that, and I am appalled by it, along with everyone else.

At that point I part company from the two previous speakers. I have seen them both in public print and on television, very properly as individuals, expressing their views to other interested citizens in a most compelling and useful way. I have seen their names in large, important and imposing advertisements, along with citizens from every walk of life, indicating their commitment to the ending of the suffering of individuals and in support of causes which cut well beyond any sort of partisan lines and which fade into complete insignificance in a topic such as this.

5:10 p.m.

I do not agree, however, that this House formally constituted has a role to play that is significant. It may ease our consciences to come forward with a resolution and feel that at least we have done something. I personally do not believe that something is anything. In situations such as this there are local, national and international organizations that are fully accepted and crying for the kind of assistance and leadership that we, as individuals, can proffer. The fact that we are elected members of this chamber in many respects makes our influence as individuals greater rather than less.

I personally do not favour this House expressing its views on matters beyond its jurisdiction. We have done this more and more frequently. Perhaps the first occasion that I remember was a debate and a resolution passed in support of the starving natives of Biafra. No one can question that the situation was appalling. We, as individuals, had expressed views and the fact that the Legislature took a stand might have been a bit of a sop to our own consciences, but I do not believe it had any significant, measurable, discernible influence in the unfolding of the universe beyond that. We have clear responsibilities here. It may be frustrating for many of us that that restricts us from imposing our views by our majority vote on events that we see in the universe that we would like to change.

My view is very simple. It is that the Legislature should not concern itself with these important matters. Other jurisdictions may, but the solution lies with the role of the individual and the commitment of the individual in support of organizations, or as an individual, in alleviating the circumstances.

I do not have to protest to anyone my abhorrence for what is described in the resolution, but from consistency, as I see it, I can only express that view as an individual and not support the motion as a member of this assembly.

**Mr. Lawlor:** Mr. Speaker, as chairman of the committee that is to be deputed with this task, I want to say immediately that I am not speaking in that capacity. I observe a magnificent neutrality with respect to it. However, I do believe that I am entitled, like anyone else, to speak as a member of the House on a matter of this kind. I will personally support the resolution and not just because the member for Riverdale (Mr. Renwick) happens to be a colleague of mine.

My feeling is that every one of us has a responsibility well beyond our borders. Each

of us is a citizen of the world and we cannot blind ourselves, either individually or corporately as a body, to the numerous savageries, holocausts, genocides, unjust imprisonments, governmental crimes and denial of human dignities and rights that go on all around us.

As fas as we are concerned, there is no forum here to do so. There is no mode of handling these matters except, on occasion, on an ad hoc basis as when the member for St. George (Mrs. Campbell), rightly exercised over the Armenian situation, introduces a resolution in the House and it is discussed.

I remember a previous debate here on the Biafra issue. It was again an isolated instance of coming to confrontation and facing world problems outside the tiny domain in which we bask over against the terrors of the year 2000.

It falls outside all jurisdictions. I do not think the federal government gives much attention to this, except on occasion with respect to notorious cases when petitions or what not are made to the Minister of State for External Affairs, touching a particular prisoner or a particular condition. The tendency of External Affairs is to shy away, as we appear, at least as the last speaker appears, to shy away from accepting that kind of responsibility. If the federal government has the responsibility it is not much exercised.

Also in this context I think of a reformed constitution in this country, invariably, and on all sides, with respect to the proposals that there be extended powers, limited but extended, over against the present situation of the provincial government vis-à-vis international affairs and our location and dealings with other countries. It is certainly a primal factor and I believe that must come to pass, just to legitimate what is going on at the present time, not only with Quebec but also with Ontario in its various houses abroad and its constitution. It does not fall within the strict terms of the otiose British North America Act.

That would be another consideration that would take place. I am a little hesitant to speak in this matter, because I intend shortly to bring before the House another area of responsibility that particular committee might very well consider having to do with petitions coming from citizenry to the Speaker, to the House, et cetera, which seem to get lost thereafter. This would exclude petitions addressed against the Ombudsman himself, which I do not think should fall within our jurisdiction, because we are fundamentally protective of the office. If there is a mesal-

liance there, we will deal with it in regular course of duties.

Excluding petitions of that particular kind, perhaps the select committee on the Ombudsman would address itself to, and be given in due course, a mandate with respect to that area to hear delegations and to give the citizen the voice he is really very deeply denied as things stand at present, extending our concept of democracy.

I am speaking as an individual, but we on the committee are not proud and we are not not proud; we are both and we are neither. If this particular task were given to us, it would not shake the foundations of this place or even our foundations. The committee does not lust for either power or an increased work load. We are such an efficient bunch that we handle our business adroitly, quickly and dispose of it, and I suppose, for reasons of our high quality, we could perhaps consider another task if this House were disposed to give it to us.

In any case, I see it as a legitimate task, a task which no one else seems to perform. It somewhat broadens the imagination. I think this is the time with respect to the elements of usurpation or the elements of assuming roles that are not properly conferred upon us.

5:20 p.m.

I would like to quote a little Shakespeare:

But man, proud man,  
Drest in a little brief authority,  
Most ignorant of what's he most assured.  
His glassy essence, like an angry ape,  
Plays such fantastic tricks before high  
heaven

As make the angels weep.

We are not classified in that category; we will not play fantastic tricks. Nevertheless, as citizens of the world we feel we would be prepared. In any event, I am sure the committee would be willing to consider it. In this House, the only recommendation I can make is that, if it passes, it be referred out to some committee, possibly even the Ombudsman committee itself, to determine whether the committee as a selective group as a consensus—and we always have a consensus in that committee; it is an amazing piece of business and totally different from any other assembly around here—would be prepared as a body to accept that particular responsibility as it goes on. There are not all that many members of the committee here today. Although I have spoken to a few of them, I am not sure exactly what their position is, nor would I dream of pre-empting it in any way.

**Mr. Rotenberg:** Mr. Speaker, I would like to thank the member for Riverdale for bringing this matter forward. I think we should be debating it.

We are threatened by acts of cruelty and violence in many areas of the world which affect the people of Canada and of Ontario. The member for Riverdale and the Minister of Industry and Tourism (Mr. Grossman) have dealt mostly with political detention, torture and imprisonment. I want to deal with the one other aspect which no one has dealt with yet in the resolution; that is, terror and the growth of international terrorism. In this debate I would like to highlight some of the problems of international terrorism and some of the things we can possibly do about them.

I would point out that some of this work has already been done. Specifically, there was an international conference on terrorism last July 2 to 5 in Jerusalem. There were some suggestions arising out of that conference about the things that could be done to combat international terrorism and highlighting some of the problems. Some of the papers and quotations of that conference can highlight these things far better than I could. I want to read some of the excerpts from some of the papers there, which will indicate to us just what we are faced with. This was an international conference attended by people from many countries.

First, let me give a definition: "Terrorism is the rejection of politics as the normal means by which communities resolve conflicts. To terrorists, violence is not a political weapon to be used in extremis; it is a substitute for the entire political process.

"The Arab terrorists, the IRA, the Baader-Meinhof gang in Germany, the Red Army in Japan and Italy and elsewhere have never shown any desire to engage in the political process. The notion that violence is a technique of last resort, to be adopted only when other attempts to attain justice has failed, is rejected by them."

Another statement at the opening of the conference was: "Terrorism is not neutral in the political battle. It does not in the long run tend towards anarchy; it tends towards totalitarianism. Terrorism actively, systematically and necessarily assists the spread of the totalitarian state.

"The countries which finance and maintain the international infrastructure of terrorism, which give terrorists refuge and havens, training camps and bases, money, arms and diplomatic support as a matter of deliberate state policy are without exception totali-

tarian states. The governments of all these states are ruled by military and police force. The notion then that terrorism is opposed to repressive forces in society is false. Indeed, it is the reverse of the truth.

"International terrorism, and the various terrorist movements it services, is entirely dependent on the continuing goodwill and the active support of police states. The terrorist is sustained by the totalitarian tank, the torture chamber, the lash and the secret policeman.

"International terrorism," as one of the members has pointed out, "has grown tenfold in the last decade. The critical factor in such growth has been the support given to terrorist organizations by certain states in the form of arms, training, money, sanctuaries, intelligence, diplomacy and propaganda.

"While Arab state support for terrorism is widely known, there has been a curious reticence about the massive evidence of Soviet involvement with terror movements. For a complete understanding of international terror today, it is essential to reveal the nature and full extent of this involvement.

"The facts presented by students of terrorism were buttressed by the statement of two conference participants currently involved in some of the leading intelligence services of the west. Commenting on Soviet involvement in global terrorism, the head of West Germany's anti-terrorist Office for the Protection of the Constitution, Dr. Hans Josef Horchem, said, 'The KGB is engineering international terrorism . . . the examples given by the participants can be proven. Documents are well known in the international western intelligence community.'

"The former chief of Israeli military intelligence, General Shlomo Gazit, stated publicly that the Soviet bloc has had training facilities for Arab terrorists. He said, 'Arab terrorists participated in 50 different military schools and courses, some 40 in the Soviet Union itself.'"

The Canadian Broadcasting Corporation and the US Public Broadcasting Service had a very good program on The Russian Connection. To finalize this point, Zehdi Labib Terzi, the PLO's observer in the UN, told a PBS interviewer in September 1979: "There's no secret about it. Our boys go to the Soviet Union and Socialist countries for military training. We get direct consignments of Soviet weapons, machine guns and explosives."

One of the participants in that conference was a Mr. Brian Crozier, director of the

Institute for The Study of Conflict in London. He said: "Another striking example of indirect Soviet involvement in terrorism came to light with the seizure at Schiphol Airport in Holland in October 1971 of a large consignment of weapons destined for the then anti-Marxist wing of the IRA in a deal negotiated with a Czech agency.

"Libya benefited in 1976 from what appears to be have been the biggest arms deal in history—probably to the order of \$12 billion. Arms in such quantities are of course massively beyond the needs of Qaddafi's armed forces, and the surplus serves, among other things, to feed terrorist groups. Indeed, apart from the IRA, recipients of large-scale shipments of Soviet arms channelled through Libya include the Black September Organization, the Japanese United Red Army, the Popular Front for the Liberation of Palestine, the Arm of the Arab Revolution (Carlos's group) the Baader-Meinhof gang, and terrorist or guerrilla groups in Turkey, Iran, Yemen, Lebanon, Eritrea, Chad, Chile, Uruguay, Nicaragua and the Philippines."

**Mr. Wildman:** Who supplies the arms to the terrorists in South Africa?

**Mr. Rotenberg:** The member for Riverdale started this debate, saying it was to be non-partisan and on a high level. I think we should try to keep it that way.

Jacques Soustelle, a French statesman and scholar said this also about terrorists: "Either spontaneously or through insidious influences from certain circles, an alteration of the vocabulary takes place. The murderers are called 'patriots,' 'freedom fighters,' 'guerrillas.' No hint is given of their brutish cruelty and their cowardly attacks aimed at unarmed civilians, peasants and school children. The very words used to name them provide the terrorists with an aura of heroism. To hide a time bomb in a basket or a bag so that it explodes and kills or maims 20 or 50 innocent passers-by is nothing but one of the lowest forms of wholesale murder. When a group of killers murders a hostage, nine times out of 10 the newspapers announce the victim has been 'executed,' as if it were the result of a sentence under the law, which would be respectable."

I have quoted a number of things from this conference of a year ago. It was well summarized by Senator Henry Jackson of the United States of America. I would like to quote from some of the things he said:

"International terrorism is a modern form of warfare against liberal democracies. The ultimate but seldom-stated goal of these terrorists is to destroy the very fabric of democ-

racy. It is both wrong and foolish for any democratic state to consider international terrorists to be someone else's problem. One of the great coverups of the century is the effort by western governments, who know better, to muffle the facts about Soviet bloc support for international terrorism.

"I do not refer to individual acts of madness."—I am still quoting Senator Jackson—"I am discussing highly organized groups with international connections and support who systematically rely on major acts of violence as political instruments. Such acts of terrorism are part of a broad campaign aimed at the disintegration of democratic societies by undermining the confidence of their citizenry in their governments. International terrorism is a special problem for democracies. To a totalitarian regime like the Soviet Union, it is mainly a nuisance. The government applies whatever force is needed to liquidate the group.

"Terrorism is not a new phenomenon. What is new is the international nature of terrorism. Today's terrorists have modern technology to help them, permitting rapid international communication, travel and the transfer of moneys; they can work with others of like mind across international borders in the world's free nations.

"First and foremost, liberal democracies must acknowledge that international terrorism is a collective problem.

"Second, every free nation must work against Soviet and radical efforts to define away terrorism. The idea that one person's terrorist is another's freedom fighter cannot be sanctioned. Freedom fighters or revolutionaries don't blow up buses containing non-combatants; terrorist murderers do. Freedom fighters don't set out to capture and slaughter school children; terrorist murderers do. Freedom fighters don't assassinate innocent businessmen or hijack and hold hostage innocent men, women and children; terrorist murderers do. It is a disgrace that democracies would allow that treasured word 'freedom' to be associated with the acts of terrorists."

Then Senator Jackson says that the liberal democracies must work together to apply sanctions against countries which provide sanctuary to international terrorism. If the democracies had got together much sooner and stopped hijacking by stopping sanctuary to hijackers, hijacking would have stopped many years ago. It is ironic that the airline pilots, and not the democracies, stopped the hijacking.

These are just some of the remarks that have been made at the conference. I will be



more than happy to provide whatever committee is going to deal with this matter and other material.

5:30 p.m.

The member for Brant-Oxford-Norfolk (Mr. Nixon) has said it is not within the scope of this assembly. I must disagree with him, because we must recognize a problem that is a threat to the very democracy of Canada and a threat to us in Ontario.

What can we do? I support the idea of some committee—maybe not the Ombudsman committee—looking at this. First, we must support the initiatives that are being taken elsewhere in the world, even if it is just moral support. We must urge our federal government to endorse these initiatives. Second, we must educate our public as to the dangers and the threat to us of these international terrorists and the other matters which the member for Riverdale has so rightly pointed out. Possibly something we can do within our jurisdiction is to see that there are courses available in our educational system to alert our young people to the problems. Finally, we must not give credibility and support to international terrorists and those who support them.

I conclude where I began: I commend the member for Riverdale for bringing this motion forward and I will support it.

**Mr. Sweeney:** Mr. Speaker, let me begin by stating my strongest support for any action that may reduce or alleviate the plight of political prisoners. I take this position because of a belief that any such assault on any man or any woman anywhere is an assault on each of us. To the extent that any man or any woman is so diminished, we are all diminished.

I have long taken as my creed the words of Edmund Burke: "The only way evil will ever dominate is if good men do nothing." I say this because so many Ontario citizens feel a sense of helplessness in this matter even though they strongly oppose such persecution. "But what can I do?" is a common cry. Mass political killings in Nazi Germany, in Uganda, in Cambodia, in Vietnam, in Iran have become so grotesque and so unbelievable that our minds have blotted out the reality.

The other side of the same coin is to recognize the loneliness, the isolation and the fear of the individual political prisoners subjected to torture and terror as part of their political imprisonment.

But, thank God, there are groups such as Amnesty International and the International

Commission of Jurists who refuse to allow us to forget, and there are individuals who have shown by their own actions that you can get results. They have embarrassed the sadistic torturers who prey on their helpless prisoners by putting the spotlight of public opinion on their activities. I want in no uncertain terms to identify myself and, I hope, many of my colleagues in this noble and humane endeavour.

It is not enough to say that this provincial Legislature has no jurisdiction in international affairs. It is, rather, our responsibility in our own name and in the name of all humanity to say, "What can we do?"

I sense a change of attitude in our people as they have opened their arms to prevent the liquid holocaust of the Vietnamese boat people. This massive outpouring of activity shows what can be done when leaders come forward to show the way. The Ombudsman committee may or may not be the best vehicle to embark on this endeavour, but it has my support if the members choose to take on the task of consultation and recommendation.

Like previous speakers in this debate, I have no illusions that our words and actions will have dramatic or large-scale results, but any reduction in persecution is worth the effort. Surely we, as legislators, have long ago learned that changes in human behaviour are slow and take place in small steps. Let us, in this assembly, at least make a commitment to begin.

**Mr. J. Reed:** Mr. Speaker, the subject matter has been spoken on very eloquently by the previous speakers. I am not going to repeat some of the things that have been said, although I must say the issue is one of the most important of our modern times.

I am very concerned that the agencies which are at work to try to alleviate the problem are allowed to continue and expand their work and enhance what they do. That is the reason why I am going to raise a question here that has not been raised in this debate so far. That is the question of whether the institutional marshalling of forces—that is, as a government—to take a stand may result in inhibiting the work the organizations are able to accomplish at the present time.

I think particularly of the work that has been done by Amnesty International and the dependence of an organization such as that on the goodwill and the conscience of individual countries all over the world, individuals who are representative of government of all persuasions, whether that government is capi-

talistic, communistic, a dictatorship or whatever.

To function Amnesty International depends on the individual influence of people of conscience, regardless of their political stripe. My concern is that if a capitalistic government, for instance, such as the government we have here, were to be seen to give an institutional approval to their kind of work, it might be reacted against negatively by other governments and result in the reverse of what we are trying to do.

**Ms. Gigantes:** It doesn't say the government; it says the assembly.

**Mr. J. Reed:** The honourable member who is interjecting should know full well that much of the response to what government does is a response in perception of what takes place. I wonder if the member for Riverdale might indicate whether he has talked to Amnesty International and whether he has the support of that tremendous organization.

I believe we are all of one mind regarding the gravity of the situation and the need for it to be corrected in the world. I wonder if the most effective way is to keep it outside of the government sphere so that we, as individuals and as individual legislators, if our conscience is moved, can respond to the needs of Amnesty International and not be associates with institutionalized support.

5:40 p.m.

I heard a radio interview with an official of Amnesty International this week, and that is why I raised this question this afternoon. He was being asked about where the support came from and whether it came from government. If I remember the response, he was very careful to point out that Amnesty International deliberately does not look for and does not want the support of governments. While it will approach individual legislators and appeal to the conscience of those individuals, it does not elicit the support of countries, because it has to be free to walk in all countries and to work in all countries.

Therefore, I will leave the question open: Will this kind of resolution end up inhibiting that great work we want to see expanded?

**Mr. Wildman:** Mr. Speaker, I will only speak briefly. I think all of us in this Legislative Assembly support the abhorrence of political terror expressed in the resolution.

I am a little taken aback by the previous speaker's comments. This is not a government in action here; this is an assembly and a private member's resolution. I do not think we are attempting to institutionalize by expressing our opinion and suggesting that a

committee deal with this. I will only say that if this does go to committee, I hope we can approach it, as suggested by one of the previous speakers, in a very nonpartisan way and look at not only the effects of political terror but also the causes and raise our voices collectively against totalitarianism and oppression of all political stripes, whether in Chile, the Soviet Union, South Africa, Iran or wherever.

I support the resolution. I think the objections or concerns raised by some members about our jurisdiction fail to see the significance of a group of legislators collectively expressing a view held very seriously on a question of conscience.

**Ms. Gigantes:** Mr. Speaker, very briefly, I wonder whether the member for Halton-Burlington (Mr. J. Reed) took the time actually to read the motion to which he was speaking. The motion calls upon us to vote in favour of a move to have the select committee on the Ombudsman consult with various groups, the United Nations Commission on Human Rights, Amnesty International, the International Commission of Jurists and others to find out whether there is a way in which we can usefully have the committee report to the assembly so that the assembly can make the views of its members known to governments and groups in the world that have practised, are practising, will plan to practise and will practise killings, imprisonment, terror and torture.

We are not in any way requesting here that there be a substitution of official government action for the voluntary efforts these bodies have carried out. We are seeking their advice so that we as a body might best express our private and group abhorrence of these methods of political control.

I hope the member for Halton-Burlington will take a look again at the motion, reconsider his expressions of concern, which I think are misplaced in terms of the actual wording and intent of this motion, and, with other members of this Legislature, support the resolution before us today.

**Mr. Warner:** Mr. Speaker, I appreciate the opportunity to speak on this very important resolution brought forward by my colleague. It has disturbed me for some time, as I am sure it has disturbed other members of the assembly, that our constituents often are people who have escaped from countries where there is political terror and, when they come to see us, we are almost powerless in having any voice against



the atrocities that have been committed in those countries.

The people of one such country, some of whom live in my riding and have been very close to me, are from Chile. Members will recall that a few years ago the American government through the Central Intelligence Agency, was able to overthrow the democratic government of Chile and arrange for the demise of the president of that country. Many of us abhorred the American action in Chile. As it comes closer to home, we know that since that time some Canadian companies, some of them situated in Ontario, such as Noranda Mines Limited and the Toronto-Dominion Bank, continue to have dealings with Chile.

We have been voiceless and we have been powerless. There are things that can be done. Some of them are fairly simple. If the government think it is entirely a federal matter, I will give one very specific, simple thing this government could do which would be helpful to the Chilean refugees who are here in Toronto. That would be a boycott of Chilean goods and the removal of Chilean wines from the stores of the Liquor Control Board of Ontario. That is something that is within the power of this government.

This government saw fit to remove Russian vodka from the shelves in protest against the Russian invasion of Afghanistan. I agree with that and, for the most part, the people of Ontario agreed with that as well. It was a good move. This government could do the same thing by removing Chilean wines as a voice against the American government for its invasion of Chile, but they haven't done that.

We now have an opportunity, through this resolution, to have a voice in affairs that do come home to us from time to time and do affect the lives of constituents whom we attempt to represent. I hope this assembly will pass the resolution and that, when various matters affecting foreign countries come before us, we can have a voice. We can be a voice of humanity in the world, a world that is far too troubled and has far too many atrocities.

We should not stand idly by; we have done that too often. When members in this assembly raised their voice of concern about the Moscow Olympics, they did so knowing full well that it was ultimately a federal matter, but they did so out of concern. I ask that the members have the same opportunity to raise their voice of concern when Chileans are affected, or any others who have lost their

rights and, ultimately, their opportunity to live a peaceful life.

#### CORRECTION

**Mr. Ruston:** Mr. Speaker, I want to make a correction to the Hansard of May 26, 1980. On page 2187, line 19 reads, "A car, hitting one or two parking meters . . ." It should have been "gas meters." I do not know how parking got involved in it.

5:50 p.m.

#### POLICE GRANTS

**Mr. Speaker:** Mr. Eakins has moved resolution 20.

Resolution concurred in.

#### UNIVERSAL POLITICAL RIGHTS

**Mr. Speaker:** Mr. Renwick has moved resolution 24.

Resolution concurred in.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, pursuant to the standing orders, I would like to outline to the House the business for the rest of this week and next week.

Tonight the House will consider in committee of supply the estimates of the Ministry of Intergovernmental Affairs. We will also consider the estimates of the Ministry of Intergovernmental Affairs tomorrow morning.

On Monday, June 2, the House will consider the estimates of the Ministry of Intergovernmental Affairs in committee of supply.

On Tuesday, June 3, the House will deal first with the motion establishing the constitutional select committee, and then with Bill Pr26 and Bill Pr4 and Bills 60, 49, 50, 51, 74, 71, 75, and 76, in the afternoon and evening, as time permits.

On Wednesday, June 4, the general government, justice and resources development committees may meet in the morning.

On Thursday, June 5, in the afternoon, we will deal with private members' public business, ballot items 19 and 20.

In the evening, we will deal with legislation that was not completed by Tuesday evening, plus budget debate, if any time remains.

On Friday, June 6, the House in committee of supply will consider the estimates of the Ministry of Intergovernmental Affairs.

The House recessed at 5:54 p.m.

## APPENDIX

(See page 2299)

## EMCA EXAMS

19. **Mr. Breaugh:** Will the Minister of Health provide all available data on the failure rates in the emergency medical care assistant examination of July-August 1979, broken down according to the college of applied arts and technology from which the candidates graduated in the ambulance and emergency care program? (Tabled March 13, 1980. Interim Answer April 10, 1980. Approximate date information available May 30, 1980.)

**Hon. Mr. Timbrell:** The candidates' results on the emergency medical care assistant examinations are a matter of confidence between this ministry and the individuals and organizations that are involved in the education and certification of ambulance officers. Specific information regarding the results of individual ambulance officers and/or educational organizations can only be released with the explicit written permission of the individual or organization involved.

The basic information was provided in response to Order Paper question 17. See Hansard No. 33, page 1262.

## INTERIM ANSWER

169. **Mr. Breithaupt:** Is the ministry aware of the use of the name "Queen's Park" for a commercial property development on Wellesley Street? Are measures contemplated to protect the name "Queen's Park" as it has traditionally been the popular term for the seat of the government of Ontario. (Tabled May 14, 1980.)

**Hon. Mr. Wells:** Additional time is required to co-ordinate the information now being received from a number of ministries. Approximate date information available: June 13, 1980.

## SECURITY IN OHC BUILDINGS

172. **Mr. R. F. Johnston:** Will the Minister of Housing provide detailed information on the security systems employed by the ministry in the various Ontario Housing Corporation developments in Metropolitan Toronto including information on the number of incidents of violence, vandalism and assault

occurring in those developments during the last 12 months? (Tabled May 15, 1980.)

**Hon. Mr. Bennett:** Ontario Housing Corporation employs three security companies for the security services required on the various projects in Metropolitan Toronto: Community Guardian Company Limited, United Security Limited, and Allied Investigation and Security Limited.

Community Guardian Company Limited provides onsite security services to 28 projects plus 24-hour mobile security service to 41 projects. In addition, Community Guardian Company Limited provided security service to approximately 20 other projects on an emergency or temporary basis during the same period. This company responds to emergency calls at the request of the residents, Ontario Housing Corporation senior management, or Tenant Enquiry Board anywhere in the Metro area on a 24-hours-per-day basis.

United Security Limited provides onsite security services to 30 projects 10 hours per day plus mobile backup during that 10-hour period.

Allied Investigation and Security Limited provides onsite security services to one of the Corporation's management agents, Meridan, for two projects 12 hours per day.

Statistics submitted by Community Guardian Company Limited are for a 24-hours-per-day period, seven days per week. Between May 1, 1979, and April 30, 1980, Community Guardian Company Limited investigated 307 incidents of assault. Community Guardian Company Limited also investigated 4,015 vandalism-related incidents which includes misuse of fire equipment.

United Security Limited statistics are for a 10-hour-per-day period, seven days per week. United Security Limited investigated 202 incidents of assault and 1,161 vandalism-related incidents during the same period of time.

Allied Investigation and Security Limited statistics are for a 12-hours-per-day period, seven days per week. Allied Investigation and Security Limited investigated 16 incidents of assault and 130 vandalism-related incidents during this period.

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No. 61

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, May 29, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, MAY 29, 1980

The House resumed at 8:01 p.m.

House in committee of supply.

## ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS

(continued)

On vote 603, local government affairs program; item 1, local government:

**Mr. Chairman:** Does the minister have any further comments in reply to the opening remarks?

**Hon. Mr. Wells:** No, I think, Mr. Chairman, we are quite past the opening remarks. As I recall, we are on vote 603 today. You gave me heart failure for a minute. I thought we had reverted to the beginning.

I apologize. I have a slight case of laryngitis today. I hope my voice can hold out for a while.

When we were concluding the other day, I was making some remarks in answer to the member for Etobicoke (Mr. Philip), who was being half-ruled out of order by the Chairman at the time. In my pursuit of the matter, I think perhaps the matter he raised was one concerning my colleague the Minister of Consumer and Commercial Relations (Mr. Drea). However, I did a little looking into the matter he raised.

The particular development, as you will recall, Mr. Chairman, concerned a so-called condominium conversion in Etobicoke that my friend was talking about. On looking into the matter we found that the particular developer the member had been referring to had converted several buildings in different municipalities from rental accommodation to what we colloquially call phoney condominiums. I do not know whether that is the proper term or not but this is the information we gathered from the staff in the Ministry of Consumer and Commercial Relations.

I am not sure exactly how the scheme worked, but buyers apparently were sold an interest in the corporation and given the use of an apartment unit when they bought that interest. This type of conversion, incidentally, circumvents the Condominium Act, according to the ministry, under which a condominium owner buys a unit with an

interest in the common elements. In other words, if he is buying a condominium, that is what he is really buying. It also circumvents the Co-operative Corporations Act under which a member buys a share in the corporation.

What I understand, Mr. Chairman, again from the Ministry of Consumer and Commercial Relations, is that the Condominium Act was amended in June 1979 to prohibit this sort of activity. However, these other arrangements that had occurred before were not affected. Therefore, nothing could be done for the ones that had already occurred, in so far as legislation was concerned, for those particular condominiums, or pseudo-condominiums, phoney condominiums—whatever you want to call them, units—but the act was amended to prevent this kind of thing from happening in the future.

I also learned that the municipalities cannot enforce condominium conversion bylaws for the buildings where this arrangement had already occurred. However, they can now hold the registered owner or owners of the property responsible for compliance with municipal maintenance and occupancy bylaws, so there might be a way that the municipality could bring some action to bear on those condominiums through that particular route, but whether that could happen, I am not sure.

The borough of Scarborough, incidentally, Mr. Chairman, adopted a policy of prohibiting condominium conversions in 1975. The borough did process 13 applications for conversion that had been made prior to 1975 and only one of these was approved. Incidentally, I seem to recall the member for Etobicoke talked about one of these problems having occurred in Scarborough but I cannot find any record of one of these so-called "phoney conversions" occurring in Scarborough. Our quick checking with people did not bring this to light.

**Mr. Warner:** The one on Sheppard?

**Hon. Mr. Wells:** No, not of this nature.

**Mr. Warner:** Sheppard and Kennedy?

**Hon. Mr. Wells:** No, we checked with the borough of Scarborough; they said they could not recall one that had occurred in

Scarborough that was similar to this Etobicoke one that the member brought up. In fact, Scarborough brought in, as you will recall, a bylaw prohibiting condominium conversions, then set a lot of conditions that had to be adhered to, and I think Scarborough has the matter under control. As far as I know, there was not an occurrence similar to the one in Etobicoke. However, if my friend has other information, I will be glad to look into it a little further.

Really, I do not think I can deal with it any further than that, Mr. Chairman, because, basically, it is the kind of subject I think could be discussed more under the estimates of the Ministry of Consumer and Commercial Relations.

**Mr. Chairman:** I believe the previous chairman stated that this should be discussed under another ministry, which has just been confirmed by the minister.

**Mr. Philip:** On a point of order, Mr. Chairman: The point I was making was that this is the municipal grants vote, and this ministry takes some of its funds and is funding the municipalities. Municipalities, such as Scarborough and Etobicoke, are faced with an extremely difficult enforcement problem that is the cause of this end run around the condominium conversion bylaws, and the legislation passed under the Condominium Act has not solved the problems of those buildings that were in the process of being converted, in fact, there are additional problems created for the municipalities in terms of enforcing their bylaws and property standards because of this mixture of a building that is half converted, or partially converted and not really converted.

Inasmuch as Scarborough, in fact, has just passed the bylaw and certain standards, it is allowed one grandfathering, as I understand it, of a building in spite of passing the Condominium Act. Since this minister is the one responsible for this kind of policy and is liaising with the local municipalities in dealing with such problems, that is why I brought it to the minister and why, I believe, the minister, quite rightly, looked into the matter and brought back some information for me under these estimates and not under the estimates of the Ministry of Consumer and Commercial Relations.

I would simply like to ask him a couple of additional questions in response to the comments he has just made and I ask your decision on that, Mr. Chairman.

8:10 p.m.

**Mr. Chairman:** The honourable member certainly makes a point in suggesting that

the minister should make comments and the minister, of course, has done some work in replying. If the honourable member could be very brief with it, fine.

**Mr. Philip:** Fine, Mr. Chairman, I will be very brief. The minister has reported back in a historical sense, except that the problem we are now facing is with those buildings which are partially converted and because of the Condominium Act may not continue that conversion process. We find a number of people who do not have any control over a building in which they bought a percentage interest.

I'm suggesting to the minister that unfortunately under the Condominium Act, despite motions or amendments posed by me and this party and voted against by the Liberals and the government, we are now finding ourselves in a position where a number of buildings are not condominiums, co-operatives or rental buildings. They are a mixture with which the municipalities are having problems.

I'm suggesting to the minister that there may be areas into which he can look that would provide possible remedies to this problem. What happens when the owner of the building is not prepared, for whatever reason, to bring his building up to the condominium standards? This has happened in Etobicoke where Mr. Von Teichman went to the borough, the borough said, "Fine, we will consider a condominium conversion if you bring it up to these standards and here are some of the things that you must do," and he never reported back to the borough.

When we have a situation like that, which is just impossible for that municipality to deal with, are there other remedies? Could we negotiate with the landlord to purchase the building? If that cannot be struck, perhaps under the Housing Development Act, section 7—I'm not the housing critic so I'm asking for the minister's advice on this—we could expropriate the building where an agreement can't be reached and either sell it back to private enterprise or to the Ministry of Housing and refund the money to those people who have invested their individual sums in a building that is not a condominium, where they have a percentage interest but no say or influence on a building that is gradually deteriorating.

They are neither tenants nor owners and surely there must be some remedy to get these people out of their predicament. Perhaps there are other ways of doing it. I would appreciate the comments of the minister.

**Hon. Mr. Wells:** Mr. Chairman, there are a couple of things I could say. I appreciate that there are problems here but I'm not prepared to say how the member could get out of these problems. What this really boils down to is an individual matter concerning a problem in my friend's constituency. It's a problem that I understand, if I am correct, my colleague the minister has already corrected in so far as the future is concerned. Is that not right?

**Mr. Philip:** Nobody can any longer do it.

**Hon. Mr. Wells:** That's right. Nobody can do it any longer. The other thing that has to be said is that at some point, there is a certain onus on people who buy property or sign leases and so forth to consult their own lawyers. The government can't look after them completely and extract them from every problem they encounter, particularly in the real estate field. I think my friend would agree on that.

I can't tell the member anything more. I certainly don't think the idea of the municipality expropriating the building and selling it back is a very sound or logical one. I don't know whether there is an avenue under the maintenance and occupancy standards the municipality has with which it might be able to enforce something; that may be a possibility. But I did not have time to look into it in the kind of depth that would give a complete answer.

I still am not sure that it really is the responsibility of this ministry to get into that aspect of the problem. It is probably Consumer and Commercial Relations that would be concerned with the redress that the people in that unit might have to try to get out of their problem. If there is any way the municipality can assist them through the things this ministry would be concerned with, we could look at that part. But we are not the consumer advocate or the Consumer and Commercial Relations part of the operation in this government.

**Mr. Chairman:** I believe the minister has again stated that it should really come under the Consumer and Commercial Relations estimates.

**Hon. Mr. Drea:** Mr. Chairman, if I could speak to this vote, I might be able to illuminate for the House the depth and dimensions of this problem. It is one that is growing. There are ramifications not only for the Ministry of Intergovernmental Affairs through the Municipal Act, but for the Ministry of Housing, through the Planning Act. The very least of all is under the

Condominium Act, except that in the public perspective I am left with the very difficult task of trying to pick up the pieces. These schemes are, to put it in the most euphemistic manner, the most nefariously concocted of modern times.

**Mr. Makarchuk:** They have had some really nefarious ones.

**Hon. Mr. Drea:** When I explain to the member how it is done—and I am sure the member for Etobicoke will indulge me because I do not think the other members here are quite as familiar as he or I, and I have discussed this with him—to get around the Condominium Act, past or present, and this is the real reason to get around rent review, one does an end run to avoid a formal conversion of a premises that is tenant-occupied. That is important, because under the Landlord and Tenant Act the tenants cannot be evicted unless they purchase themselves for their own use.

To get around the condominium standards of the municipality and to defeat the Landlord and Tenant Act and rent control, one does this end run. One sells not a condominium, not a co-operative, but an interest in common. In other words, there are 100 units and one then becomes a one one-hundredth owner of an entire complex.

In the beginning—this was started in my riding in 1975 by Mr. Von Teichman. I give him great credit; he's a very distinguished solicitor. This is known as the Von Teichman Scam. The member laughs. The member for Etobicoke was in my office. I would look at him and say, "You know what you are doing." He laughs, he thinks it is hilarious. Why not, he wins every time.

What happens is the people buy the interest in common. Then they go to move into apartment one or apartment two. It is very clever. They haven't bought apartment one or two. There is no title. They have an interest in common. At first they thought the courts would evict. Notwithstanding all the great legal advice, we took it to court, or at least we were part of the court proceeding and we won. They told us 1,200 years of common law couldn't be abolished. But we won. One can't be evicted.

Gradually as people move out of the building, the other people come in. They honestly think they are buying a condominium. Then comes the great day when all the mortgages are coming due and they are being told they are going to lose their entire investment and the municipality is after them because they are not up to stan-

dard. The member is quite right, they are neither fish nor fowl.

8:20 p.m.

They go to their member. Their member comes to the minister. I have two choices. I can take the hard line and say, "You should have known what you were doing," et cetera, et cetera. But when I look at those people who are of modest means and have literally nowhere else to go, and since I know the implications of foreclosure or their investment going down the drain, I haven't got it in my heart. I have to look at that guy, Von Teichman who laughs because he knows exactly what the government is going to have to recommend and what the municipality will do.

This brings up three problems. Number one is what about the protection of the tenants who are in the tenant-occupied buildings? If we were to give an open sesame on this, we will have eliminated the Landlord and Tenant Act. If we run through a caper like this, they are all evicted. Obviously, we cannot allow that, and that has been tightened up—the member is absolutely correct—and it can't be done any more.

Secondly, if we were to go the other route, and we have done this with the municipalities, there will not be a conversion to a condominium without the written consent of the council. No more can they say, "We are neutral," or anything else. This has been the case for some time. We have to protect housing stock, and that has been a concern of ministers of housing.

Here I am, meeting with people, and they are not rich people, and I can ask them why they bought. They bought because it was a lower price than a condominium. Obviously, that is so, since they were buying an interest in common. What do you do? The guy beats us every time. We plugged this, we thought we had plugged it so nobody would be doing it again. He is doing it today. I have had to go out and crack down on the real estate people and everyone else and tell them that, "You are to tell those people individually that they are not buying unit 1 or 2; they are buying an interest in an apartment house, and tell them all the problems that they are going to face."

What is going to happen on the latest series? Those people are probably still going to buy, and three, four, five years down the road, if it is not the member for Etobicoke it will be the member for someplace else, in my office or the office of the minister at that time. What are you going to do? This is a

very real problem. Sure I think we can do something about the six, eight or 10 that were sold prior to the change in the Condominium Act, except what do you do when the real owner of it, the real owner who holds the mortgages says, "No, sir, I am not going to improve the property. I won't bring it up to the standards required by the municipality, because in the end you people are the ones stuck with the foreclosure. You can raise the money to bring it up?"

The municipality will feel as sorry for them, as will the minister, and it will be legitimized. The unfortunate part in that is that in the end all of those little people won't be able to raise the money. They are out their entire investment.

I wish I had an answer other than to try to persuade the municipality to take a longer-range view, so that the improvements could be done in phases, but sometimes they are so bad they can't be done. I suppose there is an onus upon me, if I want to stop this type of operation once and for all across the province, to make some horrible examples, but I really don't have it in my heart to do it to little people. If it was a big investor, I would assume they knew what they were doing, but we can't do that.

I have been working somewhat informally with the Minister of Housing (Mr. Bennett), and perhaps we can plug a bit, but the basic difficulty is that we cannot prevent people from buying an interest in common in a multiple dwelling. A lot of people don't buy a whole apartment house; they buy a quarter share. It is not the same thing, but to plug the loophole totally we would totally take away the right to buy interest in common, which would be devastating on the commercial market.

As I say, it is a very nefarious scheme because when it comes full circle, a member of this Legislature or somebody from a municipality and myself or another minister have to sit in a room, and look at ordinary people, and know we are going to wipe them out if we insist upon the letter of the law. At the same time, the legal mind that originated it all sits there in the room, as he did with the member for Etobicoke and me, and just grins from ear to ear. He didn't care what I called him, he didn't care what I thought about him, because he has won all the way. It is a very lucrative practice, and unless we take a hard line at least on the future ones, we are going to have it in virtually every large municipality in the province.

Mr. B. Newman: Mr. Chairman, I wanted to raise a similar issue to that to which the

Minister of Consumer and Commercial Relations (Mr. Drea) replied. That is concerning an individual home, where the owner of that home refuses to maintain it and absolutely nothing can be done. In fact, the municipality, in an attempt to overcome that problem in the city of Windsor, has introduced a private bill to give it authority to tear down that home. I think it is incumbent upon the minister to have general legislation that would overcome that problem.

I raise this issue as the result of an article in the Windsor Star just one week ago. It shows a picture of two homes, side by side, one maintained in practically spotless and perfect condition, the home right next door abandoned. I will read only a portion of the article so it will give the minister some idea as to the problem the municipality of Windsor is being confronted with more and more.

This is the case of Christine Lomas and the article reads: "Christine Lomas is fed up with the eyesore next door to her well-kept Moy Avenue home. She has a sense of pride in her home. Christine Lomas has spent 45 years keeping her Moy Avenue home neat and well-maintained. Like most of her neighbours, Mrs. Lomas, a widow for more than six years, takes a great deal of pride in keeping up her home but one neighbour doesn't feel that same pride. For the past six months, the house next door has been a constant problem, a firetrap and an eyesore. The home at 1632 Moy Avenue has been unoccupied since last fall." The article continues from there.

Is the minister not considering legislation that might overcome this problem so that the municipalities do not have to introduce private legislation to give them the authority to demolish that home and charge that up against the property? This case of Mrs. Lomas is either the third or the fourth one I have been confronted with in the last year. May I have the minister's reply to a situation like this?

Hon. Mr. Wells: Mr. Chairman, I would be happy to look into it. I have not had any particular cases of this nature brought to my attention recently. I think the member makes a good point. It may be one of those cases where a private piece of legislation for the city of Windsor might be a good way to test out the validity of the principle.

I recall in the city of Toronto a while ago they wanted to have the authority to bring in a bylaw to be able to control what colour you painted your home. I would have to say to the member that I do not approve

of that kind of thing. I think that's going a little too far in government legislation. Someone thought it would be nice that nobody could put a purple door or pink shutters on his home that might clash with the rest of the homes on the street, and the municipality should have the power to be able to approve the colours you put on your home.

I can recall when I bought my home I wanted black shingles on the roof. The architect and the colour consultant to the guy doing the subdivision decided the homes on my side of the street should have light shingles. I ended up with light shingles even though I wanted black shingles, because they decided it looked better to have one side of the street with one colour and one with the other. That's going a little too far but I think the member makes a point.

Mr. Haggerty: Do you have a blue lawn?

Hon. Mr. Wells: No. I have a green lawn. As a matter of fact, I don't have any lawn at the moment in the back. But the point is well taken.

Mr. Nixon: A swimming pool?

Hon. Mr. Wells: No swimming pool. The trees have grown too large and now the lawn has died. The member makes a good point, and I will be glad to look into it.

Mr. B. Newman: I will pass this on to you, Mr. Minister, and your officials can look at it. It is a growing concern in the municipality, especially with landlords who disappear for the time being. There is nothing the municipality can do other than introduce private legislation.

8:30 p.m.

They have a bill now that is going through the review stage and will eventually—possibly next week—be introduced formally into the House for action by some government committee. We hope it has the minister's blessing so that that committee wouldn't hold up that portion of the bill. The municipality wouldn't abuse the legislation, but at least it would have authority to come in, tear down the building and level off the ground or put it up for sale and have the money held in some bond or something of that sort so that the real owner of the place could get the money he has invested. I will leave that with the minister.

Hon. Mr. Wells: I do have a bill on the Order Paper at the present time which I should draw to my friend's attention. It is Bill 5, which would allow the municipality of Metropolitan Toronto to do that with unoccupied homes on the Toronto Island, but

I gather that bill is not getting very great consideration over there.

**Mr. B. Newman:** This is a completely different situation. I hope when the Windsor bill does come up that you will have your officials review it and you will give your blessing to that portion of the bill at least. I know the balance of that bill will not be contentious. It should get through the House without any difficulty.

**Hon. Mr. Wells:** It hasn't got the three-year term in it.

**Mr. B. Newman:** No, they don't have that in it this year. That was last year's Windsor bill that wanted the extension of the term of elected officials set at three years rather than two years. It still is a good principle and I know that sooner or later you are going to put it in. I shouldn't say sooner or later. If you don't, we'll come along and see it gets into legislation.

The next issue I wanted to raise with the minister is the grants provided to municipalities for the provision of certain types of services. In the present instance, the city of Windsor is spending approximately \$300,000 a year for providing police protection in the provincial courts. It is a provincial court that is being given protection by municipal police. There are provincial police in the county, and the municipality thinks it is incumbent upon the government either to absorb the costs for providing that service in the police courts, or to provide the service itself by the provincial police.

**Hon. Mr. Wells:** The Attorney General (Mr. McMurtry) has been meeting with some municipalities to look at this particular problem. I know the problem. The problem is that the municipalities are using members of their own police departments to maintain certain services in the courts and they are saying the courts are under provincial jurisdiction and provincial employees should be in the courts.

We've been dealing with Metropolitan Toronto particularly, on this. If we get right down to the bottom line, it is a matter of whether we have some more dollars in our budget to provide that service in the courts in order to free up the municipal employees. All I can tell the honourable member is that the Attorney General has been looking at it. It comes under his budget because he would have to supply the personnel in his ministry to take the place of the people who are now provided by the municipal police forces. The Attorney General would have to provide those people for the provincial courts.

Mr. Pukacz did a detailed report on this whole matter. I believe he recommended that the province assume the responsibility, but we haven't done anything on it up to now because the resources haven't been there.

**Mr. B. Newman:** There is a simple answer for that. All the minister would have to do would be to increase the unconditional grant to a municipality by the extent of the cost of those services, then we would not have to worry about this minister and the Attorney General fighting as to whose responsibility that would be.

**Hon. Mr. Wells:** No, that is not the point. What I take it the member is suggesting is that we employ the people. In other words, the Ministry of the Attorney General would have to increase the staff on the provincial courts to assume the responsibility so those policemen could be taken out of the courts.

Most of the municipalities we have talked to need those policemen for other services so, in fact, it would be a case of adding more personnel. One cannot reduce the number of people or just switch people. Maybe that is not the case in Windsor but certainly it is in Metropolitan Toronto where they want more policemen out on the beat.

One of the places they can get those policemen is by taking them out of the court service and putting them out on the beat, if we would fill the vacant slots with provincial employees. So it is not just the simple matter of giving greater grants to the municipalities. I do not think that is the problem at all.

**Mr. B. Newman:** If I may, the city of Windsor has passed a resolution to that effect. They are asking either that these services are policed with OPP officers or the \$300,000 be provided to the municipality which would pay for the 10 constables, the 10 police who are used to provide these services to the provincial courts. It is either doing the one or the other. Essentially, the bottom line is \$300,000. The minister can provide the \$300,000 or provide the services himself.

The next issue I want to raise with the minister is the Ontario Youth Employment Program. I am not going to bring up the issue of laying off an individual and bringing on a younger individual into the program so that the employer can save \$1.25 an hour on the new individual. But I look upon the municipality of Windsor with more than 20,000 unemployed today. Job opportunities are very short. I think, with a municipality that has above a certain index of unemployment, the minister should try to create more



job opportunities for our youth because many of these youth, unless they have that summer employment opportunity, are not going to have the opportunity for post-secondary education.

I know the minister would like everyone to achieve to his or her maximum potential as far as secondary or post-secondary education is concerned. But limiting the job opportunities to the number that have been assigned to the city of Windsor by the youth employment program is not good enough in view of the numbers of unemployed there are in Windsor. It is an extremely critical situation and some consideration should be given to increasing the Windsor allotment so that opportunities are greater for our youth.

May I have the minister's reply?

**Hon. Mr. Wells:** I am sorry. I am not sure that I completely caught all of the member's point. Was he suggesting there was a limit on the number of positions that could be created in the area of Windsor under the Ontario Youth Employment Program?

**Mr. B. Newman:** Yes, I am suggesting that. So the program maybe would have to be modified in some way to enable these students, by having the opportunity to work, to get into post-secondary education eventually or even in that same year.

**Hon. Mr. Wells:** Mr. Chairman, the answer is there is no geographic limitation. In other words, every employer in the Windsor area that submits under the plan will be considered. There is no quota for the Windsor area per se. There are certain quotas for individual employers but there is no geographic quota for Windsor. So, technically, everyone in the Windsor area who wants to take part in the program can take part.

**Mr. B. Newman:** There may not be any geographic area and no limit to the number, but the types of programs are limited; as a result, the opportunities are limited. So the guidelines for the program may have to be modified to be able to encompass or include many more students in the community.

8:40 p.m.

**Hon. Mr. Wells:** I would be quite interested in hearing the type of program for which an employer is not eligible. I think we have made it as broad as possible. It can be small businesses; we have included private schools this year if they wish to undertake a program; farmers. If my friend has an illustration of some employer who is not eligible, I would be happy to hear about it.

**Mr. B. Newman:** I do not have. I cannot come along and say that. However, when there are a limited number of opportunities for the regular employer in the community because of the downturn in the automobile industry, it would naturally follow that the opportunities would likewise be as limited.

There are many companies in the city that probably could have used you. They won't be able to because their doors are shut. With well over 20,000 adults without work in the community, there must be some way the minister's officials could get their three heads together and come down with some kind of program that would accommodate the larger numbers in Windsor who will be unemployed this summer.

The other issue I want to raise with the minister is the grants to municipalities for library purposes. The minister is aware that the grants have not increased since 1977. They have been at the same level, \$1.80, since 1977. The cost of books for libraries has escalated dramatically. It is at least a responsibility of government to see that the level of funding or the provincial grant be according to the cost of providing these books compared to what it was three years ago.

I would assume, and I am only assuming, there must be at least a 50, perhaps a 75 per cent increase in the cost of books to the libraries. It would really be appreciated by the libraries as well as the readers if the libraries were able to afford many more books. They cannot because of the substantial increase in the cost to the library boards of providing books.

May I have the minister's reply, Mr. Chairman?

**Hon. Mr. Wells:** I was just checking to make sure my recollection was correct—library grants come under the Ministry of Culture and Recreation. The library grant is not in our ministry, but I would be happy to pass along the information and I am sure the honourable member would be happy to bring it up in that minister's estimates.

You will recall, Mr. Chairman, there was a report on grant reforms a few years ago and that report suggested that conditional grants, such as the library grant, which was a per capita grant, somehow be worked into a total, unconditional grant given to a municipality, which would then decide how it would finance its libraries. We have not done anything on that matter because most of the library boards in this province felt deconditionalizing the grant would be a step backwards.

I cannot argue with the honourable member that it would not be nice to have a greater library grant; I think everybody would like an increased grant. It is just a matter of budgetary accommodation.

**Mr. B. Newman:** I don't think I have wasted my effort on the minister. As long as he relays it to the Minister of Culture and Recreation (Mr. Baetz) and he gives it favourable consideration, I would assume that my library would be more than satisfied, as would many other libraries in the province.

The other issue I want to raise with the minister is that old chestnut in the city of Windsor, his resource equalization grant. The minister has shortchanged us a substantial amount over the last few years and I think it is his responsibility to see that we get it. He owes us that money from previous years.

It is all right for the minister to come along and make an ad hoc grant to the municipality, which is appreciated, but the minister has shortchanged us for so long that there should be some catch-up on his part. It should be phased in so that at least the taxpayers in the city of Windsor would not have been disadvantaged over those many years as a result of the minister's shortchanging.

The taxpayers have had increased taxes as a result of the shortfall that has been imposed upon them by using a formula that was not fair in the first place. This was pointed out to the government and to the previous provincial Treasurer, Darcy McKeough, in 1975 in the city of London if I'm not mistaken.

The minister has made provision for ad hoc grants but the minister has not, by any stretch of the imagination, caught up with the amount of money the minister is owing to the municipality. If the municipality owed the minister that money, I'm sure he would have seen to it that he was repaid after some fashion. He would have shortchanged us in something. Now the shoe is on the other foot and we are anxiously waiting for the balance of the money owing us over the last period of time. May I have the minister's reply?

**Mr. Conway:** How can so many friends be so niggardly?

**Hon. Mr. Wells:** When I look at the things that we have done for the great city of Windsor, I think of the grants to the Ford Motor Company for its new plant, the provincial share of that plus the money we are going to spend on the infrastructure that was necessary for that plant—I don't think the member can say we have been niggardly to Windsor. My friend puts up a good case and represents—as do all the members for

Windsor—the needs very well of that area, and the mayor speaks to me regularly.

We all know that over the years the point has been made that the resource equalization grant somehow deprived Windsor of money they should have had. With the new equalization factors it looked as if the bonanza was about to arrive. But a general application of those equalization factors in their purest form would not have been beneficial to the total province. In fact, they would have given Windsor all that money it believed it should have got and saw coming but in so doing it would have taken that money away from a lot of little rural areas.

**Mr. Cooke:** It would have made it fairer.

**Hon. Mr. Wells:** The question then arises in my mind: Is that really fairer or not? I'm not prepared to say at this time that it would have been. We were prepared to look at the case and not to let Windsor get less money this year than it got last year. In fact, I think it got about \$1 million more this year. As we look for the new system that will be put into place this July, we are still going to have to look for the system that is going to bring the total kind of equity that they believe.

But at this point, given the money that we have and in the total application of those equalization factors, I'm sorry we can't do anything more for Windsor than we have done. We even have had to get that little bit of extra for them this year in the way of an ad hoc grant.

**Mr. Deputy Chairman:** I wonder if the member for Windsor-Walkerville has much more. There are a good number of other people and your last four questions started off with "The other question I wanted to ask."

**Mr. B. Newman:** Thank you, Mr. Chairman. I just have the one question yet to raise with the minister on the resource equalization grant.

We appreciate what has been done when the minister provides us with grants. The only thing is the minister has owed us money from the past by shortchanging us. The minister is not developing some type of formula to see that we get those amounts that the minister has owed us over the number of years.

8:50 p.m.

Our tax structure in the municipality is that much higher because the government has not provided what we were entitled to. An error was made, not by this ministry but by the previous Treasurer, which has never been corrected. All the minister has done is



develop an ad hoc arrangement to give us X number of dollars. I would appreciate it if the minister would develop a formula so we could get back at least what his ministry owes.

**Mr. Wildman:** Mr. Chairman, I found it interesting that the member for Windsor-Walkerville talked about the problem of dealing with poor housing in his community when I was thinking about raising some issues about unorganized communities in northern Ontario. As the Minister of Consumer and Commercial Relations (Mr. Drea) will agree, although I know he is working on it we have not yet been able to find a foolproof method for applying the building code in any of the unorganized areas of northern Ontario. This is a very serious situation and one I hope we will be able to rectify soon.

What I want to raise with the minister is the whole question of these local government studies that are being carried out by his staff in various parts of northern Ontario. I wonder if he could tell us how many such studies have either been completed or are in the process of being completed. I think there are about 10, and two of them involve areas of my riding. One is a very large area known as the Sault north, which includes Montreal River Harbour, Batchawana, Coulais River, Searchmont and Heyden, and is 70 miles by road from one end to the other. The other one includes the area which is partly organized and partly unorganized from Iron Bridge to Blind River. The Sault north study has been completed and the minister has given assurance that the government will not proceed until there is a demonstrated desire on the part of the residents of the area for organization and I appreciate that.

I wonder if he could tell me the status of the other study I mentioned in east Algoma, in the Iron Bridge-Blind River area. Could he also tell me how many other studies he is carrying on or his ministry is carrying on? I know there is one in the Hearst area, but could he give me the areas and the numbers and the status of the various studies?

**Hon. Mr. Wells:** The studies in northern Ontario at the present time are: There is a Blind River area study. There is one in Geraldton, and there is the Hearst to Smooth Rock Falls study. There is one in the Kenora area, plus the one in the member's own area. I will try to give the member a quick rundown. In 1976 the town of Blind River asked us to undertake a study of possible annexation of the surrounding un-

organized areas. A draft version of the report was circulated in 1977. The final version of the interim report was published in May 1979. A financial analysis of the annexation recommendations in the interim report was recently circulated to the local councils and residents in the unorganized areas. When all of the reactions are received—two meetings have already been held and there are likely going to be more—the final report will then be prepared and this should be completed during the coming summer months. That is where the Blind River study stands at the moment.

The Hearst to Smooth Rock Falls study came about in response to requests from the towns of Hearst and Smooth Rock Falls and the townships of Shackleton and Machin. The ministry initiated a study of local government in the northern portion of the Cochrane district in 1977. An interim report was published in 1978 and presented a number of options for altering municipal boundaries. After analysing the responses, the ministry published a final report in May 1979 recommending a major extension of the boundaries of the town of Hearst and smaller extensions of the boundaries of the town of Kapusasing, the townships of Shackleton and Machin, and the town of Smooth Rock Falls. The report also included a financial analysis which indicated the effects of the proposed boundary changes on property tax.

The proposals are still being discussed with the municipal councils and the residents of the study area. Nothing has happened at this time, so we are waiting for a further response on those.

Then there's the Geraldton study. In 1976 the community of Little Longlac applied for annexation to the town of Geraldton as a means of solving a servicing problem. In response to resolutions from Little Longlac and Geraldton, the ministry deferred a hearing of the application and instituted a local government study instead. A report was published by the ministry in 1979 recommending that the town's boundaries be extended to include two entire unorganized townships, including the community of Little Longlac and the southern portion of two other unorganized townships.

In releasing the report in September 1979, I said it should not be regarded as government policy, but invited interested residents to send their comments on the report and other submissions on the future of the area to us by January 1980. These submissions on the report in the Geraldton study have

been coming in, and we are now analysing them.

I think you know where we are in the Sault study.

Mr. Wildman: I thank the minister.

Hon. Mr. Wells: The hard work concerning the Sault one is finished.

Mr. Wildman: Yes, I know.

I would like to raise some further questions regarding one other community in an unorganized area that the minister has just had some recent correspondence about. That is the community of Missanabie in the northern part of Algoma. The minister might find it rather ironic that in many cases I know, when his staff looks at an area and decides that perhaps it should look at the possibility of organizing that area, many of the residents of unorganized communities, although not all, are not too interested in organization. But in this case we have an unorganized community that desires organization.

I know probably his staff would argue this is not true, but it often appears to people that his staff would like to have more organization for many good reasons. In this particular case where you have a community that wishes organization, the minister's staff does not want it organized.

The very small community of Missanabie has applied to become one of those strange animals we have in northern Ontario called an improvement district, a quasi municipality which is a kind of halfway house, somewhere between an organized township and an area without municipal organization.

It is interesting when you look at the comments made by the minister in explaining his position regarding the OMB hearing. The community has applied for an OMB hearing to determine whether it should be organized. The minister has written to the OMB saying he is reviewing the situation and he would like the OMB to put off any hearing of the application until that review is completed. In the meantime he has written to the action committee in the community, which was elected by the residents, and informed it that he has asked the OMB not to proceed with the application for an incorporation to an improvement district.

9 p.m.

He talks about the economic outlook for the area, but then he goes on to say: "The establishment of an improvement district could impose a heavy financial burden on all the households in the community. There would of course be provincial grants to the municipality, but there would be substantial local costs for a municipal office, a clerk-

treasurer and especially for services such as water, sewage treatment, fire protection and roads."

I find that really ironic because I attended a number of meetings in the Sault north area, one of the other areas I mentioned, in which a consultant hired by the ministry went to great lengths to try to prove to the local residents in that area that organization might be marginally a little bit higher in taxes, but really wouldn't cost a lot. Unfortunately or fortunately, depending on which position you take, the residents did not believe it in that area and did not want to organize.

As the minister knows, the question of water and sewer—not so much sewer but certainly water—and fire protection and roads are of major concern in the community of Missanabie. They would like to provide those services because they used to be provided by a private company which is no longer operating in the area. We had a sort of short-term agreement with the Ministry of Northern Affairs over the winter and with the Ministry of Transportation and Communications, with some involvement from the Ministry of the Environment to try to help provide those services. That was just an ad hoc, interim type of thing. It is really up in the air as to who will now be providing them and who will be responsible.

Also, I am under the impression that an improvement district gets extra assistance from the ministry as opposed to a township council in terms of administration and extra grants. At least that is something the improvement district of White River was always being told and tried to argue when there was an argument in that community about whether or not it should agree with me that it should be erected into a township. Fortunately, we were able to convince people there that it would be better to have an elected council than an appointed one. We have had one for a year now. It has worked very well, and the people are satisfied with it.

I know the minister's position is that Missanabie should look at the local services board legislation of the Ministry of Northern Affairs and that should be what Missanabie should do. He points out that the Minister of Northern Affairs (Mr. Bernier) wrote to the action committee on February 15, 1980, indicating that the formation of a local services board would meet the needs of the community more closely than an improvement district. This minister agrees with the Minister of Northern Affairs and I agree that minister did say that.

I can also point out to this minister that on June 4, 1979, the Minister of Northern Affairs wrote to Mr. Newman of Missanabie, one of the people on the action committee. He said, among other things:

"Unfortunately, there are some communities that may be unable to utilize the proposed local services board program to their benefit. You may be correct in identifying Missanabie as one of those communities."

There seems to be some lack of assurance on the part of the Minister of Northern Affairs as to whether the local services board concept might work in Missanabie. At least that was the view the local people had when they received two comments from the Minister of Northern Affairs over a period of about eight months.

Right now, we have a situation where the water system needs to be upgraded. The agreement on roads will probably be continued—I hope it will anyway. But the water system needs to be upgraded before next winter or we are going to be in the same kind of bind we were last fall and over the winter when we had to scramble to get some assistance from the Ministry of the Environment and from the Ministry of Northern Affairs.

I won't go into the details of that. It was a very bad scene. The Ministry of Northern Affairs and especially the Ministry of the Environment dragged their feet for a long time on doing anything in that community. It just wasn't a satisfactory approach, but I don't think we should be going into that in these estimates.

I really would hope the minister would expand on his reasons for opposing this, taking this rather unusual approach compared to the approach his ministry usually takes with regard to local organization, local autonomy, local decision-making, of local residents taking the responsibility to govern themselves and run their own show.

All the arguments that have been used to try and persuade residents of unorganized areas to become organized seem to be being ignored in the Missanabie case. To say the least, you seem to be a little selective in your arguments in this situation.

**Hon. Mr. Wells:** I want to assure you that our staff have only been trying to be helpful to the area. We feel that if there's a need to organize, to provide services, we certainly would be the first to believe that an area should organize and we look for the proper guidelines and the proper legislation under which you can organize.

The staff tell me that Missanabie is a fairly small place and the population is too small

and the resource base is too limited to provide the kind of tax support for an organizational base such as you have suggested. A local improvement district, in reality, doesn't get any different taxes from a township in the north. The taxes from the province would be just the same.

I was wondering why they hadn't considered setting up some kind of organization under the local services board legislation. It would seem to me that of all the vehicles, the local services board legislation of the Ministry of Northern Affairs would be the logical one for them to take advantage of. Then they would get matching provincial grants for various services, and so forth. I think that would be a good place for them to begin. But we think it would not be very good for them, at the present time, to organize as a local improvement district.

**Mr. Wildman:** Mr. Chairman, if I could respond, there are two things I'd like to say. First, the resource base is not very good for Missanabie, simply because the Ministry of Natural Resources refuses to give them any of the timber land in the area. There's lots of timber around. But I know this minister doesn't have any say over that.

I would think the reason they have been reluctant to go the local services board route is the fact that they had a rather bad experience, from their view, with both the Ministry of Northern Affairs and the Ministry of the Environment with regard to the provision of water services over this winter. After a lot of arguing and negotiation, they thought they had an agreement from the provincial authorities to upgrade the water system, to provide the kind of funds necessary to do that and to provide water all winter on the communal system.

After a lot of work and struggle with the ministry, that finally was done. It was done in the sense that they were provided with water all winter but the system was not upgraded—the upgrading was not completed. Now the Ministry of Northern Affairs and the Ministry of the Environment are taking the position that all they agreed to do was to provide water over the winter, not on a permanent basis, and that they are not going to do the complete upgrading. They say it is up to the community to do it.

So I am afraid there is some distrust in the community of the two ministries. They want to go the route of an improvement district because they think they'll get more help from your ministry than they will from the others. That is the reason.

9:10 p.m.

I have not been able to tell them they are misguided in trusting you, but I would hope that this can be resolved. Perhaps somebody from your ministry and someone from the Ministry of Northern Affairs should visit the community and discuss the whole matter with the action committee and the residents to show them the various options open to them and indicate how the services should be provided.

Hon. Mr. Wells: Mr. Chairman, I think that is a good suggestion. We are not going to solve the problem talking about it here. We will have our people and someone from the Ministry of Northern Affairs go up and see if we cannot find the best solution for them.

Mr. Wildman: Thank you.

Mr. Nixon: I am not often critical of this minister since he left his previous responsibility in the Ministry of Education, but I do feel he tends to allow troublesome or boring problems to go on until they disappear, solve themselves or come forward as an emergency that makes them worth dealing with.

I have a relatively small problem, perhaps from his point of view, but one that is extremely troublesome to a community in my constituency. I have written the minister about it. He gave me a very nice acknowledgement. It seems that action is being held up by more than one ministry because they will not bring their minds to bear on the problem. In this sense, I suppose, a certain degree of criticism must be directed towards the minister's assistants. I know some of them very well. As a matter of fact, we have been growing old together in the service since we entered some years ago.

This deals with a police village. About a decade ago the government, by policy, decided to eliminate police villages and then relented. They indicated that while they would allow no more to be formed, and none to be enlarged, they could continue to exist as long as they wanted. The police village I am referring to is in my constituency in the township of South Dumfries and is known as St. George. Some of the members have driven through there. It is the most beautiful police village in Ontario; no one would question that statement.

It has a population of about 1,000 and with the permission of the planning officials and the environmental officials, it was decided the village would be provided with a sewerage. This is not quite complete, but will be in 1980. It services a sufficient area of land next to the police village so that its population will be more than doubled.

Unfortunately it is not within the power of the minister to permit the boundaries of the police village to be enlarged. The police village can stay the way it is, or it can revert to simply being part of the township, but it cannot be enlarged even though other authorities at the provincial level have approved the installation of a very costly sewage disposal system—none of your lagoons, thank you—an approval for doubling the population.

The real problem comes in the provision of energy services, particularly electricity. Ontario Hydro will not permit the municipal rate available in the police village of St. George to be charged in the new area. The minister is hamstrung by policy established by his predecessors and he will not allow the boundaries of the police village to be increased.

There are certain alternatives, presumably, involving a local service area, something I know nothing about and don't understand. I have requested some enlightenment on this but the enlightenment has been less than useful.

The development is ready to go forward. With high interest rates, and so on, the developer has been less than enthusiastic and perhaps is not pushing as he might have particularly since a decision has not been made on how the rates for energy and the local government for the community will be adjusted.

The minister may recall the letter. He may recall his reply both to me and to the township officials. I don't believe the police village officials were involved, but the thing is more or less sitting there without action being taken. There is some indication that the minister is waiting for his colleagues in the Ministry of Energy to move. I thought I was assisting him by phoning Ontario Hydro and trying to explain what a ridiculous situation this would be. If we followed Ontario Hydro's policy, the people who move into the new community adjoining the police village would be paying the rural rates, which the minister knows are the highest in Canada west of New Brunswick.

We know the Premier has made a statement indicating he wants these rates to be adjusted, and I support him 100 per cent in this. We have been extremely critical of the disparity in hydro rates but, because of lack of action, the whole thing is frozen. It is extremely dislocating for the township officials and it will soon start to get embarrassing for the minister.

I have taken this occasion, before this large crowd of interested politicians, to bring the matter to his personal attention, indicating that while from a certain point of view it might not be at the top of his list of matters to be dealt with, from the point of view of my constituents it is important and they cannot understand why, with the staff of dedicated people assisting the minister, this damned thing sits there month after month without anybody indicating even an interest.

What are we going to do about this?

**Hon. Mr. Wells:** I just want to say that I rather resent that my friend said I did not pay attention to these little problems, because ever since he first spoke to me about this problem about three or four months ago, I have said, "We will do it," and I still say, "We will do it." Every week I still say to one of my staff, "Is it done yet?" and he has quite rightly indicated the reasons it has not been done.

If it had been up to this ministry alone it would have been done, but the wheels of government, as they interlock ministry with ministry, and as everybody gets his oar in pieces of legislation, sometimes cause time to expand a little.

**Mr. Nixon:** Is that why people say it is time for change?

**Hon. Mr. Wells:** No, it is not why people say it is time for change; it is just the fact that when one has not operated within government, one does not realize that. But I am sure my colleague the Minister of Revenue (Mr. Maeck) knows what I am talking about, as do some of my other colleagues.

**Mr. Nixon:** Which colleagues is the minister referring to? Which other colleagues are here?

**Hon. Mr. Wells:** My other colleagues here and all my colleagues who are out addressing meetings tonight and busy writing legislation.

**Mr. Nixon:** I know what they are doing; they are watching reruns of I Love Lucy.

**Hon. Mr. Wells:** No, no, never. As a matter of fact, they are all out addressing important meetings. In fact, I am sure my colleague from Scarborough Centre (Mr. Drea) has probably gone out to call on another thousand homes tonight as he does quite often.

**Mr. Nixon:** Is that what he does in the evenings?

**Hon. Mr. Wells:** To get down to a very short, quick answer, the bill that will put into effect the kinds of things the honourable member wants and the police village of St. George wants is going to legislation com-

mittee this Thursday, and I hope we will have it in the House in a week or so. It will expand the boundaries of the police village and eventually will dissolve the police village, and it will take care of the hydro problems too, I understand.

**Mr. Nixon:** I was simply trying to bring to the minister's attention something he knows even better than I, which is that our time for legislation before the summer recess is very limited. There is already a very large package of private legislation from the area which we have to deal with without undue delay, and I do not know how we are going to do all these things unless we get the legislation soon.

**Hon. Mr. Wells:** We assumed it was one of those pieces of legislation that if we could just get it in here we could deal with very expeditiously.

**Mr. Nixon:** I will help the minister with the second part, but he has to do the first.

**Hon. Mr. Wells:** We will have it here shortly.

**Mr. Makarchuk:** Mr. Chairman, I want briefly to commend the minister and his staff on the bill they are going to introduce, I presume shortly, dealing with the Brantford annexation proposals or the agreements that have been reached between Brantford and Brantford township.

I wonder whether the minister could indicate when the bill will be introduced and whether the staff of both municipalities will have an opportunity to look at it ahead of time.

9:20 p.m.

**Mr. Nixon:** The Brantford Expositor says they got it yesterday.

**Mr. Makarchuk:** Maybe they did. Possibly the minister can arrange, with the co-operation of the other House leaders, to ensure that bill goes out to committee. I am not sure what time would be convenient, but I understand there are people who would like to make representations to the members of the Legislature regarding possible changes in the bill in terms of boundary they would wish to be included in the proposals. That may pose a few problems for both sides, but I hope it can be thrashed out.

I wonder what the minister's intentions are at this time regarding the possibility of that bill going out to a committee where people can make their presentations.

**Hon. Mr. Wells:** The director of our field services branch, Gardner Church, is in the great city of Brantford tonight meeting with

the people to discuss the legislation with various municipal councils. If it comes back with everything okay, we will be ready to introduce it shortly.

I had not thought it would be necessary for the bill to go to the committee of this House. That might create an unduly long time before we would have the bill passed. I would be willing to give consideration to that, but considering this is a bill that implements something that has been the subject of great discussion, public meetings and all kinds of input out there, probably by the time we were ready to put the matter to this House we could do it in committee in this House. However, I will not give the member a definitive answer right now.

**Mr. Makarchuk:** My preference is probably the same as the minister's, because sometimes in committee things can get a little troublesome. However, some people have indicated they want to make representations to the members regarding the bill itself. Perhaps some consideration should be given to the fact that, if they wish to do so, it could go out to one of the committees of the Legislature.

Despite the meetings and the input, these people were present at the meetings and they did indicate publicly that they did want to make the presentations. They were not satisfied by the decisions made by the two councils and they want to have their wishes heard.

**Mr. Haggerty:** Mr. Chairman, I want to address myself to the municipal grants and particularly to the problem that has existed in the city of Port Colborne for a great number of years. I have indicated to the Legislature previously that the city of Port Colborne is located on Lake Erie and is divided by the Welland Canal. Last year they celebrated the 150th anniversary of the Welland Canal.

The city, in the original design by William Hamilton Merritt, placed the first subdivision way back in 1829, in that era, and was built on the lowest level in the whole Niagara Peninsula. It's south of the escarpment. That's why the canal was chosen to be located at what was known as Graveley Bay in those days.

It has always caused some problems there in relation to the matter of storm sewage in getting rid of the extraneous flow of water that may come in at different times as a result of the high levels of water on Lake Erie—in fact, on the Great Lake Basin. I guess Lake Erie is noted as a tilting lake. When you have severe, gale-force winds, particularly from the west and southwest of the Atlantic, it can cause severe damage any-

where along the shoreline on the Canadian side.

I do have a chart here. I have a downtown drainage study for the city of Port Colborne. It was prepared by Proctor and Redfern Limited, consulting engineers and planners in St. Catharines. They relate much of their study back to the Lake Erie mean monthly water levels. It goes from the year 1900 to 1979. I have noted in the flow charts that the lake level can change and fluctuate from year to year. It goes in cycles, but there is a difference of about five or six feet between the high levels and the low levels. It does cause some problems when the lake level is high. In 1973 it was perhaps the highest it had been in a great number of years and it caused considerable damage all along the shoreline, not only in Port Colborne but also in Fort Erie and Wainfleet both.

The problem is, where the canal goes through the city all the storm sewers now drain into the Welland Canal. If there are high levels of water, because of either wind or the normal high lake level, then the water cannot drain into this basin. In this report there is a letter from the ministry indicating that the city of Port Colborne gets some benefits from the water going through the city and one has to take the good with the bad. I suppose if it had not been for the Welland Canal there would be no city of Welland, and perhaps even no city of St. Catharines, because they get their supply of water through that system.

But it has caused considerable problems and resulted in considerable cost to the city. What they have proposed in this study is that a new control weir should be constructed in the city. There is one there now in the older part of the city which I guess is called Stoneridge, or the village of Humberstone. That weir is used to control the level of water from the canal so they can maintain a certain level for the safe passage of ships in the canal.

They suggested that if they moved this half a mile south and located it on the end of the island, just off of the Clarence Street bridge, that could solve some of their problems. In other words, this weir on the south side would be the lake level and on the north side would be the canal level, and there is supposed to be a difference of three to four feet in the level of water. They feel that relocating the existing weir, and constructing a new weir would permit the city to use the storm sewers for gravity feed and they could then empty into the lower part of the canal level. This can be rather costly.



The report says the ministry would provide assistance under its emergency assistance program. Whatever that may be, I do not know. It is not defined in there. But I suggest that it is a problem in the city, and I think some consideration should be given to their request to help prevent the flooding conditions in the city of Port Colborne, particularly on the west side of the canal.

It has often been said that there is a benefit from the canal, but particularly in the city of Port Colborne dual services have to be put in—a sewage treatment plant on the east side and one on the west side. In fact, right now they are considering—and it has been approved by the Ministry of the Environment—constructing a new water treatment plant that will be located north of the Clarence Street bridge. This will be just about five eighths of a mile south of the present weir control in the canal system.

I was born and raised in Port Colborne, and I used to swim and fish in that area. I think this may cause some problems if they are going to install a new water treatment plant here. All the storm sewer outlets now would be located south of the proposed water treatment plant, and I do not think it would be good water quality practice to have all those storm sewers feeding right into the proposed water treatment plant. I think this should be taken into consideration. I think this is one of the reasons the city has requested special assistance be given to them to assist them in upgrading their storm sewage system.

The letter from this ministry addressed to the municipal engineer says “special emergency assistance program and would be eligible for grant purposes.” I do not know what is meant by that. Could I have a clarification on that? That letter is dated July 23, 1979. It is from H. Connolly, subsidies officers branch of the ministry.

**Hon. Mr. Wells:** Will the member read that section of the letter over again so I understand it exactly?  
9:30 p.m.

**Mr. Haggerty:** The minister has laryngitis, and I don't have my glasses with me tonight; so I may have some difficulty. On the second page of the letter, it says: “It is acknowledged that the elimination of the backup problems as a proposed municipal project would satisfy the requirements of the special emergency assistance program and would be eligible for grant purposes.” Can I have that clarified? Just what do you mean by that? Is the minister making reference to it as a disaster area? There have been a number of

them in the past couple of years. They have had parts of the town flooded right out, causing considerable damage to home and property.

**Hon. Mr. Wells:** As I understand it, it is not eligible under any of our particular programs, but it may be eligible under some of the federal-provincial programs, namely the ones under the Ministry of the Environment. They are still talking with the municipal people there to sort out their eligibility and which programs would apply.

**Mr. Haggerty:** Is there not another program relating to shoreline property assistance? There is one they call the Great Lakes assistance program dealing with difficulties all along the shoreline. There is a special fund there, I understand. Is that what they are making reference to?

**Hon. Mr. Wells:** It does not come under either the shoreline property assistance program or the Great Lakes flooding program, but it may come under some of the federal-provincial programs of the Ministry of the Environment.

**Mr. Haggerty:** Why would it not qualify for assistance under the Great Lakes flooding program when it is actually the high levels of Lake Erie and the high winds that cause the flooding conditions within the municipality? It is the backup of the storm sewers. In some cases even the drainage system outside of the city has difficulty providing proper drainage. The high water backs up and covers all the land.

**Hon. Mr. Wells:** The Great Lakes flooding program and the shoreline property assistance program are basically programs to protect the erosion of the shoreline and so forth; to build dikes and to prevent flooding. This is a much larger problem, as I understand it, having to do with the drainage systems and everything concerned in the town. It is beyond the capabilities envisaged for these two programs.

Our people have been down there—and I think the member brought this up last year in the estimates; Harry Connolly from our staff has been there along with people from the Ministry of the Environment—trying to find out the problems and to find programs that might be applicable. The two we have are the ones that should apply.

**Mr. Haggerty:** I know in one instance they have provided some short-term control measures. They put in control gates at the outlets of all the municipal drains, and built a valve similar to a check valve, so that when the water level rises in the canal, it does not

permit it to go back into the municipal storm sewers. Meanwhile, if they have heavy rains and high winds, water comes over the shore line, flooding out the area and the water cannot move either way. That is where the problem is. In this particular instance, the city should be granted special compensation for something that is beyond their means.

I know that the high level of Lake Erie does benefit Ontario. One way is through the production of hydroelectricity, and that has always been a benefit. Every time Lake Erie has a high water level it is a great benefit to the Ontario Hydro generating stations on the Niagara River, and it even assists the commercial shipping in the Great Lakes system. I am sure Ontario Hydro can control some of the lakes in the Great Lakes system. I am sure they can control Lake Erie through the Welland Canal and through the Niagara River.

If the minister is aware of some federal assistance there, I would like to hear about it. If it is a joint program, I would be pleased to hear about it.

**Hon. Mr. Wells:** We will keep the member informed as both our fellow and the Ministry of the Environment are working with them down there

**Mr. R. F. Johnston:** Mr. Chairman, there are a few questions I would like to ask the minister. The first goes back to something we have discussed a number of times, although at arm's length recently; I am speaking about electoral reform in Metropolitan Toronto.

I want to pursue the matter, because at the present time it would appear to me that any meaningful reform has been shelved at the moment and we are going to deal only with that which has been brought forward in the minister's recent bill.

I am especially concerned about the prospects for direct election to Metro council and the provision of a three-year term for municipal seats. I would just say that the minister has probably received a letter—and I have received a copy—from the Scarborough Board of Education which puts in a plea again for three-year terms for the municipalities. The chairman of Metro Toronto must be an elected official and not an appointee.

I am especially interested in the prospect of an election expenses provision to be detailed by the province and enabling legislation in more detail than that which we have at present which would enable people to run for office in the city of Toronto and elsewhere

in Metropolitan Toronto who may not have had the opportunity to do so.

I am thinking specifically of people like school board trustees who have a limitation on the amount of money they can earn as trustees, and yet in the city of Toronto, as an example, they are very much full-time politicians and have no prospects of paying off their election expenses through their own incomes as politicians.

I would therefore like to know, because we are not expecting anything at the moment and because the minister has many detailed reports before him on prospects for election reform, specifically the important work done by former Premier Robarts on the matter, what the minister intends to do in terms of a further review of election procedures in Metropolitan Toronto and how he anticipates dealing with this in the future. Does he have any timetable in mind? Are we going to wait for another two to three years? How long are the very temporary provisions and the reaffirmation of the two-year term and indirect election to Metro council going to last?

**Hon. Mr. Wells:** Let me deal with each of these items one at a time. The first is the two-year term. I presume that any consideration of change in the two-year term would come about two years from now when we again approach the municipal election cycle in this province. This year, elections will be held on November 10, and they will be held in every municipality for a two-year term. That carries out the original thinking behind the Municipal Elections Act, which was to provide for a uniform election day and a uniform term, and it was hoped to increase interest and confidence in municipal elections. Whether that has happened, I guess we will all have to be our own judges.

9:40 p.m.

On the question of whether the uniform terms and the fact that they are all held on the same day is a good thing, I think it has been, on balance. There is no question that, while there is a fair demand for a three-year term from the elected people in the large areas, there is not unanimous agreement in the smaller, rural areas of the province that would be good. There is far from unanimous opinion around the province as far as a three-year term is concerned.

I do not know how representative newspaper opinion is; I guess all of us use it when we feel that it can justify our case. As I watched the editorial reaction around the province, I found most of it was fairly in favour of a two-year term.



The Hamilton Spectator says: "Two years is enough. Ontario's big-city mayors would rather have elections every three years than every two years. Longer council terms would cut expenses for politicians and taxpayers, but wouldn't necessarily improve the quality of local government. The province should stick with two-year terms." Then it goes on to indicate a few other reasons in favour of the two-year term.

On balance, when you look at it in terms of local public groups and newspaper comments on it, and so on, it would seem that the two-year term is still fairly popular in the province.

I will be the first to agree that it is not popular with a lot of the elected people in this province; there is no question about that. Recently I have received some of the most vigorously worded letters that I have had in a long time from people in the city of Toronto and other people who did not like our decision to maintain the two-year term.

**Mr. Epp:** Even the Tories are against it.

**Hon. Mr. Wells:** There is no question about that; the Tories are leading the battle for a three-year term in Toronto.

Anyway, we had to make a decision on the way municipal government operates. We could not see any other decision at the present time. Municipal government is responsible to the electorate, and one could make a good case for it having to go back to the electorate at fairly regular intervals, but two years is not a bad period of time.

As far as direct election is concerned, I must say I have yet to have it proved to me exactly what type of direct election people are looking for. As I think I stated, about 20 of the 37 or so seats on Metro council are elected directly. In other words, when you vote for a person for an office, you know that you are voting for a person who will also be on Metro council. So you can say that in fact you are directly electing him. I think there are other arrangements like that which can be worked out by the other councils in Metro.

If the member is looking for a move in Metropolitan Toronto towards electing a separate set of councillors to the Metro council, as opposed to local council, I would be opposed to that. I believe the whole magic of what we have made work here in Metro is that we have had a linkage in the systems from local to upper tier.

**Mr. R. F. Johnston:** It's sorcery. I knew there was something.

**Hon. Mr. Wells:** It's not sorcery; it's just that the magic we have had has worked here.

Believe me, it has worked here. It has worked better than in greater Winnipeg and better than in a lot of other areas.

Greater Winnipeg has gone through all of these various ways. As I recall, and I am just thinking off the top of my head, greater Winnipeg had a system somewhat similar to what we had and then someone said, "Gee, it would be great if we had direct election to the upper tier." When direct election to the upper tier came along, it was a disaster. The government of the day, which was an NDP government, amalgamated the whole area so they got one big amalgamated city, which is what the city of Toronto wanted in Metro a way back in the 1950s. Everyone said it would not work, and I do not think anybody would think it would work here.

**Mr. Haggerty:** It is working in the Niagara region.

**Hon. Mr. Wells:** Can we quote my friend on that? I am glad to hear him say that regional—

**Mr. Nixon:** What he means is that you proposed it.

**Hon. Mr. Wells:** No, no.

**Mr. Nixon:** The machinery is there, stuttering and limping along, being fuelled by money.

**Hon. Mr. Wells:** No, he said regional government is working in the Niagara region. That is a case where there is direct election.

**Mr. R. F. Johnston:** I am primarily interested in the approach you are going to take.

**Hon. Mr. Wells:** I am not going to be able to argue much longer, because my voice is giving out.

The approach we are going to take, as far as Metro is concerned, is that once these elections are over, given the fact that we are electing about 20 of the 38 directly, we are going to see whether there are ways within each of the boroughs that they can elect, in a more direct way, the people who are there and have them serve on both councils equally. If Toronto can come up with a way that is a little better than electing them the way they are now, fine. All I say is that those people who are there should serve on both councils. There should be that intermingling.

With regard to election expenses, as the member knows, the act now provides that municipalities can by bylaw provide for limitations on election expenditures by or on behalf of the candidate and require the disclosure of all campaign expenses over \$100. In fact, a municipality can put in certain controls on election expenditures, if it wishes, and require disclosure.

The matter of having election expenses as an income tax deduction in some manner or form as we do for provincial and as the federal candidates do, I think presents problems which I have not seen anybody address themselves to.

First, it is going to cost a lot of money, and therefore the Treasurer (Mr. F. S. Miller) has to be concerned about it, because it is not going to come off the federal tax; it is going to come off the provincial income tax.

Second, someone has to figure out who is going to be eligible. Is any person going to be eligible to give receipts for what is a fairly hefty deduction? I think my friend is prepared to admit that the deductions we get for contributions to our campaign and the federal campaigns are very good. In fact, they are better than the deductions we get for contributions to our church or our favourite charities. That kind of thing extended to the municipal level could have great cost. Also, it does not have the discipline of the party organization attached to it at the present time. I see my friend smiling and, of course, he says the answer is immediately to have authorized party candidates.

**Mr. R. F. Johnston:** You could do it retroactively.

**Hon. Mr. Wells:** I am not so sure that would be very viable.

As much as we have tried—and I was an exponent of party politics at the municipal level 10 years ago or so—it is not completely accepted. Even in the member's party there are people out in Scarborough who, not getting the NDP nomination, decided to run as independent NDPers. Others run because they believe that at the municipal level they can run if that is their wish.

I have not seen anyone come up yet with a way to decide who would qualify to give out receipts for tax deductions. I think it would be ludicrous to think that anyone who decided to run for office could automatically hand out these receipts. I do not think we have arrived at the point where we could leave it that wide open. We do not even do that at the federal or provincial level. You have to be a part of an accredited party, and in order for that party to be an accredited party it has to have done certain things. 9:50 p.m.

I think we are quite a way from arriving at anything of that nature. I am sure, though, given the fact that it has been discussed on numerous occasions by municipal people and by ourselves in this Legislature, that we will continue to look for some system. May-

be we will find some system. What that system will be and when it will come in, I do not know.

**Mr. R. F. Johnston:** Instead of asking additional questions, I want to get on to other matters, because I still want to hear the minister on other things.

However, it does strike me that there was no clear methodology apparent to either of the other parties in this House or to the public in general as to how the decisions were arrived at in terms of a two-year term and the direct election and other matters. People were hoping something might be coming forth on these, given the recommendations of the Robarts commission.

I would hope, given all the work that has gone into this, that before the next two-year term is up some plan of action for trying to involve the public in this decision would be brought forward rather than just on the ad hoc basis of receiving letters and chatting to people here and there. I would hope there would be some systematic approach to this matter.

It seems to me that although the minister himself has expressed certain opinions at the moment, which happen to be in direct opposition to his predecessor in Intergovernmental Affairs and to Robarts, there has been a fair amount of work done on it, I would hope we might deal with it more systematically than we did last time. Then I would not be forced to bring a private resolution to try to spur things on.

I wanted to ask the minister some questions to see whether there is any possibility of changing the method for dealing with the private bills for the various cities. I am speaking from recent experience with the city of Toronto bill, Pr14.

My understanding, and I am a novice here, is that the approach to these bills was such that we tried to keep the partisan element out of dealing with them as much as we possibly could. We were receiving an amalgam of resolutions passed by the city of Toronto council in this case that need legislative assent or enabling legislation to permit the city to follow through on its resolutions.

I understood the usual technique for dealing with this was for the bill to be brought forward and for it to go to the individual ministries for their comment. If there are problems in terms of the procedures et cetera, those could be dealt with by the ministries involved, with some co-ordination from this ministry as well, to iron out the bugs, as it were. This would be done before we come to committee to try to make sure the bill is either going to proceed as is or, if

there are major matters of policy involved in it that are deemed to be totally unacceptable to the ministries, a lot of that could be ironed out in advance. Then we would not run into the situation where the bill itself gets held up and certain items in it which would normally go through do not go through.

I wonder whether the minister would consider taking a look at how we deal with those bills at present in the Legislature and perhaps come forward with some recommendations for other means of dealing with them.

I was a little embarrassed on Wednesday by the fact that the city of Toronto council and the mayor were obviously taken by surprise by the response to section 3, as I recall, of their bill. They thought they had worked out all the problems with it with the Ministry of Housing, but the parliamentary assistant indicated there were some other major problems and the government was going to vote against it. The mayor would like to have known that in advance so as to withdraw that section of the bill or to try to work out the differences prior to coming into committee.

I wonder whether the minister has any comments on the process we are using, because it seems to me we got fouled up pretty badly on Wednesday by having to stand down two major items.

**Hon. Mr. Wells:** We had a discussion the other day about this in this House when we were discussing private bills. When I first entered this House back in the 1960s, there was a private bills committee. Private bills had to come in during the first few weeks of the session, and the procedure provided that they all came in pretty well at one time. They went to the private bills committee, and the Minister of Municipal Affairs always used to be there and presented his viewpoint on those bills.

We changed the rules of this House so that we do not have a private bills committee any more. We have a variety of committees, and the bills go to whichever committee happens to be appropriate, although most of them go to the standing committee on general government. Usually my parliamentary assistant speaks on behalf of what in the old days would have been the Minister of Municipal Affairs. He is there with our people to present our viewpoint.

Traditionally that has always been done because the origin of private bills was from municipalities to seek some unique thing for their municipality or some variance from the general provincial legislation that applied.

There were other things, of course, such as private bills incorporating universities, degree-granting rights and all kinds of things. But basically a lot of them concerned municipalities.

What we do now is circulate the ministries. We find the problems or points of view and then put them forward at the committee. I am not sure why the difference of opinion occurred about the Metro Toronto bill. I would say basically, if we find there is a general disagreement about government policy on a bill, we try to communicate that to the municipality and their solicitors ahead of time so that at least they will know and they can take some action if they wish or at least be prepared for that to happen. I am not sure why that did not happen in the case of the city of Toronto. I do not know. But I would be willing to look at that part of the procedure.

The larger procedure as to how private bills are handled through the House is the concern of the standing committee on procedural affairs and is part of the standing orders. But the way we respond and what we do and how the government reacts is part of the procedures we set up.

**Mr. R. F. Johnston:** I appreciate that, and only in those terms. I did not mean in relation to the larger matter.

During the Confederation debate here in the House I made a recommendation in my speech that we try to find some way of involving the major municipalities in the province in our deliberations, not only on the select committee but also in terms of the need to look again at the role of the municipalities and whether there is any need to include special provisions for them within the constitution.

I raise the matter in particular because it struck me we have moved a long way from the days when, at the time of Confederation, only three per cent of our population lived in cities of more than 50,000 population. Now we have approximately 60 per cent of our population in major municipalities. By the turn of the century we are liable to have as much as 70 per cent of our population in 12 major urban areas in Canada, five of them in Ontario.

The model of government we have used in terms of municipal politics has been based very much on an agrarian socio-economic base and on the notion of two-tier governments for townships and counties and single-tier government for small municipalities, which should act as an administrative wing of the provincial government handling

the kinds of services and problems that are best delivered locally.

I am quite concerned that we do not miss the opportunity as we look at the reconstituting of our country in the next while, and that we do not overlook the very practical matter of what role our major municipalities, as a minimum, should have in those constitutional debates.

10 p.m.

On the radio today, I heard this matter of the difference of opinion between the territories and the Prime Minister of Canada as to what their place should be at the federal bargaining table in this matter. I presume many people will see the involvement of the municipalities in any formal way as a further intrusion and unnecessary complication.

I am quite interested that we take some approach to the major municipalities in the province. Perhaps all those cities with a population of more than 100,000, as an arbitrary cutoff just from my own thinking on this, should be involved in the three-party process that we will be involved with here in the Legislature.

I was wondering because the minister was not in the House at the time I made those statements, whether I might have his reaction to how he thinks the municipalities might be involved in this Confederation debate at the various levels, and what kind of a role he sees for them.

**Hon. Mr. Wells:** First, I would like to say that ever since I have been minister and, I think, before on the various constitutional conferences we have had, we have taken representatives of the municipalities with us to those conferences as part of the Ontario delegation. Mr. Ed Mitchelson, who was chairman of the Municipal Liaison Committee, was with us in 1978. I am not sure about 1979. He could not go to one of the conferences, but he was with us as part of the delegation at one of the first ministers' conferences. I think he was invited to the other one but for a variety of reasons could not attend. We have believed that the municipal order of government should be represented on the Ontario delegation, but it is hard to find just one person. Those provincial delegations are not large; so we cannot involve a number of people. But in trying to find someone who was as representative as we could, we took Ed Mitchelson, who was chairman of the Municipal Liaison Committee.

I see we have also had the mayor of Ottawa on a delegation in 1973, and the chairman of Metro was on another delegation, but

those were before my time; so I do not have any knowledge of those.

There is no question that as these conferences come along—and we are not talking about the one on June 9, which is a quick, rather private one of first ministers—we will be looking for ways to involve the municipal people. I am not sure we can go beyond just the representative of all of the municipalities in Ontario—not a large delegation.

**Mr. R. F. Johnston:** With our own debates here or the select committee and from his own perspective as the minister involved, does he have any plans or has he thought very much to date about how he might involve the major municipalities on a more localized provincial basis? Would he prefer to work through something like the Association of Municipalities of Ontario and the Municipal Liaison Committee, or has he thought of asking them formally for some kind of submission? To date has he taken that very far?

**Hon. Mr. Wells:** Is the member now talking about the involvement in constitutional discussion?

**Mr. R. F. Johnston:** Yes, at the provincial level rather than at the federal level.

**Hon. Mr. Wells:** No, I do not think we have carried it to any great extent at the provincial level. I notice I have a report in front of me which is called The Municipal Government in a New Canadian Federal System. I must admit I have not read this report at this point in time. It is from the resource task force on constitutional reform of the Federation of Canadian Municipalities. I intend to take a look at it now, since they obviously have put their mind to this. It is quite a weighty report; so it obviously has a lot of discussion material in it, and there are probably some resolutions and recommendations that would be helpful. No, we haven't particularly looked at in any vehicle as to how we could do that in this province, but our normal consultative vehicles are there. As I explained earlier, we are in a period of transition; we are waiting for Michael Smither and his group to report and then see what comes out of that. In the meantime, the MLC is still operating to bring together all the municipal groups. I suspect there will be some jelling of opinion within the next three or four months. Then we will have perhaps a better idea of what kind of group will represent the municipalities and we will continue our discussions with that group.

**Mr. R. F. Johnston:** I understand that report is going to be one of the major items

at the conference in Halifax, and there is no doubt we will be hearing resolutions from it.

I have one quick question at this point on the matter, which is loosely within your purview only because you have been drawn into the matter. It is with regard to the matter of the French enumeration for the French-language advisory committees to the boards of education in the province. For the last two years the member for Hamilton Mountain (Mr. Charlton) and, of late, myself have been raising questions in the Legislature about the possibility of having an enumeration undertaken of French-speaking electors or electors of French expression in the province so that the elected representatives might be able to identify their electorate.

We have had indications from the Premier (Mr. Davis) that discussions are under way involving yourself, the Minister of Education (Miss Stephenson) and the Minister of Revenue (Mr. Maeck). I wonder if you could tell us what stage those discussions are at, when we might hear something, and if you can give us any idea of the format that might be followed?

I have a large concern that we not stray too far from just a straight question on the enumeration forms themselves because of the experience of what happened in Ottawa-Carleton. There we saw the usage of separate forms which expected the enumerator to be able to guess who was French and who wasn't. The enumerator asked the question and left them a paper to return, which some did and some didn't, while some felt threatened by. Phone calls went all over the place.

I am also concerned that we not try to use the boards of education in any way to do a major distribution on this. I would look at the experience in Scarborough where they tried to put it in Your Schools and had it distributed by the kids. There was a small French article on the back page of Your Schools, which was sent out to all the homes in Scarborough. They got 15 or 16 replies, all of which came from anglophones who had their kids in immersion classes.

I wonder if you could tell us what stage we are at. Is it going to be on the enumeration forms themselves? When do you think we will hear?

Hon. Mr. Wells: Mr. Chairman, it is the topic of a very hard-working interministerial group which is headed by the Minister of Revenue. They have looked at various options. I think it is fair to say they are concentrating mainly on the 39 jurisdictions where there are French-language advisory committees at this time. They are looking

at a mix of school board enumeration forms, because I think it is going to be very difficult to come up with anything that would be just by the enumerator only.

Some kind of a mix is probably what will be looked at. We are working towards a solution; we should have it shortly. My colleague the Minister of Revenue will probably be announcing something when he has the details all worked out. But it has been discussed and we have been working towards trying to get at some way of providing that list for those jurisdictions where it is needed.

10:10 p.m.

Mr. McKessock: I just wanted to mention that convincing debate we took part in this afternoon on the resolution of the member for Victoria-Haliburton (Mr. Eakins) that the municipalities be given the same per capita police grant as the regional municipalities, that the \$10 they are now receiving be changed to \$15.

The Solicitor General (Mr. McMurtry) agrees with this but he told me he did not have control of the funds. It would be up to the Treasurer (Mr. F. S. Miller) and the Minister of Intergovernmental Affairs to make this decision. The Treasurer told me he is conceding this to the Minister of Intergovernmental Affairs. So it is now narrowed down to you as being the minister responsible. You have told me the extra amount of money paid to the regional municipalities was for startup costs. These costs must have long been finished.

I assume something will be done after the unanimous decision in the House today approving that resolution—I think one member spoke against it. His reason was that it cost more in regional municipalities than it does in other municipalities. But you told me previously that this extra amount was for startup costs. I think equal funding for each municipality on a per capita basis is a good way to do the funding. Policing is policing no matter where it is. I am sure the Solicitor General wants good policing in every municipality throughout this province, as I am sure you do too.

I want to ask the minister, as the resolution did carry—certainly nobody stood up to call a vote on it—can these municipalities now assume that their per capita police funding will be raised to the \$15 the regional municipalities are now receiving and that this will be coming to them this year?

Hon. Mr. Wells: There are a couple of things involved here. One is that there be equal grants to all municipalities. That might

mean that everybody got \$12. You automatically assume that everybody should go up to the \$15.

**Mr. McKessock:** I mentioned that.

**Hon. Mr. Wells:** It might be that everybody just goes to \$12.

**Mr. McKessock:** That wasn't what I said.

**Hon. Mr. Wells:** That is one way of looking at the problem. If the member was here the other day when I explained about police grants, he would recall the first thing I said about them was that they are not specifically police grants although they carry with them that tag. Really they are part of unconditional grant packages to the municipalities, unrelated to the police force except that they have to have a police force. If the municipality has a police force, it gets \$10 per capita or \$15. It is an arbitrary amount that has been picked. It is money that is used for the whole variety of services. Naturally a municipality can peg it to police because police services cost a lot more than the \$10 or the \$15 that we pay. The bottom line on the whole thing is the amount of unconditional grants to the municipalities.

The first thing I said is we are not moving to any kind of conditional grant. In other words, we are not moving to the position in this province where, in order to get the police grant, there has to be a series of standards in the police department. We are moving towards unconditional grants. This is an unconditional grant. What we are talking about is the dollar value assigned to it. The dollar value assigned for policing in a lower-tier and upper-tier municipality is considered each year as we work out the unconditional grants for the various municipalities. We have done it for this year.

I might remind my friend it was not a unanimous vote in this House. I heard no's from all on this side of the House this afternoon and from a few over there. It really wasn't anything like unanimous.

**Mr. Eakins:** There were three against it.

**Hon. Mr. Wells:** No. Everybody on this side was against it because the government policy for this year is \$10 and \$15. What I am saying to you is that next year these grants will all be reviewed. It is just as conceivable that everybody could get \$12 or \$13 per capita as \$15 or \$10. The grants are considered in the light of the amount of money available.

That is really the bottom line to this thing. They are part of the unconditional grant package to the municipalities. It will be looked at next year in the light of what

money is available and what dollar value will then be assigned to those particular grants.

**Mr. McKessock:** You can say that having them equal could mean \$12 a piece; that's fine. What we are saying is that it is unfair to have one per capita amount for one municipality and another for another. That is unfair. The request was to have it raised to \$15 for the other municipalities.

Did I hear you say you weren't requesting that the municipalities keep up a certain standard of policing? The Solicitor General's office is really requesting that these municipalities keep up a certain standard. It is costing these municipalities right now considerably more money to get into the extra police radio systems that are coming to them just this year. A lot of municipalities in my area are going to have to invest in this equipment which is going to cost them considerably more. So they are being asked to upgrade their policing in the municipalities.

**Hon. Mr. Wells:** Yes, you are quite right. The Solicitor General is asking them to upgrade and do certain things. That is right and proper and it is his jurisdiction, what he is entitled to do and has to do. We don't relate the grant we pay to those services. It is an unconditional, per capita grant to pay a portion of the policing costs in a municipality. It is not given as a carrot to get them to put in radio services, and it will not be withdrawn if they don't put in a certain service.

My voice isn't going to last long enough to tell you why we chose the \$10 and the \$15, but there were good reasons for these amounts in those days. Somebody talked about Thunder Bay. When Thunder Bay was amalgamated, it laid off some of its police department. It actually cost them less when they had to put their two cities together rather than more. So they can make no case for having needed a greater grant than they were getting as two individual cities. I am not saying whether they still can or not, but there was good reason for giving them what they got.

Certain regional police forces were being asked to police large rural areas that conceivably might have cost more. Whether that is still a good reason, I don't know. Maybe it isn't at the present time. I explained to you how those grants are looked at each year and will be looked at for next year. But for this year they are set and that is it. They've all been done now.

**Mr. Deputy Chairman:** May I just comment that the member for Ottawa East (Mr. Roy) has been on this list a long time, but



we have been alternating. The member for Scarborough-Ellesmere (Mr. Warner) has the next question. I'm looking at the hour.

**Mr. McKessock:** I have one small point. Since the costs have gone up so drastically for policing, some of these municipalities are considering dropping their own police force and going back to the OPP. I think it would be in the government's interest to come through with this increased funding now before this happens because this would put an extra burden on an already limited OPP force. I want to bring that to your attention.

**Hon. Mr. Wells:** Although it is not in my purview, I'm told by my staff that if they went back to the OPP, the OPP would charge them the direct cost.

10:20 p.m.

**Mr. Eakins:** Supplementary in regard to policing and the grants, the minister has stated they are under review. Are they under review because of the Pukacz report which was commissioned by this government in July, 1977? It was given to the government in October 1978 and has been shelved ever since. No one has ever seen the report. It has not been presented in the Legislature, and it was only a month ago that the police chiefs of Ontario could see the report. My colleague from St. George (Mrs. Campbell) got one because she demanded it. There are some very interesting things about policing and about grants in it.

I think that report should be tabled so we could discuss it in the Legislature. Then we would understand the problems of policing because Mr. Pukacz, who was a very well known civil servant formerly, made some very outstanding recommendations.

**Hon. Mr. Wells:** I have no objections to your seeing that report but it is not my report. It is a report of my colleague the Solicitor General. I would suggest you ask him, and he will show it to you.

**Mr. Eakins:** It is a report of your government.

**Hon. Mr. Wells:** I don't disagree with what you said. All I am saying is that the bottom line to all this is how much money is transferred to the municipalities. Police service is a municipal service. Do you accept that?

The Association of Municipalities of Ontario and others have said that we should get out of conditional grants. Do you accept that? If you accept that, the fact is we are not looking to get into more conditional grants. What we would like to do is get out of some of the conditional grants we have now. I

think the case to be made is more money for municipalities. I agree with you completely, but let us not talk about tying it to police and everything else.

**Mr. Epp:** I have a supplementary to that.

**Mr. Deputy Chairman:** All right. I am trying to keep a note of what has been done earlier. It is the committee's time to do what it wants to do with it, but I do want to be reasonably fair—not completely fair, just reasonably fair. The member for Waterloo North.

**Mr. Epp:** I have a short supplementary. I agree with the minister that police service is a municipal function. Would you then agree that the local municipality should have the opportunity of appointing the majority of members to police boards rather than the provincial government which now appoints the majority?

**Hon. Mr. Wells:** If you want my personal answer, yes. I believe I have a difference of opinion with the Attorney General and Solicitor General who does not feel that way. I am not going to make any excuses for that difference of opinion. My opinion is I would allow them to have the right to appoint the majority, while the province appoints the minority of members of the police commission.

**Mr. Warner:** I will be brief, Mr. Chairman. I certainly appreciate the fact that the minister who is not feeling well came here this evening. He did not have to do that but he did. I hope he is feeling better.

I wanted to touch on two items in particular, both of which have been covered by my good colleague from Scarborough West (Mr. R. F. Johnston). The minister received, as I did, a letter from the director of education for the borough of Scarborough in which the board of education asked for the reinstatement of the three-year-term based on three very reasonable criteria. One is it is obviously less costly for the taxpayer. Two, it provides greater continuity and the opportunity to gain experience. That is also quite obvious. Three, it more closely parallels the term of office for the members of the provincial Legislature. Those are very reasonable arguments that are put forward. I am very disappointed to learn the minister does not accept that the three-year term would be a proper way to proceed.

I would ask him, while he maintains this position—and the government has been quite adamant about not being progressive—would he agree to put the question of the three-year

term, or the reinstatement of the three-year term, on the ballot in November?

**Hon. Mr. Wells:** This House knows I am not a lawyer, and I do not apologize for that. In fact, I am quite pleased I am not a lawyer. I am like the member for Brant-Oxford-Norfolk (Mr. Nixon).

**Mr. Roy:** I didn't listen. What are you saying about lawyers?

**Hon. Mr. Wells:** I was just saying I do not apologize for the fact that I am not a lawyer; in fact, I am quite pleased. I think it is well we have some nonlawyers here developing the laws of this province.

I recall that the legislation would allow any municipality that wishes to put the question on the ballot. I cannot put the question on the ballot; municipalities can put it on. In other words, if the municipality of Scarborough wish to put the question, "Are you in favour of a three-year term for elected politicians in this borough?" it can put it on.

**Mr. Warner:** I believe the minister is right. If they do put the question on, will the results have any effect on the minister's present decision about the three-year term?

**Hon. Mr. Wells:** I would certainly be very interested in seeing the results. We do not legislate over here by polls, much as some people keep accusing us of doing, and we do not legislate by what happens to be the popular position always.

I think you were out when I answered your colleague's comments about the three-year term. I indicated that while I know the elected people in all the large municipalities are overwhelmingly in favour of a three-year term, there is a division in the smaller, rural municipalities of this province. There is also quite a division among nonelected groups in the province. I have resolutions from other groups, ratepayers' groups and community groups, who say not to impose the three-year term.

After I made my statement, I studied the editorial comment around the province. There was fairly significant editorial comment. The Spectator, for example, said two years is enough. Most of the editorial comment around the province was that the two-year term was adequate.

**Mr. Warner:** It could be three years for Metro Toronto, and the minister knows it. That could be done. As it used to be. It would be nothing new, just a reinstatement. I would submit that is what should be done. I just wish the minister would change his mind on it. Perhaps the municipality will

run a question in November. If the response is, as anticipated, general approval of that, perhaps the government would then re-examine its position, come along with the more reasonable position and help save dollars for the taxpayers by bringing in the three-year term.

**Mr. Deputy Chairman:** I'm looking at the clock. Do you wish to proceed now?

**Mr. Roy:** You are asking me, Mr. Chairman, that has been in here since 8 o'clock. There are just two minutes left on the clock.

**Mr. Deputy Minister:** I don't think you could ask your question in two minutes.

**Mr. Roy:** Mr. Chairman, I felt sorry for the minister all evening because he is losing his voice. Can I adjourn the debate? I will be here tomorrow.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

#### REMARKS OF MEMBER FOR HIGH PARK-SWANSEA

**Mr. Speaker:** The member for High Park-Swansea (Mr. Ziembra) is here. The member for Wilson Heights (Mr. Rotenberg) rose on a point of privilege in which he took umbrage with remarks made by the member for High Park-Swansea. I have had an opportunity to check the record. Mr. Ziembra said: "Mr. Rotenberg owes his seat to that little sweetheart deal. He bought that seat by arranging for a judgeship for Mr. Givens and a seat on the commission." In my opinion, that constitutes a point of privilege. I don't think you can allege that any member bought anything for any other member. I am going to ask you to withdraw it.

**10:30 p.m.**

**Mr. Ziembra:** Mr. Speaker, I did explain my position earlier this afternoon when the member for Wilson Heights rose. I did apologize for the confusion between the two—

**Mr. Speaker:** No, the honourable member did not apologize. I looked that over too. I had chosen to ignore that because it was anything but an apology. You said, "There were two sweetheart deals, not one." Now that does not constitute an apology in my opinion. I am going to ask you to withdraw the remark that he bought that seat by arranging for a judgeship and a seat on the commission.

**Mr. Ziembra:** Mr. Speaker, I am not going to apologize.

**Mr. Speaker:** I am not asking you to. I am asking you to withdraw it.

**Mr. Ziembra:** I am not even withdrawing it.



I believe that is the case and I am standing by that statement, sir.

**Mr. Speaker:** When you come in on Monday you will be prepared to, or you will be denied the privileges of this House until you withdraw the remark.

**Mr. Ziemba:** I intend to come in tomorrow morning, Mr. Speaker.

**Mr. Speaker:** You will not be in tomorrow morning.

**Mr. Ziemba:** I intend to be here tomorrow.

**Mr. Speaker:** You will not be here tomorrow morning.

**Mr. Ziemba:** We will see about that.

The House adjourned at 10:32 p.m.

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No. 62

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, May 30, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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FRIDAY, MAY 30, 1980

The House met at 10 a.m.

## THE TIN DRUM

Prayers.

### DISPUTE AT AMR CENTRES

**Mr. S. Smith:** Mr. Speaker, I have a point of privilege with respect to a matter of privilege raised by the Minister of Community and Social Services (Mr. Norton) in my absence yesterday relating to an article in the *Hamilton Spectator* of Tuesday, May 27, 1980.

If the minister had taken a moment either to call the *Spectator* or to call me, he would have realized that what has happened here is that the *Spectator* took an article which appeared in the final edition the night before and which had been based entirely on my visit to the strikers in the morning before I had spoken with the minister. I then spoke with the *Spectator* after the minister answered my questions in the House. They then wrote a new lead for the story which indicated plainly that I had accepted the minister's answers in the House, as indicated in the first four paragraphs where it says:

"The minister told Dr. Smith the Toronto association was able to reach an early settlement by reallocating funds already in its budget and suggested Hamilton do the same. He denied the Toronto group was promised extra funds and added he doesn't expect a bill from them later, Dr. Smith said last night." So I accepted the minister's answer.

However, the article had another paragraph which had been in from the day before, and which was left in, saying I was still expressing doubt as to whether there had been an agreement with Toronto for extra funds. Of course I accepted the minister's answer. It was simply a journalistic error. As I say, I would have hoped the minister could have checked it out either with the *Spectator* or myself. I trust in future he might take the occasion to do so.

**Hon. Mr. Norton:** Mr. Speaker, I want to thank the honourable Leader of the Opposition for the explanation. Of course I fully accept his explanation. I understand these things do happen.

**Mr. S. Smith:** This is my morning for privilege, Mr. Speaker. This is a matter of privilege with regard to the statement made in this House by the Minister of Consumer and Commercial Relations (Mr. Drea) a few days ago when he stood in the House and asked me to apologize to Mr. Sims, head of the Ontario Board of Censors, with regard to statements I had made some days earlier.

At that time the minister gave a chronology of what actually happened at the censor board, in his understanding, pointing out that on May 16 the board made a decision on *The Tin Drum* and that the letter from the solicitor came on May 15, by which time the decision had already been made and the letter was not passed on to the remaining members of the board because, allegedly, the head of the board felt it was irrelevant since the decision had already been taken.

I would like to draw the attention of the House to a letter from the solicitor dated May 28, 1980, addressed to the minister in which evidence was given very clearly that the solicitor for the distributor of the film had made it very plain, both to the head of the censor board and to a Mrs. Brown on the censor board, that the so-called English cut was to be permitted. If this letter is accurate, then it would seem to me that the minister will have to clarify the meaning of his previous statement.

The letter goes into some detail to indicate that there had been a telephone conversation between the solicitor and the head of the censor board. I will quote just one paragraph:

"The key issue is whether or not Mr. Sims and Mrs. Brown allowed or encouraged the board to proceed while keeping from them the knowledge of an important concession made by the distributor. The actual date of receipt of the letter upon which your statement is based is secondary to the state of knowledge of the chairman and deputy chairman. My offer was clear and unequivocal on May 14. But for a courtesy extended to Mrs. Brown, the letter would have been in Mr. Sims's hands on that date. In any event, its contents were read to both

Mrs. Brown and Mr. Sims and they were fully aware that it would arrive the next day, which of course it did."

The matter of privilege is that if this letter is correct it would appear that the minister himself had been misled by the information he was given and has inadvertently, no doubt, misled others who heard him. If the letter is incorrect, then the minister may care to respond. But it would seem to be a very serious allegation in this letter.

**Hon. Mr. Drea:** Mr. Speaker, you always get into trouble when you become a mouth-piece for a mouthpiece.

I had hoped that the Leader of the Opposition would not raise this, because I want one thing very clearly understood. At no time in any of this have I attempted to trap the member or anyone else. I have been giving out very accurate information on each occasion.

I am glad the Leader of the Opposition mentioned that the letter was called back as a courtesy to Mrs. Brown. Does he know why it was called back? The reason was that the solicitor had a conversation with her the day before regarding that cut and told her he would not want to be in a position where he had appeared to make an offer that would be rejected by the board; that the verbal offer of a cut should not be conveyed to the board unless she was sure the board would accept it.

The next day when he told her of the letter he was writing, she said, "Then don't refer to the telephone conversation or I will tell it." On that basis the letter was recalled. Throughout all of this, the solicitor has been acting as an informal negotiator orally, and on other occasions made very formal presentations in the form of letters. His initial position, orally, was that no cuts could be accepted. On May 13, he wrote this in a letter: "Give me a decision or send me the film." We told him we were sending him the film. Then he wrote the letter of May 14.

10:10 a.m.

That so-called English version had not been approved by the board or formally offered to the board, because he said, "Don't do it unless they will accept it." Therefore, Mrs. Brown was not in a position, nor was Mr. Sims, to communicate to the board until May 15, when that formal letter arrived, the fact that such an offer might be there.

The original thing about the English cut was not really terribly germane anyway,

but he would highly recommend it to his client. I want to read just one thing, because I do not want to belabour the point this morning. I have a letter here of May 14. This is from Mr. Aubrey Golden to Mr. Sims:

"Mr. Skewes and I met with the board and made our submissions concerning the release of *The Tin Drum* in Ontario on May 1." That was with no cuts. "We have had no response. I am instructed to advise you unless the issues are resolved I am to withdraw the film from your consideration at 12 noon, Wednesday, May 14." It is signed by Aubrey Golden.

A letter was hand-delivered to him immediately on May 14, 1980; this is to Mr. Golden re *The Tin Drum*:

"The board met with you and Mr. Skewes on May 1. At that time you indicated the director, Mr. Volker Schloendorff, would not consider any eliminations in the film *The Tin Drum*. This has been confirmed in subsequent telephone conversations with you as recently as Tuesday, May 13.

"On that basis the board has no alternative but to return the print as you requested." It is signed by D. L. Sims, director.

In all fairness to the solicitor, I understand his problem. He is negotiating on behalf of his client. He is probably trying to get the best arrangement he can. On or about May 9, if the board was to accept no cuts, the solicitor assured the board that everything possible would be done to give them a great public stance, including getting some notable public figures to speak openly in support of the board.

**Mr. Deputy Speaker:** Order. It would appear to me there is a possibility that no privilege has been breached. It appears to me somewhat more of an argument. However, because the matter did commence on a previous occasion, I will be glad to have a look at it.

#### SUPPLEMENTARY ESTIMATES

**Hon. Mr. McCague:** Mr. Speaker, I have a message from the Honourable the Lieutenant Governor signed by her own hand.

**Mr. Deputy Speaker:** Pauline M. McGibbon, the Lieutenant Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1981, and recommends them to the Legislative Assembly, Toronto, May 30, 1980.

**STATEMENT BY THE MINISTRY****ARGOSY RECEIVERSHIPS**

**Hon. Mr. Drea:** Mr. Speaker, this is a report concerning Argosy Financial Group of Canada Limited and Argosy Investments Limited.

On Wednesday, March 19, 1980, the Royal Bank of Canada made application in the Supreme Court of Ontario for two orders appointing Laventhol and Horwath Limited as receiver and manager of Argosy Financial Group of Canada Limited and Argosy Investments Limited, a wholly owned subsidiary. The applications were supported by writs filed by the bank against the two companies following their failure to meet the formal demands for payment of outstanding debts of more than \$5 million secured to the bank. Both Argosy companies had given their consent to the application.

The presiding Supreme Court judge made the requested orders on March 19, 1980, appointing Laventhol and Horwath Limited as interim receiver and manager of Argosy Financial and Argosy Investments. Each order directed the receiver to manage the assets, business and undertaking of the company and to prepare and submit a preliminary report to the court. The report was to note the creditors, state the assets and liabilities of the company on an unaudited basis and to make a preliminary recommendation as to the appropriate method of protecting and realizing the assets of both companies.

Also on March 19, 1980, in conjunction with such orders, a temporary cease-trade order was made by the Ontario Securities Commission halting all trading in the securities of Argosy Financial and its affiliated companies. This temporary order was continued on a consent basis by a further commission order on April 15, 1980. In addition, by order of the commission on March 21, 1980, the registration of Argosy Financial was suspended on a temporary basis, with a further order on April 18, 1980, by the commission making the suspension permanent.

Argosy Financial and its three wholly owned subsidiaries had been active in the financial services field since Argosy started business in 1967 as Argosy Finance Company Limited. Its three subsidiaries were Argosy Investments, Institute Investments Inc. and London Loan Limited. Institute Investments Inc. has been placed in receivership by another chartered bank, Canadian Imperial Bank of Commerce. Coopers and Lybrand Limited have been engaged to act as receiver by that bank. London Loan Limited was sold.

Argosy Investments carried on the business of lending money on the security of mortgages of real estate. It provided interim financing by way of second, third and fourth mortgages, as well as bridge financing. It has been estimated that approximately \$5 million of such interim mortgage loans are outstanding.

Argosy Investments also placed syndicated mortgages on real estate development properties on behalf of private participants and itself. Approximately \$30 million in syndicated loans are outstanding in which outside investors have participated to about \$21 million.

Argosy Financial has issued two series of debentures under prospectuses dated April 24, 1978, and October 29, 1978, respectively, for which receipts were issued under the Securities Act, 1978, and its predecessor act. I am advised the amount currently outstanding under these debentures is approximately \$5.2 million.

On April 15, 1980, following a preliminary review of the situation, the Ontario Securities Commission commenced a formal investigation of Argosy's affairs. The corporate structure of Argosy and its affiliates is complex, and considerable review will be necessary to assess the implications inherent in the appointment of the receiver. As a result, the investigation is still being actively conducted.

A preliminary report was presented to the Supreme Court by the receiver on April 25, 1980. The report indicates the position of Argosy's investors may be very grave. While every effort will be made to ensure that the financial affairs of Argosy and its affiliates are closely scrutinized in the light of the considerable public investment, it would appear at this time that comment upon the possible outcome of such investigation is inappropriate.

Because of the widespread interest by all parties in the Argosy Financial Group of Canada Limited and the Argosy Investments Limited matter, I will file with the Clerk a copy of the preliminary report to the Supreme Court of Ontario so that those who have a particular interest in that matter may have available the details that have been produced so far.

**ORAL QUESTIONS****APPRENTICESHIP PROGRAMS**

**Mr. S. Smith:** Mr. Speaker, I would like to direct a question to the Minister of Colleges and Universities inasmuch as I believe it is under her ministry that apprenticeship programs are allegedly co-ordinated.



Is the minister able to explain the situation in which she has continually spoken of the need for more apprenticeship programs, and the need for skilled workers, and has supported importing such skilled workers when we do not have them in Ontario, and yet a number of apprentices, including a few at Johns-Manville Canada Inc., who signed papers very recently and then were laid off the next day when the apprenticeship program was brought to a halt, seem to be unable to carry on with their apprenticeships here in Ontario?

In particular, is she aware of the case of one Kevin Clinch, who has completed 5,000 of the 8,000 hours required in his apprenticeship, signed papers with Johns-Manville a week ago, and then the next day was laid off? He has then asked what he can possibly do, spoken to people in the Ministry of Labour, and has asked how he can make good his apprenticeship, because he has been working for low wages, working his way up towards a journeyman's status. He was told apparently by someone in the Ministry of Labour—and this is a direct quote; it is not my language—“There is bugger all that we can do.” This is an apprentice millwright who was told this when he wished to complete his apprenticeship.

10:20 a.m.

How can it be that we are still importing people and still boasting of how we are improving apprenticeships when somebody who has completed 5,000 out of 8,000 hours finds himself with absolutely no recourse simply because he wishes to continue and finish off his apprenticeship?

Hon. Miss Stephenson: Mr. Speaker, I do not know specifically of the case of Mr. Clinch. However, if I could have the details of the individual's name and his apprenticeship log number, I am sure the counsellors of the industrial training branch would be pleased to help him to try to find an appropriate alternative area for completion of his apprenticeship. That is the reason we have employed approximately 100 more people in the industrial training branch as counsellors this year, in order to provide that kind of information and help to those who are interested in apprenticeship in Ontario.

Mr. S. Smith: I suppose it is always possible that he may have called the wrong person. It is conceivable. But I wonder whether the minister will make a point of looking into the plight of five apprentices who were laid off at Johns-Manville one day after their contract was signed. At least

one apprentice, as I say, was given the quotation I am speaking of when he asked and called his apprenticeship supervisor regarding alternative employment.

Surely there must be some provision. Would the minister outline what that provision is for somebody whose apprenticeship is interrupted after completing two thirds of it and who then finds himself, after having spent several years at low pay working his way up on the apprenticeship ladder, with nowhere to turn while people are still being imported to take on the skilled jobs?

Hon. Miss Stephenson: I am sure the honourable member knows that the terms of contract in those areas in which there is a labour union frequently impinge directly upon the continuity of the apprenticeship program. That is one of the problems yet to be solved. The apprenticeship supervisor would report, I believe, the circumstances of these five individuals to the industrial training branch. They will be receiving some assistance, but they must search out appropriate places for them for the continuation of the program in which they are involved.

Mr. Cooke: Mr. Speaker, could the minister inform us of the ratio between the people in the apprenticeship program, the trainees, and the counsellors we have in this province, in view of the facts that in estimates we were discussing the problem of follow-up between the counsellors and the trainees and that the ministry now has added 100 staff? Could she indicate what the ratios were before that 100 staff were added and what they will be after the complete staff is hired, in order to prove to us that there will be adequate follow-up and not the type of ratio of one counsellor to 400 apprentices that we had in the Windsor-Essex area for quote some time?

Hon. Miss Stephenson: I will be glad to get those precise figures for the honourable member and report them.

#### AID TO PENSIONERS

Mr. S. Smith: Mr. Speaker, in the absence of the Premier (Mr. Davis) and the Treasurer (Mr. F. S. Miller), perhaps I could address this question to the government House leader. I wonder whether he could take this question and perhaps respond to it. As a response to a question on the Order Paper, the fact was stated that it will cost the government of Ontario \$3 million in additional administrative costs for the privilege of being able to send out the property tax credits to pensioners, as opposed to allowing them to re-

ceive their tax credit under the present method; that is, at the same time as they get their money from the federal government.

Can the minister explain why the people of Ontario should have to be taxed an additional \$3 million just so this government will look good and have the privilege of sending out cheques under their personal signatures, when the very same amount of money could get to the pensioners under the existing method, which would be \$3 million cheaper?

Why should it cost us \$3 million so the government can improve its public relations?

**Hon. Mr. Wells:** Mr. Speaker, this should properly be answered by the Treasurer, and I am sure he will do that in a fuller manner presently.

I should draw to my friend's attention that the people who will be receiving these cheques are all people who are receiving old age assistance. Many of them do not have to or would not have to complete income tax forms. When this new system is completed, it will simplify matters for senior citizens of this province. It is something many of them have been asking for. It is a local problem. I think we have had the same problem. A lot of older people have difficulty filling out what is now a very complicated income tax form.

This represents a great step forward, a simplification of the program, and very clearly identifies the fact that this government is helping people pay their property taxes, something a lot of them haven't realized to the present time.

**Mr. S. Smith:** There is the answer. We are getting the answer towards the end of that dissertation, namely, that the government wants to get the political credit and it does not think it has been getting it.

Is the minister aware in the four and a half years I have been in office in Hamilton West, I have not had a single person object to me about the fact their tax comes from the federal government in that envelope rather than one with the minister's signature on it? Is he aware that there is no clamour to have the Treasurer's signature as opposed to anybody else's?

At a time when everybody else is being told about restraint, at a time when the government cannot even pay for artificial arms and legs because of the alleged restraint program, how does the minister justify spending \$3 million of the taxpayers' money just so he can sign the cheques and get some political credit for it?

**Hon. Mr. Wells:** Mr. Speaker, I have had many people come up to me and say, "When

are you going to do something about alleviating the property tax burden for us senior citizens?" I explain to them we are doing that through a tax credit system. They just do not realize it and it is a very complicated system. I think it is well worth the value, and it will make things a lot simpler for the senior citizens of this province.

**Mr. McKessock:** Mr. Speaker, if it is going to simplify it, is it not true what it states in the budget, that senior citizens are going to have to fill out a form and they will have to prove their taxes have been paid before they can receive this additional payment?

**Hon. Mr. Wells:** I am aware they are going to have to fill out a very simple form which will be mailed to them. I don't believe they have to show that their taxes have been paid first.

#### FARM EQUIPMENT COMPANY LAYOFFS

**Mr. Cassidy:** Mr. Speaker, I have a question to the Minister of Industry and Tourism (Mr. Grossman) arising out of the announcement that there will be 5,000 layoffs at Massey-Ferguson in Brantford and in Toronto, and a further 1,000 layoffs for a large part of the summer at White Farm Equipment Limited in Brantford.

Will the minister not agree that one of the reasons why our farm machinery sector is so badly hit here in Ontario is the fact that our trade deficit in farm machinery with the United States has gone up from less than \$200 million at the start of the 1970s to more than \$1 billion in 1979? How long is this government going to allow Canadian farm machinery workers to be thrown out of work while we have such a desperately bad imbalance in trade to the benefit of another country?

**Hon. Mr. Grossman:** If we look at the major companies that are in this industry in the province, we will find the four of them are John Deere with 1,050 employees, US-controlled; International Harvester with 2,000 employees, US-controlled; White Farm Equipment with 1,350 employees, Canadian-controlled; and Massey-Ferguson with a total of 5,300 employees, Canadian-controlled. So the Canadian-controlled companies in the industry are controlling many more people in this sector than are the foreign firms.

Therefore, I have some difficulty buying the proposition the member has put to the House this morning that the domination of the industry by other than Canadians is the root source of the problem. In fact, anyone who has studied the problem—and I am sure the NDP Agriculture critic sitting there this

morning will confirm this—knows the major problem here is markets. There is no question about that. With the economy in its present situation, farm incomes are obviously not what they have been historically. That obviously affects purchase of that sort of equipment.

10:30 a.m.

**Mr. Cassidy:** Is the minister not aware, if I can take 1978 figures, that in 1978 we in Canada imported \$907 million—almost \$1 billion—worth of tractors into Canada, and we exported not a nickel's worth of tractors from the farm machinery industry in this country to the rest of the world, basically because we do not produce any tractors in Canada as part of our contribution to the farm machinery sector?

How has this government allowed a situation to exist where under a so-called free trade arrangement there is virtually no production of tractors, the most important implements in the farm machinery industry in Ontario or in Canada? When will we have an industrial strategy that ensures Canadian workers can be producing Canadian tractors for Canadian farmers rather than workers being thrown out of work because of an imbalance in the market?

**Hon. Mr. Grossman:** Quite frankly, the member wants to suggest that if Canadian workers were making tractors, they would not be laid off. I think anyone analysing the current situation will realize that the sales for tractors, like combines and other harvesting equipment, are off. That is a function of market. It is not at all the function of where each particular product is made. In this particular sector, as I pointed out, we have a couple of very strong Canadian companies in the sector.

To say that in 1978 one piece of farm equipment was totally imported rather than made here is a very selective distortion of the situation by the member. Although I did not happen to bring to the House this morning the list of all the equipment made by Massey-Ferguson with their 5,000 employees in Ontario alone, they are obviously doing more than passing hammers and tools between each other; they are making farm equipment.

They have had a rather large level of employment in this country and in this province because that equipment has been selling. Although perhaps in 1978 they did not export any tractors, they are making a great deal of farm machinery. As the member knows, they are the world's leading supplier of farm machinery and equipment. Those

world markets, like the Canadian markets for the equipment they are making, are clearly off. There is no question about that.

It is rather unfair of the member to suggest that the problems with those companies in terms of their international sales fall at the feet of this government. It is unfair and wrong, and I am not going to permit him to suggest that this government is responsible for international sales of farm equipment. It is not.

**Mr. Cassidy:** Rather than just blaming the market—we understand the market is down—will the minister not acknowledge that if we had a share of the tractor industry in Canada, we would be part of a market which in North America is down by 22 per cent, whereas the market for combines is down by almost 50 per cent right now?

Is the minister also not aware of the fact that American tariff restrictions effectively make it far more advantageous for Massey-Ferguson and other companies to produce many farm machinery attachments and parts in the United States rather than in Canada, to the point where Canadians cannot export to the United States duty-free parts for the equipment sent duty-free from Canada into the United States?

Why has Ontario not been fighting to have fair tariff treatment between the two countries so that we do not have a disadvantage in that farm market between Canada and the United States. Why does the minister not have a strategy to develop a farm machinery sector in Canada rather than a strategy that allows it to be run down?

**Hon. Mr. Grossman:** It is quite inconsistent for the member to say we ought to have a strategy to develop this industry, and yet on the other hand find that this industry has grown up and has thrived for many years right here in this province.

To be fair, the member did not stand up and give this government credit for the successes of Massey-Ferguson when their markets were good and they were having a lot of success. To be equally fair, he should not lay their problems in international sales at the feet of this government.

His comments on tariffs have some relevance. They are traditionally, and must be, a matter for the federal government to deal with. We have passed our comments on to the federal government consistently on this and a whole range of other matters, but the member must acknowledge that this government does not have control over that situation and therefore he cannot attribute any tariff problems to this province.

Having said that, may I remind the member that we have retained in this ministry the services of Canada's chief negotiator at Geneva in the tariff talks, Rodney Grey. That is quite a major breakthrough for our province. We now have him consulting with us on a half-time basis, and he has given us access to a great deal more information on tariffs, on what actually happens at the table and on the outstanding concerns for Canada on a more regular basis than has ever been available to our province before. We are going to see the results of some of that advice he has been able to give us in the next couple of years.

The member talks about the fact that the market for tractors this year is off by 22 per cent and for combines it is off by 50 per cent. The fact is, he can take any series of years and say, "If only you were making this particular piece of equipment, the market for which is only off 22 per cent rather than the other equipment which is off 50 per cent, you'd be in better shape." Of course, he is right in saying that.

I know the member will disagree with this, but it is hardly the job of government to go around and try to anticipate which products are going to be selling better in which years. We cannot do that and I suggest if the honourable member were in office, even he could not do that.

I suggest further to the member that the success of Massey-Ferguson over the years speaks for itself. The reason that Massey-Ferguson and others are having problems goes far deeper than the simplistic, surface reasons the member wants to give.

I would like to hear from the leader of the third party what his strategy would have been two years ago to ensure that they were making tractors in 1980, because perhaps he knew that tractor sales would be off only by 22 per cent in 1980. Massey-Ferguson did not have that expertise. We, frankly, did not have that expertise. But perhaps he has, in which case maybe he can tell us now what the sales of tractors will be in 1984? I will pass it on to Massey-Ferguson and perhaps they will go into the business.

**Mr. Ruston:** Mr. Speaker, is the minister aware that the prohibition of the exporting of grain by the United States to Russia, and Canada's agreement with that prohibition lowered the price of soybeans by a terrific amount, which caused some of this, but at the same time we are still allowing Russian tractors into our country which compete with our machinery business?

**Mr. Ashe:** Talk to your federal friends.

**Hon. Mr. Grossman:** That's the answer. I will pass that advice on to the member's federal colleagues.

**Mr. Cooke:** Mr. Speaker, since it was only a matter of a few weeks ago that the federal Minister of Agriculture was on television in Windsor saying that Massey-Ferguson was going to be building an engine plant in the Chrysler engine plant, can the minister advise us as to what effect these layoffs and the condition of the sales of farm equipment are going to have on the possibility of that engine plant being utilized?

**Hon. Mr. Grossman:** Mr. Whelan's information might be different from mine. The matter has been raised in this House before. I can only say that there are a lot of people whom we have been contacting with regard to plans for diesel engines. We have contacted a lot of people with regard to going into the Chrysler engine plant, which they have now acknowledged might be available, but I would not want to give any specifics with regard to any company's particular plans, including Massey-Ferguson.

Suffice it to say that Massey-Ferguson has talked about diesel plants in Ontario, and I am informed that this particular layoff, if anything, is taken to ensure that the company's financial position is viably strong enough to permit it to make other and different investments; so it should not affect that decision.

#### THE TIN DRUM

**Mr. Cassidy:** Mr. Speaker, I have a question to the Minister of Consumer and Commercial Relations, again respecting the censorship decisions that have been made with respect to The Tin Drum. I want to ask the minister whether he will confirm the chronology of certain events at the Ontario Board of Censors which he did not speak to in his statement on Tuesday of this week.

Specifically, after meeting with the distributor on May 1, the board voted on May 2 that the film could be shown with one cut, and it took a similar vote approximately a week later. But the distributor was never informed of these decisions and, specifically, at the time the board reached its ultimate decision, both the chairman and deputy chairman were aware of the offer from the distributor, by this time a firm offer, to submit the film with the British cut. Is that true or not?

**Hon. Mr. Drea:** Not true, Mr. Speaker.

10:40 a.m.

**Mr. Cassidy:** Since the minister now says that he challenges what the solicitor for the

distributor is saying in terms of what occurred, would the minister be prepared to have tabled in the Legislature, the minute book or the record book which is kept by each member of the censor board and which might cast some light on the decisions that were made by the censor board early in the month of May, decisions which may have been informal or formal but were not communicated with the distributor at the time?

Will the minister also agree that since the initialling of board decisions does not necessarily mean that members of the board agreed with the majority view, as in the Conservative caucus or somewhere else, he would be prepared to share with the Legislature what the final decision was and what the vote actually was? Will the minister not agree that what was actually happening was that the chairman of the censor board kept on running this question before the censors as many times as possible until he got the decisions he wanted?

**Hon. Mr. Drea:** Mr. Speaker, that is the biggest collection of junk ever heard in here on a Friday. The leader of the New Democratic Party wants this film shown with no cuts. He has said that. He should quit the subterfuge to get around the whole bit.

**Mr. Cassidy:** I want a classification system so the people of the province can judge for themselves.

**Hon. Mr. Drea:** I was rudely interrupted. Now the leader of the New Democratic Party has made his little speech, now that he has got his party in trouble, I will begin to explain.

**Mr. Ruston:** They're your friends, Frank.

**Hon. Mr. Drea:** The divorce, I told members yesterday, was imminent.

There is no such thing in a regulatory body as an informal decision. Either there is a decision or there is not. As I outlined to the Leader of the Opposition on Tuesday, there were two formal decisions. There was the original decision, and then there was the decision that was initialled on May 15. If the leader of the third party wants to know what the votes are, I guess he cannot read. I told the press the other day what they were.

**Mr. S. Smith:** Mr. Speaker, just so I am clear on this, I will quote a paragraph from Mr. Golden's letter. It says: "It is perfectly clear from the foregoing events that both Mr. Sims and Mrs. Brown were aware of a firm and official offer being made by me with full authority to compromise by agreeing to the approval of the English version." Is the minister saying essentially that this,

which was allegedly clear and unequivocal on May 14, by telephone, is a false statement being made by this solicitor? Is that what the minister is saying?

If this statement is a true statement, the minister has not been well informed. If this statement is a false statement, let the minister state clearly in this House that he regards this solicitor as having made a totally false statement in his letter of May 28, 1980.

Let's not have any shilly-shallying. Is it true or false?

**Hon. Mr. Drea:** For a guy who has been all over the post on this one, the Leader of the Opposition should not start telling me not to shilly-shally.

I thought I went through this during the episode on privilege. That paragraph may be the solicitor's version, in his own mind, of what happened. I have a conflicting version, based primarily on the fact that the offer was proposed about the one cut but was not to be conveyed to the board unless the board would accept it. That brought about the time delay—I explained that once—to the point that the formal, in-writing letter, which has a date of May 15 stamped on it, was entirely redundant to the decision that was made actually on the afternoon of May 14, but not initialled until May 15.

**Mr. S. Smith:** Does the minister deny the solicitor spoke on the phone with Mr. Sims?

**Hon. Mr. Drea:** I have said he spoke on the phone. This is the point. And with Mrs. Brown.

**Mr. S. Smith:** And with Mr. Sims.

**Hon. Mr. Drea:** With Mr. Sims and with Mrs. Brown, With Mrs. Brown the conversation was, "Don't tell it to the board." How many times do I have to say it?

**Mr. Cassidy:** The minister says there were two formal decisions by the board. Obviously, in view of the number of consultations and so on, there were informal decisions about which he is not prepared to talk. Would he not now be prepared to ensure that the censor board considers The Tin Drum on the basis of the offer conveyed verbally to the chairman of the board prior to its last meeting? The offer said specifically, and it was confirmed by letter: "I am able now to confirm to you that they are prepared to submit a print identical to that to be shown in England for your approval."

Would the minister not allow the matter to be reopened in that way so that this

film, which has got almost every award in the film industry, can be shown, and Ontario will no longer be the laughingstock of every other jurisdiction in Canada, the United States and Europe which has permitted the film to be shown?

**Hon. Mr. Drea:** I suppose the leader of the third party has to deal with the subject as best he can, knowing his prejudices and how far he has got himself out on a limb.

**Mr. Roy:** The minister should not be nasty to his friends now.

**Hon. Mr. Drea:** I told the member we are divorced. What more does he want?

**Mr. Roy:** No, the minister is not divorced. The leader of the third party has a standing invitation to cabinet meetings.

**Hon. Mr. Drea:** I can tell the member the day that occurs he will see one less cabinet minister.

**Hon. Miss Stephenson:** The whole cabinet will be gone.

**Mr. Deputy Speaker:** Order.

**Hon. Mr. Drea:** The board made a decision—not two decisions. The board reviewed the first decision. They did it on May 15 officially. In between—if the member could read; I went through Hansard the other day—I said they had a meeting. After the meeting was over there was not only no consensus, but also one member of the board wanted to have the film rescreened to re-think his position. Another one wanted to ponder on it.

I went to great lengths the other day to show the Leader of the Opposition why there were time delays between May 2 and May 14, Mr. Speaker. I do not know how many times the leader of the third party is going to attempt an end run or subterfuge, work under the table or anything else. He should be a man. If he wants the thing shown without cuts, he should stand up on behalf of his party and say so. There are going to be no more reviews, no more decisions.

**Mr. Cassidy:** On a point of privilege, Mr. Speaker, I am going to see it on Monday on behalf of members of my caucus. It seems to me we will then be able to comment more authoritatively than other people in Ontario, who have not been allowed to see this contentious film unless they shuffled off to Buffalo or paid \$180 to go to Montreal and back.

**Hon. Mr. Drea:** Is the member going to Buffalo? He can't see it there. It bombed in Buffalo. It is not there any more.

## SMALL CLAIMS COURT PROCEDURES

**Mr. Epp:** Mr. Speaker, I have a question of the Attorney General (Mr. McMurtry). I noticed he was here earlier today. Is he expected to be here shortly?

**Mr. Deputy Speaker:** Is that the member's question?

**Mr. Epp:** No, it is not. I was just asking as a matter of procedure. If not, I will defer. I will ask the Provincial Secretary of Justice the question.

One of my constituents went to the small claims court to enter a claim on behalf of a minor—the technical legal term is to act as a next friend for a minor. This person, a married woman, was told that she was not qualified as a married woman to enter a claim on behalf of a minor.

Could the minister advise us how the clerks of the courts of Ontario are kept informed of the changes in the law? These changes were made in 1975, and yet the court clerks were not aware of them.

**Hon. Mr. Walker:** Mr. Speaker, it is my understanding the clerks were made fully aware of all the matters arising out of changes. If that is not the case, it is something that bears looking into. I would ask the matter be reported to the minister.

10:50 a.m.

**Mr. Epp:** Can the minister assure this House that he, together with the Attorney General, will review all the procedures involved with changes in legislation so the clerks in the various courts in the province will be informed of the changes and people will have some kind of confidence when they go to the courts that they are going to get the right information, rather than get information that is at least five years out of date?

**Hon. Mr. Walker:** Mr. Speaker, what the member is saying is quite correct and it is important for us to have this communication. It may be necessary for us to have another public relations campaign in order to achieve that.

## WELLINGTON MUSHROOM FARM

**Mr. Mackenzie:** Mr. Speaker, I ask your indulgence. I had given notice in advance to the Minister of Labour that I would be asking this question because I felt it was so important, but I would like to redirect it to the Provincial Secretary for Resources Development.

Is the minister aware of the May 22 decision of the Ontario Labour Relations Board denying the right to certification of more than

200 employees, mostly women, at the Wellington Mushroom Farm, even though more than 74 per cent had signed union cards? Is the minister aware that the report clearly states the only reason for not allowing certification is the exclusion in the Labour Relations Act of agricultural employees, but that in every other respect these workers are plant workers since they punch time cards and they are working on a production line schedule.

I quote from the decision: "We accept the applicants' contention that there is no industrial relations basis for denying the respondent employees the right to bargain collectively, nor can we discern any tangible prejudice to the respondent if the employees in the mushroom factory were entitled to the same statutory results as their fellow employees in the soup factory." The board comments that the argument for changes in the legislation to protect these employees is a very great one.

In view of such an obvious injustice, is the minister prepared to bring in the changes that are necessary in the Labour Relations Act and, further, what can we do to provide the protection these workers clearly wanted?

**Hon. Mr. Brunelle:** Mr. Speaker, I am not aware of the matter the honourable member raised, and I will bring it to the attention of the Minister of Labour.

**Mr. MacDonald:** Mr. Speaker, when the provincial secretary draws it to the attention of the Minister of Labour, will he also draw to his attention the fact that as far back as the late 1950s, more than 20 years ago, a select committee of this Legislature, under the chairmanship of the late James Maloney, reviewed the issue of exclusion of so-called horticultural, agricultural workers who are in industrial factory circumstances? They would not remove the exclusion then and 20 years later are still stonewalling the effort. Would he have the minister look at it and move into the real world?

**Hon. Mr. Brunelle:** Yes, Mr. Speaker.

#### CHICKEN PROCESSING PLANT CLOSURES

**Mr. Riddell:** Mr. Speaker, a question to the Provincial Secretary for Resources Development: I want to turn from mushrooms to chickens. It is a question I wanted to ask the Minister of Agriculture and Food (Mr. Henderson). Unfortunately, he had to leave, but time is of the essence.

Two years ago, Swift Canadian Company Limited closed its chicken processing plant.

More recently, G. Petrucci and Son Limited in Hamilton closed its chicken processing plant. At the present time, Canada Packers Inc., J. M. Schneider Inc. and United Co-operatives of Ontario have got the warning sign out that they are going to be closing their chicken processing plants. Other smaller chicken processors are wanting to sell their businesses to the larger ones, but the larger ones are not interested.

Is the minister aware of the dire straits that the chicken processing industry is in, and what steps is he or the Minister of Agriculture and Food going to take to ensure that the chicken industry in Ontario is not going to go the way of the sugar beet industry in Ontario?

**Hon. Mr. Brunelle:** Mr. Speaker, my colleague the Minister of Agriculture and Food is meeting with the business community in the eastern area of the province this morning, but I will be pleased to bring this to his attention on Monday.

**Mr. Riddell:** When the Provincial Secretary for Resources Development speaks to the Minister of Agriculture and Food, will he ask him if he has met with the Ontario Chicken Producers' Marketing Board to ascertain what effect the loss of all these processors will have on the chicken industry, and to ascertain whether the chicken board might take a second look at production quotas and live chicken prices in order to try to retain the chicken industry here in Ontario?

**Hon. Mr. Brunelle:** That also will be considered.

**Mr. MacDonald:** Mr. Speaker, while the Provincial Secretary for Resources Development is spending the weekend with his various colleagues to bring them up to date on this, would he also have the minister investigate, along with the federal Liberals, as he attempted to do with the federal Tories, ways to restrict the imports so that a basic security can be established for the chicken industry in this province?

**Hon. Mr. Brunelle:** That is a very good question Mr. Speaker. Actually a lot of the responsibility lies in Ottawa on the question of imports.

#### SECURITY IN OHC BUILDINGS

**Mr. R. F. Johnston:** Mr. Speaker, my question is for the Minister of Housing. It regards an answer I have just received to a written question, number 172, asking for information on the number of incidents of violence, vandalism and assault occurring in the develop-



ments of Ontario Housing Corporation in Metro in the last 12 months.

I notice the minister's security systems report that during the period from May 1, 1979, to April 30, 1980, in Metro the various security firms investigated 5,206 acts of vandalism and 525 incidents of assault in OHC properties around Metro. Averaging the incidents of vandalism it works out to approximately one out of six units having some act of vandalism. The 525 incidents of assault seem to me to be quite high, although I have nothing to measure it by. How serious does the minister see this problem and what does he intend to do about it?

**Hon. Mr. Bennett:** Mr. Speaker, we see it as serious enough to retain security services in the various parts of Metropolitan Toronto. We also see it as serious enough to have a very good working relationship with the Metropolitan Toronto Police Force, which assists us in trying to patrol the sites that are owned or under lease by OHC. We recognize there has been a fairly substantial number of vandalism claims or reported incidents, which they investigate. Not all of them proved to be quite the same as some people had reported, but they are investigated by either our security people or by the Metropolitan Toronto Police force.

**Mr. Philip:** Mr. Speaker, is it not a fact that over the last two years the number of security officers in the employ, either contract or otherwise, of OHC has been reduced? Why has this minister constantly refused efforts by OHC tenant groups to have a meeting with him or with his subordinates to discuss the problems of security at places like 75 Tandridge in Rexdale?

**Hon. Mr. Bennett:** Interestingly enough, Mr. Speaker, it was just this week that I met with the group of representative tenants from across all of Ontario, not just the Metropolitan Toronto area, which area seems to think it controls all the policies that are going to affect housing in this great province. We met with them and reviewed issues they thought were of great importance to them as tenants of units that are owned by the people of Ontario under OHC or under lease to the rent subsidy people of Ontario.

I indicated very clearly to this House some weeks ago that this government provides in the Metropolitan Toronto jurisdiction alone, through this ministry, \$4.2 million for security fees for patrolling OHC projects. For the rest of Ontario, the figure is something less than \$250,000.

We have very clearly and conscientiously looked at the problems that we have here in

Metropolitan Toronto and that it why we have provided the \$4.2 million in security, why we retain three different security organizations, why we have people on site in some locations and why we have a patrol system that roams throughout the various projects that we happen to own.

Clearly, I think there has been an honest, open expression, with \$4.2 million as a clear indication of intent to try to keep the projects as safe for public habitation as possible.

Someone was raising Cain the other day with the ministry and through OHC that they didn't want security on site. They thought that having security on site to patrol the project was harassment. In my opinion, it is not harassment to try to protect the public and to allow those projects to be safe for those who live in them.

11 a.m.

**Mr. R. F. Johnston:** Would the minister inform me, if he can today, how many of the 525 assaults investigated by the various security forces had a racial component to them? I would like to know whether he plans on changing his approach to security away from an emphasis on the guardians and security forces and onto a greater preventive role for the community relations workers. To that effect, when will he meet with the tenants to discuss this kind of proposal, inasmuch as he has not met with them, as I understand it, for the last couple of years?

**Hon. Mr. Bennett:** Mr. Speaker, I deny the last remark made by the member for Scarborough West. As I said a few moments ago, I met this week with a representative group of tenants from across Ontario. They spoke on behalf of Metro tenants, tenants from the city of Ottawa, Thunder Bay, Hamilton, London and so on. Brantford also was represented in that particular group.

I have no direct knowledge of the assault cases involved, and I do not intend as minister to become deeply engrossed in those cases. That is for the determination of security and police. I do not think there is any credit in talking about the racial and discrimination factors or the percentages that relate to those assault cases.

**Mr. Philip:** If the minister spent less time kissing mirrors and more time talking to his tenants, he would be better off.

**Hon. Mr. Bennett:** It is about time the member started doing his job and stopped trying to do mine.

**Mr. Deputy Speaker:** Order.

**Mr. Philip:** On a point of privilege, Mr. Speaker: The minister has just said I am not



doing my job. It is his ministry not consulting with the tenants and refusing to meet with them over a two-year period that has caused the problem.

**Hon. Mr. Bennett:** It is all very well to talk about representing tenants, but they exclude me from meetings.

**Mr. Deputy Speaker:** Order.

#### HEALTH UNIT DISPUTE

**Mr. Bradley:** Mr. Speaker, I have a question of the Minister of Health. Is the minister aware of the details of the strike of the Niagara Regional Health Unit in the Niagara Peninsula? Can he assure the House that the functions that would be carried out by the employees on strike, a certain category of inspectors and so on, are being adequately carried out by supervisors, and public safety is not in danger at the present time?

**Hon. Mr. Timbrell:** To the best of my knowledge, Mr. Speaker, that is the case.

**Mr. Bradley:** Supplementary, Mr. Speaker: Would the minister undertake to speak to his colleague the Minister of Labour (Mr. Elgie) to determine whether an intervention or renewed intervention on the part of the Ministry of Labour might be useful in attempting to resolve this strike and get these people back to work so we can be absolutely sure the public safety is guaranteed? There are many concerned, for instance, about inspection of restaurant facilities within the region which used to be carried out by those now on strike.

**Hon. Mr. Timbrell:** Mr. Speaker, I will be glad to discuss the matter with my colleague. If anything useful can come of any intervention by Labour staff by way of mediation, it will be done.

#### EVICTION OF TENANT

**Mr. Warner:** Mr. Speaker, on behalf of the member for Sudbury East (Mr. Martel), regarding the continued harassment by the minister of Mrs. Timmins, I have a question of the minister.

I understand his ministry was aware that Mrs. Timmins' lawyer had given her legal advice that she was not obligated to declare her Workmen's Compensation Board pension benefits as income. My question is, did his staff attempt to verify the information with her lawyer or with any other legal counsel?

**Hon. Mr. Bennett:** Mr. Speaker, first, may I say there has been no attempt on the part of this ministry or by the housing authority to harass any tenant in the Sudbury area or

indeed in this province. Whether it be the Sudbury Housing Authority or any other housing authority, it has been given certain responsibilities to look after the portfolio that rests within its jurisdiction. They are supposed to try to be good managers and look after the tenants in accordance with the legislation drafted in the rules and regulations.

Mrs. Timmins' case has been around for some period of time, and I am sure the members are all aware of it. I have talked to the member for Sudbury East about this specific case as well. Mrs. Timmins did retain a lawyer, to the best of my understanding, through legal aid, and he did approach the Sudbury Housing Authority for verification of her particular rent program. The workings and business arrangements and so on have been strictly between the authority and her lawyer. I am not aware of all the facts the member might be looking for this morning, as of recent days anyway.

**Mr. Warner:** Supplementary: I would appreciate it if the minister could verify the information which I asked him about. He has driven the woman out of her home, and we understand that, but why is it that he is so prepared to harass pensioners for a relatively small sum of money, while at the same time his ministry is quite prepared to squander some \$230 million in the Pickering area? What kind of priorities do they have over there?

**Hon. Mr. Bennett:** Mr. Speaker, it is amazing how we can take any issue in this government, or any issue in the budgeting of approximately \$17 billion and always relate it to the subject we want to discuss at any given moment rather than trying to look at priorities, period.

First of all, the member says we are driving the lady in question out of her home. What the housing authority has done, very simply and directly, is it has asked people who are residents—and there are better than 250,000 who are tenants of the people of this province—to verify their income. We have based housing on a rent-geared-to-income basis. The fact is the Sudbury Housing Authority has asked Mrs. Timmins, as it has asked others who are in arrears of the rent as a result of miscalculations of income and percentage thereof for rent, to pay up the portion in arrears.

The member can say it is very simple to write off Mrs. Timmins' particular amount, or any other person's amount, but then what he is saying, clearly and distinctly, is all of those people who have clearly and honestly indi-

cated all of their incomes and paid the rent accordingly to the income they have declared, should not really have been doing it, because if they had been able to just disregard some of their pensions and not paid a percentage of them, there would be no penalty anyway.

In fairness to the vast majority of Ontario Housing Corporation tenants across the province and the numbers we have in rent supplement programs, it is only fair that each person pays his or her way. If there is some degree of arrears as a result of miscalculation I think they should be honoured. That must be done. The member is trying to impress upon the system that there is no real reason for being completely open and sincere about income.

**Mr. Roy:** Spoken like a real bureaucrat.

**Hon. Mr. Bennett:** He should know with his past experience.

**Mr. Deputy Speaker:** Order, order. Maybe the minister could contain himself, along with other members.

**Mr. B. Newman:** Final supplementary: Would the minister entertain a suggestion that periodically he have a flyer sent to OHC tenants notifying them that certain types of income must be reported and have them check on their own so that—

**Mr. Wildman:** He should table his regulations and the manual.

**Mr. B. Newman:** That is all right. It may be in the manual, but I am suggesting that he send a flyer to each one of the tenants so they would know what must be reported.

**Hon. Mr. Bennett:** Mr. Speaker, first, there is an annual review of the incomes the individuals happen to be receiving and the change of incomes that might be noted between one year and the next.

Supplementary to that, if any income is lost during the course of the year, OHC immediately reduces the rent accordingly; if income increases during the year, we waive that until the next year when the new lease or new declaration of income is completed. So there is an advantage, and I think some compassion and understanding, given to those particular cases. The fact is there is an annual review of the incomes of individual tenants across this province.

At the same time, there are community workers with OHC or the local housing authority who are there to advise tenants where there are difficulties or misunderstandings. I understand from the group I met with earlier this week, the Federation of Ontario Tenants' Association, that there is a very good working relationship between our social

workers and the others from the community who work with our tenants, seniors and families. There is a very easily explained form indicating the pensions and incomes that are to be considered for income purposes on a rent calculation. It is very clear, it says "all income."

11:10 a.m.

We are not trying to draw the difference between incomes that are taxable federally and incomes that are not taxable. We indicate clearly that all income is used for the calculation of rent geared to income. We have tried to make it simple and clear to our tenants. Out of more than 100,000 tenants, the number of cases that we run into difficulties with in the course of a year is a matter of a couple of handfuls.

#### AMBULANCE SERVICES

**Mr. J. Reed:** Mr. Speaker, I have a question for the Minister of Health. I would like to ask the minister if he has any plans this year for changes in the ambulance service in the Oakville-Burlington area, and if so, what are those plans specifically?

**Hon. Mr. Timbrell:** Mr. Speaker, as I recall, after the experience with the strike last year and with the budget review that was carried out after that for 1980, it was found that for a couple of periods during the week—I think they are basically on the week-end—the ambulance needs in the area could be delivered with fewer personnel. As I recall, the number is four.

I will be glad to get the member particulars as to times and so forth, but essentially it was concluded that the same service could be maintained with fewer personnel at certain times on certain shifts. My recollection is there is a difference of four staff who have been or are to be served with notice of layoff.

**Mr. J. Reed:** Supplementary: Is the minister aware that the population circumstances between a year ago and now is much different and that in the Burlington area, particularly in north Burlington, there has been a tremendous growth in population? An assessment of ambulance service that might have been valid 12 months ago certainly would have no validity at this time.

**Hon. Mr. Timbrell:** All of that has been taken into account. One of the interesting side effects of the strike was that they found they could provide the service with fewer vehicles and staff.

All of the stations operated by this service in Burlington, Milton, Oakville, Clarkson and

Mississauga will continue to be staffed 24 hours a day, seven days a week. The day and afternoon shifts from Monday to Friday are totally unchanged. There is a reduction in the night shift in numbers of staff and a reduction from seven vehicles to five. On the afternoon shift on Saturdays and Sundays, there is a reduction from seven vehicles to five.

I will send all this information to the member if he wishes in order to save him taking notes. The day shift on Saturdays and Sundays has been reduced from eight vehicles to seven. There are more details as to the actual movement of the staff, but essentially it is on the basis of being able to continue to maintain response capabilities to the demand based on current load.

#### UNIVERSITY SYSTEM REPORT

Mr. Cooke: I have a question for the Minister of Colleges and Universities. It has now been almost two weeks since Dr. Winegard, the chairman of the ministry's advisory group, the Ontario Council on University Affairs, was before the social development committee. He stated clearly that her interpretation of the report, *System on the Brink*, was wrong, her interpretation being that the system was about to be on the brink but was not there yet. He said the university system is in effect over the edge and on the brink and in decline because of underfunding from this government.

Has the minister now met with Dr. Winegard, since she refused to accept what he said in front of the committee and is committed to having a private meeting with him? Has she met with him yet and will she report on that meeting to this Legislature today?

Hon. Miss Stephenson: Mr. Speaker, I met with the Ontario Council on University Affairs last Thursday, a week ago yesterday, and clarified with Dr. Winegard precisely what it was he said in my absence from the committee. I was absent because of a special meeting which I had to attend. He did agree that formerly, in conversations with me, he had suggested that his meaning was that if the situation as he saw it persisted for any longer, the system would go into decline. He also agreed that he said at the meeting, at which I was not present, that he believed as of that day the system was in decline at the present time. That was not the interpretation that he had ever given to me previously. That was the first time I had ever heard it and I discussed

that with Dr. Winegard and with OCUA last Thursday.

Mr. Cooke: Now that the minister understands the phrase "the system on the brink," and now that she understands the opposition parties have been correct for a while on this issue, would the minister now indicate to the Legislature what action she and the government intend to take to correct the problem of the university system going down the drain because of her inaction and poor government financing? When are we going to get some action?

Hon. Miss Stephenson: Mr. Speaker, in the first place the university system is not going down the drain. The university system in this province still remains a strong educational force and will continue so. I am sure the honourable members will learn in the fullness of time precisely what the action will be.

Mr. S. Smith: Supplementary, Mr. Speaker: How can the minister give this type of assurance that we are going to learn in the fullness of time what her plans are when in fact even her present plans in terms of spending mean that per capita the spending at Ontario institutions of higher learning, particularly universities, is down near the bottom of the list among the 10 provinces in Canada?

Surely the minister must realize that she is presiding over a system which has attempted to allow a lot of people into the system but which has not been attempting to give equality, at least as measured in terms of dollars per individual in the system. Why should Ontario, which used to be a leader in this country, now be one of the cheapskates in funding the universities compared to our sister provinces?

Hon. Miss Stephenson: Mr. Speaker, the honourable member never takes into account the generosity of the Ontario Student Assistance Program, which is much greater than it is in any other jurisdiction and provides the universities of this province with a total financial support from provincial levels of approximately \$1 billion per year.

The universities of this province are not empty of wisdom and intelligence. They have perceived that, indeed, we all have economic problems and they are in most instances attempting to provide some careful examination of their own expenditure patterns. There are many assets which many of the universities have which they are holding at the present time and which might be considered. There are other methods of attempt-

ing to support the universities in a way in which their intellectual advancement can be enhanced.

The Leader of the Opposition seems to say constantly that one can only equate quality with dollars at the universities, and I think he's wrong.

## REPORT

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Philip from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr7, An Act respecting Montreal Trust Company and Montreal Trust Company of Canada.

Your committee begs to report the following bill with certain amendments:

Bill Pr23, An Act to incorporate Knox Presbyterian Church, Ottawa.

Your committee would recommend that the fees, less the actual cost of printing, be remitted on Bill Pr23, An Act to incorporate Knox Presbyterian Church, Ottawa.

Report adopted.

11:20 a.m.

### ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the Orders of the Day, I wish to table the answer to question 76 standing on the Notice Paper. (See appendix, page 2387.)

### ORDERS OF THE DAY

House in committee of supply.

### ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS (continued)

On vote 603, local government affairs program:

Mr. Roy: Mr. Chairman, as you know, I waited patiently last night.

Mr. Ashe: You are not usually here on Fridays.

Mr. Roy: What is that surrogate Minister of Energy saying? Has he permission to say anything or is he on a frolic of his own? Mr. Chairman, your colleagues are uncontrolled. You must do something about them.

I hope the minister's voice has improved over the night and that he will be in a posi-

tion to respond, if I can only get his undivided attention. I know he is trying to give some advice, and I hope it is good advice, to his successor as Minister of Education (Miss Stephenson). I am sorry, I didn't want to insult her.

What I want to say to the minister has to do with election spending at the local level. Last Friday I was very complimentary to the minister in the intergovernmental area in the realm that will be a priority—constitutional reform. This morning I intend to be extremely critical for something that, in my opinion, makes very little sense.

Some time ago the government of Ontario, by way of the Municipal Act, gave the municipalities the right and authority to pass bylaws to set limits on election spending. I think the minister is familiar with that legislation which is on the books. Some municipalities, including the city of Ottawa, have taken advantage of this legislation to pass bylaws to set limits for election spending. Under the Ottawa bylaw, which was adopted in 1974, election expenses were limited to \$2,500 for aldermanic candidates, \$10,000 for those running for board of control and \$15,000 for mayoralty candidates.

I think you will agree, Mr. Chairman, that it is a good idea to set these limits at the municipal level, the principle being at that level, as at all levels, to try to have some control, to try to make the democratic process work in a way where one is not buying votes, or not trying to buy his way into the confidence of the people. There should be some reasonable limit, and all candidates should work within a range which has been judged to be acceptable by the majority of people or by the citizens of a particular area or jurisdiction.

My colleague from Renfrew North (Mr. Conway) has attempted, by way of private legislation or resolution recently, to set some limit even at the provincial level. We know the people on that side, my dear friends in the Conservative Party, spend money in every election as though there was no tomorrow. In fact, in the last election in 1977 they spent more than twice the combined total of the other two parties. The minister frowns, but I may be low in my estimation.

Hon. Mr. Wells: We don't come close to the federal Liberal Party.

Mr. Roy: You come close. Even when the Conservatives don't win elections at the federal level—something they have not had much success doing in the last 16 years—they spend a lot of money. They're even giving competition to the federal Liberals in spend-

ing. But to their credit, at the federal level at least, they have set limits on how much can be spent in a riding; they've set limits as to how much a party can spend during an election—something this government is not prepared to do provincially.

But having decided in their wisdom, as is the tradition in this province, to allow municipalities to set limits they don't give them the power to enforce the limits. So it is a real farce.

Have you ever seen legislation passed which gives a municipality jurisdiction to set certain criteria—about an election, in this case—and at the same time gives no power to enforce these limits? In other words, it's just like enacting the Criminal Code without any penalties. It is like enacting the Highway Traffic Act—saying you cannot speed and you must wear your safety belts and all these things—without any penalty. Can you imagine if that would work?

Unfortunately, that is what we are left with at the municipal level. I find it somewhat idiotic—and I hope the minister has some explanation—that the minister recently said in a letter to city officials that the government does not intend to change the Municipal Act. Yet there has been a ruling in Ottawa, where we have a flurry of candidates during municipal elections especially for boards of control and for mayoralties. We have a variety of individuals—some colourful, some wealthy, some not.

**Mr. Conway:** Claude Bennett spent so much money that the rest of them find it difficult to compete.

**Mr. Roy:** That's right. In fact, if I were cynical—which I'm not, as you know, Mr. Chairman—I would think one of the reasons they don't want to change the act is that maybe some of the boys are looking back there.

I was looking at the member for Ottawa South this morning as he answered questions about tenants from those Socialists to my left. I could just see him sitting there saying: "What am I doing here? The mayor's job in Ottawa looks good compared to this situation."

**Mr. Conway:** He's not running for Premier?

**Mr. Roy:** Somehow I think the Peter Principle has caught up with him.

I ask the minister what kind of genius exists at this level which would allow municipalities to set limits on expenses during election campaigns and would not give that

same jurisdiction power to enforce those limits?

Charges were laid last year, I think, under the Municipal Act, against a number of candidates who failed to report. It was brought before the courts and at that time a provincial judge said municipalities do not have the power to force candidates to declare their campaign spending.

As a result, if the act does not force candidates to declare, how are you to know how much is spent and how are you going to enforce the limits you have passed? For all intents and purposes, the result is that the government tells the municipalities: "Friends, you can pass bylaws to set limits, but that's it. You can't enforce them." I really think it's ridiculous.

Quoting some of the comments by city solicitor Don Hambling, a man of great experience—you obviously have personal knowledge of his competence in the area of the Municipal Act and the municipal field: "It leaves us in a very precarious position when it comes to prosecuting people who do not comply with the bylaws. All we'll be able to do is limit the amount, but we won't be able to enforce it."

11:30 a.m.

I say to the minister, who is a reasonable and sensible fellow, or at least has acquired that reputation, why will he not give the power to municipalities to enforce this limit? As Mr. Hambling said, "The spending limits will be virtually meaningless and the city will have to rely on the good faith of candidates to prevent overspending." Of course that is going to be the result.

Having decided that municipalities can set limits on campaign spending, why does the government not give them the power to enforce it? Just recently the minister said he does not intend to change the act. Obviously, it is too late now to appeal the judge's ruling because the time limit has gone by. But is the minister saying the judge's ruling is wrong? If it is wrong, I would like to know. I would like to see what he is going to do about it. Faced with a ruling which has not been appealed, apparently, it seems to me the city of Ottawa is right. It has no power to enforce it.

I would think a similar experience probably exists in many other cities of Ontario. I do not know if the city of Toronto has set limits on campaign spending, but it would be a good idea for all cities to do so. If the federal government and if the provincial government set limits on campaign spending, which we all think is a good idea, we should

encourage our large municipalities to do likewise.

I look forward to an answer from the minister on what I consider to be a very important issue.

**Hon. Mr. Wells:** Just to show him his Friday morning has been a success in being here with us and putting forward this point, I would like to tell my friend, I do not find myself in disagreement with him. I recall writing that letter. I do not have it in front of me, but perhaps we were talking about some other things too.

Last night we discussed here the business of deductibility for campaign expenses and a few other things connected with financing elections at the local level which we have great difficulty moving into at this particular time. If the member is asking me if we can do something about enforcing section 121 that is there now so that it can be workable, so that the municipalities will have the right to enforce their bylaw to limit expenditures and also to provide for proper and reasonable disclosure, I would say yes to him. I will bring in some amendments to the act very shortly that will do that.

**Mr. Roy:** I am glad to hear the minister say that this morning. As I say, I rely greatly on people at the city hall in Ottawa who said they had received the letter. Don Hambling is one who does not usually misconstrue the purpose and intent of correspondence. Everybody was under that impression. This appeared quite recently as a matter of fact. On Tuesday or Wednesday of this week they received the letter in which you said you do not intend to change the act. Are you now saying you do intend to change the act and give power to municipalities, such as the city of Ottawa, to force disclosure and enforce that section of the Municipal Act which sets limits? Is there such a possibility? As you know, in November of this year there is a municipal election coming up.

Surely to God we could bring forward this legislation prior to that election, because Mayor Marion Dewar has conceded that there is not enough time. They were thinking if the minister will not amend the legislation maybe he will give them the power by way of private legislation. They felt they could not get that before the November election this year. I must say it is ridiculous, because many of the candidates are running for office and in good faith, are following the limits, whereas some other candidates are just laughing at all this. They went to court—everybody was smiling, it was a big joke—the judge threw it out and said, “Well you know, there is no

problem.” So we are facing another election like this.

It will make a farce of the whole process unless we can get legislation or amendments. I cannot see anybody—I am sure my colleagues in the NDP are not going to—opposing this legislation. We are not going to oppose it and my colleague, who is the critic, certainly is in favour of this. Surely this legislation should be able to go through the House and municipalities will have the power right across Ontario for the next municipal election this fall. Can the minister give some sort of undertaking to that effect?

**Hon. Mr. Wells:** Mr. Chairman, before the honourable member gets carried away with euphoria, let me tell him why I wrote that letter and why I am prepared to bring in the amendments. But there are certain conditions on those amendments. I wrote that letter because at the time I was convinced I should not bring in any amendments. I felt the legislation would perhaps be amended in this House in a way I am not prepared to see it amended.

I would be prepared to bring in amendments to section 121 that would allow enforcement of it and allow a municipality that decided it wanted to enforce spending limits and disclosure to be able to do so in a legal manner. However, the government is not prepared and I am not prepared to make that mandatory on every municipality. In other words, we are not prepared to make an amendment to the bill saying that every municipality has to impose limits and disclosure. We feel it should be left up to the municipality to decide itself whether it wants to have section 121—

**Mr. Roy:** Can you read section 121 as it now stands?

**Hon. Mr. Wells:** Yes. Section 121 says, “The council of a municipality may, by by-law, provide for limitations on election expenditures by, or on behalf of, a candidate and require the disclosure by a candidate of all election contributions to his campaign in excess of \$100 in the form of money and goods and services.”

**Mr. Roy:** But it is not mandatory now?

**Hon. Mr. Wells:** No, it is not mandatory now. That is very much in keeping with what I have heard here over the last several weeks in the discussion of these estimates. The municipalities decide for themselves if they wish to put this section. That is the one thing I would say.

At this time we are not prepared to move beyond that to some system of tax deducti-

bility for election contributions at the municipal levels, because no system has been worked out yet that we think is equitable. Nor are we prepared to move to a system of public contribution of funds to candidates at the municipal level.

I raise these matters at this time because introducing amendments, as my friend knows, in a House of this nature brings forth amendments of a variety of sorts. If legislation was amended in that manner we would not be able to proceed with it. I am laying all the cards on the table.

**Mr. Roy:** That is fair. I must say for the record that one of the things I intended to talk about was the fact that I strongly believe in the deductibility of federal and provincial election contributions. I frankly see no reason why we should not have it at the municipal level as well. I put that clearly on the record. I see some difficulty, though, in the enactment of that sort of thing. How does one go about it? I am not an expert in that field, but I think the deduction would probably have to come at the provincial level some place, if we are talking about income tax—

**Hon. Mr. Wells:** From the province.

**Mr. Roy:** That is right. It would have to be out of the Treasurer's money. Part of the salaries of municipal officials now are tax free. I suppose that money comes out of the provincial coffers, and probably the same process would have to work in terms of contributions. So I can see difficulty; I can see what the minister is saying. He is saying that if they bring in that sort of a bill and then opposition members start bringing forward all sorts of amendments—things they did not intend— that could be a problem.

11:40 a.m.

But surely a brief discussion with the critics of the parties could overcome this? I for one have no apprehension at all about putting on the record that if we are going to give any meaning to that section 121 we should let the people decide. I see nothing wrong in having it discretionary, that it not be mandatory, that the municipalities "may." Municipalities may wish not to, because, as you say, that is local autonomy. I believe the local people should decide whether there should be limits, and that's fine.

Seeing that section 121 is drafted with a discretionary factor, why would not the amendment be drafted the same way? I agree with the minister that if the section is discretionary then the section should go on to say "and then may" by such and such

procedure "enforce disclosure and provide for penalties for failure to adhere to the limits that are set in the bylaw." I think something like that surely should be acceptable, something that we should be able to pass prior to the 1980 municipal elections in November.

My colleagues in both parties are extremely co-operative and surely they can discuss with the minister the question of how to go about setting these deductions for contributions. That is something I believe in.

But surely if we are going to have any meaning to section 121 let's have it before the next provincial election. We have already had one election where it has become meaningless, so let's not play this farce again. Let's get the legislation and let's proceed with it. I'm sure an agreement can be arrived at and my colleagues will agree. As a member representing the Ottawa area, I for one find nothing more distasteful than having a piece of legislation which becomes farcical. If it becomes farcical it makes all of us look like a bunch of fools.

Are we serious with this legislation or are we just playing games? If we are serious with it then let's have it drafted. Let's have penalties and let's have it workable. I look forward to the minister bringing forward the legislation and receiving the co-operation of all members to see that it is passed before the 1980 November election.

I don't quite understand the intransigence of the minister and the government in putting their backs up every time these large municipalities want to extend their term of office to three years from two. I really don't understand what it is about this magical factor of two years. I heard the minister commenting last night that there was an editorial—was it in the Hamilton Spectator?

**Mr. Isaacs:** Yes.

**Mr. Roy:** It stated, "Let it be a two-year term." We have quite a number of these large municipalities in this province, as you know, Mr. Chairman, from your experience on council. If we are serious about giving them a mandate by which they can set up a program and where they can see it function and their term of office gives them time to have some imprint, to give some impact to their contribution, I really think two years is too short.

I know I'm repeating what many members have said but I want to put it on the record. I really think it is somewhat presumptuous of this government saying to the municipalities, "You should be accountable every two years to the electorate." I really think the



paternalistic attitude of this government towards these large municipalities is very offensive.

We know what it is like, Mr. Chairman. You sat here during the period of 1975 to 1977 when we had an election—it happened every two years. We have seen what has happened at the federal level with the election of minority governments. The last one lasted nine months. We have seen what happens in the process of an administration when the term is cut off from the normal four years. It really does not give that government and that administration time to put forward a cohesive plan to be effective.

When we are talking about municipalities the size of Toronto, Hamilton, Ottawa, Windsor, London, Kitchener, Waterloo, or Thunder Bay—and I may have missed some of the large municipalities—they are dealing with budgets involving millions of dollars. We are talking about people who have very strenuous and very important responsibilities. These people are elected and in the first year they are just finding out what is happening and in the second year start getting things under way, and right away they are thinking about re-election.

I think it is paternalistic and presumptuous on the part of this government to tell these officials, "We have a four-year term and we can even extend it to five years if necessary, but you in municipalities have to be re-elected every second year." It seems to me that is not right. In the modern Canada of 1980, where the urban communities have assumed such importance and where people have been attracted to urban communities that keep getting larger and larger, I think it is presumptuous for us to say to them, "You have to be accountable, whereas in our case we will take our time, since we are elected every four years."

I really wonder why the minister or this government has been so intransigent in that area and why it is they feel that a two-year term is adequate for these large municipalities.

**Hon. Mr. Wells:** Mr. Chairman, I think I responded quite fully to this problem last night. It certainly is not a one-sided matter as my friend would indicate. As I said several times last night, there is no question that the elected people in the large areas of this province are almost unanimously in favour of a three-year term. That is not the case in the small areas of the province. The rural municipalities are split. However, I think it must be noted that the municipal associations, and I am not sure about the others, but the Asso-

ciation of Municipalities of Ontario particularly, and I guess the Municipal Liaison Committee, brought forward resolutions asking for a three-year term.

We all know the reasons why we brought in the two-year term, a uniform two-year term when the large areas had three-year terms before. It was part of a total package when the Municipal Elections Act came in, that would provide for a uniform voting day and a uniform term and make municipal elections as big a thing in the province as provincial and federal elections. It was done to try to get more interest in municipalities, eliminate acclamations as much as possible and encourage people to vote; get larger voter turnouts and so forth.

I think some of those benefits have accrued. Every time we come up to a new election date, as we are doing this year, we have requests for extending the term. All a government can do is assess the pros and cons of the matter and decide what it thinks is the best answer. We did look at the pros and cons. It is quite obvious the elected people themselves, probably by a majority, would like to extend their term. I think it is very unlikely that the people they represent in the cities and towns and villages across this province want a three-year term for their representatives. As I have reviewed the correspondence and the presentations of the various groups that have approached us, basically the people of the province are quite happy with a two-year term for their elected people.

11:50 a.m.

I go through the various newspaper comments on this. The Hamilton Spectator was one. I see the London Free Press says, "No Cause for Tinkering." The Toronto Star says, "Don't extend civic terms." The London Free Press: "Municipal council terms are long enough." The Sudbury Star: "They keep trying to add an extra year." The St. Catharines Standard: "And after three years, four and so forth." And it goes on and on. Most of the editorial comment around the province suggested there was great merit in retaining the two-year term.

We had to make up our mind. That is our decision for this year. As I said last night, unquestionably it will all come up again before municipal election day in 1982, and we will be going through all the arguments again.

**Mr. Roy:** Listening to the minister, I had to smile; it is typical—and it has been so obvious since 1975—of the way this government operates. It is just as though he had weigh scales and is putting one editorial for



and one against, and one for and one against, and somewhere along the way, when he feels that the—

**Mr. Haggerty:** Have you taken a poll?

**Mr. Roy:** I was just going to say that. My colleague asks, has the minister taken a poll? He probably has. I would like to know if there has been a poll out there to find out, because that is typical of the way this government functions. They are so cautious, my God, it is unreal.

**Mr. Hodgson:** That's why we are over here and you are over there.

**Mr. Roy:** Yes, and is that why the Tories don't want to go to the people these days? Is that why they are so cautious?

Is that why they are prepared to go to bed with the people to my left to stay in power? We have principles and we are not prepared to do that sort of thing.

Sometimes when something has merit, when the righteousness of a cause—and surely the AMO is representative of the people; its members are duly elected. They are not editorial writers; they are people who are elected. They are elected by the local people, and when they say this, surely some credence or weight must be given to what they are saying. But this government has weigh scales there and says: "Look, folks, before we make a decision on this let's weigh the editorial writers; let's see how the press is. Let's see which way the wind blows; let's have a poll. Let's see what happens." On a decision like that, if it has merit, if you think a two-year term is not sufficient for large municipalities to be able to function adequately, you make the decision. That is the kind of leadership that is required. I suppose that is one of the reasons Darcy is no longer around, because that is the way Darcy thought. He was not always right, but Darcy had guts.

Surely, if there is merit, and I cannot see an argument against it, that merit must be considered. But the minister reads me the editorial writers. Sometimes I think some of these people like to have elections because it keeps their people busy and they sell newspapers and so on.

When you talk of what the people of Ontario want, at the municipal level you have to wonder what they want. What is the turnout at municipal elections? Is it 25 per cent, 35 per cent? It is extremely low. The interest at that level is questionable. When the minister says, "That is what the people want"—and I am not afraid of putting this on the record—I think people very often do not particularly care. If the thing

is properly administered, people usually stay home and do not even bother to go to vote.

Some people only vote when there is an important issue, for example, involving a mayor—sometimes not even then. We had a mayoral race last time in Toronto, and what was the turnout even for that—if my colleagues can help me on it—was it even 40 per cent?

When people are duly elected, as my colleague has said, and are represented on AMO, and they say it is necessary—and common sense dictates that it is necessary—you do not say, "I don't think we have enough editorial writers," as the minister said, "I don't think we have enough editorials for it, so we will wait a while longer. Maybe we will have a couple of polls and we will see what happens." I can't get over how cynical an approach that is. If you are elected to give leadership and see there is something that needs correction, you go ahead and do it, just as for instance, on your Election Act which we were talking about this morning. There is merit to that particular issue. Go ahead, bring forward the legislation. Surely some distinction can be made at the municipal level between the needs of large municipalities and the needs of smaller ones that feel a two-year term is fine.

**Hon. Mr. Wells:** My friend gets things a little mixed up in saying we don't have the guts over here. It takes more guts to stay with the two-year decision than it does to go with the three.

**Mr. Roy:** Not according to you. You quote the editorial writers.

**Hon. Mr. Wells:** I have used the editorial example to show you public opinion around this province as expressed by editorials, whatever that means. They suggest there is a great deal of opinion by people who think the two-year term is fine. As I said last night, I have probably got some of the toughest anti-type letters I have had in a long time on any issue from municipal politicians because I said we are going to stick with the two-year term. It takes absolutely no guts to go for the three-year term. They would all have written nice letters and passed resolutions and said I was a great guy.

Municipal government exists for the people of the municipality concerned. I have that very gut feeling, and this government does, that the people of this province want a two-year term at the municipal level.

**Mr. Roy:** Have you got a poll?

**Hon. Mr. Wells:** We don't have a poll. My friend from Scarborough-Ellesmere (Mr. Warner) said he thought it would be a good idea to put in on the ballot, I say fine. A municipality can put a question on the ballot. I understand the city of London put it on the ballot after it had the three-year term, and most people wanted to go back to the two-year term. Put it on the ballot. Let the people have their say on it. That is fine if a municipality wants to do it. We are not going to have a referendum on it. We just have that gut feeling that the people of this province want their municipalities to stay on a two-year term.

That doesn't mean the elected people want to be on it, but that the people want it. We exist here to draft legislation on behalf of the people of this province. That is the decision we made. You and I disagree on that decision. If somebody wants to put it on the ballot and come back to us and say the people of the municipality voted in favour of it, I would be very pleased to see that. But I suspect there would not likely be any municipalities that would vote in favour of a three-year term.

**Mr. Warner:** Mr. Chairman, it is interesting to learn that the government has now moved from legislation by public opinion polls to legislation by editorial comment. I recall and the minister will recall that this government spent \$1 million and had a former Premier of this province enter into an exhaustive study of government in Metro Toronto. Mr. Robarts produced a definitive document on electoral reform. That was what the document was all about. He touched on a number of things, such as length of term of office, election expenses, spending limits, special purpose bodies and quite a number of other items which in his wisdom and through his consultation—it went over a long period of time—resulted in some useful and worthwhile suggestions to update our municipal electoral system and our municipal form of government.

The minister should realize, and I am sure he does, that municipal government functions a little differently today to what it did 20 years ago and has a changed role. I think Mr. Robarts was saying the role has changed and we should change the way in which we allow the municipalities to function, certainly the municipality of Metropolitan Toronto. That is what he was saying. What is the end result for the \$1 million spent on the report? Nothing. The government has done absolutely nothing. I think that is a shame. It is more than that. Among other things, it is an insult to a former Premier of this province who

turned his very able mind to an important question and came up with basically a very good report.

**12 noon**

The man must feel he has wasted his time. I am sure he enjoyed the exercise and enjoyed receiving the remuneration and so on, but he must feel that all his work has gone for nothing. He must feel somewhat insulted by this government.

There were some good things in his report, one of which we have been discussing: the three-year term. I think in regard to Metro Toronto—and I underline to the minister, I am speaking only about Metro Toronto right now—it borders on irresponsibility to say you cannot allow the three-year term.

You and I both know the magnitude of the work done by the municipal council of Scarborough and the other boroughs in Metro is significantly different today from 20 years ago. The process the aldermen are involved in, particularly the new aldermen, takes a long time to learn. The planning processes involved, partly because of the regulations brought in by your government, take a long period of time.

The aldermen who are actively involved in trying to plan out the growth of their borough will not see most of the work come to fruition within a two-year period of time. They deserve at least three years to see the projects through properly, and that is without arguing the financial aspect. As the minister knows, there are millions of dollars to be saved by having an election every three years instead of every two years. That's a fact and the minister is aware of it and yet, for whatever reason, chooses to ignore it.

I want to be quite honest—I am not sure whether the turnout at municipal elections would increase because we have a three-year term instead of a two-year term. Maybe it would; I hope it would.

The date of the election has something to do with it. I still contend we should be having the election in October instead of November, and that the kinder atmospheric elements would be a greater inducement to people turning out at the polls. Setting that aside, surely it is more reasonable and fairer to the elected people to have a three-year term instead of a two-year term. I submit it is to the benefit of the public as well, because during that three-year term there certainly is greater opportunity for the public to get to know their politicians at the municipal level, to be actively involved in the municipal issues before council and to

develop a greater rapport with that system. Maybe that would help bring more people out to vote. In our area of Scarborough we see about a 30 per cent turnout, I guess that's fair enough to say, during most elections.

There are other items that have been ignored. I don't know how the minister can ignore the election expenses aspect: the spending limits and telling the people where all their donations came from. We do that. The people who run for election to the Legislature inform the public where those donations came from. It's equally important to have that in the municipalities.

Municipalities are directly involved with development and surely we would want the public to be assured that elected people are not in the pockets of the developers. One good way to do that is to have a declaration of your source of funds for the election, where the money came from, and some spending limits as well to make sure that everyone has a fair chance to run, not just the rich.

The mayoralty races in the boroughs in Metro Toronto are extremely expensive propositions, as you know. To become mayor of Toronto you have to appeal to 600,000 people. That's an enormous task. To run a campaign in a riding of 600,000 will obviously take a lot of money. That's not too difficult to figure out. That says there should be some rules about election expenses and some limits on spending.

Special purpose bodies was another item Mr. Robarts addressed, attempting to get greater accountability to the elected people in a way that would involve the people of the community. Overall, you know as well as I do that what Mr. Robarts was getting at, the basic line that he was driving at through his report, was an attempt to bring municipal politics closer to the people and find a better way in which the citizens of Metro Toronto can relate to their municipal government. I submit that, on balance, the report was a very good one and he devised some imaginative ways in which that could be accomplished. Unfortunately, this government has chosen to ignore the report and put it on the shelf to collect dust.

I think the government is wrong, I think it's wrong about the three-year term, I think it's wrong about not pushing for electoral reform and not bringing in some measures. I have one question for the minister. I would like to know what it will take to get the government to change from its stubborn position of not having a three-year term,

to granting the three-year term for Metropolitan Toronto. That is my one question.

**Hon. Mr. Wells:** I don't think I can answer that directly, Mr. Chairman. I think in the fullness of time we have to consider all the problems. As I've said many times, this matter was considered fully and thoroughly in all its ramifications, be they for the province as a whole or for large municipalities or for Metropolitan Toronto alone. In our wisdom, we had to make the decision. We have the guts to make decisions over here; we make them all the time. Just because they aren't the decisions that the member wants doesn't mean it doesn't take guts to make them and doesn't mean that they aren't decisions.

The decision was that we stay with the two-year term. That's the decision for this coming election. After that, I'm sure the matter will be discussed again and various people will have a chance to put forward their justifications, both pro and con, on the matter and we'll have to look at it again. It's one of those ongoing things that is always considered as the next election comes up. I can't give you any other answer than that.

**Mr. Haggerty:** I just want to clear the air, as perhaps there was a misunderstanding last night about my interjection to the minister relating to those persons who are elected to Metro council. I think they're done by local municipalities. They're elected to that level and then they serve on Metro council. That's always been a good policy or a good program by this government. I think particularly of the county council days, when you had to be either reeve or deputy reeve to sit on a county council. That was important, because you had the dialogue and the communication between council and county council for the region.

One of the problems in the regional municipality of Niagara is that there is a certain regional councillor who is elected at large in the municipality who does not sit on local council. I seem to sense, from talking to a number of those persons who are elected in this particular area, that they consider themselves as misfits in the administration of both levels of government.

12:10 p.m.

I said the Niagara region is working under that system, but it's not the best. I think in this area the person who is representing the local municipality on regional council should be a member of council. He is not involved in the local council decisions; he hasn't the facts before him to represent that municipality, or even to represent the region.

I think some place along the line consideration should be given to this. You should go back to what the former county of Welland and the former county of Lincoln had. They had two representatives from each municipality who also sat on council, and they had complete communication and an understanding of the difficulties in the municipality. I suggest, the way the minister indicated the other night, that you have a two-way street here, and perhaps this is the proper way to go.

The other matter I'm concerned about is the matter of the proposed provincial fire code. There would seem to be some difficulty here as it relates to the municipalities and fire inspection. We got into this the other day. I think one of the members mentioned the matter of aluminum wiring. The government has suggested that there would be a new provincial fire code. It's been hanging in mid-air for a couple of years now, and there has been no indication when we can see this.

A proper fire inspection should be done at the municipal level through the fire departments which have qualified fire inspectors to go out and make the inspections of public housing, private housing, if they want to go in and do it, and commercial buildings. I suggest this is the area we should be looking at.

As it is now, the fire chiefs in each municipality are having some difficulties concerning when they can expect the new fire code to come in. I understand it is part of the provincial building code, which is under the jurisdiction of the Minister of Consumer and Commercial Relations (Mr. Drea). I think the fire code for the province should be under the direction of the chief fire officer for the province, Mr. Bateman.

I suggest this is an area that should be looked at so that we can have some clear-cut policy in this direction. I think there is more of a need now than ever, as it relates particularly to industrial fires or railroad inspections of certain tank cars that may be carrying toxic chemicals or flammable liquids. I think somewhere along the line you are going to have to have these fellows go in to make the proper inspection. As it is now, it is hanging in mid-air. Who does it? We have conflicting legislation as it relates to hotel inspections, nursing home inspections, you name it. There's a number of them.

I think it's time it should come under the Municipal Act. I think there are sections in the act which say the fire chief has the same powers as the fire marshal of the

province. I think it is section 19 of the old Fire Act that gives them pretty broad powers. I suggest that is one area the government should be looking at.

The other area of concern to me is where municipalities are purchasing fire equipment, and at the present time fire equipment is rather expensive. I can think of a problem the town of Fort Erie has encountered for over a year now. They purchased a new fire truck at great cost to the town. They purchased the equipment almost a year ago, and today you don't know whether it's going to be running or in a garage for repairs. At one time I believe the town couldn't get the equipment back because they had a mechanic's lien against it while it was in the repair shop.

It took the council some time to get a lawyer to look into it to find out when the equipment was coming back. Surely there should be something in the act which says that when a municipality is buying expensive equipment of this nature there should be sufficient warranty or a guarantee on the equipment. Often when they buy a commercial vehicle and it is altered to suit the fire chief and the equipment he wants on it, the fabricator may alter the frame to some extent. When there are problems of a breakdown of the equipment, who is responsible for it?

If it takes almost a year in some cases, I suggest maybe we should be looking at legislation that provides the municipalities with some form of action without going to litigation to get the problem settled. I suggest this is an area the government should be looking at. I don't know whether you can apply it to the Municipal Act. I am sure you can, but I suggest it is a problem and should be looked at by your ministry.

**Mr. Deputy Chairman:** Does the minister have any comments?

**Hon. Mr. Wells:** No. We will take a look at it.

**Mr. Deputy Chairman:** The member for Haldimand-Norfolk.

**Mr. G. I. Miller:** Mr. Chairman, I would like to ask—

**Mr. Grande:** Mr. Chairman—

**Mr. Deputy Chairman:** Excuse me, Mr. Grande, but nobody stood up.

**Mr. Grande:** I thought the minister was going to answer.

**Mr. Deputy Chairman:** I asked him and he said no. We will go ahead. We will get to you next.

**Mr. G. I. Miller:** We have had considerable discussion with the Minister of Intergovernmental Affairs over the increased taxation in some areas of the riding of Haldimand-Norfolk, particularly the former township of Walpole where, by applying section 86 of the Assessment Act, taxes have increased as much as 200 per cent. The overall tax increase in the region of Haldimand-Norfolk has been something like 17 per cent this year. The reason for that is the province has put more responsibility and costs back on the municipality. The Long Point conservation area costs have been increased by \$85,000. About 40 per cent of the cost of the dam at Caledonia was picked up by the region. These excessive cost factors have created a real problem for the region, which is taking a lot of flak.

Getting back to the city of Nanticoke, it is a special area. For the first time, under regional government, the assessment has been pooled. It was made up of six former municipalities, Port Dover, Woodhouse, Waterford, Townsend, Jarvis and Walpole. I think it deserves some special recognition in 1980 to deal with this overall tax burden.

Again when you compare the agricultural assessment with other municipalities, it does not seem fair that one should be increased considerably over the other. On a \$100,000 assessment, the industrial assessment tax in 1979 would have been \$1,548; on residential, it would have been \$1,053; and on agricultural it would have been \$1,639. It is obvious that agriculture is picking up, on a \$100,000 assessment, the biggest share. I do not think that is fair.

They are also having financial troubles. I realize this comes under the Ministry of Education but there has been a request from the board of education of the former Norfolk county to review the disparity of the mill rate being applied across that portion of the Norfolk school board area. It is, again, having a lot of effect.

The budget indicated that taxes would not be increasing in 1980 and yet we are getting a tremendous increase in this particular area. It is a unique situation needing special attention, because of the creation of regional government back in 1973. The putting together of the city of Nanticoke in 1980 is the real cause.

Would the minister give special consideration to this problem in this area?

**Hon. Mr. Wells:** I can give consideration to the problem in so far as I will look at it and try to see exactly what is causing it, but I cannot give any special consideration to the

area in terms of money. A lot of areas have experienced problems when section 86 reassessments have been put in. There are winners and losers. For every loser there are some winners in the area. There are programs in the Municipal Act that allow those to be phased in in a particular area. I cannot give any assurances beyond that. The municipality itself perhaps has certain options open to it to assist those people who feel they have been severely hit. Beyond that, we do not have any special grants to offer you at this time.

12:20 p.m.

**Mr. G. I. Miller:** Has the minister utilized the special funding in any other municipalities in Ontario over the last two or three years in situations such as this?

**Hon. Mr. Wells:** No, not in this regard. We had special ad hoc grants to municipalities because of their conditions under the resource equalization grant, but we have not made any special grants because of section 86 reassessments.

**Mr. G. I. Miller:** Has the minister given any special consideration where there have been special hardships such as this? Section 86 was applied only in 1979. Before that time, was any special financial consideration given?

**Hon. Mr. Wells:** They had the traditional special transitional grants in Haldimand-Norfolk that applied in a lot of the regions after the establishment of regional government. I do not think anything else special has been done in any other area.

**Mr. G. I. Miller:** That was done when regional government came in, to soften the blow. I am suggesting that the city of Nanticoke is in that very same position in 1980 because of regional government. Would the minister consider giving us special financial consideration to soften the blow in 1980 to give time to adjust and maybe reassess and re-evaluate?

I think it is clear that industry is not paying its fair share because of the process of bringing it in. The government has to take that responsibility because it should have known what effect this would have. If the assessment has not been properly applied, it creates hardship for some people. The government has to take that responsibility.

**Hon. Mr. Wells:** We are perhaps talking about different things. My understanding is that if a municipality wants section 86 applied, and Nanticoke wanted it—

**Mr. G. I. Miller:** Yes.

**Hon. Mr. Wells:** They asked for it. Before they agreed to do it, they saw what the effects would be.

**Mr. G. I. Miller:** I do not think so.

**Hon. Mr. Wells:** They were supposed to. I have seen the printout sheets the Ministry of Revenue gives. They should have seen those printout sheets before they then gave their stamp of approval to carry it out. In other words, they should have been able to look at the computer printout sheets and see whose assessments would be affected.

**Mr. Epp:** After they were raised.

**Hon. Mr. Wells:** They give them before now. Nanticoke had them before. Then it made the decision to go that route.

**Mr. Epp:** Not individually.

**Hon. Mr. Wells:** No, but in groups of homes, or would it be individual properties?

The sheets I saw showed that if there was a section 86 reassessment, then 386 homes, for example, were going to go up by somewhere between zero and \$99 and 185 were going to go down by so much between zero and \$99. It is all on a big computer printout. They get that before they decide to have section 86. When they look at that and see what is going to go up and what is going to go down, then they decide whether they will have section 86 applied. They have the decision at that point, as I understand it, to decide whether to go or not.

I am not sure that happened in Nanticoke. I am asking the member if it did. I know it happened in section 86 situations this year. In other words, the computer printouts went to the people who said they were interested in section 86. They saw them and then said, "Okay, we will go ahead and do it." In other words, they had time to back out at that particular point.

Our position has always been, once they have done that, if they want to shield the effects of it, they can do it under the provisions in the Municipal Act. But there are no special provincial grants available, which I think is what my friend is asking. I'm saying no, at this point there isn't, and to the best of my knowledge I don't think we have given any special grants for that problem. I know Hamilton asked for one last year and we said no.

**Mr. G. I. Miller:** I would like to ask one more question. Did the minister's people meet with the city of Nanticoke to review their situation? Did they have any recommendations to present to the minister?

**Hon. Mr. Wells:** I don't know that we have met specifically on this problem, but I would be happy to have our field services people do that and give me a report on it. As I say, I am happy to do anything in that regard

to see what the problem is and why it is there.

I understand part of the problem of increased taxes in that area concerns the region generally; they had a large deficit last year, and that has presented a problem.

**Mr. G. I. Miller:** I want to thank the minister for making that option available. I was pleased to have the opportunity of bringing the problem to his attention. The Norfolk Board of Education is meeting today with the Minister of Education (Miss Stephenson) to discuss the disparity in the cost-sharing arrangement under this new system in the board of education for Norfolk county.

**Mr. Grande:** Mr. Chairman, I want to take only a couple of minutes. I want to go back to the discussion I had with the minister last November. It has to do with the borough of York—the area I represent—and the discrepancy that exists between the mill rate in that borough and the overall mill rate in Metropolitan Toronto.

I want to say to the minister, and I will say it in a calm way, that the situation there is critical and the minister should and must begin to address it. After the November encounter I had with the minister, I put a question on the Notice Paper to find out the exact provincial grants that were going to the borough of York. This question on the Notice Paper upset me in some way, because I put the question in early December and I had an interim reply to that question saying that by March 14 I would have the answer.

I waited for a long time and I asked the minister privately on a couple of occasions: "What is happening with that answer? It is not coming." On April 25, 1980, I did receive a reply, finally, after that long time. What upset me about that was not the fact that this particular government is uncaring about the problems of the borough of York, because we know that and the people of the borough of York know that, but that on March 5, 1980, the mayor of the borough of York had the answer which I did not receive until April 25.

Mr. Chairman, I don't know if my privileges as a member of this Legislature were done away with or if I have a case with the Speaker's office in terms of those particular privileges that I have, but it upsets me when people outside of this Legislative Assembly receive the answer to questions I have put on the Notice Paper, about a month and a half prior to my receiving the answer.

12:30 p.m.

I can understand that the minister wanted to check it out with the people in the bo-

rough of York; that's understandable. But to give some of those people the answer that I have not received yet, and have not received for a month and a half, I think somehow shows a lack of understanding of those difficulties in the borough. At the same time it shows an arrogance which this government displays in terms of answering properly questions on the Notice Paper. The reason I put that question on the Notice Paper was that I wanted to find out the facts—not the facts as I hear them.

**Hon. Mr. Wells:** Mr. Chairman, on a point of privilege: Let me say to the member, that got mixed up in the procedures of how we handle questions on the Notice Paper. Questions are on and then when the House prorogues they drop off and technically, I gather, they then have to be reasked in order to be answered. I apologize if there was a dispute or if there was lateness because of that.

I want to say to the member that there is no arrogance on the part of anyone over here in answering these matters. If any member of this House, whatever side he or she sits on, wants information on tax matters such as that which are of a very parochial nature, he will get his answer much faster if he gives them to me at question period. By handing me a note or writing me a letter, he will have them back within a couple of weeks. Putting them on the Notice Paper I suggest is not the best way to get answers to questions like that. We will handle them very quickly if members just ask us.

**Mr. Grande:** Mr. Chairman, I appreciate what the minister is saying, that if I have a question I should give him a note and he will get the information for me as fast as possible. However, the fact is that we have the Notice Paper. The fact is that I wanted that information he gave me recorded somewhere, for some purpose or other, so the people would know the kind of information that is provided in that answer.

However, the minister is saying there was a mixup. I understand, and perhaps I am wrong here, that if there is an interim reply to a question on the Notice Paper and the interim reply while the Legislature sits states a date, whether the Legislature sits on that particular date or not, there is a commitment to make the reply at that time.

I am not saying to the minister there was a little bungling there, I can understand that; it occurs. But the fact is that people had that answer on March 5, which I did not have. As a matter of fact, the answer the mayor had in her hands, dated March 5, was a fuller

reply than the reply I received on April 25. I want to leave it at that point.

**Hon. Mr. Wells:** There is nothing unusual about that. The mayor would have a fuller reply.

**Mr. Grande:** The fact is that the mayor did not have that information prior to me putting the question on the Notice Paper. If the minister wants to provide information to the mayor or controllers of the borough of York, he is welcome to do so. I would urge him to communicate with the people in the borough of York. But when I put a question on the Notice Paper to get information from this government, then I would think it would be common sense that the answer would be coming to me first and then the minister could disseminate it wherever he wants it. If he wanted to get information from the borough of York, fine, he should get the information for him to answer the question.

Anyway, that is not the major reason why I am up. I thought I should note that for the minister just in passing. But I have been getting up in this Legislature, in committees and in here, and talking to the minister and to other people in this government about the problems of the borough of York, and they seem to be turning a deaf ear.

I appreciate the fact, as someone once said, that unless you repeat something 16 times and don't change any words during the repetition of what you are attempting to put across, in those 16 times it will not be understood, it will not even begin to sink in. If the minister and the government want that kind of repetition in this Legislature, I am prepared to stand up here day after day, or month after month, or year after year, and repeat the same things.

In October, when I was talking about the discrepancy that exists in the mill rate between the borough of York and the Metro average—and that discrepancy in 1979 was nine mills, the minister's reply as reported at page 3895 of Hansard, was: "It is in general municipal purposes, the local responsibility of the borough of York, where the problem arises: that is where its mill rate is 52.6 compared with the general average of 40.3 for general municipal purposes. It is that particular area where the real problem occurs, where the balance isn't maintained."

In other words, the minister was saying it is not the Metro levy and it is not for school board purposes, because the borough of York does all right there—at least the mill rate is consistent with the other boroughs. But, because of how the borough is run, the minister was saying, they require more money



to run that borough than do the people in North York to run their municipal affairs.

If that is not a slap to those people who are running that municipality, then I don't know what else it is. But let it be that way, since the minister decided to put it in that fashion. However, what I understand from that municipality is that a person, an employee, a civil servant from the very ministry we are talking about, has been spending quite a bit of time in the borough of York to find out how they can bring down that general municipal purposes mill rate. I guess you know what has happened. They may have worked as hard as they could, but they have been unable to decide on any particular areas where the cutbacks should be effected.

As a matter of fact, I believe—at least they were telling me—they started to effect this zero-base budgeting. Nevertheless, for the year 1980, the mill rate in the borough of York is 188.15 mills, and the average in Metro is 177.20; so the difference between the Metro average and the mill rate in York is 11 mills; the minister will recall that I was saying to him last year the difference was nine mills. In essence, what is taking place is that the gap between the Metro average and the borough of York is increasing with each passing year. I was telling the minister last year that one mill raises approximately \$300,000 in the borough of York, which means that the people of York have to dish out an extra \$600,000.

There is no point in making comparisons between other boroughs. I think the minister has this information dated May 12, 1980, which was provided to me by the people in the borough of York.

The fact remains that if we maintain the status quo in the relationship of this ministry to the borough of York, the financial situation in that borough is going to deteriorate at a faster rate. I would point out to the minister that with nine mills difference between the averages in Metro and the borough of York last year, 11 mills this coming year, and next year, unless he acts and does something about that, it's probably going to be 13 or 14 mills difference.

12:40 p.m.

In terms of the question the minister answered on the Notice Paper, it appeared to me he was aware of the problems in the borough of York. The mayor and some of the aldermen did come to him and talked to him about those problems, and the first part of that answer says: "The borough of York asked the provincial government for special financial assistance mainly on the grounds that the

borough mill rates were higher than those of other municipalities in Metro Toronto."

In other words, they came to the minister to talk about the same thing I have been talking to him about for the past three or four years. What is their problem? Why do they come to him?

He says: "Many expenditures have been incurred due to major works necessary to remedy deficiencies in the borough's very old sewage system. Extensive losses in assessment arose due to acquisition of the properties to make way for the Allen Expressway. The closedown of a company located in the borough cost a write-off of a substantial amount of taxes and water and hydro revenues. The decline in population (more than 5,000 between 1975 and 1978)"—by the way, that is the wrong figure—"led to the reduction in the per capita and resource equalization grant and, finally, York suffered extensive losses in assessment due to appeals by property owners."

What the minister neglected to mention and to write in my letter, and which he wrote in his letter to the mayor of York, is that because the government decided not to accept the recommendations of the Robarts commission report, the borough of York finds itself in a nonviable financial situation. The minister admitted that to the mayor when he invited him here. In regard to the commitment the former Treasurer made to the borough of York, I personally am going to hold the minister to that in this Legislature. Sooner or later, he is going to have to come through. If it's not going to be sooner—as I told him last year, and I will repeat to him again—the borough of York is going to put up its white flag. The minister is going to have to take it under trusteeship, because this differential in the mill rate ought not to exist, and the provincial grants do not reflect the problems that exist at this particular time in the borough of York.

The council of the borough of York has been hesitant in the last two to three or four years to come to the minister and put it to him the way I am doing today. Let me tell him they are no longer hesitant. As a council, they are saying: "We have had problems. We are in deep trouble and something has to be done about it."

I want to point out to the minister also, and I hope that he can appeal or put in a good word—the minister is not listening; so I guess he won't be putting in a good word—

Hon. Mr. Wells: Carry on. I am listening.

Mr. Grande: —a good word to the Minister of Housing. We've been trying for a little



while now to get the Minister of Housing (Mr. Bennett) to review the downtown revitalization program that ministry has. One of the criteria of that particular program has to do with a population of 135,000. The borough of York right now happens to have a population of 134,000; so therefore it will not apply. One of the things you should remember is that from 1972 to 1979 the borough of York has lost 14,000 in population.

If the Minister of Housing is not going to move to do something about that and begin to provide some assistance to revitalize the Eglinton corridor, what is going to happen is that in three or four years, as the population of the borough of York decreases—and it is decreasing—the minister cannot deny the grant. I want to suggest to this minister and to the Minister of Housing that if we are going to wait three or four more years until our population declines, by that time it might be too late to turn it around, because the small businessmen on Eglinton Avenue are closing their doors and leaving. As small business in the area deteriorates, so do people move out of the area.

That is the position the borough of York finds itself in right now. I certainly hope the minister begins to take seriously the conditions in the borough of York and the concerns of its people and of its elected representatives at the municipal level or at the provincial level.

As I did last year, I want to find out the criteria by which the minister turned over \$250,000 to the borough of York in 1980. In effect, if the minister wanted to equalize the mill rate across Metropolitan Toronto, the amount should have been \$2.7 million last year and \$3.3 million or \$3.4 million in 1980. I don't know how many ways I can say it. The bottom line is that the difficulties in the borough of York are real. The commitment of the Treasurer in 1976 or 1977 was that the boroughs of York and East York should be receiving something extra as a result of the government's refusal to accept the Robarts commission report. I want to find out how the minister is going to come through with it, and when, because time is critical in York.

Hon. Mr. Wells: We will continue to work with the mayor and council of the borough of York. We know they have certain problems. I think it is worth remembering that we increased provincial assistance to the borough of York this year by about 17.9 per cent, a very healthy increase in assistance.

I don't dispute the different mill rates that my friend has indicated. There is no question that the local general mill rate is the one where there is the discrepancy. The mill rate has continued to be different from those in the other boroughs, but the overall increase in mill rate in the borough of York this year was about five per cent, which is equal to that of all the other municipalities in Metropolitan Toronto. In other words, nobody is going ahead any faster or going back any quicker. A five per cent increase in mill rate is fairly good compared with increases in other areas of the province. We will continue to work with York to solve its problems.

The member has indicated Robarts suggested one solution. Before Robarts, Goldenberg, and before Goldenberg, Gathercole suggested another solution. It is a solution that would provide a permanent solution to the problem, but it is not one I am sure the member is willing to recommend; that is, that York become part of the city of Toronto. That would solve the tax problem.

12:50 p.m.

Mr. Grande: Mr. Chairman, since obviously the minister wants to engage in debate, I welcome it. I think it is incumbent upon him and this government to act. As I said to the minister before, he has the Goldenberg report. It was a provincial report, and the minister spent the money to effect the report and get recommendations. The Goldenberg report suggested amalgamation, true. The Robarts commission report suggests expansion of boundaries. The minister hasn't acted on either of them. What's the matter with him? Can he make a decision, or is he going to leave the borough of York to slowly strangle? That's what's happening. What is happening is very clear. It's rapidly going downhill.

The minister mentioned these reports; why doesn't he act? Do something; make a decision. Did he act on the Goldenberg report?

Hon. Mr. Wells: Yes. We didn't act on York because they asked not to be included and amalgamated, but we took 13 municipalities and we created six.

To solve the financial problems of York, perhaps we should have amalgamated York with Toronto at that time. It would have solved the problems. I have to tell the member, though, that talking with people in York, given the financial problems on the one hand and amalgamation with Toronto on the other, they want to see us work some way out of the financial problems rather than

being amalgamated with Toronto, which is exactly what we're doing.

We've spent time in the borough of York, we've had our staff up there trying to help them work out problems, trying to get them on zero-base budgeting, and co-operating in numerous ways. We know there are problems there, and we're trying to get to the bottom of them.

If the member thinks increasing their provincial grants this year by nearly 18 per cent isn't a help to them, there are lots of areas of this province that would like to have an 18 per cent increase in provincial grants.

**Mr. Grande:** Mr. Chairman, as I said, the minister is engaging me in debate, and I am willing to be engaged in that debate.

Why is it that he hasn't acted on the Robarts commission report? Robarts said the problems in the borough of York are financial. I don't want to see the borough of York amalgamate because, as I said to the minister before, the borough of York has a history that is second to none in Metropolitan Toronto. They have a long-standing history. I do not want to see the borough of York amalgamate.

However, the minister did not accept the Robarts commission report, which indicated that the problems in the borough of York are financial ones. It indicated that the extension of the boundaries would create the tax base that is necessary to run a municipality in a viable way. The minister did not accept that. It is financial, and if the minister does not want to extend the boundaries, then he must do something about that financial situation in the borough of York.

We cannot have the gap in mill rates increasing year after year; it just won't do.

I think I'll end it there, Mr. Chairman, and I'll engage the minister at another time on these concerns. I hope that, between now and the next time, the minister will have done something concrete about that situation.

**Hon. Mr. Wells:** My only response is that we're looking for a solution but not one that in any way would be the kind that Robarts had suggested, because we're not looking to increase the boundaries of the borough of York. I think that option is not available to us, and it is certainly not the policy of this government.

**Mr. G. I. Miller:** Mr. Chairman, the question I would like to ask is in regard to the payments for Great Lakes flood damage. How will that be utilized? Is that for loans at eight per cent with 80 per cent grants for municipalities for flood damage?

**Hon. Mr. Wells:** The member is not talking about shoreline property assistance, is he? He is talking about the Great Lakes flooding program?

**Mr. G. I. Miller:** Yes.

**Hon. Mr. Wells:** The Great Lakes flooding program is a grant to the municipality of 80 per cent of the cost. We have had a few applications. I don't even know that we've done any of those this year. We've approved a couple, but they're very small.

**Mr. G. I. Miller:** Is the shoreline protection a different program? How much money has been utilized in that one?

**Hon. Mr. Wells:** The shoreline property assistance program is where we lend money to municipalities, who then lend the money to people who have improved the shoreline because of problems that have been created. It's a loan.

The amount that has actually been granted is \$539,552.

**Mr. G. I. Miller:** Is that for 1979?

**Hon. Mr. Wells:** That was the 1979-80 amount. We are estimating a decrease in the amount we'll need this year.

**Mr. G. I. Miller:** If I want to arrange a meeting for assistance in this program, can I get some people from the ministry to sit down with Port Dover and the city of Nanticoke to discuss the problem there and see what financing might be made available?

**Hon. Mr. Wells:** Yes, absolutely. Our people would be happy to do that.

**Mr. G. I. Miller:** Could we get a financial breakdown of the disaster relief assistance for the tornado in the Woodstock area last year? Was the money utilized that was intended, matching dollar for dollar, as prescribed in the original agreement? Why was there not second home funding for farm workers in the area, and why were cattle not included for capital assistance? They are both a necessity in any viable farm operation.

My understanding is there was considerable money left over to take care of that.

**Hon. Mr. Wells:** The anticipated provincial contribution in the Woodstock area for all the areas affected there—and that was on a 3-1 formula—is about \$3.6 million. According to the figures I have here, about \$3.1 million has already been advanced. They are now working on the remainder.

On the matter of why livestock and second residences were not included: The township of Burford, as the member knows, in a resolution endorsed by several municipalities,

requested that livestock and second residences be included. That request was rejected on the grounds that we had rejected similar claims in other disaster relief commitments in the province previously.

As we understand it, the Oxford-Brant-Haldimand-Norfolk disaster committee made a decision that those things would not be included previously, and that the losses so incurred were not of such great magnitude as to need to be included and that the individuals concerned could probably bear the responsibility because the cattle, particularly, could be insured. My recollection was that the cattle could be insured; therefore, it was felt that they should not be included under the criteria of the fund.

Also, I understand that the disaster relief fund committee did not include cattle in their definition in the first instance. The

whole idea, basically, was to provide money for basic shelter and to get people back on their feet. That was the criterion of the disaster relief fund, and the idea of including such things as cattle just did not seem a logical thing to do.

**The Acting Chairman (Mr. MacBeth):** It is now one o'clock. Will there be further discussion on this item or shall vote 603 carry?

**Mr. Isaacs:** No.

**Mr. Acting Chairman:** No, there will not be further discussion?

**Mr. Isaacs:** There will be further discussion.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

The House adjourned at 1:02 p.m.

**APPENDIX**

(See page 2371)

**ANSWER TO QUESTION  
ON NOTICE PAPER****PUBLIC OPINION POLLS**

76. **Mr. Peterson:** Have any crown agencies, boards or commissions taken any public opinion polls in the last 5 years. If so, what is the subject matter, who took it and what is the cost. (Tabled April 1, 1980. Interim

Answer April 14, 1980. Approximate date information available, week of May 19, 1980.)

**Hon. Mr. McCague:** The information requested regarding public opinion polls undertaken by schedule one crown agencies, boards or commissions in the last five years is attached. The actual surveys will be tabled individually by the ministers involved.

Agency, board or commission	Title/subject matter	Cost	Conducted by
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 Limited
Workmen's Compensation Board	A study concerning the effectiveness of the board's media communications program, conducted in three stages: Poll 1—August-September 1978 Poll 2—March 1979 Poll 3—August 1979	\$12,489	Institute of Opinion and Market Research Limited
Ontario Housing Corporation	To measure the public's perception of the Ontario Housing Corporation 1979	\$11,175	Institute of Opinion and Market Research Limited
Waste Management Advisory Board	To determine public attitude towards refillable and throw-away milk containers, October 1979	\$12,990	Institute of Opinion and Market Research Limited
		\$ 3,150	Complan Research Associates Limited
		\$ 1,100	The Canadian Gallup Poll Limited

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No. 63

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

**Monday, June 2, 1980**

**Speaker: Honourable John E. Stokes**

**Clerk: Roderick Lewis, QC**

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# LEGISLATURE OF ONTARIO

MONDAY, JUNE 2, 1980

The House met at 2 p.m.

Prayers.

## ORAL QUESTIONS

**Mr. S. Smith:** If I ask where everybody is, Mr. Speaker, would that be my first question? Are they all watching *The Tin Drum*? Is that where they are?

## INFLATION INDEXING

**Mr. S. Smith:** Mr. Speaker, I will ask a question of the Treasurer. Could the Treasurer state his government's position with regard to the removal of the inflation indexing provision for personal income taxes—a removal which allegedly is currently being considered by the federal government? As the Treasurer will recall, a reconsideration of this particular indexing was requested by the Premier (Mr. Davis) towards the end of 1978 and the possible removal was suggested at that time. What is the position of the government of Ontario with regard to the removal of the inflation indexing provision?

**Hon. F. S. Miller:** Mr. Speaker, I do not think we have been asked for our opinion on that since the days of Mr. Chretien as Minister of Finance. I do remember talking to him at least once, and I believe there will be a letter from me to him on that topic somewhere, because he asked me if I would confirm some oral discussions with him on it.

Of course, in Ontario, we are affected by that decision in terms of our revenue. Our provincial personal income tax is 44 per cent of the amount the federal government levies. Therefore, any change upward or downward would affect Ontario's revenue.

At the time I last talked to Mr. Chretien, we were questioning the full indexing of the personal income tax exemptions because we were not sure the measured factors, the ones they use in the statutes, truly reflected the amount that taxation exemption should be indexed. That was the gist of our comments to Mr. Chretien then. In effect, it would probably still be our position in the sense that we would like to discuss with the federal government what is a fair level of indexing.

I would also like to say I think Ontario has been quite consistent across the years in worrying about automatic indexing of anything in the sense that we are beginning to believe inflation is becoming institutionalized in too many ways and few enough discrete decisions are left to anyone. Formulae, whether for salaries, for income tax exemptions or for payments by governments, are becoming tied to factors that may not truly represent needs of society and may not truly represent government's ability to pay at times. We have argued that it is better to make discrete decisions than have automatic built-in indexing.

**Mr. S. Smith:** By way of supplementary, since the Treasurer will agree that at least the intention of the indexing provision—although I take it he may feel that the intention is not being accomplished by the present numbers—is to prevent inflation from artificially bumping people into higher tax brackets, in that sense does the Treasurer not feel that to remove such provision basically will provide a windfall revenue for government, including his own government? Should it not be Ontario's position to oppose that so that the people who are already suffering from inflation will not find themselves with an artificially increased tax bill as a consequence of government's avidity for more and more of the taxpayers' money?

While he is answering that, could he possibly tell us whether the Ontario government has any impact studies with regard to what the impact would be on Ontario taxpayers in various brackets if these indexing provisions were to be removed?

**Hon. F. S. Miller:** Those last studies would be easy to do because they would be simply computer printouts of available data. I suspect if I asked my staff if they have them available they wouldn't need to do a study; they could simply give them to me. I suspect that kind of information is available.

**Mr. T. P. Reid:** You don't have them?

**Hon. F. S. Miller:** I don't have them in my head, let's put it that way, even though my head is the closest thing to a computer one will ever see.

Mr. Kerrio: It is the same shape.

Mr. Breaugh: It might be the closest thing to a stone we will ever see.

Hon. F. S. Miller: It is an old-fashioned computer; it is run on a mechanical clock and it has to be wound up each day.

Mr. T. P. Reid: A whole bunch of beads on a string between your ears.

Hon. F. S. Miller: It was a nice happy blend between the computer and the brain.

Mr. Nixon: Garbage in, garbage out.

Mr. Makarchuk: The computer just blew a fuse.

Hon. F. S. Miller: I obviously see I shouldn't feed you fellows lines on a Monday. I have totally lost track of the first part of the question.

Mr. S. Smith: Shouldn't the Treasurer be against this?

Hon. F. S. Miller: Shouldn't I be against this? In a day and age when governments traditionally are spending more than they are levying, one of the impediments to balancing the budget is making discrete tax rate changes. In the days when this was provided for, I guess they followed the doctrine of Milton Friedman who said governments caused inflation; therefore, governments shouldn't benefit from inflation.

At the same time, I suggest there is another danger. The federal government has seen its revenues in the last four or five years drop considerably below its spending rate. It has not been in a position or desiring to raise its revenues through the normal proper route of changing rates. Therefore, it has run a bigger and bigger deficit, which is simply buying more trouble in the future. I think it is not totally white or black on that issue. I sense that good economic management has been hampered to some degree by automatic indexing.

In Ontario, if we look at the increase in revenues since indexing began, we will find that the rate of revenue increase generally has been below the rate of the increased inflation rate or gross provincial product simply because we have taken what they call the elasticity out of our revenue sources by some of these factors.

2:10 p.m.

Mr. S. Smith: May I just ask a final supplementary from my point of view? Would the Treasurer agree that, removed of all technical terms, what he is really saying is that the governments would like to have even greater windfalls from inflation than they already have?

Rather than have the courage to come before the people with some kind of tax increase—which I am not recommending, but if he thinks he needs the revenue—he would rather get the revenue through the back door of removing the indexing provision, automatically forcing people artificially into higher tax brackets so that governments make more money. Is the Treasurer simply saying he would countenance the removal of this indexing provision because he does not like the notion of raising people's taxes directly, so he raises them indirectly but the money comes out of the same pocket?

Hon. F. S. Miller: Mr. Speaker, I have been keenly aware of that and obviously no one on the federal scene has been. In the years when indexing took place Ontario took what action was expected of government when indexing was brought in, that is steps to control spending. That did not happen at the federal level. The members opposite can agree with me on that because it is historical. It is not a question of decision; it shows fundamentally—and I believe this is critical—the difference in philosophy between a Conservative and a Liberal. The Liberals have consistently believed that big deficits do not hurt.

The members opposite lecture me in this House about those big deficits but the action at the federal scene tells me Liberals do not believe that big deficits hurt. At the present time, 20 per cent of the federal spending is just for interest.

Mr. Hennessy: Alice in Wonderland.

Mr. Cassidy: Supplementary, Mr. Speaker: Would the Treasurer be kind enough to explain to me the schizophrenia within the Liberal Party by which its provincial leader takes one position the day after the federal Minister of Finance has taken another position? They talk out of both sides of their mouths.

Would the Treasurer likewise explain to me how, as a Conservative, he can denounce a scheme originally proposed by his federal counterpart when Robert Stanfield was the leader of the federal Conservative party? That party talks out of both sides of its mouth as well. When can we move to a fair tax system in this country and in this province based on ability to pay?

Hon. F. S. Miller: Mr. Speaker, my honourable friend made me think for a moment I was going to be embarrassed into supporting him but he cut me off at the knees as he spoke. He has now got both of us mad at him. Does he feel better now?

**Mr. Nixon:** That is all right. They will vote for the government in spite of that.

**Hon. F. S. Miller:** The fact is, Mr. Speaker, we have not deserted the principle. What we are suggesting to the members opposite is that we question whether the numbers being used serve the purpose first put forward as a principle by, I believe, Mr. Stanfield, that government should not automatically reap the harvest of inflation when it prints more money. That I agree with. The fact remains governments must be responsible and balance their budgets. That's something we try to do and I think have had great success with in Ontario. I think the honourable member would agree the federal government has had no success with it, regardless of whether he accepts it as a good goal.

#### REMARKS BY MEMBER FOR HIGH PARK-SWANSEA

**Mr. Speaker:** Before I recognize the Leader of the Opposition for his second question, I note the member for High Park-Swansea (Mr. Ziemba) has taken his seat. All members of the House will recall, as a result of an urging by the member for Wilson Heights (Mr. Rotenberg) for the chair to review what was said earlier by the member for High Park-Swansea, I had an opportunity to review what was said. I agree with the position taken by the member for Wilson Heights that actions attributed to him were not in keeping with parliamentary tradition in this House.

On Thursday last, at 10:30 p.m., I gave the member for High Park-Swansea an opportunity to withdraw the remarks. Now the confrontation between the member for Wilson Heights and the member for High Park-Swansea is no longer in that domain. The refusal on Thursday evening of the member for High Park-Swansea to withdraw the unparliamentary remarks is now an affront to the tradition in this House and an affront to the authority of the chair which has ruled that, in fact, the remarks do constitute a breach of privilege of a member of this House.

I now give the member for High Park-Swansea an opportunity to review his position and, if he so desires, to withdraw the comment without any editorial comment. Does the honourable member have anything to say?

**Mr. Ziemba:** Mr. Speaker, we all know what I said is true. I do not intend to withdraw the remarks. I do not intend to—

**Mr. Speaker:** Order. The honourable member has reiterated what he said on Thursday evening. His action and the position he has taken are an affront to the orderly procedures, the standing rules and the authority of the chair whose responsibility it is to decide what is parliamentary and what is not parliamentary.

In view of the action taken by the member for High Park-Swansea, I am going to refuse to see the honourable member. I am going to ask anybody who occupies this chair to refuse to see him. I am going to request that all members of all standing and select committees refuse to see the member for High Park-Swansea until he withdraws the remark.

#### THREE SCHOOLS

**Mr. S. Smith:** A question to the Treasurer, Mr. Speaker: The Treasurer may be aware that the Minister of Culture and Recreation (Mr. Baetz), who has been requested to find an extra \$45,000 to keep the Three Schools of art in operation, said on television last night, "You can't get blood from a stone."

Since I presume the Treasurer is the stone in question, could he explain why it is that sum of money was not made available to the Minister of Culture and Recreation, whereas one Maurice Carter from Hamilton has had made available to him from the Ministry of Industry and Tourism the air fares for a 12-man crew in order that they can go to the Le Mans endurance race and race in his Camaro, which apparently General Motors was unwilling to support? Why was the stone able to bleed for that terribly important and worthy cause of sending the crew over to Le Mans and not able to bleed for the Minister of Culture and Recreation for the Three Schools? Does the Minister of Culture and Recreation have absolutely no clout in cabinet?

**Hon. F. S. Miller:** Mr. Speaker, in general I set the overall budget of the ministry with my colleagues in cabinet and then I allow the minister to interpret that budget as best he or she sees fit.

**Mr. S. Smith:** Supplementary: Since the matter of the Three Schools seems to be related to a Canada Council decision at the federal level that the school is an educational institution and falls within the purview of the provincial government with respect to the British North America Act, can the Treasurer explain why it is the Ministry of Education has not had additional funds made available to it to deal with the

cases which the Canada Council has abandoned? Given the fact that these are important institutions which create a lot of employment, provide important educational and artistic opportunities, why has the Treasurer not made money available for that when he is apparently able to make money available to send a crew to Le Mans?

**Hon. F. S. Miller:** Again, Mr. Speaker, I would like to instruct my friend in the way money is disseminated by a minister. Once in a long while the Treasurer is called in for something as important as the farm assistance program or something of that nature, but in general, once the overall allowances are made to each ministry I have very little to do with the individual allocations and I think that is the way it should be.

**Mr. S. Smith:** The minister is not the stone?

**Hon. F. S. Miller:** I probably am the stone in the sense that somebody has to turn taps off in total. That is one of my jobs.

2:20 p.m.

**Mr. S. Smith:** Supplementary: Since it would appear that the Treasurer is saying the Minister of Culture and Recreation has not approached him for any additional funds, since the minister gave a very clear impression on television, when he said you cannot get blood from a stone, that he had tried everything possible to get the money, can we take it that the minister, in fact, has not approached the Treasurer, has made no effort at all to find additional funds other than from within his own budget, which undoubtedly was already accounted for?

If that is the case, can the Treasurer explain why the minister is giving the impression that he has turned every stone to try to find the blood necessary for this particular school?

**Hon. F. S. Miller:** If one turns enough stones, one might find some.

The fact remains, Mr. Speaker, that there are 24 or 25 of us in cabinet. Two of us are given the job to say no. Every other minister, outside of the Premier, the Treasurer and the Chairman of Management Board of Cabinet (Mr. McCague), basically has specific responsibilities almost all of which, allowing for the natural positive leanings of politicians, can cost money and therefore every minister of the crown—ask any of my colleagues—would say that he or she could use more money effectively, but we do believe in responsible spending and it is my job to be—

**Hon. Mr. Snow:** We sure could, Frank, we sure could.

**Hon. F. S. Miller:** My friend on my left—in one sense anyway—constantly reminds me of his needs and so do others.

#### REMARKS BY MEMBER FOR HIGH PARK-SWANSEA

**Mr. Nixon:** Mr. Speaker, are we to gather from your ruling presented to the House in association with the statement by the member for High Park-Swansea, that since you have indicated his statements were unparliamentary and therefore unacceptable in this House you are not taking the usual course of action but in fact you are indicating to the House you will not recognize his presence and that you are instructing the chairmen of committees he is not to be recognized in committee? Is that true?

**Mr. Speaker:** The first part of your assumption is absolutely correct. I will not recognize the member for High Park-Swansea and he will not be allowed to participate in the debates or in the question periods. I am not demanding that the chairmen of committees do that, I am requesting that they do so and I hope they will see the wisdom of such a course of action. What the member does outside the House is certainly his own business, but he does not enjoy the privileges of this House at the present time.

**Mr. Nixon:** On a point of order: May I ask you, Mr. Speaker, to explain to the House the basis of this substantial departure from our traditions, which have been well understood and really immutable for over 100 years?

**Mr. Speaker:** It seems on certain occasions members know full well that on occasion they can say almost whatever they want to and, by absenting themselves for a brief period of time, they are able to do that almost with impunity.

It is a departure, I agree. It is something I feel very strongly about. The member himself has chosen to disregard the rules of the House and the decision I took last Thursday night with regard to the responsibilities of the chair in the matter of unparliamentary language. It seemed that something unusual had to be done and I am trying this. Members of the House can challenge me if they wish, but I have made my ruling and it stands.

**Mr. Nixon:** Will you permit a further interjection on the point of order? May I bring to your attention, sir, that I don't believe there has been an occasion where you have dismissed a member from the service of the House for any period of time

when eventually that member has not withdrawn the words that were offending?

I, too, have shared the Speaker's concern about such a procedure whereby unparliamentary statements might be made and then after a brief withdrawal the member resumes his or her place without withdrawing the remarks. But in my experience we have always had a withdrawal of the remarks and we have not accepted, as a House, that being sent out of the House, however briefly, more or less paid the price for uttering the unparliamentary remarks.

I personally must say, with great respect, that I am not impressed with the alternative you have brought forward and I would ask for your further consideration.

**Mr. Breithaupt:** Might I also speak to this point, particularly with respect to the contents of standing order 20? It would seem, Mr. Speaker, with greatest respect, that the alternative which is open to you is only to name a member and to see to the expulsion of that member after naming him. What we have seen this afternoon is indeed a challenge to you by the comments which, one could say, were flaunted by the member for High Park-Swansea in his refusal to accommodate your offer.

I think, sir, you have gone far further along this path than anyone could reasonably have asked you to do. Suggesting that the member is able to keep his place and yet not be recognized by you or by the particular chairman of committees to which that member may attend is not the purpose of rule 20. If I may say so, I believe you have been lenient and your position has been made somewhat more awkward by having this additional challenge thrown to you today by the member for High Park-Swansea.

As a member of this House, I believe a review by all members of standing order 20 would be useful in that the challenge which has been placed to the chair has put you in a very difficult and unfair position. I believe the leader of the New Democratic Party (Mr. Cassidy), and indeed the other House leaders and leaders of parties here, have an obligation to see you through this particular circumstance. I would call upon them in your presence, sir, to ensure that the rule, as it is set out here, is clearly and carefully enforced in the interest of all of us as members of this House.

**Mr. Foulds:** Mr. Speaker, I just want to say I think you have handled the situation with admirable dexterity, reaching into British precedent for the ruling you have given us today.

**Hon. Mr. Wells:** Mr. Speaker, I think this has been a very disturbing matter. Certainly the comments that have been made in this House and the motives imputed and attributed to members of this party by another member of the House were remarks which could not be tolerated.

I think you were absolutely and perfectly correct in your review of those remarks and in your judgement that they did offend the member to whom they were directed and also that they offended this House. Those remarks do offend each member of this House and were not proper remarks.

I think how the matter we are now discussing should be handled is your decision as the custodian of the rules and the mores of this House. I think you have not handled it completely under standing order 20, but I must say I do not feel you are completely enclosed by having to use standing order 20. I think you have in your wisdom gone beyond standing order 20 to look for a remedy for this particular situation. The remedy you have come up with is a very interesting one and fits the circumstances.

I would say we support you on the solution you have come up with here. It may never have been used in this House before. I don't think that is a just reason to say it cannot be used. In what is a very difficult and trying situation, I think you have come up with a very interesting solution, which I hope will lead to the honourable member withdrawing the remarks which offend all of us in this House.

2:30 p.m.

**Mr. Nixon:** Mr. Speaker, on the point of order I raised originally, may I point out to you, sir, that if in the event the member for High Park-Swansea does not retract, I know of no limit on the Coventry into which you have placed him by your ruling. While he may be able to sit there, evidently under your direction he will not be able to participate.

I personally do not join the government House leader in indicating that I think it is a wise move. I personally believe, sir, that if you wanted to follow an alternative you might very well have indicated, as you have, that the statements were unparliamentary. Then it is the responsibility of the government House leader to take the action to move that the member be dismissed from the service of the House until he retracts his statement. In that way, it would be definite.

But this way, you're liable before the session is over to have six or eight people—you're going to have to keep a list of those

you're not going to recognize. I submit to you, sir, this is not going to be a workable addition to rule 20.

**Mr. Speaker:** I don't know whether the remarks made earlier by the member for Brant-Oxford-Norfolk, and to some extent concurred in by the member for Kitchener, constitute an appeal against the ruling of the chair. If that is the case, so be it.

I think we are dealing with a very unusual situation, where it is no longer a question of exception taken to a remark made by one member against another member. It is a question of the chair resolving a situation that could become chronic if you allow one member to get up and speak almost with impunity, by simply saying, "I'll say whatever I please, and I will be banished from the House for one sitting, and that's the end of it."

I think there needs to be a review of that standing order. I'm dealing with the standing order as it is written now. I think the situation we're dealing with requires something of a departure from the normal. I've made my ruling and I stand by it. I want to tell all members of the House that a Speaker's ruling is open to appeal. If that's what the House wants, I would welcome it. But my ruling stands.

**Mr. S. Smith:** Mr. Speaker, this is very difficult for us. You'll appreciate the individual instance of the unparliamentary remark becomes largely irrelevant in a sense, compared to the ruling, which is the important matter now before us. In fact, the original remarks did not pertain to any member of this party, and we have no particular cause to rush into the defence of the member for Wilson Heights or the member for Armourdale (Mr. McCaffrey).

**Mr. Foulds:** Then why are you doing it?

**Mr. S. Smith:** Not at all. We are not defending any members of the House; we're trying to defend the traditions of the House. Your ruling adds a dimension to standing order 20 which I find would make the workings of this House very difficult indeed.

There may be a precedent for your decision in British tradition, but I don't recall in the federal House any such precedent. I wonder whether we really want to add this option to standing order 20, so that there would be lesser and greater offences—some of which would call for expulsion, some of which would call for a kind of Coventry, a kind of being ignored, an ostracism of some kind.

I personally feel the House has worked rather well with standing order 20. I think that adding this new type of punishment, with the greatest respect, sir, would cause great difficulties. Completely ignoring the original incident and dealing only with your ruling, I feel compelled to appeal your ruling, Mr. Speaker.

**Mr. Speaker:** I have been remiss. If an appeal of the chair's ruling wants to be launched it shall be done without debate. I have allowed three members over here and another member over here to speak. I will hear, finally, the leader of the New Democratic Party and then I will put the appeal to the House.

**Mr. Cassidy:** Mr. Speaker, I simply want to reiterate the comments made by my colleague the member for Port Arthur. This is a difficult situation for everybody in the House. I believe you have handled it with dignity and with decorum, and I believe it is incumbent on all members of the House to accept your authority as the Speaker, as we do in this caucus.

**Mr. Speaker:** The question before the House is the appeal of the Speaker's ruling with regard to the incident involving the member for High Park-Swansea.

All those supporting the position of the chair will please say "aye."

All those opposed will please say "nay."

In my opinion the "ayes" have it.

The ruling of the chair is sustained.

#### THE TIN DRUM

**Mr. Cassidy:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations, in the absence of the Premier, (Mr. Davis) arising out of the film which we saw this morning, *The Tin Drum*, which I have to say, having seen many films, is a masterpiece and one of the finest works of art I have seen in the cinema for many a year.

Is the government prepared to bring in legislation to establish a classification system for films in Ontario which would ensure that, when there is a film that takes the top award at Cannes and the top award for foreign films in the academy awards, the people of Ontario may judge the film for themselves, along with the people of Manitoba, British Columbia and Quebec, of every country in western Europe and of 50 states in the United States?

**Hon. Mr. Drea:** Mr. Speaker, I do not know why the reference was made to the Premier. It has been government policy for some time that the answer to the question is no. If the



honourable member has a question of the Premier, then I suggest he ask it of the Premier.

His attitude today does not surprise me very much. He said on Friday exactly what his findings were going to be before he saw the film. He said the same thing on Friday. He wanted classification and not censorship. He also wanted me to fix the Ontario Board of Censors. He wanted me to intervene at the board. I know he is going to say to me it is on a matter of principle that I should intervene. Is that correct?

**Mr. Foulds:** The minister is answering the question.

**Hon. Mr. Drea:** If it is correct because of a great principle, Mr. Speaker, I tell you that the member told me some time last week, on Tuesday or Thursday, that a principle of one law for the rich and one law for the poor was not worth the minister's signature. Obviously things have changed in a few days.

**Mr. Cassidy:** The minister is speaking in riddles. People across the province would like a straight answer to the question, which is whether this film, which is quite a fantastic cinematic experience, can be shown in Ontario. Since it is now the habit of the Ontario Board of Censors to wade in with its flat feet on films that are acknowledged works of art, and since the film *The Tin Drum* will be remembered long after the name of the Minister of Consumer and Commercial Relations is forgotten in Ontario, will the government adopt a policy which will allow films that are works of art to be shown in Ontario, or is it the government's policy that, to be consistent, it now intends to go down to the Art Gallery of Ontario and start to censor the statutes and paintings in that museum?

**Hon. Mr. Drea:** Mr. Speaker, that is the stupidest remark ever made by a leader in the history of this House. We hear this lofty thing about artistic works of art et cetera. Once again, the member is getting into the thing that, if it is artistic, anything goes, but if it is not so artistic in the view of the leader of the third party then perhaps everything should go. Surely the member should stick to his original position. I do not understand why he cannot understand it. Some days it looks like he went a fast five with Nicky Furlano, but that is not my problem. I said no to the first one and I am saying no now.

2:40 p.m.

**Mr. S. Smith:** Mr. Speaker, agreeing that to draw a distinction between an artistic and a nonartistic movie would be utterly

impossible, may I ask the minister whether he has had a chance to check with Mr. Sims to find out whether there did occur a telephone conversation the day before the meeting in which Mr. Sims was made an official offer of the one-cut version? Has the minister had a chance to check that? Right now it is the credibility of the lawyer versus the credibility of the minister, and I think that should be settled.

**Hon. Mr. Drea:** I do not think there is any dispute on the credibility of that one. I went through it last week, I said specifically, and I have gone over it both days—

**Mr. S. Smith:** Sims, not Brown.

**Hon. Mr. Drea:** Yes, I know. The member has a mental block on this one.

There was a phone call made to the director. At the same time, or just about the same time, a phone call was made to the assistant director, Mrs. Brown. The phone call to Mrs. Brown is a very significant one, because it said, "Don't make the offer to the board unless the board will accept it." On the basis of the commitment that Mrs. Brown made, Mr. Sims regarded the phone call as an unofficial negotiating position. Only when the letter arrived was it considered an official position and by that time the decision had been taken.

**Mr. M. N. Davison:** Mr. Speaker, in view of the fact that the minister so clearly thinks this is an offensive film that will corrupt the people of Ontario, would he be so kind as to tell the assembly when and where he saw the film? Secondly, as a result of my seeing it today, would the minister please enlighten me as to which scenes the board wants cut from the film because, after having seen the film, I could not find four pieces of the film that even the minister would want to cut.

**Hon. Mr. Drea:** Mr. Speaker, obviously the member is massively misinformed, even as the critic. I am not the censor. The board is an independent board. I am no more responsible for the actual decision of that board than I am for a decision of the Ontario Racing Commission, the Ontario Securities Commission, the Liquor Control Board of Ontario or the Liquor Licence Board of Ontario.

The people in the New Democratic Party are opening up a very interesting little scenario of having the minister overrule the board when he does not like the decision. That is not the way it is set up. I have not seen the film. Why should I see it? It

is the theatres branch or the censor board that has made a decision.

**Mr. M. N. Davison:** The minister is the one who is responsible.

**Hon. Mr. Drea:** I am responsible only in informing this House what has been done. The honourable member knows that and I know it.

**Mr. Foulds:** That is an interesting theory of ministerial responsibility.

**Hon. Mr. Drea:** It is an accurate one.

I suggest the New Democratic Party is ploughing a new field. If they are telling me that, any time I do not like the decision of an administrative tribunal or a board which operates at arm's length from the minister's office, I should interfere and have it done my way, I do not think they want to put that one out to the voters. That is what the member is asking me to do.

**Mr. M. N. Davison:** We asked for a film classification board.

**Hon. Mr. Drea:** The answer was no, and the member's last one was he wanted the saloons open all night in Hamilton because he was not a puritan.

**Mr. Breithaupt:** Mr. Speaker, while the minister no doubt would agree that he may not be responsible for each decision, would he not agree with me that he is responsible to see that the proper and thorough procedures of the board are carried out? If so, would the minister be prepared to state to the House that the proper procedures of the board have been carried out to date in this particular circumstance?

**Hon. Mr. Drea:** Mr. Speaker, the member makes a very good point. Obviously I have responsibility to make sure that the due process in whatever form it takes or the administration procedures are carried out properly. In this case, yes, I am sure.

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Natural Resources. I am tempted to say that not only is the censor board an anachronism but so is the government an anachronism; and that exempts the Minister of Natural Resources since I am going to ask him a question.

#### TIMBER LICENCES

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Natural Resources. Is the minister aware that in Dubreuilville, a logging town north of Wawa in north-central Ontario, some 300 jobs could be created by adding a second shift to the lumber mill and by the construction of a

waferboard mill if there were adequate wood supplies to make that possible? Is he aware that many independent sawmills in the province are constrained by timber shortages, which are largely due to the fact that 87 per cent of the timber limits in northern Ontario are in the hands of the pulp and paper companies? What action is the government intending to take or taking to resolve the conflict over access to timber limits between the sawmills and pulp and paper companies in the province?

**Hon. Mr. Auld:** Mr. Speaker, surely I did not hear the honourable member correctly if I heard him say 87 per cent of the timber limits in the north are in the hands of private companies. Ninety per cent of those limits are in the hands of the crown. If the honourable member is talking about Algoma and the land owned by Algoma Central Railway—given to them in the 1930s, I believe—that could be correct.

I understand there are provisions made by Algoma Central to sell or give third-party agreements a variety of ways to access that timber to both the lumber and the pulp and paper industry. However, I am aware of the Dubreuilville situation; as a matter of fact, the member for Cochrane North (Mr. Brunelle) has brought it to my attention on several occasions. We are unable to find any crown timber available to them in an economic area to add to their present licensing.

I am afraid I have no way of requiring that private owners turn over timber to other people. We do encourage that, and on occasion we have been able to assist people through our good offices. But I have no statutory power to do what the honourable member is suggesting.

**Mr. Cassidy:** I trust the minister was not trying deliberately to misunderstand my question. The minister knows that some 87 per cent of the crown timber land in northern Ontario which is licensed is licensed to the pulp and paper companies. The Armson report of 1976 states specifically that the legacy of very large licensed areas in the hands of these pulp and paper companies cannot be justified when forest management is both possible and feasible. In the light of that, what plans does the government have to reallocate those timber limits more equitably so that both the pulp and paper industry and the independent sawmill industry can thrive and grow?

**Hon. Mr. Auld:** I think it is fair to say, certainly in my experience to date as Minister of Natural Resources, that the vast majority of operators in the pulp and paper and lum-

ber industries believe that they are being treated equitably.

Our problem has been that the pulp and paper industry has, at last, again had good times; their markets have improved and they want more wood to cut. In most cases we do not have it available for them. The same thing applies to the sawlog industry. Until perhaps three months ago not a week went by that I did not have at least one operator in my office to see if we could find more wood for him because he had either updated or expanded his equipment. He wanted to get on to two shifts or, if he had been on two shifts, to get on to three.

The woodfibre industry has been booming and it still is in pulp and paper. But it is not possible to find all the wood that everybody would like. If I were to say to the honourable member that I could find more wood for the Dubreuilville company, we would have a lot of people at Queen's Park wanting to see the Minister of Natural Resources tomorrow. There are still a number of people—even though the sawmill operations, as I say, are soft at the moment—who are anxious to expand if they can get the wood.

As far as those companies with crown licences are concerned, and particularly in the pulp and paper industry, we have assisted in arranging many third-party agreements where the hardwood and some of the softwood is made available by the crown licensee to another operator.

2:50 p.m.

**Mr. T. P. Reid:** Mr. Speaker, the minister has a letter similar to this on his desk, or somewhere in his ministry, from myself. Would the minister not agree that it is not good forest management to see an eight-inch or 10-inch or bigger butt piece of timber going into a pulpwood mill, where it is going to be ground up for pulp, when that same 10-inch butt, or larger, could very well be allocated to sawmills in the area?

The minister used to have a policy in this regard. Does he not think it is time he went back to that policy and made it necessary that the pulpwood companies allocate those areas where there is large timber and where it will not be an expensive culling process to allocate anything over a 10-inch butt to a sawmill operator?

**Hon. Mr. Auld:** Mr. Speaker, as regards those companies that do not have their own sawlog operations, I am inclined to agree with the honourable member. The problem, as I understand it, is that in many cases there are few logs and they are a long distance

from a sawmill. But we do encourage, as I am sure he is aware, that logs of larger sizes be made available to the sawlog industry as opposed to going into pulp.

**Mr. Cassidy:** Is the minister not aware of the concern in the sawmill industry that far too many sawlogs are being used for pulp by the pulp and paper industry when they could be used to create a higher value product by going through sawmills? Is the government prepared to require that any merchantable sawlogs that go to the pulp and paper industry be diverted to sawmill operators and to require, likewise, that the pulp and paper companies take the chips from sawmills? This would ensure that in northern Ontario we would achieve the twin objectives of stabilizing communities that are threatened and identifying opportunities for growth and jobs that could be there now if they ran the forest resources better.

**Hon. Mr. Auld:** The member for Rainy River (Mr. T. P. Reid) in his question pointed out that under a certain size it is not the best use of the resource to make it into sawlogs. One can make a two by four out of anything that is five inches across, but it is not a very economic way of using a resource.

For those pulp and paper companies that do not have their own sawlog operation—and many of them do, as I am sure the honourable member is aware—we encourage the use, where it is economically feasible, of the larger logs for the sawmill industry. However, that is assuming there is a good market for sawlogs. At the moment that is not the case.

#### DISPUTE AT AMR CENTRES

**Mr. Blundy:** Mr. Speaker, I have a question for the Minister of Community and Social Services. Now that the minister is on record as saying the Hamilton and District Association for the Mentally Retarded has funds in its budget to bring about a settlement to the strike by its 53 workers, does he not think it is his responsibility to use some influence to have the association actually bring an end to this 10-week-old strike?

**Hon. Mr. Norton:** Mr. Speaker, that question may overlook the fact that any agreement requires co-operation on both sides. Exerting whatever influence the honourable member is suggesting on the association alone may not achieve that.

**Mr. Blundy:** Is the minister not prepared to discuss this matter with the Hamilton

association, or to admonish them for not meeting with the strikers to try to reach a settlement?

**Hon. Mr. Norton:** It always surprises me when the honourable members opposite purportedly believe in the free collective bargaining process until such time as an issue arises which does not make them happy because it isn't being resolved as quickly as they wish. Then, suddenly, the collective bargaining process is no longer important; somebody should be stepping in and directing one side or the other as to how they should conduct the negotiations.

I would indicate to the member it is my understanding the staff of the Ministry of Labour is in contact with both parties and has indicated its good offices are available as soon as either party is willing to make another move. I don't see that there is anything additional that can be done at the moment.

**Mr. McClellan:** Mr. Speaker, by way of suggesting at least one more thing that may be done, may I ask the minister whether he would agree to release the results of the audit, which has been done, according to the minister himself, by financial officers of the ministry and, secondly, by auditors? Would he agree to release that information in view of the fact the bargaining unit has not been given financial information on the situation of the local association? As well, in the light of the Toronto settlement, it would be interesting, not just for the bargaining unit but also for the public, to have that financial information made available with respect to the minister's assertion that funds exist in the budget of the local association which ought to lead to a settlement.

**Hon. Mr. Norton:** It is correct I did suggest that last week; but, again, any suggestion I have made would presuppose some willingness on both sides to reach an agreement. I don't believe any release of information relating to the audit that was done would further the negotiations at this point.

#### FARM EQUIPMENT COMPANY LAYOFFS

**Mr. Makarchuk:** Mr. Speaker, I have a question of the Minister of Industry and Tourism. In view of the fact that Massey-Ferguson Industries Limited lost money in 1978 and 1979 as a result of losses in foreign operations and White Farm Equipment Limited may be experiencing some similar problems as a result of other than its Brantford operation, and in view of the fact that

we have a trade deficit of approximately \$1 billion in farm equipment, is the minister and his department at this time considering some special contingency plans to ensure that the Canadian agricultural implement industry will not be faced with possible future plant closures?

Will the minister consider the possibility of establishing a combined tractor and mining equipment manufacturing industry in Ontario as most of the tractors that are used in the resource and agricultural industries are imported from outside the country?

**Hon. Mr. Grossman:** Mr. Speaker, we will be looking at opportunities through our manufacturing opportunity shows for that particular industry, as we already have in pulp and paper and in mining. To be realistic, I think we should not pretend that, short of an upturn in the market for the goods produced, there is going to be a short-term answer for the very critical situation in Brantford. There is little we can do about increasing market demands for whatever products are already being made there.

**Mr. Makarchuk:** In view of the fact the uncertainty in the market is to a great extent the result of the embargo placed by Carter on the selling of wheat to Russia as well as the Canadian government commitment not to sell any more than it had committed, and in view of the fact other countries in the world—Argentina and West Germany, for example—are prepared to sell anything and everything at any time, will the minister perhaps lobby with the federal people to ensure that some understanding is reached between the Canadian and Russian governments as to the future of wheat sales between the two countries, because the Russians are interested in knowing and finding out what is going to happen?

**Hon. Mr. Grossman:** I will be pleased to discuss that matter with my colleagues. Obviously any position we may take with regard to pressuring for more grain and wheat sales from Canada to Russia would be a matter for this government to consider in its whole context not simply in that of the situation with Massey-Ferguson.

3 p.m.

I think it is an overstatement of the situation to suggest that the embargo on sales to Russia is the cause of these particular layoffs. As the member has indicated, that firm lost money in the two years preceding the embargo in any case. That is a firm indication that the embargo did not cause the situation.

On a personal level, I might add that I think governments have to show some resolve

in international situations to shore up efforts to deal with the kinds of matters the member for Riverdale (Mr. Renwick) brought before this House last Thursday in private members' period.

#### CROWN COTTAGE LOT APPRAISALS

**Mr. T. P. Reid:** Mr. Speaker, I have a question for the Minister of Natural Resources, who I trust will be making a statement later about the fire situation in north-western Ontario. My question concerns crown lands.

In view of the fact that the assessor in crown lands, who assessed the crown lots in the Fort Frances area, did so on the basis of three improved lots with septic fields, roads, hydro and so on, and used that as a basis for market value on these crown-leased lots, would the minister now reconsider his program to sell these lots to people based on figures that are obviously erroneous? I will send him the information if he does not have it.

Secondly, will he find some time this summer to travel to Kenora and Fort Frances to meet with the crown lot lessors to discuss this whole matter, which they feel is an injustice to them?

**Hon. Mr. Auld:** Mr. Speaker, as far as the first part of the question is concerned, as the honourable member is aware, when we indicated that those who had leased lots would have the option of purchasing them, we said the purchase price would be the price without lessee-added improvements. There are a number of places where people have made major improvements to the shoreline and that sort of thing.

My understanding is that in some areas where the lots were made available for lease, the Ministry of Natural Resources or the crown in right of Ontario paid for other improvements, such as area improvements like roads.

**Mr. T. P. Reid:** Not in these cases.

**Hon. Mr. Auld:** There is a variety of problems in different parts of the province. We have indicated that if the lessee who wishes to purchase is dissatisfied with the price offered by the Ministry of Natural Resources based on the Ministry of Government Services appraisal, then we are prepared, first of all, to share in the cost of an appraisal by an appraiser of that person's choice. We would pay half the cost of that. Failing that or in lieu of that, we have set up an appeal board to hear submissions as to why the offered price is too high.

In answer to the second part of the question, knowing the hospitality of the honourable member, the beauties of the Fort Frances area and the pickerel available in the Rainy Lake Hotel, I will try to work that in.

**Mr. T. P. Reid:** I will ask one short supplementary which I hope will only require one short answer.

In view of the fact that the government appraiser appraised one lot and applied that price to other lots in the subdivision, will the minister allow the crown lot lessors to have one lot appraised and apply that price to the lots in those subdivisions or in that area? There are two problems: the cost of getting a qualified appraiser to the area and the time to do that.

**Hon. Mr. Auld:** If we were to have the same lots appraised, on the one hand, by the government appraiser and, on the other hand, by the lessee's appraiser, it would wind up in the lap of the minister to be Solomon-like. I think the ministry would probably be very much influenced by something in between those two appraisals, assuming there was a great difference.

**Mr. Foulds:** Mr. Speaker, does the continuing difficulty of these individual cases that are coming to the attention of all members of northern Ontario not point out to the minister the impossibility of any of his assessors or anyone else setting a fair market value for cottage lots? Is not the program a failure in that regard?

**Hon. Mr. Auld:** I know it is very difficult, but we hope to find a fair and equitable way—fair and equitable to the people who want to buy and to the rest of the taxpayers of the province, who are really the vendors.

#### DUBREUILVILLE SHOOTING

**Mr. Lupusella:** Mr. Speaker, I have a question for the Solicitor General. Could he report on the details of an incident involving the wounding of Constable R. Pilon in Dubreuilville early Sunday morning?

**Hon. Mr. McMurtry:** Where did this incident take place?

**Mr. Lupusella:** Dubreuilville.

**Hon. Mr. McMurtry:** No, I am not aware of it, but I will obtain information and report back, Mr. Speaker.

**Mr. Lupusella:** The constable was shot by two robbers and, given the fact that my colleague the member for Algoma (Mr. Wildman) has been trying for two years to convince the Solicitor General to put a second Ontario Provincial Police officer in the com-

munity, is the Solicitor General now prepared to review the position he has taken against providing a second OPP constable for Dubreuilville to ensure local backup, rather than leaving them dependent on the Michipicoten detachment more than 50 miles away?

**Hon. Mr. McMurtry:** I do not think that issue has been raised, to my knowledge. The issue that has been raised, as I recall, is the suggestion that there automatically be a second man in an OPP cruiser. That was the issue that I recall was raised by the member for Algoma. I said to him on that occasion, and others, and I repeat, that obviously in certain circumstances a second police constable is warranted, but it is not warranted in each and every situation. The OPP, given their modest resources, must utilize them in such a way as to provide the maximum service. An automatic requirement that two police officers be in every cruiser at a certain time of the day would not, in my view, be a wise utilization of police resources.

I do not recall any issue raised about a second officer in this one detachment. I will look into that aspect of it.

#### FUND-RAISING PROMOTERS

**Mr. Sweeney:** Mr. Speaker, a question to the Minister of Consumer and Commercial Relations; my question relates to the activities of Madasa Attractions of Michigan, acting in the capacity of promoters for charitable fund-raisers. What protection do Ontario charitable organizations have when a non-Ontario promotion agency, such as Madasa, fails to live up to its contractual commitments, particularly in the Kitchener-Waterloo area the Sertoma Club was left holding the bag with a loss of \$4,000? For example, could the minister require the promoters to post a bond?

**Hon. Mr. Drea:** Mr. Speaker, I am somewhat mystified as to how you can hire a fund-raiser and be left holding the bag. If the member could communicate the details to me, I would be able to give him some assistance.

3:10 p.m..

We have cautioned service clubs and so forth about their responsibilities. Basically, when one hires an outside company—by outside, I mean other than their own members—to solicit funds on one's behalf, one had best be awfully careful of the manner in which those funds are solicited, that there is an accurate description given to the public as to where exactly the funds will go and the nature of the event, and that the utmost

precautions are taken in contractual relationships so that the person does not vanish.

I say to the honourable member I am totally unaware of that company and what it did. If he would like a detailed answer, perhaps he could give me all the circumstances in writing and I will be very glad to respond to him here within a day or two.

**Mr. Sweeney:** I will do that for the first part of my question. There is a second part to it, however.

Is there any protection under Ontario law at the present time for Ontario citizens who receive phone calls from such promoters, deceiving the callers into believing it is the charity itself that is calling, especially when we discover later on these promoters are taking in considerably in excess of half the money that is raised?

**Hon. Mr. Drea:** There are two routes for the person who is being called by the boiler shop. I think the member would agree it is a boiler-shop operation. The first one is through this ministry in terms of civil regulatory law. We can move in and establish the validity of the operation, particularly just what message is being disseminated from the boiler operation. Secondly, a person can go the Criminal Code route through the regional or municipal police or through the anti-rackets branch of the Ontario Provincial Police. If memory serves me correctly, we have had some similar incidents where both those approaches at a particular time in the investigation were merged.

I say to the honourable member—and it is always in hindsight—I cannot emphasize enough the difficulties a service club, a community group, a charity, a nonprofit group or a religious group—I give it the broadest possible definition—gets into when it decides it will hire a professional fund-raiser, rather than relying on its own members. The history of Ontario is dotted with disasters. They may not be the stuff of which headlines are made and they may not be the stuff from which long jail sentences result. But they do result in the fact that the public is left with a bad taste in its mouth and, in the final analysis, it is the public that is going to be contributing.

What happens is they honestly believe the person doing the phone solicitation is a member of the organization, and therefore they contribute. When they find out it is a boiler-shop operation—in this case, as the member says, from the state of Michigan, an operation that is probably well known to authorities—they are left with that bad taste.

If the member will give me the details, I will give a full statement on it.

## MOTIONS

### COMMITTEE MEETING

Hon. Mr. Wells moved that the select committee on Ontario Hydro affairs be authorized to sit from 12:30 p.m. until 2 p.m. on Wednesday, June 4, 1980.

Motion agreed to.

### COMMITTEE TRAVEL

Hon. Mr. Wells moved that the standing committee on administration of justice be authorized to travel to the Burch Correctional Centre in Brantford, Ontario, on Wednesday, June 4, 1980, and that the time remaining for the consideration of the estimates of the Ministry of Correctional Services be credited against the time allocated for the said estimates, and that the provisions of section 66 of the Legislative Assembly Act be not applicable.

Motion agreed to.

### SUPPLEMENTARY ESTIMATES

Hon. Mr. Wells moved that the supplementary estimates of the Ministry of Industry and Tourism be referred to the standing committee on resources development for consideration within the 17 hours already allocated to that ministry, and that the supplementary estimates of the Ministry of Natural Resources be referred to the same committee for consideration within the 23 hours already allocated to that ministry.

Motion agreed to.

## INTRODUCTION OF BILLS

### LEGISLATIVE ASSEMBLY AMENDMENT ACT

Mr. Swart moved first reading of Bill 88, An Act to amend the Legislative Assembly Act.

Motion agreed to.

Mr. Swart: The purpose of this bill is to declare that the designations "member of the Legislative Assembly" and "MLA" are the official designations of the persons who are elected to the Legislative Assembly. The bill provides that only members of the Legislative Assembly are entitled to use either of the official designations in association with themselves while sitting as elected members of the assembly and during the succeeding election period.

## INTERIM ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day, I would like to table the interim answer to question 170 standing on the Notice Paper. (See appendix, page 2432.)

## ORDERS OF THE DAY

House in committee of supply.

### ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS (concluded)

On vote 603, local government affairs program:

Mr. G. I. Miller: I believe we finished on Friday with a couple of questions to the Minister of Intergovernmental Affairs. One question was in regard to the Great Lakes flood damage. The minister indicated that the funding for that program was only available to municipalities on an 80:20 basis. I would like to know if that is correct.

The other question related to the assistance program for protection of shoreline property. That again is available to property owners in municipalities on the basis of eight per cent. I wonder if he would like to bring us up to date on how much money was utilized in that program and give us a little background information on it.

Hon. Mr. Wells: Yes, Mr. Chairman. On the Great Lakes flood damage payments to municipalities, the balance of grants approved in prior years that will be paid in 1980-81 amounts to \$136,866, with some audit adjustments of \$7,757, which makes a total of \$144,623. That is to three municipalities, the townships of Sarnia, Pelee and Gosfield South. There have been no new payments approved to date in 1980-81 under the Great Lakes flood damage payments to municipalities. 3:20 p.m.

Approved in prior years for five municipalities, with the balance to be paid in 1980-81, was \$93,820. They are the town of Dunnville, the regional municipality of Haldimand-Norfolk, the township of Harwich, the city of Nanticoke and the city of Port Colborne. That group and the other three I just gave you represent \$237,443. The total in the 1980-81 estimates of \$440,000 includes funds for unanticipated payments which we cannot designate or know what they might be. That is the amount under the Great Lakes flood damage program.

Under the loans to municipalities for property owners, the shoreline property as-



sistance program, 1980-81 payments, as of May 31, April to May debentures, are \$235,100; the number of municipalities involved, 14; and the number of individual loans, 47. The total in the 1980-81 estimates is \$560,000, of which \$235,100 has been committed.

**Mr. G. I. Miller:** In other words, there has not been a lot of money utilized and there has not been a great expense as far as your budget is concerned. With regard to the disaster relief fund, in particular the tornado that went through western Ontario last year, how much money was raised locally and how much was contributed by the province through the ministry?

**Hon. Mr. Wells:** I have the most up-to-date figures we have. Final claims entered by property owners against the disaster fund, I want to make clear, were less than the original estimate of \$20 million. A great many of the losses were covered by insurance and some losses were for luxury items and other items that were not eligible under the fund.

However, on May 5, 1980, the local disaster relief committee was disbanded. Last week it submitted its audited report which is as follows: revenue donations, \$3,766,549.98; interest earned, \$87,206.26; provincial payments to May 15, 1980, \$3,100,000, for a total of \$6,953,756.24 in the fund. That is the money collected and the money paid out by the provincial government. The \$6,953,000 is the revenue. The expenditures paid to claimants are \$6,959,480.38 and the administration and related costs are \$146,110.47, for a total of \$7,105,590.85. Therefore, there is a difference between expenditures and revenues of \$151,834.61; and that difference will be paid by the province. Therefore, the total provincial contributions will come to \$3,251,834.61.

As members hear these figures, they can see the promised ratio of three to one has not proven out. That was why when I first looked at the statement, that it struck me that we are paying on the basis of one to one. What has happened is the amount of the total provincial contribution will be just about one to one, maybe even a little less than one to one. This is due to the large number of donations received from the members of the public, the business community and the municipalities around the province, by that area.

In other words, the disaster committee set up operation, collected money and received about \$3.7 million. We matched that money with enough money to pay all the claims

that were submitted and judged by the committee to be eligible to be paid. As I said, it worked out to about one to one.

If the claims had come to \$12 million, we would have paid on the three to one basis. In other words, they raised their \$3.7 million; if they had \$12 million in claims, we would have ended up contributing the provincial share up to that amount.

**Mr. G. I. Miller:** One final question: How much money was loaned out at 6 per cent interest? Wasn't there some money made available at that rate? I would like to make it clear that it is obvious with the response from around the province and the particular area, that money did come in well. The damage wasn't as great as was anticipated and we are thankful for that too, but the province still didn't have to contribute as much as they anticipated in the very beginning.

Again, the member for Essex North (Mr. Ruston) has been trying to make the point that there was a disaster in his municipality and the government, at this time, has not seen fit to give them any special aid—even on a loan basis. I guess it gets back to the resolution I introduced back on May 1, where if a disaster relief fund program was established, money could be borrowed at a reasonable rate of interest which would be beneficial for the province of Ontario.

**Hon. Mr. Wells:** As I understand it nine guarantees for six per cent loans were approved for a total of approximately \$366,000.

**Mr. G. I. Miller:** How could one qualify for those particular loans?

**Hon. Mr. Wells:** Those loans were handled by the Ontario Development Corporation. They were available for repair, restoration of business buildings and equipment to pre-disaster conditions. The approved applicants borrowed the money from the local banks, as I understand it, at six per cent and they were guaranteed by ODC. They paid the banks the difference between the six per cent and the prime rate that was in effect at that time. The maximum loan was equal to replacement costs less insurance proceeds or \$100,000.

**Mr. G. I. Miller:** One final comment I would like to make is about the second homes and the loss of livestock. I think there were something like 200 head of livestock destroyed and 25 to 35 second farm homes, for which they were not able to get any assistance. They were requested by a couple of municipalities. The township of Burford and the city of Nanticoke passed a resolution and sent a letter to that effect, asking the min-



ister for support for those two areas. I wonder, would the minister give further consideration to those requests, or is it now final they will not receive any further help either by loan or from the capital fund?

3:30 p.m.

**Hon. Mr. Wells:** It is my understanding, as far as the local fund is concerned, the local disaster committee decided that second homes and livestock would not be covered. As far as the ODC loans are concerned, they were not eligible for those. The statement that I just gave was on the ODC loans for the businesses. The Ministry of Agriculture and Food handled the farm loans. They were available in this area for the restoration of farm buildings and equipment to pre-disaster conditions.

**Mr. G. I. Miller:** At six per cent interest?

**Hon. Mr. Wells:** Yes. The applicants were able to borrow the money from the bank at six per cent, and the Ministry of Agriculture and Food paid to the bank the difference between the six per cent and the prime rate that was in effect at the time. Residences, livestock and crops were not covered by the money provided through these loans.

The maximum loan was equal to replacement cost less insurance proceeds and amounts received from the disaster fund, or \$100,000. Thirty-eight guarantees for loans were approved, for a total of approximately \$1,831,880 to farms, under that part of the program. So there were the ODC loans of \$366,000 for businesses and the ODC loans of \$1,831,880 for restoration of farm buildings and equipment.

**Mr. G. I. Miller:** But they did not include livestock?

**Hon. Mr. Wells:** They did not include livestock or second residences; or, in fact, first residences. The first residences were not included in the loans. They, of course, were eligible under the capital fund.

**Mr. Bradley:** Very briefly, under this vote on local government, I would like to discuss government that really is not local, because it is regional government. I think the minister is very familiar with my views on the experience in the regional municipality of Niagara with regional government, but there are a couple of items I would like to bring to his attention once again.

First of all, I would say that the opposition to regional government has not diminished significantly in our area; at least I couldn't detect it. Last year, I did one of those surveys that we do with the newsletters we send out to our constituents. I received about 2,100

or 2,200 replies. Eighty per cent of the people in my constituency expressed opposition to regional government and, if it were put on a municipal ballot in the city of St. Catharines, I suspect the figure might even be higher than that.

In the last survey, and I am just about to release the results of this particular one, which I conducted at the end of March this year, I included a question that I had discussed with the minister before which was regarding the construction of a new headquarters. The question I put on the questionnaire was, "Do you think that municipal tax dollars should be used to build a new headquarters for regional government?" Twelve per cent said yes and 88 per cent said no; in actual figures that was 298, yes; 2,221, no. I suspect, out of the 298, a number were probably regional employees who had replied to the questionnaire, or people in the construction industry who would look forward to the new palace on the hill being constructed.

I believe the last time the estimates of this ministry came up I discussed the possibility of the minister intervening with the municipality at least to convey the message that his ministry was interested in restraint in terms of financial expenditures, particularly those which would not be essential expenditures. At that time, he expressed the viewpoint that this was a local decision, and I appreciate the fact that the minister does not want to get involved in local decisions on every occasion.

I would suggest to the minister, however, since the government has decided it is not going to implement regional government in any other areas, at least in the foreseeable future, that he prevail upon regional governments in this province, specifically the regional municipality of Niagara, to exercise the kind of restraint we in this Legislature hope local government will exercise.

The last thing we need in the Niagara Peninsula at the present time is a new palace on the brow of the escarpment to house regional government. If they wanted to make regional government popular, or at least acceptable, they would avoid sticking the knife in the back of the taxpayers in the Niagara region and turning that knife by building a new regional headquarters.

Last week they announced the purchase of the land from Brock University. Some people directly involved with regional government are itching to get the first shovel in the ground to get the palace constructed. I am saying to the minister that in his dis-

cussions, informal or otherwise, with regional chairmen, he might well prevail upon them to exercise caution in the expenditure of dollars in those areas that are not absolutely essential.

I recognize they say this will establish an identity for regional government, which really means it will solidify their position. That position is not very strong in the eyes of the average individual citizen in these areas or of many of the people who sit on the local municipal councils as opposed to the regional council.

I had about 2,519 people reply to this last survey. I recognize surveys are not necessarily always accurate, but the government has been involved in the taking of polls. When we look at the results—that is, the policies brought forward by the government—we recognize that the government does at least have some faith in polls, although they may be more professional than the ones I have conducted. I bring this to the minister's attention, first, so that he will express that caution to the chairman and, second, so that he will once again take a look at local government across Ontario—I will speak parochially now and say within the Niagara Peninsula—to see whether it can possibly work better.

My view is it can work better if many of the powers that have gone to the regional government are returned to the area municipalities where there is accountability and the politicians are familiar with the projects and programs in effect. There is a commonality of interests. At the present time, the regional government is too remote. It lacks financial accountability. The mayor of Port Colborne is not really familiar with what is going on in the city of St. Catharines, for instance; so he either relies on the staff, who are often interested in getting projects under way, or he relies on the politician in St. Catharines. It becomes a back-scratching session where we trade off roads back and forth.

I remember the former member for St. Catharines at the opening of a bridge over a waterway in St. Catharines saying: "This is proof that regional government works. Here we have a \$2-million structure, and it shows that regional government is working." The question I asked at that time was how many bridges and roads in the rest of the region it cost for that to be demonstrated as a benefit to the city of St. Catharines. I suggest that St. Catharines taxpayers paid for many more works that were not absolutely necessary at the time but were commenced

because they needed to trade off to get this particular structure completed.

The regional municipality of Niagara has some very good people working for it. There are some excellent people among its employees. I think we recognize that. We appreciate in many cases the job they are trying to do. But unfortunately we see an empire being built in many areas of the province as the regional municipalities want to assume more powers. They recognize the province wants to transfer some powers back.

Certain area municipalities start saying: "It is in our interest to get the region to do it, because they are doing it at the other end of the peninsula. We are crazy if we don't turn our roads over to the region in a specific area and get these works undertaken at regional expense as opposed to at our own expense." Again we have lack of financial accountability and of financial restraint, because everybody wants to get as much from the pie as possible. It can be avoided, once again, by transferring many of these powers back to area municipalities, even if perhaps we have to have an amalgamation of some of those municipalities. That may or may not be a solution the minister would be interested in.

3:40 p.m.

I have said this on other occasions. One of the reasons I am standing in this Legislature today, rather than a government party member standing here, is regional government. Mr. McKeough, the former minister, said that was a courageous step and he was prepared to pay the price.

I suggested to the member when he became the minister that because he had no background in implementing regional government, he had the opportunity to make innovative changes because he did not have to say his baby was wrong. It was something new he could start with, and I implored him to do so at that time.

The minister has been in the office a couple of years now. I think he is doing a credible job as the minister. I suppose I should not say a good job as we near an election because that can come back to haunt our members. I think the minister is very sincere in what he is attempting to do as a minister, and he recognizes there are not easy solutions to many of these problems.

I ask him to have his officials, or particularly the minister himself, review regional government because the officials sometimes are ingrained in these things. In fact, I do not think Mr. McKeough was necessarily the architect of regional government. It was prob-

ably some of his officials in conjunction with him who convinced the Conservative Party it would be reasonable to implement it. I ask the minister to review regional government and how it is working on a periodic basis. He has had Mr. Archer in with his travelling circus. I do not think that was very useful, but I suggest that perhaps next year he take another look at it on an ongoing basis to see which powers might be returned and how we can save the taxpayers money, because the regional levy went up substantially.

I thing what the minister is going to see happen in Niagara is what we are seeing in other areas. The local politicians are going to say: "Let's put it on the ballot. Let's try to secede." St. Catharines tried to secede in 1971 and was not successful, but a bag of money came over to alleviate the pain of regional government at that time.

All I ask the minister at this time to do is review it and see if he cannot make local government work better. I am sure his goal is to make local government work as efficiently as possible. The erection of a palace on the brow of the escarpment will not do that.

**Hon. Mr. Wells:** I still must say, Mr. Chairman, I stick by my original thoughts on these matters, which are always not to tread into areas where I have no jurisdiction. Regional councils do have certain powers and jurisdictions to build their own headquarters buildings and a few of them have been opened recently. I would not presume to interfere in a way that would seem we were trying to be dictatorial.

Having said that, I do not disagree with the member about the need in the Niagara Peninsula. I met the regional council at its present office and I saw nothing wrong with that office. I do not see any particular need to build a palace to give regional government some kind of focus in the Niagara Peninsula.

I am offering the member my opinion on it. I am not saying I am going to do anything more than offer my opinion to him today. It is not my prerogative to go around and start saying to them, "Don't you build that," just as they cannot come up here and tell us we should not build a new office building in Kingston or a new LCBO warehouse in Whitby. They may or may not agree with those decisions, but I guess we have to make them.

As for reviewing municipal government in the Niagara Peninsula, we are always happy to look at ways to make local government work better and we will always be studying those ways. Where that will lead us and what we will do, I cannot tell the member at this

time, but I would never say that what we have is perfect and that we are never going to look at any change in it. We are always going to be looking at ways to make it better. I think my friend knows I do not particularly like these big fancy reviews we have had. I do not think they are necessarily the best way. I like to see the local people coming up with some suggestions.

We had a discussion in the House the other day about direct elections. I am not a big fan of direct elections to the upper-tier government. There are direct elections in the Niagara region, I do not know that it makes that region work any better than the others where they do not have direct elections. It certainly has not made regional government in Niagara more successful or more popular with people.

When some of the arguments are put forward to me about direct elections here, I look at some of the other areas where there are direct elections and I say, why take something that is working very well, and I think regional government in Metro Toronto has worked well, and bring an innovation that is not necessarily working that well in other areas?

All I can tell the member is that we will be looking at ways to make it work better in all areas of the province and in Niagara, but I do not know what we will be doing at this point in time.

**Mr. Young:** Mr. Chairman, I would like to enter into this discussion on regional government. I was one of the members of the original committee that recommended regional government. That is quite a long time ago now, as the minister remembers.

At that time, we had close to 1,000 municipalities across Ontario and we felt they were not efficient, particularly the municipalities with a population of less than 1,000. They could not hire the staff, the equipment or the machinery to do the job that should be done.

The committee went through this whole process and decided that somehow or other we had to reduce the number of municipalities, make them larger, spread them out across certain territories so that cities in the hinterland would be part and parcel of one municipality. This would, of course, mean they would have a bigger tax base and that the struggle for industrial assessment would be minimized because no matter where the industry might be located in that larger municipality, it would still pay taxes into the one treasury.

Most of us at that time thought in terms of one unit for the municipality. That may be one of our problems. Instead of carving out larger municipalities with one government—I guess for political purposes, because politically it looked as if that kind of step would be impossible at that time—we carved out a larger unit, but we also brought several smaller municipalities within that unit so we had municipalities within the larger regional government. We had two power centres, one big one and half a dozen at the second level; so we had a squabble there.

The second thing that happened was that somehow or other we failed to give to those regional municipalities a proper tax or financial base. We did not work that out properly, and that was a subject of much discussion in this House. Somehow or other, that taxing or financial base was not adequate; so there has been a lot of unhappiness and dissatisfaction.

I do not think the route we should go is to divest the regional municipalities of certain powers and give them back to the smaller municipalities. Perhaps we should be looking at unitary government within these regions so we would have a council looking at the total picture and not at this town versus that town or the advantages of this area versus that one. Inevitably, that must happen, even in small municipalities. Certain areas get sidewalks when other areas go without them. Certain areas get the swimming pools and the libraries when other ones are clamouring for them. Very often it is the areas with the largest tax bases, the well-to-do areas, that get first attention. They have a little more clout perhaps, but I think that is inevitable. In the regional governments, if we can work them out, we will still get some of that, but I think that struggle between the two levels of government can be eliminated.

3:50 p.m.

I wonder whether the minister is giving any thought to that kind of step, which at the time, admittedly, was to come. Even the minister at that time looked upon this dual level as part and parcel of the total process which must come to its ultimate culmination.

Should we not be seriously thinking of these two things: (1) adequate financial bases and (2) instead of divesting power, bringing more power into the hands of the regional governments? Perhaps some powers that are now in the hands of the province should be given to the regions. I know some progress has been made along this line. But these are

the kinds of things that many people are discussing today, and I think they should be put into the hopper. Perhaps the minister should give us some idea of what he's thinking.

The unhappiness that exists in some of these regional governments is there. It is something we cannot ignore. We should be asking ourselves what are the things that must be done in order to do away with this unhappiness. What must be done to make the regions more efficient and effective, to give them the kind of basis they need to give them a better kind of organization and minimize the struggle within, and perhaps come out with the kind of thing which many of us, at the time that committee was working, thought was going to come out of all this hassle?

Perhaps the minister could express himself on this, and perhaps we could enter into some further dialogue.

**Hon. Mr. Wells:** Mr. Chairman, I appreciate the comments of my friend. He had been around in municipal government for a good number of years before he was in this House, and he has had a great background in things here in Metro, as well as generally in the province. I appreciate his comments.

I do not have any plans to move in the direction of more unitary government. One of the member's suggestions was that perhaps one of the answers to regional government was to create a larger unit. That is the example I used in this House the other day about greater Winnipeg, which went from a Metro Toronto type of operation to a directly elected upper tier, as I recall. Another level of government was added: lower tier, upper tier, directly elected. That did not work; so the government of the day, which I guess was an NDP government, created a unitary system in Winnipeg.

I do not know whether it is working well or not. I suppose it is working. It has got to be working. Winnipeg is thriving and prospering. I do not know that it is working any better than the two-tier system we have here in Metropolitan Toronto.

I think of the regions we have in this province and of the fact that those regions were created by a number of amalgamations to give us the cities we have within the regions. I think of Markham and the towns and townships that were brought in to create what is now the huge town of Markham. I think of Cambridge and some of the other lower-tier municipalities that have been created within the regions. There was a feeling of some people in those areas that they should never have lost their identity, their

little town that had its own individual local government. Then I think of the member wanting to create one large unitary system.

I suppose where this is most called for regularly is in the Hamilton-Wentworth area. There, the suggestion is that we should create one large Hamilton, or Hamilton-Wentworth, rather than the two-tier regional system we have there now. I cannot buy that at this time, and I do not see that as a solution at this point to the problems of better local government or as a means of improving regional government. I do not think that would be a solution.

The matter of turning over more of the province's powers to local and regional governments is a good theory, and we have been trying to do that, where possible. We have been trying to do that through the establishment of bodies and through giving bodies like district health councils and others a lot of the powers that normally might be done by provincial departments making those decisions at the local level. I think that is a good thing, and I think we are moving in that direction in a lot of areas. It is not easy, but one sets one's mind to do it.

I remember five years ago we decided that most of the planning functions could be turned over. We still have not turned over a lot of them. We still have an elaborate set of procedures whereby planning decisions have to come up to the Ministry of Housing and go back to the local level. We have not turned them over to the regions although we have turned some things over. The new Planning Act, as I recall, points us in this direction in some way; so there are areas where we are trying to do this with municipalities.

The third point the member raised was about a better tax base for local government. I think that boils down to better financing for local government. We are not looking at any new taxing sources for local government. We have looked at that very carefully because there are always requests for new sources to cover special projects. If Ottawa wants a convention centre, it suggests that perhaps it should have the right to put its own sales tax on hotels. This would get the municipalities into the sales tax field and a number of other fields.

The Treasurer (Mr. F. S. Miller) and I have looked at these things but decided it is far better and more economical for the province to collect from its revenue sources—sales tax, income tax, corporation tax, et cetera—and transfer that money than to have a frag-

mented system where some municipalities might use some of those other tax sources.

Basically, we still find that we have the property tax system as the main system for municipalities, with all its imperfections and all its perfections, whatever they are. We work towards trying to find a better way to use the property tax system to serve the needs of municipalities. I do not see any immediate change in that area in the very short term. In the long-range future there may be, but in the short term I do not see any particular change from the property tax being the basic source of revenue for municipalities, along with the whole area of fees and services that they are able to charge. I must say that I am a supporter of that revenue source for municipalities.

The member may recall that a few years ago we introduced a bill in here on licensing in order to reform the licensing procedures for municipalities. We are still working on that bill, but one of its provisions was that you could not charge more than \$5 for a licence. It represented a thinking that said you do not raise money through licences or fees.

I happen to believe that you should at least raise enough money to cover the services you provide to those that you are licensing. In other words, you can have a fee-for-service basis here. If you are going to license a whole segment of industry in a municipality you should at least be able to get enough money back on licences to pay for that service. You probably should not be able to make an actual revenue income for the municipality from licensing services, but certainly the philosophy that has to be adapted is that you can at least recover the provision of all those services you provide to your various client groups in the municipality through fees and licences.

Municipalities do get a lot of revenue from these sources. When we get that licensing bill back in here, it will have provisions in it that will allow municipalities to make a proper return for the money they expend in that area.

**Mr. Young:** Mr. Chairman, I would agree with the minister that the problem is one of a financial base for the regional government. When I mentioned the tax base before, I corrected myself in each case and said there should be some better financial arrangement. That arrangement should be done by using the power of the province for raising funds and then having a better sort of distribution.

4 p.m.

We have discussed many times in this House the tremendous natural resources base we have in this province and the fact that we are not getting as much as we should out of those natural resources, out of our minerals and timber. If we would think of using them as a taxing base, as a source of revenue for the provincial government, then we would have far more largess to distribute and to make regional governments more viable.

There is no question that this matter of identity is a tough one. We get into certain habits and we rather dislike to see too much change. In the political field that is true in one area, which has certain buildings in the centre, certain institutions and certain leaders. They do not want to change that. I suppose that is the strength of the Tory party over the last 35 years. Because people do not like change, we have not got the change some of us think ought to come in Ontario. That is a fact of nature and we have to accept that. But surely sometimes that change should be urged on a little faster by the ministry here and by the government itself.

I am wondering whether the minister has given up entirely on this whole matter of the development of regional government or whether he is still thinking of setting up more regional governments within Ontario. One of his remarks may have been a bit crucial here. The size of the municipalities we tried to set up may have been a little too large. Instead of setting up a city state with a couple of cities in the hinterland, we set up too many states with three or four or five cities within the hinterland. It may be the step we should have taken was smaller regions and more of them.

I do not know. One never can go back in history and live it over again. I am wondering whether this might not have been one of the steps we should have taken at that time. It may have been more successful. We would not have had this large area where the pulling and hauling inside frustrate so much and where, as the member for St. Catharines (Mr. Bradley) points out, there is a desire to set up the Taj Mahals, the great headquarters. Then along with that go the larger salaries and the bigger departments which demand again higher salaries at the head of those departments and more at the second level of departments and so on. It may be we should have thought in smaller terms, rather than the large terms we thought of in those days gone by.

Has the minister given up? Is this dream we had years ago, that we were going to build more regional governments and regionalize the whole province, dead now? Have the difficulties we have encountered been so great that this government has decided there shall be no more regional governments in Ontario? If so, where does that leave all the smaller municipalities we still see dotted around the countryside?

Municipalities of very limited population elect their councils, their reeves and their mayors. Then those councils, reeves and mayors are frustrated because they cannot afford the kinds of services, equipment and technology which this age should be giving them and which should be brought into use to service the people of Ontario.

I wonder whether this ministry and this government have given up and whether there is any hope whatsoever of this process continuing, even though we may try now to find ways and means of making the governments that are now in effect more workable. I wonder whether the minister could express himself in this regard and tell us whether we have reached a dead end as far as this government is concerned.

Hon. Mr. Wells: Mr. Chairman, all I can do is repeat what I have said many times in the last year. We are not planning any new regional governments. We do not have any in the works and we are not thinking of them. We do not have any plans out there percolating around the developed regional governments because, if my friend looks over what has happened in this province, most of the growth areas, if not all of the growth areas of this province, where a justification for regional government could be made, are now covered with regional governments.

In the areas that are not now covered with regional governments the member says: "What do the mayor and council of a small area in the province that doesn't have a regional government look forward to? What do they do?" I suggest to him that most of them breathe a sigh of relief and look forward to the fact that they are not going to be in a regional government. I do not think they have to worry too much about that; they are not worried about that. Even if a case could be made for their areas having a regional government, I would suggest they would not be very happy about it.

What kind of options are open? You can't always have a closed door because, as I said to my friend a few minutes ago, you always have to be looking at ways to improve the system. One of the things we have adopted is



that if a local area decides a restructuring can occur in its area, basically we have called it a restructured county. I think that is something that is forgotten in this province. We have had two-tier government in this province for more than 100 years. We have had the county system with a quasi-second tier, with lower-tier municipalities.

There may be a way in some areas of this province that you can restructure the county. We have done it in Oxford county; that is one of our examples of a restructured county. We started to do it by working with the local people in Northumberland county, but when the kind of restructuring that was going to occur was written into a piece of legislation they, in their wisdom, decided they did not want to proceed and we did not proceed. That, I would suggest to the member, underlines the approach we are taking today.

If a county council and the municipalities within that county want to consider a restructuring, we have the manpower and staff to help them and can go in to show them some of the ways to do financial calculations and get them the information. They can look at all the facts and we can help them write some legislation. If they want to do it, we will help them do so and we will bring the legislation here. If they do not want to do it and it is not acceptable to them, we are not going to push them to do it. But I suggest to the member, one option open to some of the other areas of this province is restructured counties.

The other option and the other place that we are putting our eggs, so to speak, if you can use the analogy of putting your eggs in the basket, is we are looking at the whole area of amalgamations and annexations and of a much fairer process. To a degree it is based on the labour-management type of model where the municipalities, in some cases a larger urban area with those rural areas around it, can go through a process that does not involve the confrontation process, with large legal fees, that we have known in the past.

They can look at the amalgamation/annexation process, work with the mediator process and so on and come up with answers, as I hope we are going to arrive at in the situation involving Brantford township, Brant county and the city of Brantford. That is a situation where at one time they were looking at regional government, and at another time at a protracted, bitter confrontation dispute. Perhaps we are now at the point where we will be able to bring into this House a piece of legislation that represents

what all the communities have agreed to as the way the people and the future of that area can best be served.

If the amalgamation/annexation model we have tried out in Brantford township area can be put into some kind of general legislation, I think it will represent one of the things that will be used and is used in a lot of the areas of the province now, rather than a restructuring approach. It will help them get at their problems.

As my friend knows, there are a number of areas of the province where this is a problem. The Sarnia area is still a problem; the Barrie area is still a problem. I guess that example is the one that has pushed us into looking at some new methods, because the Barrie-Innisfil annexation is still going on. It is costing millions and no one seems to know when it will end. It may be getting close but we do not know yet.

That is a bit of what I see happening in the future. But we have no regional government studies or plans or any areas that will say, "Yes, we will put a regional government in," because we just do not have any and we are not planning to do any.

4:10 p.m.

**Mr. Young:** The minister has just told us that he is looking forward to certain changes in municipal government in the future, but he has discarded the idea of using the name "regional government" for those changes. In other words, it is a change of name, a change of strategy, but the process inevitably will go on—I think that is what the minister said to us—under a more voluntary method. There will not be quite so much compulsion and not quite so much wielding of the big stick: "You get together, or else." There will be this kind of encouragement taking place.

As far as county governments are concerned, they have never been regional governments in the sense of the new regional governments. I am wondering, as counties are restructured, whether there is again a long-term view that they should be unitary governments rather than a whole conglomeration of smaller municipalities. That is one of the things we have to look forward to and try to work out for the future.

I can see the sense of what the minister says, where we have had so much difficulty with the regional government foisted upon us by the Duke of Chatham-Kent and others in days gone by. He is not giving up, and that is encouraging to know. These municipalities that are breathing a sigh of relief and saying, "Sure, that's fine, we are not going to be dragged into this regional government idea,"

have to recognize the fact that development in the future will take place at these growth centres the minister mentioned. The development will take place where regional government exists and where stronger municipal government exists. If the smaller municipalities in the areas where they do not want this sort of thing face up to that fact and realize they are going to be bypassed by the development of the future, they have to accept their fate.

I hope the minister is going to do more than just tacitly agree when the municipalities come to him and say: "We want to amalgamate. We want to join together; we want to build a county unit." I hope he will be actively encouraging this process so that the number of smaller municipalities will be gradually merged into the larger unit, and we will have more efficiency and more effective government in this province.

**Hon. Mr. Wells:** I do not want to leave the wrong impression. We are not going out suggesting to any counties that they restructure and using that as a subterfuge to introduce regional government in another form. It is the other way around. Counties may come to us and say, "We have looked at our problems and our situation, and we would like to enter into this kind of arrangement." If they do that, we will do it. But we do not have a list of counties we are going to descend upon and say, "You should restructure." I want to make that very clear.

We are certainly not looking at restructured counties as unitary systems. We are looking at a restructured county as an embodiment of the county system, which is a two-tier system; the local municipalities are preserved and there is a larger tier that covers the total area for certain services over the whole area.

I cannot think of all the examples, but counties have served that purpose—maybe not in a completely perfect way—even in their present status, which is, as we said, more than 100 years old. Originally they were created probably to do very much the same kind of thing as regional governments were created to do in the last 10 to 20 years, and they have done that over the years.

The welfare function to a large degree has become a county function across this province. There are probably very few municipalities that have their own welfare social service operation. It has become a county operation. I think that has improved the operation as opposed to what it would have been if the counties had not been willing to take that on.

We have had county road operations where the same principle applies within, say, Metropolitan Toronto where the metropolitan roads are looked after by the metropolitan government and there are the local roads, the county roads, which the county has looked after to give a system of through roads and a good road system in a total county, unrelated to all the municipalities that make up that county. There have been county boards of health and in many cases combined boards of health which have looked after the public health functions over a whole area.

Through the county system, we move to carry out a lot of the functions that people see in two-tier governments, and they have been carried out well. It may be that some county, when it looks at its operations, will say, "We could do it a little better if we restructured." If they want to do that, we will help them. But we do not have a list of counties that we are going to descend upon to suggest that they restructure.

**Mr. Ruston:** Mr. Chairman, I suppose this has been brought up many times before in the minister's estimates, but with regard to our municipal financing and so forth, I was just noticing some of the local reports as the municipalities set their tax rates and mill rates for this year, and the problem that some of them have and where the tax money goes that they have to assess in the municipalities.

I notice in the township of Sandwich South that for each dollar the township collects, 12 cents goes to the county, 15 cents goes to the township and 73 cents is paid to the school boards. That is the whole gambit of municipal financing, which I know has been brought up on a number of occasions, with unconditional grants, conditional grants, highway grants, police grants and the whole hotchpotch of grants from the different ministries. Not many people actually understand a lot of them.

It is frustrating for a municipal councillor when he tries to hold the line on municipal spending and then the school boards feel they require more money. In some places they have declining enrolment but they still have to keep the schools going, although not all of them. They are closing one in my area; however, I guess everyone has that going on in some areas of their municipalities.

In another township it is a little different. The school boards take 58 cents and the balance goes to the county and the municipality. I realize they are not all the same and that is because of their tax structure, but it has been a concern for many years. I



do not know if we ever find a panacea for tax structures and those with the most ability to pay. I do not know if we will ever get to that.

Probably what has hurt the municipalities most in the last few years is not this ministry, but the education grants, which went down from 60 cents to about 51 to 52 cents in our area. Boards could not seem to cut their spending; so their share of the total taxes in the municipalities is going up to anywhere from 58 to 75 per cent of the total taxes collected in the municipality. No doubt we are going to have to address ourselves to this matter eventually, because I think certain taxes should be paid by the municipalities and the household residents.

I suppose another argument against it has to do with the Ministry of the Environment, which is constructing sewage systems in many municipalities. The Ministry of the Environment, with some money from the federal government, is paying a fair amount of that cost in some of the municipalities. It is a hotchpotch, and I know the minister is aware of that.

I was looking up some remarks I made about 13 years ago before I got elected to this fair edifice and place. I had a suggestion—and I do not know if it was my own original idea or not—with regard to education costs. We had a lot of problems prior to 1970 with regard to school taxes on farm land. The Minister of Agriculture and Food finally accepted one of our suggestions and a resolution that part of farm taxes be refunded by the province. That helped a lot.

It seems to me in one of my conversations or one of my speeches someplace before being in this body—I think it was when I was on municipal council—I was suggesting at that time that as part of the education costs the province bears it should pay for the teachers throughout Ontario and leave the municipalities the responsibility of furnishing the locations and the buildings. I still think it would not have been too bad an idea, although we know that in some areas of Ontario, outside of the heavily builtup areas the grants run up to as high as 90 per cent.

I was basing my speech and my thoughts at that time on the builtup areas in southern Ontario where, if I remember correctly, the professional costs of the school boards ran in the vicinity of 70 to 75 per cent of their total costs and the busing, the buildings and so forth covered the balance. At least then under that type of circumstances, the local municipality and the local school board would know what they were responsible for.

However, I am sure there are many people who would not agree with that type of situation, and nothing ever came of it. But I am not sure we are not that far from looking at something similar to that, where we have some sort of a percentage, whether it should be 60 per cent or whether it should be even higher. At one time back in 1967 and 1971—and I do not know whether it has changed—the policy of our party, if I remember correctly, was that we would assume about 80 per cent of the total cost of education and 20 per cent would be borne by the local municipality.

This government did go up to about 60 per cent, and now it has gone down to about 51 to 52 per cent through the present Minister of Education (Miss Stephenson). There have been some thoughts and study given to grants, but it seems to me we should be coming down to some serious consideration of just what grant structures we should have so that the municipalities have a guarantee of some form. We can all remember the Edmonton commitment which the previous Treasurer, Mr. McKeough, made. That went by the wayside after about three years.

Those are just some of the concerns I have, and I am sure the minister shares them to some extent. I do not know that anyone has the answer to them, but we should be coming to an answer soon, because we have been left with a hotchpotch of grants. It is time somebody got down to doing some serious thinking on these and came up with a basic situation in grants so that the municipalities would be aware each year of their costs and the school board too.

Mr. Isaacs: Mr. Chairman, I know the minister is aware that I felt earlier there was a chance we would not be here today, but the quality of the comments that have been made by some of the previous speakers makes me very glad we are. I have five or six items remaining on this vote which I would like to raise with the minister. The fact that we are here today gives me the freedom to feel I can take a little longer on each one.

I want to thank the minister for already commenting on the matter of municipal licensing and for indicating to us what I interpret to be something of a reversal of his predecessor's policy in that at least municipalities will be able to recover all the costs that are associated with the operation and the issuing of the licence. If I understand the minister's comments correctly, that is much closer to what the municipalities have been asking for than was the proposal introduced by his predecessor.

I find it interesting that we are talking here today about a licensing provision that was originally recommended something like two years ago, and yet we still have no bill before us. Things seem to move remarkably slowly around here.

The matter of regional government was raised by the member for St. Catharines (Mr. Bradley) and he made some very reasonable suggestions, particularly relating to the region of Niagara.

I referred to regional government, in some sense, in my opening remarks and I now want to make a few more remarks about Hamilton-Wentworth. I have found the minister's almost stubborn refusal to deal with the problem that Hamilton-Wentworth is facing to be incredibly frustrating.

I am surprised, as an aside, that in mentioning the situation in Winnipeg, the minister had not expanded a little more on the problems that have existed since the unitary system was introduced there. I am sure the minister's staff are aware of those, and I would have thought the minister would have seen it appropriate to remind us of those, in view of the present circumstances.

I want to suggest to the minister that the Winnipeg situation was an experiment. It was a very far-reaching experiment in unitary government and it was one that was almost inevitably bound to create some problems. There have been problems but the situation can be resolved and I am sure that the people of Winnipeg and the people of Manitoba are going to work it out. I believe we can learn from the Winnipeg experience.

I am concerned that the minister appears to believe that by sitting back and saying things are okay, the situation in Hamilton-Wentworth is going to resolve itself. That is surely the farthest from the truth.

We have one suburban mayor who has admitted on numerous occasions—in fact, very strongly and as recently as last week—that she is prepared to play the role of a Joan of Arc and lead her municipality out of regional government. We have another suburban councillor who states very clearly, and I think fairly responsibly, that in his view the regional government system we have now is the lesser of the evils that could exist. But while he is saying that, he is losing the battles, slowly, one by one.

We are seeing cost transfers come about. We are seeing situations arise that, little by little, are gnawing away at the fabric of the structure of the region that exists right now. We have a situation where suburban and rural taxpayers are paying more than they

should be, more than they need to be, and more than they would be if there were a restructuring undertaken in Hamilton-Wentworth.

At regional council meetings, we see language being used that, in my mind, is completely inappropriate for any elected body. We see regional councillors calling each other liars. We have cases of regional councillors accusing each other of deliberately providing misleading information to regional council and to the public. We cannot go on in that kind of situation. It is impossible that regional government will work when the situation is so tense, so fraught with personality conflict that is brought on by conflict between the various powers within that region.

Unfortunately, I have to look forward to the municipal elections in November; I have to realize that in several of the suburban municipalities, there will be regional councillors elected who are determined to cause the breakup of the region. In the city, we will have a majority of city councillors elected who are determined to fight for a unitary system in that region.

4:30 p.m.

As a result of those municipal elections, and as a result of the fact that those people will go to regional council meetings believing they have a mandate to put forward and fighting for their point of view, we are going to have a worse situation come December and January than we have now.

I know these views will be successful in the elections, not because I have any way of predicting the outcome of municipal elections but simply because the information is not being put on the table. The facts are not available to members of the public; sometimes they are not available to regional councillors themselves. The power struggles that are going on now are not going to get better.

Sitting back and saying that the two-tier system was what we thought was best in 1972 and is what we still think is best is not going to solve anything. We have to have some action on the part of the government. We have to have an indication of a direction. If not, the people of Hamilton-Wentworth are going to face a regional government in 1981 that serves them even less well than they are served by the regional government they have now.

The regional government they have now does serve them well in some areas. There is no doubt about that; there have been some great achievements and some great strides forward. But in terms of day-to-day business,

in terms of the attitudes being conveyed to taxpayers within Hamilton-Wentworth, we have a desperately serious problem.

I want once more to ask the minister whether he is prepared to do anything to help cut down the tension in Hamilton-Wentworth and to help ensure that the local government system, whatever it be, becomes much more a system that serves the people and ensures that taxpayers are being treated in a fair manner rather than in an unfair manner. We cannot go through the next municipal election with what we have. That municipal election is not going to solve anything.

I would appreciate the minister's response, and then I will deal with my other four concerns.

Hon. Mr. Wells: Mr. Chairman, I would like to deal with the Hamilton-Wentworth situation. It has been mentioned by many of the speakers. My friend from Ottawa East (Mr. Roy) is the only one who in his opening remarks did not refer to Hamilton-Wentworth.

I think my friend from Wentworth will agree that there were problems facing the whole region in the 1970s, when this system was brought in. The former village of Waterdown, for example, he may recall, had an equalized assessment of only \$4,000 and could not afford to replace its water storage facilities, which were beyond repair.

The jurisdictional separation of the city of Hamilton from Wentworth county made regional planning almost an impossibility. There was a joint planning board, but it was never able to develop an official plan because of the requirements for unanimous approval by the member municipalities. This greatly restricted the availability of serviced industrial land in the whole region.

The population of Cootes Paradise, on Burlington Bay, was increasing, and only one out of 10 garbage disposal sites in the area met the Ministry of the Environment's standards. Dundas and Stoney Creek bought their water from the city of Hamilton. Thus, they had no say in the planning of the overall system, while the city sometimes had unexpected demands put upon it for its water servicing. There was a lack of co-ordination in the delivery of social services because of the existence of two separate administrations, one for the city and one for the county.

I give the members a bit of that history because they have to remember there was a problem there, and that is why people were looking for a solution. When you think of the problem there back in the early 1970s,

against that background, the accomplishments of regional government have been quite dramatic.

One of the things we tend to do is to dwell upon some of the problems which, I suggest, are created more by people than by the system. The member can dispute that, and I am sure there are people who will, but I think the regional council can work and the regional two-tier system can work. It can work if the people in the area, realizing the gains it has made and the advantages it has brought to the area, try to make the system work rather than wondering how they can break it down to get one big, unitary city of Hamilton. Rather than doing that, I think we can make the system work there, and make it work to the betterment of the whole region.

Think of some of the things that have happened since the regional government came in as opposed to what was there before the 1970s. Regional councils adapted and submitted to the Minister of Housing an official plan to guide development over the region for the next 20 years. The integration of water and sewer services has made possible significant improvements in the outlying communities, including a new water tower for Waterdown. The equalization of water and sewer rates has facilitated a more orderly planning process throughout the region, and reduced the per household financial burden on residents of Ancaster and other communities.

By this fall, Hamilton-Wentworth will be operating what I am told will be the most advanced solid waste disposal system in Canada. If it is, that will be a real achievement for the regional government in Hamilton-Wentworth.

Other achievements include bringing on stream the Stoney Creek and East Mountain industrial parks, the takeover of rural policing from the province, the establishment of a single housing authority, the east-west north-south freeway and the maintenance of transit services to the suburbs. These are the kinds of things that have happened in the area, and in view of them I just cannot agree with statements that—

Mr. Mackenzie: We made no advances.

Hon. Mr. Wells: I suggest that there has to be some advantage to the area. I cannot agree with statements that are made to me that the present two-tier system of regional government in Hamilton-Wentworth is not working and will not work. It has worked.

Of course, any two-tier system has both strengths and weaknesses. Some of the weaknesses would perhaps be eliminated by a

one-tier system like that recommended by the Stewart commission. However, one of the main strengths of the two-tier system is the provision of the safeguards for local and community identity. If the member is not interested in safeguards for local and community identity, then the one-tier system would probably make a lot of sense. But there are some of us who are prepared, looking at the full area from a distance, to give some safeguards to Stoney Creek, Ancaster, Flamborough, Dundas and so forth. I think those communities deserve preservation of some of their identity and not just in a name that will perhaps be long forgotten if they become part of the big city of Hamilton. I think some case can be made for that argument.

Quite frankly, I am somewhat surprised that the call is now for the government to impose—and that is what is being asked—the Stewart report on Hamilton-Wentworth in the aftermath of the recent difficulties experienced by the region. Our decision not to proceed with the report two years ago reflected the fact that there was not sufficient support for it in the region or in this Legislature. Remember that, when the Stewart report came out, there was not sufficient support in the region for it and there was not sufficient support in this Legislature, as far as I am aware. All the suburban municipalities in Hamilton-Wentworth have repeatedly expressed their total opposition to a move towards a one-tier system. That opposition still remains, as far as I can see.

I think it should be noted that the current controversy that is causing us to raise this issue to the very dramatic proportions that we are giving it today has nothing whatsoever to do with the day-to-day operations of regional government. These day-to-day operations are going on quite well in Hamilton-Wentworth, and the people are being served by their region. The services that are being provided by the city of Hamilton are likewise being carried on quite well.

4:40 p.m.

A proposal that would seek to permit one body, the city of Hamilton, to make the policy and administer certain facilities and to require another body, the region of Hamilton-Wentworth, to pay the cost, is the kind of proposal we see today. It is a proposal to transfer costs from the city of Hamilton to the total region, and I do not think it is necessarily fair or necessarily workable.

That does not mean to say there are not services that could be regional which are now local Hamilton, or perhaps there are regional services that could be broken down into the

constituent municipalities, but I think we have to look at what those services are and decide which services the region properly should take responsibility for and should finance and which services the local areas, particularly the city of Hamilton, should undertake on behalf of its own municipality.

I know I was very gratified when the vote finally came on the transfer of a number of financial obligations from being the responsibility of the city of Hamilton to that of the region, and the vote was not to do that immediately. As I understand it, some time off in the future they may be transferred, but I happen to believe that perhaps saner minds will prevail and that people will look at the right responsibilities for the region and the right responsibilities for the city of Hamilton, which will be sorted out so the region can continue to operate.

What I am saying is, there was just cause for a two-tier system in Hamilton-Wentworth when it was imposed. The government conducted a study for it which suggested a one-tier system, and the response after that did not show the kind of support for that system that would have led us to change that legislation, and the government so indicated in this House.

We are now committed to the two-tier system, and we are not prepared to consider adjusting that system by legislation. We think the fundamental distribution of responsibilities between the upper and lower tiers could be altered. We think this should only happen when those benefits would accrue to the entire region and only when the shift would encompass both the assets and the administration of any of the financial obligations.

In other words, one should not try to administer something in one jurisdiction and put all the financial obligations for it off in another. If the convention centre is to be run by the region, the whole administration et cetera should go over to the region, not just the responsibility for the debenture cost and the deficits, if any, in any year. I think those matters can be worked out. If there is some way we can assist by appointing someone or by mediating, I think that can be worked out.

The position I am putting forward is supported by the regional chairman, who believes, and she has told me, that the region can work. If people would just get down to business and have some faith in the system, it could work. I happen to believe it can work. I think it has done good things for the area over the years since it was

created. I think it can work, and the position of this government is to do everything possible to make it work and not to create a unitary form of government in the Hamilton-Wentworth area.

That is our position very clearly and very simply, and I sincerely believe it is not going to lead to chaos in the Hamilton area.

**Mr. Deputy Chairman:** I believe the member for Wentworth had some additional questions.

**Mr. Isaacs:** Yes, Mr. Chairman. I would like to respond to the minister's comments on Hamilton-Wentworth, and then I know my colleague from Hamilton Centre (Mr. M. N. Davison) wishes to speak on Hamilton-Wentworth. Perhaps that aspect of it could be wound up and then I will move on to my other items.

It is interesting that the minister refers to the views of the regional chairman, because I want to remind the minister that the regional chairman is the only person on regional council who is not elected by people from somewhere in the region. I respectfully suggest to the minister that the most unimportant view of structure in Hamilton-Wentworth is that held by the regional chairman.

If the minister were to tell me that the majority of members of city council or of all the suburban councils combined were to believe in maintenance of the existing system, then I might put at least some credence on that view. But it is very clear that the overwhelming majority of members of regional council are opposed to the system that we have now. The majority of members, because they are city members, believe we should move to a unitary system and we now have emerging a system where a significant number of suburban members on regional council appear to be prepared to scrap the whole thing, whatever that means.

It is interesting that the minister referred to the water system in Waterdown as being one of the main reasons for having regional government, because it is the mayor of Flamborough who is the leader of the forces that wish to destroy the region by dismantling it. I agree with the minister that dismantling the region and going back to what we had, however one does that, would not be in the best interests of the people of either the entire region or of any one of the existing municipalities.

We have a situation where the mayor of Flamborough has indicated very clearly that she wants industrial growth in Flamborough that regional council is not prepared to see

there because of the lack of services. She is prepared to go out and attract industrial growth to Flamborough and somehow provide the services; I do not know how she expects that to be done.

In Ancaster, the neighbouring municipality, we have the reverse situation where regional council wants to put industrial growth there, wants to put services there, and the council of the town of Ancaster does not want it. When regional government is working under those kinds of tensions it just is not going to continue to work.

There is no doubt at all in my mind that if one were to take a plebiscite across the region at the present time, the residents of the city would continue to express the view they have expressed before; that is, in favour of a unitary system. The residents of the suburban municipalities, if given the three options, would vote for no regional government at all. That is not necessarily because they have as full an understanding of the situation as we have or of the need for the region or of the benefits that will accrue to them from the region. It is simply because the system is working so badly and under the existing system they are being hit so hard for taxes which appear to be going to pay for services from which they receive no benefits that they are throwing in the towel and saying that they have had enough, they want no part of it. That view is going to be carried through to the municipal elections whether we like it or not.

To touch briefly on the example the minister used of the convention centre, I agree entirely that you cannot play around having part of the costs borne by one level and part by another and some administration here and some administration there; it all has to be in one place. But we have forgotten the important part, that it is the city businesses that will benefit from the convention centre, not the suburban ones, and that business taxes in the city at the moment are only going to regional purposes by half the amount that they would if we had a unitary system in place. It is only the regional portion of business taxes within the city that is benefiting suburban taxpayers, whereas, if we went to a unitary system, 100 per cent of the business taxes would benefit suburban taxpayers.

4:50 p.m.

We cannot even do it by saying to the city, "Look, as long as you transfer the entire operation, then it is okay by us to transfer it to the regional level," because we are still

asking the suburban taxpayers to pay for that service, the convention centre, when they receive absolutely no benefit from it and when the business taxes that are generated by the businesses surrounding the convention centre are going to suburban taxpayers at only 50 per cent of the rate at which they should go to the suburban taxpayers. It is the suburban people who are losing out all the time.

When you look at a financial analysis, when you sit down with the books of the region, the financial statements of the region and the financial statements of all municipalities, even discounting the duplication which does exist and discounting the mess we have in knowing who is responsible for what, you still get a situation where, under the present system, suburban and rural taxpayers are paying more than they should and rural taxpayers in particular are paying far more than they should. We have no mechanism under a two-tier system for dealing with that terrible inequity.

The reason I believe we should move to a unitary system is so that we can legislate the protections that are needed to make sure people pay for what they get and that the benefits of growth in one part of the region are properly shared among all the taxpayers of the region.

As I know my colleague from Hamilton Centre wants to speak on this particular item, I will keep my other remarks for later in this review.

**Mr. Cunningham:** Mr. Chairman, initially I would like to say—this is a compliment—that of the entire cabinet the current minister is probably most suited for this position in view of his even temper and sense of fair play. I mean that sincerely.

I was born in Hamilton, on the mountain, and I lived there for the first five years of my life. I am very proud of that city. I root for the football team, sometimes even when it is very difficult to do that, in these days where the ownership seems to be in Toronto, which is more difficult for some of us who are long-time football fans.

I moved to East Flamborough against my will when I was four and a half or five. I now reside in Waterdown, where I brush my teeth with the water to which both gentlemen have referred. I suppose the water issue is a microcosm of the problem itself. The whole system of regional government has caused a great deal of expense to the provincial government, the taxpayers and the businesses doing business within that region itself.

The water tower, to which the minister referred, is about 300 or 400 yards from my home. They kept me up many nights while they were making it. When it was finally completed, it cost \$1 million. The member for Wentworth (Mr. Isaacs) might recall that in so far as he was involved in municipal politics, albeit not at the regional level. He may have seen some itemization of what that cost was. It certainly was not cheap.

Prior to the imposition of regional government—and I realize there is an inflation factor—the estimate for providing such a facility was in the area of \$300,000. The point I am trying to make is that on almost every occasion there is very little consideration for doing it on the cheap.

I read with interest an article in our local newspaper, the Hamilton Spectator, about an exchange involving the mayor of Dundas on the subject of a new car for the regional chairman. The old car was a 1977 vehicle which should be replaced. There was a discussion in the paper about a Lincoln Continental. This is a champagne budget, not a beer budget. It is a budget that is being exacted on the backs of people in the city of Hamilton and in the outlying municipalities, many of whom have a tough time making their payments as it is.

Many people in my constituency are senior citizens. They have retired on fixed incomes that are being ravaged by inflation. Many of them retired long before any contemplation of double-digit inflation. Many of them are paying well over \$1,000, some upwards of \$1,500 and \$1,600, in municipal taxes on lots that are not serviced. There are no sidewalks and no street lights. I am not criticizing the force, but police protection is not that great. They are a long way away from the fire department, and their children have been educated. In short, many of them are not obtaining a great deal of benefit for the privilege of living out in the sticks, as some people refer to it. That is a problem for many people. The cost of regional government concerns us all.

Another facet that receives scant attention in discussions of regional government is the quality of government itself. There is a denial, in my view, of local freedom. The member for Wentworth represents a constituency that is going to have imposed on it a garbage dump. I call it a garbage dump because that is what it is. It may be the most modern garbage dump in Ontario or in Canada, but a dump is a dump, and that is what it is going to be.



That, too, is a microcosm of the problem. The proponents of that particular facility—I might add, at the expense of a recycling facility—did not live in Glanbrook. The people who opposed it naturally did. Here we have a situation where a 500-acre dump is going to be imposed on a municipality that had its rights trampled at the regional level. That is, in my view, a denial of local freedom. That dump could easily have been located in the township of Flamborough, not far from the village of Waterdown, where I live, and I would find that equally unfair.

That brings me to the discussion we are into now, the issue of one tier versus two tiers. Like the minister, and like the member for Wentworth and many other people, I tire of the acrimony that exists. I have tried not to be a part of it. In retrospect, on occasion, maybe my conduct has exacerbated it. If that is the case, I regret it, but I too am tired of it. However, I am not sufficiently tired that I am prepared to say we should move to a one-tier or unitary system.

While the desire of my friends in the New Democratic Party to do that is well-intentioned, and I mean this with respect, I regard it as a somewhat simplistic or expedient method of solving the problem, not unlike the position taken by the Hamilton and District Chamber of Commerce. Let's have a unitary or one-tier system; we will all be one, located within the confines of this black line that surrounds us. We will be called the Hamilton-Wentworth region, or Hamilton-Wentworth, or Wentworth, as my friend Henry Stewart would have it, and everything will be all right. I just do not think that would be the case.

I think the acrimony will increase even more as people's individual rights and freedoms become submerged in the mass of Hamilton-Wentworth. It would be bigger government, it would be less responsive government, and it would not be accountable government. The councillor for the ward of Waterdown or the ward of Flamborough could hypothetically justify certain conduct at this one level of government by saying, "I voted against it but I got trampled at the council level, and that's the end of it."

There is a time when the minister has to look at restructuring it. I believe sincerely he should look at phasing back the responsibility—not necessarily wiping the whole thing out or scrapping it; many people would prefer that, but I think every day that goes on that becomes less of a viable alternative—phasing back the primary responsibilities to local governments so they can be just that—local.

If I am concerned with a certain matter as a constituent in Waterdown, in the township of Flamborough, I can write to my mayor, Mrs. Ward, whom I think is doing an excellent job. She may get back to me and we may entertain some dialogue with regard to how we are going to correct the situation in the municipality where I live.

I like Stoney Creek; it is a nice place. I used to go out and get ice cream there every now and then. It has one of the finest dairies in Ontario. I like Glanbrook, and I like Hamilton—but I do not live there.

**Mr. Nixon:** Where do you stand on Lynden?

5 p.m.

**Mr. Cunningham:** I love Lynden. I am there quite regularly because of old classmates—and I mean old classmates—of my friend from Brant-Oxford-Norfolk.

The point I would make is that I do not think it is incumbent upon myself or anybody else from the township of Flamborough to impose our will on people in Stoney Creek or in Glanbrook, or in Hamilton for that matter, and I would suggest to the minister that the same would apply.

When the mayor of Hamilton makes his case that an overwhelming number of people—I forget what the percentage was; 82 or 88 per cent or whatever—in the plebiscite indicated that they favoured one tier, I think there is an element of deception on the part of the mayor of Hamilton. I think many people felt that would be a return to the good old days, the days when Hamilton ran Hamilton's affairs and that was it, that was the end of it.

I think legitimately that if a clearly worded, unambiguous plebiscite were taken and the option to go back to the old system were made, people would opt to go back to their own system. I would challenge the minister to encourage that in the form of a plebiscite in this next election.

I agree with the member for Wentworth that there is a great deal of acrimony, and we are going to see more of it. The problem will not go away. That was the context of remarks I made in 1975 on this very subject. I believe the problem is structural. While the minister may seek some comfort in the good graces of people who seem to be somewhat broadminded at regional council, and who currently are attempting to demonstrate a sense of fair play, those individuals may retire. I understand that one of them, Controller Morrow, has indicated that he will be retiring from politics after a fairly lengthy

and distinguished career, albeit as a Conservative. He is a fine man nevertheless. When those people leave, the structural problems will remain.

I do not think we can ask that the mayor of Hamilton go on a holiday when he gets a little hot about something. I do not think we can continue to hope and pray every election that fair and broadminded people are elected every time because, quite frankly, that is not always the case. We may find ourselves in the situation where people who are a little parochial are elected, and then what do we do? The problem will remain, and I would forecast that if something is not done in the next little while, the problem will only be exacerbated. It will be exacerbated whether the minister is here, whether I am here, or whether the member for Wentworth is here. The problem is going to continue.

I would like to make a couple of suggestions. An individual should look into how this structure could be revised with a view to putting more responsibility in the hands of the local municipalities and, with that, the accountability that flows from it. That is the same kind of accountability we have in our constituencies, both in our ridings and across Ontario. Such an individual could meet with the various councils individually, meet with the regional chairman, meet with staff and come up with recommendations that he could share with the minister and with the public so that we might look at this once and for all.

The minister should give serious consideration to getting a co-ordinating committee of the municipalities set up to see that those powers, those responsibilities, the taxing privileges and the moneys that go with them are phased back into the municipality.

The minister can correct me if I am wrong, but currently there are very few, if any, regional systems where the lower tier has fewer responsibilities than has Hamilton-Wentworth. I am not an expert on this but in almost every occasion that I have seen, whether it is the Durham region, Halton region, Metro or Ottawa, there is a fair balance that exists between the upper and lower tiers.

That does not exist in our constituency and day by day, whether it is the issue of store hours or whatever issue comes up, the powers of the local municipality are very gradually being eroded. Tacitly we are going to see ipso facto, if this continues, a one-tier system, and that simply is unacceptable.

I want to tell the minister, because he is going to be contemplating this if he has not contemplated it already, the people of Ancaster do not want the Allarco development in their community. As their representative here, I want to tell him I do not think it is a good idea. It is not in keeping with good planning. It is an awful idea. Quite frankly, I am attracted to the argument that the mayor of Ancaster and his council have made. I can see some kind of development there, but not anything to the extent that is inherent in that proposal.

Who should determine, other than that municipality, what should go on within the confines of that municipality? The mayor of Hamilton? The mayor of Glanbrook? Somebody down here? The Ontario Municipal Board? I think not. The elected officials within that town of 17,500 or whatever have decided that they do not want to increase their town to 25,000, which is what that proposal would do. That is their decision. If they have not accurately represented the views of the people in that town on probably the most important issue that has faced them in years, then I would think they would be replaced somewhat readily in the election this fall.

Consequently, I would also say, people in Waterdown and people in Flamborough are quite anxious to have some industrial assessment. They are most keen on seeing some industrial assessment at the junction of Highways 5 and 6, Clappison's Corners. While I do not want to start an argument with the member for Wentworth, that is a good area for development; albeit it is underserved in the context of provision of water, water could be made available to it. There are other forms of development that could take place at the junction of two highways that are propitious in terms of transportation. What I am saying is that it is a good place for industrial assessment.

For years in the regional environment, our taxpayers—my neighbours—have been thwarted in that because the mayor of Hamilton, primarily, did not want it to happen. I think this is another instance of a situation where, structurally, the region is not working to the advantage of the people it is designed to serve.

We can be friends, I think we can co-operate. In the contemplation of a restructuring situation, I sincerely believe that if the township of Flamborough wants to co-operate with the town of Dundas on some matter that is a local government item and they decide freely, on their own, that they would



like to do this—whether it is the removal of snow, the maintenance of roads or whatever—so be it; let them do it. That kind of contract, openly entered into, is going to be much more valuable and of much more long standing.

That situation exists. The township of Flamborough, specifically the village of Waterdown, buys most of its water from Burlington. We, in return, send our sewage down the Grindstone Creek. The Waterdown Public Utilities Commission has its servicing done by the Dundas Public Utilities Commission, a contractual arrangement that works out very well. I would think hypothetically, that if Ancaster, Dundas, and Flamborough would like to get together to hire a social worker, to accommodate their responsibilities under the Child Welfare Act, then so be it. I think that would work.

In short, what I am saying is I think it is time to put the responsibilities back to the local municipalities wherever possible. We should look for every occasion that we can to do that. I mean roads, I mean recreation, I mean planning—especially I mean planning. There is nothing to stop us from co-operating. There is nothing to stop us from having, at another level, a co-operative type of co-ordinating body that would keep tabs on what is going on and help facilitate better planning on a permissive basis.

But let my people in Ancaster determine whether they are going to increase the size of their municipality twofold in the next five or 10 years. Let my people in Flamborough, my mayor in Flamborough and her council, determine whether they are going to have industrial assessment at the junction of Highways 5 and 6. I believe that would be in the best interests of the people in the outlying regions, and I believe it would be in the best interests of the citizens of Hamilton.

If the minister moved in that direction, I believe we would see more accountable government, smaller government, cheaper government and better government. I hope the minister will give some serious consideration to this. I know he is a fair-minded person and I believe he is concerned.

5:10 p.m.

Many of us can be cynical about the current political situation in so far as there are six or seven seats there and none of them is represented by the government party. Their prospects are not all that good either, but that is another matter.

I think the minister should look at their interests in the same way he looks at the

interests of the people in his own constituency. The longer we let this thing sit and fester, the worse it is going to get.

Mr. M. N. Davison: Mr. Chairman, in the past half hour I have developed an incredibly bad headache. I think it is the result of trying to understand the minister's position on regional government. People—and, as a matter of fact, politicians—always complain about politicians because it is alleged that politicians say one thing in one place one day and the next day, to a different audience they say something different. The minister has gone a step beyond that and has managed in the space of only five minutes this afternoon to say two different things and take two different positions on one issue to the same audience.

He dealt with the use of the word "imposition." I am intrigued and confused by the government's position on imposition as it relates to Hamilton-Wentworth. As clearly as I can understand it, the position is—the minister can correct me if I am wrong—that in 1972 and for some period of time bracketing that year on both sides the ministry and the government were in favour of imposition of regional government. But now, some time previous to six minutes ago, the government changed its position and is now opposed to any sort of imposition.

I found it curious that the minister would go back to try to put the current Hamilton-Wentworth problem in a historical context. It seems to me that the problem started when the government had all these commissions, surveys and study groups wandering about in the wilderness some decade ago deciding what to do in terms of new municipal government structures.

They rolled into the head of the lake area. I am not exactly sure what the difficulty was. For some reasons which certainly had nothing to do with the cultural, economic, social, geopolitical structuring of the Hamilton-Wentworth area—so I can assume it was a political reason—they decided there should be a truncated Hamilton-Wentworth region which went against the advice of all the experts at the time. We started back then.

I remember John White and his travelling roadshow pouring into Mohawk College one evening. They had maps and graphs. CHCH television was up there, and it was broadcast to everybody in the region. They had two bad choices they were quite willing to impose. I remember the line, "We have choice A and choice B, and I rather like both choices." Consequently, the government went

ahead and imposed something that was not a sensible region and nobody wanted.

The minister is right when he talks about a historical context. He is right when he talks about imposition. The government imposed a bad region. It did not listen to anybody at the time. After all these years, we are trying to deal with the aftermath, with problems created by the provincial government. It seems to me, as it seemed to me since these problems started surfacing about 27 minutes after the imposition of regional government, the government has a responsibility to act.

In terms of the government's position on regional government in Hamilton-Wentworth, I have seen a degree of inactivity over the past decade that frankly amazes me. I think it is without comparison. I have never seen anything like it. In the four and a half years I have been in the House, I have never seen such a display of masterly inactivity.

I am really curious as to the circumstances under which, at some time down the road, the ministry and the government might be prepared to do something in terms of structural changes in Hamilton-Wentworth.

It seems to me you have had the complete range of problems set before you over the past years. Maybe in the future they will be more serious; maybe some of them will be less serious; maybe there will be changes of players. But I would not be surprised if we could find more difficulties in the region to dump on your door. Maybe we can. We are fairly imaginative people and it is a fairly serious problem. But if you have not expressed a willingness up to this point to do anything, I am really at a loss as to what it is that may cause you to make changes.

You talk about regional government and say the reason you did not move after the Stewart commission was because there was no support. Nobody could agree on a different strategy, a different structure. It may be true that there was some disagreement—and there was—about what changes should be made, but the corollary is not true. It is not right to say that everybody liked regional government as it was. In fact, I would challenge the minister to indicate to me people who allegedly liked regional government in Hamilton-Wentworth beyond the ranks of his own caucus and party and the regional chairman. That is a pretty select and fairly tiny group of people in Hamilton-Wentworth. It could meet in a telephone booth. In fact, it does.

When you say that Miss Jones really likes regional government, she thinks these things can all be worked out and everything can be cheerful and wonderful, she is the same per-

son in Hamilton-Wentworth who has been busy telling everybody over the past six months, in her capacity as regional chairman, that building an expressway down our last remaining valley, the Red Hill Creek Valley, is a really great idea. She says it will open it up so that more people can see it. So I am not too sure about that fine lady's credibility.

We are talking about imposition; I am not too surprised the person imposed as a regional chairman originally should agree with you. It seems quite reasonable that she should.

If the minister is getting bad advice because there are not many Tory MPPs in Hamilton to sit in his caucus to tell him what the situation is really like—if that is the problem with the government's weakness on the ground in Hamilton-Wentworth—I would invite him to come down to Hamilton Centre and tell my constituents things are going just swimmingly and there are all of these wondrous advantages being brought to them by regional government. I think they would eat the minister alive. I do not think he would get out of there.

I think maybe it would be good if you spent some time with the people in Hamilton-Wentworth and found out what they want. I understand, not having any members, it is probably difficult for you and you get an odd slant on the picture.

We have gone through the whole problem this spring with our regional councillors at each other's throats. I really do not believe that is a personal thing. I admit that a large number of them are Tories, and Tories do have a penchant for slicing away at each other on occasion. But I do not think the reason the regional councillors are busy bashing away at each other is a personality thing. I think it is a structural problem, and it reflects the structural problems in the Hamilton-Wentworth region. It is serious.

We had a time this spring when, for all intents and purposes, regional government was totally dysfunctional. There was no regional government in Hamilton-Wentworth. So I do not think you can say the problems are not severe, and that everything is terribly fine, the picture is rosy for tomorrow. I think you are going to have to rethink it. I think you are going to have to look more closely at it.

5:20 p.m.

As nearly as I can see, your position is more or less to ignore Hamilton-Wentworth, to pretend it is something that is not really there and he really does not have to deal with it, and somehow the problems will go

away. They will not. Every MPP from the region who speaks in these debates tells the minister that constantly, and the regional councillors tell him that constantly. The problems will not go away. What I think the minister should do is to sit down with a wide group of people, seek to build consensus and seek to provide solutions to the problems and difficulties in the region. With an exhibition of goodwill we can build a much better structure for government in the Hamilton-Wentworth region.

We are not bad people in that little corner of the province, and if the minister would work with us actively to build a structure that was appropriate for our area he would see a lot fewer problems and a lot less difficulty in that area. We are capable of running our own municipal government effectively and we can be a very good city of which the minister can be proud.

I think the beginning has to be the government realizing it just cannot continue to ignore us. There must be a commitment to vigorously seek to build a consensus towards a new structure of government in the Hamilton-Wentworth area. I think it would be most inappropriate and most unfortunate if the minister, on behalf of his government, continued his dance of inactivity. It is a display that remains unwelcome and in no way helps us to build a better government in the Hamilton-Wentworth region.

**Hon. Mr. Wells:** I appreciate all the comments. The only ones I vigorously disagree with are that we are ignoring Hamilton-Wentworth or that we are inactive in the area. I think the honourable member can probably realize that he and I differ as to what we think the ultimate solution is. I went over and met with the council and I told them, "Come on, bury the hatchet, let's make the thing work," because I happen to believe the thing can work. It can work if the personalities are forgotten and the people there get down to business.

If they want a mediator appointed to settle a few matters that is okay, but we are not going to appoint another study commission. If they want a mediator to settle some of the matters of what level should handle certain responsibilities, we will do that. I am just as interested in the government as the honourable member, but I think the two-tier system can work. The member feels it has to be a unitary system and we have to impose that. I do not see that as a solution, but I just don't want him to think we are ignoring it.

We probably spend more time collectively looking at the problems of Hamilton-Wentworth and what goes on there, and I get more advice from more people on that particular regional government situation than all the others put together. I have a great file on it and we are studying it and people come and talk to me about it.

It is nice to dismiss the fact that the regional chairman is not a directly elected person. I have been trying to get the exact report from the last election, but I think she was either elected unanimously or by a very good margin of the members of regional council. If I am incorrect, perhaps the member can correct me, but I would suggest she was probably elected by council by a pretty good margin and she does represent, in a very fair and very calm manner, the hopes, the aspirations and the realizations for the whole of the area. She was a controller in the city of Hamilton, was she not, before she assumed that position?

**Mr. Nixon:** She is a fine lady.

**Hon. Mr. Wells:** She is a very fine lady. She has had a miraculous conversion somewhere along the line and is working hard.

**Mr. Nixon:** On the road to Dundas.

**Mr. Cunningham:** She found life insurance easier to sell.

**Hon. Mr. Wells:** As a former Hamilton controller, she obviously knows and respects the wishes of the city of Hamilton and she is trying to act as a mediator and catalyst between the suburban areas my friend over here represents and the city on the kind of things that can be done in the area.

**Mr. M. N. Davison:** I think you like her because she is saying what you want to hear.

**Hon. Mr. Wells:** No, I like her because she is doing a good job.

**Mr. Nixon:** Mr. Chairman, in case the minister wasn't aware before, I am opposed to regional government, but I will make that speech again some other time. I want specifically to bring the minister's attention to a problem in regional government which is partly the responsibility of his ministry and certainly wholly the responsibility of a couple of his predecessors. It has to do with the regional municipality of Haldimand-Norfolk.

Without going into great detail on it, one of the municipalities is known as the city of Nanticoke. I have the honour to represent a part of it, that which is in the former county of Norfolk. My colleague, the member for Haldimand-Norfolk (Mr. G. I. Miller) represents the rest of it, that part that is in the former county of Haldimand.

**Hon. Mr. Wells:** Read Paul Hellyer's column in the Sun.

**Mr. Nixon:** I really must do that right away. That is in the Sun, though, isn't it?

The point is that when the regional government was established it was decided that while there would be one regional municipality there would be two school boards. The city of Nanticoke is divided down the middle by school jurisdiction as well. The minister's colleague and a predecessor as Minister of Education allowed that to happen.

Also, one of the minister's other colleagues, the Minister of Revenue (Mr. Maeck), granted them permission to have a section 86 reassessment. The result has been real chaos in the financing of education in the city of Nanticoke. They have two school boards but they have an overall reassessment which, for reasons I do not understand, has compounded the inequities and inequalities.

I am told a supplemental grant of \$300,000 will solve all of their problems. If the minister is discussing this with the Minister of Education (Miss Stephenson) and the Minister of Revenue, that is probably the position he should take. However, I have a sneaking suspicion the problem will stay unless some more drastic improvement or remedy is brought to bear.

I want to bring this to the minister's attention because I have a feeling we are going to have to get government policy elicited on this, either directly or in question period in the next few days, since it is a real problem with the local municipalities and, far more important than that, it is a real problem for the local taxpayers.

I have a second thing briefly. I know the minister is anxious to introduce the government bill dealing with the rationalization of the borders and boundaries in the city of Brantford and the township of Brantford. As the days go by, the minister is more aware than probably any of his colleagues, and I have a feeling more aware than any of his staff, that the time to deal with legislation is rapidly disappearing. If that bill were to be introduced on June 12, that is, the Thursday before the recess, there is only one day on which we can deal with legislation, which would be the following Tuesday.

There may very well be arrangements made otherwise, but if you accede particularly to the request by the member for Brantford and send it to committee, we are going to have difficulty dealing with it. We all have views about the bill and we will debate it at the time, but I simply bring that to the minister's attention.

Since the bill is not completed just yet, I wish the minister would bear a second thing in mind. As this is the alternative to regional government in the area—we will have been successful in keeping the regional government concept out of there if this bill proceeds—I hope somebody is looking at the grant programs available to those areas that have gone through the trauma of regionalization.

We haven't had that kind of difficulty, but using local initiative and the kind of guidance we have very much appreciated from the minister and his staff, we have accomplished this thing which may or may not go into effect in the next few days or weeks. We have done this and we think we deserve the same kind of treatment vis-à-vis grants the regional governments have been getting for some time. There are certain transitional grants, but they don't compare in any way with the capital-T transitional grants that have been available to the regions.

5:30 p.m.

I suggest this since, when the bill comes in, it is a matter I want to pursue. I hope the minister will be able to assure me and the taxpayers in the area they are going to get the kind of treatment the other areas have received.

**Hon. Mr. Wells:** We will certainly make sure we are ready to give the member those assurances when the bill is brought in. The school board situation in Nanticoke has become very complicated. I will have to study it a little further. They did do a section 86, but the application to properties in one municipality where there are two school boards does present a problem, I imagine. I will be glad to look into it a little further. I don't have any further information on it now.

To elaborate further on what I said, in yesterday's Sunday Sun, Paul Hellyer said that future generations will look upon Nanticoke as one of the great municipal areas of Canada. He outlined its very early beginnings over the last few years, and said that most people don't even know the name today, but they will some time in the future. I presume he is right.

**Mr. Nixon:** Mr. Chairman, I will be glad to see the defeated candidate for the leadership of the federal Progressive Conservative Party's column in the Sunday Sun. The Sunday Sun doesn't get out our way every Sunday, but I may get a look at it. I like to check out what Claire Hoy has to say about us, too, so I don't miss any of those things.

The story of the decisions about the new town of Townsend will form a very interest-

ing chapter in the history of this province. Since the minister has raised it, even though the responsibility is with the Ministry of Housing, I can assure you, Mr. Chairman, that the commitment to that thing is in my view at this time a substantial waste of a lot of taxpayers' money. We will be talking about it, I am sure, in the future.

For example, the Minister of Housing (Mr. Bennett) flew down there in a leased government jet with room for probably 12 people in it, all the way from Toronto to Brantford to speak in Simcoe. He went down there and said, "There is no backing out of Townsend," even though he has backed out of every single commitment having to do with land assembly except this one. They are going ahead with it anyway.

The big news is that they have a semi-commitment of 14 lots for building. I really think it is a mistake. Some time in the future we may need something there, but there are very fine towns, such as Waterford, Port Dover, Jarvis and Simcoe, where one can buy a street of serviced lots. Actually, one can buy a street of finished houses if one has the money. The towns are all serviced; the roads go there; they have airports. The schools are closing down because there are no kids to go to them. God knows there is room in the churches. It is all there except the government has gone out in the middle of the farm land—good farm land, not the best, but very good farm land—with absolutely unlimited money—it is just typical government initiative and waste—and cut the devil out of the place without any limit on expense at all, because this is a great concept of a new city.

It is as dumb now as it was when John White went out and bought two city sites within 12 miles of each other because he figured if one was good, two were even better. There may come a time—but everybody working at the Nanticoke steel mill is already looked after. There is not a huge work force moving in there. I feel there are some serious mistakes being made in that connection.

**Hon. Mr. Wells:** I didn't intend to get into a discussion of Townsend. My colleague the Minister of Housing can do that when his estimates come up. The defeated candidate for the leadership of the Liberal Party of Canada, who wrote this article, was really talking about the great development that Stelco Inc. had put in there—I haven't seen it, but I am sure my friend has. They built that dock out there and people couldn't imagine it when it was first envisaged. Now Stelco is there and turning out plate steel and it is one of the great success stories of Ontario industry.

**Mr. Nixon:** Even the government planners couldn't imagine it; you people were the last to know.

**Mr. Cunningham:** All done, I might add, with private enterprise.

**Mr. Deputy Chairman:** I think we are getting a little off topic.

**Mr. Isaacs:** Mr. Chairman, as I indicated before, I have four topics remaining which I will try to deal with fairly rapidly. They are matters about which I have strong feelings and which I think are important. Perhaps, in order to enable the minister not to have to use his voice too much, which appears to be suffering from the same problem he had on Friday, I will run them together and then he can comment at the end.

The minister will be aware last session I introduced a bill that would set up a provincial office of a municipal ombudsman. I want to say to the minister, as time goes by I become more and more convinced that this kind of province-wide function is necessary in order to allow citizens of this province to assure themselves that their municipal councils are acting in their best interests, and also to deal with those instances where a municipal council, for whatever reason, is treating a citizen or a group of citizens in some unfair manner.

I know the minister is going to come back to me and say that local councils can set up their own ombudsmen if they so wish. That is the approach we heard in the past and I am sure it is the approach we will hear today. But I want to say to the minister, the bill was introduced after a great deal of consideration and after a review of the advice that had been given by the select committee on the Ombudsman, by municipal people themselves and by other groups who were involved in this area.

In this Legislature and in the federal House we have a situation where there is an opposition party, in every province there is an opposition party, but in municipal government we very often have a situation where there is no visible opposition, where the government, because of its supposedly non-partisan approach, appears to be acting as a coherent group.

I want to suggest to the minister that if we need an ombudsman in Ontario, and I believe very strongly that we do, then we need an ombudsman in each and every municipality across this province. It is not feasible for most local councils to set up their own ombudsmen because the number of complaints would be very small, the work

load would not justify setting up the operation and it is not reasonable to expect municipal councils to set up an ombudsman voluntarily unless they are at least given some incentive to do so.

After reviewing the various possibilities, it would certainly be conceivable that the government provide a special purpose grant to each and every municipality on condition that the municipal council set up the office of ombudsman. But, realistically, in many of our 837 municipalities, that would make no sense.

I came to the conclusion, and I know a lot of my colleagues came to the conclusion, that the only realistic way to do it would be to have an office of a municipal ombudsman at the provincial level to keep that separate from the existing provincial Ombudsman; to keep it separate from the functions of the Ontario government, but to provide that government as a recourse for people who have complaints or problems with their local municipal council.

In support of my argument I want to use a number of cases which are very important to the people involved and about which the minister may already be aware, but in which the citizens who feel aggrieved have absolutely no recourse under the present system.

The first is a petition I have from 51 residents of the town of Wasaga Beach. The petition will shortly be delivered to the secretary to the cabinet because it is addressed to the Lieutenant Governor in Council. In fact, it might expedite communications if I send it across to the minister and he can forward it to the secretary of cabinet. I am prepared to deal with it as the minister wishes. It is under section 323 of the Municipal Act and, like so many of these petitions, is asking for a commission of inquiry.

To extract just a portion of the wording: "Your petitioners, each and every one, have cause to be suspicious of mismanagement of public funds of the town." They then go on in five items to explain why they are suspicious of mismanagement of public funds in the town.

5:40 p.m.

I am not in a position to investigate that and there is nobody within this caucus or within any opposition caucus who is in a position to investigate that. I suggest it is not appropriate that the government investigate that. You could set up a commission of inquiry under section 323 and perhaps you will respond that you are prepared to do so in these cases. But that commission is such

a far-ranging commission that if we are to set up a section 323 commission every time there is this kind of problem we are not going to be dealing with things in the most efficient manner. I suggest to you very strongly that this case demands a municipal ombudsman.

Another case, very dissimilar, is that of a Mrs. Clark of Finch Avenue East in Pickering. She has evidence that the construction of the York-Durham trunk sewer in front of her property has caused very substantial flooding of her property and has caused her water supply to become polluted to the level where it is a health hazard.

Again there is a divided jurisdiction because much of the engineering work was done by the Ministry of the Environment. But the actual responsibility is a regional responsibility, and when the citizen is aggrieved by an action of the regional government, at the present time the citizen has no recourse. There is no body, no individual, no committee to whom the citizen can go to seek compensation for the situation in which the citizen feels he or she has been treated unfairly or unreasonably or has suffered at the hands of the regional municipality.

Another situation I am sure the minister is aware of is the 250 or so citizens of the town of Caledon. They have presented to him recently a petition asking for a commission of inquiry relating to a road closing. I am not able to judge the merits of the case they have put. I suspect it is a result of a very confused legal situation arising from the last century and I do not necessarily have a quarrel with the decision of the town of Caledon.

But I do believe that those citizens should have the opportunity to have their grievance investigated by someone who is seen to be impartial, someone who is not seen to be of the same party as the majority of the people on Caledon council, not someone who is seen to be wanting to make political hay out of it. I think it should be someone who will look into the situation and determine whether or not the town of Caledon acted properly in that regard and whether or not someone got something that they perhaps should not have got or perhaps they got something that they were entitled to.

A fourth case, and it will be my last example, is again different. That is a newspaper report in the Spectator on Friday of last week where the council of the town of Glanbrook was being accused of improper dismissal and being accused of all kinds of other things.



Again, I am not in a position to judge whether there is any merit at all to those accusations, but they have been made in a public newspaper and I believe that the citizens who made those accusations have a right to a fair and unbiased hearing. I also believe the council of the town of Glanbrook has the right to have its name cleared, if its name should be cleared.

With the kind of smut that gets printed in the papers from time to time and the kind of accusations that are hurled around from time to time, I believe a municipal ombudsman would be of very substantial benefit to municipal councils. He would be an impartial person who would come and look at things, when accusations have been made, and assure the public that things were done properly, if they were done properly. He would also assure the public they have a right to recourse if a mistake was made or if something was done improperly.

There are many other examples to indicate what I believe to be a very serious need for a municipal ombudsman in every municipality in this province. I suggest the best way of doing it that has come to light at the present time is to set up an office of a municipal ombudsman for the entire province and to allow that person to investigate complaints against any municipal council. If there are other effective ways of dealing with the problem, I would be very happy to listen to them, but I suggest that the answer that every municipal council can, if it wishes, set up an ombudsman is just not good enough.

The next matter I want to raise, which will not require so much detail, is the Home Buyers' Protection Act, also a private member's bill that I introduced last session. The minister will be aware that municipalities, and particularly municipal building departments, are very often blamed for defects in new home construction or for other problems that home buyers encounter subsequent to their purchase of a new home. It is sometimes very unfair that municipal employees have to bear the brunt of the wrath of the citizen who has been sold a home that is defective in some general regard. However, there are circumstances where it is indeed the responsibility of the municipal employee. I know the minister has brought in legislation to deal with that through errors and omissions insurance.

In terms of the broad matters of drainage, water safety, zoning in the immediate area, access to schools and access to public transit, there are very serious problems. I hope

the minister will use his influence with his colleague the Minister of Consumer and Commercial Relations (Mr. Drea) to say that a Home Buyers' Protection Act, something that provides information to home buyers before the deal is finalized, would help municipal employees and municipal councils in dealing with situations which currently arise because there is no protection for home buyers and no requirement that home buyers be given the truth and the whole truth before they sign on the bottom line.

I hope he will see fit to provide that little bit of support for the bill with his colleague because, unfortunately, the opportunity for private members' bills to come forward in this House is very limited. I would like to see those two issues, the municipal ombudsman and home buyers' protection, dealt with through government legislation rather than having to wait until such time as the lottery system enables us to get them on the Notice Paper.

The third matter I wish to raise is the Involvement in Municipal Administration program. To cut a long story short, I was aware of the operation of that program when I was a member of town council in Stoney Creek; I felt it was an excellent program, it provided great benefit to students, and it provided great benefit to municipal staff.

I am aware, too, of correspondence the minister has had with the central Ontario chapter of the Canadian Institute of Planners. It is the concern that has been raised by the Canadian Institute of Planners that I would like to pursue with him today. I sincerely hope that he will take the CIP advice when he introduces changes to that program. I sincerely hope he will reconsider his position so planning students from colleges and universities around this province will continue to have the very valuable experience that they gain in municipal offices under this program.

I share the CIP concern that if it is left without the incentive of the IMA program, the number of students able to participate in this experience will be curtailed. That would be unfortunate, because planning is important to this province and it is important that we have new planners with new ideas, bringing forward the future design of our homes, our communities and our cities.

I hope the minister will respond that he has taken the Canadian Institute of Planners' concern into account and that we can be assured that the existing program or



something equivalent to the existing IMA program will be continued in 1981.

5:50 p.m.

The fourth matter I want to raise with the minister comes down to the matter of communication which we dealt with before. The minister will be aware that I recently tabled a question on the Notice Paper dealing with section 352(64) and 352(66) of the Municipal Act which deal with the right of municipalities to pay Ontario Health Insurance Plan benefits specifically to pensioners before the age of 65.

The minister indicated in his response that he would be prepared to consider legislation to change that. I am not quite sure how to interpret "prepared to consider." I hope it means intending to bring in, and I look forward to the minister indicating that it does.

This brings up the whole problem of communication. Municipal councils are not going to bring forward private bills to deal with this kind of thing. It is just not in their immediate interests to do so.

Firefighters' associations and other groups that might encounter this kind of problem do not have the ability to bring in private bills. We do not have a mechanism through which concerns about municipal government can clearly be channelled to this Legislature for action.

I must say I am concerned that private bills seem to be used more and more for matters of policy, instead of matters of administration, as I believe they were in the past. Where policy matters are concerned, I would prefer to see the government dealing with bills as government bills, rather than allowing municipalities to change policy for their municipalities.

As the minister indicated previously, we can deal with those kinds of things through referrals to committees, but with the number of municipal bills coming up, I hope we do not get into a position where we would have to refer them all to committee.

We have a situation where the minister has indicated that he would not bring in amendments that had been requested, and this was his response last week, because he was scared there might be opposition amendments that would be unacceptable to him. If we had a committee dealing with these things, we might be able to work them out. There are ways of ensuring that the business of this province and of the municipalities of this province is advanced, even though there may be political differences between the three parties in this House.

It is not enough to keep the peace, to pour oil on the troubled waters, and to kill the mosquito larvae that are breeding in those troubled waters. What is needed is action on the issues we have outlined during these estimates, and on the many other issues that are of concern to municipalities, and which are of concern to our citizens in their dealings with municipalities.

I hope the minister will pick up on my earlier comments and my colleague's earlier comments concerning a select committee or a standing committee, or some kind of committee, that will begin to review municipal problems.

I also hope we will get an assurance from the minister that estimates next year—if we are here next year—will be dealt with in committee, where we can question staff and where the possibility for going into some of these things in more detail exists, rather than being dealt with in the relatively impersonal surroundings of this House.

With those comments, Mr. Chairman, I will wind up. But I very much hope I will receive a response from the minister on those four issues: the municipal ombudsman; home buyers' protection; the IMA program, and the matter of communication, with immediate and specific reference to the sections of the Municipal Act I mentioned, but also with further regard to the broad problem of how people get things done when the present Municipal Act needs amendment, or when the municipalities are using the Municipal Act or the whole mechanism of private bills in an inappropriate manner.

Hon. Mr. Wells: I will respond to those concerns very quickly, Mr. Chairman. I might say to the member for Wentworth that the matters he has brought up as examples for the need for a municipal ombudsman are to some degree quite different from the matters that are handled by the provincial ombudsman. In a great many cases, these are not complaints against administrative decisions of employees of the municipality but are complaints against decisions or actions of the elected municipal government. There is a little difference.

The provincial ombudsman is here to act on behalf of the citizens of this province who feel that some administrative decision, basically not by an elected member of this Legislature but by a part of the vast provincial civil service, is not just towards him.

All of these cases the member indicated here are at present the subject of study by people in our field services branch. That is the way they are handled. When people petition

us for an inquiry under that section of the Municipal Act we carry out an investigation. Those members of my staff make recommendations to me and give me a report upon which I can make some decision as to whether an inquiry should be held, always remembering that a municipality itself can carry out an inquiry. However, I would submit that these cases do not suggest the municipality would appoint an inquiry body on its own. But I remind the member that the city of Toronto, in a plumbing inspection case, appointed its own commission of inquiry.

The idea of a municipal ombudsman appeals to me. I think there is a place for it. I do not know all the parameters that would have to apply. I do not know enough of the details to say, "Yes, it is an idea that could be put into effect," but it is something that I would be willing to discuss with the provincial ombudsman and, perhaps, get some more details on. I do not know enough about it to give a definite answer now.

In the area of the Home Buyers' Protection Act, I will be happy to talk to my colleague. I know we have brought in a home warranty program. I believe that program, together with the fact that most home buyers do obtain the services of a member of the legal profession, protect them to a great degree today.

Where they cannot do that, they talk to their local member when they get into a problem and we act as the ombudsman representative against the builder et cetera for them. I am sure my friend does the same as I do in my area. We usually get some kind of successful conclusion to a lot of these problems. But I will talk to my friend about that program.

We changed the Involvement in Municipal Administration program this year because we wanted to bring in what we call the Ontario Municipal Training Program. That is a program where, in the first year, we have created positions for 11 management trainees who will work for up to two years in various municipal departments, including administration, finance and planning. There was great interest from recent graduates of university and college courses that were directly connected with local government.

We had 94 candidates who submitted applications, and 78 were deemed eligible for the program. Nineteen municipalities submitted proposals outlining work assignments which would provide the successful candidate with a very wide range of in-depth

experiences in a number of areas. Of the applicants, 11 were approved for 1980. An additional 14 will be approved in 1981, bringing the total participating at any time to 25 municipalities and trainees. This is a two-year program. We have put some of our financial resources in this program, and we cut down a bit in the municipal administration program.

As far as planners are concerned, we provided subsidy for planning students for municipalities of less than 50,000 population. About 104 planning students were employed there. We found from experience that the larger municipalities will hire the planning students anyway, whether we subsidize them or not, so we felt the need was in the smaller ones. We will continue the subsidy there but, in order to get the money for the other program, we cut down on planning students in the larger municipalities.

We have 234 students of administration in the program this year, for a total of 338 students in the program.

I recognize the problems the planning groups have put before me. I have given them this answer. We knew that all this would be a bit of a problem with them when we made the changes. But we think the change, in order to accommodate the Ontario Municipal Training Program, was a good one and, in balance, will not jeopardize any municipalities. Perhaps, when more money is available in the future, we will be able to expand the program again a little bit.

As regards the last question the member raised, concerning the amendment to the Municipal Act, amendments to the Municipal Act come in from a wide variety of sources, such as municipalities, municipal associations, members of the Legislature, citizens writing in and so forth. All are looked at twice a year in order to bring in the omnibus bill. The suggestion the honourable member put forward about municipalities being able to provide OHIP benefits et cetera for retired employees under 65 will be looked at for the fall amendments.

Item 1 agreed to.

Vote 603 agreed to.

**Mr. Deputy Chairman:** That completes the estimates of the Ministry of Intergovernmental Affairs.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

The House adjourned at 6:01 p.m.

**APPENDIX**

(See page 2405)

**INTERIM ANSWER TO QUESTION  
ON NOTICE PAPER**

170. **Mr. Van Horne:** Will the Minister of Health table the following information: 1. How much has been charged by the Thames Valley Ambulance Service in the calendar years 1977, 1978, and 1979, for ambulances attending fires? 2. How many fire alarms

did they attend in each of those three years? 3. How many people were transported by ambulance from the scene of a fire, as a result of injury, in each of the calendar years? (Tabled May 15, 1980.)

**Hon. Mr. Timbrell:** This question is under review in my ministry. I anticipate that a response will be tabled on or about October 31, 1980.

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No. 64

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, June 3, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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TUESDAY, JUNE 3, 1980

The House met at 2 p.m.

Prayers.

## VISITOR

**Mr. Speaker:** I would like to draw the attention of all members of the House of the presence of a very distinguished guest in our gallery who is the guest of the member for Wellington South (Mr. Worton). Our guest is Lord Balerno of Currie, CBE, House of Lords, Westminster. Would you please welcome him.

## STATEMENTS BY THE MINISTRY

### FOREST FIRES

**Hon. Mr. Auld:** Mr. Speaker, I am pleased to report to the honourable members that after three and a half weeks of constant and severe fire problems, we have finally reached a temporary breathing space in the forest fire situation in northern Ontario.

Because of a change in weather patterns in the north which began during the past weekend, the fire crews and water-bombing aircraft have been able to intensify their suppression and control activities. At this time the three major fires are being held and no other fires are giving us serious problems.

As of late yesterday we had a total of 58 fires burning in the province, but what was most remarkable was that no new fires were reported during the night between Sunday and yesterday, the first time there has been a nil report since May 7. The usual had been from 20 to 30 new fires per day, mainly caused by lightning.

Conditions have improved to the point that at midnight last night the ban on travel on side roads into the bush was removed in both northwestern and north-central regions. This means all operations including forest companies and tourist camps are back to near normal.

The only strong caution is that all people in the north are asked to take extreme care in the forest because conditions are still very dry. The restriction on open fires is still in effect in the northwestern region, but

it has been lifted everywhere else in the north.

Most of the more than 4,000 people who were evacuated from their homes during the past two weeks have returned to their communities and the rest are on their way. No new communities are on evacuation alert at this time.

However, it is important to remember that although the changed weather conditions have helped to diminish the fires and the lack of lightning in recent days has cut down the number of new fires, overall conditions in the north are still hazardous. The extremely dry state of the forests needs a great deal more heavy rain before we are out of potential fire danger.

The largest fire, Kenora-23, covers a massive area, which has been compared to a strip 18 miles wide stretching from Lake Ontario at Toronto up to Lake Simcoe. Its perimeter is now estimated to be 179 miles. Although our crews are holding the fire, there are hundreds of hot spots and suppression is being concentrated on getting those out. Unless these hot spots are extinguished, the fire could again escape control and threaten nearby communities, particularly if the weather changes again.

However, because conditions have improved, a gradual phasing out of fire crews and support staff is being done across the north. Many of the 2,000 Kenora-23 firefighters are slowly being released, after each crew finishes its cleanup. What will be left is enough fire people to keep the blaze in check. Many of the men and women being released are members of the Ministry of Natural Resources staff, including land planners, parks staff, accounts people, et cetera, who were rushed to the scene from all over the province, including many offices in southern Ontario and the main office at Queen's Park.

Also being released are the extra firefighters who were recruited from across the province, many of them being experienced native people from the north. We are also releasing some of the aircraft that had been used to fight Kenora-23. At the peak day, which was last Saturday, May 31, there

were 123 aircraft on that fire alone. There were nine Canso heavy water bombers, one Canadair CL215 heavy water bomber, two Twin Otters, 16 Otters, 15 Turbo Beavers and 80 helicopters. As of last night, 28 aircraft had been released. More will be able to leave the northwest in the next few days.

Among those already released are the CL215 heavy water bomber which came from Quebec, two Cansos and one Cessna Birddog from Alberta, one Canso heavy water bomber from Newfoundland and four military 212 helicopters with heavy bucket capability which came from the Department of National Defence force.

I would like to express my appreciation to those other provinces and the federal government for their assistance during this fire emergency. Also, the provinces of Quebec, New Brunswick and British Columbia sent us fire suppression equipment, as did the US Forest Service, which flew in two huge plane-loads of pumps and hoses from Alaska and from Boise, Idaho, early last week.

This is an ideal time for me to commend the men and women of the Ministry of Natural Resources staff, a total of 1,504 of our 4,300 people, who were directly engaged in fire operations and support during the emergency period of the last three to four weeks. These men and women are from every region of the province, and those who moved to the north did so at very short notice. Their dedication and willingness to help out in the emergency is something of which I am most proud, and I am sure the members will join me in this commendation.

I am thankful, too, that help was offered us by the conservation authorities during the emergency, particularly the Metropolitan Toronto and Region Conservation Authority which offered its equipment and its MNR-trained firefighters. We did not have to use them this time, but the spirit shown of "being in this together" is much appreciated.

2:10 p.m.

My ministry also owes a great deal to other agencies such as the Ontario Provincial Police and the ministries of Northern Affairs, Intergovernmental Affairs, Community and Social Services, and Industry and Tourism for their participation in handling the evacuation and travel problems and the evacuation contingency planning.

As for the leaders and residents of various Ontario municipalities affected by the fire emergency, they too deserve commendation for their willingness to co-operate, take leadership and put up with difficult conditions. Our experience through this past month

reminds us again how strong, effective and courageous Ontario people can be—people of all kinds, faced with a serious emergency or, in this case, a whole series of emergencies.

Finally, but by no means least, I am most impressed with the excellent job the various members of the news media did to cover the fire situation and bring reports to their readers, listeners and viewers in the province and beyond our borders. Much of their work demanded the kind of long hours and difficulties that our fire staff had to put up with.

The fire situation has quietened down for the moment. People are getting back to normal in the north. Many of our staff are getting a well-deserved rest after weeks of no letup of responsibility and activity. We are praying that the worst is over for this season but we are not letting down our guard.

#### ANNIVERSARY OF ISLAM

Hon. Mr. Baetz: Mr. Speaker, I would like to draw to the attention of all honourable members that this year marks the 1,400th anniversary of Islam according to the lunar calendar. I think it is most appropriate that this House recognize that anniversary and thus acknowledge the contributions that Ontarians of the Muslim faith have made to the life of this province.

Men, women and children of the Muslim faith have been living in Ontario for a century, but in the last two decades there has been a surge in the number of Muslim people choosing to make their lives here and, as a result, there are now close to 100,000 Muslims living in this province.

All of these people have contributed to making Ontario's multicultural and multi-racial society a genuinely religiously pluralistic society as well. At the same time, they have continued to be an integral part of a worldwide Muslim community that ranges from Africa and Asia to Europe and the New World.

The prophet Muhammad preached and reaffirmed the existence of one God, all-powerful and merciful. This rigorous monotheism was in the tradition of the prophets Abraham, Moses and Jesus. At first persecuted in his own country, the prophet Muhammad emigrated from Mecca to Medina. That emigration, the Hegira, marked the formal beginning of Islam.

Islamic culture and Islamic civilization have left a profound impact on the world, contributing much to learning and scholarship. For example, the first university in the world, Al-Azhar in Cairo, emerged from

Islamic culture and civilization in the ninth century AD.

A number of remarkable contributions to such fields of learning as science, philosophy and architecture, including what we call Arabic numerals, also flowed from that culture. Indeed, western culture and civilization could not have grown and developed as they have without the impact of Islam, which preaches the primacy of universal ideas.

I hope to have the pleasure of marking this 1,400th anniversary of Islam in another way later this year. For the moment, however, I know that all members of this House would want to join the government and me in noting this momentous anniversary.

**Mr. S. Smith:** Mr. Speaker, I want to take a moment to associate those of us in the official opposition with the excellent remarks made by the Minister of Culture and Recreation.

This year one billion Muslims around the world are commemorating the journey of the prophet of Islam, Muhammad, from Mecca to Medina. Since then, Islam has contributed to civilization in the fields of culture and science and philosophy. That was particularly important and we should remember that because it occurred in many instances during the period of the Dark Ages in Europe. The Renaissance was contributed to by many Muslim scholars and scientists. The minister has already made reference to Arabic numerals and, of course, the word "algebra" which is, in effect, an Arabic word.

The principles of Islam are the unity of mankind without regard to caste, colour, creed, race, language or nationality. These, after all, are the very same principles important to us in Canada. Our lives in this country are enriched by the presence of so many Muslim people. We are very grateful for the fact they are here contributing in so many ways to this country and to our society. My colleagues and I are very proud to join with the Muslim people in celebrating this 1,400th anniversary year of Islam.

**Mr. Cassidy:** Mr. Speaker, I would like to join in the comments that have been made in marking the 1,400th anniversary of Islam and the contribution that Islam has made to the world. Among other things, all of us who have tried to reckon in Roman numerals owe a great debt to the introduction of Arabic numerals, which have made our lives so much easier.

There are many other much more profound contributions that have come through Islam over many years. The leader of the Liberal

Party has mentioned in particular the creed of Islam that upholds the unity of mankind irrespective of colour, creed, race or nationality. Islam also stands for the principle of respect for other faiths and social justice for all. Those three principles are surely the kinds of principles which should underline a multicultural society here in Ontario.

I would like to say the traditional Arabic greeting, "Greetings of peace," in Arabic: Assalamo alaikum. I would like in particular to recognize the presence of prominent representatives of Islam in the Legislature today. Dr. Alauddin Kharufa, director of the Muslim World League, who has come to Ontario from Mecca, Saudi Arabia: Assalamo alaikum. Mr. Dawud Assad, secretary-general of the Council of Mosques: Assalamo alaikum. Mr. and Mrs. Muinuddin with their son, who represent the Council of Muslim Communities of Canada: Assalamo alaikum.

#### INCIDENT OUTSIDE ONTARIO PLACE GATE

**Hon. Mr. Grossman:** Mr. Speaker, I would like to report on the incident that occurred outside the gates of Ontario Place last night. While we cannot reconstruct all the details as yet, the incident clearly resulted from an unusually large crowd unable to get into an already full Forum.

Our Ontario Place staff, always alert to crowd control, saw the problem developing and, as the Forum approached full capacity at about 7 p.m. for an 8:30 p.m. concert, arranged to close the gates at 7:30 p.m. and so informed the Ontario Provincial Police. To further ameliorate the problem, the starting time for the concert was moved up from 8:30 to 7:45 p.m.

As has happened on other occasions, particularly at rock concerts in other cities, the crowd, unable to get in on a first come, first served basis, reacted, causing damage and resulting in charges being laid. I have reviewed the situation with Bruce Longhurst, general manager of Ontario Place, and William Cooper, chairman of the board of directors of Ontario Place, and we are fully satisfied that the management and the police acted responsibly to contain the disturbance.

To emphasize, incidents at rock concerts appear to occur, by and large, where there is no advance purchase of preselected seating and no seating control. Because the Forum maintains its unique open characteristics by open seating arrangements, the suitability of the Forum for rock concerts is now being reviewed by the board of directors.

In the interim, the chairman of the board, the general manager of Ontario Place and I have agreed that, in order to protect the public at large and to maintain the successful atmosphere of Ontario Place, there will be no rock concerts until the board has had an opportunity to meet and review the situation to determine ways Ontario Place can provide entertainment appealing to a younger age group but more suitable to the open character of the Forum.

As Minister of Industry and Tourism for the province, I might add I feel confident that this city has a variety of facilities and provides ample suitable locations for rock concerts without sacrificing safety and property in open settings. I remind the House that the 10-year history of Ontario Place indicates only a very few incidents. It is clear that this tourist site can still provide a mix of programming that attracts people of all ages and tastes in an enjoyable setting.

2:20 p.m.

#### ENVIRONMENTAL ASSESSMENT ACT EXTENSION TO MUNICIPAL PROJECTS

**Hon. Mr. Parrott:** Mr. Speaker, I am pleased to announce today that regulations to apply the Environmental Assessment Act to environmentally significant municipal projects have been approved by the Lieutenant Governor in Council. They will take effect today.

As a part of this government's plan to phase in the act with minimum disruption, we did not apply it to municipalities when it first came into force in 1976. This provided time not only for consultation between the province and municipal representatives, but also to gain experience in applying the act to provincial projects.

It was necessary through this consultation to identify environmentally significant undertakings, to work out transitional or grandfather clauses for a smooth phasing-in of the act, and to avoid unfair application of this act to projects in advanced stages of design or implementation.

To achieve this, the Municipal Working Group was formed with municipal representatives and Ministry of the Environment staff in 1975. Its report was released in December 1976 for further comments from municipalities and other interested parties. Since then, drafts of proposed regulations to apply the act to municipalities have been before the Provincial-Municipal Liaison Committee on several occasions for its input, and I have

met with it twice to ensure that the regulations would be generally acceptable.

As a result of this detailed consultation, we now have regulations that represent a consensus among all the parties involved—the government, the municipalities, environmental and other interested groups.

The regulations cover five basic points:

They repeal the existing temporary exemption for municipal undertakings.

They define which projects are covered under the act and they include a general exemption for municipal projects with an estimated value of less than \$2 million.

The regulations also contain a list of environmentally significant projects for which an environmental assessment will be required, whatever their value. In these cases, the \$2-million exemption does not apply—for example, new roads over one kilometre and waste disposal sites.

The regulations contain a grandfather clause to ensure that the act does not retroactively affect municipal projects already under way or in an advanced stage of planning and design. Municipal projects will not be included if, by today, the project has been approved by council resolution, land has been acquired specifically for the project, or a notice of application has been filed under the Expropriations Act for the undertaking. However, to ensure that this grandfather provision is not abused, the regulations also provide that the exemption be void unless the project is substantially under way in three years.

The regulations provide a one-year phase-in period so municipalities can adapt provincial class environmental assessment procedures for minor transportation projects, minor transmission lines, transformer stations and communication towers.

Under the class assessment, certain commonly undertaken projects will not require individual assessment procedures. Instead, they will follow certain general procedures for that class of project in order to streamline and simplify the application of the act. This process already exists for certain provincial projects and a committee is currently working on applying these same standards municipally. In addition, a bump-up provision will allow individual projects to be singled out for individual environmental assessment where unusually significant effects are expected.

That is the basic outline of the regulations coming into force today. To ensure that municipalities are well prepared to deal with the advanced planning procedures required

under this act, staff from the ministry's environmental approvals branch are preparing an education program. It will acquaint municipal officials with the regulations and prepare them to work within these new rules.

To provide public input on concerns about particular projects, the Premier (Mr. Davis) has named Dr. Donald A. Chant as an independent person to hear petitions on matters pertaining to additional designations or exemptions under the Environmental Assessment Act. Dr. Chant is currently the chairman of the Environmental Assessment Steering Committee, which reports to the Premier.

A major concern of municipalities has been to ensure that implementation of the Environmental Assessment Act does not cause duplication and overlap in the approval and hearing process for major projects.

As indicated in the recent speech from the throne, the government is working on streamlining legislation, which will be introduced as soon as possible. It will state that there will be one comprehensive hearing and approval process in which all relevant provincial concerns would be addressed. The tribunal to hold these hearings will be representatives of both the Ontario Municipal Board and the Environmental Assessment Board.

With the need for good, sound environmental planning beyond a doubt, I am pleased to report that our experience has shown the Environmental Assessment Act is working well on provincial projects. In the last year, 57 undertakings have been submitted for assessment and so far 11 have successfully gone through this advanced planning procedure. The application of the act has resulted in only one project being referred to the assessment board for formal hearings and these are under way.

I feel confident the majority of municipalities share our environmental concerns. The regions of Waterloo and Hamilton-Wentworth have already demonstrated it by voluntarily placing projects under the legislation. I refer to the east-west arterial road in Cambridge and the Red Hill Creek Parkway in Hamilton-Wentworth.

By continued close co-operation between the provincial and municipal governments, we will be able to expand the protection to our environment that this act so readily provides.

#### LABOUR RELATIONS ACT

**Hon. Mr. Elgie:** Mr. Speaker, later this afternoon I shall be introducing for first reading An Act to amend the Labour Rela-

tions Act. The bill will propose three changes to the act.

First, it will provide for the mandatory checkoff of union dues, or the equivalent amount thereof, as a minimum requirement in collective agreements where a union that has acquired bargaining rights in accordance with the provisions of the act so requests.

**Mr. Cassidy:** This is a victory for the NDP.

**Hon. Mr. Elgie:** Mr. Speaker, I would suggest it is a victory for common sense and the member should acquire some.

This provision will apply to collective agreements, other than those in the construction industry, concluded after the coming into force of this amendment.

Second, the bill proposes an amendment to permit an employer to require the Minister of Labour to direct a supervised vote of employees on the employer's last contract offer. Under the proposed amendment, the minister is required to act upon the employer's request, which may be made either before or after the commencement of a strike or lockout.

Third, the bill proposes an amendment to entitle all employees in the bargaining unit, whether or not such employees are members of the bargaining unit, to participate in all strike or ratification votes.

I believe all three amendments address important problems in industrial relations in Ontario and the bill represents a fair and equitable balance in respect of rights and obligations of trade unions, employers and employees. I shall, of course, be developing the rationale for each of these three changes in detail in the course of second reading.

#### INTEREST RATES

**Mr. Cassidy:** Mr. Speaker, I would like to remind the House that on April 22, I think it was, the Treasurer of Ontario stated he would be tabling a discussion paper in May to outline alternatives available to deal with the pressing situation of interest rates, in particular, with respect to home owners.

It is now June 3, and the promise made by the Treasurer has not yet been fulfilled. I think the privilege of this House and the problems of the province have been ignored.

**Hon. F. S. Miller:** Mr. Speaker, I have not been asked a question in question period that I can recall on that particular issue for some time. I did report progress was being made and that I would be releasing information very shortly. That is the case.

## ORAL QUESTIONS

## ALUMINUM WIRING

**Mr. S. Smith:** Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations regarding aluminum wiring. The minister will recall that he asked me to use my expertise on his behalf and tell him how to develop, he said, and I quote, "an effective advertising tool that will get people to get that inspection done."

2:30 p.m.

Is the Minister of Consumer and Commercial Relations aware that the one time that ads were placed in the paper—which was back about the time of the Wilson report—there were 8,600 calls made in the first six months? In the last six months there have only been 1,700 calls, largely because, apparently, such ads have not been appearing since then.

Therefore, may I share a suggestion with the minister? If he wants the people to respond, he should place the ads in the newspapers. That is surely an activity that his government has very little difficulty doing in many other realms.

In particular, does the minister not feel it is important to do so, since 15 per cent of the outlets that have been inspected have proven to be faulty?

**Hon. Mr. Drea:** Mr. Speaker, I wish the Leader of the Opposition would take a look at the chronology. The ads were not placed initially. There was no reason to place ads initially because the media gave the program quite extensive coverage. Subsequently, when the calls began to tail off, we advertised. There was a significant lack of response from those newspaper advertisements.

I will tell the Leader of the Opposition what I'm going to do. I am going to put out another series of advertisements, but I'm cutting them off as of July 15. I told him the other day there were still 200 or 300 people who had actually, physically, made appointments with the inspector, and did not keep them. I don't want to deprive the rest of the program because of that kind of thing.

I will tell the Leader of the Opposition we have talked about it, we've gone into communities, we've done everything to try to get people to phone. I can honestly say, although I'll place the ads, I do not expect a significant response from the print advertisement.

**Mr. S. Smith:** By way of supplementary: I will accept the fact, and welcome the fact, that the minister will place the ads again.

I assume the minister shares a concern that he would like people to do this inspection. I would therefore encourage him to use every means, not just the print media, in order to get people to understand that these faulty receptacles can lead to fire. I think it's important that the minister do this.

With regard to the number of people who aren't home after they arrange inspections, will the minister admit that is less than 10 per cent of the calls and the inspections that are arranged, and surely that is not a reason to withhold this important service from people whose safety might be involved?

**Hon. Mr. Drea:** Mr. Speaker, this is the service I am trying to provide to them. They are not 10 per cent over the whole period of time. These are the people who since March or April or July of last year asked for an inspection, and now suddenly aren't there, even when they make appointments. That concerns me even more.

**Mr. S. Smith:** That's the 10 per cent of those who make arrangements.

**Hon. Mr. Drea:** Those are the ones who are out there. The other ones have had the inspections. This is my concern, that these people come forward.

**Mr. S. Smith:** I see your point, but—

**Hon. Mr. Drea:** That's my point.

**Mr. S. Smith:** No. There are 200,000 homes with aluminum wiring.

**Mr. Makarchuk:** Supplementary, Mr. Speaker: Would the minister consider tagging each bottle of liquor that he sells with a tag, notifying the people that the service is available?

**Hon. Mr. Drea:** Mr. Speaker, there are not 200,000 homes affected. They have some form of aluminum wiring, but I can tell the member that many of these aluminum-wired homes had some kind of inspection before. They know. Their situation has been cleared up, if indeed there was any problem.

The Leader of the Opposition should bear in mind that when we first started this we were so open about it that people said they wanted copper wiring inspections. We said: "Sure, we'll inspect the copper wire." We really wanted to take a look at the connector situation.

My concern about those last 200 homes is that this has been dragging on for months. The Leader of the Opposition is quite right. I have to produce a report. I want to produce the report, but I cannot produce a report while there are still 200 out there who for one reason or another, and it bothers me, aren't having the inspection.

We have done everything that is humanly possible to get that message out there. The member is helping today, since he raised it again. We will get six or seven phone calls tomorrow. They will be promptly inspected.

**Mr. S. Smith:** By way of supplementary, may I ask the following question? I can understand the minister's concern about that particular 200 because he thinks they might be particularly at risk. Would the minister please table in the House the number of inspections that have been made? Is he not aware that from the opening of the aluminum wiring resource centre in early March 1979 there were 8,600 calls and 5,700 requests for inspections and, of these, only 443 were not completed? Since, as he says, 200,000 homes have aluminum wiring—

**Hon. Mr. Drea:** I didn't; you did.

**Mr. S. Smith:** I say that 200,000 homes have some kind of aluminum wiring—it is entirely possible and very likely that there are many more homes that do not even know about this problem which should be inspected. The real question is, what is the minister going to do to get, not just to the recalcitrant 200, but to the 200,000 homes that have aluminum wiring and should be inspected again?

**Hon. Mr. Drea:** I say to the Leader of the Opposition, when something has been around for this length of time and the media, in prime time and in prime space, have devoted themselves to this problem, in addition to a great number of organizations and so on, and somebody refuses to make the phone call after all of that—and I will give it one more shot and I will be pleasantly surprised if there is much of a flow-in—if the Leader of the Opposition can tell me how to get somebody to make a phone call, write a letter or something else when he does not want to, then I welcome his suggestion.

#### INCIDENT OUTSIDE ONTARIO PLACE GATE

**Mr. S. Smith:** I would like to direct a question to the Minister of Industry and Tourism regarding the very unfortunate events at Ontario Place and the statement which he was kind enough to make to the House.

I understand from his statement that there will be no more rock concerts at Ontario Place, at least until there has been some chance to re-evaluate the policy concerning crowd control, seat arrangements and so on. Is the minister aware that there are at least four rock groups that I know of already

booked to come to Ontario Place? They are Rough Trade on June 10, FM on June 16, Jefferson Starship on June 26 and Devo on July 15, and possibly there are others as well. Can the minister say whether he will be cancelling those particular groups and, if so, whether there are any contractual payments that will have to be made to those groups as a consequence of such cancellation?

**Hon. Mr. Grossman:** Yes, a decision was taken this morning in conjunction with the general manager of Ontario Place and the chairman of the board of Ontario Place to cancel those particular concerts. It is estimated the cost will be around \$15,000.

**Mr. S. Smith:** By way of supplementary: The \$15,000 cost, I take it, will be assumed by Ontario Place. The minister nods his head. Have any other alternatives been looked at, or is it the opinion of the board that time does not permit alternatives such as seats being allocated earlier in the day, or moving the concert to some other locale, or something of that kind? Have those alternatives been looked at or is it the minister's view that the time is not sufficient to permit those alternatives to be properly examined?

**Hon. Mr. Grossman:** Yes, the latter part of the member's statement is correct: there is not sufficient time and we really do not want to risk another incident at Ontario Place. Therefore, Ontario Place would much rather absorb the \$15,000 cost and, in essence, bide the time to assess the situation adequately rather than risk any further incidents. There is a real desire to find a way to accommodate the younger people who want their share of the entertainment provided at Ontario Place without destroying the general atmosphere. We are going to take some time to assess the situation.

**Mr. Eakins:** Could I ask the minister a supplementary? In view of the popularity of these concerts at Ontario Place—and they are a bargain, especially the rock concerts, compared to those at Maple Leaf Gardens—will he be adjusting the prices for some of these performances so that Ontario Place operates in the black instead of having upwards of a \$1-million deficit per year?

**Hon. Mr. Grossman:** I would say to the tourism critic that this week the Liberal Party of Ontario has suggested we are spending too much on tourism advertising and now it is suggesting we do not charge enough for one of our major tourism attractions. I find that unusual, particularly from the tourism critic.



We went through this matter at the cabinet level this year, the question of whether the fees for Ontario Place should be raised either just for the concerts or in a general admission. I must say, I think one of the great things about Ontario Place is that it is so open and accessible to all members of the public.

If, for example, we were to say the Toronto Symphony Orchestra or the Hamilton Philharmonic or the ballet should have special prices put on of \$3 or \$3.50, then we would be losing the opportunity to bring to people who ordinarily cannot get a ticket for the TSO the opportunity for \$2.50 to hear the TSO.

2:40 p.m.

Likewise, if we then raised the price of a ticket for rock concerts, we would be quite properly accused of charging more for rock concerts for young people than we charge for the symphony. I think as long as we can keep that an open park for the public at a reasonable rate of \$2.50, the \$800,000 or \$900,000 subsidy my ministry provides is very well worth the money.

**Mr. Lawlor:** Supplementary, Mr. Speaker: I just want the minister to know I have some young children at home who will be really put off by this, particularly at the cancellation of the rock group Devo. They are enormously popular and they bring in great revenues now. What would be the loss of revenue, rather than the ministry's costs, arising out of that cancellation?

**Hon. Mr. Grossman:** Mr. Speaker, it is hard to estimate now because we do not know what shows will be successful in replacing those events. It is quite clear that some of the rock concerts have brought in much more revenue to Ontario Place than, for example, have the ballet, the TSO and the Hamilton Philharmonic.

One of the things we try to do is strike a balance between the different types of entertainment we provide. It is not really a situation of the bottom line because we could wipe out the deficit at Ontario Place if we were to book rock concerts in there of the popularity of the event we had last night. We would fill the place every night and wipe out our deficit in about three weeks. That is not what the event is all about. We will try to tell the member's daughter where that rock group is going to be next Tuesday night instead of at Ontario Place.

**Mr. O'Neil:** Supplementary, Mr. Speaker: I do not think it is good at all that the minister would cancel these rock concerts.

Why does he not put the manpower and some of the money he has spent on some of the advertising lately in his ministry to work and get things organized down there within the next week or so so that he could have these concerts go ahead? If the minister was properly organized, I cannot see any reason at all why he could not put the machinery into effect so that we could hold these concerts and not have them cancelled for all the youth and the adults across this province.

**Hon. Mr. Grossman:** Mr. Speaker, I know the member has not had an opportunity to talk to his colleague on his left, but I think he would tell him, because he does know a little bit about the tourism industry, that if one has a tourism attraction that has to be surrounded by a great deal of security, police forces or whatever, then the tourism attraction itself is destroyed.

I think there are ways to accommodate all the citizens of Ontario and their needs at Ontario Place without turning it into an armed fortress. May I say to the member for Quinte, if he can really suggest or prove that the security arrangements at Ontario Place are inadequate, then he should do so. In fairness to the Ontario Place staff, which is a very dedicated, ambitious young staff with little history of incidents, then he should prove it; otherwise he really should not make those kinds of accusations.

**Mr. Di Santo:** Supplementary, Mr. Speaker: Granted that Ontario Place should be available at very low prices, does the minister not think the management should be blamed at least for very bad scheduling, because it does not take a genius to understand that Ontario Place is not Maple Leaf Gardens and, if one has a rock group, one can have the kind of action that happened last night?

**Hon. Mr. Grossman:** Mr. Speaker, although I am not a devotee of Teenage Head, which I understand was the group there last night, may I say I am informed it is essentially a less-known rock group which usually performs in bars and to smaller audiences of about 600 or 700 people.

**Mr. S. Smith:** That is a Hamilton group you are talking about.

**Hon. Mr. Grossman:** I am going to come to that. The member will be pleased to know they are an import replacement in that they are a young Canadian group from the fine city of Hamilton.

Quite frankly, with all the expertise we do have on hand, we did not expect that a group which traditionally performs to 600 or 700



people would attract as many as 12,000 or 13,000 people. We did not expect 12,000 or 13,000 people. To that extent I must say the Ontario Place staff misjudged the popularity of what I understand is a fine, certainly popular, Canadian rock group. But I do not think that makes them subject to a great deal of criticism. I do not think many people would have anticipated last night's crowd.

#### JOHNS-MANVILLE

**Mr. Cassidy:** Mr. Speaker, I have a question for the Minister of Labour. I would say in preface that I welcome the decision of the government to accept the principle of union security as a result of years of effort by the labour movement and by the New Democratic Party. We thank you.

Now that the government has decided to protect the rights of unorganized workers with the piece of legislation being submitted today, I would like to ask the minister if he is aware of the fact that the 173 workers from the asbestos-cement pipe plant at Johns-Manville Canada Inc., who were on strike a few days ago and who were subsequently terminated, have now been told by the unemployment insurance office in Belleville that they will not be eligible for unemployment insurance benefits because the firing occurred when they were on strike. Will the minister intervene on behalf of those workers to ensure they are not barred from unemployment benefits because they were engaged in a strike into which they had been provoked by management?

**Hon. Mr. Elgie:** Mr. Speaker, as the member knows, unemployment insurance is a federal matter, and it would be beyond my jurisdiction to suggest that I could intervene and correct any matter within federal jurisdiction. However, I will be pleased to make inquiries on behalf of those employees.

**Mr. Cassidy:** Is the minister not prepared to stick up for workers who were fired? Does the minister not agree that Johns-Manville was acting in bad faith by firing those employees after a series of bargaining sessions where the company refused to acknowledge the plant might be closed and refused to talk about the issues the union wanted to discuss, including severance and closure procedures? Does the minister not agree the company was acting in bad faith? Why will the minister not agree to act on behalf of workers who are pushed around by rotten management in Ontario?

**Hon. Mr. Elgie:** There are a great number of broad, sweeping statements there that I cannot be sure I agree with. The fact of the

matter is, as the leader of the third party knows, that there was no collective agreement, because they were on strike.

To say they were fired and what has happened is unfair labour practice are matters that would have to be assessed by the Ontario Labour Relations Board. But, as the leader of the third party knows, the collective agreement had terminated and a new one had not commenced. So we are not talking about firing under the terms of a collective agreement. I am not even sure of the details of the firings the leader of the third party has talked about. I will be pleased to look into it.

**Mr. Mackenzie:** Mr. Speaker, is the minister not aware that the termination is a permanent one? We are probably going to see it for the balance of the employees before too long. That means if they do not qualify at least for unemployment insurance benefits, which they certainly should—and I grant that is a federal matter—we are going to be picking up the costs, both in attempts to replace them and in the welfare bills that will result. It is an obviously unjust decision of the unemployment insurance commission. Would the minister not intervene?

**Hon. Mr. Elgie:** Mr. Speaker, I have already told the leader of the third party I will inquire into the matter, but the issue of unemployment insurance benefits is a federal one.

**Mr. Cassidy:** What will it take to arouse a sense of outrage about Johns-Manville on the part of the minister? Is the minister not aware that he himself was misled by Johns-Manville when the company assured him, less than a month ago, that they had no intention of closing the plant? Will the minister not go to the defence of these workers and of workers in other situations across the province? Is he going to leave the door open for companies to evade their responsibilities to workers whom they intend to fire by allowing them or provoking them to go on strike and then issuing letters of termination after the strike has occurred?

**Hon. Mr. Elgie:** Unlike the leader of the third party, I like to explore the facts and discuss matters with the parties involved before I make the sweeping decision he makes. I have agreed to talk to the parties about it.  
2:50 p.m.

#### IRON ORE PELLETS

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Natural Resources about his allegation that there is a serious oversupply in the area of iron ore.

Could the minister explain why he keeps insisting there is an oversupply of iron ore when in the United States in 1980 there is going to be an increase in the annual capacity for iron ore production of between 30 and 35 metric tons?

Can he explain his allegations about oversupply when, in fact, the price of iron ore has gone up from 59.9 cents US per unit in December 1978 to 66 cents in August 1979 and to 72.5 cents US at the present time?

If iron ore is in such a glut, how does the minister explain these facts and why is it that the price keeps on going up while we are not getting more contracts here in Ontario?

**Hon. Mr. Auld:** Mr. Speaker, I will be delighted to get the figures for steel production in the United States and the situation for the industry in the United States.

I think the honourable member meant something more than an increase of 35 metric tons.

**Mr. Cassidy:** Thirty-five million.

**Hon. Mr. Auld:** That sounds more correct. There is a possibility, but I doubt that amount would be produced. However, I will get the figures on production, because my understanding is the production of ore has gone down. The production of steel is dropping. In fact, I noticed the other day that the output of Canadian ore from Labrador has been reduced because of soft markets. I will get the total figures to the honourable member.

**Mr. Cassidy:** Will the minister not agree that what is happening is that the large American steel companies have entered into what amounts to a cartel which both fixes prices and determines where the market is going to be for iron ore, and that our three big Ontario steel companies have effectively joined in that Great Lakes cartel and are likewise taking their supplies from the United States rather than taking them from iron ore mines here in Ontario?

Does the minister not believe that the Canadian steel companies should be encouraged, if not made, to ensure that they take their iron ore supplies for the 1980s from Ontario rather than as part of a US-based cartel?

**Hon. Mr. Auld:** Mr. Speaker, I have made two lengthy statements and told members a bit of technical information about the problem of some of our Ontario iron ore as far as its use in existing furnaces is concerned. I will get the information to which the honourable member was referring in connection with the US situation before I make any further comments.

**Mr. T. P. Reid:** Mr. Speaker, in questioning last week, I asked the minister whether he had contacted his federal counterpart to discuss this whole matter of the iron and steel business in Ontario and Canada generally and to see whether they could rationalize the situation so that Canadian ore could or would be used in those cases where it was available. Is the minister setting up such meetings with his federal counterpart? If not, will he do so in the near future?

**Hon. Mr. Auld:** I hope to be setting up such a meeting in the near future along with a couple of other federal ministers with whom I have other things to discuss.

**Mr. Cassidy:** Mr. Speaker, on May 22, the minister said the government of Ontario was watching closely along with the federal government, with the hope of anticipating iron ore needs which our provincial sources can supply in the years to come. Can the minister elaborate on what that statement means? Does it mean we are going to watch while the ore boats keep on coming from Michigan and northern Minnesota, or does it mean the eight or nine million tons extra of iron ore that this province is going to require will be coming from iron ore mines in this province and will be produced by Canadian miners from Ontario?

**Hon. Mr. Auld:** The statement meant exactly what it said. We are watching closely to see opportunities for our kind of ore.

#### ONTARIO HYDRO EMISSIONS

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of the Environment. Since Ontario Hydro's coal-fired generating stations—Nanticoke, Lambton, Lakeview, Lennox and Hearn—contribute 1,300 tons of SO<sub>2</sub> per day, which is approximately 50 per cent as much as Inco, and since that percentage will increase as Inco cuts back to 1,950 tons per day and Nanticoke increases in the next two years, all of which means that such generating stations are making a significant contribution to the acid rain problem, why is the minister so reluctant to deal with Ontario Hydro? Why are we not preparing control orders for these plants?

**Hon. Mr. Parrott:** Mr. Speaker, first of all, we have no reluctance at all. We are in the process of considering this and perhaps it is likely a control order will be placed on Ontario Hydro and these plants. I do not want to leave the member with any other impression except that Ontario Hydro will also have to reduce their emissions.

**Mr. Gaunt:** Why has this taken so long, and when does the minister anticipate this will be done?

**Hon. Mr. Parrott:** It has not taken long. I think it was only a day or two ago that members were worried we were rushing the Inco thing far too quickly, and saying the hearing should be delayed. If the member wants notice now that there will be those opportunities to comment, I think he should take notice today that he will have those opportunities. I do not think a position will be prepared for consideration this session, meaning this spring session, either in the Legislature or in estimates.

**Ms. Bryden:** Mr. Speaker, has the minister asked Hydro to prepare estimates of the cost of putting in scrubbers or other abatement measures for these coal-fired generating plants? If so, will he table those cost estimates in the House?

**Hon. Mr. Parrott:** Indeed we have had several meetings with Ontario Hydro. On one or two occasions the Minister of Energy joined in those discussions. I can assure the member that Ontario Hydro is preparing those estimates of costs and they will be available eventually.

**Mr. Gaunt:** Will the minister not agree that until he deals with Ontario Hydro, an emanation of the government, the ministry will have no credibility to deal with private industry to try to clean up the mess in private industry?

**Hon. Mr. Parrott:** It is rather interesting. We turn our attention to a company that has been sort of the symbol and get that nicely done, then somehow or other the argument changes around that we should have re-directed our attention to a government-related agency.

Let me tell the member, we are attacking on all fronts. Interestingly enough, I think he still has not quite heard the statement I made about two weeks ago in this House that all the emissions from Ontario Hydro—all of them; every plant he could name—do not equal those from one plant in a small community called Mitchell, in the United States. When they too get on side—and it is absolutely essential; the member knows how important it is that they get on side—we will have the problem solved. But we are attacking here in Ontario well in advance of any other jurisdiction, and I think the member knows that.

#### COKE OVEN WORKERS

**Mr. Mackenzie:** Mr. Speaker, a question of the Minister of Labour: Is the minister

aware that in the United Steelworkers Union's attempt to trace 100 workers from the old Hamco coke oven operation in Hamilton, out of 35 workers it has been able to trace to date, 27 have died of cancer? Given the long concern of the steelworkers' union and of coke oven workers generally for coke oven emission standards, can the minister tell this House why there is a delay in setting coke oven emission standards in Ontario?

**Hon. Mr. Elgie:** Mr. Speaker, I do not agree there is a delay. The member will recall it was either late February or early March that I called together a meeting of representatives from the three major steel companies and the steelworkers so that they could have open and frank discussions about the issue, and I think there was general agreement that that was the proper way to approach it.

To date, we have received a brief from the steelworkers and a brief from Dofasco, and it is my understanding that a brief will be in from the other two companies within the next two weeks. As soon as we have those briefs, we will tabulate them in book form and forward copies to each of the interested parties and then hold another meeting to review them. I think we are tackling the problem in a very appropriate way and in a way which, we hope, will not end up with problems such as they have had in the United States, with interminable delays, for years, with cases held up in the courts.

3 p.m.

**Mr. Mackenzie:** The meeting the minister is talking about was held on February 20, between the union, the companies and officials of his ministry. At that meeting there was an agreement reached that all parties, the union and the steel companies, would submit their briefs on what should be included in coke oven emission standards within six weeks. Dr. Rodney May, who attended that meeting, was asked specifically, "if the briefs aren't in within six weeks, are you prepared to take action?" He told them the ministry was prepared to act on its own. That was on February 20. The only party which had its brief in within the six weeks was the steelworkers' union. Dofasco's is in now, which must be a relatively recent development.

Can the minister tell us why the ministry hasn't moved on its own and why it is now some four months, not six weeks, and most of those briefs still aren't in from the steel-making companies?

**Hon. Mr. Elgie:** I want to assure members that I have had staff inquire whether

there has been undue delay, and I know it is delay to those of us interested in the problem. I am sure members know Dr. May left four or five weeks after that, and perhaps the impetus he gave to the division over this particular issue is not the same.

I have made inquiries about the process at regular intervals and have been assured the parties are making diligent efforts to bring the briefs forth. I have the dates set now. I have given them to the member. Stelco is within the next week and Algoma by mid-June. I think we are on the way, and we hope we will achieve some workable emission standards and not have to go through the dreadful problems they have in the United States.

#### CANADIAN CAR DIVISION STRIKE

**Mr. Hennessy:** Mr. Speaker, my question is to the Minister of Labour. Since the Hawker Siddeley Canadian Car division in Thunder Bay has been struck for more than two months, has the minister taken any action towards mediation concerning this problem?

**Mr. Kerrio:** Whisper it to him.

**Mr. Hennessy:** All right, give me a kiss.

**Hon. Mr. Elgie:** Mr. Speaker, in view of what is taking place, I want to sit down for a minute.

The Hawker Siddeley Canadian Car division has been on strike since March 31. It is normal practice for the union involved and the certified bargaining agent for Hawker Siddeley that negotiations are carried on between the parties without a third-party mediator.

However, I am aware the strike has been going on now for more than two months, and we have had contact with the parties. A senior mediator, Mr. Terry Mancini, will be meeting with the parties on June 10 to commence mediation to see if we may be of assistance.

#### DISPUTE AT AMR CENTRES

**Hon. Mr. Norton:** Mr. Speaker, May I speak on a matter of personal privilege? Following a review of yesterday's Hansard, it has been brought to my attention by members of my staff that my response to a supplementary question by the member for Bellwoods might have the effect of inadvertently misleading the honourable member. It relates to the use of the word "audit."

In my previous responses to questions relating to the Hamilton and District Association for the Mentally Retarded, I don't recall whether I have used the word "audit." How-

ever, yesterday, in the supplementary question the member for Bellwoods did use the word and in my answer, I also used it. I would like to clarify that by indicating that although it is true there has been a financial review conducted by the financial officers of my ministry and the director of our financial audit branch, I am advised it was not a formal audit as such. I would like to clarify that I ought to have used the term "financial review" as opposed to "audit." I understand there is quite a significant technical difference.

**Mr. Speaker:** That is not a point of privilege; it is strictly correcting the record of a false impression which may have been left.

**Mr. McClellan:** If I may add to the correction, Mr. Speaker: I simply want to point out that in his answer to the question of the member for Hamilton East (Mr. Mackenzie) on Thursday, May 29, the minister said:

"Mr. Speaker, I can confirm that the staff of my ministry, both financial officers and auditors subsequently, on two occasions have examined the financial situation of that association." If it has not been audited, it should be. When it is audited, the minister should provide the audit to the public and to the parties.

**Hon. Mr. Norton:** Mr. Speaker, the correctness of my original response to the member for Hamilton East still stands.

#### OPP CARS

**Mr. Bradley:** I have a question for the Solicitor General, Mr. Speaker; it deals with a specific area of the province, but it will have ramifications for the rest of the province in the next few years.

In view of the fact that the township of Sarnia has purchased three Volkswagen Rabbit vehicles for use on regular patrols, and in view of the fact that the Police Association of Ontario has passed a resolution calling for the use of full-frame vehicles only for patrol purposes, would the Solicitor General indicate to the House whether he intends to issue a statement in support of the use of full-frame vehicles in view of his own concern for safety, and would he indicate to the House what the policy will be as it relates to the Ontario Provincial Police?

**Hon. Mr. McMurtry:** I was not aware of this fact being a matter of some contention so far as the Police Association of Ontario is concerned, Mr. Speaker. I have seen Volkswagens utilized for several years now by the Metropolitan Toronto police department, for example.

I can speculate as to the concerns of the Ontario Police Association, although I think they probably will be communicated to me. As the member knows, we cannot dictate to individual police forces the nature of the vehicles which they purchase. I do not know of any intention on the part of the OPP to purchase such vehicles, but I can not say that such vehicles have not been purchased. Before saying anything further about it, I would like to know in a little more detail the nature of the concerns that have been expressed by the Police Association of Ontario.

**Mr. Bradley:** Would the minister agree with me that when the government of Ontario is providing tax dollars through the Employment Development Fund to American subsidiaries, such as Ford, and to a certain extent providing assistance to Chrysler, at this particular time of high unemployment in the Canadian automobile industry, police commissions should be supporting that industry by purchasing Canadian-made vehicles?

**Hon. Mr. McMurtry:** I certainly would like to see a Canadian preference shown with respect to hiring and purchases on the part of all our citizens in this province.

#### USE OF DRUG DEPO-PROVERA

**Mr. Breaugh:** Mr. Speaker, I have a question for the Minister of Community and Social Services regarding the nonapproved use of the drug Depo-Provera as a birth control injection in some seven Ontario institutions with more than 230 mentally retarded women. Is the minister now prepared to ban the use of this drug in our own institutions in the light of the worldwide evidence linking this drug in the nonapproved use to cancer of the cervix, cancer of the breast and cancer of the uterus?

**Hon. Mr. Norton:** Mr. Speaker, I am not sure what the honourable member means by the use of the term "nonapproved use." The drug to which he is referring has never been used, to the best of my knowledge, in any of our facilities except under the supervision of a medical doctor. I will undertake to get back to him with full details on it.

I have had a number of consultations with staff on that matter. Each time I have been assured that the use of the medication has been carefully supervised and that the best advice we can get is that it is safe. I will, however, undertake to get back to him with a full account on that.

**Mr. Breaugh:** The minister apparently has some difficulty with the fact that an American

pharmaceutical corporation can manufacture and distribute a drug but cannot get approval in its own country for that kind of use. In the process of this review, will the minister table in this House the full scope of the use of this drug, the kind of consents that were involved and all of the information which he can find concerning whether this is or is not a carcinogenic agent?

**Hon. Mr. Norton:** I shall undertake to provide the honourable member with all of the information I can get. It is my recollection that the Minister of Health (Mr. Timbrell) has also undertaken to get back to the member on the same subject.

3:10 p.m.

#### CHICKEN PROCESSING PLANT CLOSURE

**Hon. Mr. Henderson:** Mr. Speaker, on Friday last, the member for Huron-Middlesex (Mr. Riddell) presented a question, and there was a supplementary question from the member for York South (Mr. MacDonald).

I am well aware of the problem facing the chicken industry in Ontario. My position, as stated many times, is that every province should have the opportunity to produce and process chicken to meet the demands for chicken in the province above the base quota allocation in the plant.

I do not feel that Ontario's 1980 quota allocation is sufficient to supply Ontario markets with fresh chicken. The Canadian Chicken Marketing Agency has cut the 1980 global allocation three times during the past few months. The most recent cut was made in April when provincial production allocations were reduced by five per cent for the third and fourth quarters.

With respect to imports, I have taken the position as Minister of Agriculture and Food that I cannot support additional chicken imports under supplementary permits. It is my view, shared by the Ontario chicken producers and processors, that any increase in demand for chicken in Ontario should be met from increased production in Ontario. The answer to the situation is a larger allocation to Ontario.

**Mr. Riddell:** Mr. Speaker, I am not sure the minister answered the question as to how he intends to save the processors from going out of business. They simply cannot compete with the cheap imports coming in.

Does the minister not agree that quotas and the price of live chicken are presenting a problem today to the processors who have indicated they are going out of business? If

we have more than enough quota now, why would the minister go down to Ottawa as a signatory and demand that there be 40 million pounds more of chicken given to Ontario? Quotas are a problem.

**Hon. Mr. Henderson:** I believe I answered that question. I suggested in my statement that Ontario should have the opportunity to supply the demands of Ontario. Under the present allocation, we are not able to do that.

#### SEXUAL HARASSMENT IN WORK PLACE

**Mr. Stong:** Mr. Speaker, I have a question of the Minister of Labour dealing with sexual harassment of female employees in the work place. The results of studies conducted by such organizations as the Working Women's United Institute and the North-western Ontario Women's Centre show that, in most cases studied, the harassers held managerial positions that included the right to hire or fire women, and that complaints of harassment led to retaliation, including the firing of 24 per cent of the women, with 42 per cent being pressured into resigning.

Would the minister amend the Employment Standards Act to impose a specific penalty on any employer or person acting on his behalf who participates in or allows an employee to be sexually harassed? Will he further amend legislation to set up grievance procedures for handling sexual harassment cases so that job jeopardizing will not result by virtue of those complaints?

**Hon. Mr. Elgie:** Mr. Speaker, I share the member's concern about the nature and the near viciousness of the problem of sexual harassment in particular cases. He probably knows very well that under the present human rights legislation, the Ontario Human Rights Commission is already hearing many cases of sexual harassment. If one looked back over the last four or five months, it has probably been one of the major complaints they have been receiving and referring to inquiries.

I think it is fair to say that in the employment context the human rights commission is addressing that particular issue. That still does not cover areas other than the employment context, and I trust that is an area I will be able to look at on another occasion.

**Mr. Stong:** As the Minister of Labour looks into this problem, will the Attorney General confer with his counterpart in the federal government to expand the present sections of the Criminal Code dealing specifically with employer and female employee rela-

tionships and urge in particular that section 153 of the Criminal Code be amended to include all forms of sexual harassment that occur in the work place and not be limited solely to sexual intercourse?

**Hon. Mr. McMurtry:** I am very interested to have the honourable member's suggestion, Mr. Speaker. There is no question that the issue he raises is a very serious one. The only question I have is whether the Criminal Code is the appropriate legislation to deal with such a problem. It may be or it may not be. But I will certainly be happy to consider it.

**Mr. M. N. Davison:** I would direct a supplementary to the Minister of Labour on this, Mr. Speaker. I was amazed by his response to the initial question by the member for York Centre.

With regard to the Ontario Human Rights Commission, is he not aware that under the current legislation only 128 cases have gone before that commission in the last 12 months? That represents something like 0.007 per cent of working women in Ontario, whereas the surveys that have been mentioned by the member for York Centre and all the other surveys indicate that 50 to 88 per cent of women face sexual harassment in the work place.

Would he not think it would be appropriate to introduce an amendment, such as I introduced by private member's bill on May 23, to amend the Ontario Human Rights Code so that sexual harassment in the work place is specifically included in the legislation? Would he not now take this opportunity to adopt the principle I put forward about a week and a half ago?

**Hon. Mr. Elgie:** With the greatest of respect, Mr. Speaker, I would suggest if the member were to speak to the human rights commissioners he would find the number of sexual harassment complaints has been increasing quite dramatically over the past few months. As for his premise that he has introduced a novel idea, that is the law now under the Ontario Human Rights Code. I am concerned about its application beyond the employment context. That is what I said I would also look into.

#### AUTO PACT

**Mr. Cooke:** Mr. Speaker, I have a question of the Minister of Industry and Tourism. In view of the fact that in a speech the minister recently gave to the auto parts manufacturers he stated he was in favour of 100 per cent Canadian value added in the auto industry



under the auto pact; and in view of the fact that the statistics that were released today indicate there is another 20 per cent increase in the deficit in the auto pact in the first four months of this year over and above last year's record deficit—the deficit has gone from \$788.7 million to \$947.7 million—what specific efforts has the minister made to convince his very good friend in Ottawa, the Honourable Herb Gray, that action has to be taken to correct this problem in order to achieve the 100 per cent Canadian value added?

**Hon. Mr. Grossman:** Mr. Speaker, I can only put the case as strongly as possible to the federal government in terms of achieving that 100 per cent Canadian value added. In terms of how we put the case, we have indicated, for example, that those kinds of requests and demands should be handled in the context of any failure by the Big Three to meet their commitments under the auto pact. The member knows that from time to time certain members of the Big Three or Big Four have failed to meet their auto pact commitments and have had to go to the federal government and often have been relieved of their explicit commitments under the pact.

One of the things we have suggested to the federal government is that as a condition of releasing them from certain obligations under the auto pact from time to time, it should seek a new arrangement in terms of the CVA requirements flowing from the auto pact.

Another proposition we have put to them is that in the longer-term situation as they go and have consultations in Washington this coming summer, we would be willing to consider any proposal the federal government puts before us which would call for some changes on the assembly side as a trade-off in order to achieve a greater degree of Canadian value added in Canadian automotive production.

Those are just two specific examples we can give of the efforts we are making to encourage the federal government to take a rather hard line on this very important topic. As I said in those speeches and on other occasions, we truly must do better in CVA because the world auto parts market is where the future lies for our province. We have a tremendous opportunity in that area.

I hope the member will join us in encouraging the federal government to take some risks in those negotiations and to seek those goals.

3:20 p.m.

**Mr. Laughren:** Where is Patrick Lavelle?

**Hon. Mr. Grossman:** He is working for me.

**Mr. Cooke:** Would the minister not agree a first step that has to be accomplished is for the federal government to agree to disclose, in an annual report, how the Big Four are performing under the auto pact? What steps has he taken to accomplish that?

Second, would the minister not also agree, since 95 per cent of the auto jobs are here in Ontario, that this government and he, as minister, have a responsibility to put in writing a formal position paper as to exactly what this government thinks should be happening in the auto industry and with the auto pact?

**Hon. Mr. Grossman:** With regard to making the auto pact compliance figures public, I called for that in the same speech to which the member referred, to the auto parts manufacturers. To clarify it, this government believes the federal government should make arrangements to release the figures regarding compliance with the auto pact and make those figures public so that this government, and the public at large, can assess the performance of the auto makers against their undertakings in the auto pact.

It seems to me that although we are faced with a great deal of political pressure in the United States with regard to some of the changes we want to mount in the auto pact, we do not have a lot of political clout on this side of the border. One of the ways to build up that sort of political clout is to establish some public understanding of how poorly we are doing on the auto parts side of the auto pact. So we believe those figures should be made public.

Second, the member put a very good question as to whether we should put our position in writing formally to the government in terms of renegotiation or further discussions of the auto pact. I am not sure about that, quite frankly. I am not sure that making public a document which we send to the federal government would help their negotiating position. It often does quite the reverse. It often arms the people with whom the federal government must negotiate with some information they could somehow use to undermine some of the points the federal government is making and sometimes to try to play us off against the federal government. I am not sure.

We are going to have some more discussions with the federal government and, at the conclusion of those discussions, we will

decide whether that sort of formal public declaration might be helpful or might prove to be a hindrance in those negotiations. Also, we must rely upon the success of the federal government in conducting those negotiations.

I cannot sit down without referring to the fact that my friend the member for Nickel Belt (Mr. Laughren) reminded me that in my earlier answer I neglected to point out we have hired the very persuasive, effective and knowledgeable Pat Lavelle to help us, both in analysing our performance under the auto pact and in speaking to his very close friends in the federal government to pressure them to achieve the goals we are seeking.

**Mr. B. Newman:** Mr. Speaker, in attempting to increase our share of the auto parts manufacturing, is the minister aware that Volkswagen, just yesterday, signed a formal agreement to take over the US missile plant in Sterling, Michigan, Sterling being a suburb of the city of Detroit, and that we now have bumpers for Volkswagens being manufactured in the city of Windsor? Has the minister or his officials approached Volkswagen in an attempt to get them to manufacture either the engines for the Volkswagen car or parts in unused facilities in the city of Windsor, for example, in the Chrysler engine plant?

**Hon. Mr. Grossman:** Yes, we have approached Volkswagen, along with others, specifically because Volkswagen has signed a duty remission agreement with the federal government. This gives Volkswagen an extra incentive to put those kinds of installations in Ontario. So we have had discussions with Volkswagen and others with regard to doing those precise things the member is talking about. I would hope, by the end of this year, we will have success with a couple of those companies.

#### ASSISTANCE TO FARMERS

**Mr. G. I. Miller:** Mr. Speaker, I have a question of the Minister of Agriculture and Food. In view of the fact that the minister announced his interest assistance program for agriculture last Thursday, does this include the tobacco farmers in Ontario? If not, does he not consider that their costs for energy, chemicals, fertilizers, et cetera, are just as great as any other farmers' costs? If they meet the criteria set up by the ministry, why should they not be allowed to participate in the program?

**Hon. Mr. Henderson:** Mr. Speaker, first, I have made it quite clear from day one that the purpose of our subsidizing the interest

was to encourage the farmer to plant the grain crops that will contribute to the food supply for the people in this province.

In response to the question, does tobacco qualify? I have made it quite clear to the chairman of the tobacco board that the portions of the crops the tobacco farmers grow that are food, will qualify, but not the growing of tobacco. It was pointed out to me that several of them grow corn, soybeans and other crops of that nature; so that portion will qualify, but only that portion.

**Mr. Makarchuk:** Mr. Speaker, can the minister indicate whether grape growers qualify for the interest supplement?

**Hon. Mr. Henderson:** Yes.

**Mr. Riddell:** Mr. Speaker, would the minister indicate where the seed producer stands in this scheme of things? How can he discriminate against other producers, such as flower producers, plant producers—the many producers who produce other than food products? They are farmers and they are contributing to the economy the same as everyone else.

**Hon. Mr. Henderson:** Mr. Speaker, I repeat, our concern was that there be sufficient food to feed the people of this province. That was the number one consideration.

#### NATURAL RESOURCE REVENUES

**Mr. Laughren:** Mr. Speaker, I have a question for the Premier. Since the Premier and his government govern by polls, may I assume he is aware of a poll done by the Ontario Mining Association and commissioned to Goldfarb Consultants, his good friends, which states that in Ontario only 27 per cent of the people polled believe that the resources in Ontario should strictly belong to the private sector? Would the Premier shuck off his free enterprise robes and take a rational, unbiased, nonstraitjacket ideological look at the whole question of resources in Ontario and take into consideration as well the recommendation the all-party select committee of this Legislature made back in 1975, which recommended the government should be taking part in new ventures in the resource industry?

**Hon. Mr. Davis:** Mr. Speaker, we are taking part in new ventures every day of the week, including the resource sector. The members opposite do not support it, but we are endeavouring to help and are receiving a great deal of credit up in the north for so doing.

I am not aware of the poll. I do not pay as much attention to polls as does the honour-



able member. The only poll is the one—well, we all know the saying—

**Mr. Laughren:** If time runs out, it isn't my fault.

**Hon. Mr. Davis:** The member for Nickel Belt is saying if he runs out of time, it is my fault. How could he say that?

**Mr. Laughren:** I'm asking the Premier to take a rational look at it.

**Hon. Mr. Davis:** One could argue whether he really expected me to agree with the question he asked me.

Listen, everything this government does is rational. It will not change; our approach will continue to be rational.

**Mr. Laughren:** I can only assume that means the Premier will take a rational look at the whole question.

Given the fact that in Saskatchewan they receive about 13 per cent of the value of their mineral production—minerals, excluding oil and gas—in the form of revenues to the province, whereas in Ontario we receive in the neighbourhood of two per cent, and given the fact that the mining industry in Ontario has never encouraged the development of a mining machinery industry—although we are number two in the world in the production of minerals we are number one in the imports of mining machinery—does the Premier not understand that is fundamentally wrong? Will he take a look at it to see if he is satisfied with those kinds of statistics?

3:30 p.m.

**Hon. Mr. Davis:** I am not satisfied that we do not manufacture more mining machinery in this province. I can agree with that. I cannot agree with the honourable member that one can compare the administration in Saskatchewan with the very excellent administration here in Ontario. There are some basic philosophical differences, and I expect those philosophical differences will continue. I have news for the member for Nickel Belt. All of his persuasive powers in the world are not going to change that.

## REPORT

### STANDING COMMITTEE ON PROCEDURAL AFFAIRS

Mr. Breaugh, from the standing committee on procedural affairs, presented the committee's report and moved its adoption.

**Mr. Breaugh:** Mr. Speaker, this report points out to the members of the House that there are some matters which need to be clarified regarding the position of witnesses before committee. The basic recommendation of the

report is that the committee seek the advice of the Ontario Law Reform Commission in this matter. In our deliberations, we found it to be an exceedingly complicated matter. We point out in the text of the report itself that there are matters in there which members of this House and, in particular, those who chair committees ought to be aware of, even in advance of any report which might come from the Ontario Law Reform Commission. We present that now for the consideration of the House.

On motion by Mr. Breaugh, the debate was adjourned.

## INTRODUCTION OF BILLS

### LABOUR RELATIONS AMENDMENT ACT

Hon. Mr. Elgie moved first reading of Bill 89, An Act to amend the Labour Relations Act, 1980.

Motion agreed to.

### CITY OF WINDSOR ACT

Mr. B. Newman moved first reading of Bill Pr17, An Act respecting the City of Windsor.

Motion agreed to.

### PROFESSIONAL FUND-RAISING CORPORATIONS CONTROL ACT

Mr. B. Newman moved first reading of Bill 90, An Act to control Professional Fund-raising Corporations.

Motion agreed to.

**Mr. B. Newman:** Mr. Speaker, this bill provides for the licensing of companies and bonding of personnel. It would require the company to file a financial statement with the minister after each fund-raising event and would limit by regulation the amount that could be charged over and above direct expenses. It is not the intention to interfere with local Red Feather, United Appeal or similar drives where much of the organizational work is of a voluntary nature and expenses incurred are a very small proportion of the total proceeds.

### ENVIRONMENTAL MAGNA CARTA ACT

Ms. Bryden moved first reading of Bill 91, An Act to establish an Environmental Magna Carta for Ontario.

Motion agreed to.

**Ms. Bryden:** Mr. Speaker, the purpose of this bill is to provide an environmental Magna Carta for Ontario. The bill permits

an action to be brought in Ontario courts to recover damages for the degradation and contamination of the environment. The bill sets out other rights relating to access to courts and tribunals, freedom of information and public participation in environmental regulations. The bill further provides for a study into methods for providing funds to persons and public interest groups for the purpose of ensuring that points of view representative of significant bodies of opinion are adequately represented in environmental proceedings.

#### CITY OF LONDON ACT

Mr. McEwen, on behalf of Mr. Van Horne, moved first reading of Pr21, An Act respecting the City of London.

Motion agreed to.

#### MARY AGNES SHUTER ESTATE ACT

Mr. G. I. Miller moved first reading of Bill Pr33, An Act respecting the Estate of Mary Agnes Shuter.

Motion agreed to.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 153, 175, 177 to 180 and 182 standing on the Notice Paper. (See appendix, page 2475.)

#### ORDERS OF THE DAY SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Hon. Mr. Wells moved resolution 10:

That, pursuant to the resolution of the Legislative Assembly of Ontario of Friday, May 9, 1980, a select committee of the Legislative Assembly of Ontario on constitutional reform be appointed to make recommendations towards the achievement of a new constitution for Canada which would satisfy the diverse aspirations of all Canadians;

And that a report of the committee be submitted to the assembly not later than October 1, 1980, with the provision that the committee be authorized to release its report during the summer adjournment by depositing a copy with the Clerk of the Assembly and that such deposit shall be reported to the assembly on the resumption of the session;

And that the committee have power to print such papers and evidence from day to day as may be ordered by the committee;

And that the committee have power to call for persons, papers and things and to examine

witnesses under oath, and the assembly doth command and compel attendance before the said 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;

And that the committee have power to adjourn from place to place and be empowered to employ such assistance as it deems advisable, subject to budgetary approval by the Board of Internal Economy;

And that during the summer adjournment of the assembly changes in the membership of the committee may be made by notification in writing to the Clerk of the Assembly by the government House leader, or any member named by him, with respect to government members, and by the opposition House leaders, or any members named by them, with respect to opposition members;

And that such changes in the membership of the committee be recorded in the Votes and Proceedings of the assembly when Parliament resumes;

And that the committee be composed of 15 members, as follows: MacBeth (chairman), Campbell, Conway, Di Santo, R. F. Johnston, Leluk, McCaffrey, Ramsay, Renwick, Roy Samis, Sweeney, G. Taylor, J. A. Taylor, Villeneuve.

Mr. Roy: Mr. Speaker, I should mention that, apart from the ordinary vocal support of the resolution, this party participated with the minister in drafting the resolution and we look forward to participating in this committee. With the time frame that has been set up, with the terms of reference that have been indicated in forming the select committee and, if I may say without sounding too pompous, with the quality of the members who are going to be on this committee, we look forward to making a positive and worthwhile contribution to building and drafting a new constitution, which is so badly needed for this country.

We have embarked on this process in the spirit that exists in the country. Knowing that our time frame is limited, our contribution, like the contribution of everyone, is extremely important. I would like to put on the record that we in the Liberal Party of Ontario, on June 3, 1980 were wholehearted and active participants in this process.

3:40 p.m.

Mr. MacDonald: Mr. Speaker, obviously I would endorse all the very noble sentiments the honourable member has just uttered.

I would add another point, however; for some two years we in the New Democratic Party have sought this kind of committee in order that all members might have an input in shaping Ontario's contribution to constitutional reform. We are delighted that once again common sense has finally triumphed.

**Hon. Mr. Wells:** Mr. Speaker, I would like to acknowledge the help and assistance in drafting this resolution of the member for Ottawa East (Mr. Roy), the member for York South (Mr. MacDonald) and the House leaders of the other two parties. I think this resolution setting up the select committee as a continuation of the week-long debate we had on the constitution here in this House, and of the spirit that surrounded it, represents a further step along the way as all of us strive to work towards a new constitution for Canada and to do what we can for Canadian unity.

Motion agreed to.

#### CITY OF BRANTFORD ACT

Mr. Makarchuk moved second reading of Bill Pr26, An Act respecting the City of Brantford.

**Mr. Speaker:** Shall the motion carry? All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

**Mr. Roy:** We want to say a few things about it.

**Mr. Speaker:** You are not going to say them now.

**Mr. Roy:** Mr. Speaker, I would ask the—

**Mr. Speaker:** I put the question, "Shall the motion carry?" There was no debate.

**Mr. Roy:** We said "nay."

**Mr. Speaker:** That's right.

**Mr. Roy:** Mr. Speaker, if I may have the indulgence of the chair and of the House, some of us have comments to make on the legislation on second reading, and I think this is the proper time. If through a quirk of what happens in this assembly the time has gone by, I would ask for your indulgence, Mr. Speaker, because some of us have comments to make. I think a good number of members have something to say on the bill, and if this is the right time I would like to proceed.

**Mr. Speaker:** Proceed.

**Mr. Roy:** Mr. Speaker, I have read Bill Pr26, and I have discussed with my colleagues the importance of this legislation. Especially because I have relied on my col-

league the former leader of this party, I have no doubt about the importance of this bill and the impact that downtown redevelopment will have on the city of Brantford. There is no doubt about that. I think there is unanimity on that point. The whole redevelopment is extremely important and is something the city of Brantford has been waiting for for a long time. We are certainly in support of that.

Regarding the sentiment of the bill, the intention of the bill is to circumvent the long cumbersome and at times tedious process of the Ontario Municipal Board. Again I can see merit to this approach. I have no qualms at all in saying that there are times when I see the whole OMB process as being ridiculous in certain situations. So I understand that.

Our other concern is the process of appeal from the OMB. The Ontario cabinet in 1980 is sometimes involved with appeals on issues that should never be before cabinet. I understand the frustration of the initiators and the people supporting this legislation. I understand and support that sentiment. But I think some of my colleagues here will have the same reservations as I have, that the approach taken by Bill Pr26 possibly is not the proper approach.

For instance, if I read the legislation correctly, I see section 2 doing away with Ontario Municipal Board approval in relation to borrowing. In other words, this whole process involves a large amount of public funds. Section 3(3) of the legislation does away with Ontario Municipal Board approval as far as any redevelopment plan is concerned. That is cause for concern. Finally, section 6 of the bill does away with Ontario Municipal Board approval in relation to parking. There is no doubt that by passing this legislation, this Legislature will be taking away this participation and all forms of hearings.

If I look at Hansard and read the debates that have taken place in the committee dealing with this bill, and if I look at some of the discussions which have gone on between my colleague the member for Brantford-Norfolk—I always forget the riding—

**Mr. Nixon:** I obviously made a very big impression on him.

**Mr. Roy:** He did, Mr. Speaker. It was much easier when the riding was simply Brant.

**Mr. Nixon:** Why don't you just call it that?

**Mr. Roy:** Yes. My colleague asked some questions of the solicitor for the city of

Brantford, and I want to read pages 13, 14 and 15 of Hansard for May 21, 1980, where my colleague stated very clearly and succinctly what Bill Pr26 said. He asked, "Is it your impression that the passage of this bill will set aside all other obstacles, both for the financing and the approval of one plan?" Mr. Wilson answered, "I think it would set aside all the legal obstacles to proceeding ...."

Mr. Nixon went on to ask at page 15, "Just for further clarification, at least for myself and for people who have asked my view on this, I believe this bill would mean any further reference to the municipal board or any hearing officer other than an expropriation hearing for monetary considerations, would not be possible." Mr. Wilson answered, "That is correct."

The next question by Mr. Nixon: "I think we should have that clear. This bill is the final authority for the whole works." Mr. Wilson answered. "That is right."

There is no doubt that the passage of this bill will for all intents and purposes take away any legal obstacle; it will take away any right to a hearing and any right to an objection. Those who may have their rights affected, property or otherwise, will not be afforded the opportunity to come before a hearing, to come before a board, to object to what is going on in the redevelopment plan in the city of Brantford.

I have looked at Hansard of the proceedings that have taken place before the committee of this Legislature, and as I read briefly it became obvious that was not the forum for people who were objecting to the legislation. It was not the proper forum for people to bring forward their objections. My colleague the member for Brantford (Mr. Makarchuk), who is presenting the legislation, stated that we should stick to the principle of the bill, that this was not the proper forum for people to start talking about how their stores were going to be affected, the size, the zoning and that sort of thing. It was not the proper forum. The chairman of the committee at that time agreed with him.

I do not think I should take the time of the House to repeat these things, which are reported in Hansard, but the fact is that is what has taken place. The question has to be asked: What is it about this legislation, what is it about what is going on in Brantford that would compel the Legislature of Ontario to take away that right? What is it about this whole process? What is it about this redevelopment plan that would ask us to pass legislation to take away a right that

has been established and accepted now for so many years?

3:50 p.m.

I have been asking people and the answer has to be that it is the people involved in the project. Campeau Corporation is one. It has an outstanding reputation in Ontario, and I can say without any hesitation the work Campeau has done has been good. The company originated in Ottawa, I understand. Apparently Campeau Corporation and T. Eaton Realty Company, another company which has long been associated with not only the history of Toronto, but also the history of Ontario and Canada, have set a deadline saying, "If something is not approved by a certain date, we are going to pack up and make investments elsewhere."

We are being asked, and this is my reservation, to take away existing rights on the basis of expediency—rights which for so many years, the Legislature of Ontario had established as being important; rights which were established not only in the Municipal Act and Planning Act, but also in the Ontario Municipal Board Act. If people wanted to have input or wanted to object to what was taking place in their community, if their property or other rights were being affected, those rights afforded them an opportunity to object.

We are taking those rights away in Bill Pr26, and I have strong reservations about that. I have strong reservations about creating that sort of precedent. It is the old dictum that hard facts sometimes make bad law. I am reluctant to give support to this type of legislation.

I understand my colleagues who say it is important that we proceed with the redevelopment plan in downtown Brantford. I understand how difficult it has been. But I do not think we should agree that the Legislature of Ontario will be party to establishing this sort of precedent.

In my opinion, we would be creating a bad precedent. I can cite situations involving many of my colleagues who represent other areas of the province, and I can talk personally. There is a redevelopment plan for downtown Ottawa. Are we going to be asked at some time to do the same thing? Is there a plan for downtown Kingston? For downtown North Bay? Are we going to pass legislation for expediency's sake that will take away a fundamental and basic right?

I say with the sincerity and faith that I can express this sentiment, that these are matters of great concern. Sometimes, given very difficult facts and given very difficult

circumstances, it appears on the surface of things that we are acting reasonably and with justice. But by accepting the principle of Bill Pr26, we are establishing a precedent in the Legislature of Ontario in 1980 that we do not want to establish.

Some people have mentioned that similar legislation has been accepted for the city of Thunder Bay. However, I am told that there were no objections to the legislation. Even if people do not object, I have certain reservations about taking away rights that have been established under legislation.

As far as the redevelopment plan is concerned, it may be that this is the best thing, even if there were a hearing. It may be that it would be approved without any change. It may be that the plan itself just does not make sense and should not be allowed to proceed. Or it may be that the plan will require some changes or additions. But we will never know, because there will be no hearing, and those people affected will not be given an opportunity to speak.

We have not heard from the companies. We do not have anything on record; we do not have any agreements. Apparently the companies did not come before the committee. But I do not think the Legislature of Ontario should be subject to the pressure of large corporations coming along and saying, "If this is not approved by such and such a date, we are pulling out." We should not bend to that. We should not establish a precedent of this nature for the basis of expediency.

I find it is passing strange, and I say this with sincerity to my colleague from Brantford—he states that it is important; I know of his participation, and he wants to pass this legislation—that, for instance, there has been some process of expediency, or at least some pressure put on to cut back the period of publicizing or advertising this legislation.

In other words, the urgency with which this has been brought forward by the member for Brantford has been obvious. I find it strange, and I do not know how his colleagues in the caucus react to this, because they are the people who have built a reputation of being what I consider to be the defenders of civil liberties, the defenders of people who may be affected by large projects. They are the people who, time and time again, stand in this Legislature and talk about the small, the poor and the oppressed and how they need defending.

This type of legislation is not for those people. It is not for people who have no money, who say they are going to go bank-

rupt or who do not have the funds to appear, day in and day out, before the Ontario Municipal Board. It is not for those people that we are bending the rules and setting a precedent. It is for people like the Campeau Corporation and the T. Eaton Realty Company—big business.

I have strong reservations about that. They are the people who talk about the importance and sacredness of public participation, yet that party, as I understand it, will be supporting this.

**Mr. MacDonald:** Now I know why the member didn't win the leadership.

**Mr. Roy:** Well, now I know why that member is no longer leader of that party.

I have great reservations about people who talk about public participation. They are the same party and the same caucus who, by this legislation, Bill Pr26, will be denying this public participation.

I find it ironic indeed that one member, on the very same day we are asked to pass Bill Pr26, was talking about a Magna Carta for the environment. How ironic that is.

Some people's principles may be flexible; we have seen that before. But I want to say, and I am sure some of my colleagues agree with me, that we have strong reservations, no matter what the basis may be. We think that it is important for the city of Brantford to have this project. We think it is important to have people or corporations to participate in it but, in the process of doing that, we do not think it is a good precedent.

We do not think the Legislature of Ontario, on the basis of expediency, should deny people rights that have been established by this Legislature. This is why we have reservations and this is why I, as one member, cannot support this legislation.

**Mr. McGuigan:** Mr. Speaker, I rise to speak against Bill Pr26, An Act respecting the City of Brantford.

I would first like to declare that I do not have a downtown redevelopment plan in my riding and, while I could not rule out such a possibility, it is rather remote, because the largest town in my riding is just under 5,000 in population. I have no local political position either for or against such a development.

As a member of the standing committee on general government for the past three years, I have found it a very interesting and educational experience because a great variety of problems and pieces of legislation come before that committee. I have found it a great education, but I have not found anything in that education, although perhaps other mem-

bers have, that would make me an expert on city planning, an expert on whether the city of Brantford or any other city required a downtown redevelopment, whether they needed more retail space and what the social and economic considerations would be for the city.

4 p.m.

I found, at least as far as this particular member was concerned, that it was not an appropriate forum for discussion of this matter and that the people on the Ontario Municipal Board presumably would be far better qualified to have made such a decision.

I voted against the bill in committee, and I am speaking against it now. It is not a question of whether Brantford should have the development, but whether the Ontario Municipal Board should be bypassed and the standing committee on general government used for this purpose.

The reason advanced was that time was of the essence; that the Campeau Corporation and the T. Eaton Realty Company, to use language that is readily understood, would pick up their marbles and go home. The city did not present any hard evidence to support such a case. They presented no memoranda of understanding, giving dates that would be deadlines. They presented no leases or agreements towards leases that would have deadlines. So I failed to be persuaded that time was of the essence.

If there had been no objectors to the undertaking, I think one could have said it apparently did not meet with objections of people in the town and so probably there would be no reasons we should not support it. But there were some very serious objectors. They were not objections of a frivolous nature. They were from very serious people.

The counsel for one of the objectors objected very strongly to the treatment he received at the hands of the committee chairman. I am not seriously faulting the committee chairman, given the very short time we had to deal with this problem, but the counsel was not given the time to present his case.

He has written a letter to that effect, which I have in front of me. I want to read one paragraph from this letter, which is from the firm of Vaughan, Willms. He says: "I appeared before the standing committee on general government on Wednesday, May 21, 1980, but, in a shocking series of rulings, the chairman prevented me from making any meaningful defence of my client against this bill."

It seems to me, following up on the remarks of the previous speaker, that we cannot, in

good conscience, pass this bill in this Legislature.

Mr. Cureatz: You didn't complain. You were on the committee.

Mr. Riddell: He voted against it.

Mr. McGuigan: I voted against it.

Mr. Cureatz: You should have voted against it in the committee.

Mr. McGuigan: I certainly voted against it. The member is well aware of that.

Mr. Riddell: Why doesn't the member opposite stand up and speak on it?

Mr. Cureatz: I am tempted to; you will see when the vote comes.

Mr. McGuigan: Mr. Speaker, I was not making a serious criticism of the chairman of the committee, although perhaps I should have.

Under the circumstances, with the very little time that was available, I felt we did not have the time to give this gentleman an opportunity. Surely he deserves the time. It is for that reason that I am very sympathetic to the position he has taken in his letter.

A further consideration, as far as I am concerned, is that I can agree to the taking of private property, when it is taken in the public interest for a road, a pipeline or any other purpose, but only after very extensive and serious public hearings. I have a great respect for public property, but I recognize the crown does have the right to take it. I cannot see that in the one day when we had so much evidence presented to us we had given the thought that needed to be given to it.

We are not even dealing with the taking of private property to be turned over to a public utility. We are talking of the taking of private property to be taken over by the city and then leased to a commercial interest. Perhaps they are not selling it to the other commercial interest, but at least they are leasing it and the use of it goes from one commercial owner to another commercial owner. I simply find that very hard to take.

I raise the question of other municipalities demanding the right to take the same route through the general government committee for whatever undertaking they have that they might see as very timely and having to be done immediately. It would appear it can be done so much more cheaply and much more effectively if this bill passes. It is undermining our present system. Perhaps the Ontario Municipal Board is not the most perfect system in the world. If it is not, I would suggest the remedy to that is to pro-



vide legislation to make more than one panel of that body or provide more facilities to speed up its operations. But I do not think bypassing it is the answer.

I cannot accept the argument that the delay would be fatal. I happen to have enough belief in a free enterprise system and in the economic system to believe that wherever there is money to be made people will invest in such enterprises. I cannot believe that in Canada, which is the greatest nation of savers in the world—we put away about 10 per cent of our income each year in savings banks—there is any shortage of funds.

**Mr. M. N. Davison:** Blind faith in the capitalistic system will save Brantford.

**Mr. McGuigan:** I have to say that I cannot believe the city of Brantford presented a case that convinced me or should convince other members of this Legislature.

**Mr. Mancini:** Mr. Speaker, I also wish to participate in the discussion concerning Bill Pr26, which is An Act respecting the City of Brantford and its proposed downtown redevelopment. As a member of the standing committee on general government, from the beginning I was involved in the discussion of this particular bill. There are several things that bothered me a great deal about this private bill.

One is that two weeks ago, when the bill was first to be heard before the committee, we were told by the member for Brantford that we had to hear the bill on that particular Wednesday without regard to the people involved in the downtown redevelopment who had to stay in Brantford for other reasons. What we were asked to do on that day was to disregard the rights of anyone who wanted to object or wanted to make a presentation on the reasons he wanted to object. However, the committee thought better of such a proposal and delayed the bill by one week so that small businessmen and individual citizens of the city of Brantford, if they wished, could come before our committee. I find it highly suspect that a member of the Legislature would want to take that particular right away from anyone. He should at least give the individuals the right to object.

4:10 p.m.

When the committee in its wisdom decided that we should delay the hearing of the bill for a week, I was frankly surprised at the number of objectors and their varied backgrounds. We had people from small business. We had one of the municipal

representatives from Brantford. We had several concerned citizens from a wide range of life at our committee hearing objecting to this bill, Bill Pr26.

What they were objecting to was not the downtown redevelopment. It was that they were losing their right to go before the Ontario Municipal Board to get a full hearing. They were not objecting to the fact that Campeau and Eaton's wanted to have this development occur in Brantford. They felt, as citizens of that city, that they have as much right to speak for Brantford as does Campeau and Eaton's.

There is a second matter which bothered me greatly, and that is the way the New Democratic Party members were lined up like dominoes in the committee to ensure the vote would carry. I have never seen such substituting in any committee before as the substitution that was displayed by that party. They showed complete disregard of the fact that the objections were valid and were not being heard before the standing committee on general government.

As it was so eloquently pointed out by the member for Kent-Elgin (Mr. McGuigan), we in the standing committee on general government did not have the time or the expertise to go thoroughly over the downtown redevelopment plan the way the Ontario Municipal Board would, can and should. For those reasons alone—for only those reasons of ensuring the rights of those citizens are not taken away—Bill Pr26 should not pass this Legislature.

It was also mentioned in the committee that the developers themselves, I believe, or some group on the pro side had cancelled an OMB hearing for this project which was already set up. Frankly, the argument that time was a factor does not warrant that this bill be passed in the House.

Campeau and Eaton's are large corporations. They have developments in many cities across Ontario. They know what the regulations and the procedures are. They know that in developments such as this they must go before the OMB. Actually they are holding the municipal council hostage by telling them unless they back their proposal to the hilt—even take it so far as to the Legislature of Ontario—they will back out.

The only reason Campeau and Eaton's would want to build a huge store in the city of Brantford is that they feel they can make a profit. They certainly would not have this plan before the city of Brantford if they thought they were going to lose money. If the plan is viable today for a profit motive,



I assume it is going to be profitable six months or a year down the road.

I suggest it is the government which has the ultimate responsibility of things such as this on its shoulders. If what we need is a clear and immediate decision, why does it not ask the OMB to have a hearing immediately? I know there are many cancellations of OMB hearings, and possibly something could be done. Possibly the Minister of Intergovernmental Affairs (Mr. Wells) could write a letter to the chairman of the OMB stressing the urgency of the matter and have them hold a full and complete hearing.

At least in that way we would have all of the objectors heard because frankly I was embarrassed by the activities of the committee—not of any particular member, but of the time constraint that we had. We had delegations before us, and the first thing the chairman had to say—not because he wanted to, but because he was forced into it—was that the committee would like to restrict their comments to 10 or 20 minutes.

That is no way to be heard. I know the chairman did not want to do that, and I know the members of the committee did not want to do that. The standing committee on general government is not the place in which to have this kind of bill pass. We are not experts in downtown redevelopment and we are not experts in taking testimony from witnesses such as those. I can assure members that the solicitor for one of the delegations that appeared before us probably could have made representation for the better part of half a day, but he was restricted to 20 minutes.

If the T. Eaton Realty Company and Campeau Corporation wish to build a downtown centre in the city of Brantford, if they wish to construct a mall so that their corporations can profit, then I say they should go by the regulations. They should appear before the Ontario Municipal Board.

There is another important matter I would like to bring up. I represent 12 municipalities. Some of those municipalities may have already undergone downtown redevelopment; some of them may want downtown redevelopment; and some of them may have to go to the OMB for other reasons. This precedent-setting bill is going to encourage all of the municipalities to seek out their local MPPs and ask them to introduce private bills such as this so that they can avoid going to the OMB as a matter of expediency.

Mr. Speaker, I say to you, to the chairman of the standing committee on general government and to all its members that we are not

the committee to hear such matters. We should not set the precedent whereby we handle private bills for municipalities which we may represent in order to circumvent the power and authority of the OMB. If we do not like the way the OMB is operating or the time it takes to hear a case, let us appoint more commissioners and let us make the changes that are necessary, but let us not use the standing committee on general government as a tool to circumvent the OMB.

With those few comments, I think all members should think clearly and seriously before they vote to support this particular bill.

**Mr. M. N. Davison:** Mr. Speaker, when you have an opportunity later on, I wonder whether you would review the remarks made by the diminutive member for Essex South (Mr. Mancini). As I heard him, he stated in his remarks that the actions and activities of the member for Brantford before the standing committee on general government were highly suspect. Would you look at Hansard when it is printed and consider whether that breached the privileges of the member for Brantford?

**Mr. Speaker:** I was listening very carefully to the member for Essex South, and I did not detect that he was accusing any member of this assembly of an impropriety. That was the impression I got. Perhaps the member can confirm that.

**Mr. Mancini:** Mr. Speaker, if I said anything in my remarks to which the member for Brantford or any member of his party would take offence, I would withdraw those remarks. At the same time, if the particular member who just rose wants to make comments as to my particular height, that in no way offends me.

**Mr. Epp:** Mr. Speaker, I was not going to comment on the bill, but I am going to make a few short comments. There are a number of members from this House on that committee who voted in favour of that bill and a lesser number who voted in opposition to it. I felt I was betwixt and between on that particular issue. Although members of this House have drawn the attention of the Speaker to the fact that this bill perhaps should not have come before the committee, nevertheless it was there and it was something we had to deal with.

4:20 p.m.

In being there and hearing the case for Brantford, which has been seeking redevelopment of the downtown core area for a number of years without any great amount of success, I feel this particular fact had to

be taken into consideration. They have now had a commitment by two large developers to go into Brantford and spend a considerable amount of money to give that core some kind of redevelopment.

As we know, across this province and across North America, there are a lot of municipalities whose downtown areas have suffered from decay. New plazas have been built on the outer perimeters of those municipalities and they have drawn the attention and the money from the citizens. As a result the smaller businesses have suffered.

I know that in my own municipality as well as in a number of other municipalities across this province, developments have gone in and given an impetus, acted as a catalyst to draw other money to the downtown areas and therefore have given that particular core area a new lease on life. That happened in Waterloo back in the late 1950s. It has happened in Kitchener, Toronto, Hamilton, and Windsor. It is happening in smaller municipalities. It happened in Ottawa. This has been very important to give a new lease on life to the downtown areas.

Brantford has been seeking this for at least 15 years. There has been a lot of effort by the council, and in this case the council almost unanimously supported this particular project. The other important thing which bears on my decision to support the bill is the fact that the Ontario Municipal Board had been very slow in reacting to requests for hearings on this matter. As regular procedure with the Ontario Municipal Board, we know it takes about six months to establish a date for a hearing and then another three months or so actually to get the hearing. That is, as a general rule. If one has a certain amount of clout, as I know you have, Mr. Speaker, or as other members of this Legislature have, they can call up the chairman and say, "Look, will you act a little more quickly on this particular project and have a hearing maybe within a few months?"

I do not think 25 or 30 commissioners of the Ontario Municipal Board are a sufficient number to hear the various hearings. As my colleague from Essex South has pointed out, they should appoint more people to the Ontario Municipal Board. But I do not have that power, nor does the Legislature. The executive council has that power, and it refuses to appoint more people to the Ontario Municipal Board to expedite the various cases. They can find money for all kinds of ads. They can spend money frivolously across the province for various things. But they cannot pay another 10 commissioners or five

commissioners the additional money to update the various hearings.

It is like anything that you do, Mr. Speaker, as far as correspondence or anything else is concerned: one can always be six months behind. That happens to be the policy of the Ontario Municipal Board. Why the devil they do not appoint half a dozen more people to be updated as far as hearings are concerned, I do not know, but they simply do not do it. I think the people across the chamber are responsible for it. The Minister of Natural Resources (Mr. Auld) is there, the Provincial Secretary for Social Development (Mrs. Birch) is there, backbenchers are there; they could draw it to the attention of the cabinet to appoint more people, but they refuse to do it for some odd reason and things are delayed. That is why this matter was before this committee and that is why the various members had the dilemma they had with respect to trying to deal with this very important case.

Had we been assured that the OMB could deal with that matter within a month or two, and the work was done as far as preparing the briefs—and I am sure the work was done by the various lawyers to make the presentations—then this whole matter could have been dealt with by the end of July or August. There was a sincere feeling by most members of the committee that this thing was going to drag on for six months to a year. In fact, the evidence before the committee showed us that it could drag on for up to two years.

For the sake of Brantford, I felt this development should go ahead. I am a great believer in local autonomy, and the council in their wisdom felt, after many, many years of hard work, of trying to get development to the downtown area, that they were finally successful in attracting a very good development and one that would act as a catalyst for the Brantford downtown area.

With those remarks, I want to indicate that I am going to support this bill. I know I am in opposition to some of my colleagues, and I regret that; nevertheless, I feel very strongly that Brantford wants and needs the development, and I am going to support this bill.

Mr. Ashe: Mr. Speaker, I rise in opposition to the bill that is before us. I am a member of the committee that considered it. I had the advantage, as the other 11 members did, of hearing the pros and cons put forward, and the more I heard the presentations by both parties, the more I was concerned about the principle of this bill.

In my view, there is no disputing what is happening in downtown Brantford: the aspirations of the council and of the people of Brantford to redevelop their downtown in a legitimate manner. I am concerned about the ramifications of passing this bill.

I have had many years of municipal experience, as have many members here. We have dealt with municipalities, with the Ontario Municipal Board, and with developers. Out of that experience two paramount things have risen. First, virtually nobody in the development business likes to submit his ideas and plans to the scrutiny of the public process, particularly as it relates to the Ontario Municipal Board.

Second, I think it is fair to say that people involved directly in the development business are in the business for one reason—and I do not dispute that reason—to make a profit. If they do not make a profit, they are not going to stay in business. We do not think profit is a dirty word on this side of the House, and neither do many members opposite. It is for some, but not for me. That is the other thing I learned in my many years of municipal experience.

The principle of this bill violates both those concepts to the nth degree. We are trying, through this piece of legislation to go against the wishes of a relatively small minority, and I acknowledge that, but it is apparently a significant and influential minority in terms of the business community of Brantford. We are not giving them the opportunity to go through the due process that virtually every other development must go through: the scrutiny of the Ontario Municipal Board. I will not argue about the pros and cons of the OMB and the time element and so on. I have some problems with that operation as well. But if we say “yea” to circumventing that process on this bill, how are we going to say anything different when a bill comes forward from the XYZ municipality next week, the ABC municipality the month after and the DEF municipality the month after that, for the same valid and legitimate reasons?

I find it particularly intriguing that suddenly we have two very influential and high-profile developers who appear to have a great liking for the New Democratic Party. I find that very difficult to understand, although refreshing to a great degree, but nevertheless puzzling, particularly when the mover of this bill—and I appreciate that he represents this constituency—literally forced an Ontario Municipal Board hearing in a jurisdiction which he did not represent, but

which was not too far removed from the one he did represent, at great expense to that municipality and to the participants.

4:30 p.m.

All of a sudden this same member is in support of a piece of legislation that would take away the democratic right of the people of downtown Brantford and others who may feel they have some input to make to the Ontario Municipal Board and to the process, by trying to circumvent the process that has been there and stood the test of time. I find that very difficult to comprehend, to the point where it bothers me. If the bill had come forward from some other part of the House, it might not be as suspect, but under the circumstances I am afraid that it is.

Getting back to the proponents, we all know the reason it is being put forward. If it is not passed by a certain time, the developers are going to pick up their marbles and go home. That comes back to the second point, from my previous experience in the municipal sector. If this is, as it is purported to be—and, as a matter of fact, I do not challenge that it probably is—a good redevelopment for the downtown community of Brantford, then I am quite sure—in a few months, or even a year, and we have many suggestions that it would not have to be that long—it would stand the test of time.

The particular people involved in the development, namely, Eaton's and Campeau, would not pick up their marbles and go home. They would present their case in the due process, receive approval or otherwise in the due process, and if there is a profit to be made in the proposal, I am sure they will be there to make it at the end, just as well as they would at the beginning.

The other part of that same process that disturbs me is the information that was drawn to the committee's attention both during and since the representations last week and the week before. There has been apparently, on at least two occasions earlier this year, time set aside by the OMB to have hearings relative to proposals for the redevelopment of downtown Brantford, and both have been postponed at the applicant's choosing.

**Mr. Nixon:** The developers withdrew. That is their experience.

**Mr. Makarchuk:** They cannot have a hearing on nothing.

**Mr. Ashe:** The players are changing as we go along, but the project is basically the same. I suggest that somewhere along the line, probably even if the players had

changed but they were still talking about the same proposal, it would not have been too difficult to change slightly what the OMB was prepared to hear. Just changing the proponents would not be an insurmountable problem.

The most important reason that I cannot support the bill, besides all the other areas I mentioned, is the sincere and deep concern I have—and I will be parochial for a moment—about going back into Pickering, Ajax, or Whitby, knowing they are in similar situations with their development proposals. Granted these are not usually redevelopment proposals, with one exception that could happen and is happening in downtown Whitby. How could I go back to them and in all conscience point out the logical, reasonable, rational and democratic process they and the proponents of development and redevelopment have to go through, when this Legislature supported by my vote—but it will not be—could agree to the circumvention this piece of legislation is trying to accomplish? In all conscience, I cannot do that, and I hope sufficient members of this Legislature feel the same.

Mr. Nixon: Mr. Speaker, I rise in support of the bill, having at the same time the highest regard for the objections expressed by my colleagues and by the honourable member who just took his place. I want to explain to you, Mr. Speaker, that I do not have the honour of representing any of the citizens of Brantford. My constituency of Brant-Oxford-Norfolk, however, surrounds the city. It is the hole in my democratic doughnut.

The city of Brantford, however, is my town. We read the Brantford Expositor, we listen to radio station CKPC, I attended school there, my kids went to school there—at least for a period of time—and I have always considered myself deeply involved with its affairs.

For more than a decade the downtown area of Brantford has been deteriorating. We are not here to lay blame nor to assess blame in this regard, since many cities have experienced this. But I hope I am not too far out of line nor too unwise in saying the downtown area of Brantford is as far deteriorated as any other city in this province. There are many stores that are closed. Many buildings have burned, including the historic Kerby House Hotel, which was 150 years old. A couple of other hotels have burned—

Mr. Makarchuk: That's where Sir John A. started his campaign.

Mr. Nixon: That is of more interest to him than it is to me.

We also have plenty of parking lots. There were specific municipal decisions which, in my view, even hastened this decay and deterioration. The council in its wisdom many years ago decided to tear down the historic city hall, a very fine structure, and it was torn down. The square around it, which had the farmers' market, was paved over. The market, operated by local farmers, was moved elsewhere and we have had that nice square of asphalt ever since, beautifully marked with two hot dog stands—actually potato-chip stands—one on either corner, which was the main prosperity of that formerly interesting block.

The city itself built a fine new city hall—a beautiful building, in my view; I have no complaint with that at all. But the idea was that by clearing out this centre square, we would be able to get some retail developer to come in and begin the rejuvenation of the downtown area. Unfortunately, that did not happen.

There have been a number of near commitments from developers, and in two or three instances the commitment was close enough for the city to apply for an Ontario Municipal Board hearing having to do with the development that private enterprise wanted to undertake. The city very properly undertook the responsibility to assist with the assembly of land and to provide parking. That is what they are already prepared to do. But in both the instances that have been referred to, where municipal board appointments had been established, the developers withdrew because of lack of interest, lack of commitment or lack of capital for the kind of development they had in mind.

It hurts me to say so, but I would say that the development of downtown Brantford is not the greatest profit-making plum that was ever thought of and until, for some reason, Eaton's and Campeau came along with a large amount of capital and a tremendous desire to undertake that development, there was just no one who was particularly interested in a program that was going to get the approval of the local council and be properly funded.

Frankly, I was very disappointed indeed that one local developer, by the name of Homestead, which had taken a substantial initiative and which did have the support of the local council, was not included in the final plan. It turned out that Homestead, which had assembled a good deal of land and had the advantage of this local position,

was advised by the Minister of Housing (Mr. Bennett), or at least by his officials and by the officials of the city of Brantford, to get a major retail outlet—I don't know what they call them—or an anchor outlet to give some heft and substance to the business alternatives that would be developed there.

Campeau came in and there was great rejoicing. Campeau brought Eaton's. Campeau said, "We want half." Eaton's said, "We want half." Which meant the local developer did not have any part of the pie left. I do not understand that. I do not associate with the big developers; I have never had a chance to do so. The Eaton family has never been associated with any endeavours that I have been associated with, and I do not have any great loyalty to the Eatons, the Bassetts and the crowd that run around Toronto and Ontario parlaying their fortunes into whatever else they can think of.

Campeau is a well-known supporter of governments, and there is nothing the matter with that, because they have done that, I suppose, for a good long time. I have no sympathy in that respect with either of the developers, except they have shown an interest in the development of Brantford to the extent that they are going to make a commitment of \$12 million.

This has led the Minister of Housing to change his position slightly. In the downtown redevelopment program he had made a rather reluctant commitment of something less than \$3 million with a specific time limit on it, and as the developers came—

Mr. Makarchuk: It was \$13.4 million.

Mr. Nixon: It was \$13.4 million from the major developers, I am informed by my close friend and associate from Brantford, without whose advice I rarely make a comment here in the Legislature.

4:40 p.m.

When it became apparent that major developers, particularly Campeau and Eaton's, were going to get involved the Minister of Housing all of a sudden saw the light. More than \$6 million was made available to Brantford, for which we are deeply grateful, and the time limit was extended from three months to six months, I believe. It looked as if the government was very interested in this. Certainly the city council was interested in it. After all these years of deterioration and a lowering of assessment, almost to the point of despair, we could see a real opportunity for development there.

Under the normal Ontario Municipal Board procedures, two appointments had been

made, but before they got to the meeting the developer had to withdraw for some reason or another. So the city came to the conclusion that under the normal rules and regulations and laws applying in this province, the downtown development might never come about.

We have a time-honoured procedure in this jurisdiction that whenever general legislation does not fit the needs of a corporation, municipal or otherwise, they have access to private legislation to remedy something that does not work in general legislation. We have before us a private bill that is designed to remedy these problems that I have very briefly described.

There is a lot more to it, obviously. I have just been an outside observer, not involved in the business of the council during these years of deterioration, the way the member for Brantford was.

We in this House should not be carried away by our commitment to the application of general legislation when there is a clear alternative—private legislation—for giving remedy to special cases. The Legislature deals with these private bills every session, and this happens to be one of those.

The city council, with the best advice and best judgement they have, democratically elected and committed to the welfare of their own city, felt they should ask for this legislation.

The people in the standing committee on general government who feel the hearings were inadequate, in my view, are under the impression that those hearings were to replace an Ontario Municipal Board hearing. The principle of the bill was to dispense with the Ontario Municipal Board hearing and allow the city of Brantford to proceed with the plan as laid out. It has specifically referred to the plan involving Eaton's and Campeau, and there is a booklet of information about the bylaws and zoning that is associated with it.

There are many aspects of this plan that I do not like. Mr. Ben Kanter, one of the major objectors who came to the committee, has put forward his objections very strongly, locally and before the committee, through his lawyer. The Ferras brothers put forward their own objection. They had checked with the city about a year ago to say, "We want to build a new store, the OK Shoe Store, right on the main square of town." It is a family that has been in business for 50 years. They finally got the capital together to buy their land, build their own building and move the OK Shoe Store to this new location.

It is a very prosperous store indeed, and the Ferras brothers were very influential representatives at the committee meeting. They said: "We got approval from the city about a year ago. We've put up this building. Here we are doing business, and now these outside interests come in and tell the city, 'We want that land,' and the city says, 'Yes, we will expropriate it for you.'"

I do not blame them for objecting, but under our system they are going to be paid for all of that. In addition to that, I believe the city has a responsibility to see that these businessmen are properly relocated so that they can do business in a profitable and expanding way, as they were when they faced this situation.

Under those circumstances, frankly, I gather that the Ferrases and others were quite pleased with amendments that were put in the bill at committee and which are going to be dealt with by the Legislature if the bill passes second reading later.

The other thing that concerned me was whether the city had the financial capacity to undertake the debt associated with this development. The main reason for Ontario Municipal Board hearings, in my view, is not to decide whether a grocery store ought to have 30,000 square feet or 60,000 square feet, but whether the municipality that is asking for the right to borrow money has the fiscal, economic and financial capacity to borrow the money and pay it off properly.

We were assured, at my questioning in the committee, both by the city treasurer and by the representatives of the Ministry of Intergovernmental Affairs, that in the opinion of the experts the financial capacity was there. Any approval for this bill is not going to put the local taxpayers or the credit of the municipality at risk.

In closing, I say again, I have a lot of sympathy for the views expressed by my colleague. I am very close to the situation, and I believe that general legislation is not in the best interests of what the city of Brantford requires with its experience over more than a decade. It is their considered view if they do not get the relief provided by this private bill that the developers who are prepared to go ahead this fall will not go ahead. Whatever their motives are, how bad or good those motives, it is difficult for us to judge. But if in our wisdom we decide we are not going to give them the relief and if Brantford loses this opportunity for development, it will be a very serious matter for the city.

I do not believe I am any wiser than the representatives of the city of Brantford.

They might very well be here in my place or even in the place of the member for Brantford in the future. Who knows? They are elected to make certain decisions, which they have done. They have asked us for additional special powers. As far as a precedent is concerned, these bills are judged—they always have been and always should be—on the merits of the bills that are presented.

In my view, the Brantford bill is meritorious in regard to its requirements at this time. For that reason, I intend to vote for it and I urge the honourable members to support it as well.

**Hon. Mr. Norton:** Mr. Speaker, I would like to comment briefly upon this bill, although it had not been originally my intention to do so.

**Mr. Samis:** Is this a trial run?

**Hon. Mr. Norton:** Perhaps. I want to address some comments on what I regard as the disturbing feature of what I think is the principle of this bill. I must say the very persuasive arguments of the member for Brant-Oxford-Norfolk make it difficult for me, not being nearly as familiar as he or the member for Brantford is with the specific circumstances locally. I accept his argument that the community for a number of years has been attempting to get such a project launched in that community.

I must say I am very supportive of the program of revitalization by the Ministry of Housing in co-operation with the municipalities of this province. In a number of situations, it has been demonstrated to have been a tremendous boost to a community with a decaying city core.

Bearing in mind the concerns that have been registered by those members supporting it, I think we have to be very careful whatever may be the pressures at a given point in time, of allowing ourselves as legislators to act, albeit at the request of a municipality, in such a way as to circumvent what would normally be the due process to which the citizens of a community had access at a time when the municipality was embarking upon a major scheme like this.

I think it has to be borne in mind that the taxpayers of that community would be facing a very substantial financial commitment, which I presume would be the subject of the hearing before the OMB. It is important that the taxpayers under those circumstances do have an opportunity to register their concerns and their support or opposition before the OMB. There may well have been other bills like this in the past that I am not familiar with which have had that



effect. I find it genuinely disturbing, under circumstances like this, when the pressures exist for speedy development, that we would act in such a way as to suspend the rights of those municipal taxpayers to register their concerns.

4:50 p.m.

I say this with some parochial concern as well, since my own constituency has a similar proposal under consideration at the present time. I would like it to be clearly understood by my constituents and by the developers, one of whom is one of the two involved in this proposal, that on the basis of what I have heard this afternoon, I feel that if they are going to bring forward such proposals they must do so with the full knowledge that the citizens of that community ought to be able to have at their disposal all of the normal rights or recourse for hearing their concerns that are laid out in the laws of this province. They ought not to anticipate that the Legislature of this province will move in and abrogate their rights under time pressure, and maybe legitimate time pressure, brought to bear by the developers involved.

I do not wish to belabour this point, but I think the honourable members ought to consider very carefully the implications of such an act. As one of the members opposite said, we might well find ourselves with a flood of such requests coming before the Legislature. I do not mean to suggest any mistrust for developers but, on the other hand, if this is seen as an avenue for dispensing with the Ontario Municipal Board hearings, then I am sure there may well be a lot of developers who will have experienced great time pressures which will make it necessary for them to go to the municipalities and say:

"We only have a few months to go and, if it is not approved by then, it is dead. What we want you to do is go to the Ontario Legislature and get a private bill." I do not think we want that to happen. I think the principle could well be extended much more broadly to other areas where pressure might exist under circumstances quite different from this. To move in such a way is to abrogate the rights of citizens to the normal recourse for hearing their concerns.

Mr. Speaker, yes, I do intend to oppose this bill.

Mr. M. N. Davison: Are you speaking on behalf of the government?

Hon. Mr. Norton: No, I am speaking as a private member.

Mr. Lawlor: Mr. Speaker, I am always amazed in this House about how incredibly

legalistic people can be, or become, who are not lawyers, and even some who are, about proposed legislation before this House. I would think they would have a certain pragmatic stance, some flexibility.

If anyone has any knowledge, even fairly superficial knowledge as I have, of the Brantford situation as has been well set out by the member for Brant-Oxford-Norfolk and by my own colleague, to whom I have listened over a period of time on this particular problem, I do not know how one could resist. There seems to be something sacrosanct about precedent. As the previous member said, each of these issues coming under private bills will have to be dealt with on its merits. There is nothing particularly winning about the notion of precedent or nonprecedent.

If it is known that it is a question of merit, the situation in Brantford is very unique indeed. The period of time in which they have been trying to do it, the quality of the deterioration, the appearance on the scene of developers who are willing to go forward—the whole complex or bundle of facts would constitute this as a unique case, which should be handled adroitly and uniquely in terms of the exigencies involved. To do anything else is to do a disservice to the people of that particular area.

The answer, of course, is for the government to pull up its socks in this area and get the municipal board functioning on some kind of schedule that is remotely capable of handling the cases that come before it and to know that a period of six months is almost certain to elapse.

Sometimes I am rather grateful that the municipal board is so tardy with a number of things, in order on occasion to affect one's own purposes with respect to local developments. On the other hand, members of this House should give cognizance to and bow to a matter which I am certain has the overwhelming support of the people of the area and certainly of its council.

Mr. Rotenberg: Mr. Speaker, I rise to indicate I will support this bill when it comes to a vote, and I think it is going to come to a vote this afternoon.

Let us understand what this bill is about. The reason that Brantford would have to go to the Ontario Municipal Board is not for approval of the plans, not for approval of the project and not for approval of the expropriations. The only reason the city of Brantford, in the normal course of events, would have to go to the Ontario Municipal Board is to approve \$1.8 million in debentures. There is no rezoning involved in this situation. All



they have to go for is debenturing. If the city of Brantford could somehow come up with \$1.8 million cash out of this year's taxation, there would be no requirement for an Ontario Municipal Board hearing.

We heard some objections in committee, and I was there, at least at one of the meetings.

**Mr. Nixon:** Will you permit a question, Mr. Speaker?

**Mr. Rotenberg:** I will permit one. I do not know if I can answer it.

**Mr. Nixon:** It concerns me that the minister is taking this position; the parliamentary assistant presumably is speaking for the Minister of Housing, who is not present. Would he clarify what he has just said that it is only for debenture?

It is true that section 2 of the bill deals with allowing the city of Brantford to borrow \$1.8 million, but the rest of the bill refers specifically to the planned rezoning and the implementation of the agreement between Campeau and T. Eaton Realty. I would ask the minister why those sections are there if what he says is correct. We brought out directly at the committee that any opposition to any rezoning or planning decision which could normally be appealed to the municipal board could not be appealed if this bill carried.

**Mr. Rotenberg:** I am not speaking for the Minister of Housing, but my understanding was that no rezoning was required. If I am mistaken, maybe the member for Brantford can indicate the mistake to me.

**Mr. Roy:** But what does the bill say?

**Mr. Rotenberg:** Be that as it may, there has been objection. The objection before the committee to the project has been from those who are to be expropriated. The member for Brant-Oxford-Norfolk presented the case very well, and he indicated the hearing was not to be a substitute for the Ontario Municipal Board either for the purpose of any future planning or for the purpose of debenturing. I would confirm what the member has said.

Speaking for a moment for the Ministry of Intergovernmental Affairs, our finance people have checked out the financial capability of the city of Brantford and are quite satisfied that on that point there is no problem. I am quite satisfied that if the project went to the Ontario Municipal Board solely on a financial matter, there would be no problem. The problem is, when one goes to the Ontario Municipal Board for debenturing, one gets into all the other problems as well.

There are two matters of principle here. One is, should everybody have their day in court? Those who object to expropriation had their day in court, not before the committee, but before a hearing of necessity, which is another way of finding out whether these matters should go forward. It is a question of there being a day in court for a minority and whether this development should go forward.

Although we do not give municipalities total autonomy, we do have to recognize the fact that the city of Brantford and their council want to go forward with this and are overriding the minority of their citizens.

There are a few people this afternoon who have been developer-bashing, which is a great sport around here and it is coming from a different location than normal. But the point has to be stressed that if this bill is rejected, we are told—and we have no reason to believe otherwise—this development proposal will go down the drain.

The big losers will not be Campeau and Eaton's, because they have all kinds of municipalities around the province to go to and develop in. This is not one of their major projects. Neither Campeau nor Eaton's will rise or fall if this bill does or does not go forward. Sure, Campeau and Eaton's are going to make a profit, but they are doing far more of a favour to Brantford by developing than Brantford is doing for them by allowing them to come in and develop.

If this bill does not go forward, the real losers will not be the developers; the real losers will be taxpayers of the city of Brantford. They will lose yet another opportunity to have their downtown developed, and another may or may not come along.

Two amendments were brought forward at the standing committee on general government, in light of the objections, which those who have the revised bill should take note of. One amendment was that if after the expropriations go forward and for some reason the project does not go forward, those who are expropriated get their properties back. Second, and equally important, those whose businesses are expropriated have to be offered accommodation in the new location at terms no more severe than other tenants'. Therefore, those who are expropriated in effect have a right to come into the new project.

That second amendment, which was drawn rather hastily in the committee, does not quite fulfil the wishes of the committee. If this bill does carry on second reading, I will ask that it go to committee of the whole to

make what I think is a technical amendment in order to do what the committee really has to do. In summary, I will support this bill.

Mr. Isaacs: Mr. Speaker, I rise to participate briefly in this fascinating debate. I am fascinated by a number of the comments that have been made this afternoon but particularly by the love affair which some members of the Liberal Party seem to have suddenly found with the Ontario Municipal Board.

In my view, the second biggest problem in planning in Ontario today is the Ontario Municipal Board. The biggest problem is the fact that there is a final appeal to the Ontario cabinet, but the second biggest problem is the Ontario Municipal Board's procedures for dealing with private citizens who have grievances, who have complaints, who are concerned about the planning of financial decisions of their municipal council.

Hon. Mr. Norton: So you believe in swift justice with no hearings, is that it?

The Acting Speaker (Mr. MacBeth): The member for Wentworth has the floor.

Mr. Isaacs: Thank you, Mr. Speaker. I wish I could catch some of the interjections from the Minister of Community and Social Services; I think they would be fascinating.

Members talked about the right of the little people to appear before the Ontario Municipal Board. The big problem is that little people do not get a proper and fair hearing before the Ontario Municipal Board. The people who get a fair hearing before the board are the lawyers, and the lawyers are sending bills to their clients in the hundreds and thousands of dollars to pay for those proceedings which in the overwhelming majority of cases do their clients no good at all.

An example of this was raised by one of the Liberal members today when he quoted from a letter from a lawyer, Mr. Vaughan, who sent a letter to all members of this House. I read that letter with great care and some concern. I want to suggest that it is an example of the kind of problem we have with the Ontario Municipal Board system as it exists. I want to refer to three tiny parts of that letter. On the first page, Mr. Vaughan talks about a shocking series of rulings from the chairman of the standing committee on general government. I read the rest of the letter and nowhere in that letter does he justify that statement. I thought to myself, perhaps it is obvious; perhaps those who were at the committee would all agree that there was a shocking series of rulings.

I went back to the transcript of the committee and read that transcript. Nowhere

could I find a ruling with which I had any disagreement at all. I want to suggest that Mr. Vaughan's allegation of a shocking series of rulings from the committee chairman is completely and utterly unsubstantiated and an insult to the chairman of that committee.

On page five of Mr. Vaughan's letter, he has a heading, "Is this a proper private member's bill?" It is underlined. Of course, it is not a proper private member's bill, because it is not a private member's bill. That is an indication of how much lawyers in this province are ripping off their clients for things about which they know nothing.

On page six of the letter, the second paragraph says: "Of course the bill proposes to amend public acts." We know what is meant by an amendment to the act. This bill that is before us now, Bill Pr26, An Act respecting the City of Brantford, does not amend any public act in this province. It seeks to waive the provisions of a public act in one specific instance. That is clearly not an amendment. I am not a lawyer, but any lawyer who is licensed to practise in this province should not use sloppy language like this and certainly should not be allowed to charge his clients for that kind of sloppy language.

Several of the earlier speakers from both the government party and the Liberal Party have said that we may see more of these, that this is a dangerous precedent. I agree; we may indeed see more of these. I am concerned that a respectable Canadian private corporation like the T. Eaton Company, which most people think of as being close to motherhood, has been involved in bringing this kind of thing before us today. I want to suggest that the fact that is the case is a further indication of how disastrous the present Planning Act and the present procedures under the Planning Act have become.

I talk to developers. I talk to realtors. I do not always agree with them; in fact, I disagree with them more than I agree with them. But I talk to anybody who wants to talk to me—my constituents, small businessmen and developers. They all tell me that we have a serious problem with the Planning Act. They all tell me that development in this province is too tied up with red tape and that there is too much bureaucracy.

We cannot get planning done properly. We cannot get development to proceed in an orderly and proper fashion in this province because of the terrible system we have. The fact that Eaton's is before us with this bill is an indication of that. I want to suggest that if other municipalities come forward with this kind of approach, we will have to look

at them on the same basis. We will have to consider their proposals on their individual merits until such time as there is an amendment to the Planning Act which cuts through all the red tape, puts the responsibility where it should be and can assure the citizens of this province that planning will be dealt with in a proper, orderly, responsive fashion.

I am not scared of getting more bills like this. If municipal councils want to take their chances with this approach, then good luck to them. I honestly suspect they are asking for trouble if they do it too often. But until we see a new Planning Act in place, it is an approach that is available to them and one that should be used.

5:10 p.m.

We have looked at the various aspects of this bill. We have looked very seriously at what it means for the city of Brantford and what it means in general for the economic growth of that region. The city of Brantford is a great community. It is only 30 miles from where I live. It is a place that many members of my constituency visit quite often for shopping trips and for various reasons.

It is appropriate that Brantford as a community be allowed to develop. It is appropriate that Brantford be allowed to proceed with a downtown redevelopment scheme. They have tried very sincerely over the years, they are trying once more, and they appear to be a little closer this time than they have ever been before. I would hate to have to carry the burden of believing that because this Legislature would not deal with this bill the city of Brantford and the surrounding suburban and rural areas had to go without downtown redevelopment because this government refused to bring in amendments to the Planning Act that cut through the red tape, that cut through the silly nonsense and that put more responsibility on local councils with proper provision for public input at that level and a proper, smooth, simple appeal procedure that did not mean citizens had to spend large amounts of money on legal bills in order to be represented before a body that would probably take very little or no notice of their concerns in any event.

If one looked back through the hearings of the OMB, one should think about how many times the OMB has varied the decision of a local council on matters of significance. That in itself is an indication that local councils can act responsibly, but it is also an indication that the OMB is not dealing properly with the matters that come before it in those cases where local councils have ignored citizens' complaints.

Hon. Mr. Norton: I don't think the OMB is part of the principle of the bill.

Mr. Isaacs: The OMB is mentioned in this bill. The principle of the bill is to bypass the OMB and all the people this government has put on to the OMB who are certainly not members of the New Democratic Party. Enough said about that issue.

We have weighed both sides of this bill. I personally am supporting it and I believe that the majority, if not 100 per cent, of the members of this caucus will be supporting the bill because it is necessary that we cut through the red tape that is bogging down the planning process here in Ontario. We look forward to dealing with more bills like this unless the government gets on with dealing with the Planning Act in a proper and appropriate manner. Let us have the Planning Act draft in committee as soon as possible.

Mr. Cunningham: Mr. Speaker, very briefly, I see legislation like this and as much as I see the need to redevelop the downtown core of Brantford—and I appreciate how sincere the Campeau-Eaton proposal may be—I wonder what jurisdiction we are in when I look at it in the context of private property and the rights of the individual in society today in Canada.

On too many occasions in this past decade I have seen the property rights of individuals trampled under various items of legislation, possibly in the public good, but certainly with very little consideration for the owner of that property. I look at the parkway belt, I look at the Niagara Escarpment Commission situation and I look at various conservation authorities. While in a general sense it may be of great benefit to people who may use these facilities, on far too many occasions the property rights of the individual are submerged and ignored.

It was not that long ago I read an account in the Hamilton Spectator of almost a seizure of property by Dofasco. I think the member for Hamilton Centre (Mr. M. N. Davison) or the member for Hamilton East (Mr. Mackenzie) might agree with me when they look at the conduct of everyone involved in that particular dispute.

I look at the acquisition of a small business like that small bicycle shop on Ottawa Street North, which I guess has now been expropriated for the purposes of Dofasco, and again I wonder where is equity, where is fairness in the province? It is certainly not as obvious as I would like to see it.

If we pass this legislation we may be setting a precedent for people to make an end run around the Ontario Municipal Board.

In a sense, I would almost agree with the member for Wentworth. The overwhelming problem has to be the process itself, which is what we must address ourselves to, rather than a piecemeal approach where the rights and freedoms of people will be ignored. Quite frankly, I find some inconsistency on the part of some members of the New Democratic Party who talk about support for small business, yet in a cursory manner cast their rights and privileges aside with legislation such as this.

I wish the Campeau-Eaton development could go ahead, but if the legislation does not carry I hope they will entertain this proposal and go through the proper procedures as outlined in Ontario law so that the development would proceed at some point. But I think we are taking a very dangerous step here today if we accept such legislation as this.

**Mr. M. N. Davison:** Mr. Speaker, I think the important thing for members to realize is that there is nothing illegal or incredibly bizarre about the fact that a municipality in Ontario should address the Legislature for relief from a specific problem in a specific situation in their municipality.

The member for Brant-Oxford-Norfolk very carefully and very clearly gave an explanation of the situation in Brantford that has resulted in that municipality requesting this relief from general legislation. I think the members of his caucus who have expressed views quite different from his might reflect on his comments in the few moments before the vote, because I think he put the situation quite clearly and quite well.

We have to understand that is what private bills in this assembly are about. Indeed, from time to time we may find and will find private bills like this, perhaps not on a question of downtown redevelopment, but on other questions where municipalities or corporations in the province seek something different from the application of general legislation. That is a part of parliamentary democracy in the province. I do not think people need to get apoplectic about the very fact of considering it.

Also important is the tone taken in this debate by my colleague from Wentworth in regard to the Ontario Municipal Board. That is a large part of the problem. I do not see as obviously as the member for Kingston and the Islands (Mr. Norton), which he represents when he is not being Minister of Community and Social Services—

**Mr. Makarchuk:** He might be forced to take a stand on his own downtown redevelopment.

**Mr. M. N. Davison:** I notice he was very clear to make that distinction, that it is a question of civil liberties.

The example raised by the member for Wentworth North, in trying to explain about the OMB is interesting. In the north end of Hamilton, and more specifically in the northern part of Hamilton Centre, we have had a great deal of experience in fighting this sort of joint alliance in our municipality between the pro-development group, the major industries and the Liberal and Conservative majority on our city and regional councils.

**Hon. Mr. Norton:** Your party's stand on this bill really raises some serious questions about the legitimacy of your apparent or professed commitment to the little person having access to appropriate hearing. Are you just doing this out of expediency?

5:20 p.m.

**Mr. M. N. Davison:** Let me just tell the minister, I think that is a very good example, what happened there. The grand alliance swept through.

Big companies like Dofasco and Stelco, in alliance with the regional and city council, dragging along behind them the provincial government, the Ontario Municipal Board, the Expropriation Board and everybody else they could find, paid no attention to what was best for the average citizen in that area and did not give a damn about the position of small business in that area.

All those things we have instituted in the planning legislation we have in this province do not serve to protect the little person, the private citizen or small business. They cannot afford that red-tape, unworkable process. Frankly, I carry no brief for the OMB. I have appeared before the OMB. In my riding they have done not one whit to help small business, the public interest or ordinary citizens.

If nothing else, this debate serves to focus on the miserably inadequate planning system we have in this province. I hope it will finally be of some assistance in alerting the government to the inequities that are built into planning legislation. Not only can we perhaps help downtown Brantford by way of badly needed redevelopment, but we can help other areas of Ontario so that the planning process is appropriate and functions in the best interests of the citizens of our communities.

**Mr. Makarchuk:** Mr. Speaker, I wish to thank all the resident experts on Brantford who have participated in the bill in one way or the other.

There is no question that we are setting a precedent. I warn the House that there will be a bill introduced shortly dealing with the boundaries of Brantford and Brantford township, which will also bypass the OMB and will set new precedents in this Legislature. Perhaps Brantford is setting some kind of precedent, and I hope it is for the good of this province.

It was not the intent of Brantford city council to bypass the OMB through this bill, although that was exactly what they were doing. It was pointed out earlier and mentioned by the member for Durham West (Mr. Ashe) that the city refused to have two OMB hearings. That was not the case at all. The reason the city did not have those hearings was that in both cases the potential contracts with the developers fell through or the projects fell through and there was nothing to take before the OMB.

I want to bring to the attention of the House that in this particular case, although Eaton's and Campeau may be bluffing the city in giving the council a deadline, we have to call their bluff. The House should be aware of the fact that if the bill passes and the bluff is called, there will either be a development or else all those people who object to this particular development or feel offended by some of the things that are happening in it will not be affected in any way whatsoever. The situation will return to the status quo and will continue that way.

Should the project go through and should there be expropriation proceedings, we also have to recognize that these people have recourse. It is not going to be the final decision of the city council as to the amount of money the people will be paid or the amount of money they will get for their business, the loss of business, profits, goodwill, et cetera. If they do not like the figure offered by council, they have another recourse, to go to the Land Compensation Board, which will ensure they do have some sense of fairness in terms of how they are being dealt with.

I ought to point out to those members who seem to get carried away on the civil rights wagon that the city council has been discussing this matter at various public meetings. It has held at least three public meetings, on at least six or seven different times delegations have appeared before city council to express their views. Business im-

provement area meetings have been organized with the local merchants, who have had an opportunity to express their views. There has been every possible way that a council could make itself accessible to the people concerning this project. This council has tried to exercise those democratic rights.

In this case if council is wrong in what it is doing or may do, there will be elections this fall. I am sure the people of Brantford will express their feelings as to whether their wishes were carried out. Some members stated that the committee should not be the place to make the decision. I disagree with that thoroughly. I have a feeling that one of the reasons we get paid or are here is to make some decisions.

The members of this Legislature who sit on those committees live in exactly the same kind of world the members of the Ontario Municipal Board do. They have just as much experience in municipal affairs and in government as any of the members of the Ontario Municipal Board. I am sure the members can bring their expertise to bear on each individual bill and are able to make a judgement on the matter that is in the bill with some sense of knowledge of what it is all about.

The member for Essex South (Mr. Mancini) argued that a dozen municipalities would start coming to him and demanding similar legislation. It might be that for the first time in his life he will perform something useful and present a bill on behalf of those municipalities.

**Mr. Kerrio:** Another bridge at Elora.

**Mr. Makarchuk:** For my friends over there who are interested in the bridge at Elora, I must point out that I had a lawyer, Eddie Goodman, a person of some renown, and this matter did not go to the Ontario Municipal Board. It was not a matter in which we were dealing with the Ontario Municipal Board. To clarify that situation for those who are interested, the fact is we were trying to get the right to appear before the Supreme Court of Canada to say that the Grand River Conservation Authority did not have the right to transfer property that had been given to it for recreational purposes. We never did get that right.

The member for Durham West also stated that many municipalities will come before the committee because they have similar problems. I want to point out to him the reason they have the problems is that the legislation on the books is not able to cope or deal with the problems of these municipalities. I suggest what the government

should be concerning itself with its methods to streamline the procedures that are involved in dealing with the OMB in order to recognize the problem and to let an element of common sense come into these situations. Then it is to be hoped we will not have to go through this kind of procedure here. The reason we are going through this procedure is that at the other end there is not the kind of procedure that would allow a community to be able to react instantly when it has to.

I want to conclude by saying that Brantford recently has received quite a shock in the matter of layoffs. The passage of the bill will allow that community perhaps to start working on a major project some time this fall. This is going to provide work.

I want to point out to the member for Kingston and the Islands, who is concerned about little people, that the little people want work and would like to have work. This is one of the ways to ensure that. He certainly does not care in terms of social services. As far as the little people are concerned in the children's aid society, I have not seen him expressing that kind of concern when they come to him for funds.

This bill expresses the necessary and much-needed hope and aspiration of the people of Brantford. What the people of Brantford want this Legislature to do is to allow them the opportunity to go ahead with a project they have been trying to arrange for the last 10 or 15 years. I hope the Legislature will have the good sense to recognize some of the aspirations of the people of this province.

5:30 p.m.

Mr. Speaker: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Call in the members.

[After some time]

Mr. Speaker: I would like to seek the assistance of the House, and I cannot do it while members are standing; so if they will please take their seats, we will see whether we can reach a consensus.

There seems to be some ambivalence about how long the bells are going to ring because, as you know, there is no time limit for a vote of this kind. If it is the unanimous will of the House that the vote not be called until eight o'clock, it does not make any sense for us to be sitting here allowing the bells to ring. I would like to see if there is some consensus in the House as to how you want to handle this.

Hon. Mr. Gregory: May I make a suggestion, Mr. Speaker? We could adjourn now and begin the bells at eight o'clock and ask that the vote be stacked until 10:15 p.m. We could do that or agree to stack the bill until 10:15 p.m.

Mr. Foulds: Speaking for our caucus, Mr. Speaker, I suggest that we cease the bells and proceed with some other business and have the vote at 10:15 p.m. That is agreeable to our caucus.

Mr. Nixon: We agree to that, Mr. Speaker.

Hon. Mr. Wells: We can continue with the next order of business, which is a private bill that we have to do in committee; that could easily be done in the next few minutes before six o'clock.

Mr. Speaker: Is it unanimously agreed that we will cease the bells and commence them ringing at 10:15 p.m. to dispose of this division on second reading of Bill Pr26?

Agreed.

5:40 p.m.

House in committee of the whole.

#### MIDLAND YOUNG MEN'S CHRISTIAN ASSOCIATION ACT

Consideration of Bill Pr4, An Act respecting the Midland Young Men's Christian Association, 1980.

On section 1:

Mr. Deputy Chairman: Mr. G. E. Smith moves that section 9 of the Midland Young Men's Christian Association Act, 1924 as set out in section 1 of the bill, be amended by striking out "used or occupied or owned" in the fifth and sixth lines, and inserting in lieu thereof "owned and used" or "occupied and used."

Mr. G. E. Smith: Mr. Chairman, in rising to speak in support of this small but important amendment to Bill Pr4, which I had the honour of sponsoring, I would like to point out to the members that the purpose of the bill is to authorize the council of the town of Midland to exempt the lands, building and equipment of the Midland Young Men's Christian Association from school taxes. They have been exempt from municipal taxes since 1924 under the terms of private legislation obtained in that year.

Section 9 of the 1924 act exempts the association's buildings, lands, equipment and undertakings from municipal taxes so long as and to the extent to which they are occupied by, used and carried on for the purposes of the association.

The proposed re-enactment of section 9 contained in Bill Pr4 authorizes the Midland



council to exempt the association's land, buildings and equipment to the extent to which they are used or occupied or owned by the association. This wording opens up the possibility that the association could lease part of its property to a profit-making enterprise, which would also be exempt from municipal and school taxation.

I have complete confidence in the town of Midland and the Midland YMCA, and know they would not allow such a situation to arise. None the less, as all members are aware, new private acts are scrutinized carefully, they were discussed in committee, and the present wording would create an unfortunate precedent which might cause difficulties in the case of future private members' bills.

To avoid such difficulties, I believe the wording in the re-enacted section 9 in Bill Pr4 should be amended to make it clear that the tax exemption may apply only to land, buildings and equipment that are actually used by the association. This will remove any possibility that the exemption can apply to a profit-making tenant of the association.

The Midland YMCA has been informed of this concern and its solicitor, Mr. Jean L. Gignac, has written to say that the Midland Young Men's Christian Association is in full agreement with the amendment I have just proposed.

**Mr. Epp:** Mr. Chairman, we will obviously support this amendment. I am not quite sure of the significance of the change; that is something lawyers make their fees on. I do not see any great difference between "used or occupied or owned" and "owned and used" or "occupied and used." I am sure the member for Simcoe East is well advised on this, and we will support the amendment.

**Mr. Isaacs:** Mr. Chairman, I concur generally in the comments made by the previous speaker, though I must say that having had some experience with nonprofit associations and organizations, I think I understand what the member who introduced this amendment is saying.

I am a little curious, however, as to where this amendment came from and how it came to be before us at this time. A couple of weeks ago we debated a private bill on second reading and a suggestion was made that the second reading debate and the second reading comments and criticisms might have been made more appropriately in the committee that was considering the private bill before it came to second reading. This seems to me to be the type of legal amendment that would surely be dealt with by ministry lawyers or by council to

the committee or by someone prior to getting to this point.

I find it very curious that we are here today in committee of the whole, inside the House, dealing with a legalistic amendment of this nature. I would appreciate an explanation on how this amendment arose.

**Mr. Rotenberg:** Mr. Chairman, I think the members will recall that when we had second reading in the House, I gave notice they would be asked to go to committee of the whole because of this. When this was before the committee that dealt with this after first reading, the matter was not drawn to anyone's attention. I think it was twiggled to by the lawyers—I am not sure if it was legislative counsel or the lawyers for the ministry—who felt that the bill as written, as the member for Simcoe East has pointed out, could be abused at some time in the future.

The lawyers therefore felt that this "or" should be changed to "and" to make sure it had to be "owned and occupied" or "used and occupied" because if it were just owned and not occupied they could own the building, rent it to someone else and, although they would not do it, the legislation would allow them to have a tax exemption. It is not what the YMCA intended originally. It is not what the lawyers intended originally. The lawyers got together, exchanged letters, agreed to this and we are just cleaning things up.

Everything is not always caught the first time through, and I think we have to commend the legal staff of the Legislature or the ministry for giving second scrutiny to make sure everything is done the way the committee wanted it done.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill Pr4, as amended, reported.

On motion by Hon. Mr. Wells, the committee of whole House reported one bill with amendment.

### THIRD READINGS

The following bills were given third reading on motion:

Bill Pr4, An Act respecting the Midland Young Men's Christian Association, 1980;

Bill 42, An Act to amend the Legislative Assembly Act;

Bill 43, An Act to amend the Executive Council Act;



Bill 52, An Act to amend the Retail Sales Tax Act;

Bill 53, An Act to amend the Corporations Tax Act, 1972;

Bill 54, An Act to amend the Gasoline Tax Act, 1973;

Bill 61, An Act to amend the Tobacco Tax Act;

Bill 62, An Act for the making of Additional Provisions for the Levy and Payment of Succession Duty by or in respect of Property or Persons to whom the Succession Duty Act remains Applicable; and

Bill 73, An Act to amend the Labour Relations Act.

The House recessed at 5:52 p.m.

## APPENDIX

(See page 2454)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## MULTICULTURAL PROGRAMS

153. **Mr. Di Santo:** Will the Ministry of Culture and Recreation table the following information: 1. How many multicultural programs has the ministry funded and/or contracted to private radio and TV companies or to newspapers since January 1978 to date? 2. Will the ministry list the names of the companies involved? 3. Will the ministry list the number and titles of the programs? 4. Will the ministry list the programs for each company and the cost of each program? (Tabled May 6, 1980.)

**Hon. Mr. Baetz:** The following is a list of multicultural programs that the ministry has funded to private radio and TV companies. This ministry has had no involvement with programs for newspapers.

The Family Molino, a dramatized series to teach English to Italian listeners: Pilot Project, March 1979; air time paid to radio station CHIN, \$1,000; production, acting and script-writing, \$4,000. Thirteen-week series, September 17 to December, 1979; 26 segments, each aired twice; air time paid to radio station CHIN, \$2,600; production costs, actors, technical services, \$1,705; script-writing, \$2,000; translation, \$600.

Grant to COSTI: In 1978-79, a grant was given to COSTI to develop a TV orientation program for adult immigrants. The grant was in the amount of \$7,500 and the program was aired in 1979 on CITY-TV and on Metro Cable. In both cases there was no charge.

Grants to Friends of India: Two grants to the Friends of India were made to develop through cable TV a number of videotapes aimed at orienting newcomers to Canadian society—1977-78, \$1,250; 1978-79, \$5,600. A set of these tapes is available in my ministry's resource centre.

## CANCER CASES

175. **Mr. Breaugh:** Would the Minister of Health provide information on the number of new cases of bladder, kidney and other urinary cancer among residents of Durham region registered at either regional treatment centres of the Ontario Cancer Treatment and Research Foundation or at Princess Margaret Hospital for each year since 1974? (Tabled May 20, 1980.)

**Hon. Mr. Timbrell:** Since the Ministry of Health does not break down figures in this

way, the question should be referred to the Ontario Cancer Treatment and Research Foundation where information is available.

## SCHOOL BOARD FUNDING

177. **Mr. Bounsall:** Will the Ministry of Education provide a list by school board of the amounts of funds which were, according to page 18 of the Ontario budget, "transferred in advance of the normal schedule, as part of the province's 1979-80 spending, to reduce, if not eliminate, the need for local governments to engage in short term financing at unusually high interest rates"? Will the ministry provide for each school board a list of dates and amounts of each such advance transfer? (Tabled May 22, 1980.)

178. **Mr. Bounsall:** Will the Ministry of Education indicate if the procedure referred to in the previous question will become a regular practice of the ministry and, if it will not, will the ministry explain the rationale for its traditional policy which obligates school boards to borrow during the first three months of the year because the ministry withholds a large proportion of the general legislative grant? (Tabled May 22, 1980.)

179. **Mr. Bounsall:** Will the Ministry of Education provide a list of all school boards which borrowed funds during the first three months of the years 1977, 1978, and 1979? In each case will the ministry provide the amounts borrowed, and the costs of such borrowings, by each local school board? (Tabled May 22, 1980.)

180. **Mr. Bounsall:** Will the Ministry of Education provide a list of all school boards which borrowed funds during the first three months of 1980 and, if available, provide a list of the amounts borrowed and the costs of such borrowings, by each local school board? (Tabled May 22, 1980.)

See sessional paper 120.

## MINISTRY ADVERTISING

182. **Mrs. Campbell:** 1. What is the total advertising budget for the Ministry of the Attorney General? 2. What advertising agency is employed? 3. Were tenders let for the account? 4. What is the total cost, for commercial time and production costs for commercial messages featuring the Attorney General? (Tabled May 23, 1980.)

**Hon. Mr. McMurtry:** 1. The ministry has no set advertising budget. Advertising is

carried out on a project basis, usually in relation to new legislation such as the Provincial Offences Act. Like other ministries, we are assessed a share of the government information and communications program, operated through the Ministry of Industry and Tourism, for the placement of advertisements in ethnic, weekly and special interest media.

Major public education programs being conducted by the ministry in 1980-81 are for the Provincial Offences Act, with advertising at a cost of approximately \$374,000, and for the Occupiers' Liability Act, 1980, and the Trespass to Property Act, 1980, with advertising at a cost of approximately \$251,000. These programs were approved on the basis of submissions to cabinet and to management board.

2. Camp Associates Advertising Limited was employed for the Provincial Offences Act program. Willhurst Communications Limited is employed for the Occupiers' Liability Act and the Trespass to Property Act programs.

3. The agencies were chosen in competition on the basis of procedures set out in the manual of administration. The selections were approved by management board.

4. The Ministry of the Attorney General does not place "commercial messages featuring the Attorney General." However, as is the case with most government advertisements, ministry advertisements carry the Attorney General's name as well as the ministry name and crest or trillium.

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No. 65

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, June 3, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, JUNE 3, 1980

The House resumed at 8:02 p.m.

## ONTARIO LOAN ACT

**Clerk of the House:** Second reading of Bill 49, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund.

**Hon. F. S. Miller:** Mr. Speaker, this is a routine bill and requests borrowing by the province in the amount of \$1.8 billion between now and September 30, 1981. I will be pleased to answer questions by my critics.

**Mr. Peterson:** Mr. Speaker, it gives me a great deal of pleasure to—

**Hon. F. S. Miller:** Mr. Speaker, I get up on my feet so often to do these things, I sometimes forget. I forgot to move second reading of this bill.

**Hon. F. S. Miller** moved second reading of Bill 49, an Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund.

**Mr. Peterson:** This reinforces a preconception I have, Mr. Speaker. How can we trust the government of this province to someone who does not even know when to move second reading of a bill? We have seen a series of—

**The Acting Speaker (Mr. MacBeth):** It is partly the chair's fault; I should have picked it up.

**Mr. Peterson:** Indeed, it was not your fault, Mr. Speaker. You have done an exemplary job in your brief time in the chair tonight, over a minute and a half. I have not noticed any mistakes. But it is interesting to see that the Treasurer—although with prompting from the Minister of Health (Mr. Timbrell), who should be out running the Ministry of Health this evening—I am glad to see him here. He must be on the list; he must have done something bad; he must be being punished for some reason or other, or else he would not be here.

**Hon. F. S. Miller:** We were hoping the member would be at the Ontario Economic Council conference.

**Mr. Peterson:** I would very much prefer to be at the OEC conference tonight, there

is no question about that. Whoever decided to call these bills tonight, I would like to speak to them.

**Hon. F. S. Miller:** The member should look at the New Democrat support he has tonight.

**Mr. Nixon:** They are out watching movies.

**Mr. T. P. Reid:** Their contribution would be the same.

**Mr. Peterson:** It is interesting there are no NDP members in the House tonight, not even one. I would like Hansard to note that. In fairness, it is indicative of their interest and perception of the kinds of matters we are discussing tonight. It does not matter to them whether we are \$1.8 billion more in debt or \$85 billion more in debt, or whatever. They have shown over the years a singular lack of interest in the subject, almost as serious as the lack of interest shown by the government.

**Mr. Nixon:** Their interest is \$4 million a day.

**Mr. Peterson:** I am one of those who is tempted to vote against this bill tonight because it would put a discipline on this government that it has never had before.

You will notice from this bill, one that I gather we discuss on an annual basis when it becomes time for my little speech about borrowings from various pension funds, I must say one of my favourite topics, that the government wants the authority to borrow \$1.8 billion from the various pension plans and internally generated funds. Of course, the first point you will realize, Mr. Acting Speaker, as a financial neophyte, as I know you are, having been a member of that government in the past before you reached your venerable position of objectivity and nonpartisanship in this House, is how easily this government can spend \$1.8 billion or whatever the figure.

It takes me back to old Darcy McKeough, the previous incarnation of the Treasurer sitting opposite tonight, who said the public really didn't know whether the deficit was \$1 billion, \$2 billion or \$3 billion; it didn't really matter. That philosophy, interestingly enough, was espoused by a Treasurer who was deemed to be and publicly perceived to

be the most parsimonious Treasurer in the history of this province but who was, in fact, the highest-spending Treasurer in the history of this province. Our present Treasurer, the diminutive member for Muskoka, has carried almost the same irresponsible attitude.

Ask yourself the basic question, Mr. Acting Speaker: Why are they borrowing \$1.8 billion when the deficit is less than \$1 billion, when the net cash requirements are less than half of what they are borrowing? On the face of it, I am sure you would agree with me in your new nonpartisan status, Mr. Acting Speaker, that does not add up.

On the other hand, one has to look at the facts. We have allowed this government over the past decade—and this is a phenomenon of the Davis government; this is not a historical phenomenon or even a phenomenon of the Conservative government—to borrow literally billions and billions of dollars on the consolidated revenue fund from various internally generated pension funds that I respectfully submit, and I have said before many times in this House, put a future generation of taxpayers in very serious jeopardy.

Every year without exception, almost the biggest single increase in spending is interest on the provincial debt. Now, close to 10 per cent of the provincial budget goes just to service the debt to pay for the accumulated borrowings of the past.

**Hon. Mr. Timbrell:** It's 20 per cent for your friends in Ottawa.

**Mr. Peterson:** I will admit to the minister that my friends in Ottawa, and the minister uses that term loosely and I use it loosely, are occupying almost 20 per cent of the federal budget to pay off federal debt. Don't let us extol that as a virtue. Don't let us say that is a yardstick.

**Hon. F. S. Miller:** It is Liberal policy.

**Mr. Peterson:** I daily face from the Treasurer, when he's in trouble, some reference to the federal Liberals. I am not one who is here to expound the virtues of the fiscal management of the federal Liberals because I am one of those who think we are in serious trouble. I am one of those who think we need some serious corrections, both fiscally and otherwise but it is not good enough and not satisfactory to have as the only response that the federal government is worse.

In a number of instances the provincial government is very much worse than the federal government and the federal government has infinitely more, at this point at least, fiscal capacity than does the provincial government. So that's a pretty small and par-

tisan response to what I think is a very serious issue.

**Hon. F. S. Miller:** Who is more fiscally responsible?

**Mr. Peterson:** The Treasurer should turn up his hearing aid, and he will be able to hear these wise words that I am going to share with him tonight.

I want to talk about these borrowings tonight. As you will note in the bill, Mr. Speaker, it authorizes borrowings from the Canada Pension Plan and the Ontario Treasury bill program—at the present time, at least, we are not borrowing anything from the Treasury bill program—from CMHC waste control loans, federal-provincial-municipal loan programs and also from the Teachers' Superannuation Fund.

8:10 p.m.

It is a recognized and generally accepted fact that the deficits of the past decade have been fuelled by internally generated funds at below market rates. The government has been asked about this on occasion. I want to be charitable, Mr. Speaker, because I don't want to be ruled out of order—I was going to say, but I am not going to, that they have misled the members of this House and consequently the people of this province, I can't say that so I have to use another word.

**Hon. Mr. Timbrell:** I am glad you are not going to say that. That would be untrue.

**Mr. Peterson:** I would say they have revealed a lack of understanding of the problem other people do at least have because it is a recognized fact. It is admitted in the budget papers, and they at least were written by a qualified economist, which the Treasurer has never pretended to be, that the province borrows at below market rates from the various internally generated pension funds. I will use the Canada Pension Plan as one example.

As members know, under the various power distribution sections of the British North America Act, 91 and 92, the provinces have responsibility for the pension plan. That was delegated under the wisdom of the former Premier, John Robarts, to the federal government in return for the province being able to borrow those funds to develop a capital program or to spend those moneys on deficits, whatever the province wanted to do at that time. That was generally the agreement in 1966 or so when the plan came into creation.

As of March 31, 1980, the end of fiscal 1979, the province owed the Canada Pen-

sion Plan \$8,757,000,000. The problem of course is that in 1983 or 1984 we are going to run into a negative cash flow when we can't borrow enough money from them to pay our interest. I have to provide a range so my figures are not inaccurate. Members will recognize these are all actuarial projections and actuaries are human like all of us, like the Treasurer, like everyone else, so I cannot give a precise figure. The point is that in about 1985 or 1987 the disbursements from the Canada Pension Plan will start to exceed the receipts and by the end of the century, in rough terms, that fund will be bankrupt, barring an increase in contribution rates or some other fiscal renegotiation.

That puts a tremendous fiscal burden on this province, which will owe the federal government \$12 billion or so at that time. It will have to be paid out over a period at a rate of roughly \$1 billion per year. This Treasurer does not know and the previous Treasurer did not know from whence cometh those funds. No one knows. There are two solutions: they can either dramatically cut down expenditures or they can increase the tax rate. There is a third solution: they can go to the public market. Barring some major change in the financing arrangements of this government, we are going to see a flight to the capital markets, competing with private capital which in itself is highly inflationary.

I have yet to hear an intelligent, articulate view from any member of that government about how those pension plan borrowings are to be refinanced. I remind members again, those are being borrowed at less than market rates. Had those funds been put out into the private market, had they been allowed to generate a real rate of return, commensurate with a capital market at those times, the fiscal integrity of those funds would be far more significant than it is today, and that is a recognized fact. It is recognized by the Canada Pension Plan advisory committee and almost any other actuary who wants to look at it.

We have created in our largess of the 1970s, in the beneficence of the Davis government, in the interest of creating this wonderful public capital infrastructure, a debt load that our children will almost not be able to bear. What is the response of the government? McKeough used to say, "Well, we'll worry about that later. The economy is going to be dramatically bigger and we will find that \$1 billion or \$2 billion here or there."

I have yet to hear the Treasurer of this province utter one thing that is even semi-intelligent on this subject, that reveals even any kind of understanding. The usual and trite response is, "We will wait for the Haley commission." She, the fount of all knowledge, is going to tell the Treasurer what to do in this area, as well as a number of other areas. I hope she has the answers, but the answers are all painful.

It is going to require a very serious cost. It is going to require an increase in contribution rates. It is going to require, in my judgement at least, that the provinces can no longer touch those funds and borrow them just to fuel deficits. That money should have gone, as it should go today, into building the capital infrastructure in this country.

One of the very serious problems we have in this country is that we are underinvested. We have decided as a nation to consume more and invest less, and here we have one of the largest pools of presumably free capital that we have access to that could have been invested in the capital markets.

I am one of those who welcomes very much the latest move to invest \$500 million in Hydro. This is the kind of project into which the cost of money is built and which guarantees a payback over a period of years. But when the Treasurer responds and says we have spent that on schools, hospitals, roads, bridges or pollution control equipment—and I am not denying there is a social return—there is no economically measurable return from those kinds of investments. We will always in this province and in this country have a need for capital expenditures of different types over a different period of time.

We are moving into a new kind of generation that is going to demand more from this government. We are going to have to spend more provincial and federal money on pollution control equipment, equipment to guarantee our future and some kind of purity in our environment. That is a reality; we know that. But there will always be a need for capital expenditures by any government. We have to treat those not as expenditures that are going to be paid for over a period of time by future generations of taxpayers, but as one-time writeoffs in the system now, as we will have to treat them that way 10 years from now.

I understand, better than the Treasurer does probably, the attraction of going into debt to do this kind of thing, particularly under the guise of a restraint program. But let me assure you—I assume you have child-

ren, Mr. Speaker, because you are a very virile fellow—your children are necessarily going to carry a tax load that would be embarrassing to you. At some point an economic disincentive is going to set in where people are going to say it just is not worth working any more. We are very close to that economic choke point right now in our system. People are saying it is not worth working, it is not worth contributing, it is not worth being productive.

Those are the kinds of problems that this government has passed on to future generations of taxpayers. It is all the more serious when one looks at the demographic overlay, when we see we are going to have far more people dependent on the system and far fewer productive workers. We are going to have twice as many people on the upper end of the dependency scale depending on the productive capacity of the people who are then working. It all bodes for very serious financial problems in the future.

I wish that a decade ago when the government started borrowing from these internally generated funds, it had not had the power to do so. If it had not had that power, it would have been far more prudent, far more wise and far more precise in the spending it has demonstrated over the past years.

I am one in this House and other places who advances the thesis of availability-fed demand. The government has always looked at how much it could borrow and then spent that amount. It has looked at the internally generated funds from the Canada Pension Plan, the Teachers' Superannuation Fund, the Public Service Superannuation Fund, the Ontario Municipal Employees Retirement System and whatever, and said, "We will borrow that amount and our deficit will roughly coincide with the amount we can borrow."

**8:20 p.m.**

Always deferring the inevitable; never really being called to account because most people did not understand it, because the majority of people said that because they are not going to the capital market, they cannot really have been developing a deficit. As I said, at the end of fiscal 1979, March 31, 1980, the government owed the Canada Pension Plan \$8,757,000,000, the Teachers' Superannuation Fund \$3,523,000,000 and OMERS \$1,293,000,000.

The argument is advanced sometimes, and I have heard this Treasurer say it in the House, that he was not paying below-market rates for that money. Let me offer a little bit of evidence. The OMERS fund, that section of which has been designated to the private

marketplace, to private-fund management to run, is generating a three to four per cent higher return than that money which is tied up in provincial bonds.

**Hon. F. S. Miller:** Things have changed in the meantime.

**Mr. Peterson:** The Treasurer may have some new information to bring to this subject, and I will be interested. I am saying that is historical record. I am talking over a three- to four-year period when that money has been available.

**Hon. F. S. Miller:** Sure, because rates went up in the meantime.

**Mr. Peterson:** Mr. Speaker, he has such simplistic views of this whole situation. I will be very interested to hear what he has to say about the subject. All I am saying is that this money should have been, in my judgement, managed on the same model as the Swedish system. There, a multiplicity of pension funds is managed by independent fund managers seeking the highest rate of return in the marketplace with a limited number of restrictions. He should have been investing in the Canadian capital infrastructure, seeking out the highest rate of return. Those pension managers who were not generating the proper rate of return should have been cancelled and that money moved on to other people.

Had that been done, there are a number of studies around to say that in Ontario we would have less unemployment, more investment, more real income, less inflation and less of all the other economic evils we are facing in this province today. Almost every commentator recognizes we are very much underinvested as a jurisdiction and as a country.

How could we possibly expect to get the level of investment commensurate with what we need when we have these avaricious governments at all levels, and this is one of the principal offenders, stealing every available cent to spend for their own political purposes at any given time in history? That is the situation we are in today. It troubles me and it troubles any serious observer of the scene. I guess they are banking on the theory that they will not be here three or four years from now and somebody else will have to deal with this very serious problem.

I have done my utmost to bring this to the attention of the Treasurer who, presumably after a year and a half or so in his job, should at least start to understand the problems and should start providing some very serious answers to these kinds of questions.

They are serious, and I am almost tempted to recommend to my colleagues that we vote against this bill to put disciplines on this Treasurer which he has hitherto not faced. However, the government would grind to a halt if we did, and reluctantly we are going to support this bill tonight. But had we had the judgement some eight or 10 years ago to be far more parsimonious with this government, I suggest we would have had far more responsible government in terms of spending.

All of these funds are in very serious disarray. The Teachers' Superannuation Fund, for which the provincial taxpayer has the ultimate responsibility, now has a \$1.4-billion unfunded liability. That means you, Mr. Speaker, your children and everyone else are going to have to pay for those legal commitments taken on by this government to pay teachers' pension plans for which they are at present committed.

Had the \$3 billion or so from the Teachers' Superannuation Fund been invested at market rates in the marketplace, the unfunded liability would be far less than it is today.

The question is, who ends up paying for the very serious deficits this government has undertaken? It is, ultimately, the taxpayer. It is being deferred. There is no easy money, there is no free money to be borrowed in this system. Ultimately, the taxpayers pay.

We are going to have to pay back not only all the funds we have borrowed, not only the interest on all those funds, but also the unfunded liabilities which, at this point, add up to about \$2 billion more than the Ontario taxpayer is going to have to be responsible for over the next two or three decades.

It is a very dismal story. I only regret that the average voter does not have a full comprehension of this problem. You, as Speaker of this House, as an objective observer, as one concerned about the fiscal integrity of this province and the capacity of future generations of Ontarians to earn a living in a productive capacity and in a productive environment, have an obligation to spread the word about what we have done to them. You, as has the Treasurer, have an obligation to make sure we do not carry on with these silly practices of the past.

It is with a very heavy heart that I vote for this bill. It is conceived of as a technical bill. It is a housekeeping act we see every year. Every year I make a little speech on it. Every year we vote for it and we carry on. When the Liberals come to power in this province—and it is not that far off—we are prepared to undertake some of the very difficult decisions that are going to have to be

made, the effects of which are not going to be felt for 10 years.

Mr. Wildman: Which ones?

Mr. Peterson: We have an obligation to move the ship of state one, two or three degrees off course so we arrive at a very different destination 10 or 20 years from now when the full effects of these irresponsible factors are going to be felt.

Mr. Wildman: Which ones?

Mr. Peterson: We are prepared to do that. We are prepared to deal with the gripping problems now so that we do not leave them to some apocalyptic solution 10 years from now.

I hear some yapping from my NDP friends behind me. I am glad three or four have shown up.

Mr. Wildman: "Yapping" is not a very nice word.

Mr. Foulds: Do not call us friends.

Mr. Breagh: I demand the member retract the word "friend."

Mr. Peterson: There is no one there who can count, let alone manage the finances of this province. That is why nobody takes these things very seriously.

Mr. Wildman: The member has not been specific on one thing he has said.

Mr. Peterson: It is interesting that the member for Algoma says I have not been specific. I have given a whole bunch of numbers here tonight. Just because he cannot count past five, and I have lost him, does not mean I have not been very specific. But I do not want us to get misled by that yapping. They are not players and they never will be.

Mr. Foulds: On a point of privilege, Mr. Speaker.

The Acting Speaker: I will hear the point of privilege from the member for Port Arthur.

Mr. Foulds: The Speaker has been most adamant in the last several weeks that the word "misled" or the imputation of "misleading" cannot be made by a member of this assembly. The member for London Centre has imputed motives to my colleague from Algoma that are not accurate and are clearly contrary to the standing orders of the House. He has also blatantly used the word "misled" which I ask you to ask him to withdraw.

The Acting Speaker: Would you let me have the exact phraseology the member for Algoma used?

Mr. Foulds: The member for Algoma was frankly Shakespearian in his utterances. He did not, in fact, use any language that was unparliamentary, but the member for London Centre indicated that my friend from Algoma was attempting to mislead him. I resent that imputation. I think it is unparliamentary.

The Acting Speaker: I do not recall anything to that extent.

Mr. Foulds: I will have the member for Wilson Heights (Mr. Rotenberg) on his feet tomorrow.

Mr. Peterson: Mr. Speaker, you are far too intelligent to be taken in by this gentleman's histrionics. How can you take seriously any gentleman who does not wear a suit coat, even in this House? He continues, not only with his dress but with his utterances, to insult completely this House every time he rises. I respectfully submit you have treated him in the way he deserves to be treated.

They are irrelevant to the whole process. They are not the government, and they never will be. They are sycophants. They are the lapdogs of the government in power today. They do not even understand what they are voting for.

8:30 p.m.

Mr. Wildman: On a point of privilege, Mr. Speaker: With all due respect, I do not mind being referred to as a lapdog and I do not mind the member saying I yap, but I really wish he would quit calling me his friend.

The Acting Speaker: You may have a point of privilege there. The member for London Centre may continue.

Mr. Roy: Your friends are on the other side. That is why you are getting annoyed.

Mr. Peterson: My academic training was in the courtroom niceties. You will understand, Mr. Acting Speaker, being a solicitor yourself, that one is always trained in law school to treat even one's most serious adversaries with respect. I thought I could elevate them just a mite if I referred to them as friends. However, I will never do that again. Everyone who knows them has learned they can never be considered as friends because they cannot be trusted. They would turn on one.

Interjections.

The Acting Speaker: We are enjoying a little hilarity here tonight, but I think I should ask the member for London Centre to modify that a little.

Mr. Peterson: I will withdraw that, Mr. Speaker, in the interests of winding up in a hurry. I wanted to say these are problems I

would like to see the Treasurer address and not wait for the Haley commission. It is now a year and a half old. God only knows when we are going to see its report.

God only knows when we are going to see government members speaking about this issue. To the best of my knowledge, the Treasurer has never made a public utterance on this subject except in response. Like his usual responses, they are fudged and equivocated. One has to work far harder than anyone around here is capable of doing to extract any grain of truth—I withdraw that, Mr. Speaker—any grain of substance therefrom.

I would like to hear from the Treasurer tonight in his response that he understands the gravity of the problem and has some plan for rectifying it. I do not expect anything from the NDP. I do not honestly believe they understand it. I honestly believe they would be far worse than the present government. The serious observers, the Ontario Economic Council, the Economic Council of Canada and any serious study on this issue have said we need corrective action, and the sooner it is taken the easier the transition will be.

I do not know when we can expect either interest by the government or some kind of action by the government, but it is clearly in the Treasurer's court right now. We will vote for this with reluctance. It is with a very heavy heart we do that because it will just be dissipated the same way it has been over a series of years.

That is all I have to say in my annual response to this bill. I will be interested in the Treasurer's remarks.

Mr. M. N. Davison: Mr. Speaker, perhaps I could offer the perspective from Hamilton as opposed to London, the financial, insurance and pension capital of Canada. When the member for London Centre commenced his remarks—

Mr. Wildman: For London Life.

Mr. M. N. Davison: The member for London Life.

Mr. Roy: We are really going to hear from a financial expert now.

Mr. M. N. Davison: That is right. I think it is about time we had some edification from a working-class fellow. The member has none of those in his caucus.

Interjections.

Mr. M. N. Davison: When the member for London Centre commenced his remarks, he took some time to point out the absence of members on the NDP benches. The reason



for that was that we were all upstairs reading his last year's speech, which was substantially the same speech he made this year. If there is one thing that is certain when we view political life in Ontario, it is death, taxes and watching the Liberals reluctantly support over a period of a long time this particular legislation as it comes forth on a yearly basis.

Borrowing by government and borrowing by this tool is not in itself necessarily an evil, as is the implication when one listens to some critiques of the process. Borrowing by government is essentially the same as borrowing by any institution, corporation or individual in our society; it's a question of the reason for borrowing the money.

I would find it difficult to argue with a government that borrows money to see to the public health. I would find it difficult to quarrel with a government that borrows money to see to the economic security of its people. To the extent that the government does that, I have no objection. What I do object to is the use of borrowed money on bad spending priorities. Essentially, I object to bad spending priorities, and we in this party are capable of separating the two issues. We do have some substantial disagreement with the government and with the Liberal Party as to spending priorities in Ontario.

The question of borrowing from the pension funds, as put by the member for London Centre is an interesting area. It's a curious area because I think it is one in which there is an almost universal ignorance as to the long-term meanings of that. I think the member for London Centre makes his case reasonably well when he talks about the potential seriousness in, if not the short term, at least the moderate mid-term. The figures are rather startling when we consider that in a society like ours, at this point in our history, we have something like six working people for every person on pension. Early in the next century that figure will be cut in half.

The amount of unfunded liability is a serious concern and a serious question. I rather suspect it is the ignorance of the experts and the lack of knowledge of the public that encourages the government to gamble as much as it does in a lot of its borrowing. In the final analysis, however, government must maintain that kind of flexibility in its fiscal planning; government must continue to have access to those sources of funds rather than necessarily leaving them available and open as a private borrowing pool.

However, I think it would be nice if, in conjunction with that, the government was

able somehow to rearrange its spending priority so we could see that the money was being spent on worthwhile projects, unlike a number of the projects that the government sinks public money into.

**Mr. Laughren:** Mr. Speaker, I should give a word of explanation as to why I am a couple of minutes late. It is because I was sitting in for the Treasurer at the meeting of the Ontario Economic Council where some very profound problems are being debated this evening. As a matter of fact, when I left, Carl Beigie was at the podium espousing the virtues of closer liaison with the United States through the C. D. Howe Institute.

**Mr. Peterson:** Why don't we send the Treasurer to learn something?

**Mr. Laughren:** As a matter of fact, there were a lot of people asking for the member for London Centre and wondering whether the Liberal Party was still alive in Ontario. I assured them the Liberal Party was struggling and that we were giving them resuscitation.

**The Acting Speaker:** Back to Bill 49.

**Mr. Laughren:** Back to Bill 49. I did mention that branch plants were not a new problem to Ontario but that a branch plant political party was becoming an increasing problem in Ontario and that until the Liberals were done away with they would continue to be a problem.

**8:40 p.m.**

Back to the bill, Mr. Speaker. The consolidated revenue fund provides for a wide-ranging debate. I believe that is the tradition in this chamber—that we can talk about—

**Mr. Speaker:** Anything that is relevant; nothing to do with meetings held outside.

**Mr. Foulds:** On a point of order, Mr. Speaker: The previous Liberal speaker should have been ruled out of order for his entire presentation.

**Mr. Laughren:** Exactly, I was thinking the same thing. As I was walking across Queen's Park I was thinking the same thing.

**Mr. Speaker:** the raising of money by credit is the purpose of this bill. Like anyone raising money, the state of economic health of the borrower is one of the key ingredients in determining what kind of reception one gets from creditors. It is the economic health of Ontario that bothers us a great deal.

What we have tried to say to the Treasurer is that he is heading in the wrong direction. As a matter of fact, he is following in the wrong direction. If he was leading in the wrong direction I could perhaps find it easier to cope with. But he is simply following the



direction of the Minister of Industry and Tourism (Mr. Grossman). The Treasurer simply won't come to grips with that problem.

The more I think about it—and this is directly relevant to this bill because of the need to borrow moneys to keep Ontario in good shape—the more I realize that as the recession in the United States increases, the greater will be the problems in Ontario. When we do 70 per cent of our trade with the United States, it means that whatever happens in the US affects us very profoundly.

Right now we are seeing it spilling into the automobile industry. In a very short period of time we are going to see it in the pulp and paper industry, and I know that Mr. Speaker is very concerned about that industry. We are going to see it in the steel industry. Within the last two weeks it has begun to hit the nickel industry, as the automobile industry goes into decline in the United States.

Unfortunately, the Treasurer fails to come to grips with that problem. He sits over there and issues his statements that we are going to have greatly increased investment in manufacturing in the next year and he beats his breast about that. What he doesn't seem to understand is the reason why we are going to have increased investment in manufacturing. It is simply an accumulation of profits combined with the fact that a lot of manufacturers have reached the maximum capacity of their operations and they simply have to expand. But as the recession spills over into this jurisdiction we are going to find increasingly hard times.

What we in this party have tried to say to the Treasurer is that he simply cannot continue to rely on that invisible hand out there, that great invisible hand in the marketplace to look after things.

**Mr. Peterson:** Where is Adam Smith when we need him?

**Mr. Laughren:** That is right. The Treasurer still thinks, along with the Liberal member for London Centre, that the invisible hand out there is going to solve all problems.

I would like to give an example. In Saskatchewan when the government came into power in 1971, it said, "We don't believe the invisible hand is going to serve the people of Saskatchewan best." We do not have that situation in Ontario.

**Mr. Peterson:** On point of order, Mr. Speaker: I say with great respect to the member for Nickel Belt that he is not discussing this bill even by the widest, most extravagant interpretation one can make of

what is contained herein. This is a bill about borrowing—

**Mr. Speaker:** I will decide whether any member or not is relevant. I heard the member for London Centre from my office. He was given an awful lot of latitude. If the honourable member wants to speak about another jurisdiction for purposes of comparison, I am prepared to listen to him.

**Mr. Laughren:** Mr. Speaker, what I want to talk about is the need for Ontario to increase its revenues. Surely as the revenues in the province increase there will be less demand to borrow. Surely that is relevant to the bill we are discussing this evening. There is a sense out there that if the public sector gets involved in anything it absorbs wealth rather than creating it. This party has tried to say that is not necessarily true. If we were to create a crown corporation, for example, to build mining machinery, it would be a wealth-creating act and not an act absorbing wealth. We cannot seem to convince the Treasurer or his government that that is true.

Take Saskatchewan as an illustration. They have created a Crown Investments Corporation which is an umbrella over 17 other crown corporations. In 1978, the last year I for which have figures, 16 of the 17 earned a surplus. The Treasurer would call it a profit; I prefer to use the term "surplus."

We have said that is what we need here. This hands-off approach to the economy simply is not working. That is why we have high unemployment in Ontario. That is why we have very serious problems with the decline in manufacturing. As a matter of fact, there is a process going on here which economists are calling a deindustrialization process; it is happening because the Treasurer and his fellow ministers will not deal with the problem. They say, "That is the way the system works; we will just let the chips fall." We say very clearly to the Treasurer that he has to get off this tangent.

I asked the Premier a question about resources today. Despite the fact that in Ontario less than two per cent of the value of production of minerals comes back to the province in the form of revenues, versus 13 per cent in Saskatchewan—and I am talking about minerals, not oil and gas—the Premier stood in his ideological straitjacket and said: "We will never entertain that. Don't give me the facts." That is virtually what he said today. He dismisses out of hand the possibility of creating new wealth which would allow us to deliver services to the people of Ontario.

Our colleges and universities are underfunded, our children's aid societies are underfunded, our public educational system is underfunded, and the government says, "We just don't have the money." They fail to go one step further and tell us why we do not have the money. We are deindustrializing. We import so much of our manufactured goods. The Treasurer and his colleagues over there simply will not deal with that.

We have been trying to say for years that the public sector can create an enormous amount of wealth. It can be a very positive influence on the province. In other jurisdictions it has proved to be that way. It would not be any kind of ideological aberration if the Tories were to do that. They created Ontario Hydro, how many years ago? It is already there. One of the finest services in Ontario is norOntair. I cannot speak for you, Mr. Speaker, but I suspect you would agree. When I go into very small communities in northern Ontario, I know that service would not be there if the province had not stepped in, directed that service be provided and provided the funding to get it under way. That is the public sector doing what it should be doing; not operating every little corner cigar store but moving in where it is absolutely crucial.

I am always talking about mining machinery. The Treasurer and the Minister of Industry and Tourism (Mr. Grossman) simply refuse even to talk about the issue. When the Treasurer responds tonight he will not talk about mining machinery because he will say, "My colleague is putting on trade shows." Isn't that interesting? It is also interesting that we send salespeople from the province all around the world to splog our products; in other words, to promote exports. How many people do we have in Ontario working on the replacement of imports? Precious few. It is a distorted priority. I say to the Treasurer, it is fundamentally wrong. We should be using crown corporations, because they have an enormous potential for creating wealth.

8:50 p.m.

Do you know what the Treasurer is, Mr. Speaker? I will be very careful here, because I notice your eyes getting a little narrow. The Treasurer is Schumacher. Schumacher wrote a book called *Small is Beautiful*, and I am an expert on small being beautiful. The Treasurer seems to think we can hearken back to a day when small was beautiful and rebuild the Canadian and Ontario economies by that kind of process. But I put it to you, Mr. Speaker, that day has passed us

by and the Treasurer simply is not willing to accept that.

One way he could move in and turn things around is to cast off this straitjacket he seems to be stuck with. Since 1971, resource revenues in Saskatchewan have increased twentyfold. That happened after the NDP government was elected. Can the Treasurer make that same claim about the performance of the Manitoba economy since Sterling Lyon was elected? The answer is obvious. The Manitoba economy has gone down since the Tories were elected, and the Saskatchewan economy has gone up since the NDP was elected there in 1971.

I suggest that the Treasurer is prepared to dabble with his portfolio. He is not prepared to grasp the fundamental issues in Ontario. We tell him that the manufacturing deficit is unacceptable; in Canada, it went from \$12 billion to \$17 billion in one year. The figures were released in the last day or so about the trade deficit, which is completely unacceptable; it is higher even than last year's. The Treasurer is not prepared to move in there either. I wonder how far the Treasurer is prepared to let the economy of Ontario decline before he moves in with some positive intervention. I would like to know that. Is the Treasurer prepared to do anything? Is he going to sit back and watch?

My colleague from Windsor-Riverside (Mr. Cooke) raised the issue today with the Minister of Industry and Tourism, and he got a non-answer. The Treasurer is the one we should be putting these questions to, because the Minister of Industry and Tourism is too busy building an empire to worry about the overall economic health of Ontario. We had a \$788-million deficit in the automobile industry in 1979. We are up to \$947 million in the first four months of 1980 and, since we had a record deficit last year, it would appear we are heading for another record deficit this year. Surely that is completely unacceptable.

All this government has done is say it is prepared to put \$10 million into a research and development project in the city of Windsor. That needs to be done and this party supported that position. But surely that is not enough. I would ask the Treasurer, when he responds, because surely this bill is all about the economic health of the province, to say what his plans are about the mining machinery industry and about the automobile industry. He cannot escape that. He cannot pretend this is just a bill that authorizes the borrowing of money from certain pools of money; it is much more than that. I would ask the

Treasurer to tell us what his plans are for the incredible deficit in machinery, particularly mining machinery.

**The Acting Speaker:** The member is now becoming repetitive.

**Mr. Laughren:** It seems, Mr. Speaker, that unless one is repetitive, it doesn't sink in.

**The Acting Speaker:** It becomes monotonous, though.

**Mr. Peterson:** Tell him again, Floyd.

**Mr. Laughren:** All right, I will say it once more. What does this government do? It looks at the problems coming at it, in terms of inflation and unemployment, and the Premier (Mr. Davis) goes down to a big hotel in Toronto and he muses out loud that perhaps what we need is a return to wage and price controls, as though that is going to correct the structural deformities of the Ontario economy, as though that is going to solve the problem. We had wage and price controls. What did they do towards rebuilding the Ontario economy? Absolutely nothing, because they failed to recognize the nature of the problem. When the Premier does that, he is laying down a smokescreen; he is coping out. He is camouflaging the whole problem. We in this party believe that is not acceptable.

Finally, when the Treasurer responds to the comments on this bill, I put it to him that he should deal with the problem of economic planning and to what extent he is prepared to jump in there and mix it up with the private sector to see whether we can turn things around and get Ontario back into a growth position.

**Mr. Williams:** Mr. Speaker, in considering the substance and specifics of the bill before us this evening, there is a matter of detail I would be interested in having the minister elaborate upon, if he would.

I know it is customary in bringing in these types of money bills to seek financing from several of the traditional sources. It appears this pattern is being followed with regard to this bill. I refer specifically to section 1(2) of the act where it indicates the source of funding will be by the issuance of provincial debentures to the Teachers' Superannuation Fund under the authority of the Teachers' Superannuation Act and to the Ontario Municipal Employees Retirement System Fund, under the authority of the Ontario Municipal Employees Retirement System Act.

I am fully aware these are the traditional sources of funding the Treasurer goes to from time to time as he sees the need, but not

being the Treasurer and not having the specific details in front of me about the advantages of going to one fund rather than the other, I am not clear whether it is done traditionally, as a matter of percentaging, that the Treasurer would rely on funding from one of the sources, say the Teachers' Superannuation Fund, rather than the OMERS fund. Is there a preference given? Is it dependent upon the prevailing rates of interest at the time? I presume this is the major consideration, and I presume under those two pieces of legislation there are factors that can determine when it would be advantageous to rely on funding and emphasizing our source of funding from one of those acts rather than the other.

I must admit I am not entirely clear as to what formula is used by the Treasurer. I am sure he goes to the best source available that will provide the most favourable interest rates for the borrowings intended, but I would appreciate the Treasurer's elaborating on the methods used to determine what is in the best interests of the province by way of relying on one fund over the other as being the most advantageous from a borrowing point of view.

**Mr. Nixon:** Mr. Speaker, I shall be very brief. I want to express my displeasure at the position taken by the Treasurer, followed by his colleagues, in patting themselves on their backs in this particular budget and saying they are giving these services with no new taxes. Now Bill 49 comes to us and for the cost of providing services with no new taxes or no tax increases we will borrow \$1.8 billion.

Specifically, the Treasurer announced there would be no new taxes but the deficit would go up from about \$600 million in the last fiscal year to just under \$1 billion in this fiscal year. There is some reason to believe that last year's deficit was artificially lowered and that the Treasurer, following the lead of his well-known predecessor, was doing his best to squeeze this year's estimate below \$1 billion. That is fine. We know the arguments about how we are not going out of the country for any borrowing on our behalf; we are simply borrowing from ourselves and all the rest.

**9 p.m.**

I must say I find it offensive when the handout from the Treasurer's office reproduced verbatim in the weekly press across the province, as if the local editor had written the story himself, says, "Isn't it great that there will be no tax increases this year?" and

there is not any reference at all to the projected increase in the deficit.

One could not run a used car lot that way except for a short period of time. I am not suggesting that is where the Treasurer learned this trick, because he is not the first one to use it, but I believe it is substantially misleading politically. Is that all right?

**An hon. member:** Absolutely.

**Mr. Nixon:** One of the areas I find of substantial concern is the use of a term to refer to deficit. We have heard many euphemisms. Down through the years one of the minister's predecessors did not like the word "deficit." I think it was Jim Allan. He used to use the word "shortfall," and we had shortfalls for several years.

Then I believe it was Mr. McKeough who realized that people were wising up to "shortfall," so he started talking about net cash requirements as if for some reason, because it was a net cash requirement, we were not borrowing anything. It somehow seemed to be a good thing to have a net cash requirement. But it took this Treasurer to break all rules and bounds of decency in the use of the English language when he referred to the deficit as a "pause in our deficit reduction strategy." That has to be the limit.

We know that the government has been fully committed to a balanced budget in 1982. Or was it 1983?

**Hon. F. S. Miller:** In 1981.

**Mr. Nixon:** In 1981? Next year?

Now that they have put Darcy McKeough out to grass—or out to gas, pardon me—this Treasurer, as smoothly as only he can do it, is talking as follows: "In a year of economic uncertainty, I believe it is appropriate to allow this pause in our deficit reduction strategy."

That has to be the ultimate in fiscal shenanigans. I think it was at that stage his followers, none of whom is here tonight—maybe just a couple—broke into wild applause, thinking that once again the answer to the riddle of the universe had been forthcoming from the Treasurer. I do not know what they are going to use next year, but I would suggest that about the time this government is running out of public esteem and support, it will be running out of euphemisms.

I mentioned in a speech recently, and I want to repeat this part of it, my concern at these mounting deficits. Unfortunately, we have now just passed out of the 10-year spectrum where we can refer to the only surplus we have had in the last 11 years. The last time the budget was under the control of a Premier, other than the present one, was a

time under John Robarts when we had a surplus of \$100 million.

Since that time we had uniformly large and oppressive inflation-causing deficits. At the same time, the debt for Hydro, for which we are responsible, has been growing. The funded debt now stands at \$16.195 billion, excluding Ontario Hydro. The figures for Hydro are not available for this estimated year, but it looks as if the total borrowing on behalf of Hydro, including US borrowing and contingent liabilities, is close to \$12 billion.

The minister smiles because the numbers do not mean any more to him than they do to me, but we are paying, according to his own figures, more than \$4 million a day in interest. Every year I have been here, the minister and his predecessors have had one of these innocuous little bills which have allowed the province to go into debt by at least another \$1 billion.

It was just a few years ago that the part of the power to borrow which was not used was cancelled. Up until that time, all of these borrowing privileges had been cumulative. I believe it was my erudite colleague, who is no longer a member of the House but is now sitting on the Ontario Municipal Board, who through careful questioning was able to draw out from the then Treasurer the fact that the power to borrow money was cumulative and that there had already been a grant of power of several billion dollars that had not been utilized even at the rate this government goes into debt. It is obviously a matter of grave concern, and the platitudes the minister gives us about debt being good for the province and being stimulative, and that the federal Liberals are even worse, do not cut any ice with us. They may convince their sometime supporters in the New Democratic Party who want bigger deficits.

The whole bunch of them should be in the same bag. They are technocrats. They take the advice of some of the people sitting under the galleries. They say, "If they say it's okay, it must be okay."

It is time the Treasurer used his own good sense and started to bring a halt to these increasing deficits and to get back on the rails towards the kind of rational approach to a balanced budget this province needs and will get with a Liberal administration.

**Mr. Foulds:** Mr. Speaker, I want to make a few points in this debate. My friends on my extreme right, the Social Credit Party of Ontario under the banner of the Liberal Party, have asked me to make my remarks

relevant and I will do that. I want to point out strange contradictions, first in the Liberal Party position, and then in the Conservative Party position.

First I will deal with the Liberal Party, because it is the easiest when one talks about contradictions. Over the last number of years, the Liberal Party has talked about the necessity to balance the budget, to bring spending under control and to bring economics down to the level that the taxpayers of the province can understand. I have some sympathy with that viewpoint, but I think we have to recognize, whether we like it or not, that we are in the last part of the 20th century, rather than the first part of the 19th century. It is no longer possible to do a budget or to run the provincial store on the back of an envelope.

There should be some clear statement at some point before the provincial election about whether the Liberal Party wants to cut back on services that are needed in this province in health, education, community and social services, correctional services, et cetera. Are they going to cut back on spending and on taxes? They cannot have it both ways. If they are going to cut back on spending, on borrowing, on intervention in the economy, on taxes, they are going to cut back on services.

If that is the platform they want to run on, then they should be straightforward and clearly enunciate it. But they do not. On the one hand, they tell the Treasurer and they tell us in this party that we like deficits. We do not, but we recognize the realities of finances in the 20th century. On the other hand, they go out to the hustings time and time again speaking about the areas of programs they will expand in. They will give additional loans to farmers and to small businessmen; they will develop programs. They have not, in my time in this House, ever had the courage to tell us which programs they are going to cut back on. I do not think they have even had the courage to say they would cut back on Ontario Place, because they recognize that has some pitfalls for them.

9:10 p.m.

The second area I want to get into is contradictions that I find strange in the government's own attitude towards intervention. I am pleased that this bill is before us, because I think it is necessary for the government to be able to borrow money. For example, if there were not moneys available to the government we would not be able to spend the moneys we have over the last several weeks

in fighting the forest fires in northwestern Ontario. It is obvious that we are going to be overspending our allotted budget in estimates, because it was necessary and vital to the province that we intervene directly. We had to raise money so we would have money available; we had to use our credit to make the expenditures that were necessary to preserve as much of our forestry industry resources as we could.

There was no hesitation on the government's part to do that. They do not mind intervening and spending government money to preserve that resource. We applaud that. We think that situation was handled expeditiously, but it was handled only because there are certain borrowing powers given to the Treasurer. There are certain understandings about expenditures that can be spent above the allotment that this Legislature may nominally vote provided the supplementary estimates and so on come in later.

What I do not understand is when the government is ready to intervene strongly to help preserve that resource, it is not ready to intervene with expenditures to plan, preserve and use natural resources in the non-renewable sector, the mining sector. I don't understand why it is not ready to intervene in financial and legislative ways to integrate, for example, our iron ore industry with our steel production industry. That might have preserved some jobs in the iron ore mines at Caland and Steep Rock, and it might have encouraged the development of the rich ore bodies at Bending Lake and Lake St. Joseph in order to supply the Ontario steel mills. That kind of integration of our economy would result in practical steps to maintain jobs in northern Ontario.

I would like to see a commitment from the Treasurer that some of the interim moneys he is going to borrow under the authority of this bill will be used to set up a northern Ontario development fund. Such a fund could deal specifically, pragmatically and practically with the problem of one-industry towns in northern Ontario, and particularly at this crucial stage with the one-industry mining towns.

Hon. F. S. Miller: Mr. Speaker, the bill tonight is giving me the authority to borrow up to \$1.8 billion. That does not imply, as several of the speakers have attempted to conclude, that is the amount of money we need to borrow in the year. It is simply an authority. I am quite happy to delve into that.

Included in that \$1.8 billion is the \$500 million flowing directly through to Hydro.

**Mr. Peterson:** It was our idea. We take credit for it.

**Hon. F. S. Miller:** Of course they would. That is the result of the good management we predicted when, in 1976, we started on the road of constraint to reduce the cash requirements of this province year after year.

The bill runs for a period of more than 12 months. I am sure my honourable friends know that. It runs until September 30, 1981, if I am not wrong, because over the summer months when the Legislature is not sitting there often is a need to borrow the funds as they become available from the various pension funds. The pension funds are the source of these funds in the main.

The interesting thing to me is that a great deal has been made about the nominal amount of the debt of the province. Debt, whether it is for a person purchasing a home or for a province, is usually measured in terms of income. When we talk about the problems of home owners who have trouble with mortgages today, a common threshold that has been used by my friends in the opposition, and sometimes by the experts within the industry itself, has been something like 30 per cent of gross family income. That same kind of comparison should and could be made for Ontario.

One of the interesting facts is that back in the 1950s, in some of the periods that some members have alluded to, one would find that the debt of the province actually was greater in some of those very good years. For example, the debt-to-revenue in the 1950s was about 150 per cent. The debt-to-revenue ratio now is about 100 per cent. In other words, the debt is roughly equal to one year's revenue, and that is an interesting fact.

If one takes a look at a table on page 28 of my budget paper, one could look at the tables there and see that the net cash requirements as a per cent of gross provincial product for the last five years were at a high of 2.1 per cent in 1977 and at a low of 0.7 per cent in the year just past, or just a third the amount they were the year before I became Treasurer. That is another interesting fact.

**Mr. Peterson:** What about the cumulative debt?

**Hon. F. S. Miller:** I just gave the cumulative debt when I said it is 100 per cent of annual income and a few years ago it was 150 per cent. I think those are important factors behind the fact that, in terms of the revenue of the province, the debt today is lower than it was back in the days when

no one in this House would even have dreamed of criticizing the spending power.

One of the problems we have in a world of rapid inflation is dealing with nominal figures instead of real figures, because nominal figures change so quickly and real figures, or real dollars, are affected by inflation.

**Mr. Laughren:** What is a nominal dollar?

**Hon. F. S. Miller:** One talks about nominal dollars. A dollar is a dollar is a dollar; it is just a number. But in real dollars, the member knows what I am talking about. If he does not, he should not be my critic.

**Mr. Peterson:** As a matter of fact, he is qualified to be your critic.

**Hon. F. S. Miller:** Certainly he matches the member for London Centre.

**Mr. Laughren:** On a point of privilege, Mr. Speaker—

**The Acting Speaker:** We will hear the point of privilege.

**Mr. Laughren:** I have a feeling I have been maligned. Could the Treasurer tell us what the difference is between a constant dollar and a nominal dollar?

**Hon. F. S. Miller:** I said a real dollar.

**The Acting Speaker:** That doesn't amount to a point of privilege. The Treasurer may take on the job of trying to explain.

**Hon. F. S. Miller:** Nominal dollars are simply—I have a \$16-billion or \$17.121-billion budget for spending this year. That is a number; nominal, from the Latin.

**Mr. Laughren:** Numero.

**Hon. F. S. Miller:** Numero uno is me; nominal is my friend.

Real dollars are those dollars in constant terms after allowing for inflation. In fact, if members look through my budgets for the last three years, spending dropped in real dollars, but the very fact that we have inflation makes each year look successively larger than the years before.

Net cash requirements—those members who try to make me look as if I am having a bad year have a great love of looking back to last year and saying I am spending 44 per cent more debt this year than last year. The truth is, if one looks at the figures, I had a net cash requirement this year of \$204 million less than I predicted for last year. The fact is, I am predicting fewer dollars this year in cash requirement than I predicted last year.

**Mr. Nixon:** You were very wrong last year.

9:20 p.m.



**Hon. F. S. Miller:** I was very wrong last year, thanks to both good management and good luck, and I happen to accept both as being part of it. The good luck was the fact that the Ontario economy remained remarkably buoyant thanks to confidence in a government that has shown it can run this province as opposed to governments that have shown they cannot run the country.

**Mr. Peterson:** His projections, no matter what he predicts, will never be disappointed—Murphy's Law of accounting.

**Hon. F. S. Miller:** The more the member talks, the more I know what I am saying hurts.

One of the other things that comes up in my table that the members should look at—again, these chaps are great at telling me how idiotic I am, how incompetent I am, how short I am—I have never heard a speech where my height has not been alluded to, or the NDP critic's.

**Mr. Peterson:** On a point of order, Mr. Speaker: I might say the Treasurer is small of spirit, small of vision, small of judgement, but I would never refer to his diminutive size.

**Hon. F. S. Miller:** The member used those very words; in fact, he used them earlier tonight. I think my colleague in the New Democratic Party would be the first to agree with me.

**The Acting Speaker:** If the member who raised the point of order wishes to reply, he may.

Interjection.

**Hon. F. S. Miller:** I have never worried about being short. I have never had the problem of getting a message from my brains to my mouth. Some other people appear to have that problem.

**The Acting Speaker:** Will the Treasurer return to the principle of Bill 49?

**Hon. F. S. Miller:** He has been heckling me about my size for two years now. He can't find anything else to talk about.

One of the things that I would point out is contained on page eight of my budget paper C. If one looks at provincial spending across Canada province by province where one includes provincial and municipal spending, because we consider them to be one and the same, one will find that Ontario has the lowest percentage spending of gross provincial product in Canada. Ontario has the lowest spending for government purposes in Canada.

That means, contrary to what the member would interpret it as meaning, that we are

doing one of the best jobs of gaining value for the dollar spent. In Prince Edward Island, 51 per cent of the gross domestic product is spent running the province and its municipalities. In Ontario, 25.2 per cent is spent for that. Even Alberta, that province all the members opposite talk about as being great, spends 27 per cent. I would like to point that out, because it is one of those points that is often missed in the discussions.

The member talked about all the changes he would make if he were here with the majority. When the member has the next opportunity to speak on interim supply or my budget, I hope he will clearly spell those out before he is ever out in the hustings. I would dearly like to know what changes the member would make, since currently I understand I have difficulty bringing in my pensioner credit bill because he is going to oppose it; the member is going to say I'm not giving enough on one hand and giving too much on the other.

**Mr. Peterson:** It is stupidity. It is unfair and it is robbing from the poor and giving to the rich. It is ill conceived and just plain dumb.

**Hon. F. S. Miller:** I hope the member will say that to the senior citizens who turn out to his meetings. I sincerely do. I think it will do a great deal for the member in his riding. I think he will find that he has not interpreted the reaction of the average senior citizen in Ontario.

**Mr. Peterson:** The Treasurer is probably good at signing cheques.

**Hon. F. S. Miller:** Jealousy is a great thing.

**Mr. Conway:** I will vote for that tie any day of the week.

**Hon. F. S. Miller:** When I went out running tonight, I changed ties; that's about all I did.

A question was asked of me by the member for Oriole (Mr. Williams) about the interest rate paid for money while the bill allows me to borrow money from a number of sources, it should be pointed out that at least one of them has not been used for some time, and that is the Ontario Municipal Employees Retirement System Fund.

To counter some of the charges made by my colleague from London Centre (Mr. Peterson), I believe, for example, that we do pay fair rates for the moneys borrowed from the pension plans. On Canada Pension Plan borrowings, in any given month, the amount we pay is the average yield on federal bonds with 20 or more years to maturity during



the first three days of the previous month. In other words, we use a current figure.

When interest rates are going up, we are often borrowing historically at slightly lower than immediate rate; when interest rates are dropping, we are sometimes paying more than the immediate rates. Those rates on the CPP bonds are probably the best rates. I have all kinds of tables to show what the rates were on those versus, say, Hydro bonds which were issued on the marketplace. The difference varies all the way from one per cent to 0.25 per cent.

**Mr. Peterson:** One billion, one hundred and thirty million dollars' worth.

**Hon. F. S. Miller:** It is interesting that the member should criticize me for borrowing money at the best possible rate the province can get.

**Mr. Peterson:** The taxpayers are going to have to pay for it.

**Hon. F. S. Miller:** The taxpayers are going to pay for it one way or another, are they not? There are guaranteed benefits in those pension plans. They are not related to the interest rate I pay. The member knows that, does he not?

**Mr. Peterson:** The Treasurer is stealing from future taxpayers.

**Hon. F. S. Miller:** My friend, that is the subject of a text the royal commission is looking into. I have been asked to await it before making too much comment.

**Mr. Peterson:** The Treasurer has been waiting for it for two years, and he does not know what is going on.

**Hon. F. S. Miller:** I know a fair amount about what is going on. The interest rate we pay to the Teachers' Superannuation Fund is the interest rate on debentures issued each year by Ontario or Ontario-guaranteed issues made in Canada during the previous fiscal year. The interest rate paid on Public Service Superannuation Fund borrowings is the interest rate paid on the average of Ontario and Ontario-guaranteed issues for the year the credit is made. So we are not robbing the pension funds. In fact, it is our intention to stop borrowing those moneys as soon as we can.

**Mr. Peterson:** The Treasurer's budget paper says he is paying low market rates.

**Hon. F. S. Miller:** I have here somewhere all the rates paid by Ontario versus the rates paid by, say, Quebec or British Columbia or New Brunswick. If we rate Ontario in terms of the cost of money purchased or borrowed in the open market, we currently have the

lowest charge or interest rate in Canada for anybody actually borrowing in the marketplace, outside of the government of Canada. I am talking of the provinces. That is, for instance, where we go out and borrow it on behalf of Hydro. Our credit rating, which has always been a triple A since I have been around, indicates that borrowers trust Ontario and they think of it as a good place to go.

I would like to correct one misapprehension the member for Brant-Oxford-Norfolk (Mr. Nixon) touched upon. He alluded to some kind of weekly newspaper article that was written by my staff. I had no staff writing any articles for weekly newspapers.

**Mr. Nixon:** It was in that summary of the budget the minister mailed out.

**Hon. F. S. Miller:** There was some pre-digested material sent out, but not by my ministry.

**Mr. Nixon:** Somebody paid for it.

**Hon. F. S. Miller:** It was not in my ministry budget.

**Mr. Peterson:** Of course it was.

**Hon. F. S. Miller:** It was not. There were press releases. That is not what the member talked about. He talked about an article being written—his words were, if I can recall them, "as if the local editor himself had written it." My press releases were not written in that way. They were summaries—I can gladly give him one—on the salient points in the budget. There were, I believe, and there often are, summary stories such as CP writes for the daily papers, sent out to weeklies, but my ministry did not write any of those.

**Mr. Nixon:** If that is the case, I apologize to the Treasurer, because these stories appear in the weeklies and they do not get CP or any kind of wire service. They must have arrived from some source, lifted holus-bolus and plunked into the weekly. I would be glad to find out where they come from. If they come from the government caucus office, I will find out about that and let the Treasurer know.

**Hon. F. S. Miller:** I just wanted to point out they were not from my ministry. If I turn out to be wrong, I too will apologize.

**Mr. Nixon:** All right. I accept that the minister is several shades whiter than the driven snow.

**Hon. F. S. Miller:** In Muskoka. Slightly acidic, but otherwise fine.

The member for Port Arthur (Mr. Foulds) talked about the regional priority moneys needed to invest in the north. I should

point out to him that the moneys this government invests in regional priorities in the north are probably a function of 10 to 15 times more than for the whole of southern Ontario.

9:30 p.m.

I think my budget for regional priorities is in the range of \$5 million for southern Ontario and in the range of \$60 million for northern Ontario for the kind of help the member was referring to. I would be glad to research and give him the actual figures. That indicates, at least in general order of magnitude, the importance we place on trying to improve the conditions in the lesser developed parts of Ontario. It is handled through the Ministry of Northern Affairs in the case of northern Ontario and through my ministry in the case of southern Ontario.

On a per person basis, the order of magnitude is far greater than that. It is simply a recognition that municipalities in the north have serious problems. There is a need to help with infrastructure and with the design of anything that will help them get industry.

With regard to the other remarks by the official critic of the New Democratic Party, I would suggest the discussion he brought forward tonight on mining machinery and on other things is one we have discussed a number of times. In all sincerity, I have nothing more to add tonight to what I have added before. I do not add things that suit the member. The very reason we have different parties in this House is we have different beliefs in what works.

I would only say to the member that in the last year through a number of mechanisms, one of which was discussed tonight, the small business development corporation, we have been doing our best to stimulate more primary and secondary investment in this country to tackle the problems he talks about. I do worry about the \$16-billion finished-product deficit in trade. I do worry about the importation of mining machinery. I am just not satisfied the member's techniques are the right ones. With that, I hope second reading of this bill will be accepted.

Motion agreed to.

Third reading also agreed to on motion.

#### ONTARIO MINERAL EXPLORATION PROGRAM ACT

Hon. F. S. Miller moved second reading of Bill 50, An Act to provide Incentives for the Exploration of Mineral Resources in Ontario.

Hon. F. S. Miller: Mr. Speaker, the purposes of this bill were pretty thoroughly de-

scribed in my budget speech. I am sure my critics have had an opportunity to read the bill. I hope they received copies of some technical amendments I propose to make in committee. I asked that those be sent to them so that they could have a chance to read them.

May I just confirm that? Did either of my critics get the technical amendments?

Mr. T. P. Reid: No.

Hon. F. S. Miller: Perhaps the member for London Centre (Mr. Peterson) got them. I understood they were sent this afternoon. Did they get any?

Mr. Laughren: No.

Hon. F. S. Miller: They are not changing in any way the purpose or intent of the bill. I will see the critics get copies almost at once. They deal with comments that have been received from a number of lawyers and other people who have looked at the bill since we printed it, following the budget, and who have had an opportunity to look at some of the relationships between companies as defined and the words "affiliate," "associate," and so on. We have inserted a few words such as "affiliate" and we have defined "affiliate." We have also added the words "in Ontario" in at least one case so we can define companies that are not eligible versus companies that are eligible. They are amendments of that nature.

I trust there is a copy for the NDP going over there also. Rather than discuss the bill at any length, I would be pleased to let my critics criticize it.

Mr. T. P. Reid: Mr. Speaker, one always finds it difficult to criticize the amiable Treasurer. That is how he gets away with murder in this Legislature. As usual, our criticism will be of a constructive nature.

The Treasurer has indicated there is a fairly long explanation in his budget dealing with the Ontario Mineral Exploration Program which is contained in Bill 50. I find it difficult to argue with the principle of the bill, which provides for a 25 per cent tax credit or rebate to those who are engaged in mining exploration, but I have something to say about that. I would like to take a minute or two to put Bill 50 into the perspective of the mining industry in Ontario at the present time.

We haven't had a new mine open in the province in a number of years. We have a great number of ore bodies that have been discovered where we know what is there. We know there is iron ore at Bending Lake. We know there is iron ore at Lake St. Joseph.

We know of some other nickel deposits and so on across the province. Obviously these mines are not at the moment being developed in present-day circumstances, partly because of markets and partly because of the type of ore that exists in those mines.

This bill, presumably, is to spur mining exploration in Ontario. It is ironic that the Treasurer or the government would bring in such a bill when they themselves almost completely and effectively destroyed the junior mining development companies in the province some five years ago when the Ontario Securities Commission brought in regulations that effectively brought a halt to small mining exploration companies and small mining development companies. Those problems still exist because there isn't any incentive or any ability for a small mining exploration company or individual to bring a mine that they might find into production or into preproduction because of the actions of this government a few years ago and its reluctance to do anything about the situation that it created.

It is interesting, as one reads the bill, that credit unions can be eligible for this 25 per cent rebate. Pension funds that have 10 per cent of their contributors in Ontario can participate. Small business can participate and a whole raft of people can participate. The bill does provide for some exemptions. Those exemptions are companies or individuals who are already involved in the active production of mining in Ontario.

9:40 p.m.

There is quite a dichotomy there. I hope the minister will explain just why that exemption is in the bill, because it is obviously part and parcel and tied strongly to the main provision of the bill, which is to provide a 25 per cent tax credit or write-off or rebate. That effectively means anybody spending money on exploration in the province is spending a 75-cent dollar, because they will be getting 25 cents back.

It is ironic, because the government has already hamstrung the small independent prospector, the small junior mining company that brought 66 2/3 per cent of the mines in Ontario into production. I am presuming the gist of the minister's idea behind excluding active mining development or producing mines or people involved in producing mines is to turn the clock back and say, "You small individual prospectors, or you fellows who go out and stake, you are going to be given an opportunity for a tax break from the province equal to 25 per cent of your investment to continue to do that." At

the same time they said, and said most baldly, that under our securities legislation in Ontario they are not going to be able to bring that mine to fruition, because there is no way they can raise the funds under our laws and regulations in the province to be a producing mine.

In those cases what happens is that the big companies, Falconbridge Copper Limited, Inco Limited, Noranda Mines Limited and all of the rest of them are sitting there waiting for the claims that have been staked and had some work done on them by individual prospectors or small junior mining companies to expire. All they have to do is sit back and wait like vultures to pick up these mining claims, because there is no way under the present legislation and regulations in the province that individuals and small corporations can raise the funds to bring a mine into production. Let's go back even one step further. We have had a number of questions and I have been in touch with the Ministry of Natural Resources, with the minister, with almost everybody in the government about the situation in Atikokan of the Caland Ore Company Limited shutting down for a number of reasons. We read in the paper that an iron ore company in Quebec has laid off 500 or 600 employees and the iron ore industry generally is in bad shape because of the economic situation in North America, the decline in the number of cars being built and the general economic downturn.

What are we doing about all of this? When we don't have markets and we have proven ore properties the government is bringing in a bill which says: "Go out and find some more and we will give you a 25 per cent rebate. If you are a small individual or individual company you won't be able to develop them if you do find them, because our laws will not allow you to raise money in the province to develop the ore body. Secondly, of course, we don't have any market." I presume this is part of the government's attempt to look as if it is busy and as if it is providing some kind of incentive.

This is a problem that we have across Canada. I have already referred to iron ore mines laying people off in my constituency, across northern Ontario, around Capreol, in Quebec and in Newfoundland. It is obviously a problem we have to deal with not only in Ontario but across Canada with the assistance and direction of the federal government.

I know the Treasurer listens carefully to all the questions I ask in the Legislature so he knows I have raised this matter as late as this afternoon with the Minister of Natural

Resources, who has finally indicated he intends to meet with his federal counterpart to discuss the whole matter of the mining situation as it relates not only to Ontario but also to Canada.

One can hardly quarrel with the intent or the principle of the bill, although I would say to the Treasurer quite frankly I think it is going to have little effect. I do not think it is sufficient. I think with the other rules and regulations that the government has in place it is not going to overcome those obstacles. To the old type of prospector who used to go out and prospect, perhaps on the weekends or do it as a long-term proposition, this bill will be of little value. On the other hand, how can one argue with it? It is sort of like mother's chicken soup, I guess; it cannot hurt.

There are a couple of other things, one a long-standing problem that I have which relates to section 13 of the bill, on page 10. It relates to that general catch-all provision allowing the minister to make regulations and the Lieutenant Governor in Council to make regulations, and some of these regulations bother me a great deal. I think it gives too much discretion to the minister as to who is going to be eligible under this act.

I would hope the Legislature would be able to find out who receives this 25 per cent rebate. Much the same as my original suggestion which was accepted by the Minister of Natural Resources, that the forestry agreements with the pulp and paper companies be tabled in the Legislature after they were signed, I would like to know who is getting these kinds of rebates. Quite frankly, it is another tool that the government has to perhaps reward its friends or reward its enemies, and I am not very happy in giving that kind of discretion to the minister.

We have already found out in the Employment Development Fund that when one asked what the criteria were for these loans and grants they said it depends on who you are, what you are doing and whether Bill Kelly has been to see you and a whole range of—

**Hon. F. S. Miller:** I think the member is starting to cast aspersions very much along the lines of those of the member for High Park-Swansea (Mr. Ziembra) and I think he should be careful of those kinds of comments, Mr. Speaker. The fact is, if he wants to check where my Employment Development Fund money is going, most of it is going into the area held by Liberal members, areas like Essex and Windsor, where help is needed.

**Mr. T. P. Reid:** I object most strongly to my name being used in the same sentence as

the member for High Park-Swansea. I was merely stating—

Interjections.

**Mr. T. P. Reid:** Would you yell one at a time because I—

**Mr. Acting Speaker:** Would the member for Rainy River please direct his comments to the subject matter of the bill?

**Mr. T. P. Reid:** I was merely stating, Mr. Speaker, that I am not satisfied that the criteria are spelled out as clearly and correctly as they should be, as they were in the other program. When we asked the Minister of Industry and Tourism (Mr. Grossman) what are the criteria, what does one have to do to apply, what forms does one have to fill out, the answer was, "Come into my office and we will talk about it." I do not think that is sufficient and I do not really enjoy giving, under section 13, this kind of expansive discretionary power to either a minister or to the Lieutenant Governor in Council.

If one looks at the bill, especially at the latter sections, it's almost frightening to note the kinds of powers we are giving the government these days. Subsections 12(2), (3) and (4) are about as authoritarian as we will find in any legislation we pass here.

9:50 p.m.

As I say, the Liberal Party will support the bill. I do not think, quite frankly, it is going to have a great impact on mineral exploration in the province at this time. I would have hoped this kind of legislation would have been part of a larger mineral policy and natural resource policy for the province.

I am thinking in terms of the whole tax system in Ontario, in terms of how we are going to use these resources, how it is going to fit in in an overall northern development scheme—most of these mines are in northern Ontario—and how it would fit, hopefully, into some large parameters which we might call an Ontario industrial strategy. This could include the production of mining equipment and machinery in the province, expanded milling and processing, the use of our minerals in our steel mills and a whole range of things.

This kind of piecemeal approach is not going to be very satisfactory to providing jobs or, quite frankly, in finding any more mines that are going to open in the province. I think it is regrettable that the Treasurer and his colleagues, the Minister of Natural Resources (Mr. Auld) and the Minister of Northern Affairs (Mr. Bernier) and their staffs—because they certainly have the people and the backup over there—could not have come out with something a little more comprehen-

sive and a little more realistic than this one small token bill. I think this will have only negligible effect on producing any new mines in Ontario at this time.

In conclusion, Mr. Speaker, I would hope the minister would indicate what the reasons are for exempting those people under section 2 of the act—why they are not being able to take part in this program, small as it is.

**Mr. Laughren:** Mr. Speaker, we are going to support this bill, although my colleagues are having second thoughts. We do feel it is not the answer to a major program to explore and develop new minerals in Ontario.

I draw a parallel between this bill and the Treasurer's bill last year creating small business development corporations. That bill did not deal with the real problems of the small business community and this one does not deal with the problems of mining exploration and development in the province.

When the Treasurer brought in his exemption on the sales tax for automobiles, it came as a result of jogging past the used car lot. This seems to me to be a bill that came as a result of having breakfast with a prospector and developer. It occurred to him that, what the hell, he could blow \$4 million. That amount in itself, given the enormous potential for resource development in a province the size of Ontario, is a giveaway as to how serious the program is. It really is not very much money.

I do support the parts of the bill which indicate that companies whose major business is in industrial mining—the Falconbridges and Incos of this world—are not eligible for this program. I think that is as it should be. Perhaps the Treasurer is trying to relive the past and trying to stimulate the old idea of prospector grubstaking. What he is really doing is reviving the grubstaking theory, where he is helping people outfit themselves for a couple of weeks in the bush trying to stake out a claim. Most of us understand that those days are gone and that the Treasurer is catering to his fetish for the small business idea. That is where it is still at. He would very much like to turn the clock back, as my colleague from Rainy River (Mr. T. P. Reid) said, and have the small prospectors go out there and discover big ore bodies. That is not happening very much any more.

I would like to be very specific about the number of new mines being discovered or opened in Ontario. Can the Treasurer tell us when the last one was? I have lost track, quite frankly, of what year the last new

mine opened in Ontario. I would be interested to know.

**Mr. Peterson:** You probably cannot count.

**Mr. Laughren:** Who cannot?

**Mr. Peterson:** You cannot.

**Mr. Laughren:** I do not want to count them. I want the Treasurer to count them and tell me.

The real problem is not whether the Treasurer is prepared to grubstake a prospector. The mineral policy sector of the federal Department of Energy, Mines and Resources put out a report called, A Regional Profile of 1979. It talks about the iron ore industry and says this:

“Two long-established iron mines closed in 1978. At Atikokan, Steep Rock Iron Mines Limited laid off 463 people, closing an operation that had been brought on stream during World War II. The National Steel Corporation of Canada Limited closed its Moose Mountain mine at Capreol in June, affecting 260 jobs. In November 1979, Caland Ore Company Limited of Atikokan laid off 185 of its 450-man work force. Kerr Addison Mines Limited is in the process of closing its Agnew Lake uranium property near Espanola. About 435 workers will be affected.”

That is the summary from the federal Department of Energy, Mines and Resources. What it is saying is that it is not a problem of the prospectors going out and discovering new mines so much as the lack of any kind of resource policy in Ontario. There is a gentleman by the name of W. H. Laughlin in the resources and development division of the federal Department of Energy, Mines and Resources. It occurs to me that the more I read government reports the more I am discovering that the federal government is inclined to bring out reports that tell it like it is as it affects other jurisdictions.

**Mr. T. P. Reid:** Not their own.

**Mr. Laughren:** No, but they are very quick to tell us how they view the real truths about Inco pollution, for example, or the real truths about iron ore layoffs or resource policies, but not their own policies. Increasingly, many of us are looking to federal government reports to tell us what is happening in Ontario, because this government is too defensive to do it. This is what Mr. Laughlin noted when he was talking about exploration statistics: “They are too late to be useful or too ill-defined and incomplete to represent very much or too contradictory to demand our respect and confidence.”

He largely blamed the attitude of the mining companies for the problem on the

grounds they seemed to expect that governments will initiate the reasons and determine the methods whereby numbers will be collected while they tend to respond with indifference and some reluctance." He went on to say: "Surely the industry must take the initiative. It must determine what sort of nontechnical numbers best measure the activities that led to mineral discoveries and it must suggest a method by which these numbers can be compiled quickly. Therefore, the reasons for the delays in the development of new deposits must be sought among low world demand—and consequent low prices for metals—changes and instability in Canadian taxation laws during the 1970s; increases in production costs and interest rates, while prices did not keep pace; more stringent and cost environmental regulations and a general uncertainty created by all these changes."

What he is saying is the answer is not to hand out the odd smattering of incentives to prospectors, but it is a much more fundamental problem than that. There really is an analogy with the automobile sector. The Treasurer is going to solve the problems in the auto sector, which are based on the recession in the United States, by removing the sales tax from automobiles in Ontario. To think that is a solution is plainly ridiculous. The Treasurer is forever tampering with the system when he should be doing something very fundamental with it.

10 p.m.

I was looking up some of the Ontario figures for exploration in recent years, and these are in constant dollars. Does the Treasurer understand what constant dollars are?

**Hon. F. S. Miller:** Are they different from nominal ones?

**Mr. Laughren:** There is no comparison. Constant dollars are the ones that do not change after one has taken away inflation. They are constant dollars.

**Hon. F. S. Miller:** I am still successful as a teacher. I still have a future as a teacher if the member learns after one lesson.

**Mr. Laughren:** I suspect the minister's past is more spectacular than his future. He may have peaked early in life. I hear that back in Muskoka they refer to him as Edsel Miller.

**Mr. Hennessy:** One-punch Miller.

**Mr. Laughren:** No, it is Edsel Miller, soon to be Chrysler Miller.

The exploration figures for Ontario are very strange. In 1972—these are constant dollars—\$14.5 million in exploration expen-

ditures; in 1973, \$16.3 million; in 1974, \$15.1 million; in 1975, \$15.7 million; in 1976, \$15.3 million; in 1977, \$16.5 million and in 1978—this is a preliminary, estimated figure—\$13.7 million. So there has not been an adequate expansion in the amount of money being spent on exploration in Ontario. If one were to compare those figures with the exploration figures for Saskatchewan, it is unbelievable what is happening out there.

It belies the old argument that the Treasurer and his colleagues are always putting forth, that we have to create a free enterprise environment in the province so that the private sector will come in and explore and develop. Saskatchewan has succeeded in creating an acceptable environment for exploration and development, working all the time within a mixed economic system. They have been very successful at it.

When we in this party talk about the need for a crown corporation to explore and develop in Ontario rather than leaving it to the whims of the private sector, we are very serious about it. We are very serious about the resource sector being in the public sector, and the people of Ontario have come to the conclusion as well that the private sector is not doing an adequate job.

**Mr. T. P. Reid:** But they did not say exactly what the member thinks they said.

**Mr. Laughren:** Let me be precise about what they said. Twenty-seven per cent of the people of Ontario who were polled said they thought the private sector alone should own the mining resources of Ontario. Everybody else said there must be a mix of either federally and the private sector, provincially and the private sector, or solely the public sector. We have a situation where only 27 per cent say the private sector should continue to look after the resources of Ontario and the rest say it must be a joint venture. That would start with the exploration and development and move right through the entire resource sector.

We in this party do not say that simply because it makes us feel good. We say it because it stands on social and economic grounds. That is why we say it. The Treasurer and the Premier can sit there and defend the private sector, never putting forth adequate arguments. They think they do not have to. They think all they have to do is say: "No, that is our belief. Do not give us any of your socialism."

I would ask the Treasurer to think about it seriously. We bring in about two per cent of the value of production in the form of revenues to Ontario from our resources. Sas-



katchewan, in mineral resources alone, not oil and gas, brings in 13 per cent. The Treasurer surely cannot be—

**Mr. T. P. Reid:** But they do not have the manufacturing capability.

**Mr. Laughren:** I am glad the member mentioned that. Does Ontario have the manufacturing? Our manufacturing is in a state of decline. We are going through a de-industrialization process right now because of the mismanagement of the Ontario economy by this government. Saskatchewan has decided it wants to develop its province in a certain way. I am not suggesting that we are a carbon copy of Saskatchewan; I am suggesting we haven't made that decision of how we want Ontario to develop. The Treasurer is just sitting back and letting it happen and that's fundamentally wrong. It's the same with mining and exploration. This does not change anything; all it does is say, "Look, you have been doing your exploration and development, but not as much as we would like to see you do, so we are going to give you a little incentive grant here." That's really all it boils down to.

We say that having the private sector do the exploration and development simply hasn't worked. It has not brought adequate new mines on stream. It has not enhanced the revenues of the province of Ontario. The whole private sector in resources has not looked after the environment the way it should. Regional development is in a state of chaos in the province. We haven't processed here and we haven't bought mining machinery here. We have left it all up to the private sector and it has let us down.

The minister might shake her head, but she should tell me what the private sector has done for us in the resource field. The Provincial Secretary for Social Development (Mrs. Birch) is always shaking her head whenever someone says, "It is not the best of all possible worlds." The Pollyanna of the Tory party should understand that it is not the best of all possible worlds. It could be a lot better. I'm sure from the place she is sitting and the lifestyle she leads it is the best of all possible worlds, but I want to tell her that is not true for a lot of people in Ontario. She should be ashamed of the way her government has let the resource sector operate in the province. It is fundamentally wrong. She sits there surrounded by a fog of smug and continues to say, "Things must remain the way they are now." I have seen it for the eight and a half years I have been here.

**Hon. Mrs. Birch:** I have seen some things too.

**Mr. Laughren:** Yes, I have seen it too. As every year goes by the minister sitting over there wears a little better clothes and gets smugger every year; that's exactly what happens.

**Mr. Speaker:** What has that got to do with mining?

**Mr. Laughren:** Nothing.

**Mr. Speaker:** That's right.

**Mr. Laughren:** Mr. Speaker, I will get back to the bill. We are going to support this bill because we hope it will increase the smattering of exploration, but we know it really isn't the answer.

**Mr. Roy:** Mr. Speaker, I would like to rise on a point of privilege. I think these matters should be raised at the earliest opportunity.

I was sitting in my office going through my work and I received some very important correspondence from my riding, from the student council of Algonquin College, dealing with a right of way going through Algonquin. They are very annoyed about this and they are writing letters to all politicians. Among the people they wrote were the Minister of Education (Miss Stephenson), Minister of Housing (Mr. Bennett), leader of the Liberal Party of Ontario (Mr. S. Smith), and then to "Albert Roy, Leader of the NDP in Ontario."

Mr. Speaker, what an insult. I don't mind being insulted, but I wanted to correct the record to make sure that these people know what a contribution that leader has been (Smith), and then to "Albert Roy, leader of the NDP, not Albert Roy.

**Mr. Laughren:** On a point of privilege, Mr. Speaker, I want to make it clear that the NDP wouldn't accept a Liberal, period, but a Liberal reject, never.

**Mr. Hennessy:** It is all right?

**Mr. Warner:** Thank you, Mr. Speaker, and to the fighter from Thunder Bay, thank you as well.

As our critic and the real Treasurer of Ontario has said, we will give grudging approval to this bill. I think the Treasurer knows full well that he is a party to a second choice. We have the opportunity in Ontario to develop our natural resources for the benefit of all the people in the province. He should do that and he chooses not to, and frankly I don't understand that.

10:10 p.m.



The majority of the people in the province would like to see the government take a firm stand to bring the natural resources under the public ownership of the people of Ontario. He knows that is in the best interests of the people. Why shouldn't the people of this province own their own resources? Why should they be squandered as this government has done for 37 years?

**Mr. Speaker:** The honourable member is talking about something that is not in the bill.

**Mr. Warner:** Oh, Mr. Speaker, with respect, you have cleverly hit on the—

**Mr. Speaker:** I say to the member find it in this bill. He is talking about something that clearly is not in this bill. He should talk about something that is in the bill.

**Mr. Warner:** It should be introduced into the bill, I know that. There is nothing more essential in this province to the economic well-being of this province than the public ownership of our natural resources. The Speaker knows that and I know that.

**Mr. Speaker.** Order. If the member wants to get back to the bill I will hear him. Otherwise I will call on another member.

**Mr. Warner:** We talk about an incentive for the exploration of mineral resources, right?

**Mr. Hennessy:** Right.

**Mr. Warner:** I am saying, Mr. Speaker, the people of Ontario should have the proper incentive. Do members know what the incentive is? Would members like each of our children to have free dental care? Would they? Then make sure that the natural resources come under—

**Mr. Speaker:** Order. I am going to caution the honourable member only once more. If he wants to speak to the principle of the bill I will hear him. Otherwise I will call on another member.

**Mr. Warner:** I guess, Mr. Speaker, it depends on our view of what the incentive is. The bill deals with the incentive for exploration. I am saying the government is misguided. The proper incentive for the exploration of our resources is to provide us with the funds to provide the social programs. We can't do it any other way. I think there is very little disagreement in this chamber that we would like to see a proper dental program in Ontario.

**Mr. Speaker:** Order. Would the honourable member take his seat? Is there any other member who wishes to speak to Bill 50?

**Hon. F. S. Miller:** Mr. Speaker, I believe I have two minutes left before the vote. The member for Rainy River asked why we excluded, in the sections of the bill, operating mines from having the 25 per cent grant. The answer is simple. Operating mines have the ability to write off the exploration expense through the tax system. The prospectors who did not have any income have had no way of minimizing tax payable, therefore we took the grant route. That was the answer basically to his question. In effect, the benefit is there for both types of operation. In one case it is through the tax system, in the other case it is through the grant system.

When he told me about the negligible effect this will have I will repeat the comments I made last year for the small business development corporations, because he reminded me of the member for London Centre (Mr. Peterson) who told me last year, and I have all his words here, how the SBDC grant program would fall flat on its face. A year later we have 50 or 60 of them. I could be wrong. I simply think—

**Mr. T. P. Reid:** Does the minister think there will be more than \$15 million spent on exploration this year?

**Hon. F. S. Miller:** I don't know. I have never pretended to know. I only suggest to the member that it is worth trying. I also suggest to him that—

**Mr. T. P. Reid:** Would the member accept a question? A very short question?

**Hon. F. S. Miller:** I thought we were past that point, but I would gladly accept. I have never refused a question from him.

**Mr. T. P. Reid:** In the Treasurer's budget last year he said there would be an economic paper or a financial background paper of any costs associated with any program that would come in as a result of legislation. Does the minister have that for this bill?

**Hon. F. S. Miller:** No.

The point the member made about the Ontario Securities Commission and the morass of regulations is one I have sympathized with before when I was Minister of Natural Resources. We have had two or three years of fairly intensive work on that. I was glad to see the minister for consumer relations (Mr. Drea) back on April 14 took another step in attempting to clear up the regulations to increase the chances of success for junior mining companies.

**Mr. T. P. Reid:** They have all gone to Vancouver.

**Hon. F. S. Miller:** The fact that some relatively rich deposits are being found in other

provinces has accounted for the success my friend from Nickel Belt keeps on claiming for Saskatchewan. If we found a pool of oil in Ontario we would look tremendously successful, too.

Interjections.

**Mr. Laughren:** A point of privilege, Mr. Speaker: He is distorting what I said. I very carefully said it was the mineral sector, excluding oil and gas.

**Mr. Speaker:** There was no privilege—

**Hon. F. S. Miller:** All right. The fact remains the member also used percentages; 13 per cent versus two per cent. When one has a very large resource or a large diversified economy, percentages are much lower for any one sector.

The member talked a lot about mine closings. I point out to him we still have many kinds of ores for which there are markets. He specifically named mostly iron ore, which is in trouble. I would suggest there are lots of other ores in the province that can be usefully found and developed. I think we should do what we can in this way to stimulate that development through the location of reserves and the hope that we will see more gold mines, whatever else we may find, nickel, copper, zinc, lead, whatever is in demand, so that we have a future assured supply of mineable reserves in this province. That is the purpose of this bill.

Motion agreed to.

Ordered for committee of the whole House.

## CITY OF BRANTFORD ACT

(concluded)

The House divided on Mr. Makarchuk's motion for second reading of Bill Pr26, which was negatived on the following vote:

### AYES

Auld, Bounsall, Breough, Brunelle, Bryden, Cassidy, Charlton, Cooke, Cureatz, Davidson, M., Davison, M. N., Di Santo, Drea, Elgie, Epp, Foulds, Gaunt, Gigantes, Grande.

Hodgson, Isaacs, Johnston, R. F., Laughren, Lawlor, Lupusella, MacDonald, Mackenzie, Makarchuk, McClellan, Miller, F. S., Nixon, Peterson, Ramsay, Rotenberg, Samis, Sargent, Swart, Taylor, J. A., Warner, Wells, Wildman, Young.

### NAYS

Ashe, Belanger, Bernier, Birch, Bradley, Breithaupt, Campbell, Conway, Cunningham, Eakins, Eaton, Gregory, Haggerty, Hall, Hennessy, Johnson, J., Kennedy, Kerr, Lane, Leluk, Maeck, Mancini, McCaffrey, McEwen, McGuigan, McKessock, McNeil, Miller, G. I. Newman, B., Newman, W., Norton, O'Neil, Parrott, Pope, Reid, T. P., Riddell, Rowe, Roy, Ruston, Scrivener, Smith, S., Smith, G. E., Snow, Stephenson, Sterling, Sweeney, Taylor, G., Villeneuve, Walker, Williams, Worton.

Ayes 42; nays 51.

The House adjourned at 10:34 p.m.

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No. 66

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, June 5, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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THURSDAY, JUNE 5, 1980

The House met at 2 p.m.

Prayers.

### RIDING ASSOCIATION DINNER

**Hon. Mr. Grossman:** Mr. Speaker, on a short point of privilege: I was obviously concerned this morning to read in the early edition of the Toronto Star the suggestion that the very successful dinner put on last evening by the St. Andrew-St. Patrick Progressive Conservative Association was cast in that article as having raised money for "general funds for Grossman's expenses." Would that were the case, but I must assure my colleagues in the Legislature that the dinner was conducted pursuant to the Election Finances Reform Act and of course all funds were payable to and for the sole use of the St. Andrew-St. Patrick Progressive Conservative Association.

### STATEMENTS BY THE MINISTRY

#### APPOINTMENT OF LIEUTENANT GOVERNOR

**Hon. Mr. Davis:** Mr. Speaker, I rise today to express my personal pleasure with the federal government's selection of a Lieutenant Governor for our province.

I have known John Black Aird for more than 20 years and, while we have differed on occasion in political terms, I have always admired him for his commitment and dedication to the public good. Mr. Aird's interests, experience and knowledge are extremely varied and widespread, touching upon the social, economic and cultural aspects of this province, and I think will serve him well in the important duty of representing Her Majesty in Ontario.

There will be more fitting occasions for all of us to express our deep-felt respect, admiration and affection for the great lady whom Mr. Aird will succeed as Lieutenant Governor, but I believe I would be remiss in my duties if I did not allude to something that Mr. Aird has already mentioned himself—the challenge of succeeding someone who has indeed captured the hearts and minds of people across this province because

of her outstanding dedication, grace and commitment.

Throughout her tenure, the Honourable Pauline McGibbon has displayed a deep understanding of the importance of her role and a very warm and genuine affection for the Queen and other members of the royal family whom she has so ably represented.

Over the years, we in this province have been fortunate in the choice of Lieutenant Governors and I know Mr. Aird will be a worthy successor in this tradition. Mr. Aird's service to this country has always been outstanding and I know he considers his new appointment to be another way to continue that spirit of loyalty and dedication.

As one who has always taken a deep and abiding interest in the politics and legal framework of this nation, he is, I know, especially pleased to serve in public life at this particular time as thoughtful Canadians everywhere commit themselves to the reframing of our constitution and the rededication of our love for this country and its future.

On behalf of the government of this province, I take this opportunity to extend very sincere congratulations to Mr. Aird on the announcement of his appointment, and my sincere best wishes as he prepares to begin his new role this coming fall.

**Mr. S. Smith:** Mr. Speaker, speaking on behalf of the official opposition, we most certainly want to associate ourselves with the words of the Premier and the sentiments expressed by him. John Aird is a person who has served this country extremely well in a good many capacities, as the Premier has noted, and I know we in Ontario are very fortunate to have had a succession of dedicated, outstanding people to represent Her Majesty in this province.

I think the person who is at present Lieutenant Governor is an absolutely outstanding example, one which will be virtually impossible for anyone, even someone as talented as Mr. Aird, to exceed, although one hopes that with effort he will match it. Her contribution has been a singular one and she is held in high esteem by every Ontarian, particularly by those who have

had occasion to see the tireless way in which she has handled the task assigned to her.

We are particularly happy, of course, that Mr. Aird is a person who has not only contributed greatly in many fields in Canada, in business, the military and others, but has also shown excellent political judgement. I am sure the Premier will agree. I may say that those of us on this side, particularly yours truly, look forward to the opportunity of advising him once he takes his new position.

Mr. Foulds: Mr. Speaker, we in this party also welcome the announcement and welcome Mr. Aird to his new duties. As always loyal subjects of Her Majesty the Queen, we will extend the co-operation that this party is noted for to the new Lieutenant Governor.

Frankly, I do not know Mr. Aird as well as do the two previous speakers. However, I am sure we will get to know Mr. Aird perhaps better than the two other parties in the future.

I would like to say a word on behalf of the New Democratic Party in honour of the person Mr. Aird will succeed. There is no doubt in the mind of anyone in this province or in this Legislature that the Honourable Pauline McGibbon has fulfilled the office with a dedication and distinction that few could have expected and few, even Mr. Aird, will exceed.

2:10 p.m.

#### SATELLITE EARTH STATIONS IN NORTHERN ONTARIO

Hon. Mr. Snow: Last week the chairman of the Canadian Radio-television and Telecommunications Commission announced his intention to commence prosecutions, where evidence and circumstances warrant it, against unauthorized earth stations being used to receive television programs from United States satellites.

I need not point out to members of this House how serious such a move would be. As you in particular know, Mr. Speaker, many communities throughout the northern part of our province are today employing the latest in technology to reduce the isolation that has plagued them for years. Residents of these communities would not accept lightly any move to turn off these earth stations which are bringing in a wide range of television stations. The people of the north stated this clearly to the CRTC at a public hearing in Geraldton which you, Mr. Speaker, had the good fortune to attend.

I share the concern of our northern residents who are no less Canadian and no less law-abiding than the average Ontarian. Residents of the north have been forced to resort to nontraditional means in order to gain access to a range of television signals that my own constituents take for granted. The disparities in television service in Canada are great and technology exists today to redress this imbalance.

In March I submitted to a specially constituted CRTC committee, on which Ontario is represented, a proposal designed to alleviate the problems faced by northern Ontarians. This proposal, if accepted, would see a range of Canadian television stations distributed via satellite throughout the country. I am pleased with the support this proposal has received, including your own, Mr. Speaker. A decision is expected in mid-June and I am hopeful that a range of attractive Canadian television stations could be made available by the fall. I would be pleased if residents of northern Ontario would choose to watch Canadian television stations and I have every reason to expect they would choose to do so if Canadian stations were available.

My message today to the CRTC and the federal government is simple, and I would hope that all members of this House would join me in this expression of views. It is this: Hands off the earth stations in northern Ontario; concentrate on ensuring the availability of attractive Canadian signals and the problem will resolve itself. The people of the north have been waiting for television for a long time and some have taken action to get it. Don't ask these people to give it up and to go back to waiting for policy makers, regulators and, I might say, politicians to solve this problem.

I respectfully urge the CRTC and the federal government to take these words to heart and not to interrupt the reception that northerners have been eagerly awaiting for so long.

#### THREE SCHOOLS

Hon. Mr. Baetz: Mr. Speaker, in the last several weeks there has been a good deal of public discussion about the fate of Three Schools in Toronto. Unfortunately, much of this public discussion has been surrounded by confusion and misunderstanding.

As honourable members know, Three Schools has been providing alternative art education in Toronto for a generation. In recognition of this contribution, Ontario taxpayers from every part of the province have

provided substantial financial support to this Toronto school through the provincial government.

In 1973-74, the government granted Three Schools \$40,000 for operating purposes. In 1974-75, the government provided a core grant of \$46,000. Above and beyond that, in that year it provided a special supplementary grant of \$70,000 so that Three Schools could retire its debt. In each year since, the increase in the province's core operating grant to Three Schools has never gone below nine per cent and, in fact, has averaged out at 17 per cent. In the school's current fiscal year, which ends August 31, the core operating grant is \$100,000. This means Three Schools is getting from the province 30 per cent of every dollar it spends.

That is a significant contribution, especially when it is compared to the 10.3 per cent that is granted to the Toronto School of Art, the 13.8 per cent granted to the Ottawa School of Art and the 15.9 per cent granted to Arts' Sake Incorporated school. Besides these other alternative art schools, the taxpayer also supports full- and part-time art courses in universities, community colleges and programs sponsored by boards of education. No matter how you look at it, I would suggest the record demonstrates that the people of Ontario, through this government, have been extraordinarily sensitive to the needs and wishes of Three Schools.

As far as the coming year is concerned, I have indicated to Three Schools that the provincial core operating grant will be about \$105,000. Three Schools has said publicly that this is simply not enough, that it needs \$180,000 from the province, an increase of 80 per cent, or it will close down tomorrow. Given the evidence, I cannot in all good conscience raise the provincial core operating grant to Three Schools. Every arts organization in this province is facing a very tight financial situation. My ministry gets hundreds of compelling and legitimate requests for support every year. My task is to strike a reasonable and equitable balance among these requests. In the case of Three Schools, I believe the balance is eminently appropriate.

I would suggest Three Schools has two avenues beyond closing. It can tailor its program to fit its income, and it can try to raise more money in the nongovernment sector by soliciting gifts and raising fees. This year the funds it raised privately accounted for nine per cent of its budget. The Toronto School of Art raised 24.5 per cent

of its budget privately and Arts' Sake Inc. raised 32.7 per cent of its budget privately.

So there is clearly an articulate interest among private individuals and organizations in tangibly supporting alternative art education generally. In the case of Three Schools specifically, there is articulate evidence of broad public support. If it can somehow translate that sentiment into hard cash, it will go a long way to relieving the financial pressure it faces.

Three Schools clearly needs some time to mount its new fund-raising initiatives. To give it that time, and to avoid a precipitous closing of Three Schools tomorrow, I am prepared to discuss interim financing arrangements with it. These one-time-only arrangements would be designed to give Three Schools the time either to increase its revenues from other sources or, failing that, to adapt its programs accordingly.

The governments of Canada and Metropolitan Toronto could well have money for Three Schools. There is also striking potential in raising fees by an amount that would not place an onerous burden on students. An increase in fees of only 25 cents per student per week, for instance, would generate an extra \$45,000 a year for Three Schools.

My objectives are clear. First, I must ensure we sustain the integrity of the arts support program that all the taxpayers of Ontario finance through their provincial government. Second, I want to do everything appropriate I can to ensure that Three Schools remains open. I have already advised Mr. Sim, the director of Three Schools, of my intentions to discuss interim financing with the school, and I look forward to meeting with its officials. I am confident that solutions to the Three Schools problems can be found.

#### WORLD ENVIRONMENT DAY

**Hon. Mr. Parrott:** Mr. Speaker, I know you do not have a statement from me today, but there is something here I would like to read. It is not exactly a statement, so I hope this is the appropriate time.

**Mr. Speaker:** Just call it a statement.

**Hon. Mr. Parrott:** Mr. Speaker, all of us on occasion have, in our good fortune to serve as members, the opportunity to meet fascinating people in that role. In this last week we have had an opportunity to meet with the founder of Men of Trees, a worldwide movement. Indeed, he presented a lecture here for us in the Queen's Park com-

plex. He is a gentleman of—I think he would accept—advanced years, but one of the most fascinating persons I have ever met.

Just five minutes ago, I had the great pleasure and privilege of joining with him and planting a tree outside your office, Mr. Speaker. When you return, you will be able to see that tree.

He truly is a magnificent person. When one considers the tremendous good that man has done and the great vigour with which he still leads his life, one cannot help but be impressed. Today I signed with him this declaration on World Environment Day. Interestingly enough, it is labelled "A Personal Declaration" and he was the first to sign it. May I read it to you?

2:20 p.m.

"Today, June 5, 1980, World Environment Day, I declare my recognition of the urgency of regaining a balance between humanity's activities on earth and the delicate equilibrium of the natural ecosystem."

Interjection.

Hon. Mr. Parrott: There are times when I think this House deserves no partisan politics. The honour of this man, of what this man has done around the world, can never be in doubt. May I continue, Mr. Speaker? The Leader of the Opposition just can't ever be civil. It is really sad.

"The survival of humanity and the welfare of future generations depend on a healthy environment.

"As a citizen of the world, I pledge to take immediate action, individually and together with others, to improve my own awareness of the state of our environment and to contribute to the improvement of my individual and immediate environment.

"I will inspire other people through personal example to respect the minerals, the plants, the trees, the wildlife, people of all backgrounds, and the energies controlling nature.

"As we gather here today, old and young, civil servants and members of the public, but forming a family, let us secure, at least, a bright future for our children as we have had so far."

That is signed by Dr. Richard St. Barbe Baker, OBE, LDD, LLD, silviculturist, one of the world's great environmentalists.

## ORAL QUESTIONS

### GRANT TO RACING CAR DRIVER

Mr. S. Smith: Mr. Speaker, I have a question for the Minister of Industry and

Tourism having to do with the grant made for Mr. Maurice Carter to have his Camaro in Le Mans.

The minister justifies this by saying, "It is the first Canadian-owned and Canadian-built car to be invited to Le Mans."

I ask the minister how he can make that statement in view of the fact that another Canadian car had previously been invited to Le Mans and will be racing there this year under a Mr. Doug Rowe? No government funds are being used by that Canadian car; they got their own sponsors to pay for it.

Furthermore, Mr. Rowe's entire team is Canadian, whereas Mr. Carter's team has some Americans; and the engine designed in Concord, Ontario, to be used in Mr. Carter's Camaro, which the minister feels is such a marvellous example, is the same engine, designed in the same place, which will be used in the Corvette, Canadian-designed and Canadian-built, to be used by the other team to which I am referring.

Finally this other team, without government funds, is planning to travel to Le Mans using Canadian airlines whereas Mr. Carter's team has taken the ministry's money and booked themselves on Air France.

Hon. Mr. Grossman: Mr. Speaker, I know the matter of Maurice Carter consumes a lot of the Leader of the Opposition's time. I know it troubles him a great deal to see the people he beat have more success in their fields of endeavour than he is having in his.

However, may I make this point: This country badly needs some recognition internationally for the fine work its people do in the automotive sector. These engines, as the Leader of the Opposition has acknowledged himself, are not only being used by this car but are being used by racing cars throughout the world, including Americans who have bought some of the engines.

We have an opportunity now to see a car, built uniquely in Ontario, race under Canadian colours rather than seeing Americans come in and buy the car, as they were about to do, and race it under the Stars and Stripes of the United States.

In spite of the fact that he happens to rattle the Leader of the Opposition a great deal, Mr. Maurice Carter is driving a Canadian vehicle. He could have found that vehicle owned and driven by Americans, covered with the Stars and Stripes, and I, for one, am prepared to put \$15,000 up to ensure not only that it runs under Canadian colours but also that it advertises Ontario, Canada.

Unlike the Leader of the Opposition, perhaps, I am as proud of Ontario, Canada, as the Americans are of their jurisdictions, and I am prepared to have \$15,000 of the taxpayers' money invested to boast about the great things that the Canadian automotive industry can do. It will do that. It will race at Le Mans. I suspect Mr. Maurice Carter may do better against the Le Mans drivers than he did against the Leader of the Opposition, but I am proud that our vehicle will be driven at Le Mans.

**Mr. S. Smith:** Would the minister explain how it is that he assured the people who questioned him on this matter that it was the first Canadian-owned and Canadian-built car to be invited to Le Mans when, in fact, it was not? Could the minister explain why the tickets are on Air France instead of a Canadian-owned airline?

If the minister is so concerned about the matter of making sure that the Canadian car is not under the Stars and Stripes, is he not aware that this other car—which Mr. Carter must well know about, because it was in *Wheelspin News* of May 1 of this year—is being sponsored by Canadians?

**Mr. Roy:** Didn't the minister know that?

**Mr. S. Smith:** He reads it. The team comes from across Canada, with drivers from Ontario, Quebec and western Canada, and the car has a maple leaf on it two feet square. The main reason the car is going is there are Canadian backers who want to see a car like that from Canada, and who did not come to the government with their hands out, the way the minister's friend did.

**Hon. Mr. Grossman:** May I say that the other car was successful in getting enough private backing to make the trip. The fact is this particular vehicle did not have enough backing to make the trip.

The question the Leader of the Opposition must ask himself is whether he would be happier if the car were racing under American colours than under those of Ontario, Canada. That is the fact.

Perhaps the Leader of the Opposition, when he gets his next issue of *Wheelspin News*, can check and see whether Americans were prepared to buy the vehicle.

While I am on my feet, I think I should address another part of the remarks made by the Leader of the Opposition the other day on this subject, when he commented that it was hard to explain to the mentally retarded and the handicapped of this province how we could be spending \$15,000 on this vehicle.

I say to him that some of the questions he raises today are legitimate questions. I feel

we can defend them, but they are legitimate questions. The point I wish to make is that it is surely the height of political hypocrisy to put the disabled in a position of believing that this vehicle is running instead of giving the money to those people. It was one of the lowest levels I have seen here in a long time.

I did not hear the Leader of the Opposition saying to us: "Don't spend \$200,000 on opening a new Ministry of Industry and Tourism office in Hamilton. Spend that \$200,000 instead on the crippled and disabled."

**Mr. S. Smith:** We didn't know the minister had opened it.

**Hon. Mr. Grossman:** The member was invited, but he was home studying *Wheelspin News* that day.

A lot of the Leader of the Opposition's constituents are using that office. However, whether or not he was invited, I invite the Leader of the Opposition to stand up today and say, "Close the Ministry of Industry and Tourism office in Hamilton and spend the \$200,000 on the crippled and disabled."

It was absolutely one of the lowest levels I have ever seen the Leader of the Opposition fall to, and that's tough to do.  
2:30 p.m.

**Mr. M. N. Davison:** Mr. Speaker, as the other member of this not terribly exclusive club our friend Mr. Carter has run against unsuccessfully, I would like to ask the minister whether this is not yet one more case of Tory patronage that has come to political light. Does he not think it is about time that he, as a minister on behalf of the government, struck a blow against the patronage system by taking that \$15,000 grant back and spending it on something socially useful, like settling that strike in Hamilton?

**Hon. Mr. Grossman:** Again, the member is quite free to suggest that other expenditures out of that same division of the ministry, which include the office in Hamilton, for example, ought to be withdrawn.

Interjection.

**Hon. Mr. Grossman:** Sure, it's different, isn't it? Sure, it ought to be withdrawn in favour of something the member deems to be socially useful.

May I say to the honourable member that if he is able to drive at Daytona himself and do as well as Mr. Carter did—perhaps win by more than the honourable member won his seat by last time—and if he gets invited to Le Mans, then I pledge this afternoon that we will be willing to sponsor his vehicle at

Le Mans next year. I bet he would take it too.

**Mr. Mancini:** Mr. Speaker, if the minister is looking for an area where he could cut costs and use the money for the disabled, maybe he could cut some of the costs of his own radio advertising and stop advertising himself, along with some other members of the Conservative Party, and use that money for the disabled.

#### TORONTO ISLAND HOMES

**Mr. S. Smith:** Mr. Speaker, I would address a question to the Premier, in the absence of the Minister of Intergovernmental Affairs (Mr. Wells). It is my understanding that Bill 5, the bill regarding the Toronto Island homes, is to be reintroduced and brought up for debate again. It is also my understanding, from a story in today's *Globe and Mail*, that some eviction writs for some island residents are actually prepared and the eviction process is set to begin in less than a month. May I ask the Premier whether this means his government has failed to heed the advice given it by the local member representing the island residents? Does he intend to proceed if his bill is defeated, as it would appear from the will of this House as expressed by resolution and as expressed publicly by both the New Democratic Party and ourselves that the bill will be defeated? Is it his intention to go ahead with the dismantling of the island community?

**Hon. Mr. Davis:** Mr. Speaker, I understand from our House leader, who is also the Minister of Intergovernmental Affairs, that there was some discussion that this bill would be called—and I am looking at the member from so many communities — there was some thought of calling this bill next Monday evening but, because one or two of the participants may not be here, it may not be called on that specific occasion. Once again, my understanding, which I am sure is understood by the member's House leader, is that the bill will be called.

**Mr. S. Smith:** By way of supplementary question, if I might ask the Premier—

**Hon. Mr. Davis:** I just wondered if the member has had conversations with his House leader.

**Mr. S. Smith:** Yes, he told me the bill was going to be called.

**Hon. Mr. Davis:** Why ask the question then?

**Mr. S. Smith:** I said in view of the fact that the government was planning to call the bill.

**Hon. Mr. Davis:** No. The Leader of the Opposition asked if we were going to call it.

**Mr. S. Smith:** No. I did not ask that. If the Premier checks Hansard, he will see that I did not. The question I asked was, since the government was intending to call the bill, according to what the House leader has told us, and since eviction notices have been prepared, does the Premier plan to go ahead since he must surely know that the bill, in the form in which it was presented to us in the past, is not going to be accepted. He must surely be aware that the local member, the member for St. Andrew-St. Patrick (Mr. Grossman) wants to see that community preserved.

**Mr. Nixon:** That is the hardball game.

**Mr. S. Smith:** What I have to ask the Premier is whether his pitching hardball in cabinet has been a total failure, whether he is going to simply depend upon that bill and, after that, when it fails, whether he is going to allow the people of the community there to be evicted and the community destroyed? I am asking him whether he has anything else to offer by way of continuing that island community, as this House requested him to do in a resolution some time ago.

**Hon. Mr. Davis:** Mr. Speaker, one way of resolving the problem, of course, would be for the Leader of the Opposition to reconsider his position, as he has done on so many other issues, and give some consideration to supporting the passage of the bill.

**Mr. R. F. Johnston:** Mr. Speaker, I will direct a supplementary to the Minister of Intergovernmental Affairs, if I may. Given the fact that the minister had a clear understanding that the bill would not pass in the House and that he delayed its introduction to allow Metropolitan Toronto council to try to come to grips with this matter, has he been involved in the negotiations at the Metro council level and has he indicated whether he would be willing to participate financially to assist the transfer of the properties to the city of Toronto?

**Hon. Mr. Wells:** Mr. Speaker, in answer to that question, yes, I have indicated to the mayor of Toronto that we would not be interested—and I emphasize "not"—in participating financially. In other words, they suggested that Toronto buy Ward's and Algonquin islands from Metro and that the cost be paid by the province. I indicated to the mayor that we would not pay the cost if Toronto were to buy those lands from Metro.

I indicated to the mayor that, if Metropolitan Toronto council voted to sell those



lands to Toronto, I would make the necessary legislative arrangements, bring it before cabinet and our caucus, and, if it were approved, bring in a bill. But Metro council has to take action.

As my friend knows, Metropolitan Toronto council on one occasion already has turned down that particular request. Although another proposition is before them, I gather it is not very likely to be voted upon in the near future—if I believe the stories I read in the newspaper and what I hear. I have not been talking directly with anyone about it.

I would point out to the members of this House that the bill before this House, Bill 5, is a very legitimate compromise to this whole situation. If the members of this House want to save the homes of those people now living on the islands and allow them to live there in perpetuity—and I emphasize that “to live there in perpetuity”—they can pass this bill. If they pass this bill, nobody will be evicted.

The honourable member is not willing to pass this bill. He would rather see the people on the island evicted. The honourable member should get down to business and show where he wants to stand.

**Mr. S. Smith:** Acknowledging it is the government's undoubted right to present whatever bill it wishes to the House and to wait to see how that bill is treated, surely the government recognizes that this bill, which we understand and believe would provide for the slow death of that community, is unacceptable to the elected majority of this House. The elected majority has already stated it wants the island as part of the city of Toronto. By just sitting there and suggesting that somehow or other we are willing to let those people be evicted unless we accept this slow-death bill, the minister is using those people in a way that is most unfortunate and, I can assure him, is not going to work.

I am asking the minister whether he has another solution to maintain that island community. Why does he not accept the will of the House and leave those people in peace?

**Hon. Mr. Wells:** I think this should be turned around: The Leader of the Opposition is using the people of Metropolitan Toronto in a most unfortunate manner.

The people of Metropolitan Toronto represented by their council, have said they want to have a park on the island. They have started to develop that park. Many people have left already, their homes having been demolished to make way for that park.

At this particular time there are people living on Ward's and Algonquin islands who

have said they want to remain on those islands. They want to remain there and to stay in their homes. We have looked for a way to provide for that. People living there now can stay in their homes. They are not going to be displaced in their lifetime. The honourable member is saying that is not enough.

I say to the honourable member, the people of Metropolitan Toronto ultimately want a park on that island. If he believes in what the elected people of Metro want, that is what they want, but they are willing to see the people who now live on the island stay there until they are ready to leave. That is a very proper compromise. If the Leader of the Opposition is not willing to accept that, then I say to him that if any evictions occur they are on his head, not ours.

2:40 p.m.

#### CABINET COMMITTEE ON RACE RELATIONS

**Mr. Foulds:** Mr. Speaker, I have a question of the Premier. I am sure the Premier remembers the statement made by the Minister of Labour (Mr. Elgie) on November 22, 1979, in which a number of initiatives with regard to the relief in racial tensions were announced; it is now six months since that announcement. Could the Premier tell the House why the cabinet committee that was announced at that time, with a wide range in terms of reference, has met only one time in that six months and has been engaged, to our knowledge, only in an inaugural organizational meeting?

**Hon. Mr. Davis:** Mr. Speaker, the minister made several points in that statement. I do not recall them all in specific terms. I think it is fair to state that individual ministers not only have been making statements in relation to this issue but they have also been very actively involved in finding solutions. I myself have met with two or three groups in regard to this specific issue.

I have made it quite clear, as has the Minister of Labour, that amendments will be introduced to the Ontario Human Rights Code which are relevant to this concern. I can assure the honourable member that this has a very high priority, that individual ministries and all of us, as individuals, are working diligently to assist in the diminution of this particular situation.

**Mr. Foulds:** Can the Premier inform the House why this particular committee with its terms of reference, which include “generally

to direct and co-ordinate the programs and policies of the government of Ontario on all matters involving race relations," has met only once if the government is so concerned?

Second, can the Premier also tell us why the race relations division that was announced in that statement has not yet been set up?

Hon. Mr. Davis: In answer to the second part of the question, it is in the process.

Regarding government activities, we do structure committees. In my view this committee will be helpful over a period of time but we do, as a cabinet, deal with these issues.

When a minister comes in with a proposal or a situation, one does not call a cabinet meeting to discuss it. I said to the honourable member that one aspect of this is part of the Ontario Human Rights Code. That is not a question just for a committee of cabinet; it is a question for the total cabinet to consider, which we have been in the process of doing.

#### ASBESTOS HAZARDS

Mr. Foulds: Mr. Speaker, I have a question to the Minister of Labour about asbestos. Can the minister explain the contradiction between his statement in answer to a question from my colleague from York South (Mr. MacDonald), which indicated that the use of the optical microscope is the only practical method of checking the testing, and the statement made this morning by the head of the occupational health and safety group of the Ontario Research Foundation, Dr. Fred Hopton, which says: "An awful lot of companies are using optical microscopes rather than electron microscopes to test samples and their results mean nothing"?

Hon. Mr. Elgie: Mr. Speaker, I am sure the member has made a personal, thorough, comparative study of the relative value of optical microscopes as opposed to electron microscopes, which would have led him to the inevitable conclusion that there are very few electron microscopes and that the time involved in using electron microscopy to do air samples is quite incredible and would be most difficult.

For the time being at least, this ministry and governments of most nations I know of have decided that optical microscopy is the only practical present way of dealing with problems of a great magnitude. We will continue to do that unless and until the time arises when electron microscopy is available to a greater degree than it is now.

As I told the member before, the occupational health and safety laboratory being established on Resources Road will have one electron microscope, but he knows and I know that would have very limited application in terms of any mass assessment of air.

Mr. Foulds: If the minister had been a member prior to 1975, he would know that I have undertaken a fairly thorough study of both kinds of microscope, because of the importance of the issue in my own riding.

But would the minister not agree that it is far more urgent to get additional electron microscopes and to do the testing? Even the source that he cited, the National Institute for Occupational Safety and Health-Occupational Safety and Health Administration report, indicated that it was necessary to have supplementary examination by electron microscope: "However, the committee recognizes the lack of specificity in this method [the optical method] and recommends the use of supplementary methods such as electron microscopy."

Hon. Mr. Elgie: I would suggest to the member, perhaps that is why we are purchasing one for the new occupational health and safety laboratory.

#### POLICE SERVICES REPORT

Mr. Eakins: Mr. Speaker, in the absence of the Solicitor General (Mr. McMurtry) and the Minister of Correctional Services (Mr. Walker), I would like to address my question to the Premier.

On July 20, 1977, by order in council the Premier appointed Emil K. Pukacz, a respected, retired public servant, to look into policing and other services in Ontario. On October 28, 1978, Mr. Pukacz reported to the government. Since it is now a year and a half, can the Premier indicate to this House when that report will be presented officially to the House?

Hon. Mr. Davis: Mr. Speaker, I am not sure whether there is an undertaking or otherwise to present officially a report to the House. I will certainly check into the status of that report for the honourable member and have word for him tomorrow morning at 10:05.

Mr. Eakins: Can the Premier indicate whether that report will be the basis for bringing in much-needed police reforms in Ontario, not only in the per capita cost of policing but also in the use of police in our court system, the transportation of prisoners, et cetera?



**Hon. Mr. Davis:** I do not want the public to misunderstand. As I recall the report, it is directed more to the financial and administrative side. It has nothing to do with the effectiveness of policing.

**Mr. Nixon:** Rural areas are paying too much.

**Hon. Mr. Davis:** I know. In the rural areas of—what are the constituencies the member represents?

**Mr. Nixon:** The Premier should put his mind to it.

**Mr. Eakins:** The report did make recommendations.

**Hon. Mr. Davis:** I have some idea of some of the recommendations. I just want it clearly understood that they relate basically to the utilization of personnel. They do not relate to the effectiveness of the law and order that is provided so well in so many parts of this province, both by the Ontario Provincial Police and the municipal forces, whom apparently the members over there do not intend to support.

### SCHOOL BUSES

**Mr. Isaacs:** Mr. Speaker, I have a question of the Minister of Transportation and Communications. Is the minister aware that a tentative conclusion arising from the police investigation of a school bus accident in Ancaster last Saturday is that the force required to hold a loaded school bus on a hill when the motor has stalled is such that many drivers simply may not have the strength to do it?

Does the minister not agree that all school buses should have braking systems designed so that all drivers have the strength to hold the bus safely on a hill or to bring it safely to a halt, whether or not the motor is running?

**Hon. Mr. Snow:** Mr. Speaker, I have no knowledge of the incident the honourable member refers to. I will look into the matter and get back to him.

**Mr. Isaacs:** While the minister is looking into it, perhaps he would investigate thoroughly the whole matter of the braking systems on school buses so that the public of this province can be satisfied that buses can be brought safely to a halt. Perhaps he would table the results of that investigation in the House.

2:50 p.m.

**Hon. Mr. Snow:** I will look into the matter. The actual standards for the construction of motor vehicles manufactured or sold in

Canada come under the Canada Motor Vehicle Act. The standards for school buses are also under the federal act. If we feel there are any shortcomings in those, I will make our views known to the federal minister.

### NIAGARA ESCARPMENT HEARINGS

**Mr. McKessock:** Mr. Speaker, I have a question for the Minister of Housing. Can the minister tell me why an appeal on a decision made by the Niagara Escarpment Commission must continue after the appellant has withdrawn his objection? Can he tell me why they would go through with an appeal when nobody is objecting and pay the cost of having a hearing officer travel to Owen Sound and have the Niagara Escarpment Commission staff and the applicant attend, when no one is objecting?

Can this costly formality be stopped? It not only costs the government but also inconveniences everyone involved. Worst of all, it holds up the applicant for a month or two longer. This seems to me to be something worse than red tape. I am wondering whether it is some new form of blue tape.

**Hon. Mr. Bennett:** Mr. Speaker, once an appeal is lodged with the Niagara Escarpment Commission and it goes to the hearing officer, unless there is some legal indication that one has withdrawn his position, as have all others who might have entered an appeal at the same time, then it must continue.

If all appeals are withdrawn and there is a general common understanding, the appeal or the hearing can be discontinued on a report from the hearing officer to the minister. The file must be closed with some degree of certainty by the hearing officer, at least indicating this is the action that has taken place.

If the member wishes to give me the specific case, I will look at it and find out exactly why it proceeded down the road. It could very well be that the notification had gone out and others were not prepared to withdraw their position.

**Mr. McKessock:** I was told it was the minister's decision to carry on this useless exercise and that the decision would be given me within two days of the hearing because the Niagara Escarpment Commission had approved the application and now there were no objectors, because he had withdrawn. In view of this and the fact that two weeks after the hearing we still have not heard from the hearing officer, will the minister have another look into this to save many dollars

and allow the applicant to proceed with his house much more quickly?

**Hon. Mr. Bennett:** I think I have answered the first part of the question. But obviously if there has been a hearing and the hearing has proceeded, whether there have been people there to put their case forward or not, the minister is not in a position to start indicating what the decision will be until he has the report back from the hearing officer.

As soon as the report comes to my office, we will try to process it as quickly as possible. We have the understanding from the municipality what they would like, what the hearing officer has said, what the Niagara Escarpment Commission has said and, many times, what the local member has to say about it as well.

#### CONSOLIDATED COMPUTER INC.

**Ms. Gigantes:** Mr. Speaker, I would like to ask a question of the Minister of Industry and Tourism. Given the current reports of recurring financial difficulties at the firm of Consolidated Computer Inc., can the minister provide the Legislature with a report on the current status of the government's 16 per cent equity holdings in the firm? In particular, can he provide us with an account of how that public interest is being exercised through the management of CCI so as to ensure maximum financial success, employment potential and technological capability in this important enterprise?

**Hon. Mr. Grossman:** Mr. Speaker. I will try to get that for the member at 10:06 tomorrow morning; if not, on Monday.

**Ms. Gigantes:** As he makes his attempt to round up information, will the minister also try to provide us with information to explain to this House what is implied by the Fijitsu connection in the ownership and control of Consolidated Computer Inc., and can he offer assurance that the Fijitsu interest is not one in which global product mandating by huge international corporations is working to the disadvantage of a company in which the public of Ontario and the public of Canada have a substantial equity interest and which currently employs 225 workers in the Ottawa area?

**Hon. Mr. Grossman:** Sure.

#### OTTAWA QUEENSWAY REPAIRS

**Mr. Roy:** I have a question for the Minister of Transportation and Communications, Mr. Speaker. Is he aware of the absolute chaos that his repair crews are causing in

the Ottawa area in repairing the Ottawa Queensway by blocking off ramps, closing down all but one lane and having traffic tie-ups that last three or four hours? Why is it, when his officials are involved in the repair of the only major east-west artery in the city of Ottawa, that they do not do this work on weekends or in the evenings? Why do they insist on doing it at peak traffic hours?

**Hon. Mr. Snow:** Mr. Speaker, it is somewhat interesting to have a question like that from the honourable member, because I recall a year or so ago that same honourable member was standing with a report in his hand talking about the immediate need for certain repairs to the Ottawa Queensway. Unfortunately, we could not do that resurfacing during January, February and March and off-peak periods such as that.

It is also very interesting that the regional chairman of Ottawa-Carleton is always publicly and privately complaining that there is not enough highway work being done in the Ottawa-Carleton area and, when we do take action to do some work in the area, one of the honourable members representing that area is opposed to the work.

As I have had to explain in this House many times, there is a lot of that type of work we have to do in daylight hours. It is just impossible for it to be done in some other period of the week or the day and not have the job spread over the whole summer.

**Mr. Roy:** It is quite true that I told the minister last year that the Queensway was extremely dangerous when it was wet and to repair it like pronto. I did not tell him to do it during peak hours.

One of the excuses given by the minister's officials is that repairing at night would contravene the anti-noise bylaw. Is the minister aware of a statement by the mayor of Ottawa that that's a lot of bull; that it is not so?

One of the other excuses is that the ministry would have to pay shift differential. Is the minister aware that, by doing it at peak hours, he is wasting energy? He has thousands of cars lined up. He is frustrating the populace of Ottawa and, if he keeps doing that, even the member for Ottawa South (Mr. Bennett) is going to have a hard time getting elected in that area.

**Hon. Mr. Snow:** No, I was not aware that the mayor of Ottawa said that was a lot of bull, but of course I do not know as much about bull as the honourable member who has just been speaking.

Again, I have to say I understand the frustrations of the travelling public when roadwork of any type has to be done which interferes with the traffic. Unfortunately, no one anywhere in the world, to my knowledge, has found a way of doing it without interrupting the traffic.

### ENERGY CONSERVATION

**Mr. R. F. Johnston:** Mr. Speaker, my question is for the Minister of Intergovernmental Affairs. Could the minister tell me whether or not he supports the following statement made by the Minister of Energy (Mr. Welch) in his speech to the Ontario Chamber of Commerce on May 13 in which he said, speaking about energy in Ontario, "But of all of the initiatives we can and must take in this province, I personally place the greatest emphasis on conservation"?  
3 p.m.

Then, referring to a poll he had taken, he said: "It is also interesting to note that many—in fact, about two thirds of those surveyed—feel that industry and government are not doing their fair share to conserve energy. Whether that perception is correct or not does not change the way people think. So you and I are here today as representatives of business and government and have a significant leadership role to play, to show by example, if you will, what can and what is being done."

**Mr. Speaker:** I believe the question has been asked.

**Mr. R. F. Johnston:** Mr. Speaker, it is to do with a decision made yesterday in the standing committee on general government under the leadership of the minister's parliamentary assistant. The minister in effect voted against a motion put forward by the city of Toronto council which would have required energy-use statements to be filed with the city by developers and would have been a major energy conservation promotion initiative.

**Mr. Speaker:** I think the question has been asked.

**Hon. Mr. Wells:** I am not sure what the question is, but if my friend is asking whether I agree with what the general government committee did, my answer to that would be yes. I agree with the majority decision of the members of the general government committee.

I agree with what my colleague the Minister of Energy said in his speech. Certainly, energy conservation is one of the great chal-

lenges facing government and industry today. But I do not think this motion is an answer to that problem.

I think one of the other great challenges to all of us here today is to undo a little bit of the red tape that we keep tying around everybody who wants to help move this economy ahead. All we do is impose more and more red tape. Certainly I have great confidence that those people in the development industry are probably ahead of government. They are building energy-conserving projects and do not have to be required by legislation to file plans before they get certain municipal approvals. I think that would be a step backwards.

**Mr. R. F. Johnston:** It would seem to me that the minister has the same misunderstanding of the legislation as does his parliamentary assistant. Does that mean the minister will not support the Ministry of Energy, which had only one problem with that, and it was not to do with red tape; it was to do with the ministry's enforcement ability? Does that mean he will not, with the Ministry of Energy, introduce enabling legislation to allow municipalities, such as the city of Toronto, to have that kind of promotional project in the works?

**Hon. Mr. Wells:** I do not have any legislation in mind to provide municipalities with that power.

### NIAGARA REGION HEALTH UNIT STRIKE

**Mr. Bradley:** I have a question for the Minister of Labour, Mr. Speaker.

As the minister is likely aware, the strike of Niagara Regional Health Unit employees—53 health inspectors, nursing assistants and clerical staff—has been going on now for two weeks in the Niagara region. Could the minister report to the House what initiatives his ministry has taken to bring about a settlement in this strike? It is obviously going to affect the people of the Niagara region rather substantially. Could he tell us what new initiatives are planned by his ministry in the days ahead?

**Hon. Mr. Elgie:** Mr. Speaker, I will be glad to take that as notice and report on what stage mediation is at.

**Mr. Bradley:** Supplementary, Mr. Speaker: When the minister is looking into the aspect as it relates to the Ministry of Labour, would he also consult with the Minister of Health (Mr. Timbrell) to determine whether or not the jobs that would normally be done by

those employees on strike are being carried out adequately and that the health of the people of the Niagara region is not endangered?

#### FIRESTONE PLANT CLOSURE

**Mr. Breaugh:** Mr. Speaker, I also have a question for the Minister of Labour concerning the closure of Firestone Canada Inc. in Whitby. In about six weeks there will be about 650 employees out of a job. Has the Ministry of Labour intervened in any way to see that they get a decent pension settlement such as fellow workers in the United States have received? Is the minister participating, either on behalf of those people who are members of the local of the United Rubber, Cork, Linoleum and Plastic Workers of America in that plant or even the salaried employees, both of which groups have similar problems in getting a decent pension settlement from Firestone and are anxious to know whether his ministry will intervene in any way?

**Hon. Mr. Elgie:** Mr. Speaker, I have met with both representatives of the employees and of the employer to discuss the situation and have been assured that management was prepared to co-operate in whatever way seemed reasonable.

Just the other day I signed an authorization for our portion of a manpower adjustment committee. If the member is suggesting there are some other endeavours that might be considered, I would be glad to meet with the company again and have further discussions with it.

**Mr. Breaugh:** Mr. Speaker, I want to speak not about the manpower retraining program or job relocation, but specifically about those people who will be in an age bracket where it will be extremely difficult to place them and whose prime concern now is a decent pension. Will the minister intervene on behalf of those employees, both members of the local and those who are salaried employees, to see that those who need a decent pension get one, as their counterparts in the United States plants already have?

**Hon. Mr. Elgie:** Mr. Speaker, I will be pleased to meet with the company again to review the status in that area.

#### THREE SCHOOLS

**Mr. Peterson:** Mr. Speaker, to the Minister of Culture and Recreation: In view of what is found on page six of his statement today, and I quote, "... there is articulate evidence of broad public support . . ." for Three

Schools, and in view of the fact that it is demonstrable that there is absolutely no public support for giving \$15,000 to the friends of the Minister of Industry and Tourism (Mr. Grossman), would the minister not reconsider now, rather than starving these people off as it is apparent he is going to do?

**Hon. Mr. Baetz:** Mr. Speaker, as I indicated, we will begin discussions with the director of Three Schools to work out a solution for it while it can find new sources of funding. That proposal meets with its consent. Three Schools sees it as a real solution. I don't know whether or not I have to take any further specific steps at this time in terms of promising a certain amount of money. The next step is to work out an interim financial arrangement with Three Schools.

**Mr. Peterson:** Supplementary: Why is the minister's strategy always to bring these people to the brink, as he has done in this situation, and to play brinkmanship politics and put them on the line the way he has? Why isn't the minister working ahead on some of these kinds of problems to prevent the kind of embarrassment and emotional turmoil he has put all these people through over the past couple of months?

**Hon. Mr. Baetz:** I don't know how many different ways, shapes and forms I can use to convince the member for London Centre that it is not our fault that this school is in this condition at this time. We are the government which has stood by its side while the member's kissing brethren from Ottawa cut it off last year. They cut it off while our support went up 17 per cent every year. If the member wants to talk to anybody about giving the school more instant funds, let him go talk to Ottawa as a starter.

**Ms. Bryden:** Mr. Speaker, in view of the fact that the management committee funded by the minister found Three Schools was underfunded by 50 per cent, would the minister consider a 50 per cent raise in its grant as interim financing for this year only until it can sort out a new financial arrangement?

**Hon. Mr. Baetz:** Mr. Speaker, I am not prepared today, at this hour, to say how much we are going to help the school. It would be premature. I have said we will begin negotiations with it. I have also said we will do what needs to be done so Three Schools does not have to close its doors in any kind of precipitous way. That is all I am ready to say here today.

### ABITIBI-PRICE STUDY

**Mr. Wildman:** Mr. Speaker, I have a question for the Minister of Northern Affairs. I wonder whether the minister could indicate to this House what involvement, if any, his ministry has had with the study that is now being carried out by Robb Ogilvie Associates for Abitibi-Price Inc. in relation to White River and the attempts to stabilize the work force in that community to assure there will not be the continuation of the tremendous turnovers they have had at the mill operation and in the woods operation since they first went into production. If the minister has had any involvement, could he indicate what that has been?

3:10 p.m.

**Hon. Mr. Bernier:** Mr. Speaker, I will check with my staff on our ministry's involvement in that particular study.

**Mr. Wildman:** May I ask a supplementary, Mr. Speaker? In doing that, I would hope the minister would also check with other ministries of his government to determine whether or not the provincial government is prepared to make a commitment that it will provide additional funding, as well as the municipality and the various people from the private sector, to try to provide the housing and amenities needed in that community to help stabilize the work force.

**Hon. Mr. Bernier:** I will look into those points also.

### ALGONQUIN PARK MASTER PLAN REVIEW

**Mr. Conway:** Mr. Speaker, my question is to the Minister of Natural Resources. In view of the fact that we were promised some many months ago that the Ontario Provincial Parks Council review of the Algonquin Park master plan would be available not later than March 31, 1980, and that along with that the recommendations of the Ministry of Natural Resources would also be available, can the minister explain on June 5 what possible reason there is for the delay that has kept this very important material from the public domain? Can those of us who have a particular interest in that material expect it before the millenium?

**Hon. Mr. Auld:** Mr. Speaker, as far as the first part of the question is concerned, it was a very lengthy report and it took some time to give a response to it. I believe the report is at the printer at present and the millenium is approaching fast.

**Mr. Conway:** Can the minister then be more specific, because there are a lot of people across this province very interested to know when that material is going to come forward? Can he indicate in a supplementary response to members of the House when he now expects that material to come forward and what precisely his intentions are going to be with respect to having public hearings and moving legislatively, if that is his intention, to incorporate any or all of the recommendations the government intends to put forward?

**Hon. Mr. Auld:** I don't recall any recommendations or suggestions that would require any legislative changes. I will try to find out for tomorrow morning when I can actually put it in the member's hot little hands.

### TRANSPORT OF PLUTONIUM

**Ms. Gigantes:** Mr. Speaker, I have a question of the Minister of Energy. Can the minister confirm that 30 pounds of French plutonium arrived by air at Mirabel airport on May 7, was transported with a Quebec Police Force helicopter escort across the river to Hawkesbury and sent by regular highway routes through Ontario municipalities to the facilities of Atomic Energy of Canada Limited at Chalk River?

**Hon. Mr. Welch:** Mr. Speaker, I cannot confirm that, but I will be glad to get information relative to that.

**Ms. Gigantes:** Does the Minister of Energy consider it satisfactory that that kind of shipment should be made in circumstances where local authorities knew neither of such a shipment nor how to cope with it in case there were an accident? Can he explain why such a shipment is being transported in Ontario and for what purposes?

**Hon. Mr. Welch:** I can only add that I will include answers to all of those questions following my inquiry. If such is the case, I will be glad to provide the member with whatever information I can obtain on that subject.

### CHILDREN WITH LEARNING DISABILITIES

**Mr. Sweeney:** I have a question for the Minister of Community and Social Services, Mr. Speaker. Is the minister aware that the vocational rehabilitation branch has advised applicants for funding for children with learning disabilities that they will not get answers to their applications until some time in July? These applications go back a couple of months.

Does the minister not appreciate that the schools to which the children may be going will be all filled up by then and that the schools from which the children are coming will be closed and records will not be available? Can the minister tell me why they would make them wait that long?

**Hon. Mr. Norton:** Mr. Speaker, I was not aware of the specific time that might be required to review fully each application. I do know that it sometimes takes longer because of the amount of information that is required to be collected. Sometimes that does not accompany the initial application. Information is required from the school boards where the children are attending at present. Sometimes additional assessments are needed from a medical doctor or a psychologist. All this can take varying periods of time.

The one thing we do not have any control over is when the people make the initial application. If the people applied as recently as a month or two ago and the applications in question happen to be complex and require this additional information, there is not much I can do about it in terms of determining when people make the decision to apply.

**Mr. Sweeney:** The information that has been given to me is that the applications were made several months ago, and they were complete, but they were simply told they would have to wait for an answer. If the minister's investigation bears that out, and that is what I am asking him to find out, is there any way these people could be given sufficient assistance to get into a school that otherwise might be closed to them?

**Hon. Mr. Norton:** I will certainly check to see whether there is any cause for an inordinate delay. I will encourage the staff to speed up the process as much as possible. I thought the member had said earlier, though, that the applications had been made a couple of months ago, which is why I premised my remarks on the assumption that he had been correct.

**Mr. McClellan:** Mr. Speaker, is the minister not aware that a number of applications of the kind referred to by the member for Kitchener-Wilmot were held up because of internal confusion within the ministry as a result of the Mekler decision which we have discussed on previous occasions? Can he assure us there is no backlog of decisions because of continuing confusion with respect to the implications of the Mekler decision?

Is the minister aware that his officials, as recently as last week, were still communicat-

ing to people using the language of the Mekler decision to deny applications for vocational rehabilitation assistance for children with learning disabilities? I would be pleased to go over a particular case with the minister.

**Hon. Mr. Norton:** I am not sure in what sense people might use the language of the Mekler decision. The Mekler decision does stand, but I have also clarified both in the House and, prior to that, with my staff, the policy of the ministry with respect to the Mekler decision. That was done very early as soon as we saw what was happening, as far as the board was concerned.

To make it clear with respect to the Mekler type of case, policy of the ministry is that we would interpret an educational goal as being a pre-vocational goal so that it would come under act. I would appreciate it if the member would give me the information he was referring to in the specific case. It may be that some of the field staff, for example, have not yet fully absorbed my policy interpretation, for some reason or other. I will try to hasten that process as well.

#### NORTH AMERICAN CAR SALES

**Mr. Bounsall:** I have a question of the Premier, Mr. Speaker. Following his meeting of about three weeks ago with a number of the mayors of auto manufacturing cities in Ontario, will the Premier and this government aid with the funding and staffing of the promotion of the very excellent Windsor-produced program, "Buy the cars your neighbours help to build," so that it can be expanded to all of the major population centres in Ontario?

**Hon. Mr. Davis:** Mr. Speaker, we had a very excellent meeting with the mayors of those municipalities, including the mayor of the great city of Brampton, who was one of the participants. As I recall the discussions, we canvassed this idea and two or three others.

I informed the mayors then that we thought, in terms of the general direction they were going, it was a very significant campaign and was one, in a personal sense, we would have no hesitation in supporting. We were not prepared to commit ourselves in terms of financing, say, of the Windsor centre, but perhaps the Ministry of Industry and Tourism could include some aspects of this in its own promotion campaigns.

I believe there has been some communication between the Ministry of Industry and

Tourism and the committee, the name of which I have forgotten. I have not had an updated report in the last couple of days from the mayors of those municipalities, but I will find out where the matter stands.

**Mr. Bounsall:** Is the Premier aware that the program in Windsor was run with moneys raised locally, and there is not the money available to run it much longer or to expand it to other cities? In the first months of that program there was a 25 per cent increase in sales of North American vehicles in the Windsor area. Does the Premier not agree that this is one of the best ways, by increasing sales of North American vehicles built here, of returning laid-off auto workers to full employment?

3:20 p.m.

**Hon. Mr. Davis:** I certainly think it is one of the ways. I made it quite clear that day that we were in support of this kind of approach. In fact—and I am just going by memory again—I believe I communicated with the governor of the state of Michigan. The mayor of Windsor and the other mayors asked me to get in touch with one or two other state governors, which I did, to explain the purpose of the campaign.

Whether they are going to assist in it, quite frankly I cannot tell the honourable member, but I will inquire. I have not heard about it for two or three days, but I will get as much up-to-date information as I can.

#### BRANTFORD DOWNTOWN DEVELOPMENT

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Housing. Now that the private bill regarding the downtown development in the city of Brantford has been defeated, unfortunately, has the minister been in touch with any of the Brantford officials about, first, extending the deadline for the commitment he made to support the downtown revitalization, and, second, assisting the city in getting a hearing before the Ontario Municipal Board without delay, so that in this way there is a possibility that the present development plan can go forward?

**Hon. Mr. Bennett:** Mr. Speaker, I have not been in touch with the Brantford officials. I have had a call from the development company which was assigned the responsibility for the downtown revitalization by the city of Brantford.

I think the member is aware of the fact that the termination date is August 31. I would imagine the city of Brantford is assessing the situation at this time, and I

have no doubt the city will be in touch with us, first, to extend the deadline, and, second, to see if we will have a talk with the Attorney General (Mr. McMurtry) to see whether we can advance the application before the municipal board.

**Mr. Nixon:** Since the termination date depends on the minister's policy in making the \$6 million available—or whatever the sum is; approximately \$6 million—could he not take the initiative and indicate to the city of Brantford that he is prepared to be flexible on that date, depending on when the municipal board hearing is held? Would he indicate, in response to the developer who has called him, that he is very anxious that this go ahead, even if it is delayed a few months because it is now necessary to go through the normal procedure?

**Hon. Mr. Bennett:** That has already been communicated to the developer. Obviously, with an OMB hearing required as a result of the actions of individuals in that community, the time it takes to go to the municipal board has to be taken into account. It was not the minister's intention or the ministry's intention to terminate the agreement because of the need for an OMB hearing. The date will be extended in keeping with the time it takes to get an OMB hearing, an OMB decision and even an appeal against that decision.

#### REPORTS

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr. Watson,** on behalf of Mr. Cureatz, from the standing committee on general government, presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr13, An Act to revive Can-Con Enterprises and Explorations Limited;

Bill Pr19, An Act respecting the City of Stratford;

Bill Pr29, An Act respecting the Town of Grimsby.

Your committee begs to report the following bills with certain amendments:

Bill Pr14, An Act respecting the City of Toronto;

Bill Pr27, An Act respecting the City of Hamilton.

Your committee would recommend that the fees, less the actual cost of printing, be re-



mitted on Bill Pr19, An Act respecting the City of Stratford.

Report adopted.

#### STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Williams from the standing committee on regulations and other statutory instruments presented the committee's first report.

Mr. Williams: Mr. Speaker, the report that is being submitted today is the fifth in a series of reports that have been submitted by the regulations committee through 1978 and 1979 and the first part of this year.

The highlights of the report before us today are fourfold. First, the report highlights the number and type of regulations that have been brought forward to the Legislature over the past year. The report also indicates that the committee now is in a position of being current with its review of the regulations. Through the vetting of the regulations by counsel for the committee, Mr. Lachlan MacTavish, the regulations are current to the end of 1979.

It is also interesting to note that of the 301 regulations that were brought forward during the last quarter of 1979, the committee has seen fit to cite only eight of those regulations as being, in some way, irregular or deserving of comment by the committee. These are highlighted in chapter three of the report.

The committee has been addressing itself to other types of optional procedures that could be used in the regulatory process, one of which is the procedure known commonly as "notice and comment." That is a procedure that provides for advance notice of proposed regulations followed by an opportunity for interested persons to make representations with regard to them. Later in the spring or summer the Ontario Commission on Freedom of Information and Individual Privacy will be making its report and this committee will be considering the whole matter of notice and comment further in light of the recommendations in that report.

Finally, in keeping with that area of interest, the committee, as it points out in its concluding chapter, five, will be generally considering other ways and means of improving existing procedures to assist persons aggrieved by regulations already in place to air their grievances.

On behalf of the members of the committee, I would like again to thank Mr. MacTavish for his efforts in assisting the committee throughout our deliberations, as well

as Mr. A. S. Forsyth, the clerk of the committee. With those few brief comments I table this report for the Legislature.

#### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Philip from the standing committee on administration of justice reported the following resolution:

That supply in the following amounts to defray the expense of the Ministry of Correctional Services be granted to Her Majesty for the fiscal year ending March 31, 1981:

Administrative services program, \$6,556,800; institutional program, \$115,899,000; community program, \$23,507,000.

### MOTIONS

#### ESTIMATES SCHEDULE

Hon. Mr. Wells moved that following the completion of the estimates of the Ministry of Health at the standing committee on social development, the remaining estimates referred to this committee be considered in the following order: Social Development policy, followed by Community and Social Services.

Motion agreed to.

Hon. Mr. Wells moved that the hours allocated for the estimates of the Ministry of Industry and Tourism be reduced by four hours.

Motion agreed to.

3:30 p.m.

### INTRODUCTION OF BILLS

#### OTTAWA-CARLETON MUNICIPAL HYDRO-ELECTRIC SERVICE ACT

Hon. Mr. Welch moved first reading of Bill 92, An Act to provide for Municipal Hydro-Electric Service in certain area municipalities and the Regional Municipality of Ottawa-Carleton.

Motion agreed to.

#### HAMILTON-WENTWORTH MUNICIPAL HYDRO-ELECTRIC SERVICE ACT

Hon. Mr. Welch moved first reading of Bill 93, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of Hamilton-Wentworth.

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, these bills are for the restructuring of municipal hydro-electric commissions in Ottawa-Carleton and Hamilton-Wentworth. Both are based on the

principles of the Hogg committee report as tabled in the Legislature in February 1975 and are substantially similar to the previous seven restructuring acts.

Discussions have been held with members of the local study teams during the preparation of these bills. Perhaps this is the appropriate opportunity to express the appreciation of the government for the work done by the local groups in both the Ottawa-Carleton and Hamilton-Wentworth regions.

#### QUEEN'S PARK DESIGNATION ACT

Mr. Breithaupt moved first reading of Bill 94, An Act respecting the Use of Expression "Queen's Park."

Motion agreed to.

Mr. Breithaupt: Mr. Speaker, the purpose of this bill is to prohibit the use of the term "Queen's Park" for commercial purposes.

#### GO-CART TRACK REGULATION ACT

Mr. M. Davidson moved first reading of Bill 95, An Act to license and regulate Go-Cart Tracks.

Motion agreed to.

Mr. M. Davidson: Mr. Speaker, the purpose of this bill is to provide for the regulation of go-kart tracks in Ontario. The bill requires every person who proposes to operate a go-kart track in Ontario to obtain a licence from the Ministry of Consumer and Commercial Relations.

The bill provides regulation-making authority to the Lieutenant Governor in Council to establish safety standards relating to go-karts and the operation of go-kart tracks.

The bill further provides for the appointment of inspectors to ensure that go-kart track operators are complying with the act and the regulations attached thereto.

Mr. Speaker: It is my understanding that the member for Hamilton East (Mr. Mackenzie) has 22 bills he wants to introduce, which is going to take considerable time. Is there the unanimous consent of the House to permit him to move them all at once? He will give the motion once for first reading of them all, and then he can give a brief explanation following that.

Mr. Nixon: Of all 22?

Mr. Speaker: Yes. Is it unanimously agreed? I think that will be the quickest way of doing it.

Agreed.

#### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 96, An Act to amend the Labour Relations Act.

Motion agreed to.

#### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 97, An Act to amend the Labour Relations Act.

Motion agreed to.

#### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 98, An Act to amend the Labour Relations Act.

Motion agreed to.

#### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 99, An Act to amend the Labour Relations Act.

Motion agreed to.

#### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 100, An Act to amend the Labour Relations Act.

Motion agreed to.

#### CROWN EMPLOYEES COLLECTIVE BARGAINING AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 101, An Act to amend the Crown Employees Collective Bargaining Act.

Motion agreed to.

#### EMPLOYMENT STANDARDS DECLARATORY ACT

Mr. Mackenzie moved first reading of Bill 102, An Act to declare the Application of certain Parts of the Employment Standards Act.

Motion agreed to.

#### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 103, An Act to amend the Labour Relations Act.

Motion agreed to.

DISABLED PERSONS  
EMPLOYMENT ACT

Mr. Mackenzie moved first reading of Bill 104, An Act to provide for the Employment of Disabled Persons.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 105, An Act to amend the Employment Standards Act.

Motion agreed to.

PUBLIC SERVANTS  
POLITICAL RIGHTS ACT

Mr. Mackenzie moved first reading of Bill 106, An Act to provide Political Rights for Public Servants.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 107, An Act to amend the Employment Standards Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 108, An Act to amend the Employment Standards Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 109, An Act to amend the Employment Standards Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 110, An Act to amend the Employment Standards Act.

Motion agreed to.

LABOUR RELATIONS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 111, An Act to amend the Labour Relations Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 112, An Act to amend the Employment Standards Act.

Motion agreed to.

LABOUR RELATIONS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 113, An Act to amend the Labour Relations Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 114, An Act to amend the Employment Standards Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 115, An Act to amend the Employment Standards Act.

Motion agreed to.

EMPLOYMENT STANDARDS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 116, An Act to amend the Employment Standards Act.

Motion agreed to.

LABOUR RELATIONS  
AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 117, An Act to amend the Labour Relations Act.

Motion agreed to.

Mr. Mackenzie: Mr. Speaker, very briefly, the bills cover the following areas: a compulsory union checkoff; a first-contract settlement bill providing for the Ontario Labour Relations Board to have the authority to settle a first contract; quicker and easier certification procedures allowing an automatic certification after a 50 per cent plus one vote and a vote within seven days; an anti-strikebreaking bill which prohibits employers from using or hiring anyone to do the work of an employee who is on a legal strike.

Successor rights: preserves the collective bargaining rights of employees in a business that is relocated.

Amendments to the Crown Employees Collective Bargaining Act repeal those sections of the act that exclude a wide variety of management rights from being the subject of collective bargaining.

Domestic servants: allows domestic servants to be covered under the provisions of the Employment Standards Act.

Permits agricultural employees who work in an industry or factory setting to become members of a trade union.

Provides a mechanism for providing employment opportunities for disabled persons.

Establishes standards relating to the installation and operation of electronic surveillance equipment systems in places of employment.

Ensures that public servants shall be entitled to exercise all rights to engage in the democratic political processes.

Reduces the standard work week in Ontario from 48 hours to 40 and requires overtime rates for work done in excess of 40 hours.

Vacation standards: extends the existing employment standards provisions beyond the two weeks for 12 months of service to provide an adequate four- and five-week vacation after a period of time.

Termination notices: provides for increased time for notice provisions and layoffs.

Conditions of employment: prohibits employers from requiring employees engaged in the preparation or service of food or drink to perform their duties while nude or partially nude.

Extension of collective bargaining rights: allows employees to exercise managerial functions, to join or establish a union for collective bargaining purposes.

Amendments to the Employment Standards Act which ensure that the crown is bound by all sections of the act.

Certification hearings: clarifies status of employer at certification hearings so that the proceedings cannot be muddled.

Leave of absence: requires an employer to provide a leave of absence to any employee who has been elected to provincial or municipal office.

Protection of employees: protects the employment of an employee who attempts to enforce the provisions of any act, or who testifies or otherwise participates in a proceeding or hearing under any act or court of law.

Protection of term employees: extends the application of part XII of the Employment Standards Act to term employees who are

laid off or terminated during or as the result of a strike or lockout.

Finally, repeals legislation which does not allow the inclusion of security guards in a collective bargaining unit.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 154 and 181 and the interim answers to questions 174 and 176 standing on the Notice Paper. (See appendix, page 2550.)

3:40 p.m.

#### ORDERS OF THE DAY

##### PRIVATE MEMBERS' PUBLIC BUSINESS SMALL BUSINESS WEEK

Mr. Kennedy moved resolution 8:

That the government declare an annual Small Business Week in Ontario for the purpose of informing the public of the key role of small business in our economy as employer, producer, taxpayer; to promote better understanding of the dependencies between small business, big business, government and the public;

The week to supplement and support the present small business activities that are ongoing throughout the year and to include seminars, information sessions, meetings with government, bankers, business consultants, and to discuss other related matters that would assist both existing and potential small business in management, financing, production and marketing, as well as offering assistance towards increasing opportunities for small business;

That associated with this week there be developed a journal that would summarize all programs and assistance available to small business and be capable of easy updating;

That there be developed a universally recognized symbol that would aid in coordinating the roles of these participants and in disseminating information among them;

The government to launch the week through a forum sponsored in co-operation with big business, such as banks, industry and the news media, and also at this initial forum there be established a medium for the ongoing annual Small Business Weeks.

Mr. Kennedy: Mr. Speaker, the presentation of private members' bills and resolutions in support of small business is a fairly frequent event in this House. In fact, the appearance of such bills or resolutions occurs so regularly that they no longer arouse much

controversy or even excite any special comment. Members might well ask why I am introducing yet another small business resolution.

Just because a number of members have tried to help small business in the past does not necessarily mean they have been uniformly successful, and just because members from both sides of the House have acknowledged the vital role it plays in our economy does not necessarily mean those members have actually done anything useful for the small business they set out to help.

In other words, despite the routine gush of sentiment from this House in favour of small business, I have difficulty naming specific, concrete examples of what the Legislature, as opposed to the government, has done for small business. Certainly small businesses still face all sorts of problems and handicaps that hinder their efficient and profitable operation, despite our best efforts.

With all due modesty, I think I can say this resolution is taking a different approach. I believe it helps solve a specific problem facing small business, the problem of information to, from and about small business. My resolution helps bridge this information gap without creating any new problems for the small businessman. Finally, I hope and trust that the many advantages I can see in this resolution will be seen by all members.

Traditionally, at this point in a speech on small business, one throws in a few statistics to demonstrate the importance of small business: the size and value of its contribution to the economy, its record on job creation and so on. We have all heard various statistics of this kind. It is probably even safe to say that we will hear more of them before this debate ends; so I will not trouble members with one more statistical exercise. Suffice to say that we are all aware of the vital position of small business.

Small business, taken in the aggregate, is in fact huge business. It adapts quickly to change in the business environment. It is flexible. It can solve all sorts of problems that larger enterprises, ossified by their own huge bureaucracies, cannot begin to deal with.

Perhaps the most important thing about small business is that it is ubiquitous. We find small businesses everywhere. They are not vertically integrated. They are not concentrated in a few metropolitan areas. They do not require, in most instances, huge amounts of capital. They do involve hundreds of thousands—even millions—of people right across the province. They are the backbone of economic activity in our smaller towns and

villages. They help reduce economic regional disparities by flourishing in all sorts of places where big business could not even hope to survive; and we are thankful for that.

What then are the major problems for our smaller concerns? The first thing on the mind of every businessman I know is the problem of finances, and small businesses are no exception to the rule. But right after finances, small business's major problem is something that I referred to earlier as the information gap. I might also have labelled it "lack of knowledge."

Small businesses face this information gap precisely because they are small. They often depend on one person or a handful of people for decision making. Obviously these few people cannot hope to be experts at everything, and yet all-round expertise is exactly what they must try to develop if the business is to prosper.

Lots of people are interested in going into business for themselves. Studies show they can generally be divided into two types. One consists of people who are sales-oriented, with little background in finance, accounting, law or administration. The other group of people is strong in some or most of these areas, but probably weak in selling. Weakness in any area could spell failure and often does.

Naturally, a small business cannot afford to hire experts in each of these fields the way a large corporation can. However, from the point of view of a small businessman, the information is out there somewhere. Other small businesses have overcome similar problems. Chambers of commerce have information; bankers can explain finance; marketing experts can add some creative thinking. There are many examples. In other words, the small businessman's real problem is not that the information is not available, but that it is all over the place and relatively difficult to get at. Perhaps even more of a hindrance is that collecting and digesting such information can be very time-consuming.

Here we are coming to the point of the resolution. I hope my suggestion for an annual Small Business Week in Ontario is not taken as simply glorifying the ideals and strength of smaller enterprises. I see a very functional purpose for a Small Business Week. It is no coincidence that words like information, understanding, discussion, cooperation, forum and seminar recur over and over in the resolution, for ideas of information and understanding go right to the heart of the matter.

I foresee Small Business Week as a fabulous learning experience for small businessmen all across Ontario. It could be of tremendous value in helping them to bridge that information gap. They could learn about many skills and services which would help their companies prosper.

Small Business Week, too, would dovetail neatly with the excellent programs of our Ministry of Industry and Tourism that have been previously announced, such as the small business development policy for Ontario and others. However, even the ministry itself bumps into this information gap. In fact, Industry and Tourism made 13,000 calls and sponsored business seminars in many small towns last year, plus numerous one-on-one counselling sessions with Ontario enterprises.

Clearly an annual Small Business Week would be an excellent opportunity for the Ministry of Industry and Tourism to get its point across to many small businessmen. Government would not be the only organization with a pitch to make during a Small Business Week. Any group or person with information to help small business or service to sell would literally jump at the chance of a guaranteed audience.

If any member has any doubts as to whether a Small Business Week would be filling a need, he only has to look at the phenomenal success of the small business exposition held at the Royal York last year. One commentator said: "Sponsored by the 65,000-member International Entrepreneurs' Association, Expo is the largest small business show held in Toronto in more than a decade and it is the show's first appearance in Canada. On display are new products, franchises, distributorships, dealerships and 160 startup manuals, in addition to the 75 hours of instruction and lectures from the experts."

I do not see any reason why a Small Business Week would not stimulate such expositions or shows in town and cities right across Ontario. Why not?

Another important point about such a week is that it would help other groups to learn about small businesses. For example, bankers could look more favourably on smaller enterprises. Governments could discover what impact their policies were having on small business and how these could be improved. The public at large would have an opportunity to learn about small business and about the important contribution business has made in the quality of life in Ontario.

In my opinion, the great advantage offered by such a week is that the whole thing is voluntary. It will not require more form-

filling or dealing with mind-numbing bureaucracy. The small businessman can participate or not as he sees fit. We can safely leave that decision to his own initiative and good sense. If the Small Business Week is as useful to him as I think it is, then he will go. If not, he will not attend such functions and stay home.

3:50 p.m.

The voluntary approach is in contrast to that taken by my friend from Victoria-Haliburton (Mr. Eakins). I am pleased he is on the list to speak and I look forward to his comments. I know he can recall that small business bill he introduced two and a half or three years ago, because it was debated at this time.

In fact, I was surprised by the tenor of the bill put forward by the member. I know his heart was in the right place on this; he wanted to help small business, but this would have added a tremendous burden of government paperwork which already oppresses business. That is one of the complaints we continue to hear.

We were not particularly surprised to hear the NDP position advocating more and more government involvement. Free enterprise, for my friends across the way is almost as dirty a word as profit.

In other words, the small business act that was proposed would have completely contradicted this government's commitment to get off the backs of business. While it does not surprise me that New Democrats would support increased regulation of small business, I am rather surprised that the Liberals endorsed that specific bill.

It was a good thing that it died on the Order Paper, though, as I said, I understand and appreciate the intent and support, just in the principle.

There is a philosophical contrast between that bill and my resolution. It could not be greater. I want to believe, and I happen to believe, that small business wants less government, not more. The small business sector does not want a vast array of burdensome government programs so much as better information on what is already available.

My proposed annual Small Business Week fills a need felt by small businessmen all across Ontario. It will help them bridge the information gap so they can run their companies more efficiently and more profitably. It takes advantage of the small businessman's initiative and drive but does not add to the unnecessarily great load of paperwork and regulation that small business must already grapple with.

I hope the members in this House will see fit to endorse and pass this resolution. Mr. Speaker, I would like to reserve three minutes.

Mr. Eakins: Mr. Speaker, it is a pleasure for me, because of my interest in small business, to rise and speak on this resolution.

Initially I want to compliment the member for introducing this resolution in the House. I feel it is one that I can support. I think it is time we gave some annual profile to the small business community of this province and of this country, and this is one way of doing that.

However, I want to refer to some of the remarks of my honourable friend and point out that it was on October 20, 1977, that I introduced my private member's bill into the Legislature, An Act respecting Small Business in Ontario. I want to say to the member that it was the first time in any jurisdiction in Canada, provincially or federally, that a small business act had been introduced into any legislature or parliament.

I also want to say to the member, when he stated it was a good job that it died on the Order Paper, it was supported in principle by all members of the Tory party except one. That is the purpose of a private member's bill: to support it in principle, go to a committee and then iron out the difficulties.

Following the debate that day, I made some amendments which were sent to every member in this House. Following that, the late minister, who was the Minister of Industry and Tourism at that time, had a meeting in his office with all the representatives of the small business community across this province, and all generally agreed that it was a very good bill. Present at the meeting were representatives of the Ontario Chamber of Commerce, the Canadian Manufacturers' Association, the Retail Merchants Association of Canada and the Canadian Federation of Independent Business, as well as the minister's staff.

I believe that was one of the positive steps towards dealing with private members' resolutions that come before this House. If more ministers would do that, instead of burying them and not letting them live because someone in the opposition might get credit, we would have more progress in this House. I pay tribute to the approach that was taken. I felt a very positive effect from that meeting.

I feel it was a good bill and as a result, the Ministry of Industry and Tourism has moved to publish a pamphlet of whom to contact in Ontario if one wants to do business with the provincial government. It is a good

pamphlet. It just came out in the last couple of weeks. I have sent many of them out to my constituents. I feel that has come about as a direct result of the private member's bill.

I support the resolution; I think the best way to give profile and priority to small business in this province is for this government to have the will and the initiative to pass a small business act for this province, as have countries such as Germany, Japan and the United States.

One of the strengths of their economies has been the fact that they have seen fit to have very strong small business acts. Certainly the United States has a very strong small business act. I tell the honourable member, if he is wondering what is happening there, he should call the small business people in Washington and he will find they are most co-operative and most helpful.

I want to take the opportunity to pay tribute to the small businesses of this province and of this country, for the great potential of small business has been clearly demonstrated. Small business is flexible, is able to adapt quickly to changes in the market, and possesses great capacity for technological and other innovations.

However, small business has been neglected by government in this country. Its importance has been diminished by comparison with large corporations. For example, it is not heavily favoured for subcontracting, as in the case of Japan, Germany and the United States, where governments have fostered and supported the growth and development of small business.

While at present in Canada we have a very widespread small business sector, typical of any large country with a comparatively small population, it has not been able to date to develop even a small percentage of its full potential. I believe we must move as quickly as possible to give increased emphasis and impetus to the small business sector, because it is uniquely adapted to cope with the kinds of economic conditions that prevail. Our sagging economy needs assistance from every sector of the business community, and small business can make a considerable impact on our current, critical unemployment situation.

If we are to have any hope of reducing today's tragically high unemployment and of strengthening our economy by meeting the challenges of today's competitive market, we must drastically readjust our ideas and our priorities. Many of our current economic problems are caused by an inability to adjust to the new realities, by carrying over into the 1970s and 1980s the practices and



ideas of the more prosperous and more buoyant 1960s. An even greater challenge faces us in the 1980s.

About three years ago, the European Economic Community released a study of small and medium-sized businesses which indicated that the small-firm sector could play an important role in the reduction of alienation and social tensions. The study maintained, "Since small and medium-sized undertakings are so important for job stability and the maintenance of industrial peace, all social legislation should be geared towards maintaining independent businesses."

Small business contributes the young blood of new ideas and products to our economy. It plays a vital role in the process of innovation. In our memory, it is extraordinary how many new products and new processes were introduced by aggressive entrepreneurs or small business firms. Examples include automatic transmissions, the ballpoint pen, the catalytic cracking of petroleum, the helicopter, high-fidelity recording, frozen foods, wash-and-dry clothing—the list is long and very impressive.

Obviously not all innovations of entrepreneurs succeed. Indeed many of them fail, as are bound to in such hazardous situations. But this brash willingness to risk failure is itself one of the major merits of our system of free enterprise.

4:00 p.m.

I want to close with a few remarks and say that if this province and this country are to survive and prosper, we desperately need to benefit from the talents and skills of all our young people. We cannot risk losing great numbers of Ontarians to other provinces and other countries because there are no career opportunities at home.

I believe an enriched apprenticeship program is one way of increasing our skilled labour force and preventing a brain and talent drain out of this province. Yet how many small businesses have gone to the trouble and expense of training many of our young people only to lose them shortly after? I do not profess to have the solution to this kind of dilemma, but I wonder if it is not time that we reviewed the benefits we are paying out today and dealt with that in co-operation with an apprenticeship program.

We also need to promote business-oriented programs in our schools to help develop broader understanding of the free enterprise system and how, in our business society, it is the means through which individuals find their livelihood, find their access to social status, to community and individual achievement and to satisfaction. We need practical

business education programs to help build the gap between the world of work and the classroom, demonstrating the dynamics of the free enterprise system as it functions in the highly competitive world.

Finally, as legislators, we must accept the responsibility to ensure a business climate in which we can grow, develop and thrive, and in which small and large companies alike are allowed to develop, to function and to prosper and, above all, with as little government intervention as possible. That is our hope for the 1980s.

I support the honourable member's resolution. I commend him for introducing it. I only hope that the government, in spite of any problem it might have with a small business act, would accept it, resolve it, change it, but let Ontario have its own small business act. Let Ontario lead Canada.

**Mr. Makarchuk:** Mr. Speaker, I also wish to take part in this debate regarding the resolution relating to small businesses.

It appears obvious to me there must be an election in the offing. The government has discovered the environment; it has discovered labour. The Minister of Health (Mr. Timbrell) has discovered that there are problems in the health services. There seems to be some image-polishing going on, because small business is not exactly satisfied with what the Tory government has been doing for them in Ontario. So in typical Tory fashion they give us a resolution. They are all for small business, against sin and for motherhood. They should have thrown it all in. It is the usual window-dressing that goes on before an election to create the image that the Conservative Party cares about something. But it does not. I do not think small business is going to get sucked in by this kind of a resolution.

There is no question that the member did mention some of the problems that are faced by small business. The matter of obtaining money and credit is very important to small businesses. I agree with the member who raised that subject, but when one raises that same problem with the Minister of Revenue (Mr. Maeck) and the Treasurer (Mr. F. S. Miller) to see what the province can do to ensure that small business gets credit, or is in the position to borrow the money it needs to expand and grow, they do absolutely nothing. They say, "You can go to the bank."

If one talks to most of the small businessmen in this country or in this province one will find out that they are fed up with our banks. There is nobody they hate more, or are more against, than the banks in this province or in this country. This is for the simple reason that

they have difficulty in obtaining money from them and when they do get money from the banks they have to sign away their worldly possessions, their family and everybody else. The bank, before it lends money, is absolutely sure in almost 100 per cent of the cases it is going to get the money back no matter what happens to the small businessman.

What we have been suggesting the government should do is develop the Province of Ontario Savings Office. It should get the legislation through the federal House to give it the same powers that chartered banks have. Then it should make it a lending institution that will operate on the basis of the needs of the people and not the needs of the corporate sector, or the needs of just maximizing one's profit. In a situation like that there would be competition in the money-lending sector and the businessman would have some alternative. This would apply particularly to the small businessman; not the large corporations. The large corporations have no problems; it is the small people. But at least the small businessman would have somewhere else to go than to that monopoly of banks that control the credit that is available to him.

I want to touch on some other points. Legislation should be introduced by this government to ensure that the small businessman would be able to buy goods at wholesale prices, the same prices that major corporations like Eaton's or Simpson's pay their suppliers. There should not be that kind of discrimination by the wholesalers against the small businessman. They sell goods at one price to a major retailer and at another price to a small businessman. He finds himself at a big disadvantage when eventually he sells his goods, because his markup is lower. He is certainly not going to make as much, and the others can sell at a lower price than he can.

Those are some of the things that can and should be done by legislation. We should consider seriously the possibility that the small businessman, particularly the retail merchant or the grocer, should be able to sell beer. Right now we have bowed to the wishes of the Carlings and the Labatts and the Molsons, and we permit major corporations to have the sole right to distribute beer in this province. In other provinces—Quebec, for example—the small merchants can do it. It provides some additional income for the merchants, and it provides some stability to their operations. That is an example of an area where they could go.

As another example, there should be some assurance to the small businessman when he

is selling to a major corporation that he has at least the same right of access. What one finds in operation these days with major corporations is an old boys' network hanging out there. They buy from each other and they buy from certain suppliers where they have some share or interest, or there is a cross-connection between the various boards of directors. Consequently, the small businessman or the independent man who wants to go in there to try to sell them supplies, goods or services, probably at lower rates than they buy within themselves, is shut out because of this old boys' network.

There should be great concern on the part of this government to streamline the Ontario Municipal Board hearings operation. We had a good example here last Tuesday of how, despite the fact that there were two major corporations involved, because of the ponderous system in place right now, many small businesses in Brantford are going to suffer as a result of the actions of this particular government.

I would like some of the members who voted against that bill to visit Brantford, because the people there are ready to tar and feather them. We are not going to run them down the railways, but we will slide them down the Grand River, down to the mouth where they belong. That would have provided a lot of economic activity for small businesses in Brantford. The members here knocked it out and destroyed it.

The other thing I would like them to do is go and talk to some of the small businessmen and merchants in downtown Brantford, as I have, or to the people who have been working on this. They will tell the members that, no matter what route they take now, the merchants will be in a worse position next spring than they were two or three days ago. Some of the concerns the city has are the fact that they have to go this route and the fact that government refuses to bring in some type of legislation or to streamline the procedures so that small or large businesses can move or act or react when they want to expand or build. They do not want to have to go through a lengthy rigmarole without being sure exactly what the results would be. No business can operate under those circumstances.

4:10 p.m.

The other point is that it is the responsibility of the government to ensure we have a healthy economy in all aspects. I can assure the government—and I am sure no one in the government party would argue with the

point—that when you have a healthy economy, large business thrives but small business thrives also. No matter what kind of gimmicks are used, window dressings and whatever else, if the economy is sick the first people to get it on the back of the neck are the small businessmen.

We do not see General Motors going under; nor do we see Ford going under. General Motors, as an example, had lived through depressions and everything else and has made a profit every year no matter what.

**Mr. Kerrio:** Chrysler is going under.

**Mr. Makarchuk:** No, Chrysler is not going under. But there are small businessmen who go under because the economy is sick.

This government is doing nothing in terms of trying to develop the economy, coming up with an industrial strategy, providing the kind of economic environment where business can thrive whether it is large or small. There was a paeon here to free enterprise: The unseen hand of the market system is going to resolve this. What bloody nonsense!

There is not one healthy economy in the western world. If you look at western Europe, where governments are actively involved, you will find that where economies are healthy and governments believe there should be room for private enterprise, they also believe there should be room for government direction and involvement in the economy. When you compare the economies of those countries in terms of the inflation rate and the employment rate, with the so-called free economies of other western countries like Canada and the United States, you will find that the free enterprisers are the worst performers of anybody in the economic sense; but we still come out here and give this ode to a mythology.

I suggest it is about time the government grew up economically and saw what the real world is up to. Adam Smith has been dead for a few hundred years—not exactly that long, but for a long time. The government should forget him and start looking at how other economies operate and why they are successful; it should start applying those kinds of rules and get involved to make sure the economy works.

The unseen hand of the marketplace has not worked. It is not going to work. If the government is going to depend on it, it is going to find it totally useless in terms of the effects it will have on society to ensure a good life for the people of this province.

**The Acting Speaker (Mr. Ruston):** The member's time has expired.

**Mr. Makarchuk:** I want to conclude, Mr. Speaker, by saying that part of the problem is that the biggest enemy small business has is big business. The other two parties are tied to the large businesses. As long as they are tied to the large businesses, nothing of value is going to happen to small business.

**Mr. Jones:** Mr. Speaker, it gives me a great deal of pleasure to join in support of the resolution moved by my colleague the member for Mississauga South (Mr. Kennedy). I am quite certain one of the many factors that caused him to bring this resolution to the House today is his direct exposure to the hundreds of working and dedicated small businessmen whom we share as constituents in the city of Mississauga.

For my part, before coming to public life I was very active in small business, having been involved in the founding of some three or four. As a person coming from that background, I have brought to public life some very strong convictions that, as speakers before me have said, the government must support small business today as perhaps never before.

I had hoped we could avoid any excessive cynicism in this debate, and to some extent we did. I compliment the member for Victoria-Haliburton (Mr. Eakins) for one or two or three things. First, I would thank him for his comments of today in support of my colleague's resolution, but I also recall that a few weeks ago he and his colleague from Kent-Elgin (Mr. McGuigan) supported a resolution I proposed in this House that had to do with assisting small businessmen.

I believe the member for Mississauga South is very sincere in his desire to bring attention to the contribution made to our economy by small business, and that is what his resolution is all about. If a Small Business Week were to be declared in Ontario, I join with the member in believing that a long list of innovative initiatives could be introduced by government to assist small business. We are aware that the Ministry of Industry and Tourism has recently accomplished some new programs to assist small business. The member for Victoria-Haliburton shared with us one of them, which he feels was perhaps prompted, and no doubt was, by his introduction of it in the House some time ago. He is sharing it with his constituency.

There are others initiatives. We have some new financial assistance programs. One is the paying of 75 per cent of the cost, to a maximum of \$7,500 for a firm, for financial assistance specifically to small business. We have another program, to assist in research,

which will pay 90 per cent, as the brochure says, of "the tab at the lab." These are programs that have been brought in by the minister of this government as a specific response and an assist to small business.

The government has also committed itself to a marketing government division in the Ministry of Industry and Tourism, to help small business sell to government. Its purpose will be to help them identify specific marketing opportunities and to meet the purchasing requirements of provincial ministries and their agencies.

I mention these things because they are indicative of the value which this government has placed on the role of the small businessman. This resolution is a natural progression in the government's record of concern. Quite clearly, the question of follow-up is essential, should the government choose to undertake this program. It is for this reason that I am particularly happy to see that the member has included in his resolution such suggestions as the one for a universally recognized symbol. I believe that would, in a very genuine way, aid in the success of such a week and in the dissemination of information as it would go forward in that week.

As a part of my work at the Ontario Youth Secretariat, last year we sponsored the first Ontario Career Week. It was a program that had considerable effectiveness in bringing professionals in the career guidance community together, drawing attention to the career resources that are available in the province. While that program was limited in scope, we are going to sponsor it again this year on a more expanded basis. Here we did use a logo, as the member suggests we do, and it was of considerable assistance as we brought forward, focused attention on, and disseminated some very helpful information.

One of the key factors in the success of such a week would be a logo, along with many of the other suggestions embodied in the resolution. It has been well thought out by the member.

As to the development of a journal that would summarize all the programs and the assistance available to small businesses in Ontario, I think all members here would find such a document very useful in dealing with our constituents. I would imagine that such a document would be just one part of several types of information already available. Some of the more recent ones, such as the recently published document on a small business development policy for Ontario, would complement that and give us that focus.

As we speak to the concerns of small businesses and particularly to a proposal such as this one, to assist them, it is important to be mindful that there are more than 240,000 small businesses in Ontario and that they comprise 97 per cent of all the business enterprises in this province. Cumulatively, they account for 23 per cent of the total sales and provide 40 per cent of the total employment, which was alluded to by the member for Victoria-Haliburton.

The member also referred to the fact that they hold the greatest potential for the employment, not particularly of young people, but of people new to the labour force. The government has demonstrated that in programs that have particularly assisted small business, such as the Ontario Youth Employment Program, which we are about to see launched again this year. It involves some 40,000 young people working in the private sector, through government assistance of \$1.25 an hour. It is a very real help to small business, as well as to the farming community and other parts of our business community.

4:20 p.m.

Coming back to the principle of this bill, I think the main thing is that such a week would highlight a great deal of the government assistance which my colleague mentioned at the outset. It would stress that it is available. All too often the small businessman is preoccupied with all the other complexities of doing business these days. This would let him know he could have the assistance and would focus attention on just which programs are there to assist him.

I was disappointed, to say the least, by the comments by the member for Brantford (Mr. Makarchuk). He did not quite come back to the purpose that was intended by the mover of this resolution: to set aside a week. There are examples where this government has participated in and taken leadership in such observances. Next year we have the International Year of Disabled Persons coming up, so designated by the United Nations. We have had the Month of the Family. We had the International Year of the Child. We have set aside time to focus and bring people's attention to a particular aspect of our society and give it the proper attention.

I did not like the cynicism; I did not like him trotting out again the bogymen that the old boys' clubs control everything and that we want to set small business against big business. That is not so. Small businesses, as we all know, rely on one another to no small

degree. So when a member tries to paint that big cloud that this government is a friend of big business, I have to say, with all due respect to the member, it is bunk and he knows that is so. That is not how it actually works.

He says that in the real world the banks are hated by the small businessmen. Banks are certainly not their favourite people—I think we would all agree with that—but they certainly are not calling, as he was suggesting, for greater involvement of government in their lives. Nothing could be further from the truth.

The small businessman does want to give rein to his entrepreneurial instincts. As the member for Victoria-Haliburton said, they are prepared to rise or fall on the fortunes of their endeavours. They do want assistance, but they are sure not looking for what was proposed here of the government; he described it as “actively involved” and went on to suggest more than active involvement. I do not think that is what the small business community is calling for. Certainly they have frustrations with the bank; that is part of being in business—

**Mr. Haggerty:** And government, too.

**Mr. Jones:** Indeed they do. I think it's wrong to suggest that we should have more; we should be thinking in terms of less.

I thank the member for his resolution and urge all members of the House to support it.

**Mr. Kerrio:** Mr. Speaker, I rise in support of the bill. Any resolution that helps small business certainly should be supported, even though it might be as the straw to the drowning man.

Many levels of government take great pride in the small business across the province and across the country, and they boast about how efficient they are and how many jobs they provide. Small business people are a very hardy breed and they will survive in spite of governments rather than with their co-operation.

I represent a small business—one that has been 60 years in Ontario—that my immigrant father started. I managed it for a while and my son is now managing. It is a little disappointing to stand here and debate such a resolution and hear the member for Mississauga South suggest that my colleague's bill was not well-intentioned and meaningful. He said in every sense of the word that he would comply with other members who had input to the bill; he would change it in any way the members saw fit to help small business. He made that very plain. Even though

the member is going to have the last word, that is the fact as it exists.

**Mr. Kennedy:** Mr. Speaker, on a point of privilege: I think if—

**Mr. Kerrio:** You have time to respond.

**Mr. Kennedy:** I just want to respond to that point, I did commend the member for bringing it forward and paid tribute to his sincerity. It was a well-intentioned bill.

**Mr. Kerrio:** The member is just like a hockey player who gives a person a little compliment and then cuts the legs out from under him.

In any event, what I am trying to say is that while we are talking about helping small business, that has not been the fact. I will bring some experience to the floor of this chamber when I relate problems that the member should be trying to resolve in keeping with a bill that is going to set aside time to talk about their problems. Small businesses are functioning in an unreal world out there. They have not come to government for help until governments like this government and the government of Canada decided to inject huge sums of money in areas where they should never have been injected. The fact of the matter is that if we had the kind of autopact that should exist in this country, when we are entitled to 10 per cent of the jobs, and we would not have to beg for them and pay for them, in that way, small business would get the overflow which would keep them very healthy, being neighbours of large businesses. That's not small business's fault. That's government's fault.

Let me explain a couple of the things that are very tragic about small business. When we talk about taxing a small business person, business tax is based on a portion of real property tax. How can anybody in their right mind connect the two? If a business showed a \$1-million profit, operating out of a tent, it would pay a business tax based on the value of the tent. If it happens to be a business which requires large amount of property, such as some construction companies, that property does not generate a five-cent piece for them. In fact, it is a detriment to their operation, as it is only used to repair their equipment and to store it. When their business tax is based on their real property, that does a grave disservice to someone who is struggling in business. If we were honest about it, we would base business tax on their profits and their ability to pay. That is not talked about very often on the floor of this Legislature.

Small business is of the few areas, as it relates to workmen's compensation, where,

without any kind of test, they make the business person pay for all the accidents. I certainly want to pay for anyone who has an accident, even if he breaks his leg on the way to work; I am not questioning that. But this government has never seen fit to augment the money that is paid by employers, particularly those in small business, to pay for those kind of accidents which are not the fault of the small employer. That doesn't happen here.

We talk on the floor of this Legislature about raising the income to people who are hurt and on workmen's compensation; I agree wholeheartedly with that. But let's share the bill. Let's take those that are not the fault of the small employer and put them where they belong: into the tax burden of the whole province, if they want to do it that way.

The other thing is that large businesses can pass all these costs through; small businesses cannot, and they suffer every turn of the wheel with things this government does.

The member talked about red tape. Certainly there is some red tape. Let me explain a small circumstance that happened very recently with the tax on diesel fuel. At one time in the construction business they were not obliged to pay diesel fuel tax for any equipment that operated off of the road; in other words, a bulldozer, a grader or any type of compressor. They were not obliged to pay the fuel tax on fuel that was used to help to building roads.

Some genius in that government over there decided that they might take that piece of equipment and build roads with it and maybe they should charge the tax on it. Every small contractor in the country whether he employed two people or 20 or 50 or 100, had to keep a log on every piece of equipment he owned and prove where it used the diesel fuel. If it happened to go on the road to plough snow, it was obliged to pay the tax; but if it ploughed snow within the limits of a plant, it did not have to pay tax. They could make application, after they could prove how much diesel fuel every machine they owned burned in a given day and how many hours. The member talks about red tape. He doesn't know what red tape is all about until he has been there.

This is the government that is talking about doing things for small business. The small business people out there who are struggling to survive could tell them many things they could do before they set aside a week to get them to come up to another meeting, because

they have been to hundreds of such meetings and the same kind of things go on.

4:30 p.m.

I borrowed money from the Federal Business Development Bank and paid one per cent over prime. When I wanted to pay off the loan, I had to pay a bonus. If that is any kind of help, I fail to see the reasoning. We paid a \$5,000 bonus because we wanted to pay back the debt. Do you think those government people who designed that structure would have anticipated that it would be to the advantage of the people lending the money to encourage people to pay them back, and maybe pay them a bonus to pay it back sooner? No, that is not the way it works. They punish you for paying it back too soon.

Small business has a couple of big problems. One of them is government. The other one is big business because, as I said before, big business can pass through all of the costs and can negotiate with unions and pay better money. My friend opposite should try to function out there in competition with some large automobile plants when the government comes through on a huge project; that is meaningful and helpful to those people who belong to the unions.

But small business is always under the gun. It does not have the option of getting part-time payment by the Unemployment Insurance Commission, as General Motors does. If there is anyone who needs help, witness somebody trying to break out early in the spring when you get rainy days, you are attempting to work and you have to send your work force home. That's a time when the government should say it will pay for a person to be on the job for two or three days during inclement weather to keep people meaningfully employed instead of giving it to General Motors to augment its fund. There are many areas where we could keep people meaningfully employed if the government would pick up on unemployment on shorter terms to help keep those people going.

Everywhere we turn, small business is disadvantaged because it does not have the representation. Many small businessmen have their wives doing their books. My friend talks about getting together to share thoughts and being able to do something about it—many of them do not have the time; they put in 70 or 80 hours a week. One hears talk about the posties working 37.5 hours now, but there are many small business people who work three times that every week they are in business.



It is about time that, if the government wanted to do something meaningful, it would look into small business problems in real depth and give help in a meaningful way to those people. It is not just money that is required; it is a real understanding of the problems of small business. I cannot believe that there are many people in government who truly understand many of the problems of small business, and I say that much of the regulations that are passed here reflect that very thing.

**Mr. Speaker:** The honourable member's time has expired.

**Mr. Kerrio:** Mr. Speaker, my comments had just about expired too; so I will close by saying that I will support this resolution, because any help at all is gratefully appreciated by small business entrepreneurs.

**Mr. Samis:** Mr. Speaker, I rise to speak in support of the resolution, because in its intent and its content I think it is a laudable resolution.

All this talk about seminars, journals, symbols and forums may be useful in terms of informing the general public, but I think small business wants and expects a lot more than that. The most important thing small business needs is actual legislative action, whether it is at the federal or the provincial level.

I am a little disappointed in some of the things that the resolution does not talk about in terms of the needs of small business. I would have thought that the proposal would talk about the devastating impact of high interest rates on small business, despite the fact that the interest rates may have declined in the last month or two. I would think that one of the primary interests of small business is to have money available at rates that it can afford, not the excruciating rates that it has had to suffer for the past six months.

We know the tremendous damages that a tight-money policy can do to small business primarily.

I am surprised there is no talk in the resolution about the power of the multinationals, the monopolies and the cartels—and sometimes the very negative effects that power can have on small business. For example, I think of vertical integration in the food industry and how that cuts the feet from under the small independent operator and he becomes totally dependent on these chains or these corporate monopolies where there is no competition. He has no say; he is totally at the mercy of a multinational or some sort of oligopoly.

I was also a little disappointed there is no mention in the resolution about the need for real and effective competition in our economy. I know the federal government has gone through three, four or five drafts of a competition bill which would ensure real competition in the marketplace. The obvious beneficiary of such legislation would be small business, especially here in Ontario, it being the largest source of small business in the country. I am surprised there is no mention of the need for that.

I am surprised there is no mention of the need for reform of the Bank Act. The small business sector is so heavily dependent on the banking industry for funding, yet we still have not been able to reform the federal Bank Act. Again, I would think the presence of greater competition in the banking and finance industry would benefit small business most of all in our economy.

I am also surprised there is no talk about the need for a strong, enforceable and meaningful Combines Investigation Act at the federal level. Once again, the abolition of the control over monopolies and cartels, price fixing, combines and so on would benefit small business most of all.

I am surprised there is no talk about the need for small business to get a greater share of allotment of funds from the banking industry in this country. We have never been able to take on the banks to ensure that small business could get adequate funding.

I would have thought there would be a need in the resolution for a mention of the value of procurement policies and the tremendous opportunity that would offer small business in terms of expansion and new sales.

I would have thought the resolution would mention the ongoing need at least to minimize, if not reduce, red tape in the whole operation of government. That side has been in power for 37 years. Obviously they cannot absolve themselves from blame for the bureaucracy and red tape they have created. All of us realize there is going to be a certain amount of red tape, a certain amount of bureaucracy, but I would have thought the resolution would have addressed itself to that need to reduce the amount of red tape as much as possible for small business—or blue tape, as my colleague suggests.

In the retail sector, and I want to isolate that for a moment, I would like to suggest that we give greater attention to several areas.

First of all, for small independents, I would think some system of province-wide, uniform store hours would be extremely beneficial; it



is something that is long overdue in this province. I know the government has backed off from it on several occasions. If we look at the development of retail commerce in this province, we see more and more chains, malls and corporate operations. These people can operate five or six days a week and for as long each day as they want in many municipalities and areas. I think the people who really suffer from this type of operation are small, independent, family-operated businesses. Quebec has been able to legislate uniform store closing hours and I think it is about time, in the name of small business, we took on some of these development corporations, malls, chains, et cetera, and helped small business.

Second, on the subject of retail grocers, I have introduced a bill on five separate occasions to allow the small, independent grocers to sell beer. Quebec did that about 20 or 25 years ago, I think, and it has had tremendous success in saving that sector of small business. Let's face it, they are competing with the Loblaws, the Steinbergs, the Dominions, the A and Ps, the Provigos, et cetera—the corporate behemoths of the food industry. Because of that one piece of legislation, thousands of independent businessmen in Quebec are still in business and are prospering; the government moved in and did something to help them.

In this province, we allow the brewers to maintain a total monopoly on the sale of this retail product. We tell small business, "Keep your hands off; you are not allowed to sell it." We let the brewers do it through these legal monopolies called Brewers' Retail outlets. I would think that public opinion is now strongly behind the idea of assisting small business to give it the opportunity to compete and sell beer in the corner grocery stores and to emulate the tremendous success story in Quebec.

4:40 p.m.

Third, I would like to express a concern about the growth of something in the retail sector. I accept its inevitability but I still have some concerns about it. That is the whole concept of franchise operations. I realize that, in our lifestyle and in the evolution of our society, franchise operations are here to stay. But I do have concerns about how it ultimately leads to greater dependence and greater corporate control in the retail sector. What bothers me even more is that more and more of that corporate control is American. It's not Canadian, especially if we talk about fast foods, clothing and things

of that sort. It means fewer and fewer small, independent businesses.

Sure, a businessman can get a franchise. But we all know they hardly have any independence in terms of operating their business. They are dictated to by the head office. Their purchasing policies are dictated to them. Their advertising policies are dictated. What real freedom do people have who operate these franchises?

I wonder what it does to our society and our values in terms of our tastes and our mode of life. Do we always have to base our operations on south of the border? Do we always have to adopt their tastes and their mode of life? I see small business as a countervailing force to the tremendous power of franchise operations, especially among young people.

We on this side believe that small business has proven itself in terms of job creation in Ontario, especially when you compare its record with that of big business. It has proven itself as a source of research and development in this country. The most important thing of all is that it is indigenous; it is domestic, it is Canadian.

We need small business in Ontario. But what small business needs most of all is action from this Legislature and from the federal Parliament—not merely resolutions or proclamations dedicated to them, although such resolutions may be laudable in themselves.

**Mr. Kennedy:** Is there just three minutes, Mr. Speaker?

**Mr. Speaker:** A little more than three minutes.

**Mr. Kennedy:** Could my colleague take one minute? I would like about three minutes.

**Mr. Speaker:** The member for Wellington-Dufferin-Peel can have about one minute.

**Mr. J. Johnson:** Mr. Speaker, I would like to speak in support of the resolution.

Having operated my own business for 25 years, having served as president of the chamber of commerce and the businessmen's association, as well as a director of the Retail Merchants Association of Canada, Ontario, I feel I have some background and experience in small business.

I would like to allude to the presentation of the member for Cornwall (Mr. Samis), who mentioned store hours. If there is one thing that disrupts and destroys businessmen's associations, it is to bring in store hours. They are extremely independent, and that is one of the benefits of being in business for yourself. You have the right to make your

own decisions in many of these areas, and whenever you start legislating store hours you destroy the business association in a community.

As my time must be up now, I would like to commend the member for Mississauga South for introducing this resolution, and would urge all members to support it.

**Mr. Kennedy:** Mr. Speaker, I will just take the time allotted. I would like to thank the members who participated in this debate. It was most interesting to tune in and listen to the comments. One thing these afternoons permit, to the few members who can get on, is the opportunity to say what they think. I think it is great.

The thing that worried us about the bill introduced by the member for Victoria-Haliburton was government getting into the filing cabinets of Ontario's small business people. I do not think the bill as amended would fly. I believe there would need to be such a change in principle that the member should try again. I did appreciate very much his comments and his support of my resolution.

The member for Brantford bashed the banks around for a bit, and there are days when I could join him—from the heart or the wallet—I'm not sure which. There used to be a small businessman who got to be big. His name was Lord Thomson of Fleet. I recall hearing interviews with him in which he said he got his start through establishing credibility with the banks in northern Ontario. I think he was in the radio business, and he went up from there. He paid a great tribute to banks, and even more so than perhaps anybody in this House. That is worth noting.

The New Democratic Party gets the wind up about free enterprise. I remember the member for Victoria-Haliburton (Mr. Eakins), in the preamble to his bill, had something about free enterprise. It got the NDP members all excited. They wanted to have some mealy-mouthed statement like "the essence of Ontario's socio-economic system is embodied in the principles of co-operation, diversity, decentralization" and so on.

**Mr. Speaker:** The honourable member's time has expired.

**Mr. Kennedy:** Those honourable members who said business people would not attend such functions as would be provided by the resolution are doing a disservice to those small businessmen who belong to boards of trade, chambers of commerce, and so on. I am sure they would come. I am sure they would find it valuable.

I want to thank the members for their support of the resolution.

#### FARM PRODUCTS MARKETING AMENDMENT ACT

Mr. Riddell moved second reading of Bill 23, An Act to amend the Farm Products Marketing Act.

**Mr. Riddell:** Mr. Speaker, I am sure the previous debate makes it obvious that we need legislation to protect the independent businessman. You will recall the days, Mr. Speaker, when you were sent by your parents to the corner grocery store, probably on a Saturday, to buy the groceries for the following week. While the grocer was weighing the chicken, or filling a bag with sugar, you were no doubt passing the time of day with him and, maybe, even bargaining with him for lower prices—a very personal service. It has probably occurred to you that those days are over, and the trend has been to a domination of the grocery business by a few large firms and highly impersonal service.

The large companies sell so large a share of the groceries that this in itself gives them a great deal of power over the manufacturers, producer-shippers and other suppliers. If you wonder why this is, Mr. Speaker, it is because the supplier who is refused shelf space by the giant is blocked out of a large part of the market. He is left with little alternative. This happens, and is one indication of the bargaining power of the large chains over its suppliers. In turn, it affects small retailers, for they deal with those same suppliers for the most part.

By putting pressure on the suppliers the chains, if they so desired, could put a lot of pressure on the independent retailers. In fact, this is precisely what the practice of discounting does. It is for this reason that the corner grocery store, carrying practically all the groceries one needed at the time, has virtually disappeared, and the market share of the chains has become very large and continues to grow.

According to the Canadian Grocer, a magazine put out by Maclean-Hunter, the major chains increased their market share in Canada from about 48 per cent in 1965 to about 60.4 per cent in 1979. During the same period, the share of the independents decreased from about 52 per cent to less than 40 per cent. Chains in Ontario had a relatively small share of the market at the beginning of our generation, but they now have increased their share to approximately 74 per cent. Correspondingly, the share of the independents, including that corner grocery

store I have been talking about, has declined to around 26 per cent.

In Ontario, three large chains especially carry on an intense rivalry. Dominion Stores and the Loblaws group, including Zehr's and Gordons, have close to half the grocery field to themselves. Steinberg controls more than nine per cent. When A and P is added, the top four firms sell more than 60 per cent of the market. It is well known in trade circles that if a supplier wants to sell in volume to Ontario he must sell to Loblaws and Dominion. Meanwhile, the share of independent grocers in Ontario continues to decline.

I want now to deal more specifically with the practice of discounting. Discounting and allowances give the chain a lower purchasing price than smaller retailers can get. These discounts and rebates have many names and forms. Some are just deductions marked on the invoice to the retailer. Others require a separate cheque from the supplier back to the retailer. Some are for promotion of the suppliers' products, such as weekly newspaper or TV ads and price reductions by the retailers. Others are related to volume purchased by the chain from the supplier over the course of a year. Then there is the listing fee, an amount of money from the supplier to the retailer before the latter will stock a new product.

4:50 p.m.

Most of these practices have some possible justification in themselves. If a manufacturer wants to pay a chain to advertise for him, there is nothing wrong with that. If the supplier can sell whole truckloads and thus ship more cheaply to a large chain with its own warehouse, it is only fair to share those savings with that customer. The problems become serious only when some customers become much more powerful than others and begin receiving rebates just because they are large and the suppliers cannot afford to offend or refuse them.

The ability to secure large discounts and thus a lower cost of goods was one of the fundamental advantages of the chain stores. As the chains gained power in the 1920s in the United States, it became clear they were getting an unfair advantage in discounts. The United States passed the Robinson-Patman Act in 1936; so discounts and rebates are not allowed unless the supplier can prove that the discounts only pass on to customers his real cost saving from selling to them. As a result, despite continuing opposition to the law and some lack of will in enforcing it, the large discounts known in Canada are absent in the United States.

Australia passed a similar law in 1974, partly as a result of the Robinson-Patman Act. The largest chains in the United States are not able to dominate their market as four or five chains do in Canada.

A good example of how a volume rebate works is the case of milk. For illustration purposes, let us assume the list price for a three-pack of homogenized milk is \$2. Large chains receive a rebate of about 30 per cent of list price. They pay about \$1.40 for the three-pack. They mark it up to about \$1.85 for resale; that is, clearing a 45-cent gross margin.

Supermarkets not affiliated with a large company or group will typically receive only a 15 to 20 per cent rebate, even though delivery to these stores would be similar to many of the chain outlets. Thus these independents would pay \$1.60 to \$1.70 for the three-pack. If they sell competitively at \$1.85, their margin is only 15 to 25 cents, about half that of the chain.

The small corner or village store may well get no discount. They sell the three-pack at \$2 or more for no markup at all, or a very small one. Customers may think that the small store is inefficient or the manager greedy, when it is just the bargaining power of the chain that has forced his price up.

This example could be repeated on many other products—in fact, on most food products—and, of course, it is not limited to food. Is it any wonder that the corner grocery store, to which I have been referring, has practically become a thing of the past?

It should be obvious how these discounting practices hurt the independent grocer. The chain stores force up the independent grocer's price relative to their own. To compete, the independent must be more efficient than the chain; and, I might say, many of them are. In spite of those outstanding individuals, the law of averages would declare that the independents will be out of business in another generation or two.

The chains are moving into small cities and towns throughout Ontario. They can afford to establish in a plaza or mall, even though the surrounding area may not justify an additional grocery. They can spread the losses across their whole chain for a number of years. They would rather do this than let the rival chains have the location.

Many independents are closing due to this overwhelming competition. Independents, including IGA, find it almost impossible to secure locations in plazas.

Discounting practices affect suppliers in much the same manner as they affect the retailers. Discounts can be resisted by the

large manufacturers better than by small or mid-sized manufacturers. Even the large manufacturers feel a lot of pressure from the chains. They feel they are forced to spend more advertising money with the chains than they would like to, and the advertising fees have risen a lot faster than the cost of ads with the media.

Think of the smaller manufacturer whose product is not known nationally and who can afford less advertising. He is much more subject to pressure by the chains. Typically, he has more difficulty in selling his name-brand products. The chains insist that a goodly portion of its product is labelled as a chain-brand product, including generics. Typically, too, his discount level will be higher. As he cannot raise his list price, he often finds himself squeezed with low margins.

A study by the federal Department of Agriculture in 1963 showed that the 16 to 17 tender fruit canners were losing money mainly because of the pressure from the large chains. Today, Ontario has one such canner. One can understand the effect this has on producers. As there is only one canning company, their production is pretty well limited to the fresh fruit market. The consumers are also affected, as they must rely on the import market for their canned fruit. Competition has practically been eliminated in this product, and we are at the mercy of the import market.

This question of unfair trade practice in the food industry is of real concern to food producers, independent manufacturers and suppliers and independent retailers, not to mention the concern the consumers will have if it is allowed to continue.

My colleagues and I actively pursued this matter in the Legislature when certain reports were kicked back and price allowances became public in the spring of 1978. Our concern then was to obtain a preliminary inquiry by a committee of the Legislature to ascertain if there existed a problem for public policy, which required the establishment of an independent public inquiry.

The first reaction we encountered was that the discounting practices which first came to light were unusual. The impression was created that there were rare deviations from normal practice. Then as more and more situations were discovered, it became apparent that a new response was necessary. Discounts, rebates, kickbacks and price allowances of all kinds were not only admitted to be common trading practices in the food industry, but they were also defended as a

good thing in that they allegedly resulted in lower food prices to consumers in both the short and long terms.

Finally, when that defence failed to satisfy everyone, the answer was made that if a problem existed it was a problem for the federal government under its power to control unfair price discrimination as defined in the federal Competition Act. I have no doubt that we will hear the same views expressed here today. No doubt some members will also say that the pricing practices of the retailers and suppliers are economically good because they are passed on to consumers in the form of lower food prices, an argument which appears to rest on the contention that it must be so; after all, the supermarkets make only a cent or two on every dollar of sales.

I would suggest that we can view this argument with the greatest scepticism, and I hope that it was subjected to the most rigorous investigation by the judicial inquiry. It does not automatically follow that price reductions obtained by the supermarkets from suppliers are passed on to consumers as lower prices. It is entirely possible that some of them may simply increase the retailer's profit while leaving the consumer price unchanged. It is entirely possible that some suppliers, either in anticipation or as a result of having to provide a discount to the supermarket buyers, mark up their list prices so as to get the discount and still retain enough profit to say in business, with the result that consumers may be paying more rather than less.

Only by independent expert examination of the supermarket books would the judicial inquirer be able to ascertain the facts. The published consolidated financial statements tell us nothing. The accounting of these rebates, discounts and allowances are shrouded in mystery.

To take one example, all the big supermarkets publish weekly specials in the newspapers. Brand-name suppliers who participate in these advertisements not only give the price reduction advertised, but they also give the supermarket a price allowance, supposedly in consideration of the space occupied by the supplier's product in the total advertisement. The revenue from the advertising allowances may far exceed the cost to the supermarkets of placing the ads in the newspapers.

How is this revenue accounted for? Where does it appear in the financial statement? It is essential to know the answers to such questions before one accepts the conven-

tional wisdom that food prices to the consumer are as low as they can be.

I turn now to the longer-term economic effects of discounts and allowances. I believe that these purchase price policies by the supermarkets are driving smaller food retailers out of business and, unless checked, will inevitably leave the market dominated by a few very large firms. It has already happened in Alberta, as one chain, Safeway, dominates 65 per cent of the market in that province. It is already happening here, and it is a characteristic of monopolies that prices go up, not down.

The purchasing policies of the supermarkets are reducing not only the number of food retailers but also the number of food and food product suppliers. Vertical integration in the food industry is already well established. It will be intensified as more and more small suppliers find they cannot afford the escalating discounts and price allowances being demanded by the big retailers. More mergers, buy-outs and dropouts will take place until the concentration of economic power on the selling side matches that of the buying side.

More and more food processors and distributors will fall under the control, directly or indirectly, of the corporate retail chains. Some will say this is the inevitable nature of free enterprise and the results are bound to be beneficial in terms of industry efficiency and cheaper prices. My colleagues and I disagree.

Let me assure you, Mr. Speaker, that the Ontario Liberal Party is sincerely devoted to free enterprise. We believe the essence of free enterprise is competition. We believe that the concentration of economic power in the hands of relatively few buyers and sellers is the antithesis of competition and the curse of free enterprise. Monopolies and oligopolies are not necessarily more efficient, and no cartel to my knowledge has ever adopted lower prices.

5 p.m.

It is established public policy in this country that competition is promoted and economic domination prevented by outlawing unfair trading practices, as those practices may be legislatively defined from time to time. Perhaps I should qualify that statement by saying that this has been the public policy pursued by governments which support the free enterprise system.

The main legislative vehicle for implementing this policy has been the Federal Combines Investigation Act, or the Competition Act, as many now prefer to call it. For

some years now this legislation has been under review with the stated intention of correcting many of its perceived inadequacies. The federal government introduced certain amendments in that regard in 1977, but they were not enacted.

There are a number of inadequacies in the federal law as it now stands. I shall deal with only three major points which, in my opinion, justify the need for complementary provincial legislation, such as the bill we are considering at present.

The first difficulty is that the federal law is criminal law. Many of the practices and offences against competition and trade, which the legislation seeks to deter, are not criminal offences as most people today understand that term. A more flexible approach than that permitted by the criminal law is needed.

The second major difficulty with current federal law is that it contains no discernible concept of cost justification as a test for the legitimacy of discounts and allowances granted or requested, particularly in respect of advertising and sales promotion.

Without such a concept and test, I submit that the section of the federal act which outlaws promotional and advertising allowances to a purchaser, which are not offered on proportionate terms to competitors of the purchaser, is virtually unworkable. The Robinson-Patman Act in the United States corrected this deficiency years ago.

The third major difficulty—in my opinion, the most serious one—is that the federal law prohibits unfair trade practices by sellers. The entire act is designed to promote competition by preventing undue economic domination by the sellers of products. It is a moot point whether a buyer could be prosecuted, let alone convicted, under the federal act. Again, the US Robinson-Patman Act corrected this deficiency years ago.

I submit that this rather antiquated view of competition policy in Canada must be corrected. Many of the problems in promoting competition in today's economy arise from the concentration of economic power in the hands of large buyers. Control of the marketing side of the trade by a few large buyers is as bad as control of the supply side by a few large sellers.

Yet our legislative regime has not caught up to this rather obvious truth.

No supermarket chain, to my knowledge, has testified that it is the victim of price discrimination by its suppliers. Rather, I believe the weight of evidence has been the other way, that these discounts, kickbacks and allowances are being aggressively sought

by the big chains on the unspoken implication that the seller who does not provide them risks doing no business with that buyer.

I do not think it is too strong to say that they are being exacted from suppliers by the big chains. In this regard I draw particular attention to what appears to be a standard clause in the pricing arrangements which the chains negotiate within their suppliers where in the supplier declares the deal he has just concluded, usually to the tailor-made specifications of the chain, is being offered to all competing buyers in the trade.

Thus does everyone keep clean of the letter, if not the spirit, of the Combines Investigation Act. I submit that provincial legislation is necessary.

Anticipating another view which will likely be expressed during the debate, I would like to say a word about the constitutionality and provincial initiatives in this matter. The bill I have introduced is an amendment to the Ontario Farm Products Marketing Act. The amendment accepts the definition of marketing and, with certain minor changes, the definition of farm product already contained in that act. The amendment would also accept without qualification the purpose and intent of that legislation.

The Farm Products Marketing Act was enacted under the umbrella of section 95 of the British North America Act, whereby the provincial and federal legislators have concurrent powers respecting agriculture and any provincial law is effective in the province provided it is not repugnant to any federal law. It is legislation which has been held to be constitutionally valid by the courts.

I should further state that we are not proposing some kind of legalistic end run around the federal government's undoubted exclusive jurisdiction over the criminal law, or the regulation of trade and commerce. We believe the problems for public policy can best be resolved by removing them from the context of the criminal law.

As for the regulation of trade and commerce, we are concerned only with trade and commerce within Ontario and more specifically with the contracts, written or verbal, between the suppliers and retailers of food in Ontario. It should be noted that Ontario already has extensive legislation dealing with buyer-seller contracts in the field of consumer and commercial relations. Nobody, to my knowledge, has changed this constitutional validity.

Finally, I am sure some members will say that my bill was premature in that the report of the judicial inquiry has not been released.

In response, I would like to say that many past investigations of the food industry have found serious problems and have recommended serious corrections. Most of these recommendations have not been implemented by the government. The list has become longer over the years as the issues have become more urgent.

Testimony which has been obtained by the royal commission is quite clear in a number of conclusions. These are: Discounts, rebates and allowances have increased sharply in the last decade, and some have testified they have doubled. The discounts are different among various companies and supermarket chains; some of the largest, wealthiest supply companies, such as the Campbell's Soup and Procter and Gamble, offer relatively low discounts to the chains, while some of the small-scale companies offer relatively high discounts and depend almost exclusively on the supermarket chains to promote their products.

These discounts have tended to narrow consumer choices of products which, in turn, has led to greater economic concentration in the food industry. The size of discounts in the food industry relates to the competitive pressure and not merely to cost justification.

Last year, Dominion Stores Limited collected \$60 million in supplier discounts and rebates, or about 4.3 per cent of sales. Loblaw's Limited collected \$45 million, or 5.3 per cent of sales. These figures were obtained only after cross-examination of the chain store executives, since they had originally created and left the impression with the royal commission that their discounts and rebates amounted to some two per cent of total sales for the year. There has been evidence that sliding-scale volume discount schedules discriminate against small overall purchases even where the same quantity is purchased.

The judicial inquiry has plenty of evidence on record to draw all of these conclusions. What is required now is government action. Simply put, we in the Ontario Liberal Party want to see more fair competition in the food marketplace to ensure maximum protection for Ontario consumers and producers. To achieve this, we believe that provincial legislation is necessary. There is a place for provincial jurisdiction in intraprovincial trade just as there is need for strengthening the federal mandate in interprovincial trade.

I hope all members of this House will see fit to support my bill in the interests of the producers, independent manufacturers, distributors and retailers, and most certainly the consumers.



Mr. MacDonald: Mr. Speaker, the substance of this bill has been under investigation by a royal commission for the last couple of years. The latest report we have is that this royal commission is going to be reporting in the midsummer of this year, I hope.

I think it is useful to recall for the House how that royal commission came into being and the kind of case that was presented to the government and ultimately forced the government to move in setting up that kind of investigation.

Members will recall that some two years or so ago the first revelation, made by Barbara Klich on Radio Noon, was with regard to discounts that were allegedly at a level of two, three, four or five cents. A storm broke and it built over a period of a few days, in the face of the then Minister of Agriculture and Food, who is with us this afternoon, contending that he was shocked and did not really believe that it existed, but if it did exist something should be done about it.

The net result was that we had a couple of weeks' examination before the standing committee on resources development. After that two-week investigation, those of us who were on that committee were persuaded there was a prima facie case for the existence of discounts and the deleterious effect of discounts on a number of sectors of the economy, including the consumers, and that therefore there should be a full investigation.

The government was not particularly interested in a full investigation. Perhaps I should put that a bit more accurately; the then Minister of Agriculture and Food was not interested in it. Indeed, as late as August 1978, he was making statements to the effect that he did not think the matter needed to be inquired into, yet in the same statement he acknowledged that his cabinet colleagues were likely to overrule him and appoint such a royal commission, which happened a few days after that, in late August 1978.

That royal commission has meandered on. I do not know what the government has done by way of trying to get an answer from the royal commission. If you will not acknowledge the existence of a problem, it is rather difficult to come to grips with that problem. That was the difficulty with the then Minister of Agriculture and Food. He did not think there was a problem of any proportion; you always have discounts in the marketplace. Everybody is looking for discounts; they are part of the normal pattern of life, so to speak.

5:10 p.m.

If one would not acknowledge that there was a problem, one could not solve it. The attitude of the then minister became the attitude of the royal commission. The counsel for the commission, in much of his inquiry—which was pretty ineffectual—and in his discussions particularly with the Ontario Federation of Agriculture, was not persuaded that there was a problem. Even worse, they spent hundreds of thousands of dollars with Lavenhol and Horwath, a research or consultant group, who also did not think there was a problem.

I do not know what we are going to get out of this royal commission. All I do know is that, owing to the ill health of the first commissioner who was appointed, another commissioner came in. The only possible salvation of that royal commission in terms of providing for us some meaningful guidance as to how we can come to grips with this problem will be if the royal commission recognizes that if he does not do more than his counsel was intent on doing, if he does not do more than was investigated by the consultants at the expenditure of hundreds of thousand of dollars, he is going to look rather foolish and the whole exercise will have been an expensive but rather futile exercise.

I repeat, we are going to get that report literally within a few weeks. At least the last time I inquired they were still saying the middle of the summer. When I first inquired at the beginning of this year and coupled my inquiry as to why, when the testimony was completed last fall, it took another six or eight months to complete the report, I got not satisfactory answer other than a rather jaundiced comment from the chief counsel of the commission.

However, we are going to get a report the middle of this year. I think it is a little—let me put it bluntly—ludicrous that we should move to pass a bill now when we are going to get a report that we hope will provide us with some sort of guidance. We should at least take a look at the product of this expenditure of public moneys before we jump into the picture, having delayed this long.

I am not certain we needed a royal commission to begin with. There are certain practices that have grown up in the retailing of food. I can think of green stamps, about which public protest grew to a point where the government intervened. Despite their great profession of free enterprise, they moved in and ruled that the green stamps were illegal. Why has it not happened in this jurisdiction? In other jurisdictions, such



as Quebec, we know of the consequences of loss leaders where great retailing giants like the supermarkets will sell a product below cost in order to lure customers in, and sometimes they drive that loss back against the producer or the processor or the wholesaler. It is not an above-board and efficient way of doing business, other than in the dog-eat-dog competitive world of supermarket retailing. So, in areas like Quebec, they have a law against loss leaders, at least in reference to such basic staples as milk and bread and things of that nature. We could have moved, and there is clear jurisdiction, as I shall emphasize in a moment, within the province to have moved and done something about this. However, we did not move. We have spent I do not know how much money. I suspect it is well over \$1 million or more in this royal commission.

We are going to get a report in mid-August. Therefore, my reaction to this bill is that I support it in principle. I supported it in principle before the royal commission was set up. I think we have to come to grips with discounts. We have to get rid of them in some fashion or another, and it is within provincial jurisdiction to come to grips with that problem.

I support the bill in principle with the rider that I think that the government—it often does this anyway without our request—in this instance might legitimately hold back further action on the bill until this fall. After all, we are within 10 days of moving towards the summer recess. By that time, we will have the report of the royal commission and can see whether its studies give us any further clarification of the problem or any further means by which we can come to grips with it.

Let me proceed to the substance of the issue in the brief time that is left. I do not know whether we are going to get that report by August. I am a little puzzled as to why the government has been sitting on the sidelines while virtually nothing has happened for the last six or eight months. I cannot conceive of what has gone on in the eight months since the testimony was finished before that royal commission. I suggest that, if we are going to do something about this, the government should be asking a few questions. I and a number of other people have done so publicly, but I do not know why the government is so lackadaisical in its whole approach to it.

However, let me come to the real point of the issue. There is no doubt in the world—it became clear to the standing committee on

resources developments when we looked at it and established the prima facie case—that discounts are very injurious to a number of people. They are injurious to the consumers in that there is no guarantee that the saving the supermarket or the retailer may get is passed on to the consumers.

Furthermore, if a retailer, a wholesaler or a processor is forced to give a discount of 15, 20, 25 or 30 per cent, in the instance of milk, to a big supermarket, then the only way in which he is going to be able to survive economically is to raise his price to the other people to whom he is selling who do not demand discounts. That means other consumers are going to have to pay extra to compensate for the discounts given to the big supermarket. There is no guarantee, indeed there is no evidence, that supermarket saving they got through the discount is passed on to the consumer. So the consumer does not benefit and the producer does not benefit. In many instances we had coming before the standing committee, as well as before the royal commission, producers or processors who had to give discounts when they sold to the supermarkets. It cut their profits and their returns to the bare bone, perhaps even to a loss.

Perhaps most devastating of all, however, is a point that emerged when we were debating the earlier resolution this afternoon. We had testimony before the standing committee—I think of one case from the Kitchener area—to the effect that a small competitor had to pay to the wholesaler as much as the supermarket was selling at down on the corner. He had to compete with that because the supermarket was able to get such a range of discounts, including the discounts we have here.

In brief, discounts are obviously not an honourable way of doing business. They are a weapon by which the big become bigger. The supermarkets are destroying their competitors, and the consumers, the processors and the producers in many instances are suffering along the way. This is within provincial jurisdiction. The government can do something, either by amendments to the Farm Products Marketing Act or, if I may suggest, without wanting to pull the rug out from under this bill, under the Business Practices Act, to apply across the board, not just to farm products. I support the bill in principle. I suggest we should delay proceeding with it until we get the benefits of the royal commission.

Mr. McNeil: Mr. Speaker, there are a couple of points about this amendment that

make it clear to me that the member who introduced the bill does not fully understand the purpose of the Farm Products Marketing Act.

I suppose the most blatant misunderstanding is the scope of the Farm Products Marketing Act as it now stands. This act, as the honourable members know, covers commodities that come under a marketing plan. That is why the act was set up: to regulate marketing plans for producers who wanted their particular commodity brought under a marketing plan.

The amendment before us would, in some way that is not clear to me, bring the full range of Ontario's agricultural output under the umbrella of this act. For example, the amendment would give the Farm Products Marketing Board jurisdiction over beef, grain, corn and a large number of fresh vegetables, to name only a few.

This amendment proposes regulation of the food marketing procedure from one end to the other. Frankly, I am trying to figure out if the honourable member wants us to set up a couple of hundred marketing boards.

5:20 p.m.

Another issue that is not clearly understood by those who framed this bill is the division of responsibility between ministries. Trade regulation of the type envisioned here, if it were practical at all, which it is not, would fall under the jurisdiction of the Ministry of Consumer and Commercial Relations. In fact, some of the suggestions relating to the unfair farm product marketing practices are so broad that they are probably already offences under the Combines Investigation Act of Canada.

Finally, this bill has been brought forward at a most inopportune moment. As has been mentioned previously in the debate, there is a royal commission investigating the matter of discounts and allowances in the food industry. It would be unwise, indeed irresponsible, for us to adopt any permanent measures dealing with these issues before the royal commission reports on its findings and makes its recommendations.

I am not surprised at the opposition, because it is typical. First of all, they wanted a royal commission. In fact, they forced the government to put one in place at no small cost to the taxpayers of this province. Now the member for Huron-Middlesex (Mr. Riddell) wants to put in some ill-conceived legislation before we get all the facts. That is a bit like buying some commercial fertilizer without a soil test or without knowing

what crop you are growing. It is just a waste of money.

Mr. McGuigan: Mr. Speaker, I rise to speak in favour of Bill 23 and, in spite of what the past speaker has said, I do so with a great deal of pride in the fact that I had a hand in suggesting some of the terms of the act and a small role to play in it.

I would like to review the historical background leading up to this act. For this, I would like to acknowledge and pay tribute to Mr. G. Frank Perkins, the author of Marketing Milestones in Ontario: 1935-1960. It was my pleasure to personally know and work with Mr. Perkins when he was an official of the Ontario Department of Agriculture, as it was known then. I want to quote from the opening paragraph:

"The Ontario Farm Products Marketing Act did not just happen. It resulted from a long period of agricultural unrest and marketing legislation in other jurisdictions which set the stage for its passing in 1937."

Beginning in 1920, farm prices and incomes fell severely in a country heavily dependent on the export of farm products. The pooling programs which became popular in the 1920s as a result of the Sapiro farm marketing co-operatives were not successful. As a youth, I can recall hearing the farmers damning the pools, and that is the right word. Those who held out for a price usually ended up dumping or selling their products for an extremely low price. Those who sold did so for a price that was higher than its natural level because of the umbrella effect of the loyal pool members. It was a system that punished its friends and rewarded its enemies.

The great Depression hit in 1929, intensified until 1933 and did not end until the 1940s. During the 1920s, and especially from 1927 to 1929, Canada witnessed a burst of consolidation in the food industry. The royal commission on mass buying and price spreads in 1934 widely publicized certain aspects of large-scale buying which convinced farmers that the weight of the Depression was falling with undue severity on the prices of farm products.

The voluntary pool markets having failed, farmers turned to other methods. They were seeking higher prices, stable prices, and a better bargaining position for agriculture.

The governments of Alberta, Manitoba and Quebec led the way in 1932, and the government of Canada passed the Natural Products Marketing Act in 1934. Canada thereby joined 38 other countries that had similar acts.

The essential features of these acts were that where a majority—usually two thirds—voted to sell their products collectively, the minority could be compelled by law to conform. Time does not permit a detailed account of the stormy history that followed, except to say that the Dominion Natural Products Marketing Act was repealed by the House of Commons in the spring of 1937.

British Columbia passed a similar act in 1934, and the act was upheld in 1938 by the Privy Council. This important decision established the right of each province in Canada to provide for the effective regulation and control of marketing and transportation of natural products within the province. In 1937, the Ontario Legislature, under a Liberal government, passed the Ontario Farm Products Control Act. The Farm Products Marketing Act has been amended many times, the most recent being in 1978. Some 22 plans are in effect under the Farm Products Marketing Act, and approximately 40 products are covered by these plans. Of a total in 1979 of \$3.95 billion in annual production and sales, \$2.35 billion of produce is covered.

One might well ask the question, in view of the extensive marketing legislation we have in Ontario, why do we need any further amendments to the act? My answer is that we need them for two reasons. First, we need amendments to give some measure of protection to the growers who produce crops not under marketing plans which represent some \$1.6 billion worth of produce. The ones that need the protection the most are primarily fresh fruit and vegetables not marketed under plans. They are estimated by the Ontario Fruit and Vegetable Growers' Association to amount to \$110 million in annual value, compared with \$150 million of annual production in the marketing plans.

The second reason is to give more protection to those growers who are under the marketing plans. The facts are that a few marketing boards have in the past tended not to know what to do about questionable practices in the marketing of farm products. While one cannot condone such an action, one can understand the human reaction.

Discounts and rebates in Ontario have not been defined as illegal, although many fair traders regard them as unfair and even as unconscionable. They are illegal under the Combines Investigation Act. But intent to damage a competitor must be proved, and this is very difficult. They are recognized in other lines of commercial operations, and many products sold to and bought by farm-

ers are sold for prices that recognize volume discounts. I am sure there are deals which give rebates at the end of the season. For instance, during the fertilizer season rebates would be given on a sliding scale where certain volumes are achieved.

Certain marketing boards find themselves on occasion in an uncomfortable position. On the one hand, they ask for, and often get, the support of buyers, more particularly retail chain buyers, to promote and feature their products. Sometimes Mother Nature produces a crop larger than normal. It requires a good deal of co-operation successfully to market the crop. Ontario chain stores have been helpful in many instances. Is it any wonder that the marketing boards on occasion choose to avoid a confrontation with the people on whom they depend for a successful marketing season?

In the United States it is interesting to note that a country that is recognized as having the most free enterprise traders in the world under the Perishable Agricultural Commodities Act does make it an offence for a buyer to act as both buyer and a broker. A buyer cannot say to a seller: "We are dealing directly. You are saving a three per cent brokerage fee. I want that fee." The reason is that no in-home buyer, if he or she should decide to cut off the merchandizing of a particular product, can make a sale of the product to another buyer. For reasons of competitive jealousy and to avoid any hint of price fixing, chain store B would not buy from chain store A. In other words, the in-house buyers are not capable of performing a brokerage function. Ontario in-house buyers who claim they are only taking a brokerage fee, while not illegal in Ontario, are not performing a brokerage service.

5:30 p.m.

The name of the US act is also important. It is the Perishable Agricultural Commodities Marketing Act. I would point out that food is very perishable. It applies especially to fresh fruit and vegetables, starting in the southern states and marching north as the season advances. The same happens from southern Ontario to northeastern Ontario.

Even the delay of a day or two with very perishable items will back up the marketing pipeline and destroy the price structure. The product must be moved at any price. This puts an enormous power in the buyers' hands and an enticing temptation to abuse the power. The buyer can simply say, "The price of doing business with me is a certain discount off the normal invoice price."

I do not wish to suggest that there are no pressures and temptations in other lines of business. Fertilizer and automobiles, while both seasonal, are not perishable. A seller can say no and new markets can be searched for and found and the product can be moved long distances. Perishable items cannot.

My colleague mentioned the Robinson-Patman Act. Buyers here often claim that discounts are for early payment. Most of the major chains pay within 10 days. This, I believe, follows from the US Perishable Agricultural Products Act, which lays out this rule. Also, Ontario food handlers are in most cases listed in the Red Book and the Blue Book. These are the produce industry equivalent of Dun and Bradstreet. The ratings are done by the industry members. If you want to get a four-X rating you pay in 10 days and you are a fair trader. These rating books say there is no such thing as slow but good pay. The only good pay is payment in 10 days. Of course, payment may be delayed by mutual consent, but a 10-day payment does not earn a discount.

I believe we need this bill to establish what is and what is not considered the rules of the game. I believe that many buyers who do not publicly support the bill do, in the inner recesses of their minds, support the principle. I believe they would like this questionable practice stopped so that all reputable factors would be playing by the same rules.

It is interesting to see that whenever the practice is brought to public scrutiny it seems to stop. But new buyers come into the market and, once the practice starts again, other buyers have little choice but to follow it.

**Mr. Speaker:** The honourable member's time has expired.

**Mr. McGuigan:** I am very close to the end; so I will close.

**Mr. Wildman:** Mr. Speaker, I rise to support the principle of this bill. I must say in the beginning that I am a little disappointed that the first Tory speaker indicated he felt that bringing this type of legislation before the House was irresponsible—I think that was the word he used—and, in his words, typical of the opposition. His response to this kind of legislation is typical of the government.

This government, and the previous Minister of Agriculture and Food (Mr. W. Newman), for whom I had some respect in his ability to handle that ministry when he was the minister, did not believe that this was a problem, as my colleague from York South (Mr. MacDonald) indicated. He had to be pushed very hard even to go along with the special debate

in the standing committee on resources development, and he had to be pushed even harder to establish a royal commission. When the commission was established, it appeared the whole approach at the beginning was to whitewash the whole problem. If they are going to take the same attitude with this bill, then it seems to me the government is just continuing in its whole wrongheaded attitude towards dealing with questionable practices in the food industry.

I do have some concerns in regard to the commission's report and the timing. I do not agree with the Tory spokesman who said it was irresponsible to introduce this legislation. But I am a little worried that we might be passing a bill now prior to getting some recommendations from the commission which might be worthwhile. I sincerely hope they will be.

However, I do not agree that we must then forget about the problem, or we should just put aside this bill because we might get something from the commission. It seems to me that we could act on this bill and agree with the principle of action about discounting in the food industry. Then, over the summer or in the fall session, we could deal with whatever specific amendments or changes might be required to the bill as presented by the member for Huron-Middlesex. To reject the bill because of the timing is a bit of overkill. We can change the bill if it needs to be changed.

I would like to make some comment as to why I personally am in favour of the principle of this bill. I believe, as a number of speakers have said, that discount practices in the food industry hurt the interests of both the farmers and the consumers. As we all know, and as has been said in this House many times, agriculture is the basis of the largest industry in this country, the food industry. Yet the producers themselves represent a very small percentage of the total industry.

The 80 per cent of the industry which lies between the farm gates and the consumer has become, in the last few years, more and more concentrated in a very few corporate hands. This bill deals with one method of trying to deal with that kind of corporate concentration. It is only one method, but it is one that is clearly within the provincial jurisdiction and, as a result, is in the purview of this Legislature. The thousands of middlemen between the farm gate and the supermarket checkout counter have become more and more employees, or subsidiaries, of a very small number of huge conglomerates.

We just have to look at some of the main chains in the food retail industry. Dominion, which is the largest in Ontario, is part of the Argus corporate empire. Loblaws, which is second largest, is part of the Weston conglomerate. These two, as well as three other companies, control most of the food industry in this province. They are involved in all aspects right from the supermarket back to the farm gate. Along the line, each middleman takes his own profit. In fact, what is happening now is that each step that produces a profit just adds up, and that whole amount eventually ends up in a very few, very large corporate pockets.

The member for Huron-Middlesex said that perhaps some people would say that is just the logical outcome of free enterprise, that when we have more and more concentration we get these large conglomerates who control the whole industry. I agree with that. The member for Huron-Middlesex rejected that. He proposed it as a possibility, then rejected it. I do not see how he can reject it. The whole purpose of business, as I see it in the capitalist ethic, is to get bigger. Small businessmen want to be big businessmen. People who are making small profits want to make big profits. It is the whole purpose. One of the easiest and best ways of doing that is to eliminate competition.

Free enterprise contains within itself its own contradiction. The whole purpose of free enterprise in the competitive system we have is to eliminate competition and make more profits. For that reason I support this legislation. Because even though the member for Huron-Middlesex says this will help to—

**Mr. J. Reed:** You guys would eliminate all competition.

**Mr. Wildman:** As long as competition takes place between groups so there is a benefit to the consumer, that is fine. But when competition is eliminated—

**Mr. J. Reed:** You will be the arbiter of it.

**Mr. Wildman:** Yes, exactly. That is the job of government: to be the arbiter. That is what government is all about. At least we do not try to have it both ways as the Liberals do. In a way I respect my colleague who spoke for the Tory side. At least he made it clear where he stood. He is in favour of corporate control of the industry. He said that and he does not want to do anything about it. However, the Liberal Party over here tries to have it both ways, as usual.

**Mr. J. Reed:** If you can manage it, it is pretty good.

**Mr. Wildman:** That is right. The only thing is, it must get awfully uncomfortable

standing with one foot on either side of the fence. It is strange how you can walk straight afterwards.

5:40 p.m.

At any rate, I believe the discount practices that are dealt with in this bill hurt both the producers and the consumers at either end of the market chain. The small businessmen cannot compete with the discount practices of the larger companies and, as a result, concentration is increased.

As some members have said, these practices are alleged to lower prices. In some isolated instances they may lower prices to the consumer, but in the long run when concentration develops and there is less competition those prices will rise and we will end up with a monopolistic or oligopolistic system where the prices continue to rise and there is no hope for the consumer.

I believe it is time for farmers and consumers both to band together to pressure this government and the government in Ottawa to combat the growing economic concentration in the food industry, which I believe is one of the key factors in higher consumer prices. For that reason, I support the principle of this bill and hope that it will be passed. I hope we can then act on it in the fall after we have the information that we receive from the commission.

**Mr. Williams:** Mr. Speaker, I am delighted to be able to participate in the debate this afternoon in the Legislature. While I am pinch-hitting for one of my rural colleagues who may be better versed on agricultural matters, I do not think it is totally inappropriate that I participate in the debate this afternoon as an urban member.

A great amount of the agricultural produce that winds up on the food tables of the more than two million people of Metropolitan Toronto comes from the mixed farming area northeast of Metropolitan Toronto in the Markham, Uxbridge and Newmarket area. It has some of the richest farm land that we have anywhere in Ontario. In that area there are not many farms one can drive by where there is not the name Reesor on the mailbox.

I am proud to say my middle name starts with an R and happens to be that same Reesor. I am a descendent of Christian Reesor, who came here with his family from Pennsylvania more than 175 years ago, in 1804, to set up farming in the Markham area. Since that time the Reesor clan has expanded considerably and, in fact, the majority of the farming is conducted by Christian Reesor's descendants in the Markham

area. I am proud to be associated with that name and be one of the family. So I feel I have some interest and concern in my kinfolk who farm the lands northeast of Metro and to see that they prosper as well as we do in the urban areas. I do follow what is going on in the field of agriculture. For that reason I am delighted to be able to participate in this debate this afternoon.

The basic purpose of farm products marketing legislation, as we know, has been the regulation of sales at the farm gate. Ontario has 23 marketing boards covering 43 commodities. I am told that in 1979 the boards collectively handled more than \$1.5 billion worth of products. We know that the primary responsibility of the boards is to provide fair returns to farmers and to attain a stabilizing influence on commodity prices. I believe the only major commodity not regulated by a marketing board is the beef industry.

However, the amendment as proposed in Bill 23 would give the board jurisdiction over marketing activities not only at the farm gate but at the wholesale and retail levels as well. In addition, the proposed bill would extend jurisdiction to manufactured articles of food and drink—in fact, anything that is made from Ontario products. That kind of marketing regulation not only does not belong in an act set up to regulate marketing boards, it does not belong in a free market society like that which we enjoy in this province.

As we know, the law of supply and demand forces prices up and down. As an example, at the present time there is an oversupply of pork; so prices have dropped in recent weeks. This will continue until the situation stabilizes. It would be inconceivable at this time of government restraint to impose a bureaucracy of the size needed to police such a system as proposed in Bill 23.

The government's policy for some time has been to hold down the size of the civil service. We do not think there is any question that the taxpayers of this province agree with that policy. The Ministry of Commercial and Consumer Relations currently monitors food prices and marketing at all levels of the industry and between various stores and cities throughout the province.

One of the major problems for our Ontario farmers is that of import competition. Ontario can be as hard hit by United States and Mexican imports during our growing season as by the volume of these imports during the winter months. A prime example of this is the coming strawberry harvest and the stiff competition our berries face from the

imported berries already in the stores throughout the province.

I believe this bill would add further complications, regulations and other hampering factors which would drive wholesalers and retailers to purchase their goods from outside the province. This would happen because the only goods that could be regulated under this proposed legislation would be Ontario goods. Provincial governments cannot regulate each other's products. Who would buy Ontario goods if so much trouble were thrown in the way? No businessman in his right mind would buy in Ontario if he had to operate under this kind of legislation.

According to the Retail Council of Canada, the present rebate and allowance system encourages efficiency and benefits consumers. The system provides annual volume discounts to regular purchasers. Because of stiff competition among store operators, most stores are forced to pass along to the consumer any discount or allowance they receive from their food suppliers.

**Mr. Speaker:** Will honourable members keep their private conversations down? I want to listen to the member for Oriole.

**Mr. Williams:** Thank you, Mr. Speaker. I am glad someone in the House appreciates the importance of this speech this afternoon.

As I was about to say, the limiting or banning of discounts to supermarkets would raise the price of food, according to the Retail Council of Canada.

A second reason for food suppliers to offer discounts is to encourage volume buying, to help pay for promotion of their products and to encourage supermarkets to pay promptly. This improves the cash flow to suppliers and saves suppliers the cost of short-term loans. Discounts also cover weekly advertising costs and product promotion specials which are often featured weekly in the retail stores.

Large retailers would probably manufacture or process many of the products on their shelves if they were cut off from the substantial volume discounts that they can now earn from their suppliers. Discount and allowance practices are by no means unique to food processing, manufacturing or distributing industries; they are commonplace in most forms of business activity. They even extend to farmers who receive discounts on the purchase of bulk quantities of agricultural supplies, and to the consumers, who can usually save money by buying products in large sizes.

5:50 p.m.



Besides, as other members have suggested, including the member for Elgin (Mr. McNeil), the House should await the recommendations of the Royal Commission into Discounting and Allowances in the Food Industry in Ontario. Some people have suggested it was unwise to deal with this bill at this time. Most certainly it is premature.

For this reason alone, over and above the valid and cogent reasons I have given for taking issue with this particular piece of legislation, we should wait for the findings of the commission to determine whether this bill would be relevant and appropriate in the light of those recommendations.

On the basis of the reasons I have given this afternoon, along with those presented by my colleague from Elgin, I feel compelled to vote against the bill.

#### SMALL BUSINESS WEEK

**Mr. Speaker:** Mr. Kennedy has moved resolution 8.

Motion agreed to.

#### FARM PRODUCTS MARKETING AMENDMENT ACT

Sufficient members having objected by rising, a vote was not taken on Bill 23

**Hon. Mr. Gregory:** On a point of order, Mr. Speaker: I am just wondering at what point we started recording the names of people rising to block a bill. I was not aware that we had ever taken a record of the names of people rising to block a bill.

**Mr. M. N. Davison:** You should come here more often.

**Mr. Wildman:** We are sending your names to Conrad Black.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, pursuant to the standing orders, I would like to advise the members of the House of the order of business for the rest of this week and for next week.

Tonight we are going to consider legislation in the House: Bill 75, amendments to the Ottawa-Carleton Act; Bill 74, the Oxford

Act; Bill 76, amendments to the Municipality of Metropolitan Toronto Act; Bill 71, the Municipal Elections Act.

Tomorrow morning we will continue with the legislation that is not finished tonight. Then, if there is any time remaining after that, we can go on to budget debate.

On Monday, June 9, the House will consider legislation. Bill 60 will be considered for second reading and in committee of the whole, followed by Bill 5, an amendment to the Municipality of Toronto Act concerning Toronto Islands.

On Tuesday, June 10, the House will consider legislation, beginning with Bill 47, the bill of the Attorney General (Mr. McMurtry) concerning review of police matters, followed by Bill 50, Bill 51, and Bill 48, all bills in the name of the Treasurer (Mr. F. S. Miller), followed by Bill 55, a bill of the Minister of Revenue (Mr. Maeck). In the evening we will also consider legislation: Bill 82, amendments to the Education Act concerning special education, followed by Bill 89, amendments to the Labour Relations Act, second reading and committee stage of Bill 89, and second reading only of Bill 82.

On Wednesday, June 11, the justice, resources development and general government committees may meet in the morning.

On Thursday, June 12, in the afternoon, there will be private members' public business, ballot items 21 and 22. In the evening, we will continue consideration of Bill 89, amendments to the Labour Relations Act, followed by any legislation that was not finished on Tuesday night.

On Friday, June 13, the business has not been completely settled. It will either be, as indicated, the estimates of the Lieutenant Governor, cabinet office and Premier or unfinished legislation left over from Tuesday and Thursday.

#### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON ACT

**Hon. Mr. Wells** moved second reading of Bill 75, An Act to amend the Regional Municipality of Ottawa-Carleton Act.

The House recessed at 5:57 p.m.



APPENDIX  
(See page 2525)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

NURSING LICENCES

154. Mr. Grande: Will the ministry responsible provide the following information: 1. Number of cases that have been dealt with by the College of Nurses for removal of the nursing licence in the years 1977-78, 1978-79, 1979-80. 2. Number of licences that have been taken away in the above mentioned three years. 3. Names of nurses that have lost their licences for any reason in the years above mentioned. 4. The name of the hospital, clinic et cetera, which filed the complaint that culminated in the loss of the licence. (Tabled May 6, 1980. Interim answer May 16, 1980. Approximate date information available June 6, 1980.)

Hon. Mr. Timbrell: 1. Cases dealt with by the College of Nurses: 1977-78, 112; 1978-79, 114; 1979-80, 132.

2. Number of licences taken away in three forementioned years: Professional misconduct/incompetency: 1977-78, RN 9, RNA 3; 1978-79, RN 12, RNA 1; 1979-80, RN 20, RNA 3. Incapacity: 1977-78, RN 5, RNA 1; 1978-79, RN 6; 1979-80, RN 5.

3. This information should be requested from the College of Nurses.

4. This type of information is treated as confidential by the College of Nurses and has therefore not been made available to us.

INJURED WORKERS

181. Mr. Van Horne: Will the Minister of Labour table the number of known injured workers in the following centres in northwestern Ontario: Thunder Bay, Kenora, Dryden, Ignace, Nipigon, Red Rock, Schreiber, Terrace Bay, Marathon, Manitowadge. (Tabled May 22, 1980.)

Hon. Mr. Elgie: Detailed information is not available for all the communities mentioned in the question. However, the following table of 1979 new compensation claims for lost-time accidents has been assembled.

1979 New Compensation Claims  
(Lost-Time Claims)

	Number of Comp. Claims	Per cent of Total Province
Thunder Bay District		
Thunder Bay (City)	2,423	1.5
Terrace Bay	85	•
Manitowadge	69	•
Nipigon	39	•

Number of  
Comp.  
Claims

Per cent  
of Total  
Province

Thunder Bay District  
continued

Red Rock	32	•
Rest of District	365	.2
Total		
Thunder Bay District	3,013	1.8

Kenora District

Kenora (City)	252	0.1
Dryden	131	0.1
Ignace	72	•
Rest of District	418	0.3
Total Kenora District	873	0.5

• Less than .1 per cent of Total Province

INTERIM ANSWERS

174. Mr. S. Smith: 1. Would the Solicitor General indicate, how many high-speed police pursuits have occurred in Ontario in 1979, 1978, 1977 and 1976, with a breakdown of the figures according to provincial, regional and municipal police forces? 2. Would the Solicitor General indicate, where it is possible to do so, how many of these pursuits resulted in the apprehension of the person(s) pursued? 3. Would the Solicitor General indicate the number of persons killed or injured as a result of these pursuits, with a breakdown as to police officers, persons pursued, and innocent bystanders? 4. Would the Solicitor General indicate the reason given for these pursuits, where that information exists? (Tabled May 20, 1980.)

Hon. Mr. McMurtry: As it will be a time-consuming process to gather the information for this question, the answer will not be available until approximately October 30.

176. Mr. Lupusella: For each of the police forces listed in question number 171, will the ministry provide information on the availability of the following kinds of educational leave and assistance in educational upgrading for police officers: (i) full-time educational leave; (ii) paid full-time educational leave; (iii) part-time educational leave; (iv) paid part-time educational leave; (v) assistance in continuing education (such as the payment of tuition fees)? How many officers are currently taking advantage of such educational leave and educational upgrading policies? (Tabled May 20, 1980.)

Hon. Mr. McMurtry: As it will be a time-consuming process to gather the information for this question, the answer will not be available until approximately October 30.

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No. 67

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, June 5, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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THURSDAY, JUNE 5, 1980

The House resumed at 8 p.m.

### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON AMENDMENT ACT

(continued)

Resuming the debate on the motion for second reading of Bill 75, An Act to amend the Regional Municipality of Ottawa-Carleton Act.

**The Acting Speaker (Mr. MacBeth):** The order of business has been called. The member for Wilson Heights (Mr. Rotenberg), the parliamentary assistant to the Minister of Intergovernmental Affairs (Mr. Wells).

**Mr. Rotenberg:** Mr. Speaker, as you will recall, just before six o'clock the minister moved second reading of Bill 75. I would like to speak in support of the various amendments to the Regional Municipality of Ottawa-Carleton Act in this bill.

The first section of this bill deals with the makeup of the council for the municipality of Ottawa-Carleton commencing after the election, that is, commencing on December 1, 1980. The bill would add two members to the regional council, one each for the city of Nepean and the township of Gloucester, in order to correct the significant underrepresentation on the regional council. The regional council, as a result, would be composed of equal numbers of members from the city of Ottawa and from the other area municipalities. This adjustment reflects recent population trends.

The proposed amendments also provide for the method of selecting the representatives from Nepean and Gloucester who would sit on regional council in addition to the heads of council. In the case of Nepean, this would be three members elected by general vote to both regional and city councils. In the case of Gloucester, this would be the two members of the Gloucester council with the highest number of votes who wish to serve on regional council. In both cases, the government has accepted the method of representation requested by the councils concerned. The bill, in addition, eliminates the present position of deputy reeve in Gloucester, as it has requested.

The bill also includes a number of amendments affecting regional powers and responsibilities. The first of these would add permissive powers to enable the region to enter into agreements with respect to commercial development over or under regional roads. This is similar to a recent amendment to the Regional Municipality of Waterloo Act and is desired by the region at this time for possible use in connection with the Rideau Centre development.

Further amendments would enable the region to pass bylaws implementing an honour transit fare system. The region has requested legislation on this subject to coincide with the startup of a joint regional and Ministry of Transportation and Communications experimental project in the use of articulated buses. Such an honour fare system is useful where articulated buses are in use by removing the need for additional transit personnel on such vehicles.

Under the proposed transit fare amendment, the region could pass bylaws providing for a higher on-board fare in the case of a person who has boarded a transit vehicle without a pass or without having otherwise paid his fare. Such a person would, if requested for proof of fare by a transit employee, have the choice of paying the on-board higher fare or leaving the vehicle. A provision is also included that would give transit employees the power of removal of such a person if that person refused to pay and refused to leave the vehicle voluntarily.

Another important provision of the bill would add a section to the regional act, enabling the region to undertake responsibilities with respect to a regional convention centre. As requested by the region, the proposed legislation would authorize the region to borrow money for these purposes and to repay such debt from the regional levy. It would also allow the region to operate the facility by itself, with optional provisions for a management board, or to enter into agreement with an area municipality in the region to manage the facilities and/or to finance any operating deficit.

The proposed legislation includes a provision to allow area rating as a means of re-

covering all or part of any operating deficit. The government is prepared to rely on the judgement of the regional council as to which of the various options that would be permitted by the bill, in regard to operating the convention centre, should be employed.

The bill also contains two provisions of a financial nature. One of these would give the regional council the authority counties now have under section 507(7) of the Municipal Act to apportion regional costs among the area municipalities on an equitable basis other than the weighted equalized assessment. The region has requested this and the government has indicated it is prepared to support legislation for region municipalities if they request it. Of course, if there is a disagreement between the region and the area municipality, the matter may be appealed to the Ontario Municipal Board.

The second financial amendment is also as requested by the region. This amendment would enable regional council to require, in its debenturing bylaws, that any currency premium on debenture issues and foreign currency be paid into a special reserve fund and not be used for other regional purposes before the debt has been repaid in the foreign currency concerned. This power is in the Municipal Act but does not currently apply to the regional municipality of Ottawa-Carleton.

Certain other amendments in the bill are proposed for other regional acts. These common amendments concern benefits to councillors, road consolidation bylaws and adjustment to the laws regarding the homes for the aged.

Mr. Speaker, I am aware that section 1 of the bill is somewhat controversial and, although there are no proposed amendments before us at the moment, it is my understanding the New Democratic Party possibly will be proposing some amendments to section 1.

Also, as a result of a request from the city of Ottawa with regard, specifically, to section 1 of this bill, it will be my recommendation to the House, after second reading is approved, and I hope second reading will be approved, to refer this bill to the standing committee on general government so that the city of Ottawa can make the representations it has requested.

In the light of the fact that this bill will be going to committee, where I assume and gather there will be a full debate on section 1, I have not gone into the details of the reasoning of the government for proposing section 1 at this time. I will go into that fully in committee and, in the interests of time

and boredom, I do not want to be repetitious on that section. However, I will be prepared to answer any question that members would like to ask with regard to section 1 in the House this evening, rather than wait for the committee meeting.

Mr. Speaker, with those remarks I move second reading of Bill 75 and ask for its adoption.

Mr. Epp: Mr. Speaker, it is a pleasure to rise and speak to this bill regarding the regional municipality of Ottawa-Carleton. As we all know, this was the first region that was established after the metropolitan government was established here in this great city of ours.

8:10 p.m.

We have, particularly in the city of Ottawa and generally in that area, probably the most overgoverned area in Canada. There is the federal bureaucracy which certainly dominates the affairs of the city of Ottawa and the other municipalities in that region. There is the provincial government which has several offices in that municipality and then, of course, there are some very effective municipal governments there. They have had some outstanding leadership over the years. The person who comes to mind immediately is one of the former mayors, Charlotte Whitton, who was known as one of the outspoken advocates of municipal government, and she certainly shared the headlines with the Prime Minister of Canada and the Premiers of this country.

We are going to support this bill and, of course, we are going to support the suggestion of the parliamentary assistant that the bill go to committee, specifically with reference to the city of Ottawa, which is not all too happy with the suggestion that two regional municipalities will gain one vote each.

I regret it is going to be necessary because enough consultation has not been done, in a sense, to find agreement among the various municipalities. However, I realize an agreement cannot always be reached. The most honourable people, the most respected people and the people who want to achieve what they think is right for their municipality may have differences of opinion with respect to this.

After visiting the region a few months ago and speaking to a number of mayors on this particular matter, I noticed that all of them meant very well and wanted to achieve what they thought was best for the region and for their municipality. At that time, the regional

council had, by a very close vote, agreed there should be split voting, with a half vote here and a half vote there. I, for one, cannot support a half vote for any municipality by having, for instance, two people who each have a half vote or having one person who has a half vote, and so forth. I find that difficult because of the fact it is now very confusing for the people to try to keep up with the various elective offices.

Federally, constituencies often differ from the provincial representatives. Provincial constituencies overlap federal constituencies. Then there are the local elected representatives, the school board representatives and, in some municipalities, they have elected people to public utilities commissions or hydro commissions. This is very confusing for the public, for those who do not want to follow the affairs of the local municipality, the province or the government every day. To give a half representative to some areas and not to others would complicate the matter even more.

However, this matter will go to committee and we will have an opportunity at that time to hear additional representations. I think that is an excellent idea because it is in a committee where various parties can be represented rather than behind the closed doors of the Ministry of Intergovernmental Affairs where the goings on can be hidden from the public while the decisions are made. In committee, it is open and every one can have an opportunity to participate.

We note in the proposed legislation that there has been a suggestion that the region is seeking additional powers over the air rights over regional roads. An experience in one of the regions has been cited. Marathon Realty Company Limited has built a structure in Kitchener that goes over Charles Street, which is a regional road. There is a walkway, and I understand they are going to put some stores and so forth in there. The structure is just being built now and it will be some months before it is completed, but I look forward to seeing that. I think it is something that regional municipalities—if we are going to have regional municipalities—should have the right to do, as well as local municipalities.

On the other item, I notice there is equal representation for the city of Ottawa—in other words Ottawa would have 16 votes and the other regional municipalities would have 16 votes—and the chairman would have the tie-breaking vote, he would not have the tie-making vote.

In the Palmer report, which came out last year for the regional municipality of Waterloo, one of the proposals made there was that

the chairman should have a tie-making vote. In other words, he should have the opportunity to create a tie and therefore the matter under discussion would lose. Otherwise, if the chairman did not have a vote, he or she might oppose a particular measure, but being in the chair he could not have that measure defeated.

That is one thing, I think, that needs a lot more discussion. It is something that could be looked at for the region of Waterloo and certainly for the region of Ottawa-Carleton, which we are discussing here tonight. In no way should a chairman have the vote to make a tie and in addition a vote to break it, as is the custom in some municipalities and some jurisdictions.

We notice in the bill there are opportunities to give benefits to various regional representatives. Specifically it is alluded to that the chairmen of regional municipalities and directly elected councillors do not have the same opportunities to obtain group life, accident benefits, medical benefits and hospital care insurance as do locally elected councillors in municipalities. This has come about because amendments have been made to the Municipal Act but have not been made to the regional acts. They have to be made specifically to the various regional acts.

Since this amendment has already passed with I think the unanimous support of this House, and has been incorporated into some of the regional acts, there is no reason why it should not have the support of this House this evening.

The honour transit fare system being proposed in Ottawa-Carleton is one that has not been tried, I understand, in any jurisdiction—certainly in Ontario, and maybe not in Canada. It is very intriguing. I am going to be looking very closely at the results they obtain in Ottawa-Carleton, because if this is successful, it is going to mean a decrease in the amount of supervision necessary for people obtaining transfers and for people always to pay their fares. I am very pleased the government has gone along with their proposal and will give permissive legislation to Ottawa-Carleton to have this installed in its legislation.

I think Ottawa-Carleton has done a lot of study on this and deserves a lot of applause for carrying it to the point where the region wants to have permissive legislation. I hope the plan works out very well, because if it does then other municipalities across this province will adopt it. I understand it works fairly well in Europe. I am not sure about other cities in North America that have tried

it, but certainly Ottawa-Carleton should be applauded for asking for this legislation. I want to reiterate that I hope it works very favourably.

Those are my comments at this point. I understand we are going to have some amendments later and we will be happy to comment on them at that time.

8:20 p.m.

Mr. Isaacs: Mr. Speaker, it is a pleasure to rise to participate in the debate on this bill that affects what is, after all, one of the most significant regional municipalities in our province—a region that contains our national capital and concerning which we have a great deal of pride in this party.

I am concerned that in his opening comments the parliamentary assistant did not give us the rationale for the proposal contained in this bill for a change in the membership of the regional council in Ottawa-Carleton. It seems to me it is the business of this House on second reading of a bill to consider the rationale for the introduction of that bill and the thinking of the government that led it to bring in a bill in the form in which it came before us.

We are all aware that there appears to be some need for change and that the regional council in Ottawa-Carleton has asked for change. But the regional council has not asked for the change that is contained in this bill. It is quite normal for the parliamentary assistant to explain to us that the government is acting at the request of a municipality. On this very important matter, he has deviated from what appears to be a principle. I am disappointed that I am unable to respond at the moment to the government's reasoning because we have not been given the government's reasoning.

As we are not able to engage in questions and answers during second reading debate, I very much hope the parliamentary assistant will see fit in his windup on second reading to explain to us why the government has done something other than that which was requested. That, however, leads me to the entire problem of structuring of regional councils.

Without any doubt at all, there are a number of problems facing the structures of regional councils right across this province. I believe the government should make it very clear to regional councils, to the lower-tier municipal councils and to the voters of those municipalities the mechanism the government will use for making changes to the regional structure, by adding members or by changing the distribution of votes or by making some

other change, possibly even taking away members, if that becomes necessary at some time in the future.

We have before us a bill that is making a change; yet we have a total lack of explanation. It is particularly unfortunate that this is happening after we have just completed what I consider to be a very useful debate on that kind of problem during the estimates for the ministry which the parliamentary assistant is representing here this evening. During that debate we were discussing the problems of regional government structure and the attitude of the government to regional government with the Minister of Intergovernmental Affairs.

When we come to deal with legislation in these very important matters, we are debating it essentially with the parliamentary assistant, though also with you, Mr. Speaker, and other members of this House. As I recall, the parliamentary assistant was with us for only a matter of minutes during the municipal affairs portion of the estimates. If the government feels there is a need for a ministry of municipal affairs to deal with legislation of this kind, then I wish government would say so. Then I think it would find some support for that view and we could deal with one person instead of having this split jurisdiction which undoubtedly leads to unnecessary repetition.

We have a bill containing proposals for change that are different from the requested proposals. We have, as I understand it, a commitment from the minister and again this evening from the parliamentary assistant that this will go to committee so that the views of the various councils involved and the views of any citizens who wish to make representations can be heard prior to a final decision being made by this Legislature.

That is a forward-looking step in some ways, but I submit very strongly that the people who are going to come before the committee are going to be at an extreme disadvantage if the enemy is unseen, if the opposition is buried there somewhere in the government and has no idea of the basis for the decisions that government has made and therefore has no idea of a presentation that it should make in order to refute the judgement.

It seems to me that in the Ottawa-Carleton case, where a lot of very intelligent people are involved on the councils of the various municipalities, and particularly of course on the council of the city of Ottawa, it seems to me that those people should know what is going on in the minds of a government that is of a different political persuasion to

those people and which is ignoring their advice.

**Mr. Sterling:** Are you saying the regional councillors aren't intelligent people? Is that what you are saying?

**Mr. Isaacs:** Almost all, in fact 99.9 per cent of councillors across this province are intelligent people. But some of the councillors on Ottawa city council are particularly intelligent, and particularly able to understand the concerns of the people of not only the city of Ottawa but also of the entire regional municipality.

I hope very sincerely that some of the members from the other side who represent ridings within the regional municipality will explain to us why they are supporting a bill that is going against the wishes of their regional council. I would be very interested in that discussion.

But I believe the issue is a broader one. The issue is how one makes change in municipal government. We have discussed it on many occasions. It seems to me it does not bode at all well for the future that the government is ignoring the advice that it is getting from the regional council, and yet is not laying on the table the source of the advice that it has for the changes being proposed in this bill.

If the bill were based on a referendum in the regional municipality, I would understand the rationale and may even see some sense in it. But the bill is based on the views of people at present unknown to the members of this House and I assume on the kind of thinking that was expressed just a moment ago by the member for Waterloo North—that the concept of half votes is a concept that does not sit well with some members of this House.

I want to suggest that the concept of two votes with one councillor has been with us for a long time in county councils across this province. If it is acceptable to have two votes for one person, and if the electorate understands two votes for one person, as I believe it does, then I submit it is very acceptable to share one vote between two people—and to enable them to cast those half votes either together or separately as they see fit.

But as has been explained, the bill is going to committee and we will have the opportunity to review that section in further detail at that time. I know there are other members from the region who wish to speak on those sections.

I want to address as well some of the other sections of this bill, because I think they are significant. Even more significant I think is

the problem that they bring to our attention about the management of regional government, and indeed municipal government as a whole right across this province.

If I might focus on the section that deals with transit fares that enables the regional council to implement an honour fare system, or indeed any other transit fare system that they wish.

It is of a great concern to me that the regional council in Ottawa-Carleton or Hamilton-Wentworth or even in Metropolitan Toronto is unable to set whatever kind of fare system it wants without coming to this Legislature to seek some kind of general approval.

It seems to me that the operation of a transit service is clearly a municipal responsibility. It equally seems to me that the people on the regional or local council have been elected to do the job of running that transit service, setting the routes, setting the schedules, selecting the equipment, negotiating with the drivers and other staff and setting the fares. I find it decidedly unreasonable that Ottawa-Carleton is unable to make a fundamental change to its transit fare system without having to come to this Legislature to seek prior approval.

8:30 p.m.

Of course I welcome the fact that we are granting it that approval. That is a step forward. But if other municipalities across the province want to implement an honour fare system, then we are going to have to amend one by one the regional acts that affect all the other nine regional municipalities, and probably end up with a general amendment to the Municipal Act to enable them to do this kind of thing. It seems to me patently absurd that we deal with municipal government in that overly paternalistic way rather than giving to municipal councils the responsibility to run a transit service any way they wish, accountable to the electorate of that municipality.

In addition, the same comments could apply to section 12 on foreign currency debentures, or to section 13 concerning the regional convention centre. It is absurd that this Legislature has to decide whether the regional municipality of Ottawa-Carleton, or any other regional municipality, can or cannot build a convention centre. The people on that regional council have been elected by the people of the region to do a job. If those people decide they want a convention centre, then I submit very strongly they are accountable to the voters and the taxpayers of Ottawa-Carleton.



They should be able to get on and do the job without having to come and seek permission from Big Daddy here in Queen's Park.

Section 5 deals with the matter of construction over or under regional highways, and I understand this is essentially a legal technicality that was probably not foreseen at the time the regional acts were drafted. Nevertheless, the air space over or under a highway is very clearly the responsibility of the people who live within that regional municipality, and it is right and proper that the regional council have jurisdiction over it.

I would go a step further. I would strongly suggest that at some point over the property that every one of us owns, the air space ceases to be the property of the individual land owner and becomes in some way public property. In addition, I would suggest at some point the land below where we stand ceases to be the property of the owner of the surface, as one interprets owner, unless there are mineral rights under that property. Tunnelling for certain purposes should be the responsibility of a level of government. I have no difficulty at all with that concept.

The parliamentary assistant is asking how high or how low. I do not think it is my job to make that decision, but it is the kind of decision our legal and judicial systems, and indeed this Legislature, are making almost on a daily basis. Those are the decisions we are elected to make, and one day that is something we are going to have to address. One day someone is going to raise some kind of awkward problem about who does have responsibility for something that is not a structure, but that is happening over and above property in private hands.

The concept of structures that move over roads or go underneath roads is becoming more and more common, both in terms of transit services and also in the broader context of pedestrian overpasses, pedestrian underpasses and possibly even apartment buildings built over highways. It is perfectly appropriate that regional council in Ottawa-Carleton be given that authority, but it is inappropriate that the other regions will have to come to us—except for Waterloo, which has the authority already—and ask if they want the authority.

I would strongly suggest that if that is an authority this Legislature is prepared to give, as I believe we should, then it should be a blanket authority for every regional council and every other level of government to have jurisdiction over the air above and land or whatever below the roadways and other properties within the jurisdiction of that level of

government, be it regional, county, suburban roads commission or whatever.

Two other sections I want to address myself to are sections 10 and 11 relating to apportionment. That kind of legislation at some point is going to cause further very serious problems within regional government. The provisions contained in this bill are provisions permitting regional council to apportion costs other than on the basis of equalized assessment. That is a reasonable approach to the distribution of costs for services that are not available equally to all residents of the region and which do not fall into the general category of social services to be funded on an equal basis by all taxpayers. However, the section in this bill and the sections in the other bills that will ultimately contain or already contain this kind of provision are exactly the kind of legislation that will destroy regional governments if individual members of those councils decide to take advantage of them in the broadest possible sense.

It is the kind of legislation that will enable one municipality to attempt to opt out of paying for things the council or regional councillors from that municipality take exception to. I suggest when it is combined with something like a regional convention centre the stage is already being set for battle. I am not criticizing the government for giving the power in the present instance because in the present instance our property tax and municipal finance system is in such a mess that it is probably better to try to let regional council deal with it on a temporary basis than it is to have the people of various municipalities charged terribly unfairly for certain services and facilities.

In the long term, if we allow the individual components of a region to get into battle over how much of the total regional cost they are going to have to pay, then we are headed for very serious problems. We are headed, in my view, ultimately to the breakup of regional government structures.

I believe it is absolutely essential that the government give high priority to the matter of municipal finance reform and to the problems that at present face property taxpayers with ever-increasing costs and with ever-increasing unfairness. If we continue in the direction in which we are now headed, we are going to have the highest property taxes paid by the people who benefit least from the services provided by regional and local councils. That can be seen already in quite a number of municipalities where section 86 reassessments have been implemented.

The provisions that are here tonight for Ottawa-Carleton are supportable in the very short term, but in the long term they are the wrong direction. They are a direction that is going to cause friction and that is going to cause the Ontario Municipal Board a great deal of heartache, ultimately leading to the Ontario Municipal Board making decisions that intimately affect municipal governments, even though the Ontario Municipal Board is so far from being an elected or representative or sometimes even understandable body that it is inappropriate to hand these kinds of important tax decisions to it.

My colleagues and I will be supporting this bill. We will be looking forward to its going to committee. We will be listening at the committee to the presentations that are being made by various people. I say to the parliamentary assistant, in the absence of the minister, I hope his comments of just a few days ago in this House during the estimates debate about being prepared to permit communication and consultation between the Legislature and municipal government to take place on referral of a bill will be permitted on this bill, even if they deviate very slightly from the pure substance of this bill.

I am aware there are some serious problems facing not only the regional council and the municipal council but also the board of education. There are concerns there they wish to bring to the attention of members of the Legislature. At the present time, members of the Legislature have no formal channel of communication with municipal council.

8:40 p.m.

When this was raised a few days ago we were encouraged by the minister to refer bills to committee in order to be able to discuss these problems. I anticipate that the problems will be raised when this bill gets to committee. I hope the chairman and members of whichever committee it goes to will be prepared to permit that exploration of other issues so the members of the committee can become more fully informed about the problems and viewpoints of the members of Ottawa-Carleton regional council, the problems that school people wish to bring to our attention and the problems that members of the public wish to bring to our attention.

That concludes my remarks on this bill and I look forward very much to the committee stage outside the House.

Mr. Roy: Mr. Speaker, I rise in support of the bill as my colleague from Waterloo North has stated. The member for Waterloo North, our critic, has mentioned that we are in support of the bill. The parliamentary assistant,

who is sitting there smiling, knows his minister said to him that he can bring on this bill with the confidence that he has the support of the official opposition in this House. That's why he can sit there and smile. This time, I say to the parliamentary assistant, he is on the right side of the issue. It was just on Tuesday of this week that that man was so misguided, but he is coming around. On this bill, he can be assured that he has our support.

I have had some lengthy discussions about this legislation with various people. Mr. Speaker, you know how it is in the back alleys of this place, in the corridors of power and so on, although you know more about those corridors of power than I do. In any event, I have had discussions with various people about this and I am pleased to hear the comments of the member for Wentworth that his party is supporting the bill. I was led to believe by the leader of that party that they were not going to support the provisions of section 1 of the bill, which is the provision that changes the regional representation. I don't know whether the parliamentary assistant was under that impression as well, or whether some of my—

Ms. Gigantes: We will enlighten the member.

Mr. Roy: The member will enlighten me. I will tell her I have had two discussions—

Mr. Makarchuk: That's assuming the member for Ottawa East sticks around.

Mr. Roy: I see our colleague from Brantford shows some annoyance. It is understandable that he should be annoyed. I thought it interesting the other day that he showed such annoyance because I want to tell him that probably the major reason the bill did not carry was because his name was on it. The good people of Brantford may have had more success in getting legislation passed if they did not put his name on the bill.

Mr. Makarchuk: Is that how Liberals vote?

Mr. Roy: That is not how Liberals vote. The Liberal Party in Ontario—

Mr. Makarchuk: Come to Brantford. We've got the tar pot and the feathers ready.

Mr. Roy: Justice prevailed in this House. All members on all sides showed on that particular evening that they were prepared to put principle ahead of expediency. I thought it was a true exercise in the democratic process.

Mr. Makarchuk: Destruction of jobs. That's right, unemployment.

**Mr. Rotenberg:** The member should have listened to the member for Brant-Oxford-Norfolk (Mr. Nixon). He had the right idea.

**Mr. Roy:** I am ready to go on any platform in this province and debate with the NDP and say we were supporting the small people of this province. The Campeau Corporation and T. Eaton Realty Company can defend themselves and they don't need the NDP. They don't need friends in the NDP. I have no hesitation in saying that, but back to the bill.

**Mr. Makarchuk:** The small people will be out of work this fall.

**Mr. Roy:** I had discussions on this legislation. I have had discussion with the leader—

**Mr. Makarchuk:** The small people will be out of work because of small minds from Ottawa.

**Mr. Roy:** Small minds, he says. I say again that we put principle in this place ahead of expediency and if that causes frowns and frustration for the NDP, that is too bad because we still believe in principle in this House.

I had a discussion with the leader of the NDP on this bill and he said, "I don't like the proposition that is put forward in this bill about the changes on regional council, and we will oppose it." I said to myself that was strange because the member for Carleton East obviously would not be opposing this legislation.

She is the member for Gloucester, and Gloucester, of all municipalities represented on regional council, is the most underrepresented. At present, poor Gloucester has two members for 65,000 population; in other words, it has one member for 32,000 population when the average on regional council now is something like one member for about 13,000 or 14,000 population. So I deduce that if a member is representing an important municipality like Gloucester, she would not be opposing this legislation and, therefore, the leader of the NDP must be a bit misguided. Perhaps he is telling me something that is not so.

I had a further discussion with him Tuesday night, and he said again, "We don't think we will be supporting this legislation because we don't like the option that is being proposed by the government." He asked me which way I was going to go and I said, "We are in support of the proposal as put forward by the government."

If the member for Brantford wants to know which way to go, look at us in the official

opposition. We are not afraid to stand on principle.

It was a pleasant surprise to see that NDP members have come around and that they will take a more positive and constructive approach. Even they are able to do that. They are going to participate in committee. That is the way the process should work, and I applaud that. They have my full support.

The other comment I want to make concerned the cynical suggestion of the member for Wentworth. In his comment about the regional area of Ottawa-Carleton, he suggested there were some municipal councillors who were brighter than others, who had more foresight. I detected that he was suggesting—and I may have made the wrong deduction, none of us is perfect—that if one happens to be of that stripe, in other words, of the NDP, and happens to be elected to municipal council, somehow one has more foresight than other members. We don't even know what their stripe was—they may have been Liberal or Conservative or otherwise.

I do not think he should make that suggestion. I really think that on municipal councils we find that members, by and large, are making decisions that are in the best interests of the electorate. The fact that one happens to be NDP or Liberal or otherwise is not a badge of intelligence, foresight or judgement.

I hope that was not the impression that was left because I would not want to insult, for instance, the regional chairman who happened to have gone from being a Liberal to a Conservative. I think he is still a Conservative now, although the member for Carleton-Grenville would not be too sure what he was at this time. But in any event, I would not want to throw any insult on any members from the municipality or from the regional municipality of Ottawa-Carleton.

The fact that one happens to be a member from Ottawa, which I am, the fact that one happens to represent a riding right in the centre of Ottawa—

**Mr. Makarchuk:** You spend more time here than you do in Ottawa.

**Mr. Roy:** That's right, and any time that member wants to compare his majority with mine, he should come forward.

**Mr. Makarchuk:** What was your majority?

**Mr. Roy:** He should look it up. I don't want to brag this evening; I want to be modest.

8:50 p.m.

**Mr. Makarchuk:** Why don't you tell us? Put it on the record.

**Mr. Speaker:** I do not think the member for Brantford really wants to know the answer to that question.

**Mr. Roy:** No. I would imagine this evening the member for Brantford will want to watch behind him pretty closely after what happened on Tuesday evening. He will want to look at his majority.

**Mr. Makarchuk:** How does your House leader feel about it?

**Mr. Speaker:** I will recognize the honourable member for Brantford next if he wants the floor.

**Mr. Roy:** The member for Brant-Oxford-Norfolk, our House leader, supported the legislation. He supported the member for Brantford, but he never tried to kowtow and he never tried to intimidate any member of this caucus. We stood on principle and he understood that. I think that was one of his finest moments with us yet.

**Mr. Makarchuk:** Are you saying the member for Brant-Oxford-Norfolk has no principles?

**Mr. Roy:** We did not try to whip everybody into line. We did not have any members who were afraid to vote and went outside and hid because they did not want to vote on that bill the other evening. The member should talk to some of his colleagues. This is so much fun, Mr. Speaker. Please do not tell him to shut up because I am having such a good time.

**Mr. Speaker:** Just ignore him and talk to me.

**Mr. Roy:** Thank you, Mr. Speaker.

**Mr. Makarchuk:** On a point of order, Mr. Speaker.

**Mr. Speaker:** There is nothing out of order except the member for Brantford.

**Mr. Makarchuk:** He implied that—

**Mr. Speaker:** Order.

**Mr. Makarchuk:** —he stood on principle. Therefore, the member for Brant-Oxford-Norfolk did not.

**Mr. Speaker:** No. I have listened very carefully to both you and him. You are the only one who is out of order. The member for Ottawa East may continue.

**Mr. Roy:** I have some understanding of the frustrations of that member, so I am being very magnanimous this evening.

To carry on, I want to say that the fact that one happens to be a member from a particular riding, whether it is Ottawa, Toronto, Hamilton or otherwise, should not mean that automatically one becomes a lap-

dog, so that every time an area or municipality puts forward a piece of legislation he automatically says, "Yes, sir. We are in favour of it." There are times when one represents an area involving different municipalities where one says, "We do not think this suggestion is a proper one," or "We do not think this legislation is good."

I must say that legislation coming out of the city of Ottawa, generally speaking, is usually forward-looking legislation. Suggestions being made by council, by the legal department and so on are usually very forward-looking legislation. I say respectfully that these people put forward an alternative to the proposal put forward by the government in this bill. The alternative proposal put forward by the city of Ottawa would have broken down the votes to half votes. In other words, the city of Vanier would have had two seats on regional council for one vote.

Mr. Speaker, can you see how that would end up with people with half votes? For instance, we would have had a situation where the city of Vanier would have had two seats for one vote. Rockcliffe would have had one seat but half a vote and Kanata would have had two seats and one vote. Can you imagine what would have happened? We would have a vote that carried four and a half to three and a half. How does one break down half votes? It just does not make sense. Frankly, I do not think we can start operating regional government on the basis of half votes.

The proposal put forward by the government is not perfect. In other words, we have a situation in Ottawa-Carleton at present where there are some 30 seats but there is a disproportion in the distribution of those seats on regional council. For instance, the city of Ottawa has one seat for every 18,000 of population; Nepean has one seat for every 26,000 and Kanata has one seat for every 16,000. Rockcliffe—and this is where the disproportion comes in—has one seat for 2,000. Gloucester has two seats for a total population of 65,000. In other words, it has one seat per 32,000 of population. We have to correct that setup. A population increase has been taking place in Nepean, which is a suburb, and also in Gloucester, which is a suburb, but it is not equitable that the populations per vote in municipalities should be so disproportionate. So this is the reason for the proposal.

We are faced with three situations: Do we remain with the status quo? This is clearly unacceptable and we say no. Do we move with the proposal put forward by the city of

Ottawa, which would increase the number of seats to 33 and the number of votes to 30.5? I cannot accept that. I cannot understand and I cannot accept a proposal, as put forward, that would be giving people two seats and one vote, or one seat and half a vote on regional council. The purpose of having half votes is to continue to give the city of Ottawa the majority of votes on regional council.

**Ms. Gigantes:** No, that is not true. That is a very cheap way of putting it.

**Mr. Roy:** I cannot see my colleague from Carleton East. There she is. She says it is a very cheap way. I say I look forward to finding out the reason for it. I was told the reason was that they wanted to try to continue to keep the city of Ottawa with the majority of votes on regional council.

The alternative is the one put forward by the government, to give an extra seat to Nepean, which is necessary and which everybody agrees to, and an extra seat to Gloucester, which everybody, even the member for Carleton East, apparently agrees to. Of all the proposals, none of which is perfect, this is the proposal we are supporting here. I said to the leader of the NDP, "It seems to us that is the logical and the best proposal put forward."

We agree with the government's position that we send this bill to committee and that we give the city—

**Ms. Gigantes:** On a point of privilege, Mr. Speaker: I thought about it for a few seconds. It seems to me the member for Ottawa East has infringed my privileges as a member of this House. He has suggested, without any evidence at all for the suggestion, that I would not be in favour of increasing the representation accorded to the township of Gloucester on the Ottawa-Carleton regional council. He used a phrase somewhat similar in words to the effect that the member for Carleton East is even now ready to see Gloucester have better representation on Ottawa-Carleton regional government. Unless he can suggest some reason for the allegation that I ever had a different position, I think he should withdraw that remark.

**Mr. Speaker:** I do not think anybody speaks for the member for Carleton East other than the member for Carleton East. I accept that.

**Mr. Roy:** Mr. Speaker, I was just trying to make some logical conclusions. The leader of the NDP came over and said to me, "We are opposing the legislation as proposed by the government." That is what I was told, so I said to myself, "The member for Carle-

ton East is a member of the NDP," another logical conclusion, "and therefore"—

**Mr. Speaker:** If you want to pursue the question, you have no right to presume to speak for the member for Carleton East. You can speak on your own behalf or you can relate what somebody told you about what they were going to do, but you do not presume to speak for the member for Carleton East.

**Mr. Roy:** I put it clearly on the record that I would not presume to speak for her, Mr. Speaker. I have learnt not to over the years because our views are not often the same on issues.

I can assume and make some logical deductions. If the leader of that party, who I believe is still the leader, says, "We are opposing the bill," I assume that the member for Carleton East, being a member of that party—

**Mr. Speaker:** It is probably the royal "we."

**Mr. Roy:** Whatever, Mr. Speaker. One can use the royal or the unroyal. I just made a logical conclusion.

I want to say to my colleague from Carleton—

**Ms. Gigantes:** Carleton East!

**Mr. Roy:** The member for Carleton East—my God, she is sensitive. I will be very careful, Mr. Speaker, to address the chair. I am very cheap, she said. No, I am not. I am trying to address certain facts and certain things that have been said to me.

9 p.m.

**Mr. Speaker,** things are going to improve around here. We have just had the comedian walk in, the member for Port Arthur (Mr. Foulds). That is going to level the debate in this place now. The member succeeds as a comedian; there is no doubt about it. Not that many people think he is funny.

**Mr. Speaker:** The member for Port Arthur is not even mentioned in Bill 75.

**Mr. Roy:** No, he is not, Mr. Speaker. Thank God he is not or I would vote against this legislation.

Given these three options, none of which is perfect, we in this caucus felt that it was important to give the highest priority to giving Gloucester and Nepean extra and adequate representation. That is where this party puts its priority. That is why we are in support of the legislation. We look forward to hearing the views of the other people in Ottawa-Carleton who bring forward their

views before the legislative committee. We keep an open mind on this.

The solution proposed is far from being perfect. There is still a disproportional division of voter representation on regional council. We feel that other corrections are going to have to be made but—

**Ms. Gigantes:** Are you supporting the bill?

**Mr. Roy:** Yes, we are supporting the bill. It would not be the first time that we supported legislation that is not perfect. We are dealing with human beings—none of us is perfect; so we take the best we can get.

I say to my colleague in the NDP, her party keeps supporting the government; are we to assume the government is perfect? I am sure it is not. They are being critical of the government. I am sure they will not say that. For instance, the other day they supported Campeau and Eaton's. I do not think they are perfect.

We are not supporting the legislation because we think it is perfect. We are supporting it because we think that of all the options proposed the one proposed by the government in this legislation is the most adequate for the time being. But we want to put on record that we trust the government will continue to look at this and present measures which will correct the disproportional representation on regional council.

It is important to put on the record that at the time the proposal was first made the representative of Nepean, Mayor Franklin, the representatives of Gloucester and the representatives of Vanier were in touch with us and said, "We hope you will support this legislation." We have had some discussions with some of the representatives from Ottawa city council and it was explained to them why we feel at this time that the proposal of the government is the most adequate. But we look forward to the bill going to committee and we look forward to receiving representations and giving the representatives from Ottawa-Carleton an opportunity to make their submissions to committee.

I will not comment on the other parts of the bill; my colleague is the critic. So I look forward to the passage of this legislation and I look forward at the earliest possibility to assuring that the people of Gloucester and Nepean have adequate representation on regional council.

**Ms. Gigantes:** Mr. Speaker, it is a pleasure to join in this debate this evening and to be able to follow on the remarks of the member for Ottawa East, because there remains so much to be clarified to him.

First, he should know that the member who represents the fair riding of Carleton East is a representative of not only the township of Gloucester but also the township of Rockcliffe and a substantial proportion of the population of the city of Ottawa. If he understood that, I think he might understand that my interest in this bill is more comprehensive than a concern simply with questions that affect the township of Gloucester.

He is quite correct in assuming that it is a move I am pleased about, to see a proposal that the township of Gloucester receive more representation in the Ottawa-Carleton regional government because, as he pointed out quite correctly, the township of Gloucester has been inadequately represented. Under this proposal, we will be moving from two to three members representing Gloucester township on Ottawa-Carleton regional council and Nepean will move from three to four members on the regional council. Everyone was pleased to see that—not only people who reside in the regional municipality of Ottawa-Carleton, but all members here who are interested in ensuring that we provide, as best we can, the framework to democratically permit the people of regional municipalities in any part of this province to express themselves through adequate representation in their local governments.

It is unfortunate that even with the current proposal, Gloucester township and Nepean township will continue to remain under-represented at the Ottawa-Carleton regional council. Even this accommodation to the changing nature of the population in the Ottawa-Carleton region will not fully represent, as the member for Ottawa East indicated, the proportion of population residing within those townships in relation to the total population of the Ottawa-Carleton region. There will remain areas which will be over-represented.

In his account of his discussions with the member for Ottawa Centre (Mr. Cassidy), our party leader, concerning this bill, I think the member for Ottawa East probably did not listen closely enough to what was being said. We are in support of the principle of this bill because we feel this section provides a very important expression as to the representativity of the framework of Ottawa-Carleton regional government.

We are, however, severely concerned about the elements of unrepresentativity which remain and about the increase in the disproportionately small number of votes that the city of Ottawa will have. We are concerned, not as the member for Ottawa East suggested



because that constitutes a majority, but because there are thousands of people in the city of Ottawa who do not get adequate representation under this framework. In fact, the degree to which they are underrepresented is increased by the measures laid out in this bill. That is what constitutes the major concern.

When other party representatives have spoken to the question of alternative measures which may be considered as we move to committee and have representation from locally elected representatives, each has dismissed the notion of having fractional votes. At the same time that they accord great attributes to the population of Ottawa-Carleton, and note how progressive, how enlightened, how forward and how courageous has been the population of Ottawa-Carleton, expressed through the behaviour of Ottawa-Carleton regional and local councils, they seem to suggest that it is impossible for representatives of Ottawa-Carleton to deal with fractional votes. I think that people in Ottawa-Carleton can understand that half of a vote plus half of a vote makes one vote and that two people, each of whom has half a vote, then come to have one vote together.

9:10 p.m.

I would also further point out, that in the original Regional Municipality of Ottawa-Carleton Act, which was passed in 1968, the representation on the regional council was a very much more complicated form of representation. I will read members one short section so they can see what I have in mind. Under part I, section 4(1)—I am looking at items g, h, i and j—this is how the voting went on: "the head of either the council of the township of Fitzroy or the township of Torbolton elected by a majority vote at a joint meeting of such councils." I am sorry; I should have cited that this would constitute one representative. That representative would be either from Fitzroy or Torbolton, elected by a majority vote at a joint meeting of such councils.

Item h deals with how the representative would be chosen from North Gower and Marlborough, which was also to be at a joint meeting of the councils.

Item i deals with representation from the township of Huntley and the township of March, also with one representative to be chosen at a joint meeting of councils.

Item j covers the framework for representation from the villages of Richmond and Stittsville and the township of Goulburn, which again was going to be one representa-

tive elected by a joint meeting of the council.

We worked with that framework for some time in Ottawa-Carleton. There has been reorganization since. Some of the areas within those township boundaries have grown and new townships have been created in legislation before this Legislature. But it was not impossible. There was no impediment to representation or to the working of regional council.

I think, having had that experience, we should have no hesitation in at least considering whether the benefit of that representativity that might be gained by looking at fractional votes on the regional council for smaller townships would be much greater than whatever small difficulty there might be in dealing with 31.5 votes or 18.5 votes in this or that vote.

I do think we have to take very seriously the problem that while this bill seeks to redress the underrepresentation that the thriving townships of Gloucester and Nepean now suffer on regional council, we are on the other hand increasing the underrepresentation of that population which resides within the boundaries of the city of Ottawa.

I think that is the concern my leader addressed when he spoke to the member for Ottawa East. As far as we are concerned, it is a concern that will be met by the government commitment that open hearings will be held in committee, and that there will be representation from local spokesmen who can address this problem directly and propose their own solutions directly to members of the Legislature.

There is one other point I would like to raise in connection with these amendments. I will not address most of the other subjects in detail, but I must express my regret that this government has not given any indication in any substantial way that it will be moving forward in the field of reorganization of the education system in Ottawa-Carleton.

As you will recall, Mr. Speaker, we had an intensive study of Ottawa-Carleton regional government carried out by Dr. Henry Mayo. More than two years ago, in a very fine report which contained an excellent analysis of the problems that exist in the field of educational government in Ottawa-Carleton, he made four major recommendations, each of which, had the government seriously considered it and taken legislative action on the basis of his recommendation, would have led us a long way from the chaos—I can describe it as nothing else—that now exists in the Ottawa-Carleton educational field. I speak of



the four items that concern reorganization: the Ottawa and Carleton public school boards, the creation of a conseil francophone homogène, the pooling of industrial and commercial property tax for school board purposes, and full funding for the separate school system in the Ottawa-Carleton region.

It is obvious that one cannot move amendments to deal with these subjects, given the nature of the bill before us. It would be out of order. Nevertheless, I feel compelled to express my regret on behalf of the many people who have contacted not only me but also I am sure, each member who is elected to this provincial parliament to represent people in the Ottawa-Carleton area. They have expressed great concern about school accommodation and organization problems, the lack of response to the request for a French-language school board in Ottawa-Carleton and the advance that would have been represented by the proposals for school board funding which were provided by Dr. Mayo.

With those comments, I close my remarks. I look forward very much to the discussion that will occur during committee stage of this bill. I do hope that the member for Ottawa East intends to be here, intends to participate in that discussion and will have an open mind about the alternatives that can be proposed during the course of those discussions for representation on Ottawa-Carleton regional council. We will support the intent of the bill and we hope that those discussions in committee will improve the framework that is being proposed to us today.

**Mr. Sterling:** Mr. Speaker, as a representative of four municipalities in the regional municipality of Ottawa-Carleton, I want to throw perhaps a different perspective on this bill, as the areas I represent are outside of the larger urban areas.

The main and key point that has been missed in the debate tonight occurs when we talk about the representation and what this proposal does to remedy some very deep feelings about the workings of the region at this time.

The key to this proposal by the minister is that it creates a feeling of equality between representatives of the city of Ottawa and those outside of the city of Ottawa. It can be argued that in some cases, some of the municipalities are overrepresented. For instance, the township of Rideau has 9,000 people in it and has one representative, and each of the

other three rural municipalities that I represent are the same.

However, when it comes to planning, the impact on those particular townships is much greater than it is in the urban areas. This was evident in the past two or three years where large areas of the townships of West Carleton and Rideau were designated as conservation areas. There were a lot of deep feelings in those communities because the city of Ottawa was telling the people of those rural townships what they could or could not do in their areas.

The other major issue that is reflected in the rural community outside of the planning issue, over which the region has great power, relates to services and the cost of services. There is a feeling in the rural areas that we in the rural townships are being levied too heavily for the amount of services we are receiving from the regional government. When one is out in the country, one's water is supplied by a well and one takes care of one's sewage system on one's own; one pays for one's own sewage system. One does not have great roads in front of one's place, one does not have a lot of the amenities in terms of transportation and all the rest of it, one does not have sewers or water. It is hard to argue with those people that they are getting a fair break.

9:20 p.m.

I understand that, for instance, the expenses of the finance department of the region are part of the general levy which all of these townships pay, that a large part of the finance department in the regional municipality of Ottawa-Carleton spends its time in collecting sewer and water charges that are made around the region. There is some kind of amount that is charged against the rural taxpayer who does not receive any direct benefit, and it is hard for him to see.

We have the two major issues. I think this bill, on balance, does a very creditable job in meeting those two issues. In the past I have had a tough time selling regional government in the rural areas. I know representatives from other rural areas and regions have had a tough time as well. But with the provision of equality between the city of Ottawa and the other municipalities, I think that job will be much less onerous after this bill becomes legislation, if it remains in its present form.

The part of the bill dealing with the fact that the region can turn to an alternative apportionment if it sees something that is inequitable will allow townships to come in and say, "We are not getting service for the

dollars that we are paying." If they could prove their case, then I would hope that the region would act and change the apportionment for that matter.

It may come to pass that the townships may be getting a better deal than they thought they were in terms of money. That is what the city of Ottawa claims. But it will force the issue out into the open so that both sides will have to prove their case. It will be on the table and be left to municipal politicians to say, "We are going to blame the region for all of these costs; we are not getting any services as a result of these costs that are levied on us."

In terms of the alternative apportionment proposal, it is interesting to note that one of my reeves, Albert Bouwers from the township of Osgoode, was in the forefront of trying to get this permissive legislation brought forward by this government. He sought to ensure that any inequitable settlements can be looked at, delved into and a favourable result occur.

For guys like Albert Bouwers—actually I have with me tonight a good friend, Richard McDonald, who is deputy mayor in the township of Rideau—it is pretty hard to look at a place like Carleton Lodge, if members know where Carleton Lodge is—

**Mr. Bradley:** Who bought dinner, Norm?

**Mr. Sterling:** Actually we have not gone to dinner yet. Rich will be the next secretary of the Progressive Conservative Party of Ontario. We spent the dinner hour preparing his campaign.

But at any rate, getting back to the bill—if the members would allow me to stay on it, Mr. Speaker, I will try to—Carleton Lodge has about 126 residents. When Carleton Lodge was turned over to the region it was debt-free. It was supported by the rural municipalities basically—I don't mean rural municipalities; I mean municipalities outside the city of Ottawa. The city of Ottawa was not part of any regional government at that time.

When I look at the total population count and where the residents come from to go into that Carleton Lodge, I see figures like 67 Ottawa residents out of 123 going to Carleton Lodge, with 56 coming from the county. That is pretty hard when a resident of the rural area says, "I can't get into Carleton Lodge." I know the figures are such that there are many people from Ottawa coming out and occupying a facility that was paid for by these people. It is difficult to explain to rural people all the advantages they are receiving from regional government.

When the regional forest was first designated in the township of Rideau, where Mr. McDonald is deputy mayor, they designated over 40,000 acres in that township. It was done in a very poor manner by the region. They scared the living daylights out of the residents who owned land in that area who were afraid they would not be able to chop down a tree or they would not be able to do this or do that. It was entirely botched.

It is pretty hard to bring any kind of feeling towards the region, or goodwill towards the region, back into perspective when they know that the votes are such that it is 16 to 14 on regional council. I can now stand up to these people and I can say, "The city of Ottawa has 16 votes and the rest of the municipalities also have 16." There is an equality that is there and I think it is the key to what Mr. Wells has proposed.

**Ms. Gigantes:** The city of Ottawa has never voted as a bloc.

**Mr. Sterling:** The member might not think they act as a bloc. There is an informal Club 14 that now exists where the reeves and the councillors of the region find it necessary to meet outside the regional council to find out whether or not they are getting a fair shake. Why is that necessary? It is necessary because they feel they are threatened at the regional council table.

We can talk about the problems in terms of representation or underrepresentation for various areas. It is pretty hard to argue when Rockcliffe has a representative on regional council, but that is a fact. I don't know how we could get around that unless Rockcliffe is swallowed up into the city of Ottawa or whatever.

If there is partial representation, I think as many problems are created as whatever. The city of Kanata is having a tremendously difficult time right now because it is flexing its muscles, it is growing. It is a community of 16,000 and probably growing faster than any other municipality in the region. There may be another one that is close to it, I am not certain, but in terms of percentage increases it is pretty dramatic. Not only that, it has taken over other areas, there are new areas, and it is trying to build a cohesive city, a cohesive feeling in the city of Kanata.

I think the mayor there does a tremendous job. She has a difficult time covering all the fields. With the bill today that was introduced by the Minister of Energy (Mr. Welch) they are going to create a hydro commission. It is going to require more time and effort on the part of the mayor to be involved in

that. It is difficult for her to cover all the bases. She wrote, along with many of the other leaders of the municipalities—in fact, all of the ones that I represent—and showed she was willing to accept the compromise that has now been reached.

In conclusion, I would like to say that the key to this is the balance that is there. As far as the rural communities are concerned, the key is that opportunity to prove that in fact they are not getting service from the region, or they are not getting their fair shake. If they had that right, they could prove it at the council table, and I am sure that any inequities will be taken care of through this kind of legislation.

9:30 p.m.

**Mr. Rotenberg:** I would like to deal briefly with some of the points that have been raised by the honourable members. First, I would like to thank all members for their support of the bill on second reading.

**Mr. Roy:** Dispense.

**Mr. Ruston:** Dispense.

**Mr. Rotenberg:** I would very much like to dispense but I was criticized by the member for Wentworth, who is no longer with us, for not outlining fully some of the points.

**Mr. Samis:** Here he is.

**Mr. Bradley:** I just heard the door burst open.

**Mr. Rotenberg:** He is coming back. Very briefly, I thank the member for Waterloo North for his support of the bill. He is quite correct. There is no agreement within the regional council. When we get requests from municipalities, we do try to implement those requests, but in this case it is quite split. The vote on the regional council, I believe, was 14 to 12. Since that time two who had voted with the 14 have changed their minds in writing to us. What the regional council might say now would be very close to a tie vote. We try when we can to implement the wishes of the council when there is, not necessarily unanimity but a reasonable majority. When there is a split vote down the middle, it is much more difficult to do that, and that is why we want to have the bill in committee.

The member for Waterloo North also mentioned the fact that the chairman does not have a tie-making vote rather than a tie-breaking vote. This is deliberate because the chairman is somewhat different from other members of council in that he is appointed by the council and not elected. Therefore, he should not have the same voting power as members of council. If a member of council is sitting in the chair at the time a vote

is taken, he has a full vote as a member of council even though he is the acting chairman. But of course he can only vote once and not break a tie if he has already voted.

I would like to deal briefly with the remarks of the member for Wentworth with regard to the rationale for section 1. Before I do, he seemed to slip in somewhere, as he normally does, a little bit of criticism. I guess that is his function. He is criticizing us for some lack of communication.

**Mr. Samis:** He does it very well.

**Mr. Rotenberg:** He does not do it very well and he does not do it very subtly. I would point out that there is ample and vast communication between the minister and myself and the councillors and councils throughout Ontario. I spend a great deal of my time, as does the minister, in meeting delegations, both formally and informally, from many municipalities to listen to their wishes and to try, as best we can, to assist the municipalities throughout this province.

Getting back to the principle of section 1, the proposal before us is that which was agreed to personally by the executive committee of the regional council which, at that time, included the support of the mayor of Ottawa. She changed her mind, which is the right of any member of council.

**Ms. Gigantes:** She wanted to send it to the council.

**Mr. Rotenberg:** I am not criticizing that. Of course the mayor can change her mind. I hope the member for Carleton East would change her mind between now and the time this gets back to the House.

**Ms. Gigantes:** It wasn't a change of mind. It was the kind of tactical move we make here to get things to committee.

**Mr. Rotenberg:** As I said, there was a 14-12 vote on the final vote of council, and we have it in writing from at least two members who have changed their minds since then. Four members were absent. If another vote was taken in regional council we do not know at this time exactly what the vote would be.

More important, there is a rationale for this. There are two basic philosophies which are somewhat conflicting in order to get an adequate and proper representation on regional council. One is representation by population, which we all agree with. The other philosophy is that this region, as other regions, is a federation of municipalities. It is incumbent and necessary that each municipality shall have at least one representative on that council. That is a proposition

which I agree with. It is comparable to the province of Prince Edward Island which has a minimum of four representatives in the Parliament of Canada. If they had rep by pop, they would maybe be entitled to one and a half, but PEI always has had four and should have four. Every municipality in the Ottawa region should have at least one representative.

When one looks at the numbers, considering that every municipality must have one, there are seven small municipalities which have far less than the average. Those seven municipalities total 72,000 in population and, in fact, have an average of one representative for each 10,000 plus a little bit. The remaining four municipalities have 25 representatives spread over 470,000 people, which is an average of 18,800 per representative in those large municipalities. Ottawa is bang on with that situation.

One of the problems is the fact that Vanier is in a way overrepresented. It has had two representatives. I have not heard a suggestion from anybody in the Ottawa council, the regional council or this Legislature that one representative should be taken away from Vanier. Gloucester and Kanata will have one more seat each, bringing them closer. Under the proposal, Ottawa will have 50 per cent of the representatives while having 56 per cent of the population.

When the region was formed, Ottawa had 53 per cent of the representatives and 66 per cent of the population. In those days they were 13 per cent off rep by by pop and nobody complained. Today they are only six per cent off rep by pop and nobody complains. I agree with the member for Ottawa East: there is no perfect answer to any of these things, and maybe some people look at it from certain biases. I will admit frankly that we do not have a perfect solution because there is not one.

When Metropolitan Toronto was formed, the city of Toronto had 57 per cent of the population of the region and only 50 per cent of the vote. The city of Toronto never had more than 50 per cent of the vote, even though it had 57 per cent of the population.

The member for Ottawa East says that Ottawa is now underrepresented. If one takes the total rep by pop, that is true. If one takes the proposition that each municipality must be represented by at least one, then when that part is taken away, they are not underrepresented. When one looks at representation by population, Ottawa is slightly under-

represented, but Gloucester and Nepean, even with the one additional seat each, are more underrepresented than Ottawa is. I have not heard the members for Carleton East or Wentworth, or any other member, suggesting there be an adjustment for Gloucester or Nepean because they are still more underrepresented in rep by pop than Ottawa is.

Gloucester, having one more representative, will have 22,000 people per representative, while Ottawa has only 18,000 per representative. With one more seat Nepean will have 20.5 thousand per representative, while Ottawa has only 18.7 thousand. So, on the number of people per seat in the new situation, both Nepean and Gloucester will have more population per seat than Ottawa will have, which is really not all that bad.

That covers briefly the rationale for section 1. I hope that is sufficient information for the member for Wentworth and anyone else who wants to come and talk to us in committee to understand where the government stands in this situation.

The member for Wentworth brought up a couple of other matters. Very briefly, as far as the honour fare is concerned, he criticizes the fact that municipalities should be able to set their fares. I would point out to him, if he reads the present legislation, Ottawa-Carleton or any other municipality now has the power to set whatever fare it wants. The reason for the legislation is not to allow an honour fare, which can be done at this point. The reason, and the need for legislation, is to allow the municipality of Ottawa-Carleton or the transit commission to be able to enforce the honour fare system. They can remove a person or force him or her to pay a different fare if he or she has not honoured the honour fare system. That is the reason for the legislation.

It is the same with the convention centre. Ottawa-Carleton can now build the convention centre; no problem. The reason for the legislation is that they can set up a board of management if they want to, or they can pass on to one of the area municipalities the management of the new centre for a fee. It is not that they cannot build the new centre; they can. It is to give them the powers they have requested in order to be able to run it properly.

With those few remarks, I would ask this House for a second reading of this bill.

Motion agreed to.

Ordered for standing committee on general government.

## COUNTY OF OXFORD AMENDMENT ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 74, An Act to amend the County of Oxford Act, 1974.

Mr. Rotenberg: Mr. Speaker, I rise to ask for support of this bill and to discuss very briefly the principle of the bill. I think the most important principle of this bill, the one the county of Oxford is in a hurry for, is section five. We should enact it as soon as we can, so that the downtown revitalization project can go ahead in the town of Tillsonburg.

9:40 p.m.

I would like to provide a brief summary of the various provisions of this bill.

Section 1 is a result of a request from the city of Woodstock, which has received the support of the county council. I would point out in this case, unlike that of Ottawa-Carleton, it is virtually a unanimous request with no controversy. This will provide that the city's representatives on the county council will be elected both as members of the city and of the county council. This will have the advantage of making clear to the electors of Woodstock that they are electing a mayor, five specific aldermen who will sit on both councils and three aldermen who will sit only on the city council. It will also have the advantage of allowing candidates for the city council to decide in advance whether they wish to run for election on both councils or for city council only.

Section 2 proposes an amendment which was given to all other regions last fall. It gives the Minister of Intergovernmental Affairs the same authority to defer application for changes to ward structures for council composition in the area municipality of Oxford, as he has under section 26 of the Municipal Act.

Section 3, as we have discussed, permits the members of county council to participate in the various benefit plans which are available to members of other councils. This bill also removes the requirement for the county council to pass a road consolidation bylaw every five years. The council will now be able to use its own good judgement as to when such consolidations are appropriate.

As I indicated, section 5 is an important section and will expand the legal planning powers of the area municipalities in the county of Oxford. It will also ensure that revitalization programs in both Tillsonburg and Woodstock are not jeopardized. The com-

pendium notes which are received, I believe, by the opposition critics outline the additional powers that are being given to the area municipalities. I will not describe them now unless I am asked for comments on them specifically. The county council has expressed its support for this amendment by passing a resolution at its regular meeting of May 14, 1980.

Section 6 of the bill is similar to the Municipal Act amendment which we passed last fall to make section 455 applicable to the county, in order to permit the council to purchase or rent machinery in the future. It also validates all past purchases and rentals.

These, Mr. Speaker, are the amendments to the County of Oxford Act and I would ask for the support of the House for this bill.

Mr. Epp: Mr. Speaker, I am pleased to speak to this bill. I will indicate at the outset that we will be supporting the bill.

The amendments to the act are not major. However, they are important amendments as far as Oxford is concerned. There is no doubt they have had some kind of problem with respect to the number of people running for office in Woodstock, which is eight in addition to the mayor, but there has not been any clear distinction that when people go to the polls and want to vote for county representation they can indicate that on the ballot. So I welcome the amendment the parliamentary assistant has indicated and that we have before us in the bill. I think this is a progressive amendment, one that obviously Woodstock has requested and one that we should obviously attend to.

I am a little puzzled by the kind of planning conflicts they have had in that particular county area. For instance, we notice that in Tillsonburg, where they are having some redevelopment, the council has acted as a committee of adjustment and apparently did not have specific authority for this. I am a little puzzled by the fact that this has been going on for a number of years and that council presumed it had authority after the restructured county government was formed in 1975, yet legislation updating this particular practice has not been brought forward.

I am a little puzzled, also, by the fact that it has not had the authority to require five per cent of land for residential development and redevelopment areas. I thought this was common right across the province and I am puzzled that it obviously did not have that authority and requires it now in this bill.

I have a few questions I would like to ask of the parliamentary assistant and I am

wondering whether he is prepared to answer them tonight. I hope he is and that he will show us exactly how this particular form of government in Oxford differs from other regional governments across the province.

I note, for instance, in the compendium that was given to the critics the statement in the second paragraph refers to this structure as a regional government, as a regional system. It says it is considered no longer necessary for regions to be required to consolidate their road bylaws every five years as the regional road systems are now well established. Therefore, it seems to me that refers to Oxford as a regional form of government. That is in the compendium, not in the legislation, but I wonder whether it is some kind of indication that they are thinking of Oxford as a regional government rather than as a restructured county government. I wonder whether the people in Oxford are aware of this.

There may be a good explanation for this. I am sure the parliamentary assistant has it just at his fingertips and will be able to give us the excellent explanation he is accustomed to giving.

**Mr. Foulds:** Oh, you flatterer.

**Mr. Epp:** Did members see the quotes I gave that in?

**Mr. Bradley:** Let Hansard record the quotes.

**Mr. Epp:** The third question I want to raise is why has there been this long delay in bringing the practice up to date? I hope the parliamentary assistant can address himself to this because I think it is very important. This is a practice, particularly with respect to the committee of adjustment, that has been going on for a number of years. I don't think the people in Oxford county would appreciate the fact that their council in a sense hasn't been acting according to law. Whoever drew up the bill and introduced it in the Legislature, although not here now, should have made sure, if they didn't want the practices continued, it was in legislation that they shouldn't be continued. If they wanted those practices continued, then the legislation should have addressed itself to that particular point.

**Mr. Isaacs:** Mr. Speaker, this bill contains a number of interesting and important proposals that affect the so-called restructured county of Oxford. As my colleague from Waterloo North has done, I want to address them one at a time.

I want first to address my remarks to the section that deals with devolution of addi-

tional planning powers to the lower-tier municipality, to the local council. As a general principle, that is consistent with what exists at the present time in our two-tier regional municipalities. Nevertheless, that is a principle that is getting many of those regional councils into a great deal of difficulty and causing more and more disputes to be dealt with by the Ontario Municipal Board. It surprises me, and indeed is of some concern to me, that the government is proposing at this time that the possibility for disputes before the Ontario Municipal Board, paid for by municipal councils within the restructured county of Oxford, should be encouraged by this kind of legislation.

I note in passing that it is retroactive to January 1975. Concerns have been expressed in this House previously about retroactive legislation, though I do understand the concern in terms of the revitalization project in Tillsonburg.

**Mr. Nixon:** They have been using the powers since that time, so we might as well give them to them now.

**Mr. Isaacs:** I tend to agree in that particular respect with the comments of the member for Brant-Oxford-Norfolk, but I can't help but wonder, and I know many of the citizens of one of the townships in that restructured county can't help but wonder, if in the long run this section might not also have something to do with a dispute that is proceeding in the township of Southwest Oxford.

That dispute relates to the location of a county garbage disposal site which is being fought and will continue to be fought very strenuously by the council of the township of Southwest Oxford. Indeed, if there is a connection between this devolution of planning powers and that dispute that is going on at the present time, then the connection is one that in a sense is holding out a carrot to the township council and saying: "Here you are being given these additional planning powers which ensure, for example, that you will have site plan control in that particular area."

9:50 p.m.

We know from experience that those kinds of carrots, that kind of incentive to the local municipality to involve itself in those kinds of disputes, will in the end be counter-productive because the member for that riding, if he is still Minister of the Environment at the time the Environmental Assessment Board hearings are held, will ensure that his staff is present at the hearings.



He will further ensure, if past practice is followed, that the staff will be giving the appearance of being on the side of the county in support of the application for the landfill site.

I hope very sincerely that the rumours, the suggestions and the innuendoes of people from that area, that this section has something to do with the dispute going on with regard to the proposed Salford landfill site, will be put to rest. But I must say it is very apparent, particularly with regard to the exercise of powers under section 35(a), that there could be a connection to that particular dispute. And, indeed, there may be a connection to other disputes I am not aware of. That illustrates very clearly that when two levels of government are involved in the same issue, the battle that goes on between them is in the long run counter-productive and very costly to the taxpayers.

I want to suggest to the parliamentary assistant that we in this House take a little umbrage if the federal government attempts to step into an area we believe to be provincial jurisdiction. Here in the county of Oxford we are expanding the powers that are the joint responsibility of the two levels of government. But we are maintaining the clout, the ultimate sanction, that the county has over the lower-tier municipality to say to the lower-tier municipality: "We appreciate hearing your views, but the county is going to get its way anyway."

That kind of split jurisdiction—with an axe being held by the upper-tier municipality—is not in the long run a good way to go if we are to have orderly municipal government in this province. We would prefer at some point in the future right across the province in regions and restructured counties, especially if we hear of any more of the latter, that the jurisdiction of each level of government be made very clear and that these provisions, where there is a split in jurisdiction, be avoided.

Regarding the benefits for municipal councillors which has come up in other sections of other legislation and which is really an extension of the provision that was previously an amendment to certain other acts, we are again expressing our concern about this process. It means this Legislature has to look at the same section in a number of different bills in order to get something done that is very desirable for our municipal councils.

I want to take it one step further because in this case we have had a commitment from the minister that he will look at a section very close to this particular section, relating

to retirement benefits for former employees of the municipality, in particular, the provision of retirement benefits by the council for retirees under 65 who have to pay their own OHIP benefits.

I want to suggest to the parliamentary assistant that since there appears to be some support on the government side for the proposal we have put forward to them—to amend the Municipal Act to allow councils to pay those retirement benefits—while we were dealing with this act it would have saved a lot of paper and a lot of aggravation later down the line to have put it in here rather than us having to deal with another act to amend the County of Oxford Act later on this year, hopefully, or possibly early next year, to permit the county of Oxford and the lower-tier municipalities to pay retirement benefits, particularly in the form of health insurance benefits, to retirees who need them because they are under the age of 65.

It would have been nice to see it here today and know we were getting started on that long process of having to amend over a dozen municipal bills in order to get one single provision dealt with on a province-wide basis.

I am amazed to see section 2 of this bill presented in the way it is, given a repeated commitment from the minister—repeated just a few days ago—that he has absolutely no intention of conducting any more inquiries into the structure, organization or methods of operation of regional councils and, I assume, of restructured county councils.

The provision is almost trivial in terms of its approach to a topic. It could have the potential for some difficulty if there developed at some time a dispute between the county council and the minister. But if we are not going to have any more of these structural inquiries appointed by the minister, I wonder why we have to bother with such a verbose section in order to prevent municipal councils exercising their power to change their structure or number of boards or whatever until such time as the minister has finished a non-existent inquiry. It is just incredible to me that we have to deal with redundant sections of this kind.

That comment brings me to the first section, which is obviously the key to this entire bill. I am concerned again about the matter of due process. That is something we debated fairly recently in this House.

Mr. Bradley: The Brantford bill.

Mr. Isaacs: That is right, on the Brantford bill.



I have pursued this matter—the impact of section 1—and I am informed that the city of Woodstock could have made this change by proceeding with an application to the Ontario Municipal Board. There would have been a hearing before the board which would have allowed or disallowed the proposal being put before it by the county of Oxford. The government has decided to dispense with an OMB hearing and to give the city of Woodstock government legislation which provides some extra clout to deal with this request.

Further, I want to suggest that there appears in this instance to be a modicum of favouritism addressed to the city of Woodstock. If we look at how these things have been handled in the past, there were a number of instances in the last few years where municipalities have come to us with private bills that were dealt with as was the private bill the other night—hopefully some of them were passed—to change their structure, to change the number of wards or to change the method of electing people to various posts.

To back up that contention, I would like to remind the parliamentary assistant that as recently as last session Bill Pr22, moved by his colleague from Simcoe Centre, was a bill which changed the representation on the county council in Simcoe county. A couple of years ago, Bill Pr27, moved by the member for Windsor-Walkerville (Mr. B. Newman), made some changes regarding representation in the city of Windsor. Those were both private bills. They were brought here by private members and deposited before the private bills committee for consideration through those procedures.

But for reasons I can only speculate about the city of Woodstock gets favoured treatment. Woodstock gets a government bill to make what is essentially a fairly minor change in the method of selecting people to run for county council in the county of Oxford.

**Mr. Bradley:** Who is the member for Woodstock?

**Mr. Isaacs:** Woodstock is in Oxford county, so I suspect the comment the member for St. Catharines made was in a somewhat rhetorical sense.

These are the ways the government operates. If one knows the right people, if one does the right thing, one gets a government bill. Otherwise, one has to go through the private bills committee. If, as the member for Ottawa East said earlier, one happens to be someone who, for whatever reason, he decides is not appropriate for his support, then the bill gets defeated and he has to go

the long route through the OMB. There would have been other processes, but instead of using those processes we get this government bill to make this very minor change to the way people are selected for county council in the city of Woodstock.

10 p.m.

I really think that is an inappropriate thing. It bodes very badly for the way this government is going to deal with municipal councils in the future. It is of great concern to me that there is this impression—more than an impression perhaps—of favouritism being proposed for the city of Woodstock because of certain things relating to the electoral habits of the county of Oxford in provincial elections.

Getting back to the actual proposal contained in the bill and pretending for a moment it was a private bill that had come through that channel, I am prepared to look somewhat favourably at this proposal because it is in a sense a step in the right direction. But I believe it is about time the government said to the larger municipalities across this province: “You shall have a ward system. You can design that ward system yourself. You can set up the boundaries and you can decide on one or two councillors per ward.”

In order to ensure proper representation across the towns and cities of this province, in particular those with a population of over 10,000, I believe very strongly there should be a ward system and that the city of Woodstock and all other cities across the province should be put on notice that at some point in the future they are going to be asked to put a ward system in place. It is only by a ward system one can ensure that every part of the municipality has the opportunity to have its own voice on the city council.

I strongly suggest that it would be inappropriate if we were to elect 125 members of this House from across Ontario at large. It is very clear that certain parts of Ontario would carry undue weight. That is why we attempt to have representation by population. I suggest that on a microscale those same considerations apply in our larger towns and cities, and it is about time they were put into place. It is about time we told municipalities they should have a ward system.

It particularly concerns me that this kind of proposal for change comes from only the elected members of the city council of Woodstock. I am in no way impugning their motives and in no way suggesting they do not represent the people of that municipality. This time I think they do, but I also think it

is inappropriate that elected people on a municipal council that does not have a ward system are asked how they want their council restructured and what the future system should be for electing people to that council.

I believe it is inevitable that just as the government across the floor is trying every possible means to retain its position as the government of this province—and I do not think it is being very successful—it is also equally certain that members who are elected to a municipal council are going to be at least influenced—probably less influenced than the government—by the factors that affect their success in future elections. It is just not appropriate as a general principle for us to say to people who are at present on a municipal council, “How would you like it changed? We will take anything.”

As I indicated, in this particular instance I am convinced the city council is in line with the views of the majority of citizens in the city of Woodstock. So be it; that is fine. It has come out the right way this time. But as a general principle it is not good enough on these kinds of issues to get up and say this is what the council wants because what the council wants may not in every case be what the people of the municipality want. We have to find a better way of doing it. In the long run we have to put them all on notice that there will be a ward system in larger towns and cities across the province.

It concerns me that there is the strong appearance of preference being given to the city of Woodstock in the mechanism by which this bill is before us today. It concerns me that reference has not been made to that before, particularly with the comments of the member for Ottawa East (Mr. Roy) on the last bill about principles that he claims were relevant the other evening. I am glad that not all members of his party agreed with him.

If the members really believe the OMB is the be-all and end-all of citizen participation which, as I indicated, I do not, they should apply this principle here too and allow anybody who wishes to object to this change in the municipal structure of the city of Woodstock to have a fair hearing. That fair hearing, if one believes in the OMB, should be before the OMB. If one does not believe in the OMB, then there should at least be a forum in the form of some committee that is not a committee of city council to deal with it. That could be the private bills committee of this House.

Mr. Nixon: Are there objections to the change in Woodstock's structure?

Mr. Isaacs: The member for Brant-Oxford-Norfolk asks if there are objections. I guarantee I could go into Oxford county tonight or into the city of Woodstock tonight and find objections to that section. There are always people who have a different opinion. Those people, when we are dealing with this kind of thing, should be given the opportunity to state their objections.

Mr. Nixon: Let us say relevant and significant objections, not Socialist objections.

Mr. Samis: There are other adjectives that could be used.

Mr. Isaacs: We dealt with the matter of the significance and importance of opinions and everything else on the last bill, and I would hate to bring it up again. But I would strongly suggest that Socialist objections are important, significant and whatever other thing the member for Brant-Oxford-Norfolk mentioned.

This is not a good way of dealing with it. We have to find a better way. Given that at the present time city council happens to have taken the right course, we will support section 1. But we do strongly believe the government should put them on notice that they will be required to implement a ward system in two or four or six years.

We further suggest it is very inappropriate that the bill has come to us by this route. I hope the parliamentary assistant will respond to my comments about the impact of the planning section of this bill, section 5, on the proposed Salford landfill site. It seems to me there is a very clear impact, particularly with regard to section 35(a).

Mr. Nixon: I always enjoy the contributions made by the member for Wentworth in these matters. While I do not always agree with him, at least I find I can follow them, which is not always the case for me.

I have the honour, as you know, Mr. Speaker, of being the member representing the constituency of Brant-Oxford-Norfolk, in spite of the fact that very few of the members, even my colleagues, can keep that rather complex name straight. The part of Oxford I do represent is an extremely prosperous rural area with a number of very fine communities such as Bright, Plattsville, Washington, Drumbo, Princeton and points north, west and east of there. It is a beautiful community that used to be represented by Oliver Mowat, among other well-known, political figures in this province.

I simply say that to give me some justification for expressing a view on Bill 74, An Act to amend the County of Oxford Act,

1974. I would begin by saying I do not share the concern expressed by the member for Wentworth in this House about being asked to approve certain changes in the make-up of the representation from the city of Woodstock and that this might be dealt with instead through application to the OMB. I feel, and I believe I am correct in this, that board has no powers it can ever exert that were not given to it by this House. When we choose to assume those powers ourselves, we can do so. In an instance such as this, I do not have the paranoid response the member for Wentworth has expressed that somehow we are circumventing the possibility that he, by beating the bushes in Oxford county, might be able to turn out people who would have some objection to this business.

10:10 p.m.

It seems to me if the local council by its own motion asked the House for this particular remedy, then it is certainly proper, when other amendments are going to be brought before us, that a matter such as this be considered. I am sure it is important to Woodstock and Oxford, but in the general run of things it is not earthshaking in its effect. We hope it will make representation more equitable and the work of the council more effective.

The section I do want to deal with is section 5 which, I believe, is the real meat of the bill because it gives the lower-tier municipalities and the province certain powers and rights which they have not had under the law to undertake the revitalization of certain areas for redevelopment. The area specifically that interests me is the town of Tillsonburg which is one of the lower-tier municipalities and which has been experiencing substantial difficulties over a long period of time in getting development on the road.

One of the reasons for the restructuring of Oxford county was a certain difficulty it had in co-ordinating its development. It is interesting that the largest shopping centre for Woodstock happens to lie, not in the city of Woodstock, but outside in another municipality which, by coincidence, lies in my constituency. It is interesting, at least for me and you, Mr. Speaker, to note that the largest shopping centre for the city of Brantford does not lie in that city. It lies in the rural area in my constituency.

In restructuring the county of Oxford, following problems in the location of shopping centres, it was thought by having overall regional-type planning, with the county's responsibility making that of the lower tier

subservient, that would once and for all stop this kind of development. But the boundaries of the regional government, or in this case what they choose to call a restructured county, end somewhere.

In spite of the elaborate, expensive and disconcerting development of two regional governments—one called a restructured county—when the businessmen of Tillsonburg decided there was going to be some development, or at least developers looked at Tillsonburg and saw that the development should take place there, they did not bother doing it in the town, but they went across not only the municipal boundary but the regional boundary over into my constituency, where they are very welcome, into the township of Norfolk, where they were extremely welcome indeed and well served, and built a very large, modern shopping centre which has now been operational for a few months.

All of the elaborate planning by the government of the day, particularly when Mr. McKeough was responsible for intergovernmental affairs, really went for naught. All of the tomes of legislation and reams of regulation, all of the high-priced staff of planners that have been doing the work locally but being vetted here at Toronto and being subjected to the wisdom of various Treasurers, planners and parliamentary assistants were all just like a puff of smoke in that they were completely useless in containing the development in the urban boundaries that were projected.

I do not object to that. It was to the benefit of my area. It simply indicated, as I have been telling you, Mr. Speaker, for a long time, that government policy on regional government, and to a great extent even in the restructured area of Oxford, has been unduly expensive and, in many respects ineffectual.

It is a classic case that section 7(2) of this bill says, "Section 5 shall be deemed to have come into force on January 1, 1975." The reason it has to be that far retroactive is that the municipalities have been using these powers illegally all this time. I would say nobody was too worried about it until, I suppose, the Treasurer, or the Minister of Housing (Mr. Bennett) more likely, who was trying to find some authority to hand out a wad of money on the recommendation of his colleague who sits beside him to Tillsonburg where, believe me, they need help, found he did not have any powers or rights to do so.

We have this section 5 that gives the lower-tier municipality these special planning powers and also gives the minister with the approval of the Lieutenant Governor in Council the

right to enter into an agreement with a municipality providing for payment to a municipality on such terms and conditions and in such amounts as may be approved—I say in parenthesis as may be recommended—by the member for Oxford (Mr. Parrott).

**Hon. Mr. Bennett:** No, all the others too.

**Mr. Nixon:** Oh, yes, I am sure. I do not object to this. Every now and then the minister talks to me about these important matters, and I appreciate that very much. I wish the honourable member was able to be with us tonight to take part in this discussion, but I understand he is busy in another place.

**Hon. Mr. Gregory:** He is downstairs talking to an idiot.

**Mr. Speaker:** Choose your words very carefully.

**Mr. Nixon:** What about his words?

**Hon. Mr. Gregory:** I just said he was talking to an idiot. I didn't say which idiot.

**Mr. Nixon:** I certainly do not want to stand in the way of the passage of this section. I know we have a lot of work to do, but I simply wanted to point out that the government over these many years, while using its best efforts to control the planning in the best interest of the citizens, has been abject in the failure of its aims.

While it has had some advantages that the Minister of the Environment has been able to present to us from time to time, the formation of the restructured county has been shown to be ineffectual in giving us the kind of development that was expected and hoped for by many of the local citizens. The best efforts of the government have been ineffectual. This is simply another piece of patchwork, retroactive to 1975, done to try to keep the old ship afloat.

**Mr. Rotenberg:** Mr. Speaker, I am glad the members are supporting the bill. The criticisms have come in various forms and some of them are very interesting. It is always a pleasure to listen to the member for Brant-Oxford-Norfolk and hear his interpretation of history.

I would point out when we indicate we are giving powers to the area municipalities, we are not giving new powers, but giving back powers they had before 1975, before the restructured county.

**Mr. Nixon:** You simply forgot to put it in the original bill.

**Mr. Rotenberg:** When the county of Oxford was restructured—and, as members know we have had different forms of restructuring regional government—it seemed at that time,

because of the development problems, it would be an idea to try something a little different and a little new in Oxford county and to try to control development in a better way.

I think it was the member for Waterloo North who asked, "Why did it take until 1980 to find out what someone said may have gone wrong in 1975?" Really this main problem has only come to our attention this year because of the redevelopment in Tillsonburg.

**Mr. Bradley:** That is fast for the government.

**Mr. Rotenberg:** It came to our attention, I would say to the member for St. Catharines, because people at the local level, when they have a problem, come and consult with us. People at the local level are quite aware that when they do have a problem they can come and consult with us. This government is quite open to assisting all municipalities when they have problems, whether the problem is of their making or not.

Tillsonburg really started on this project before the restructuring began in 1975 and went along on the assumption it had the powers it had when it started.

**Mr. Nixon:** They did have them before the government brought in the restructuring bill.

**Mr. Rotenberg:** That is correct. They had the powers before 1975. When the powers were changed, they just went along on their own, figuring they still had those powers. Frankly, we are recognizing Tillsonburg's problems and are quite willing now to indicate to them we would like this to go forward. Therefore, we are putting it back the way it was.

I don't think the member for Brant-Oxford-Norfolk, who has been around here a lot longer than I have and will be around here for a lot longer, I am sure, until one of his children is ready to take over the seat, should criticize the government in various areas for looking for and trying new methods. Most of them work out, but once in a while when a new method creates a problem we are here to say it created a problem and to make adjustments to solve the problem.

I don't think this has been a bad experiment, but because of the fact there are some problems, we are quite willing to correct them to assist the municipality of Tillsonburg and the county of Oxford.

The member for Wentworth has raised a possible problem of a landfill site. I can only say to him this has not been mentioned in anything I have heard in our ministry or from the county of Oxford. The member for

Wentworth also talked about the split jurisdiction between the county and the area municipalities. This request for the legislation has come to us jointly from the county and the area municipalities, and everyone at the present time in the county of Oxford is happy with this new legislation. If they are happy with this split jurisdiction, far be it from us to impose something different upon them.

10:20 p.m.

The member also mentioned some other benefits which he thinks may be coming in the future in a general way. Although the minister indicated he would look into this—and he has, in a sense, to my understanding, said this is something we will do—if we do it, we are not going to do it only for the county of Oxford. We are going to do it as a general amendment to the Municipal Act for everybody. If that happens, in one way or another it will be adjusted for everyone throughout the province.

The member for Wentworth also says we should impose the ward system without hearing from the people in the various municipalities he talks about at other times. He says we should impose a ward system on all the major cities and towns in the province. We simply are not prepared to impose it in that way, unilaterally, without having some very valid reasons why we should do it.

Last, I really am amused this evening at the way the member for Wentworth is stretching things to criticize us on section 1. It would be interesting once in a while when the government brings forward a good bill if the member for Wentworth would say the government did a good job, then sit down and not have to find a way to criticize because he thinks that is his role. I find this one quite amusing. He says Woodstock should have gone to the Ontario Municipal Board when he didn't want Brantford to go to the OMB. I agreed with him on that one.

More important, I wish the member for Wentworth would do his homework and check before he makes his criticism. If he did his homework and checked on the legislation, he would find the OMB has no jurisdiction in this case. The OMB has no jurisdiction to change a restructured county act. We are not changing the City of Woodstock Act but the County of Oxford Act. The OMB has no jurisdiction over that. The county of Oxford could not have gone to the OMB to get this done because the OMB could not do it for them.

The same applies when he asked why it is not a private member's bill. Again, the

city of Woodstock cannot bring in a private bill to amend the County of Oxford Act. That is why it is here as general legislation as part of this act and not as a private bill. It would have to be a city of Woodstock bill and a city of Woodstock bill cannot amend the County of Oxford Act. That is why it is in this form.

Even if those technical points were not there, even if they could do it, what really is the difference between a private bill and general legislation? If it is correct, as the member admits it is, he has to stretch a point because he cannot admit that the government did something right. The people of Oxford county and the city of Woodstock know that the government has done something right. That is why there are so many more of us over here than there are over there.

Having said that, I would commend this bill to the House and ask that it be given second reading.

**Mr. Epp:** With respect, I asked the parliamentary assistant to answer some questions for me, but he has not even referred to them.

**Mr. Speaker:** He can reply in any way he deems proper.

**Mr. Rotenberg:** So many things came at me, I thought I answered the questions. If I did not, I will get the answers for him. I apologize if I have not given all the answers this evening.

Motion agreed to.

Ordered for third reading.

#### MUNICIPALITY OF TORONTO AMENDMENT ACT

**Mr. Rotenberg,** on behalf of Hon. Mr. Wells, moved second reading of Bill 76, An Act to amend the Municipality of Toronto Act.

**Mr. Rotenberg:** Mr. Speaker, this bill has a number of amendments to the Municipality of Toronto Act which I would like to outline very briefly. I would doubt we can complete debate on this bill this evening. I will proceed and then we can continue in the morning.

This bill makes certain amendments, as the minister announced earlier, to increase the representation on the Metropolitan Toronto council by the addition of one representative each for the city of North York and the borough of Scarborough. It does not give exact representation by population, because that is impossible in any regional govern-

ment, but it comes more closely to representation by population than at present.

Included also are provisions which have been given to other regional municipalities and some that are special to Metropolitan Toronto. Specifically, they are amendments permitting delegation of the authority of Metropolitan council to its executive committee in respect to the sale of surplus properties and for the issuing of debentures to the treasurer and to the chairman of Metropolitan Toronto.

Another amendment broadens the approval powers of the Metropolitan corporation over changes to local roads, and the Metropolitan council may delegate some of this power to its executive committee. I would point out if there is a disagreement between the Metro council and the regional municipalities, this matter could be referred to the Ontario Municipal Board.

Provision is made in the bill to permit the Metropolitan council to provide insurance benefits to members of the Metropolitan council. This is similar to the provision we have just made in the Oxford bill and to that we made in the Municipal Act last fall.

There is a minor amendment similar to that in the Ottawa-Carleton bill respecting homes for the aged that deletes references to redundant sections in the Homes for the Aged and Rest Homes Act. Amongst the other amendments is a proposal to provide Metropolitan Toronto with the power to reclaim, recycle and incinerate its solid wastes and to sell and distribute the resulting materials or energy. Finally, provision is now made to empower the Metropolitan corporation to provide public education programs on emergency first aid and to charge a fee for such service.

That outlines the various provisions in the bill. I would commend it to the House.

**Mr. Speaker:** If the member for Waterloo North has extensive comments on second reading, I will entertain a motion to adjourn the debate.

**Mr. Epp:** Mr. Speaker, I don't think I can finish in the three or four minutes we have left.

On motion by Mr. Epp, the debate was adjourned.

The House adjourned at 10:27 p.m.

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No. 68

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, June 6, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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FRIDAY, JUNE 6, 1980

The House met at 10 a.m.

Prayers.

## STATEMENT BY THE MINISTRY

### REGISTERED INSURANCE BROKERS OF ONTARIO

**Hon. Mr. Drea:** Mr. Speaker, today I am introducing the Registered Insurance Brokers Act, a bill to establish the Registered Insurance Brokers of Ontario as a self-governing body composed of persons who act as insurance brokers in Ontario. The bill continues the Registered Insurance Brokers of Ontario as a body corporate and provides the corporation with certain powers in relation to the registration and discipline of insurance brokers.

It sets out procedures governing the manner in which the Registered Insurance Brokers of Ontario may exercise powers and establishes a procedure for dealing with complaints from the public concerning insurance brokers. The bill provides for public representation on the council and committees of the corporation and it makes it an offence for a person to act as an insurance broker unless that person is registered as an insurance broker.

This bill is the result of two years of continuous consultation with the insurance industry and consumer representatives. It represents a major step forward by this government in the area of self-regulation while ensuring that the people of Ontario are protected. It represents a model for self-regulating legislation in the 1980s.

This bill will change the status of the independent insurance agent, who is now actually an agent for the insurer, into a broker who acts on behalf of the public. He will be more of a consultant and less of a salesman. Up to this moment, independent insurance agents have attempted to serve two masters: the companies they represent and which sponsor their very livelihood and the public seeking the best possible bargain in its insurance needs. This bill will sever the formal economic ties to specific insurers and allow independent insurance agents to be free from a basic conflict of interest; that is, the need

to direct business to the companies they represent in order to retain their sponsorship.

The Registered Insurance Brokers Act is a model for self-regulating legislation in that it represents a direct response to the desire for fulfilment by a group of energetic and enterprising Ontario business men and women. The philosophy behind the act has met with the approval of industry and consumer groups. The act contains appropriate regulations to enable the corporation to enforce a code of conduct, handle public complaints and discipline members who contravene its regulations.

The act will assist the industry to upgrade the professionalism of its members through entrance requirements and ongoing professional development programs. It will assist consumers by placing at their disposal an insurance consultant who can truly represent the consumer interest.

In summary, the Registered Insurance Brokers Act is unique in North America. Ontario is the first jurisdiction to take a licensed insurance group and deregulate it, placing the members under peer-group management.

## ORAL QUESTIONS

### VOCATIONAL REHABILITATION

**Mr. S. Smith:** Mr. Speaker, I have a question for the Premier (Mr. Davis) but I also have a second question which I can put to the Minister of Community and Social Services in the hope that the Premier may arrive in the interim.

Is the minister aware of a situation with regard to vocational rehabilitation in his ministry? I can refer him to a Hamilton situation, although this may exist elsewhere. Does the minister know of the case of Mr. Ben DeVito, a 24-year-old who was a welder, was ill in hospital and needs rehabilitation in order to regain his skills? He has been on a waiting list now for some eight months and, apparently, it will be nine or 10 months before he can be seen. We are told by the office in Hamilton that 200 people are at present on the waiting list for vocational rehabilitation, that 10-month waiting periods are the rule, and that seven counsellors are

handling about 50 cases each and are very much overwhelmed with the work.

Can the minister tell us why this long waiting list has been allowed to occur so that people are not even being assessed for vocational rehabilitation for nine- and 10-month periods? What is the minister proposing to do and can he do something for Mr. DeVito in particular?

**Hon. Mr. Norton:** Mr. Speaker, first of all I would like to say I am not personally familiar with Mr. DeVito's case, but I will certainly check into it on the basis of the information the Leader of the Opposition has offered this morning.

I am aware there has been an increase in the time required to process applications for persons in need of vocational rehabilitation services. That has been the case since the rather dramatic increase in the number of applications from learning-disabled children for assistance in education, which was not, as the member is aware, originally part of this program. Because of the inordinate amount of staff time that has been consumed by those new applications as a result of the court decision a few years ago, the workload has quite dramatically increased.

However, the time the Leader of the Opposition quotes is an extraordinarily long period. I was aware there were waiting periods of a few months in some instances, but I have certainly never heard of a case where the waiting period was as long as 10 months. I will check with staff to see if that is a unique situation or whether the situation has become worse than I was aware of. I don't believe that is a general situation.

10:10 a.m.

**Mr. S. Smith:** I thank the minister for the constructive tone of his answer and I appreciate that. Just to assist the minister, would he speak to a vocational rehabilitation supervisor in Hamilton by the name of Goldie Verhaeghe, who says the situation is so busy that people are now on a sort of first come first served basis, and they cannot even prioritize the need? They cannot make judgements between people's needs to take the more urgent cases or anything of that kind. It is basically first come first served. She says there are 200 people on the waiting list and, as I say, 10-month waiting periods. There has been some additional staff hired but not sufficient to dig into these waiting lists, just enough to keep their heads above water. If the minister could check with her and report to the House I would be very grateful to him.

**Hon. Mr. Norton:** I certainly shall, Mr. Speaker.

#### VISITORS

**Mr. Speaker:** I would like to draw to the attention of all honourable members present a very distinguished group of visitors in our gallery. These gentlemen are all high government officials, representing different countries, who are at present students at the Center for International Affairs of Harvard University. Would you please welcome them?

#### CONSTITUTIONAL DISCUSSIONS

**Mr. S. Smith:** Mr. Speaker, in the absence of the Premier (Mr. Davis) I would like to direct a question to the Minister of Intergovernmental Affairs with regard to the meeting of first ministers next Monday.

I wonder if the minister knows what mechanism the Premier might have in mind for keeping the leaders of the two opposition parties informed of what transpires at Monday's meeting, since the meeting itself, I take it, will be closed. Does the minister know whether the Premier has any plans at all for briefing the two opposition leaders on the positions taken by the various participants at Monday's meeting, so that we can be reasonably informed as we participate in the select committee in an attempt to get, if possible, a tripartisan attitude developing in this House?

**Hon. Mr. Wells:** Mr. Speaker, I know the Premier intends to make a statement to all the members of this House upon his return from that meeting on Tuesday. At the opening of the House on Tuesday he will have a statement for all of us to inform us of his impressions and of the things that have occurred. I am sure he will have some mechanism in mind for talking to the other parties about other matters, or perhaps an extension of that report. I will be glad to pass the member's question along to him. I cannot really tell the member anything more than that at the present time.

**Mr. S. Smith:** Mr. Speaker, I can appreciate the minister's position since he, too, will not be at the meeting on Monday and still does not know what mechanism will be used to brief the rest of us.

Would the minister also ask the Premier, when he is chatting with him, whether the Premier is aware of what mechanism will be involved to brief Mr. Ryan in Quebec, also an opposition leader and also a person who, I think we all agree, should be kept informed as these matters develop? Could

the minister ask the Premier whether whatever mechanism is going to be used might also be used here, if appropriate?

In any event, would the minister please inform the Premier of our interest in knowing what happens at the meeting, if need be on an in-camera basis, so that we can intelligently prepare ourselves for the select committee, which we are taking as a very serious matter?

**Mr. Nixon:** Supplementary, Mr. Speaker: I presume the Minister of Intergovernmental Affairs will be involved as part of the formal delegation representing Ontario at the constitutional conferences that will be scheduled, apparently following the meeting of first ministers on June 9—I heard one report they may be scheduled as early as late July or August. Under those circumstances, would the minister not agree that we should resurrect the procedures that were used at the time when John Robarts was first minister in this province?

At that time there was another rather heavy series of constitutional meetings where the leaders of the opposition parties, the member for York South (Mr. MacDonald) and myself, I can recall, while we were not part of the delegation, were present at the conferences and certainly able to listen to the discussion and take part personally in some of the informal discussions. I thought at the time they were extremely useful and I felt it was a rather progressive approach by the then leader of the government of Ontario.

**Hon. Mr. Wells:** Mr. Speaker, several levels of conferences and meetings will probably take place, although I think we must wait and see what happens on Monday and what the first ministers decide, because I think one of the important things they will be deciding is the process by which a number of these matters will be discussed. There will probably be working meetings of ministers of intergovernmental affairs and attorneys general from across the country.

**Mr. Nixon:** I don't want to go to those.

**Hon. Mr. Wells:** You don't want to go to those? They are the interesting meetings.

Those meetings, of course, will go on and basically they have usually been in-camera type meetings, working meetings to prepare the positions and the background work for the first ministers when they hold their meetings. The first ministers' meetings will likely come some time after some of that work has occurred.

I am sure the Premier and the government will be looking at the kind of mechanism my friend suggested. I think the point he makes

about someone from each of the other parties coming as official observers is very valid. I think he has made the position the same way they did in those talks that John Robarts held. They would be there without being part of the voting delegation or the official government group at the conference, because I do not think that is possible. I think it is entirely possible to be there in the observer basis.

**Mr. MacDonald:** Supplementary, Mr. Speaker: The current news stories seem to indicate a little uncertainty as to whether any pattern might be worked out at the federal level for involvement of opposition leaders. Is the minister in a position to indicate whether Ontario is willing to establish or agree to multiparty representation in Ontario's delegation irrespective of what happens in Ottawa?

**Hon. Mr. Wells:** Mr. Speaker, I do not think I can go beyond what I have said. I think the idea of observer status for the other parties at future first ministers' conferences is a position that we would probably look favourably upon. I do not know what Ottawa is going to do. We want to reserve stating a very complete, definitive position, certainly until the meeting on Monday when the first ministers from all the provinces have a chance to discuss this.

I think my friend is aware that other people also wish to be part of the formal delegation. We have had requests from the native peoples in this country, we have had requests from women's groups, we have had requests from the Association Canadienne-Française de l'Ontario and we have had requests from the municipalities—all of them very worthy, but all of them wanting to be part of the official Ontario delegation. Of course, that just is not possible, although I must say there will be mechanisms worked out to be sure that the native peoples' concerns and positions, particularly pertaining to those matters that are of vital interest to them, will be worked in.

#### CGE LAYOFFS

**Mr. Mackenzie:** Mr. Speaker, a question to the Minister of Industry and Tourism: Would the minister tell the House what action he will be taking with regard to the 200 workers being laid off at the Canadian General Electric plant in Peterborough and if he has made any representations in terms of the obvious carving up of the cable business that is going on between CGE and Pirelli Cables Limited in Ontario and Canada at this point in time?

**Hon. Mr. Grossman:** Mr. Speaker, the Minister of Labour (Mr. Elgie) has his ministry working with CGE with regard to ensuring that as few people as possible suffer as a result of this rationalization. We are told—and I know the member has a copy of the press release issued by CGE—that they are making quite good efforts to see that the dislocation is kept to a minimum. They are hopeful that a great number of those affected by these layoffs can be absorbed in their other Peterborough operation.

10:20 a.m.

May I say that we have been dealing with this matter for quite some time. As the member knows, from the information provided to the union by the company, there are some matters related to markets in Quebec which it appears are largely causing this problem. I think it is something the federal government in particular is going to have to address at some time.

**Mr. Mackenzie:** Supplementary: Is the minister aware that Pirelli is buying the construction business but not the plant in Peterborough and that Canadian General Electric is buying out the cable business? I'm sure we're going to see a difficulty in maintaining the business for the remaining 180 employees in the Peterborough plant. This obvious rationalization of the business is going to be at the expense of workers. Some of the 200 going already have as much as 30 years' seniority.

What specific representations is the minister making? It is not enough to have the Minister of Labour involved. The carving up of this business is going to give us real problems in Ontario.

**Hon. Mr. Grossman:** We're concerned about it, because what lies behind the rationalization is the need for CGE to put some employment in Quebec in order to get a piece of the very large business of Hydro-Quebec. That has caused them to have to find things to locate in Quebec. One of those things is the cable and wire portion of CGE's current operation, which it has decided to rationalize and put in Quebec to some degree. Therefore, we are continuing to study exactly what rules have been put in place by Quebec which have caused the enforcement of this particular rationalization.

We will make very strong recommendations to the federal government with regard to dealing with this matter. Obviously it's something that Ontario itself has no control over, but it is also an example of the fragmentation that goes on in this country and

something that this government has been addressing for quite some time. I don't think there is any more I can add to that particular matter. I would hope all members of the House would support us in pointing out the difficulties of this kind of fragmentation. It does cause unemployment.

**Mr. Mackenzie:** Supplementary: The CGE purchase of the Pirelli operation is of the plant at Guelph, which has provisions, if necessary, for expansion. That certainly does not answer the question as to where they are going in Quebec. Is Ontario ready to intercede and oppose with the Foreign Investment Review Agency the present takeovers that are going on in the industry?

**Hon. Mr. Grossman:** The problem we face in terms of considering the FIRA application is this: if the FIRA application is turned down, that may result in the worst of all situations. I am not saying we're recommending approval of the FIRA application, I just want to point out the considerations we have to go through.

If the FIRA application is turned down, one of the things we will have to consider is whether that will mean that CGE, as a result, will not be able to get any part of the Hydro-Quebec business. If that happens, the net effect of that turnaround could be that CGE would have to close down part of its operation here, in any case, due to lack of business. It seems to me that would raise the question of whether it would be better to allow the rationalization to meet the fragmented rules we have to operate under, or turn down the application and force a less rational operation.

I must caution the member that this is a preliminary view of some of the considerations we must go through on perusing the FIRA application, but I think the member can see some of the ramifications of what we're doing. The real core of this problem is not so much the rationalization itself but what has forced this rationalization, which appears to be the requirements of Hydro-Quebec. That's the core of this problem.

## MINING DEATHS

**Mr. Mackenzie:** Mr. Speaker, I have a question of the Attorney General. Is the Attorney General aware that yesterday afternoon yet another miner was killed in the Creighton Mine, in Sudbury, at the bottom of number 11 shaft, where a mucking clam turned over on the miner? That makes the fourth death in the Creighton Mine this year and the fifth on Inco property.

Is the minister also aware that the time from a death to the inquest hearing is now running at 133 days, causing considerable aggravation in the Sudbury area? Can he give us some reason for this kind of delay?

**Hon. Mr. McMurtry:** I will look into it, Mr. Speaker, and report back to the honourable member. I am not aware of the cause of the delay, but I will try to ascertain that information.

**Mr. Mackenzie:** While we are killing miners at a record rate in Sudbury, and while we wait 133 days for a mining inquest, the only answer the inquest committee of Local 6500 got in this past week was that it was prime vacation time for crown attorneys. Surely, rather than sitting on their collective fannies when we have the death rate we have in Sudbury, there should not be anywhere near a 133-day delay before an inquest is held into a miner's death.

**Hon. Mr. McMurtry:** I would be very surprised if any of the delay was related in any way to the unavailability of crown attorney resources. I very much doubt that has anything to do with it.

**Mr. Mackenzie:** Given the fact that is the time frame of the delays we are having, and given the rapid increase in miners' deaths, which is an issue of great concern not only of the miners but also in this House, is the minister not talking with the Minister of Labour (Mr. Elgie)? Has there not been some communication between government ministries as to how they can get this problem solved and hold the inquest hearings quickly? It seems to me we should not have to wait until the umpteenth death. The minister should have been on it by now.

**Hon. Mr. McMurtry:** My information, and the Minister of Labour can speak more knowledgeably about this, is that the ministry has been involved in a very careful investigation in relation to this matter. The matter requires a very exhaustive investigation so that the inquest jury will have all the possible relevant facts.

#### POLICE SERVICES REPORT

**Hon. Mr. McMurtry:** Mr. Speaker, I understand that a question was asked of the Premier yesterday in relation to the Pukacz report. Although the report was not tabled in the Legislature, I believe it was circulated widely. Certainly anyone who requested a copy of this internal document, which is a very extensive report, was provided with a copy of it. I do not know whether it should

have been tabled automatically in the Legislature. I am not sure that it might have been of assistance to table it, but in any event it has been circulated widely.

So far as the recommendations are concerned, there is no question that the report makes a lot of very useful recommendations. The implementation of these recommendations will probably take some time, because the cost of the recommendations will be very considerable.

#### CIVIL SERVICE ABSENTEEISM

**Mr. T. P. Reid:** Mr. Speaker, I have a question of the Chairman, Management Board of Cabinet, if he will wander back to his seat—if he can find it. I would like to ask the minister about absenteeism in the civil service arising out of remarks made in the public accounts committee on Thursday, March 27.

At that time Mr. Waldrum indicated there was a rather serious problem with the attendance of civil servants. In fact, he indicated that 75 to 80 per cent of the total cost, and the number of days, were in one- and two-day absences. What action has the chairman of management board taken to deal with this problem? Has he appointed what amounts to attendance officers in various ministries? Can he give us some figures as to the number of person-days lost in the short absences and what the cost to the government is?

**Hon. Mr. McCague:** Mr. Speaker, that is rather a long question. The matter is of concern to the government. I would like to take that question as notice and provide a detailed answer for the member on Monday, if he will agree.

I am sorry I was not in my seat, but the honourable member for Stormont-Dundas-Glengarry (Mr. Villeneuve) tomorrow will be celebrating 32 years since he was elected to this House. I thought I should mention it.  
10:30 a.m.

**Mr. T. P. Reid:** We would certainly like to join in congratulating Osie and wishing him many more long ball games.

Could the chairman of management board, in replying to my question, also inform the House whether the attendance is related to the merit increases that the civil servants might or might not get and whether the attendance is marked on their personnel records held in the various ministries?

**Hon. Mr. McCague:** Yes.



## HYDRO LOAN TO ELDORADO NUCLEAR LIMITED

**Ms. Gigantes:** Mr. Speaker, I have a question I originally intended for the Minister of Energy (Mr. Welch), but I think it can appropriately go to the Treasurer. Could the minister explain why, when Eldorado Nuclear Limited decides it needs to raise \$30 million on the private capital market, Ontario Hydro decides to join with Royal Trust, Victoria and Grey Trust and Montreal Trust to lend money to Eldorado? Specifically, \$7 million was lent by Ontario Hydro in a recent transaction.

**Hon. F. S. Miller:** No, Mr. Speaker, I cannot, but I will be glad to find out.

**Ms. Gigantes:** If the Treasurer is going to be speaking to the Minister of Energy about this, which probably would be the case, can he inquire why it is that we, under Ontario Hydro, can raise \$7 million, which it in turn can lend to Eldorado Nuclear, yet we still cannot seem to find the money for Ontario Hydro or this government to lend to families and small businesses in Ontario to provide adequate insulation?

**Hon. F. S. Miller:** Mr. Speaker, I don't think those two parts were at all related. Ontario Hydro is a crown corporation with a very specific mandate under the Power Corporation Act, which I think obviates those two.

The Minister of Energy in the federal government has the programs the member is referring to.

**Mr. Nixon:** Mr. Speaker, Ontario Hydro borrows with the credit of the province. It is hard to understand why the Treasurer would not be aware that they have made money available from their resources to lend to a federal crown corporation without the knowledge and the permission of the Treasurer. Can he explain how that could come about?

**Hon. F. S. Miller:** The investment programs of Hydro, as opposed to the borrowing programs of Hydro, are distinct. I think the investment programs of Hydro are subject to considerable scrutiny by my colleague the Minister of Energy. It is my responsibility as Treasurer to take to cabinet the recommendation as to whether to accept or reject requests of Ontario Hydro for borrowing. I do that. In fact, my staff has almost daily contact with Hydro on those kinds of needs to establish not only the overall credit line for a given year but also the places where that money should be borrowed and the timing of the borrowing.

**Ms. Gigantes:** The investment decisions of Ontario Hydro are vetted by the Minister of Energy, and clearly the mandate of Ontario Hydro is not to get into the private loan market to companies such as Eldorado. In view of this, could the minister explain why we could not extend the lending power of Ontario Hydro to private individuals in Ontario on an energy payback basis alone for insulation? It seems to me that is quite within the scope of this government to decide.

**Hon. F. S. Miller:** I think it is quite within the scope of the government to decide. I am just saying it is not within Ontario Hydro's scope to decide. That is why I am saying they are totally different issues.

Without knowing the details of this matter—and I have never tried to pretend I know when I do not know details—it is not unusual, whether it is a coal company, an iron ore company, an electrical generating company or any other company that depends upon a source of raw material, to make some kind of investment in a source to guarantee a part of the output. I would not be at all surprised if that was the reason.

**Mr. Sargent:** Mr. Speaker, in the uranium field it was a government decision to put through the \$339-million, interest-free loan to Denison and Preston on a \$7-billion contract, guaranteeing \$2.5 billion in profit. It was a government decision to do that under the responsibility the Treasurer has. Will the Treasurer tell the House what he knows about the fact that another \$300-million, interest-free loan is going to be given as advance payment up-front money to Denison and Preston? Is that going to happen now? As Treasurer, should he know that or not?

**Hon. F. S. Miller:** Mr. Speaker, I sense that my friend refers to this particular topic almost every time the word "Hydro" is mentioned.

**Mr. Sargent:** I was challenging the \$7 billion going down the line under the table.

**Hon. F. S. Miller:** I believe the member had a select committee on that matter and had a great deal of time to look into the propriety—

**Mr. Sargent:** We are all opposed to it, but the Premier hurried it through by a certain deadline date. Why?

**Hon. F. S. Miller:** I would not want the member outside with the member for High Park-Swansea (Mr. Ziembra).

**Mr. Sargent:** I do not mind as long as I am right. There is a lot of big money.

**Hon. F. S. Miller:** Mr. Speaker, I think there is an insinuation there that I do not believe is correct.

**Mr. Speaker:** Is that your answer?

**Hon. F. S. Miller:** No, I do not have an answer, and I do not think the member has a question.

**Mr. Sargent:** On a point of order, Mr. Speaker: I do have a question.

**Mr. Speaker:** The Treasurer does not choose to answer.

**Mr. Sargent:** That's par for the course.

### ALGONQUIN PARK MASTER PLAN REVIEW

**Hon. Mr. Auld:** Mr. Speaker, the member for Renfrew North (Mr. Conway) asked me yesterday when the Ontario Provincial Parks Council review of the Algonquin Provincial Park master plan would be available. It will be in his hands next Thursday, June 12.

**Mr. Conway:** Mr. Speaker, can the minister indicate whether there will be public hearings or other such discussion with respect to any new policy the government is prepared to entertain as a result of that proposal? Can he further indicate what, if any, deadlines exist from his point of view to bring forward those new amendments or policy changes, such as they may be? What are the time-tables and deadlines?

**Hon. Mr. Auld:** I expect that when the review and the responses are available next Thursday I will be making a statement about it very shortly thereafter.

### FIRE INVESTIGATIONS

**Mr. Epp:** Mr. Speaker, I have a question for the Solicitor General regarding the fire marshal's office. In a recent article in the Kitchener-Waterloo Record it was stated that the Ontario fire marshal's office in Toronto has decided not to conduct an investigation into the cause of a fire there. The article goes on to say: "because the financial losses were not high enough. Because of a heavy case load the fire marshal's office has decided to investigate only those fires with damages of over \$500,000."

I want to ask the Solicitor General if he can confirm whether this policy is in existence? Secondly, how long has it been in existence?

**Hon. Mr. McMurtry:** Mr. Speaker, this policy has been discussed in the estimates of the Ministry of the Solicitor General. The policy has been in existence for some time.

I cannot advise the honourable member precisely on the length of time. The policy applies unless there are exceptional circumstances. It is a policy we are not happy with, which is dictated by a simple lack of adequate resources in the fire marshal's office.

**Mr. Epp:** Can the minister indicate what he means by saying "a simple lack of adequate resources in the fire marshal's office"? Is he referring to the fact that they do not have enough able people there or to the fact that the government is not supplying enough financial support to the fire marshal's office to adequately investigate the various fires?

Second, how can he justify a policy where these fires will not be investigated, even if there may be very good cause to have them investigated, at a \$300,000 damage level or at some level below \$500,000? What makes \$500,000 such a magic figure?

**10:40 p.m.**

**Hon. Mr. McMurtry:** The figure is not a magic one. There is a shortage of qualified inspectors in the fire marshal's office. That is not to say all these fires are not investigated carefully by local fire departments and that the fire marshal's office does not co-operate with local fire departments to the extent that it can with respect to fire investigations particularly when arson is suspected.

The simple fact of the matter is that there are not sufficient resources to invest for the representatives of the fire marshal's office to investigate a great number of fires which occur in Ontario.

**Mr. Wildman:** Mr. Speaker, perhaps the Attorney General can explain to the House why he is so ineffective in persuading management board and the rest of his cabinet colleagues to give him the resources he needs to provide enough fire inspectors.

**Mr. S. Smith:** Mr. Speaker, is the minister aware that the fire chiefs who met recently in Hamilton requested specifically that additional personnel be provided in the fire marshal's office? Does the minister recall the conversation we had here in the House regarding the tremendous increase in arson as well as in fires of doubtful origin which may or may not be due to arson?

How can the minister be part of a government where he has to stand in this House and admit that he cannot get the personnel he needs for something as fundamental to the public safety as the fire marshal's office when the same government can find money for Minaki Lodge and for sending auto racers to Le Mans? How can he remain part of a gov-

ernment that fails to protect the public with adequate people in the fire marshal's office?

**Hon. Mr. McMurtry:** We have a very excellent fire marshal's office which commands the respect of fire departments throughout the province. The fact that we do not have as many inspectors as we would like is obviously regrettable. It does not indicate a lack of commitment on the part of this government so far as the safety of the public is concerned.

#### AIR AMBULANCE SERVICE

**Mr. Foulds:** Mr. Speaker, I have a question of the Minister of Health. Can the minister explain why the air ambulance service of his ministry has refused to pay the return flight to Thunder Bay for a 60-year-old woman, a constituent of mine, who had surgery in Toronto for carcinoma and was returned directly to hospital in Thunder Bay? Can I get that on the record?

**Hon. Mr. Timbrell:** Mr. Speaker, if the member would like to give me the name, I will look into it. There were more than 3,000 air transfers last year in the ambulance service, and I do not recall the details of every one of them, but I will look into that for the member.

**Mr. Foulds:** I would inform the minister I wrote him earlier this week or late last week on the matter. Will the minister personally intervene in this case and tell his bureaucrats in the air ambulance service branch that this independent lady should not be penalized because, instead of taking a stretcher and an ambulance from the Toronto hospital to Toronto International Airport, she preferred to take a taxi, a wheelchair and her husband, who had previous experience as an attendant, thus saving the taxpayers about \$300?

**Hon. Mr. Timbrell:** As always, I will be glad to look at the case. I have not yet seen the honourable member's letter. Let me say, though, that I think we have an excellent air ambulance service in this province which we are going to be expanding with the introduction of jet ambulances and helicopters in northern Ontario. I will look at that letter and see what, if anything, can be done.

**Mr. Foulds:** Will the minister not agree in the cases that members from northern Ontario have raised with him, that one of the essential differences between us, and one that needs to be rectified by his government, is the very narrow interpretation of

medically essential that his ministry is enforcing?

**Hon. Mr. Timbrell:** If anything, compared with those of most other jurisdictions, our definition is quite broad.

**Mr. Foulds:** The definition is quite broad, but the application is very narrow.

**Hon. Mr. Timbrell:** If one looked at the growth and volume of transfers in the air ambulance service, one would not arrive at that conclusion.

#### SCHOOL BOARD FUNDING

**Mr. G. I. Miller:** Mr. Speaker, I have a question for the Minister of Education. As a result of policies brought in by the minister's government, the school taxes in the riding of Haldimand-Norfolk have increased in some cases by up to \$100. Does she intend to give any financial assistance to alleviate this very difficult responsibility on behalf of the taxpayers of Haldimand-Norfolk?

**Hon. Miss Stephenson:** Mr. Speaker, as the honourable member obviously knows, additional funding was provided to the school boards of the province through the adjustment to the equalization factors this year.

There have been discussions with the Norfolk Board of Education—I met with them just last week—and they explained some of their difficulties. Their difficulties are primarily comparisons between the levy that is necessary within the Norfolk area and the one that is necessary within the Haldimand area as a result of the taxation situation, the assessment situation and the introduction of the factors.

We are exploring further information which the board has provided and we will be discussing with them later precisely what can be done to be of assistance to them.

**Mr. G. I. Miller:** In view of the fact that the city of Nanticoke is the only municipality in Ontario that has two school boards, the Norfolk Board of Education and the Haldimand Board of Education, would the minister consider blending in, maybe over a two- or three-year period, so that individual taxpayers are not being discriminated against?

**Hon. Miss Stephenson:** Phasing in is an interesting concept. I would think the better solution might be the amalgamation of the two school boards to equalize the situation across the entire area of Nanticoke. I have made that suggestion, and I have to tell the honourable member that it rose

somewhat like a cement cloud within the group I was addressing.

**Mr. Nixon:** Mr. Speaker, since the minister is answering the question in the way she has chosen, is she taking the lead in sorting out the problem that arose when the Ministry of Intergovernmental Affairs imposed a regional government on the area?

They constructed a rural city of Nanticoke, a very fine area of which I represent part, and my colleague, the member for Haldimand-Norfolk represents the rest. They have two school boards overlapping there. The minister's colleague, the Minister of Revenue (Mr. Maeck), moved in with his section 86 magic and fooled around with the assessment. There are three ministries, none of which knows what the other one is doing, messing up the area in such a way that the local taxpayers are \$300,000 behind. The least they can do is give them the money.

**Hon. Miss Stephenson:** I am not sure the figure mentioned by the member for Brant-Oxford-Norfolk is precisely correct. That is one of the issues being re-examined at the present time.

I am very much aware of the difficulties that have been imposed by what I believe was probably a very thoughtful, useful and logical procedure developed several years ago.

**Mr. Nixon:** Oh, brother! Only a Tory could say that.

**Hon. Miss Stephenson:** In concept, it was correct. In application, sometimes the local situation may not lend itself entirely to the logic of the case.

I am also aware that the Minister of Revenue has been involved in certain uses of section 86 of his legislation. But section 86 was one portion of the activity; the equalization factors were the major portion of the activity and, as a result of that, there has been an improvement for almost all boards within Ontario.

The matter of the confusion that exists at the present time as a result of the fact that there are two abutting school boards—they do not overlap; they abut one another—

**Mr. Nixon:** No, the municipalities overlap.

**Hon. Miss Stephenson:** The municipalities may overlap, but the school boards do not overlap.

**Mr. Nixon:** Mrs. Pontius Pilate!

**Hon. Miss Stephenson:** That area of confrontation is somewhat difficult and is something that has to be resolved.

10:50 a.m.

## EMCA EXAMS

**Ms. Bryden:** Mr. Speaker, I have a question for the Minister of Health. I am sure the minister recognizes the public demand for maintaining ambulance care throughout the province, but is he aware that some experienced ambulance drivers are facing dismissal on August 1, 1980, even though they have proven skills and a certificate from an ambulance emergency care program at a community college? Is the minister aware that because of the failure of the ministry to require standardized community college programs which are co-ordinated with the emergency medical care assistant examination, there is a shocking failure rate of 48 per cent on this exam?

**Hon. Mr. Timbrell:** Mr. Speaker, with respect, some of the member's facts—I am trying to think of a parliamentary word for the word I was going to use—are not correct.

**Hon. Miss Stephenson:** Discombobulated.

**Hon. Mr. Timbrell:** Thank you. Discombobulated. I am not sure how Hansard is going to spell that.

In 1975, the ministry brought in standards for the emergency medical care attendant program with the proviso that after 1977 all persons joining the program had to have this EMCA standard. In the two-year period between 1975 and 1977, the provision was that anybody hired had to get the EMCA standard by August 1, 1979.

By this time last year, there were a number of people who had been hired by ambulance services—some of them run by the ministry, some run by private operators, some run by municipalities and some run by hospitals—who had not yet achieved it. They were hired between 1975 and 1977 and had not yet achieved EMCA.

A number of the members of the House on all sides, as well as the liaison group of the ambulance attendants, asked for an extension so that with one more year these people could take the EMCA course and retain their jobs. That was done. I extended that regulation—or rather cabinet did, on my recommendation—to August 1, 1980.

At the present time there are still 23 persons working in ambulance services who were hired between 1975 and 1977 on the condition that they would take the course and get the EMCA standing, and who, it is my information, have not even taken the course.

We have been looking at this very closely in the last little while. We want to be as fair as possible, but I want it to be very clear that we are talking about a group of people

who were hired on the understanding that they would take the course and that they would qualify. Yes, we are very concerned; we are very interested in maintaining a very high standard in our ambulance services.

**Ms. Bryden:** In the first place, even if they do take the course, which they pay for out of their own pockets, they find that in some community colleges the course does not seem to provide them with the training that is needed to pass this particular examination, because the courses are different. I understand that when the extension was given to August 1, 1980, the minister undertook to see whether standardized courses could be developed. That has not been done, which I think is a reason for extending the deadline for another year and perhaps giving some assistance to these very valuable ambulance employees who have experience and whom we need in this province badly. We are using a lot of volunteer ambulance drivers who are not trained at all. It seems a reason for extending the deadline for one more year.

**Mr. Speaker:** There is no question there at all; that is a statement.

**Hon. Mr. Timbrell:** Mr. Speaker, with respect, I have to take issue with that statement by the honourable member.

**Mr. Speaker:** The statement was out of order.

**Hon. Mr. Timbrell:** It was completely inaccurate and misleading.

**Mr. Foulds:** On a point of order, Mr. Speaker: The minister has accused another member of making a misleading statement, and I ask you to force him to withdraw that remark.

**Mr. Speaker:** If that is what the minister said, will he please withdraw it.

**Hon. Mr. Timbrell:** Mr. Speaker, that is why I wanted to respond.

**Mr. Speaker:** To withdraw it?

**Mr. Foulds:** I insist you ask him to withdraw.

**Mr. Sargent:** Get the sword out!

**Hon. Mr. Timbrell:** That's right; and now you are ready for Stratford.

**Mr. Speaker,** if I misinterpreted what I think the member was saying then I withdraw that. But to suggest that those people who work for the volunteer ambulance services in this province are unqualified is incorrect. To leave that on the record of the House would mislead the House.

**Mr. Speaker:** If the minister has suggested that the honourable member misled the House, he will withdraw that.

**Hon. Mr. Timbrell:** Mr. Speaker, I am sure she would not intentionally do it. I am saying, to leave on the record the suggestion that people working for the volunteer ambulance services—

**Mr. Speaker:** Just withdraw the implication that the honourable member misled the House.

**Hon. Mr. Timbrell:** Done, Mr. Speaker. I think the point is made.

**Mr. Foulds:** Mr. Speaker, with great respect, there was not an implication; there was a direct statement and the direct use of the word "misleading." If there is going to be a set of rules around this House, which I think there should be, for the use of unparliamentary language, with great respect, Mr. Speaker, it should be applied to all members of the House, including cabinet ministers.

**Mr. Speaker:** There is no question of that.

**Mr. Foulds:** Therefore, Mr. Speaker, will you take a look at the Instant Hansard and, if the minister has used the word "misleading," demand that he withdraw the word without qualification?

**Mr. Speaker:** I took it the honourable member withdrew the implication.

**Mr. Wildman:** It was no implication. He said "misleading."

**Mr. Speaker:** The minister did withdraw it.

**Hon. Mr. Timbrell:** Yes, Mr. Speaker, I said I am sure the member would not intentionally mislead the House.

**Mr. Speaker:** The minister did withdraw the implication that she was—

**Hon. Mr. Timbrell:** If that is the implication that was taken, yes.

**Mr. Gaunt:** Mr. Speaker, is it the minister's ultimate objective to replace all of the private ambulance operators in the province with government employees?

**Hon. Mr. Timbrell:** Absolutely not.

## MARIJUANA PENALTIES

**Mr. Bradley:** I have a question for the Minister of Education, Mr. Speaker. Is the minister aware of the provisions of the report of the Ontario Secondary School Headmasters Council, made in February 1980 and endorsed by the board of directors of the Canadian Association of Principals, related to the penalties for marijuana? If so, is she prepared to endorse this particular report in a communication to the federal Parliament, which will deal with this matter?

**Hon. Miss Stephenson:** Mr. Speaker, that question has not been posed by the headmasters. I am aware that their recommendation is that there not be decriminalization of possession for trafficking or major possession of marijuana. I am also aware of the fact that about seven years ago, as the representative of a rather large constituency from coast to coast in this country, I made the same recommendation to the Senate committee that was looking at this problem. I am not sure whether the headmasters want me to repeat that statement, but I do believe there should be a penalty for possession of large quantities or possession for trafficking of that drug. That is a strong personal opinion.

I believe, however, that the Criminal Code is probably inaccurate in its placing of that penalty at this point for simple possession, because I think that should be somewhere within scheduled drug legislation. The penalty could be imposed in the appropriate way if cannabis were transferred to that classification and the penalty based upon that classification.

**Mr. Bradley:** Outside of the representations through the report of the principals' association, does the Ministry of Education intend to make representation to the federal Parliament before any particular legislation is passed in this regard?

**Hon. Miss Stephenson:** The appropriate way to deal with that would be in ministry consultation with the Minister of Intergovernmental Affairs (Mr. Wells) and his staff, because the route through that mechanism would inform the federal government of the government's position about it.

#### SCARBOROUGH EXPRESSWAY

**Mr. R. F. Johnston:** I have a question for the Minister of Transportation and Communications, Mr. Speaker. Is it the intent of the Ministry of Transportation and Communications to push ahead with the plans for the Scarborough transportation corridor, a euphemism, which his ministry seems to consider to be a transportation expressway, the major reasons for it being linkage to Highways 401 and 407? What action is he taking in that area?

11 a.m.

**Hon. Mr. Snow:** Mr. Speaker, I would have to have more information on which corridor the honourable member is referring to before I could answer that question.

**Mr. R. F. Johnston:** There is only one Scarborough transportation corridor that I know of. But I have a staff report here,

dated April 15, 1980, to the Metro planning committee which states that there is an environmental assessment report under way. It says MTC proposes to initiate another series of public information centres upon the report's completion some time in May 1980. What is the ministry up to in that area?

**Hon. Mr. Snow:** The only thing I can think of is that this is the normal planning procedure for what we call the east Metro arterial road or expressway, or whatever you wish to call it, that will go north from Highway 401 just to the east of the Metro Zoo property in that area.

**Mr. R. F. Johnston:** This is the other one.

#### NORTH AMERICAN CAR SALES

**Mr. Ruston:** Mr. Speaker, I have a question for the Minister of Industry and Tourism with regard to a report in Canadian Automotive Trade magazine of February 1980. It gives the total number of Canadian and US cars sold in Ontario as 19,871, and in Quebec as 23,389. Is the minister satisfied that a province as rich as Ontario and with two million more people should have such a low volume of car sales compared with those in Quebec?

**Hon. Mr. Grossman:** Mr. Speaker, I am not sure how to answer that question.

It is true I was not aware that Quebec was buying more cars than we were in February. I urge Ontario consumers to close the gap in June and put us over the top so that we make sure that Ontario once again leads this country in the purchase of North American vehicles for 1980. This government is committed to that goal.

**Mr. Epp:** Mr. Speaker, does the minister see any relationship between the fact that his ads recently have come on TV and radio and the fact that our sales in Ontario have dropped?

#### NORTHERN ONTARIO FOOD TERMINAL STUDY

**Mr. Wildman:** Mr. Speaker, I have a question for the Minister without Portfolio (Mr. Pope) who is in charge of government sunset, the member for Cochrane South. I would like the minister to report, if he could, on the efforts he is making and the progress he is making on the establishment of a northern Ontario food terminal. Before entering the cabinet, he had introduced a private member's bill to that effect and campaigned very hard throughout northern Ontario on the need for a northern Ontario food terminal. What success has he had since he became a member of the cabinet?



**Hon. Mr. Pope:** Mr. Speaker, it is probably inappropriate to be asked a question concerning the establishment of an additional government agency when I am in charge of deregulation. However, I would indicate that last year a committee composed of northern Ontario residents from Thunder Bay, Kenora, Englehart, Sudbury and the Timmins area was brought together by the Provincial Secretary for Resources Development (Mr. Brunelle), the Minister of Agriculture and Food (Mr. Henderson) and the Minister of Northern Affairs (Mr. Bernier). They formed a secretariat with respect to the development of the agricultural potential of northern Ontario.

They have been meeting over the past few months in various parts of northern Ontario and in Toronto and have been exploring various avenues in which government can be supportive of the development of a more viable agricultural industry in northern Ontario. They have hired a consultant to do the same kind of study that was done for Prince Edward county under the Agrimat program, which study indicated the need for food processing facilities and for a food marketing facility in eastern Ontario as well. The same kind of study is now being done in northern Ontario. The results of that study should be known very soon.

The committee is due to report back to the three ministers involved in this secretariat by the end of August and I assume at that time a report will be made to cabinet.

### SCHOOL BOARD FUNDING

**Mr. T. P. Reid:** I have a question for the Minister of Education relating somewhat to the question put by my colleagues from Haldiman-Norfolk (Mr. G. I. Miller) et cetera. This relates to the Fort Frances-Rainy River Board of Education.

**Mr. Speaker:** My judgement was correct; it would not have been a supplementary.

**Mr. T. P. Reid:** They are both boards of education, Mr. Speaker.

The board indicates in a brief that the ministry has reduced its grants to that particular board and to other boards in the north from 60 per cent to 51 per cent and that this is causing hardship to the board and the taxpayers in the area. Is it not a fact that the ministry over the last two or three year has been gradually reducing the percentage paid to these school boards and it has gone down by almost 10 per cent in the last couple of years?

**Hon. Miss Stephenson:** Mr. Speaker, to my knowledge there has not been a major reduc-

tion, particularly to school boards in the north, where the introduction of special weighting factors for schools with greater than normal or average percentages of declining enrolment has provided additional funding for those boards.

The provincial contribution to education for the year 1980-81 will be precisely at the level it was at in the year 1979-80, which was approximately 52 per cent of the total cost, or about \$2.2 billion.

I have not had an opportunity to see the brief which the honourable member speaks of, but I shall make a point to do so, if it has arrived in my ministry, and try to determine the basis of the argument put by that board.

### REPORT

#### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Philip from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill 1, An Act to amend the Libel and Slander Act.

Report adopted.

Ordered for committee of the whole House.

### INTRODUCTION OF BILL

#### REGISTERED INSURANCE BROKERS ACT

Hon. Mr. Drea moved first reading of Bill 118, An Act respecting the Registered Insurance Brokers of Ontario.

Motion agreed to.

11:10 a.m.

#### ANSWER TO QUESTION ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, I would like to table the answer to question 119 standing on the Notice Paper. (See appendix A, page 2614.)

### ORDERS OF THE DAY

#### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

(concluded)

Resuming the adjourned debate on the motion for second reading of Bill 76, An Act to amend the Municipality of Metropolitan Toronto Act.



**Mr. Epp:** Mr. Speaker, it is a pleasure to be able to speak on this bill, and I would like to say at the outset that we will be supporting the bill. We understand there have been some requests for it to go to a standing committee, and we would support that particular request.

Speaking particularly to one item in the bill, which suggests that North York and Scarborough should get additional seats on regional council, it is our feeling there are some inequities in the distribution of seats at the moment. When we look at the various populations of the municipalities and the votes they have on regional council we find the city of Toronto at present has a mayor and 11 additional councillors on the regional council, representing 31 per cent of the total population.

East York has two representatives, including the mayor, and a population of 4.8 per cent of the total. Etobicoke has five representatives, including the mayor, and a population of 13.6 per cent of the total. North York has eight representatives, plus the mayor, and a population of 25.9 per cent. Scarborough has five, plus the mayor, and a population of 17.7 per cent. York has two representatives, plus the mayor, and a population of 6.5 per cent of the total.

These are 1976 population figures. Taking the 1979 population figures we find there has been a considerable increase, particularly for two of the municipalities. Those two municipalities are North York and Scarborough. In North York, there has been an increase from 25.9 per cent to 26.2 per cent. In Scarborough, there has been an increase from 17.7 per cent to 19.2 per cent. There's no doubt that Scarborough has had the major increase.

For these two municipalities we find the government has suggested one additional person. The only other municipality that has had an increase in population over the three-year period is Etobicoke, from 13.6 per cent to 13.7 per cent, which is a much smaller increase than Scarborough and North York have experienced.

There's no doubt that the new figures that have been suggested, the addition of two representatives to regional council—one from Scarborough and one from North York—represent an increase in population for these two municipalities. The total representatives on regional council will, therefore, be increased from 37 people, plus the chairman, to 39.

I understand the city of Toronto would like to make some representation, and there

may be others, to a standing committee on the distribution of seats on regional council. I have no difficulty with that. I will support the suggestion that this bill go to the standing committee on general government.

There are a number of other factors that have to be considered in this bill, one of which we've already considered on a number of occasions. That is the additional benefits for members of Metropolitan Toronto council—group life, accident, medical and hospital care insurance benefits.

As we stated last night, and have stated on other occasions, these benefits are already available to members of local councils but are not available to members of the upper tier councils, such as metropolitan councils and regional councils across the province, except where these have been adopted within the last few weeks.

We support the opportunity of these municipalities to give those benefits, particularly to the regional chairman, who would be excluded, and to those directly elected councillors such as the members for the regional municipality of Niagara.

There are some other interesting aspects of this bill. One has to do with a district heating concept, that is, the production of district heating and distribution systems. This has to do with greater conservation of energy, which all of us support. What they are suggesting here is that the district heating plants will be fuelled by solid and sewage wastes. Where these wastes can obviously be used to produce additional heat and energy, this should be supported. Metropolitan Toronto has asked for this legislation and should get the support of the Legislature.

The final aspect here is permission for Metropolitan Toronto to have a cardiopulmonary resuscitation program or a program of that nature. Until I read this act, I was not aware that they did not have the legislative authority to have a public education program for emergency cases. I understand that in Seattle, Washington, they have had such a program. People have signed up for it and been charged a fee. Two hundred thousand people in Seattle have taken advantage of it. It is quite obvious that an educational program of this nature would be to the benefit of everyone.

I hope that not only would this permission be given to the Metropolitan Toronto area but that it would also be extended to other regional areas and local areas across the province. The government should bring in general legislation so that other municipalities across the province could undertake such an educational program if they so desired.

**Mr. Rotenberg:** Mr. Speaker, I wonder if I could put a question to the member for Waterloo North for clarification?

**The Acting Speaker (Mr. MacBeth):** If the member for Waterloo North will accept the question, that is fine. It is a little unusual.

**Mr. Rotenberg:** The member has indicated he has had a request for this to go to the general government committee. I do not think anyone on this side has heard of that request. I was wondering if he might clarify who made that request and what its purpose is?

**The Acting Speaker:** The member can suit himself as to whether he wants to answer that question.

**Mr. Epp:** I have no difficulty in answering the question, Mr. Speaker. I understand the city of Toronto is desirous of having it go to the general government committee, or to a standing committee anyway. I think the parliamentary assistant would agree to that, since only yesterday evening we had no difficulty in referring the bill on Ottawa-Carleton to a committee when the city of Ottawa requested it. I have no difficulty with acceding to the request of the city of Toronto if it wants to go to a standing committee. I think the general government committee would be the logical one to which it should go.

**The Acting Speaker:** In any event, that is not a question we have to decide now.

**Mr. R. F. Johnston:** Mr. Speaker, I am a little surprised by the request that it go to standing committee, but I am pleased to support the bill at this time.

I have before me a memo dated June 3 from Mayor John Sewell to the city executive committee, referring to two specific areas of the bill of great concern to the city. They had already passed a motion on section 5 indicating their displeasure with that. In this memo they also asked for support from the executive committee on section 6 of the bill. If the Liberal Party is prepared to have this go to committee we will be willing to support that so the city of Toronto might have a chance to speak its piece and voice its concerns at the committee.

I presented to the table a couple of motions on those particular sections, presuming we would have to deal with it in committee of the whole, but I will now support the idea of it going to standing committee.

There are a couple of parts of this bill which are very good to see, and I will start off with the positive aspects, rather than with the criticisms of it.

11:20 a.m.

**Mr. Rotenberg:** I welcome that attitude, very co-operative, very helpful.

**Mr. R. F. Johnston:** I thought it would set a proper tone for the morning, it being Friday and all that.

I am very pleased to see section 4, on the processing of industrial and domestic wastes. I think this is long overdue and I am very pleased to see it incorporated. I am also very pleased to see section 9, a small section perhaps, but the idea of the public education program on emergency first aid is good, and I think it is vital that appropriate powers be invested in metropolitan council.

Some of the other items are straight house-keeping and I really don't wish to speak to those in connection with giving executive powers to various executives to act on behalf of council. However, there are three sections which I have grave concerns about and would like to speak to.

The first is section 1, which sets up the two extra members for the Metropolitan Toronto council. There are a couple of things which bother me about that, even though I am a borough politician and see the need for an expansion of the representation by Scarborough and by North York to reflect their population within Metropolitan Toronto.

I also recognize it is far more complex than just giving an extra seat to Scarborough and to North York. There is the whole matter of protecting the city and the city's interests and the need to keep it a viable political entity in the Metropolitan Toronto scene. I am concerned that an ad hoc kind of addition of this sort is presented to the House for approval, it never having been sent to the city of Toronto for consideration or input, and not having been made a matter of a major public review in Metro Toronto.

There are some of us on this side of the House and on the other side also, I would hope, who would welcome a change in the representation on Metropolitan Toronto council, but we would certainly hope it would be part of a much larger package of reform with a much larger consideration of rep by pop and major considerations of the individual entities of the various jurisdictions within Metro Toronto. I am opposed to such a change being introduced in this way, that is to say, piecemeal, without being part of a larger review of the Metropolitan Toronto Act, as far as representation and having gone through what I would consider to be a proper process are concerned, both in terms

of the public as well as the city of Toronto, which is obviously the group most affected.

Again, I am not speaking against more representation for the two boroughs—there seems to be some logic in that—but I do think it should have been handled differently. Sending the bill to standing committee will perhaps give those people who have concerns an opportunity to comment on it.

The other two areas in the bill which concern me and to which my motion would have been directed, are sections 5 and 6. They deal with the whole matter of jurisdiction over roads and transportation facilities within Metropolitan Toronto. Already there is conflict, it is fair to say, between the Metropolitan Toronto view of traffic and traffic control and that of the various boroughs and cities; specifically, I would say, between the city of Toronto, the borough of York and the borough of East York, which find themselves to be in the path of the major commuter lines into the city of Toronto.

We have seen a number of battles over the years on the proliferation of expressways and have heard concern about the extension of major arterial roads. Battles have been won by local jurisdictions to protect local communities from intrusion by commuter traffic over the past number of years, and I am worried that this kind of extension in the powers of Metropolitan Toronto would be a further infringement upon the rights of the city of Toronto and the boroughs of East York and York, and eventually on the borough of Scarborough.

If they were to look at what would happen if the Scarborough expressway were to be brought through my area and the people of the community of Scarborough West were to try to protect themselves from people skipping off this expressway and then darting through their streets by trying to control their own local roads, they would find through this particular subsection that the Metropolitan Toronto council would have the right to go to the Ontario Municipal Board and fight it. Therefore, they could hold up the ability of a community to save itself from being used as a major transportation route when that is not what that community was there for in the first place.

I have some real concerns about subsections 5(1) and 5(2). The only one I do not have any problem with is subsection 5(3), which is to say if we do not change that and take away the powers they presently have, the Metropolitan Toronto council would allow its executive to handle its particular

powers when it is not sitting. I have no difficulty with that.

What I do have difficulty with is the idea that there would be an addition to our present legislation of not only Metropolitan Toronto having the ability to speak up when the city of Toronto or one of the boroughs was attempting to stop up one of their own roadways, but it would also have the ability to interfere when there was an attempt to alter or divert that roadway or change it to a one-way street. That is a very useful technique for a local municipality to use to stop traffic from coming off a major arterial road through a community. If they can get that one-way street to empty out into the arterial road and not allow people in off the arterial road they can cut traffic down to a large degree. I would hate to see those two powers taken away from the city of Toronto. In fact, even if this is just saying Metro has the ability to require notice of it, to start those kinds of fights at the OMB, would be a major mistake in my view.

Those are the two areas which give me the largest concern. I think we need to delete section 5 from this bill, except for subsection 3, and I think we need to delete section 6. Hopefully, through representation at our committee meetings we will come to that end.

That those sections are in the bill and here before us and have not already been taken out, speaks to me of the present bias of the government of Ontario towards the Metropolitan Toronto council, specifically in opposition to the city of Toronto council and its wishes. I find it offensive that just a couple of days ago we had Bill Pr14 before us, which contained some very credible initiatives taken by the city council of Toronto that should have been supported and were not. They were subverted by the government, although initially it appeared as if there would be some means of attaining a consensus.

We now have before us an obvious attempt to support wide control over the city of Toronto by Metro. I think that is what is primarily behind this particular motion. I think we are going back to Esther Shiner, controller for North York, and the whole Spadina Expressway thing when this is brought before us and we are being shown the prejudice of the provincial government in favour of that particular point of view.

I would say it is an obvious extension of its patronage consideration. That is to say the city of Toronto is no longer controlled by the Tory party of Ontario and its interests. It is now under the control of reform-minded in-

dividuals who are trying to take on some of their own powers and they are found to be some kind of a threat to the provincial government.

On the other hand, the powers that be in a couple of the other boroughs and at the city seem to be much more in line with the Big Blue Machine and seem to be much more an extension of that machine, so they are getting an undue and unfair amount of support in this House from the provincial government. I regret that and I oppose that. I do not believe that kind of extension of the patronage system should find its way into bills like this with unfair motions being brought forward. I trust the Liberals will join with us in standing committee to get these extricated and try to right the balance a bit in terms of the actions of the provincial government to date.

11:30 a.m.

**Mrs. Campbell:** Mr. Speaker, I suppose in rising to speak to this bill I am speaking more in sorrow than in anger. I have watched the Metropolitan council for quite a time. As you know from your experience on that council, Mr. Acting Speaker, we have had many difficult times. I could not accept the fact, given by the Minister of Intergovernmental Affairs (Mr. Wells), that all was rosy at Metropolitan Toronto. I would like to congratulate the member for Scarborough West (Mr. R. F. Johnston), coming as he does from Scarborough, for taking the position he has with reference to this bill, because it is not an easy position for him initially.

Basically, I have to say I have felt in this House the same element of bias as far as the city of Toronto is concerned that one sees on occasion at the Metropolitan Toronto level. I have just been advised, for example, that we are about to see an amendment that will give Scarborough one more member on the Metropolitan Toronto School Board. The difficulty is that here the city of Toronto feels very disadvantaged by that situation. The position is not tolerable to the government; so, to rub salt into the wound, we add another member from Scarborough which has very heavily supported the Metropolitan Toronto School Board.

I refer to that only because it is the same kind of principle I see in this bill. Obviously, I cannot question the right to increase the representation of Scarborough and North York because that is moving in the basis of rep by pop. However, I would like to point out that in Canada, and certainly in Ontario, we have recognized the needs of people. We

know we do not have rep by pop here, and we accept the fact that it would not be appropriate to incorporate that principle for those areas which have a lesser population.

I just ask why on at least one occasion we could not take into consideration the minority needs of the city of Toronto. A year ago I had occasion to be at a luncheon table with the Premier and Her Honour the Lieutenant Governor. I asked the Premier if he could tell me the capital of Ontario. He looked a bit startled, but he did say the city of Toronto continued in that capacity. It is interesting, if that is so, that the city should not be seeing some recognition of its minority position. Why do I say a minority position?

I guess we all understand that philosophically Toronto is very different from the other boroughs and cities of the Metropolitan Toronto area. I am delighted the Provincial Secretary for Social Development (Mrs. Birch) is here because she has expressed her concern for the philosophical attitudes of North York, as enunciated by Mayor Lastman, with reference to the group-home situation.

But it is not only North York. We have to recognize the fact that the city is the only municipality in that group which has effectively dealt with the problem of group homes. This kind of philosophical difference does place her in a difficult position. It seems to me it would be advisable at least for government to take a look at the effect of this bill on that very delicate balance in Metro.

I thought the parliamentary assistant had been aware of the long-standing ambitions of Metropolitan Toronto to become the masters of the planning of downtown Toronto. Many attempts have been made. We know that Toronto probably would cease to exist if members from North York had their way totally over the road situation. We could just pave it over and forget about it.

These two provisions in this bill cause me deep concern. I recognize that the bill applies to all of the municipalities within Metro. But when one analyses the whole essence of the bill, it is pretty obvious that the inner city will be the one most readily affected by these clauses.

I think when one starts planning roads, traffic patterns and so on, one has really gone a long way in planning a city, at least in these modern times. So I am delighted to say that so far as I am concerned I personally shall support the motion to delete those two clauses of this bill.

We should learn something from history. Thinking back to the early days of Metro, I believe it is fair to say that at that time it was

largely the city representatives who took the metropolitan point of view. I remember the famous debate on the water situation. It is true our mayor of the day was not very generous on that, but Controller Newman led the debate in saying we had to share the water we had with those parts of Metro that needed it. I suspect perhaps it was a contributing factor to the defeat of Controller Newman when she ran for mayor. But she was convinced, as I was, as Alderman Temple was, and as others were, that we had to make that kind of contribution to the metropolitan area. I sometimes wonder whether we were wrong. I still don't think so, but I would love it if we had some reciprocity from the other boroughs in the metropolitan area, because I think it is fair to say we have not seen that kind of reciprocity in dealing with Toronto matters.

**11:40 a.m.**

I am delighted to have this bill go to committee where those who feel disadvantaged might at least have a voice. I trust that something may be done to cure some of the problems of this bill.

**Mr. Warner:** Mr. Speaker, there are some good things and some bad things in this bill, as the member who is piloting the legislation through the assembly knows. I am pleased to see an additional member from the borough of Scarborough added to the council. That reflects the growth in the population of Scarborough. Scarborough is the one remaining borough where there are still large areas available for expansion and the borough is expanding.

I think the parliamentary assistant is also aware that over the past number of years there have been considerable tensions between the Metro council with respect to its authority as to what it can do and what it wants to do and the wishes and needs of local areas. The member for St. George has touched on some of the concerns of the city of Toronto. I know some of my colleagues, particularly the member for Bellwoods (Mr. McClellan), will touch on that as well. These are very real concerns because often Metro council, particularly under the directorship of Paul Godfrey, determines that certain things are in the best interests of the people of the local area without even consulting those people.

One of the effects of the unfortunate section which is in this bill is that Sam Cass rules again. Elements in Metro council, particularly Sam Cass and the Esther Shiners and so on, will have a greater opportunity to pave everything in sight. If it moves, pave

it; if it doesn't move, pave it. It will create some difficult times for those of us who believe in a good living environment, but one that does not necessarily bring expressways with it.

There are quite a few of us in Scarborough who are very nervous about another expressway because the so-called transportation corridor is as yet unresolved.

**Mr. Rotenberg:** It has nothing to do with expressways.

**Mr. Warner:** That speaks volumes. It has nothing to do with the expressway. Allowing Metro to have greater control and authority over local roads is a step in the direction towards ensuring that an expressway will be built. The euphemism used right now is "the transportation corridor" along the south end of Scarborough.

We have known for many years that Mr. Cass and others have had it in their minds to eventually extend the Gardiner Expressway eastward to link up with Highway 401 out in the Pickering area. The government is not helping to stop that with the section that is in this bill. If it allows Metropolitan Toronto council to gain greater control over local roads, it will aid and abet the building of that expressway.

More than that, we are going through a current problem that affects not only my riding, but the riding of Scarborough North. Right now the road in question, Brimley Road, where some people wish to build a full interchange, a good \$10 million worth of interchange with Highway 401, is a local road. As long as it remains a local road, the citizens have the opportunity to fight Scarborough council and win. They can get some thoughtful planning into that area and ensure they do not just put in another interchange, but have a more sensible approach to moving both vehicular and pedestrian traffic. I can guarantee that if we turn that road over to Metro the battle will be lost.

**Mr. Rotenberg:** This bill has nothing to do with turning a road over to Metro.

**Mr. Warner:** I submit it does. It is one of the sections that bothers me greatly.

The member for Waterloo North, the Liberal critic, raised the business of representation by population, and that has been a concern. It was a concern when we dealt with the Ottawa-Carleton bill. It is a concern whenever we look at altering the structure of local government. We can argue figures as a lot of members do. There is a positive side in saying we should end up with a completely accurate representation by population. I understand that argument. I

also know there are different interests, depending on where one lives. In the past, many aspirations of the city of Toronto have been thwarted because of the collective strength of the boroughs. That is nothing new. The member for Wilson Heights knows that well.

**Mr. Rotenberg:** I have been there.

**Mr. Warner:** That is right and he knows that on occasion, when the city of Toronto has been a leader in many areas of sensible planning, in order to try to stop irresponsible development, the boroughs gang up on the city. That has happened. How do we overcome it?

**Mr. Rotenberg:** Does the member not believe in democracy?

**Mr. Warner:** We obviously do not overcome it by simply allowing rep by pop. There have been suggestions in the past about loading the votes by allowing the city to have a vote worth more than one when their representatives cast their ballots on a certain item. There are quite a few different ways of dealing with it. I submit one of the reasons it is important for this bill to go out to committee is that we have to address as logically as we can the problem of how to balance off the needs of the core of Metro with the needs of the surrounding area without promoting more of the friction that exists between the boroughs and the city of Toronto. We have to do that in terms of not only representation on council but quite a few other things.

One of the complaints I have about this bill is that again we are into piecemeal legislation. I must admit I was looking forward to a complete package. I thought that this session we were going to see a complete package dealing with Metropolitan Toronto: some electoral reforms, some changes in how the Metro chairman is selected, in the reporting of election expenses, in the decision-making power and so on—a whole package of reforms. We have seen nothing. Today we have a bill that deals with a few isolated items. The bill speaks very directly to the failure of this government.

There have been years of studies. The latest one, the Robarts report, for which the government spent \$1 million, provided some pretty definitive answers on a lot of the problems, some of which are addressed in this bill. And the government did nothing, absolutely nothing.

11:50 a.m.

**Mr. Rotenberg:** Ask the Scarborough council.

**Mr. Warner:** I have asked the Scarborough council. I know it debated the Robarts report and understood, appreciated and supported a lot of the recommendations in there. Like the other councils in Metro, it was looking forward to some changes and got none, except for a few little piecemeal items, some of which are not terribly helpful.

As the government is proposing greater powers for Metro council in this instance over roads, I would remind the parliamentary assistant of a survey—and this government is great on surveys and public opinion polls—that I ran in my area. The question was, "Do you like to have the decisions made locally or at Metro council?" There were 1,000 people who responded, 950 of whom said they preferred local decision-making. That is 95 per cent. I think the message is pretty clear that people like the decisions to be made locally.

The Metro council is too far removed from those people. It is another step removed. In some cases it exercises its power in a very strange way, mostly because there is a Metro chairman who is unaccountable. He is not elected. Who can get at him? He runs that show. The parliamentary assistant knows that and I know that. Nice Tory that he is they all like him on that side of the House. He donates nicely to the party. He runs the show and he rounds up the votes on the issues.

**Mr. Rotenberg:** Do you want to stick to the bill?

**Mr. Warner:** That is part of the bill. Greater power to Metro council at the expense of the local authority is part of the bill. I do not like that because I happen to think that local municipalities can best reflect their own interests. On a lot of occasions they have to deal with local roads.

Under this bill, local councils will need approval from Metro council on one-way streets. In certain parts of Metro Toronto, communities are concerned about traffic through their neighbourhoods. They do a proper traffic study which could indicate that perhaps speed bumps should be put in or that certain streets should be designated as one way. Right now, it is a fairly easy process for them to be able to accomplish that but this bill is going to make it more complicated. That decision-making will be taken out of their hands and given to Metro council where it does not belong. Through it is the shadow of Sam Cass.

**Mr. Rotenberg:** The member does not believe in democracy.

**Mr. Warner:** Of course there is no use in responding to silly comments.



One of the things that intrigues me in here—it is a good item, though I am a bit curious about part of it—is the clause that says: “provide a public education program to give instruction in and disseminate information in respect of emergency first aid and basic life support techniques and charge a fee for the program provided.”

That appears to be inflexible. I would hope the government does not intend it to remain inflexible but perhaps will amend it slightly. I will tell the parliamentary assistant why. I recall that the Scarborough Board of Education put on an instructional program for the secretaries in the schools. The idea was to train the secretaries in emergency first aid and basic life support techniques so that in the unfortunate case there was an accident in the school or on the property the secretaries would be of some immediate assistance. No fee was charged for that. That was something the board felt was important to put on.

**Mr. Rotenberg:** It is permissive.

**Mr. Warner:** That is the parliamentary assistant's reading of it. It does say, “provide and charge a fee.” I am not convinced that is permissive language. I raise it because when we go to committee and then eventually to clause-by-clause discussing perhaps the parliamentary assistant would be willing to take a look at that and to guarantee us some permissive language in there. Then if it is involving the staff and so on, they can put on programs without charging a fee. Those programs are very important. I know that for the schools in Scarborough it has proved to be very helpful to have the secretaries trained in emergency first aid.

I certainly appreciate the fact that the Metro corporation can be empowered to recover and sell products and commodities derived from sewage and waste. I assume that may be based on the positive experience by the city of Toronto with respect to its collecting of leaves in the fall and turning them into fertilizer. I assume that is a followup. It seems like a very useful thing to do.

I intend to support the bill and look forward to it going to the standing committee on general government. I understand that the parliamentary assistant sees no problem with that process. I look forward to the opportunity because I think there are some very strong arguments perhaps some changes to be made in committee so that the local boroughs and the city can be guaranteed that they are not going to have some unwanted changes to their street system and that they are not going to see road widenings with no voice in the matter because dear Mr. Cass and Mr.

Godfrey think it is a good idea to pave everything in sight.

That is a very real concern, and the government is not helping to remove it by the section in there. Probably on reflection, the minister will want to remove that section from the bill. We will understand that and we will support it. Having said that, I look forward to further discussions on this bill as it goes to committee.

**Mr. McClellan:** The members from the Metro area who have spoken on the issue have set out the concern fairly completely and there is not much point in elaborating at any length.

I would ask rhetorically how many times do we have to fight the battle to try to protect the integrity of residential neighbourhood communities in the city of Toronto? Is it a perpetual process? Does the government figure that if it keeps whittling away and whittling away that somehow those who represent the city of Toronto are some day going to accede to these requests?

In this instance, the government is trying to strip the city of Toronto of the authority to deal with the regulation of traffic in residential neighbourhoods. There are no two ways about it. The parliamentary assistant says that section 6, dealing with one-way streets, only applies when the street intersects a Metro road. But the parliamentary assistant knows that every single north-south street in my riding and in most of the ridings in west Toronto intersect a Metro road. He shakes his head. What is he shaking his head for? Doesn't he know that Dundas is a Metro road?

The capacity of the city of Toronto to take decisions on the regulation of traffic would be taken away. The parliamentary assistant said that is not true when he interjected at the member for Scarborough-Ellesmere (Mr. Warner). But the language of section 5 is very clear. It requires a joint decision of the city council and the Metro council before a road can be stopped, diverted, altered or turned into a one-way street.

With the history of Metro trying to expressway everything imaginable between Highway 401 and the Lakeshore, the only protection that an area municipality has had over the last 15 years has been power over the regulation of city streets and traffic patterns on city streets.

12 noon

There is not a single member in this House who represents a Toronto city riding in any party who does not understand what the game is in this bill. Suffice it to say the



government is not going to get away with the game. I suppose it is a forlorn hope that the government will at some point stop playing the game and stop trying to promote the interests of the pro-automobile lobby, which has only one consequence for the older residential neighbourhoods in Metro Toronto, namely, to destroy them.

The message after so many years still does not seem to have got through the grey matter of the parliamentary assistant. Let me say it again. We are committed to preserving the integrity of our residential neighbourhoods in the city of Toronto and we are not going to allow either Metro council or its patrons here in the Ontario Legislature to get away with that.

I have every confidence these sections will be removed when we get to committee. It is important to have a deliberation in the standing committee so that the city of Toronto will have a fair opportunity to come forward and express its concerns. I would also ask, I suppose out of a sense of morbid curiosity, that some representatives from Metro appear at the committee. I would really be fascinated to listen to Mr. Cass give us again his explanation as to why he needs this power. Why does Mr. Cass need this power?

I am sure he will tell us. He is at least the kind of worthy opponent who always tells one exactly what his agenda is. He is always very clear and honest about what he wants to pave, what he wants to demolish and what havoc he wants to wreak. He always lays his cards right on the table. It would be a useful exercise for all of us to have him come down and lay these cards on the table. I have no doubt he would be quite happy to do that for the edification not only of the Toronto city members, but even perhaps for the edification of the parliamentary assistant.

**Mr. Grande:** Mr. Speaker, I will be brief. The legislation we are debating today really offends me and offends all the people who live south of Eglinton Avenue—the major arterial road, the Metro road—that happens to criss-cross my riding.

The incompetence of this government regarding the Spadina Expressway since 1971, and even earlier than 1971, has in effect brought us to the point where this kind of bill, which tramples all over local autonomy, is brought before us. Let me tell the member for Wilson Heights, who should understand and who should know better, he is closing his eyes and his ears to the kinds of problems we have in Metropolitan Toronto and is only concerning himself with the peo-

ple of North York. understand that. He represents that area.

In 1971, his government stopped the Spadina Expressway at Lawrence Avenue. After that, the government made the decision to extend it down to Eglinton Avenue. On some of the streets that run south of Eglinton, since the extension was finished the traffic has increased by over 100 per cent.

**Mr. Rotenberg:** Not on my street.

**Mr. Grande:** It has so. Take a look at the figures. I am talking about south of Eglinton. On most of those local streets the traffic has increased tremendously, to the point where people in those neighbourhoods are saying they definitely have to do something to relieve these traffic problems and the chaos. The municipality of the borough of York has put one-way streets into effect. Some streets are one way north and some streets are one way south. It is a little bit of a maze, so to speak. Only the people who live in the local area know how to get around. We do not have to accept the traffic of the commuters who come from north of Metropolitan Toronto on to our residential streets and who destroy that residential area.

What this bill says is that the borough of York can not make the decision to regulate the traffic in the borough of York. It says that if they want to regulate the traffic or make any changes whatsoever, they have to notify Metro council. Metro council will then take it to the Ontario Municipal Board. The OMB will make a decision favourable to Metro council because it says the law of the province is that way. It gives Metropolitan Toronto the overriding responsibility.

What is going to happen is that on all of those streets south of Eglinton Avenue the borough of York will have no control. Let us not forget that Bathurst Street, Oakwood Avenue, Caledonia Road and Keele Street are Metro roads. In effect, the borough of York would have no control whatsoever over the traffic flow into that heavily populated area.

The people in my riding live in probably one of the most densely populated areas in Metropolitan Toronto.

**Mr. Rotenberg:** I am one of them.

**Mr. Grande:** The member is one of them, but he does not live in the most densely populated area. He should go down Atlas Avenue, Winona Drive and Winnett Avenue and find out how densely populated that area is.

This bill says the borough of York cannot regulate that traffic. The residents in the

borough of York are going to be choking on the almighty car. This legislation offends me and offends the thousands of people who live in the riding of Oakwood. I am speaking particularly about the riding of Oakwood because it is an area which is very vulnerable, given the incorrect decision of the government to bring the Spadina Expressway south to Eglinton Avenue.

I cannot in good conscience allow this legislation to go through. I will do anything and everything in my power to make sure those people in the area I represent are not going to feel choked with cars and that area is not going to be destroyed. The government should just take out some of the clauses in this act. If they want to serve the people of Metropolitan Toronto, they should allow the people in the local municipalities to make decisions regarding their traffic flow. They should not give the power to Metro council to make those decisions for them because the local people will then be powerless to direct the flow of traffic.

12:10 p.m.

I would urge the member for Wilson Heights and the government to remove some of the obnoxious clauses in this bill because these clauses are going to be destroying that area we are doing our best to preserve and to maintain as a residential area. As I have said before, it is one of the most heavily populated areas in Metropolitan Toronto. Because the borough of York is one of the oldest built-up areas in Metropolitan Toronto, those streets are so narrow that it is impossible for them to maintain the 100 per cent increase in vehicular traffic that has taken place since the expressway has come south to Eglinton. Not only that but if a local municipality cannot control the traffic that goes on those streets, we will find a 300 per cent increase in traffic. Very simply, people cannot live in that area.

I would ask the minister to do something about it—to take this bill back, amend it and get rid of these obnoxious things. Otherwise, the minister will be responsible for literally choking the area I represent.

Ms. Bryden: Mr. Speaker, we have heard the member for Oakwood discuss the problems of the west end of this metropolitan area but the east end also shares those problems. In my riding there are many fairly narrow streets which are heavily congested with traffic. Parking is allowed on some of them on both sides of the street. It would be advisable that some of them be made one-way streets. But if this bill passes, the local areas will not be able to appeal to the local

municipal council to effect the change and to solve those traffic problems.

I think the present government gives lip service to local autonomy but it appears that in its mind local autonomy applies only to regional governments. We have to look at where local autonomy should be applied and where the decision should be made. I certainly think in the case of traffic regulation on streets that are not metropolitan streets, local autonomy should be left in the hands of the local area municipality.

I would join with the other speakers in this debate who have urged that this amendment be dropped and that we do not take away from the area municipalities the right to alter or divert part of a highway without getting the consent of the Metropolitan Council. I hope we will see when the amendments come in that the minister has listened to our pleas and that he will return local autonomy to the local people in this matter.

Mr. Isaacs: Mr. Speaker, I rise to participate in this debate to draw attention to a couple of matters which I think are very important. I am not going to get into the details of Metro representation or some of the other local issues that are raised by this bill. Those issues have been covered very well by other speakers, particularly by my colleague from Scarborough West.

There are two aspects of the bill that do have a more general impact on the approach of this government to municipal legislation and in a sense follow the same kind of spirit we saw from the government in the bills we discussed last night. It is important that the principles involved in this kind of legislation be addressed, as well as the very obvious and very necessary matter of the impact of the bill.

The first matter I would like to refer to is the public education program on emergency first aid. I want to reiterate my concern about the stupidity of a system that requires Metro Toronto to come to this Legislature before it is permitted to operate a public education program on first aid.

I know the parliamentary assistant, the member for Wilson Heights, was not here when we discussed the whole matter of the approach and relationship between this Legislature and municipal council during the estimates of the Ministry of Intergovernmental Affairs but I want briefly to draw to his attention the section in that debate where I suggested the minister should look very seriously at a charter for municipalities.

In the last few weeks we have seen the government introduce, and we have now

passed, a trespass bill that has the principle that if it does not say one can not, then one can. It seems to me that is the principle the government should be applying to municipalities so that if there is no prohibition against a municipality taking a certain action, then the municipality should be allowed to do it. At the present time, municipalities can do only those things this Legislature lets them do.

**Mr. Rotenberg:** Stick to the principle of the bill.

**Mr. Isaacs:** Very clearly the bill is dealing with a principle that this Legislature is going to tell Metro council what it can do and what it cannot do—not what it must do, but what it can and cannot do. I suggest that is the wrong approach and that Metro council or any other municipal council should be able to operate an education program on anything it wishes to without having to come to this Legislature to seek an amendment to legislation.

The principle we operate under at the moment is wrong. We need to turn it around. We need to allow municipalities to do anything they wish unless there is good reason for this Legislature to put a restriction on or to put a boundary around the area of operation of municipalities.

I will not pursue that matter further, but I would urge the parliamentary assistant to review the discussion we had on that matter during the estimates debate just a couple of weeks ago. I believe it is a very important principle if one believes in the freedom of municipalities to operate in their own local area in this province.

The second matter I want to refer to is the road issue. That, too, has been discussed by a number of my colleagues. I completely support the attempt that will be made by this party, supported at least by the member for St. George, to drop those provisions of this amending bill. The government professes it is against more government and that it is against bureaucracy. That is what we hear from Conservative members in public during election campaigns. But the member for Wilson Heights knows very well how municipal government works.

This provision means that the staff of the local municipality will prepare a report with recommendations on whether a road should become one way or whether there should be speed bumps or whether there should be those zigzag speed restrictions. It will be dealt with by the local council, and the public will have an opportunity for input. Then the local council clerk will notify by

registered mail the clerk of Metro council and the report will go to a Metro committee. It will be referred from that committee to Metro staff, who will go out and look at the situation. They will write another report that will go back to the committee and the committee will review it. The committee may meet with the same taxpayers and then the committee's report will go on to Metro council. Then, finally, something may or may not be done.

Talk about bureaucracy; talk about more government; and talk about a ridiculous situation where this government is deliberating putting in place a bureaucratic system because some local municipalities have been able to do things which the government disagrees with. In order to turn that around, the government puts in place a bureaucracy which enables it to ensure its people on Metro council get their way over the wishes of the lower tier.

I suggest very strongly that is an absolutely absurd system and is totally inappropriate when it comes from a government that talks about less government and less bureaucracy. But time after time we see this kind of provision being put in place. Bureaucracy is built so that the government can use it to get its own way and pretend, as the member was doing earlier in his interjections, it is democracy.

12:20 p.m.

How can it be democracy when the views of the local elected council are being overridden by Metro council on this kind of issue? There should be one level of government responsible for making the decisions. It should be decided on the basis of which is the most appropriate level of government for that decision, and that should be it. When one government reviews decisions of another government, it starts getting into trouble, wasting time and costing the taxpayers a lot of money totally unnecessarily. It is this kind of provision and this kind of legislation that we can well do without. That concludes my comments.

**Mr. Rotenberg:** Mr. Speaker, first, there is a suggestion this matter go to committee. When I responded to the member for Waterloo North before, I had no notice whatsoever that there was a request from the city of Toronto for this matter to go to committee. Since then, I have discovered there was correspondence back in February from the city clerk of Toronto that indicates that when the traffic matter comes up—not the matter of representation on the council—the city would like a committee hearing.

I have no objection to going to committee, but I would ask the members who may serve on that committee to be somewhat flexible. I would like to get this to committee and back from committee, in time to have these bills in whatever form they come back, enacted before we rise for the summer. I assume we will get co-operation on timing in order that we may have some agreement on what goes into the bill. I do thank the members opposite for their co-operation.

There was some suggestion that section 1 was somewhat of an ad hoc addition. The government's white paper on the matter back in 1978 was circulated to all municipalities. The city of Toronto at that time said ideally there should be 25 members only on Metro council, but if there was going to be this amount they would have no objection to the two additional members. That was granted a year ago. The city of Toronto has a right to change its mind, but we have on record from it about a year ago it did not object to that.

On section 9 of the bill, I would point out to the member for Scarborough-Ellesmere that maybe it is the way the bill is drafted. Section 9 says that subsection 173(1) has added clause (e). The beginning of that subsection starts off, "The Metropolitan council may," and then lists clauses (a) to (d), and this is (e). The preamble to this subsection uses the word "may," so there is no question that matter is permissive. The reason this amendment is here is that Metro council without it would not have the power to charge for this. It is under the boards of health, under the local municipalities. There is no question it is a "may," so it covers that program.

I would point out in passing to the member for St. George—she mentioned the North York attitude on group homes—since the matter has been to the Ontario Municipal Board and back, there has been a new initiative in the North York planning board which I am told now has the agreement of both Mayor Lastman and Controller Green. The initiative will solve about 98 per cent of the problem about which she and those of us on this side of the House are concerned. I cannot say definitively that the North York council will pass it, but my information—and I do keep track of North York as one of the representatives—is that it appears the problem will be solved. We will keep her informed and keep in touch with North York.

Basically, the main concern about this bill is sections 5 and 6 on traffic. Every time one

mentions the word, "traffic," or the words, "Metropolitan Toronto," especially if one mentions those words together, there is a kneejerk reaction from the members opposite, a bit of paranoia and a bit of overreaction.

The member for Scarborough West—and I welcome him as the critic for Metropolitan Toronto municipal affairs and thank him for his co-operation in matters of timing and so on—said this would be biased towards Metro versus the city. I submit if we go his way it may be biased for an area municipality versus Metro.

**Mrs. Campbell:** It would be a nice change.

**Mr. Rotenberg:** Metro is a federation of municipalities. There seems to be a change over there in the New Democratic Party about the theory of regional government. If they believe in regional government and that people sit on regional government, there is some role for the regional government as well. If a majority of the regional government is in favour of certain actions, I think it is incumbent upon this province and this government at least to look at the requests of majorities of regional governments. It seems strange that some people are in favour of regional government when it does certain things and opposed to regional government when it does other things. I think the key to the whole thing is that we are not putting the Metropolitan corporation in control of local traffic. We are not giving any power to the Metropolitan corporation to pave, widen or do anything to a local street.

What we are saying in effect is on certain matters on local streets the Metropolitan corporation shall have to approve. If we stopped there, then I think the concerns particularly of the New Democratic Party and the member for St. George would be valid. We did not stop there. We said if there is dispute, then it will be arbitrated by the Ontario Municipal Board.

**Mr. McClellan:** Like the Bathurst widening.

**Mr. Rotenberg:** And where did that end up? It didn't happen.

Everybody thought the Ontario Municipal Board was great at one time when it was doing certain things the members opposite agreed with. The Ontario Municipal Board is a good institution. I have agreed with it sometimes and disagreed with it sometimes, as the members opposite have. But I think it does a good job and really does arbitrate.

I don't want to get into all the details of this section. We will be getting into it in committee and we will hear the representations from the city and from Metro and from

other area municipalities. I would point out to the member for Oakwood (Mr. Grande) that although there have been some rumblings from the members of the city of Toronto, we have heard nothing from the borough of York council about this section. I haven't got the council minutes of Metro council to find out how it voted on this section, but I will.

Mr. Grande: Maybe you haven't consulted them.

Mr. Rotenberg: Consultation. I would point out, is a two-way process. The mayor of Toronto has indicated to at least some members of this chamber that he is not in favour of this legislation. The bills are there and have been seen by all these municipalities. It is partly incumbent upon them to indicate to the government if they have objections to legislation.

We send out the legislation to everybody. I don't think the members opposite would expect myself or the minister or staff to call up every municipality in Ontario when there is a bill going forward and say, "Hey, fellows, do you object to it?" We send them a letter and we ask for their reactions.

Motion agreed to.

Ordered for standing committee on general government.

#### MUNICIPAL ELECTIONS AMENDMENT ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 71, An Act to amend the Municipal Elections Act, 1977.

Mr. Rotenberg: Mr. Speaker, I am pleased to introduce this bill today and speak to it. It proposes a significant number of procedural changes for the conduct of municipal elections that will simplify and clarify the whole process.

We were assisted in our review of the election procedures by the detailed and thoughtful recommendations of the clerks' committee of the Association of Municipal Clerks and Treasurers of Ontario. Their recommendations have been endorsed by the Association of Municipalities of Ontario and the Municipal Liaison Committee.

I would like to extend my personal thanks and the thanks of the government to that committee for its ongoing co-operation in preparing these amendments. I would particularly like to extend my thanks to Mr. John Nigh, the deputy clerk of the borough of Scarborough, who is chairman of their

committee and who has done great service to municipalities of this province in helping to prepare this legislation.

Bill 71 was circulated to all municipalities. The clerks' committee gave prompt attention to the bill and the response was generally favourable. However, as a result of this further input from the committee, I must confess we made one slight mistake. I am going to put a motion to amend section 13 because we left a few words off at the end. I believe the critics have a copy of that amendment. This is really a minor amendment to clarify it and does not change the intent of the original amendment.

We are confident that the complete range of amendments in this bill will meet the concerns of municipalities as they look forward to running their elections very smoothly this coming fall. I commend the bill to the House.

12:30 p.m.

Mr. Epp: Mr. Speaker, I want to associate myself and my party with the comments made by the parliamentary assistant to the Minister of Intergovernmental Affairs, the member for Wilson Heights, with respect to the Association of Municipal Clerks and Treasurers of Ontario. As we know, there are a number of municipal associations in the province. They give excellent service to the municipalities and to the province with their recommendations and assistance in drawing up legislation in this province. In this case, the parliamentary assistant particularly singled out the Association of Municipal Clerks and Treasurers of Ontario, which has done a very admirable and a very extensive job in reforming some of the legislation with respect to the Municipal Elections Act.

There are a number of matters in this bill that need to be addressed and some of them are relatively technical; they are of a house-keeping nature and yet they are fairly important. We notice that the minister responsible for administering this act will be the Minister of Intergovernmental Affairs (Mr. Wells). Previously, it was the Treasurer and Minister of Economics and Intergovernmental Affairs, portfolios occupied by one person.

There are a number of other things that have come up; for instance, the period for nominations is shortened from the nomination day plus five days to two days plus nomination day. I think that is an important amendment.

The onus has been removed from the deputy returning officer to identify disqualified persons and thereby prevent those persons from voting. I think this was an

unfair onus to be put on the deputy returning officer, because he or she often was not in a position to say so and so should vote or should not vote. If they are on the list then they should be permitted to vote. I would think in many cases the deputy returning officer certainly felt that the legislative authority which he had to disqualify persons should not be placed on him.

There are some matters in here which are going to be amended, which in turn will help save some of the taxpayers' money in municipalities. We certainly endorse that principle. Where notices had to be delivered in person, they can now be mailed out, despite the increasing costs of postal service in the province.

We note that the municipalities were required from time to time to send notice to people whose names had been deleted from the preliminary list of electors and the act requires that where a deletion has been made subsequent notice must be served personally or delivered to the person deleted. This was very difficult in some circumstances, particularly where the person was deceased and it was very difficult for municipalities to enforce that particular requirement in the act. I think this amendment is obviously a step forward for the ministry.

I want to address myself to the matter of shortening the nomination period from five to two days plus nomination day. This was changed a few years ago. I thought back to the late 1960s and early 1970s, when you had a nomination meeting where people were nominated by someone and made a speech and so forth; some of the citizens came out to hear those speeches. I often thought that was a fairly good tradition we had in the province, although it did present some kind of inconvenience to persons who wanted to run for municipal elected office. The act was changed and a fairly long period for nomination was legislated; as I mentioned, five days.

This meant that nominations could start Monday and you might have a few dribble into city hall and everybody would watch the newspapers to see who was nominated. On Tuesday, there might be a few more and a few on Wednesday and Thursday, but the great influx of nominations would usually come late Thursday or Friday, or even Monday. With this legislation, the people can now be nominated on the Thursday or Friday or on nomination day, the Monday.

The other thing which I think is very important is that people do not have to be there to be nominated. They can have an agent

nominate them on their behalf, providing they have consented and they have the necessary signatures for that nomination.

We note the court of revision has been changed. The length has stayed the same but the actual relationship to the nomination period has been changed.

We will be bringing forth two amendments to this proposed bill. One will be a change in section 12 of the act as it was adopted in 1977. We note there are three qualifications articulated in this particular act. One is that the person be a resident in such a municipality; secondly, that person be a Canadian citizen or other British subject, and thirdly, that the person has attained the age of 18 years on or before polling day.

I think these conditions are generally acceptable with the exception of the second one. It is my feeling and it is the feeling of my party that the section pertaining to British subjects should be deleted. We will speak at greater length to this particular amendment when it comes before the committee of the whole, but we feel this particular provision is somewhat archaic and should be modernized with legislative changes that have been enacted in other jurisdictions in the country.

The other amendment that we will be introducing is the three-year term. I have brought in a private member's bill on this and I know the member for Scarborough West recently brought in a private member's bill on this particular item. It is our feeling that there should be a three-year term for municipally elected people in this province. The government has put its head in the sand day after day and has not tried to bring in legislation in keeping with what we feel municipal councillors and the public would generally support.

I do not deny the fact that there are some editorial writers in this province who are opposed to the three-year term, and we respect their opinion on this matter. Our own opinion, however, is that we should permit municipalities to have a three-year term and we will introduce an amendment to make that change in this act.

Mr. Isaacs: Mr. Speaker, I would like to start off by telling the parliamentary assistant that I think this is a good bill. In fact, I think it is an excellent bill that makes some changes that are going to be well worth having, not only for the administrators of the municipal election system but also for the public.

I say that because the parliamentary assistant lamented yesterday that we never have good things to say about his legislation. I



sincerely mean that and I believe the proposals contained in this bill are worth while. After the compliments that my colleague from Scarborough West started out making on the Metro bill earlier this morning, I am not sure the parliamentary assistant wants compliments any more, but he has them from me on this bill.

There are a number of principles in this bill I want to address. I am not going to go through every detail in the bill, because a lot of the matters are remarkably small. They are administrative matters, cleaning up little things that were overlooked in the past.

Also I learned, through attempting to take this caucus through the bill step by step that can be a very long-winded process. It is more appropriate to concentrate on what I perceive to be the highlights of the bill.

12:40 p.m.

I would like to comment briefly about the process that led to the bill being here and to add to the comments of those who have commended AMCTO for its initiative in bringing forward these recommendations.

When one is dealing with the matter of elections and election process, it seems to me it would have been appropriate to have allowed a longer public discussion period on the principle of making changes to the Municipal Elections Act. There may well be changes that others wish to see made that municipal clerks and treasurers would not be aware of because they are dealing with the administrative side of things and are not necessarily in contact with the electorate who have problems at the ballot box. Some circulation of the bill to defeated candidates and to the general public, or at least a notification that the Municipal Elections Act was to be opened up for review, would have been valuable, so that input could have come to us.

**Mr. Rotenberg:** The member cannot resist making criticisms.

**Mr. Isaacs:** There will be some more. If the parliamentary assistant would like me to go through every section and heap praise upon it, so be it, but we will be here forever. It seems to me that when one has something to say on a section one says it, and when one says nothing on a particular provision of the bill then the parliamentary assistant can certainly take it we fully support that provision. Enough said on that.

There is a recommendation for change in this bill to the period of qualification for electors in a municipal election. Indeed, the period of qualification is being shifted back

two days for administrative convenience. It seems to me there should be something better than administrative convenience to decide how to qualify electors for a municipal election.

For example, if a person moves into a municipality two weeks before election day, he or she has clearly moved into that municipality for the purpose of taking up permanent residence. Some consideration should be given to finding mechanisms to allow that person to vote. I recognize it would be inappropriate for people who moved in on election day itself to be extended the franchise, but somehow there needs to be discussion of the period necessary for an elector moving into a municipality to get to understand what is going on in that municipality. It is a minor irritant to me that we are moving the period back two days simply for administrative convenience, without any discussion as to whether a person who has moved in between 19 and 17 days before election day should be denied the franchise in the upcoming municipal election.

There is provision in this bill for reduction of the nomination period and also for allowing candidates to be nominated by agents. We welcome that provision. It is a step towards making municipal elections a little more responsible, a little more organized, a little more structured, rather than having a long period for nominations and individuals walking in and out, deciding whether they wish to be nominated for the upcoming election.

In particular, the provision to allow candidates to be nominated by an agent is something we see as being very beneficial to candidates who are required to work, because the municipal council is only a part-time activity. They found it very inconvenient in the past to have to take time off work in order to appear in person before the returning officer, normally the clerk of the municipality.

There is provision in this bill to change the procedures that can be followed after a supplementary nomination period. Candidates nominated during the regular nomination period already have the right to withdraw their nomination. Under the provisions of this bill, candidates nominated during the supplementary nomination period will also have the right to withdraw their nomination.

That provision, even the existing provision, has given cause for elector concern in a number of municipalities where candidates give the appearance of playing a game. An individual candidate will be nominated in more than one ward, or for more than one



position, and following the close of nominations all the candidates will sit down in some smoke-filled back room and jockey among themselves to decide who is going to be acclaimed in which position, and who is going to have to run an election and for which position. I don't think that kind of thing helps the electorate to have faith in the municipal elections process.

My general feeling is that we should be moving in the other direction. Instead of extending the ability of candidates to withdraw their nominations, we should be indicating that candidates should be allowed to be nominated for only one position. If we set that down and said it is a responsible election and a candidate has to decide what it is he's running for and has to put his name in as a candidate for that position, this kind of provision may make some sense.

But at present, we have people in some municipalities—and I've seen it happen even in my own—being nominated in two or three or four wards, or occasionally being nominated for council and for deputy reeve and for reeve. Then this kind of huddling goes on after the close of nominations, and the use of this provision to do some internal jockeying, over which the electorate has no control. In these circumstances I'm not sure we're helping the credibility. I hope next time we amend the Municipal Elections Act the parliamentary assistant and his staff, and the minister too, will take that comment into account.

I have very grave concern about the provision that permits a new election if a candidate for head of council dies, but not during the campaign period, but it does not permit a new election if any other candidate dies during the election period. Obviously, the death of a candidate during the election period is not going to be very common, and I can understand that there would be problems where there are, say, eight councillors being elected at large and there may be 20 or 25 candidates for those eight positions. If one of the candidates dies, to nullify that election and have to start all over again could cause a problem.

There are also situations where there are only three candidates running for two seats in a ward. There are situations where two or three candidates are running for deputy reeve or for regional councillor. It is of concern to me that we are saying the head of council is somehow very important and we will allow the democratic process to be carried to its ultimate and nullify the election if one of the candidates dies during

the campaign for head of council, but not allow that same provision to happen in the other positions, where only one or two seats in a ward are being filled, or the deputy reeve's position et cetera.

**Mr. Rotenberg:** That's the way it is now. We are changing it for head of council.

**Mr. Isaacs:** Yes, the provision is getting better. I would have preferred to see it go much further.

We have sat down with legal people and looked at this and unfortunately it is difficult to define exactly what we're getting at. We're prepared to agree that if there is an election at large, if a municipality is trying to fill more than two seats on a single ballot, it would be difficult, if not impossible, to call a new election because of the death of one of a multitude of candidates.

But where there are only one or two positions being filled on a specific ballot, I would hope the government would give consideration to working out some wording that would permit new elections to be called if a candidate died in that situation as well.

In general the idea of appointments to fill vacancies, the idea of not allowing the complete democratic process in municipal elections, gives us some problems. Both on that section that I've just referred to and on the section that allows council to appoint to vacancies where there are insufficient candidates, even after the supplementary nomination period, we're not really sure this is the direction we should be heading.

12:50 p.m.

On that second section, I referred to the appointment by council to fill vacancies where there are simply insufficient candidates. Where there is a ward system and there are perhaps eight wards and one councillor from each ward, if there is nobody interested in running in one ward then it is clearly better to have a representative appointed by council than to have no representative at all for the full two years.

Where there is an eight-member council elected at large, and there are only seven candidates for the eight seats, it may be better to proceed with a vacant seat than to allow council to appoint one person to fill that vacant seat who is representing no one in particular, and accountable to no one in particular because the election would have been at large. There is a problem with how you deal with those kinds of situations, and I am just not sure that the approach the bill is taking is the best in the long run. But we are prepared to go along with it at this

time because it is, as the parliamentary assistant indicated, a step in the right direction.

We support and warmly welcome the provision in this bill that allows an indication on the ballot of the upper tier position that will automatically be filled by the successful candidate in a direct election to lower tier. That is something we believe is overdue, something that is going to help electors realize the person they are electing is part of a regional government process as well as being part of a local government process. I hope it will help to ensure that municipal candidates run on their record on the regional council and occasionally on county council, as well as on their records of what they have done for the local municipality.

I hope if there are other things that are suggested for dealing with that particular problem the government will look favourably upon them. I hope, too, the government will be prepared, at some time, to try to ensure that as many upper tier positions as possible are filled by direct election, even though that direct election may also include the election to the lower tier. The concept of the local council deciding after the election who should be the regional or county representative is one that gives me some difficulty.

We are prepared to support, with a little reluctance, the provision in this bill that enables the returning officer, the municipal clerk, to send only one notice of the polling place, notice of inclusion on the voters' list, to each residence rather than having to send a separate notice to each individual voter. The concept makes sense. It will save substantially in bureaucracy. It will save substantially in postage. It is for those reasons that we are supporting it.

However, a problem arises when there are unrelated people living in a household, particularly when the household is occupied by three or four people of the same sex living within that home and the communication between them may be relatively infrequent. For one card or for one letter to arrive addressed to the household simply may mean that those people are not being informed clearly of the polling place, of the fact they are on the voters' list, and of their right to vote in the municipal election. There is no easy answer to that one. I recognize that. I hope it might be possible to deal with it by suggesting that the notice of the polling place carry the legend, "Please ensure that all residents of the household who are entitled to vote see this notice."

**Mr. Rotenberg:** It is permissive. They do not have to do it.

**Mr. Isaacs:** I recognize it is permissive but I am sure every municipality that is allowed to take advantage of it will do so. I think it would be wasteful not to take advantage of this section, but I think they should be required to clearly indicate it is an important notice and it is necessary that the individual electors see they have a right to vote and see that the notice has arrived.

There are two further items I want to refer to. One is the requirement that an applicant for a recount notify all the other candidates. It is a very minor point and it is in a sense very legalistic, but it seems to me, given that candidates in municipal elections probably don't have lawyers on their campaign teams, they probably don't want to get involved in legal things.

It should be possible, however, for a candidate who desires a recount to file his statement with the judge and to pay his \$100 and allow the bureaucracy to look after the notification. After all, the \$100 has to be for something. I am aware that the parliamentary assistant is going to respond that this is the legal way to do things, that is how you do it when you are dealing with tribunals and courts. So be it. But I think a little bit of humanity, a little bit of common sense might sometimes be applied instead of the strict legal interpretation of how it should be done. I hope there will be some consideration of that aspect when we go through this bill clause by clause.

Finally, the matter of the status of candidates in a recount is understandable, though a problem could arise if on a recount, there was a switch from one candidate to another, then following the appeal there was a switch back again. It could become very confusing for the electors in the municipality as to who was their elected official, their councillor or alderman. First, one would be on council, then after a month or so there would be a switch around, and then after another couple of months when the appeal was disposed of there may be a switch back. That seems to offend common sense somehow.

I don't know whether there is another answer except to leave the matter in the hands of the judge and to leave with the judge the ability to order which of the candidates involved is the one entitled to sit on the council, at least during the period between the recount and the appeal. The period between the election and the recount is usually a bit shorter and perhaps it would

not be so confusing, but once the recount has taken place it seems to me the person conducting the recount should have the authority to decide which of the two candidates should sit on council until after the appeal. This would be preferable to having the potential for a switch around of candidates on council on two separate occasions. That won't solve the problem, but it might clarify it.

I would conclude by reiterating that I think it is, in general, a good bill. We will be supporting it and we congratulate AMCTO for its work. I hope if there is public input arising from this November's municipal election process then there will be further review by the ministry and by this House of the changes the public and defeated as well as elected candidates would like to see to make the Municipal Elections Act work even more smoothly than it does at the moment; and things do work quite well at the moment.

**The Acting Speaker (Mr. MacBeth):** Does any other member wish to speak to this bill? Has the parliamentary assistant a long reply?

**Mr. Rotenberg:** No, Mr. Speaker, I think I shall try to finish this before one o'clock.

I just want to thank the opposition for their support and comment on a couple of points the member for Wentworth made. Frankly, there is no right answer to the problem created when a candidate dies after nomination day. At present, even for the election of the head of a municipality, if a candidate dies the election proceeds unless, in an election for any municipal office, the number

of candidates left would create an acclamation. Then, there must be a new election. If there are three running for two seats and one dies, there must be a new election.

We feel if the present system is wrong, or what we have proposed is wrong, it would depend on the circumstances, but the head of council being different we think we should revert to the old system for the election of the head of council only. As I say, either way there is no right answer.

As far as insufficient candidates for office are concerned, I would suggest that after there have been nominations and supplementary nominations and no one turns up the vacancy should be filled.

With reference to the applicant for a recount notifying the other party, at the present time an applicant for recount goes to a judge and, in effect, it is like an ex parte hearing, the judge will order a recount without even the other people knowing about it. With this amendment the other candidates will know about the hearing and the application for recount and may object to the application for recount. That is why the other candidate should be notified. At present they are not notified at all.

With those brief remarks I would ask for second reading of this bill and ask that it go to committee of the whole House.

Motion agreed to.

Ordered for committee of the whole House.

The House adjourned at 1 p.m.

APPENDIX A  
(See page 2596)

ANSWER TO QUESTION  
ON NOTICE PAPER

PR-INFORMATION OFFICERS'  
SALARIES

119. Mr. T. P. Reid: Would the ministry advise how many communications officers and/or information officers each ministry has? What are the salaries paid to each communication officer or information officer for the fiscal year 1979-80? (Tabled April 14, 1980. Interim answer April 24, 1980. Approximate date information available May 30, 1980.)

Hon. Mr. McCague: The attached chart indicates the distribution by ministry of

public relations/information/communications officers. The information is provided on the basis of the public relations officers classification one, two and three, and the information group classification (AIF) 17, 18, 19 and 20 pay levels.

The answer includes only persons who are employed in ministry communications/information branches who are involved in information/public relations work. This number does not include branch directors (19), secretarial and technical staff.

Salary information is provided on the basis of a minimum and maximum range for each classification in the public relations officers series and information officers series.

**COMMUNICATIONS OFFICERS/INFORMATION OFFICERS  
POPULATION DISTRIBUTION**

Ministry	PRO 1	PRO 2	PRO 3	AIF 17	AIF 18	AIF 19	AIF 20	Total
Agriculture and Food	—	2	3	2	1	—	—	8
Attorney General	—	—	1	—	—	—	—	1
Community and Social Services	1	1	6	—	3	—	—	11
Consumer and Commercial Relations	6	4	2	1	1	1	—	15
Correctional Services	—	—	2	—	—	—	—	2
Culture and Recreation	2	3	—	2	1	—	—	8
Education	—	4	5	—	2	—	1	12
Colleges and Universities*	—	—	—	—	—	—	—	—
Energy	1	—	2	—	1	—	1	5
Environment	—	2	3	—	2	—	—	7
Government Services	—	1	—	2	—	—	—	3
Health	—	2	10	—	2	1	3	18
Housing	2	2	5	—	1	1	2	13
Industry and Tourism	—	5	3	2	—	1	—	11
Intergovernmental Affairs	—	—	1	—	—	—	1	2
Labour	—	2	—	4	—	—	1	7
Natural Resources	1	9	1	1	1	—	—	13
Northern Affairs	2	4	1	—	—	—	—	7
Revenue	—	4	3	—	—	—	2	9
Solicitor General	—	2	1	—	—	—	—	3
Transportation and Communications	3	5	4	—	—	—	—	12
Treasury and Economics	—	—	2	—	—	—	1	3
Office of the Premier	—	—	—	—	—	—	1	1
Civil Service Commission**	2	1	1	—	—	—	1	5
<b>Total</b>	<b>20</b>	<b>53</b>	<b>56</b>	<b>14</b>	<b>15</b>	<b>4</b>	<b>14</b>	<b>176</b>
Salary ranges	\$17,521	\$19,795	\$22,934	\$22,600	\$24,075	\$25,575	\$27,550	
	to	to	to	to	to	to	to	
	\$20,049	\$22,723	\$27,378	\$26,075	\$28,775	\$31,325	\$34,275	

Note: Eighteen directors and one executive director of information/communications branches not included in the above information. These people are classified in the program executive series with salary ranges between a minimum of \$27,925 and a maximum at \$45,825.

\* Ministry of Colleges and Universities has common information services with the Ministry of Education.

\*\* Staff work on Topical and Job Mart, publications for government employees.

## APPENDIX B\*

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(124 members)

Fourth Session of the 31st Parliament

Lieutenant Governor: Hon. Pauline M. McGibbon

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
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 and Chairman) .....	Perth .....	L
Elgie, Hon. 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, Hon. M. E. C. ....	Mississauga East .....	PC
Grossman, Hon. L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L

\*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month.

Member	Constituency	Party
Havrot, E.	Timiskaming	PC
Henderson, Hon. L. C.	Lambton	PC
Hennessy, M.	Fort William	PC
Hodgson, W.	York North	PC
Isaacs, C.	Wentworth	NDP
Johnson, J.	Wellington-Dufferin-Peel	PC
Johnston, R. F.	Scarborough West	NDP
Jones, T.	Mississauga North	PC
Kennedy, R. D.	Mississauga South	PC
Kerr, 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
Lupusella, A.	Dovercourt	NDP
MacBeth, J. P. (Deputy Chairman and Acting Speaker)	Humber	PC
MacDonald, D. C.	York South	NDP
Mackenzie, R.	Hamilton East	NDP
Maeck, 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
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 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, Hon. A.	Cochrane South	PC
Ramsay, R.	Sault Ste. Marie	PC
Reed, J.	Halton-Burlington	L
Reid, T. P.	Rainy River	L. LAB.
Renwick, J. A.	Riverdale	NDP
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



Member	Constituency	Party
Samis, G. ....	Cornwall .....	NDP
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. M. ....	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, J. ....	Peterborough .....	PC
Van Horne, R. ....	London North .....	L
Villeneuve, O. F. ....	Stormont-Dundas-Glengarry ...	PC
Walker, Hon. G. ....	London South .....	PC
Warner, D. ....	Scarborough-Ellesmere .....	NDP
Watson, A. N. ....	Chatham-Kent .....	PC
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 Energy and Deputy Premier
Hon. J. A. C. Auld .....	Minister of Natural Resources
Hon. R. Brunelle .....	Provincial Secretary for Resources Development
Hon. T. L. Wells .....	Minister of Intergovernmental Affairs
Hon. L. Bernier .....	Minister of Northern Affairs
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Housing
Hon. F. S. Miller .....	Treasurer of Ontario and Minister of Economics
Hon. D. R. Timbrell .....	Minister of Health
Hon. H. C. Parrott .....	Minister of the Environment
Hon. B. M. Stephenson .....	Minister of Education and Minister of Colleges and Universities
Hon. R. McMurtry .....	Attorney General and Solicitor General
Hon. L. C. Henderson .....	Minister of Agriculture and Food
Hon. K. C. Norton .....	Minister of Community and Social Services
Hon. F. Drea .....	Minister of Consumer and Commercial Relations
Hon. L. Grossman .....	Minister of Industry and Tourism
Hon. G. McCague .....	Chairman of Management Board of Cabinet and Chairman of Cabinet
Hon. L. Maeck .....	Minister of Revenue
Hon. R. C. Baetz .....	Minister of Culture and Recreation
Hon. D. J. Wiseman .....	Minister of Government Services
Hon. R. Elgie .....	Minister of Labour
Hon. G. Walker .....	Provincial Secretary for Justice and Minister of Correctional Services
Hon. M. E. C. Gregory .....	Minister without Portfolio
Hon. A. Pope .....	Minister without Portfolio

**PARLIAMENTARY ASSISTANTS**

Ashe, G. (Durham West) .....	Assistant to the Minister of Energy
Eaton, R. G. (Middlesex) .....	Assistant to the Minister of Transportation and Communications
Hodgson, W. (York North) .....	Assistant to the Minister of Housing
Jones, T. (Mississauga North) .....	Assistant to the Provincial Secretary for Social Development
Kennedy, R. D. (Mississauga South) .....	Assistant to the Minister of Education
Lane, J. (Algoma-Manitoulin) .....	Assistant to the Minister of Northern Affairs
McCaffrey, B. (Armourdale) .....	Assistant to the Minister of Culture and Recreation
McNeil, R. K. (Elgin) .....	Assistant to the Minister of Agriculture and Food
Rotenberg, D. (Wilson Heights) .....	Assistant to the Minister of Intergovernmental Affairs
Smith, G. E. (Simcoe East) .....	Assistant to the Minister of Industry and Tourism
Sterling, N. W. (Carleton-Grenville) .....	Assistant to the Attorney General
Turner, J. (Peterborough) .....	Assistant to the Minister of Health
Yakubski, P. J. (Renfrew South) .....	Assistant to the Minister of Natural Resources

### STANDING COMMITTEES OF THE LEGISLATURE

**Administration of Justice:** Chairman, Philip, E. (Etobicoke NDP); Bradley, J. (St. Catharines L), Campbell, M. (St. George L), Havrot, E. (Timiskaming PC), Kerr, G. A. (Burlington South PC), Lupusella, A. (Dovercourt NDP), McCaffrey, B. (Armourdale PC), Renwick, J. A. (Riverdale NDP), Rotenberg, D. (Wilson Heights PC), Roy, A. J. (Ottawa East L), Sterling, N. W. (Carleton-Grenville PC), Stong, A. (York Centre L), Swart, M. (Welland-Thorold NDP), Taylor, G. (Simcoe Centre PC), Williams, J. (Oriole PC); Ziemba, E. (High Park-Swansea NDP); Clerk, S. Forsyth.

**General Government:** Chairman, Cureatz, S. (Durham East PC); Vice-Chairman, Hodgson, W. (York North PC); Ashe, G. (Durham West PC); Charlton, B. (Hamilton Mountain NDP); Duksza, J. (Parkdale NDP), Epp, H. (Waterloo North L), Hennessy, M. (Fort William PC), Laughren, F. (Nickel Belt NDP), Mancini, R. (Essex South L), McEwen, J. E. (Frontenac-Addington L), McGuigan, J. (Kent-Elgin L), Samis, G. (Cornwall NDP), Scrivener, M. (St. David PC), Smith, G. E. (Simcoe East PC), Watson, A. N. (Chatham-Kent PC); Clerk, Mrs. F. Nokes.

**Members' Services:** Chairman, Campbell M. (St. George L); Vice-Chairman, Newman, B. (Windsor-Walkerville L); Bounsall, E. J. (Windsor-Sandwich NDP), Jones, T. (Mississauga North PC), Smith, G. E. (Simcoe East PC), Watson, A. N. (Chatham-Kent PC), Worton, H. (Wellington South L), Young, F. (Yorkview NDP); Clerk, D. Arnott.

**Procedural Affairs:** Chairman, Breagh, M. (Oshawa NDP); Vice-Chairman, Davidson, M. (Cambridge NDP); Charlton, B. (Hamilton Mountain NDP), Mancini, R. (Essex South L), Rotenberg, D. (Wilson Heights PC), Rowe, R. D. (Northumberland PC), Ruston, R. (Essex North L), Sterling, N. W. (Carleton-Grenville PC); Clerk, G. White.

**Public Accounts:** Chairman, Reid, T. P. (Rainy River L); Vice-Chairman, Hall, R. (Lincoln L); Germa, M. C. (Sudbury NDP), Isaacs, C. (Wentworth NDP), Leluk, N. G. (York West PC), MacBeth, J. P. (Humber PC), Mackenzie, R. (Hamilton East NDP), Makarchuk, M. (Brantford NDP), Peterson, D. (London Centre L), Ramsay, R. H. (Sault Ste. Marie PC), Sargent, E. (Grey-Bruce L), Taylor, G. (Simcoe Centre PC), Turner, J. (Peterborough PC); Clerk, A. Richardson.

**Regulations and other Statutory Instruments:** Chairman, Williams, J. (Oriole PC); Vice-Chairman, McKessock, R. (Grey L); Cureatz, S. (Durham East PC); Davison, M. N. (Hamilton Centre NDP), Eakins, J. (Victoria-Haliburton L), MacDonald, D. C. (York South NDP), McCaffrey, B. (Armourdale PC), Rollins, C. T. (Hastings-Peterborough PC); Clerk, S. Forsyth.

**Resources Development:** Chairman, Villeneuve, O. F. (Stormont-Dundas-Glengarry PC); Vice-Chairman, Lane, J. (Algoma-Manitoulin PC); Di Santo, O. (Downsview NDP), Eaton, R. G. (Middlesex PC), Gigantes, E. (Carleton East NDP), Johnson, J. (Wellington-Dufferin-Peel PC), Mackenzie, R. (Hamilton East NDP), McNeil, R. K. (Elgin PC), Miller, G. I. (Haldimand-Norfolk L), Newman, W. (Durham-York PC), Reed, J. (Halton-Burlington L), Riddell, J. K. (Huron-Middlesex L), Taylor, J. A. (Prince Edward-Lennox PC), Van Horne, R. (London North L), Wildman, B. (Algoma NDP), Yakabuski, P. J. (Renfrew South PC); Clerk, A. Richardson.

**Social Development:** Chairman, Gaunt, M. (Huron-Bruce L); Vice-Chairman, Kerrio, V. (Niagara Falls L), Belanger, J. A. (Prescott and Russell PC), Blundy, P. (Sarnia L), Cooke, D. (Windsor-Riverside NDP), Grande, A. (Oakwood NDP), Johnston, R. F. (Scarborough West NDP), Jones, T. (Mississauga North PC), Kennedy, R. D. (Mississauga South PC), Leluk, N. G. (York West PC), McClellan, R. (Bellwoods NDP), O'Neil, H. (Quinte L), Ramsay, R. H. (Sault Ste. Marie PC), Rowe, R. D. (Northumberland PC), Sweeney, J. (Kitchener-Wilmot L), Turner, J. (Peterborough PC); Clerk, D. Arnott.

### SELECT COMMITTEES OF THE LEGISLATURE

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**Company law:** Chairman, Breithaupt, J. R. (Kitchener L); Blundy, P. (Sarnia L), Cunningham, E. (Wentworth North L), Germa, M. C. (Sudbury NDP), Hodgson, W. (York North PC), Laughren, F. (Nickel Belt NDP), MacBeth, J. P. (Humber PC), Reid, T. P.

(Rainy River L), Renwick, J. A. (Riverdale NDP), Rotenberg, D. (Wilson Heights PC), Smith, G. E. (Simcoe East PC), Taylor, G. (Simcoe Centre PC), Van Horne, R. (London North L), Yakabuski, P. J. (Renfrew South PC); Clerk, Mrs. F. Nokes.

**Ombudsman:** Chairman, Lawlor, P. D. (Lakeshore NDP); Campbell, M. (St. George

L), Eakins, J. (Victoria-Haliburton L), Havrot, E. (Timiskaming PC), Isaacs, C. (Wentworth NDP), Lane, J. (Algoma-Manitoulin PC), McClellan, R. (Bellwoods NDP), Miller, G. I. (Haldimand-Norfolk L), Taylor, J. A. (Prince Edward-Lennox PC), Villeneuve, O. F. (Stormont-Dundas-Glengarry PC); Clerk, A. McFedries.

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No. 69

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Monday, June 9, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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MONDAY, JUNE 9, 1980

The House met at 2 p.m.

Prayers.

## VISITORS

**Mr. Speaker:** If I could have the attention of all honourable members for a moment, I think members of the House will wish to welcome a distinguished delegation in the Speaker's gallery from the Tynwald of the Isle of Man. The Manx Parliament last year celebrated 1,000 years of parliamentary government. The delegation with us today is headed by the Acting Speaker, Mr. Clifford Irving, along with Mr. John Radcliffe, a member of the House of Keys, and Mrs. Radcliffe; Mr. Norman Radcliffe, also a member of the House of Keys; and Mr. Robert Quayle, Clerk of Tynwald.

With them in the gallery are Mr. Ian Cathie of the State Parliament in Melbourne, Australia, and Mrs. Cathie. Would you please welcome them?

**Mr. Nixon:** Mr. Speaker, I wonder if you would permit me to bring to your attention, sir, some information that one of our guests brought to our attention earlier today. The Assistant Speaker from the Isle of Man indicated that in their jurisdiction, which is independent from the United Kingdom, they have no income tax and this year are reporting a budgetary surplus of seven million pounds. I wondered whether, while they are in this jurisdiction, they might have a word with our Treasurer (Mr. F. S. Miller).

## TRIBUTES TO MEMBERS WITH 25 YEARS' SERVICE

**Mr. Cassidy:** Mr. Speaker, I think it is fitting for all members of the House to acknowledge that on this day 25 years ago, on June 9, 1955, our former leader, my friend and colleague the member for York South (Mr. MacDonald) was first elected to the Ontario Legislature. At that time, he was part of a caucus of only three members in the Legislature.

I think all members of the House would want to join with me in paying tribute to the member for York South for his unflagging optimism and for the contribution he

has made over so many years, not just to this Legislature but also to public life in Ontario. Incidentally, he is going to be nominated this evening—I think that's another certainty—and re-elected in the general election whenever it happens to come. I think members would also want to join with me in wishing him many more fruitful and productive years in the province on behalf of the New Democratic Party, on behalf of the working people of Ontario and on behalf of the province.

**Mr. Nixon:** I would like to bring to your attention further, Mr. Speaker, that 25 years ago today, June 9, 1955, also saw the election of our great friend the member for Wellington South (Mr. Worton). I think it is significant that he is wearing a red rose for valour while our good friend the member for York South is wearing pink for socialism. I would also like to point out that the member for York South is giving the victory signal in association with that.

I also want to say just a word or two about the member for Wellington South. As all the members know, he was elected at an early age as a councillor for the city of Guelph and soon moved on to become its mayor. He was a successful businessman as a baker and as an investor, and we often turn to him for advice in many fields. During my years as leader of the party, I always arranged to have his office as close to mine as possible, because there were occasions when I needed his advice and moderation.

The only political promise he ever made was to put more raisins in the buns, and that was good enough for the people of Guelph. Together with good service, that has guaranteed his re-election for these many years.

There is only one regret I have, and that is that he has not yet had an opportunity to serve as a cabinet minister. But I can assure you, Mr. Speaker, we are looking forward to that happening in the near future.

A measure of a man's accomplishment must surely be the esteem in which he is held by his friends. Certainly in this House the member for Wellington South is held in high esteem on both sides and in all three

parties, and that is true for his friends and neighbours back home.

Finally, I want to say how proud we all are to be associated with him and his family. His wife, Olive, his son and his daughter, their wife and husband, and his grandsons are sitting in the front of the gallery, and we want to welcome them here on this great day.

Hon. Mr. Wells: Mr. Speaker, I would like also to draw to your attention today another important event. This is the beginning of the fourth year of the 31st Parliament—something of a record, I think, for those who will record future Ontario history. Contrary to certain reports that some people have heard on the radio, the Premier (Mr. Davis) is not calling an election today and we expect to be around here for a good many more years.

On behalf of the government, I would like to join my friends in extending our best wishes to the member for Wellington South and the member for York South. We have only one regret: I am sorry to say that the member's last wish for the member for Wellington South will not ever be fulfilled, but we will still welcome him around this House.

It is very significant that when these two very distinguished gentlemen first came into this Legislature, they came in here with 84 Progressive Conservatives in 1955. We just want to tell them that feat is going to be repeated again soon. We want to assure them, however, that we will be happy to see them among the small number of opposition who will be here at that time.

2:10 p.m.

The member for York South was a leader of his party for a number of years, first the CCF and then the New Democratic Party. He came into this House as leader in 1955. He had great energy, he has had great capabilities, he is a very excellent orator and speaker and is very persuasive. I think he raised the membership of that party from three to about 20 during his time as leader and I am sure it is because of his abilities.

He might also give a little credit to John Roberts who, I think, made available greatly expanded resources to the caucuses of this Legislature, which also helped a lot.

This chamber has been the richer for the contributions of the member for York South, and we wish him all the very best.

The member for Wellington South has likewise had a very distinguished career for 25 years now as a member of this assembly. Unlike the member for York South, he can-

not be credited with having taken up too much time with his speeches, but he has contributed in a very significant way behind the scenes. I am sure, through his great acquaintanceship with the various cabinets of the day, he has served the constituents of the riding of Wellington South and the people of this province in a very exemplary manner.

I think it is also to his credit that he has survived five leaders of the Liberal Party. I had intended to have a few words with him earlier to see whether he was going to stay for six, seven or eight, but I did not have time to ask him about that. He also has contributed greatly to this chamber.

On behalf of the government, I would like to extend to both these gentlemen our very best wishes on their 25th anniversary and for many more years of service to this province.

Mr. Worton: Mr. Speaker, with your permission, I would like to express my appreciation to my former leader and to say a word of appreciation to my friend from York South both of whom I have a great admiration for. The boutonniere I am wearing came courtesy of the member for York South, and the only way I can repay him is with something liquid, maybe after six o'clock.

It has been said by the government House leader (Mr. Wells) that possibly we will be here in the opposition again. But, as I always told the member for Brant-Oxford-Norfolk (Mr. Nixon), it is a long road that hasn't got a turn. I might say that one should not look back, because I recall in my early days I was a little more difficult to get along with than I am now. I guess I have mellowed.

The late Minister of Municipal Affairs, the Honourable George Dunbar, indicated in 1956 that I was an overnight guest here and would not see another election. But having seen a few, I am very grateful for the support the people of Wellington South have given me. I am also very grateful for the support I have received from members of all parties, and I want to pay particular tribute to the civil servants of this province who, in my judgement, have treated me fairly at all times.

A member can often get inflated and deflated in a very few words. Much to my surprise, my family is here. There are two little girls who are not old enough to be here. My son-in-law and daughter live in Simcoe, in the riding of the member for Simcoe East (Mr. G. E. Smith).

Dean and Paul were walking through the park at Lake Couchiching, and Paul said to Dean, "I'd like to be as smart as grandpa."

Dean said, "You can't be that." He said, "Well, I can always be a Liberal."

With that, I want again to express my deep appreciation for the kind words of members. We are going to do our best to stay around here for a few more years yet.

**Mr. MacDonald:** Mr. Speaker, I have rarely had any differences with the member for Wellington South, and this afternoon I have none.

As one of the two remaining members from the class of 1955, I join with him in thanking members for all their kind words and all their best wishes, even if there is some measure of qualification on them when they come from the other side of the House.

I must be frank with members. I have a growing affection for this institution. On occasion, I am perplexed. On occasion, I am dumfounded. On occasion, momentarily, I am even disillusioned. But all those are emotions one has to cope with in life, and on balance there is no other place I would rather be.

So much so, as my leader has indicated, that my riding association has organized a 25th anniversary bash for tonight. But they have insisted on tucking a nominating convention in there, and I intend to be back, God willing and the people of York South concurring, of course.

For a moment, it might be useful, for members who are of shorter vintage in this House, to say a word or so about the perspective of 25 years. Human beings always complain about the little irksome things of any given hour, particularly the present hour. I can tell members, for example, that when I came into this House in 1955 it took me six months to get a full-time secretary, even though I was leader of a party, albeit a party of three. I had an office—the government whip will be interested to know; it is the office he is in now—and it was not as plush then as it is now. But it was adequate. There was a nice fireplace in it. I sat in one corner and my secretary sat in another corner, and my other two colleagues sat in the other two corners. We were all in the same office.

It was very interesting, if we had guests or constituents, or people who wanted to talk privately, to talk over the clatter of a typewriter and the eavesdropping of two colleagues. However, I am not lamenting. The Tories had an even worse situation back then. As I recall, they had no offices at all. They had a lounge, and they were all clubbed together in that lounge. There were a couple of little cubbyholes that were available for offices if they wanted to interview

somebody. I suppose it was on a first-come-first-served basis. We have made some progress.

There is only one element I want seriously to put to my colleagues in this Legislature. As an institution, totally, we have made some real progress. But for reasons that mystify, perplex and concern me, this chamber is in a state of eclipse, compared with 25 years ago. It was impossible then for a leading spokesman of an opposition party, even if it was a party of only three, to get up in a throne speech or a budget speech, for example, without having most of the cabinet there, lined up like Big Berthas on the front, shooting. It was the centre of action.

Back in those days, private members had no privileges at all in terms of resolutions and bills they could introduce. Today we have those privileges, but nobody is interested. Nobody attends. There is nobody at debates on private members' bills. We flock in for the votes because the whips have whipped us into shape, so to speak, whoever has decided what is going to happen on that given bill. I am a little perplexed as to why that is the case.

2:20 p.m.

However, there has been one real measure of progress. As my classmate of 1955 reminded the members the constant taunt on that side of the House was, "You are an overnight guest." They were wrong. The three of those days is now 33, and one day it will be 63 or 73. I do not know when the people of this province are going to bring an end to a one-party rule, but one day it will happen and I hope to be around when it does.

## ORAL QUESTIONS

### LIQUOR ADVERTISING

**Mr. Nixon:** Mr. Speaker, I would like to direct a question to the Provincial Secretary for Justice. Is he familiar with the report that was commissioned by the Justice secretariat in January 1976, entitled Alcohol Use in Ontario, which sounded a very grave warning at the rapid increase in the utilization of beverage alcohol in the age groups 18 to 21 years? Is he further aware of the policy statement made by the Minister of Consumer and Commercial Relations (Mr. Drea), on March 30, 1978, controlling advertising on television for beer in this province, which said as follows:

"All such advertisements shall not imply that social acceptance, personal success, business or athletic achievement may result from



the use of the product being advertised. The advertisements must not suggest that the consumption of alcoholic beverages per se may be a significant factor in the realization of the enjoyment of any activity; nor may advertising suggest that consumption of alcohol in any way enhances performance or enjoyment of these activities."

Is the minister not aware that policy obviously is not in operation and that beer ads from Toronto now exceed those from Buffalo by a count of about four to one, and that under their lifestyle persuasion the utilization of beer in this province has gone up 4.3 per cent to 160 million gallons at a time when the population has gone up only a bit more than one per cent?

**Hon. Mr. Walker:** Mr. Speaker, I have a passing knowledge of the report of January 1976 put out by the Justice secretariat. Of course, I am aware of the policy that was promulgated by the Minister of Consumer and Commercial Relations in 1978.

As to the precise figures the member has cited, I am unaware of those. I am aware, however, that the Minister of Consumer and Commercial Relations would want to speak to him on the matter and probably deliver and put to him a more profound statement.

**Mr. Nixon:** Is it not the responsibility of the minister in charge of the Justice policy field, particularly since the minister is not following the policy and, as a matter of fact, is going directly counter to it, to see that this matter is raised either publicly or otherwise? If the government's policy is to encourage the kind of lifestyle advertising which indicates that the use of beverage alcohol, particularly beer, is going to improve your athletic prowess, your good looks, probably your sex life, we should know about it, because obviously there is a tremendous divergence in what the government says and what the government does. Will the minister take any responsibility for this, or is his position as Justice policy secretary simply a meaningless title?

**Hon. Mr. Walker:** The acting leader of the Liberal Party is well aware of the fact that the line ministers are directly responsible for each of their own policies. We tend to act as policy secretaries in the co-ordinating field. Now that he has raised the matter, we will see that the matter is placed on the agenda. Indeed, we will mention it this afternoon during a regular meeting of the cabinet committee on justice.

**Mr. Warner:** A supplementary, Mr. Speaker, on behalf of the member for High Park-Swansea (Mr. Ziembra), who has fought this

issue for a good number of years: Since it was government policy stated in this House, and the minister is supposed to be the provincial secretary for that policy field, why does he not state clearly that there will not be any more lifestyle advertising for alcoholic beverages on television? Surely the minister has the authority to make that clear statement here today.

**Hon. Mr. Walker:** I am sure the member will raise this matter with the Minister of Consumer and Commercial Relations; it is his duty to make any statement in relation to that matter.

#### DISPOSAL OF PCBs

**Mr. Nixon:** Mr. Speaker, I have a question I would like to direct to the Minister of the Environment. I have not heard anything from the federal authorities about the utilization of the plasma arc method to burn and destroy PCBs and other polluting chemicals. Can the minister assure the House that he is either going to contact the federal Minister of the Environment or that he is going to act on his own to bring about the utilization of this research that has taken place in Ontario? The method can burn up the PCBs rather than spending the \$5 million that is now projected as government policy for interim storage.

**Hon. Mr. Parrott:** Mr. Speaker, I can assure the honourable member that the answer to both those questions is yes. We have spent a lot of time on this. Our preference, as a matter of government policy, would be to have a method whereby we could destroy PCBs on site to reduce the hazards of transportation. Also, I have spoken to the federal Minister of the Environment and will continue to do so.

I do not know whether I can report much more than that. I can assure the honourable member that in this instance money is not a problem for us. I do not think there is that great a demand in the first instance. I guess it would be a great help if we could have our machine—the TAGA 3000—do some more assessment on that. It is one of the areas we are considering, or at least we are hoping to have some assistance from that machine to determine the complete safety. I do not know what more I can say in the way of assurance.

**Mr. Nixon:** A supplementary: Will the minister indicate that the utilization of the plasma arc method is one he prefers rather than storing the PCBs? Does he realize the significance of such a statement, particularly

since the Supreme Court of Ontario has found that Mississauga validly excluded PCBs from that municipality? I would think therefore that any other municipality could do the same thing.

It looks as if it is going to be practically impossible for the government policy to be carried out unless they switch it and direct it towards burning the PCBs as they come out of service and where they are, rather than transporting them to central storage.

**Hon. Mr. Parrott:** Mr. Speaker, our objective has always been to destroy PCBs by incineration. Storage was only an interim measure and never the final solution. So let me be as clear as it is possible to be. Yes, it is government policy—we want to destroy PCBs by incineration. There is a caveat to that which I think is awfully important. We want first of all to prove beyond a shadow of a doubt—and that is the reason for my reference to the TACA machine—that they can be destroyed as completely as it is humanly possible to do so.

So I say two things in summary: Destruction of PCBs by incineration is the position of this government and that is what we want; whether it be in the plasma arc or another way, we want destruction—and the best bet is incineration. Second, we want to be able to guarantee to the people that destruction is as high 100 per cent as it is humanly possible to do.

**Mr. Kennedy:** A supplementary, Mr. Speaker: Would the minister clarify precisely where this plasma arc research or process is at the moment? The minister mentioned he conversed with the federal minister. Does the minister have scientific staff involved in this experimental or research work? Would he just clarify where we are with it?

**Hon. Mr. Parrott:** Mr. Speaker, we do not have staff doing any research on it. That is being done by members of the Royal Military College in Kingston. We have staff assigned to do the assessment of that research and more particularly we will give a great deal of time and effort from our ministry to assess the effectiveness of that method of destruction.

2:30 p.m.

**Mr. Hall:** Supplementary, Mr. Speaker: In this prolonged interim period while the ministry is storing PCBs and is unable to destroy them in the manner it finds best through plasma arc, could the minister give us assurance that the ministry will only store PCBs

originating in Ontario and not bring them into the province from other parts of Canada?

**Hon. Mr. Parrott:** Mr. Speaker, I know of no application to have any PCBs brought in from other parts of Canada. As the member knows, the border is closed in both directions.

**Mr. Hall:** What about liquid waste PCBs?

**Hon. Mr. Parrott:** Liquid PCBs are banned from the border crossings now. I do not know of an application for those to be stored in the area of the member's interest. As he knows, the appeal board heard the case last week. I suspect, and I am sure, that in the very near future it will be recommending the conditions under which that particular site could accept material in an emergency, as the member and I have discussed on many occasions.

I do not wish to prejudice that hearing on what it shall deem an emergency. I think we should leave it to the appeal board to make that recommendation.

**Ms. Bryden:** Supplementary, Mr. Speaker: Is the minister aware of a recent article in one of the American scientific magazines suggesting a hydro-thermal method of destroying PCBs which would allow it to be done in small plants close to the source? Would it not be preferable to work towards that kind of a solution so that there are no transportation problems in bringing PCBs across the province into a centre and having the transportation hazards that come from transporting this dangerous substance?

**Hon. Mr. Parrott:** I may have missed something along the way, but it seems to me that the hydro-thermal method is not dissimilar to the plasma arc method. Whether they are synonymous or not, I am not 100 per cent sure, but they are very similar. The conceptual basis is identical. The conceptual basis is simply to destroy the materials where they are at present stored. The vast majority of those are stored all over this province. We would take the machine to the sites and destroy them there. That is our preference because it has all the advantages.

I can't repeat often enough—and I think this is very important and the key to the whole situation—that until the safeness of this is demonstrated by the TACA 3000 beyond any shadow of doubt, then we cannot support their destruction in less than as perfect a way as technology can advance today. We have a double responsibility. We have to find the means of destruction by using the best technology. The other side, which is also equally important, is to demonstrate

that it is safe and efficient. The prime responsibility of this ministry is not just to look for the technologies, but to add the extra dimension of their being safe for the people of this province.

#### LAURENTIAN UNIVERSITY COURSES

**Mr. Cassidy:** Mr. Speaker, I have a question of the Minister of Education about educational opportunities in northern Ontario for Franco-Ontarians. Can the minister explain why there are no courses offered in French in commerce or engineering at Laurentian University when Laurentian is meant to be the bilingual university for northern Ontario?

**Hon. Miss Stephenson:** Mr. Speaker, Laurentian University is funded in precisely the same way as all other universities. Decisions made about course offerings at the undergraduate level are decisions that are entirely the responsibility of the board of governors of that institution. When a bilingual institution does expand a program, we provide additional funding for a French-language program. We have done that for Laurentian in a number of other areas and for the University of Ottawa as well.

**Mr. Cassidy:** Does the minister not consider there is a responsibility on the government to ensure that there is education in northern Ontario in such important areas as commerce and engineering for Franco-Ontarians and that it be available in French? Particularly when there are now 26 high schools in northern Ontario for Franco-Ontarians, why can't students get into the areas of the economy when they graduate by taking courses at their own university of Laurentian? Why is the government insisting they must go either to the University of Ottawa or to Quebec to get instruction that should be available in the north?

**Hon. Miss Stephenson:** Mr. Speaker, there is no such insistence at all, as the honourable member very well knows. The decisions about course offerings at any university are decisions made by the governing body of that university. We can point out the need to them, we can demonstrate for them as much as possible that it would be appropriate to provide those programs; but we cannot insist to autonomous boards of governors that the programs be provided.

**Mr. Sweeney:** Supplementary, Mr. Speaker: I wonder if the minister could indicate how close her ministry is to making any decision, one way or the other, about a fully French-language university in Ontario?

**Hon. Miss Stephenson:** I am sure this matter will be discussed by the Ontario Council on University Affairs. We have had no recommendation at all from that body at this time, nor from the Council of Ontario Universities.

**Mr. Cassidy:** Supplementary: Does the government have any plans to carry out its responsibility to ensure there is training in northern Ontario for Franco-Ontarians in commerce and in engineering, or does the government intend simply to stand back and let the low-cost programs in arts be offered to Franco-Ontarians at Laurentian but not require that there be the courses in commerce and engineering, which is where the jobs are and to which Franco-Ontarians should have the right just as much as English-speaking Ontarians in the northern part of the province?

**Hon. Miss Stephenson:** If the honourable leader of the third party is suggesting there should be a total change of policy vis-à-vis the relationship between government and the university community within this province I wish he would say so directly.

What he is in actual fact saying is that the government of Ontario, or the Legislature of the province, should tell each of the universities precisely which courses it should offer, precisely the number of people and to whom they should be offered, and when and where they should be offered. That is a totally foreign concept as far as the universities of this jurisdiction are concerned and it is one I believe we really would have difficulty in persuading, not only the university community but the vast majority of the people of Ontario would be appropriate.

The universities of this province are indeed sensitive. They are understanding of the problems, and I believe that in almost all instances they have been moving in the direction of attempting to meet the societal needs of this province in the most appropriate way.

**Mr. Martel:** Mr. Speaker, supplementary: While it is admitted there is an additional amount of funding going into Laurentian University, isn't the minister aware that when one has a bilingual university that is an emerging university, if there isn't extra funding—and there is some extra funding, I have already granted that, but there isn't sufficient funding—to provide the number of options that are necessary to entice students to go to Sudbury, students who rather than going to Sudbury, are going off to Ottawa? The handwriting is on the wall for Laurentian University as a bilingual institution if the additional funding isn't forthcoming to allow those addi-

tional courses which give the students the options they need to get a full degree in French.

**Hon. Miss Stephenson:** Laurentian University, in the entire university system in this province, has the highest basic income unit of any institution. It is provided with additional grants from at least two other sources. It certainly has been funded with additional moneys to try to provide for French-language educational programs.

I think what the honourable member is suggesting is that Laurentian University be isolated and demonstrated to be a totally different kind of situation from any others. That has already been done. We are providing additional funds in order to try to meet the needs, the specific needs of, first, the northern location and, second, the bilingual characteristics of the community to be served. That action is in process.

I do not really believe the honourable member wants me to say there should be one university in this province that is treated entirely differently from all the other universities. I think he would think that would be wrong if he were to consider it seriously.

#### ONTARIO HUMAN RIGHTS COMMISSION

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Labour about the proposal for a race relations division in the Ontario Human Rights Commission, a proposal that was made six and a half months ago at a time when the minister said we cannot be complacent about the imperative of providing respect for visible minorities.

Since the Premier confirmed last week that a race relations division has not yet been set up despite six and a half months' delay, can the minister explain the reasons for this unconscionable delay and say what action the government intends to take and when?

2:40 p.m.

**Hon. Mr. Elgie:** Mr. Speaker, that is not quite accurate. A race relations commissioner was appointed on that same day and—I do not have the exact number here—a number of staff were assigned to him. At the same time he was appointed, a consultant was reviewing the administration and reorganization of the Ontario Human Rights Commission. The final allocation of certain responsibilities has therefore been left in abeyance but, as the member well knows, that commissioner has been very active. He was personally involved in the Chinese community-CTV issue and I think, with all humility, he can take

personal credit for achieving a resolution of that particular dispute.

I cannot agree they are inactive. I think they are very active. He is involved in many areas in a preventive way in this community and throughout the province, and I cannot agree with what the member said.

**Mr. Cassidy:** Does the minister not recognize that announcing action raises expectations and that unnecessary delays in establishing this race relations division, announced six and a half months ago, breeds cynicism? It leads to a lack of faith on the part of ethnic communities and all people in the province who are concerned about racism and want to see action by the government to stamp out racism in the province.

**Hon. Mr. Elgie:** First of all, as the member knows, by order in council a race relations division was established, a chairman was appointed, he has some staff, and he has been very active. He has been intimately involved in situations that brought him a great deal of acclaim for the quiet and discriminating way in which he dealt with problems effectively. I think the member is quite out of line to suggest there is not an active and involved race relations commissioner and division.

**Mr. Cassidy:** Can the minister then explain the confusion? We learned from the human rights commission that the race relations division was not yet established. The Premier told the House last Friday that the race relations division is in the process but is not yet established. Now the minister claims it is established. What are the facts? Why has it been delayed so long? What action does the government intend to take this summer in the light of fears that there may be more racial incidents to follow the incidents that took place over the course of the spring?

**Hon. Mr. Elgie:** I think the member is confusing two situations. First of all, there is a race relations commissioner. He is quoted very frequently and, as the member knows, he is involved in activities throughout the province.

The member is probably confusing that with the fact that a consultant has been reviewing a major reorganization plan within the human rights commission. That has no effect on whether there is a race relations commissioner in place, whether he has some staff and whether he is active, which he is.

### WORKMEN'S COMPENSATION

**Mr. Van Horne:** Mr. Speaker, I have a question of the Minister of Labour. Two weeks ago, during the committee hearings on the annual report of the Workmen's Compensation Board, Ontario, the minister indicated the much-heralded Professor Weiler would not be holding any public hearings in his full-scale study of the board. Rather, his terms of reference seem to centre around the internal workings of the board.

Does the minister have any plan to review workmen's compensation through a public hearing forum so that injured workers will have some chance to make suggestions for change in the WCB?

**Hon. Mr. Elgie:** Mr. Speaker, the member is not reporting the entire conversation we had at estimates. He will recall the order in council appointing Professor Weiler indicated that he was appointed technical consultant and adviser to the Minister of Labour to study and make recommendations with respect to the system of workmen's compensation in Ontario. His terms of reference are broad and give him freedom and leeway to investigate any aspect he may wish to.

In particular, there were four subheadings of particular matters that we requested he look into specifically. At the resources development committee hearings I committed myself to making interim and any other reports submitted to me by Professor Weiler available for public scrutiny. I will continue to support that position I took.

Professor Weiler has not been directed as to the manner in which he is to conduct his review, but he has made it very clear that he is prepared to meet with anyone to discuss the problems. To date he has met with a wide variety of people. He will be commencing his duties on a full-time basis during the summer, and during that period of time he will continue to see and speak to interested parties about the issues relating to the Workmen's Compensation Board.

**Mr. Van Horne:** In the course of the minister's response to the committee a couple of weeks ago, it was not made clear whether there would be public announcements as to the time that Professor Weiler might be available, whether he would be available only in Toronto or in what locations would he be available. Could the minister please make it clear whether there will be any opportunity for public forum presentation to Professor Weiler in his study?

**Hon. Mr. Elgie:** The member will also recall I indicated at those hearings that

Professor Weiler had told me he had already made some contact to visit Sudbury, for example, and meet with some people and he had raised the possibility of visiting other parts of Ontario. I indicated to the member at the time of those hearings that I would forward the transcript of those hearings to Professor Weiler so that the views of the committee would be known. The member expressed his views very clearly and there is absolutely no desire on anyone's part to not have a full understanding of the problems. I am sure he will be pleased to meet with anybody.

**Mr. M. Davidson:** Mr. Speaker, does the minister not understand, given the role that has been assigned to Professor Weiler—that is, a review of the Workmen's Compensation Act and the operations of the board—that he cannot possibly do that without holding public hearings? Will he not now accept the suggestion put forward by the member for Sudbury East (Mr. Martel) that hearings be held in the major communities throughout the southern parts of the province and in the northern parts of Ontario, so that those who have an interest in the injured workers of this province can meet Professor Weiler and discuss with him publicly what they see as the problems that exist within the Workmen's Compensation Board?

**Hon. Mr. Elgie:** I have indicated very clearly that Professor Weiler is someone who has been universally accepted as very appropriate to review the structure, function and philosophy of the board. He has not been directed as to the manner in which he discusses problems with interested parties, nor do I intend to give him that direction. I think we have to have that kind of confidence in a human being.

As I told the member for London North, I have sent a transcript of the hearings to him and he will be able to review members' comments. But let's all be sure and certain: There is no doubt that anyone with an interest will have the opportunity to express it to him.

### IMPORTED FRUITS AND VEGETABLES

**Mr. Swart:** Mr. Speaker, my question is for the Minister of Agriculture and Food. Is the minister concerned about the excessive promotion in this province of United States-grown fruits and vegetables just prior to the same kind of products coming on the market here? In particular, may I ask him if he is aware of the massive promotion of fresh

strawberries—California strawberries, incidentally—by Ponderosa? It is part of a multi-national with many tentacles and has been doing this promotion now for 10 days or more, just before our own Niagara strawberries are to come on the market. If the minister knows about it and is concerned about it, what contact has he had with retailers and food outlets like Ponderosa to stop this practice, which is injurious to our farmers?

**Hon. Mr. Henderson:** Mr. Speaker, I was not aware of the advertising that the honourable member is referring to. I am sure he is fully aware that I support the advertisement of Ontario home-grown products at every opportunity. I do not need to put my position forward. I am sure all members know it.

**Mr. Swart:** I will send this card over to the minister so he can look very closely at the card being used by Ponderosa. There are many other cards, much larger, advertising these fresh strawberries. He will note that nowhere do they give the nationality of the strawberries. Does he not think that it is rather an unsavoury sales practice, perhaps even underhanded, trying to confuse it with the strawberries that are grown here at this time of year, and does the minister not think it is time he had some discussion with his Minister of Consumer and Commercial Relations (Mr. Drea) and pressured him to ensure that in instances such as this the product is clearly designated as to its country of origin?

2:50 p.m.

Interjections.

**Mr. Speaker:** Order. While I was having lunch today with our guest in the gallery, Mr. Clifford Irving, he said it was unheard of for anybody to interject in the House of Keys. Perhaps that may be something you would want to—

Interjections.

**Hon. Mr. Henderson:** Mr. Speaker, I now have the ad, "Get fresh strawberries bursting with sweet, natural goodness." There is nothing here to show where these are grown.

Interjections.

**Hon. Mr. Henderson:** This morning I approved for the press a note from the minister advertising that the season is now on for Ontario-grown strawberries. I have my press release right here if the honourable member would like to see it. I would be glad to show it to him.

I would just point out that in the release it says we can look forward to enjoying

them throughout the rest of June and into July. I am sure the honourable member is well aware, as is anyone sitting here, that any of the proposals he has put forth comes under the government of Canada, not under this Legislature.

#### CAPITAL ALLOCATIONS FOR SCHOOL BOARDS

**Mr. Hodgson:** I would like to ask a question, Mr. Speaker, of the Minister of Education. When can the school boards across this province expect to be notified of their allocation for capital expenditures, since the season to get construction done is wearing on?

**Hon. Miss Stephenson:** Mr. Speaker, the capital allocations for 1981 will be made known in a limited way to all of the boards within the province within the next week, except for Metropolitan Toronto, which still has some questions to be resolved before that final decision can be made for the boards involved within the Metropolitan Toronto area.

**Mr. Hodgson:** My school board from York phoned me this morning and said it has been waiting for some time to be notified about the allocation. Can I assure it that it will be notified within a week?

**Hon. Miss Stephenson:** Yes.

**Mr. Stong:** Mr. Speaker, I have a question of the minister on the same line. Will the minister respond affirmatively and immediately to the 2,000 people in Unionville who have sent a petition, which was presented by this member to the Premier (Mr. Davis) in this House on April 14, regarding the establishment of a secondary school in Unionville, and will the minister give them a guarantee that they can have that school immediately?

**Hon. Miss Stephenson:** Mr. Speaker, the honourable member is asking for the impossible and he very well knows it. One cannot guarantee that immediately. The decision is in the process of being made at this time.

#### FRUIT AND VEGETABLE PROCESSING

**Mr. Riddell:** I have a question for the Minister of Agriculture and Food. Mr. Speaker. Is the minister aware of a task force, which was established by the Minister of Industry and Tourism (Mr. Grossman) in January, and a report, entitled the Consultative Task Force Report on the Fruit and



Vegetable Processing Industry in Ontario, which was released in July 1979? If the minister is aware of this report, would he indicate to the House the nature of the report, the recommendations and the action that the government is contemplating based on those recommendations?

**Hon. Mr. Henderson:** Mr. Speaker, I would have to say at this moment I am not knowledgeable of the contents of that report.

**Mr. Riddell:** Would the minister then familiarize himself with this report and would he table the report, since a lot of work has been put into that report and for some reason the government seems to sit on it rather than bring it to the House and let the rest of us know what it is all about?

**Hon. Mr. Henderson:** I will be glad to look into it. Will the honourable member again give us the name of the report to which he is referring.

**Mr. Riddell:** The name of the report is the Consultative Task Force Report on the Fruit and Vegetable Processing Industry in Ontario. We are down to one canner now.

**Mr. MacDonald:** When the minister is considering what he might do in the light of that report, would he mind reviewing the representations that were made by the budget critic in this party last year? At the time our critic pointed out that one of the areas of decline in our manufacturing and processing sector was in the food industry. I think the minister may have a prescription there as to how he might implement the report and reverse the trend.

#### DROWNING DEATH

**Mr. Wildman:** Mr. Speaker, I have a question for the Solicitor General. Can he assure us that an inquest will be held into the drowning that occurred on the Mississagi River this weekend? Apparently it related to a sudden onrush of water as a result of Ontario Hydro opening a sluice gate which led to the swamping of a sport fisherman's boat and the drowning of an Etobicoke man.

**Hon. Mr. McMurtry:** Mr. Speaker, I am not aware of the tragic incident to which the member has referred. I will look into it and report back to the member. Without having some more details, it would not be reasonable to give an undertaking at this time.

#### MARKHAM SCHOOL

**Mr. Stong:** Mr. Speaker, I have a question of the Minister of Education. Is the minister aware that a proposal will be debated this

evening at the York County Board of Education which would require children from grades one to five, in the German Mills area of Markham, to be bused some 16 miles away to the Jefferson Public School beginning in September? This is because the ministry has steadfastly refused to provide sufficient funding for a school in that rapidly growing area.

Will the minister immediately indicate an allocation or a commitment to allocate funding to assist these young families and these young children to have their own school in their own community?

**Hon. Miss Stephenson:** Mr. Speaker, I was not aware of the specific recommendation of the board. I had heard that there was going to be some discussion this evening. As I said earlier, I have also indicated there will be information provided to all boards outside of Metropolitan Toronto this week regarding the allocations that can be made for the year 1981.

#### ARROWHEAD STRIKE

**Mr. Lawlor:** Mr. Speaker, a question for the Minister of Labour: I am becoming increasingly concerned about the Arrowhead strike in New Toronto, the old Anaconda plant. It is turning into a very nasty situation. Is the minister monitoring this situation closely and will he offer his good offices in an intervention?

Second, will the minister consider working closely with the Solicitor General to lay down guidelines and some degree of co-operation between the union, management and the police forces of Ontario so that we can get some guidelines as to police operations? The picketers on that line feel that the close relationship between management and the police is acting detrimentally to their interests and to the solutions involved in that strike.

**Hon. Mr. Elgie:** Mr. Speaker, I have been aware of the strike at Anaconda and have had mediation staff in touch with both parties. They continue to be in touch with the parties. If the member is suggesting that there is something to be achieved by intervention beyond keeping in touch with the parties, awaiting some opportunity when there seems to be a reason to call them together, I will be glad to look into that and make inquiries from both parties.

The second part of the member's question has to do with police activities on the picket lines, and that is a matter I would refer to the Attorney General.

3 p.m.

## NIAGARA RIVER POLLUTION

**Mr. Kerrio:** Mr. Speaker, a question of the Minister of the Environment before he leaves the assembly: Is the minister aware of a situation in New York state where there is a lawsuit pending against SCA Chemical Waste Service Inc.? In the event that lawsuit is successful, that company may not be financially able to carry out the mandate that was given them as it relates to the disposal of dangerous toxic wastes.

Is the minister in turn protecting the people of Ontario with adequate bonding so that, in the event of a failure of a chemical waste disposal company, the people of Ontario will have adequate protection to see them through to its conclusion and the ultimate destruction of the chemical?

**Hon. Mr. Parrott:** Mr. Speaker, there is no doubt about it. The answer to that question is yes.

We will have—and I would have hoped the honourable member might have been aware of this—a perpetual care fund. As the member knows too, in Bill 24 a substantial commitment was made both by the government and by the requirements on industry to protect against any spill into the environment. That is one aspect.

The other aspect is, if it were not a spill but a harmful environmental result from a landfill site, the perpetual care fund would look after that. On both fronts, the government and the ministry are attacking very vigorously, and the citizens are protected.

**Mr. Kerrio:** Are the regulations in place now, or are they being contemplated? Am I misunderstanding the direction given to me that there is some question about whether those regulations are all in place so that it is mandatory to be bonded, or are they in the process?

**Hon. Mr. Parrott:** The bill is passed and the regulations are soon to be in place. But there is no doubt about the total commitment. The perpetual fund regulations will not be in place quite as soon as the regulations on Bill 24. Nevertheless, the government has seen fit on many occasions to honour these kinds of problems.

Perhaps the classic case in point is the one at Dowling. I received an extremely pleasant letter from the mayor of Onaping Falls, indicating the complete satisfaction he has with the government in protecting his community through the expenditure of taxpayers' dollars.

On an ad hoc basis the government is very clearly doing this kind of protecting. In the

near future it will not be on an ad hoc basis, but in a very formal way through Bill 24 and the perpetual care fund.

**Ms. Bryden:** Mr. Speaker, can the minister tell us the reasons for the foot-dragging on the perpetual care fund? It has been 18 months since this was recommended by the resources development committee. The minister accepted the idea, but we still have not got it.

**Hon. Mr. Parrott:** Mr. Speaker, these are pretty involved regulations. It is easy to put the concept forward, and easy to accept it. But to finalize all the regulations is a matter of some degree of difficulty. There is administration. The concept has to be put into intimate detail. It will be here soon. There is no foot-dragging, let me assure the member.

**Mr. Gaunt:** Mr. Speaker, when will the minister have completed the identification of waste disposal sites in the province to which perpetual care will apply?

**Hon. Mr. Parrott:** That is a matter of degree. I believe right now we have the vast majority of those sites identified. Whether we will ever find every last one of them is almost impossible to answer.

Without doubt, we have identified all the major sites. I cannot possibly conceive of a major site of any size or significance that has not been identified. I am sure the program we have been on in the last two years is a very significant program to identify those sites and to assess their relative hazards, if any. But to go to the next step and say it is 100 per cent, I guess, will never happen.

The basis of our program was to make a very significant attempt through public relations to ask people to come forward. That is why I welcome this question again if it is given publicity. If anybody knows of an area where he or she thinks a site might have existed, we want to know and we will investigate it.

## TRANSPORTATION OF PHYSICALLY DISABLED

**Mr. McClellan:** Mr. Speaker, I have a question of the Minister of Transportation and Communications. My question concerns Wheel-Trans which, as the minister knows, is the Metro Toronto transit system for the physically handicapped. I want to ask the minister whether he is aware of the resignation on May 27 of Professor Leonard Theodor from the Wheel-Trans advisory committee. Also, is he aware of the concerns that have been expressed by Professor Theodor and by



a number of people over the past eight months or so with respect to the number of accidents, inadequate training of the drivers at Wheel-Trans, inadequate safety inspection procedures at Wheel-Trans by the Ministry of Transportation and Communications and rigidity of the scheduling system? If he is aware of these concerns, could he tell us, either now or by way of a ministerial statement at a later time, what action his ministry is taking?

**Hon. Mr. Snow:** Mr. Speaker, no, I am not aware of the resignation of this gentleman. I do not know him, and no one has made me aware of any resignation from any committee that he may belong to.

**Mr. McClellan:** The minister did not deal with the concerns that have been raised by Professor Theodor and in the press. Let me ask him specifically, perhaps to help him acquaint himself with the problems, will he table for us a report on the number of accidents that have occurred over the past 18 months within the Wheel-Trans system? Can he table, as well, the results of MTC inspection reports where those reports have indicated a safety defect in a Wheel-Trans vehicle or in Wheel-Trans procedures?

**Hon. Mr. Snow:** Yes, I will be glad to get the honourable member what information we have, or what we can obtain from Metro, as to the number of accidents that have taken place involving those vehicles. I am sure we can get that information for him.

**Mr. Blundy:** Mr. Speaker, I would like to ask the minister a further question on this matter. Is the minister considering having the Urban Transportation Development Corporation look into the development of a vehicle that would include all the safety standards that are now known for the transportation of the disabled? Would he put some concrete thought and action behind this problem of transportation for the disabled?

**Hon. Mr. Snow:** I would have to say we are not considering having UTDC develop a new vehicle for the transportation of the physically disabled. One thing we are doing is working through the committee of all 10 provinces and the territories of the Canadian Conference of Motor Transport Administrators to establish some specific standards for safety equipment, hold-down equipment and that type of thing, which could be legislated as necessary for the transportation of citizens in wheelchairs. We are working with the CCMTA to come up with a universal standard across the country for that particular area of concern.

I have also instructed my staff to work on some proposals or some guidelines that could be made available to all systems that are running handicapped transit as to the training requirements or special training that might be necessary for the drivers.

3:10 p.m.

#### MOTORCYCLE GANGS

**Mr. Ruston:** Mr. Speaker, I have a question of the Attorney General; possibly it will go over to the Solicitor General to some extent. It is with regard to the amount of crime and shooting that has happened in the Windsor and Essex county area in the last few weeks. Many people are quite concerned that some people who were involved in motorcycle groups have now disengaged themselves from those organizations and are fearful for their lives and are saying they are going to have to arm themselves.

Can the minister give us any assurance of any assistance—background, underground or whatever he wants to call it—from his police force with regard to the serious situation in that area now, especially since we are counting on so much tourist traffic from the Americans at this time of the year?

**Hon. Mr. McMurtry:** Mr. Speaker, the activities of these motorcycle gangs have been of great concern to the police forces in Ontario for a considerable period of time. I want to assure the honourable members that the activities of these gangs are being monitored very closely. The number of charges that have been laid against members of these gangs in the last year or two has increased dramatically and we have witnessed a number of serious and successful prosecutions. I want to assure the members that the matter is taken very seriously.

I have not had an up-to-date report on the activities to which the member has particularly referred, the four shootings in the Windsor area; I expect to have a report very shortly. But I have said on other occasions that there are very few members of these motorcycle gangs whose activities individually are not monitored very closely by the police. While the rash of killings is very disturbing, we have no reason to believe this is going to continue.

**Mr. Ruston:** Since the minister is in charge of justice, I assume he must have some contact through the Royal Canadian Mounted Police with regard to the drug traffic. Since that may be related, will the minister make an extra effort to contact the RCMP to see that they are a little more active in that area?

**Hon. Mr. McMurtry:** I can assure the member, because of the RCMP involvement and responsibility related to interprovincial and international drug traffic, that they are very much involved in that situation.

#### FEDERAL GRANT TO MICHELIN

**Mr. Charlton:** Mr. Speaker, in the absence of the Minister of Intergovernmental Affairs (Mr. Wells) and in the absence of the Minister of Industry and Tourism (Mr. Grossman), I will direct my question to the Minister of Labour.

Presumably the minister and his colleagues have had discussions with the federal government about the possibility or question of grants to Michelin Tires (Canada) Limited in Nova Scotia. Precisely what position has the government taken in terms of the possibility of those grants? In the light of the \$56-million grant that has been announced, does the minister have any estimate of the number of jobs that are going to be lost in Ontario as a result of this proposal?

**Hon. Mr. Elgie:** No, Mr. Speaker, I have not been involved in any of those discussions, but I will be glad to give the Minister of Industry and Tourism and the now-present Minister of Intergovernmental Affairs the message the member has given me.

**Mr. Charlton:** Perhaps I can redirect to the Minister of Intergovernmental Affairs. In the light of what has happened, is the minister prepared to go to Ottawa and demand some kind of financial support from Ottawa to support the tire industry in Ontario and to protect Ontario jobs?

**Hon. Mr. Wells:** Mr. Speaker, perhaps the best way to answer that is to indicate that this whole matter has been of concern to this government. My colleague the Minister of Industry and Tourism is not here today to answer for himself, but I think he can tell the member some of the things he will be prepared to do, because he is thoroughly re-viewing the implications of this grant for the tire industry of this province.

I also want the members of this House to know that my colleague did write to the Minister of Regional Economic Expansion to express the concern of the government of Ontario. This government requested the federal government to consult with us first about the potential detrimental effect to this province and to other provinces. Unfortunately, I am informed the government of Canada acted unilaterally. In other words, the consultation that had been requested was never carried out. Therefore, the minister of

that area is now assessing what further reviews we will have to do in this province and what further representations will be made. I am sure representations will be made to point out very forcefully that the consultation we had requested was never held and that there are potential detrimental effects to the tire industry in this and other provinces.

I want to add that I am informed that in the case of grants to the pulp and paper industry and to other enterprises through our Employment Development Fund this province very scrupulously ensures that any assistance we add to these industries is not going to detrimentally affect jobs in other provinces. We try to take that into account as one of the criteria when looking at making loans under that particular program of this province.

**Mr. Isaacs:** Mr. Speaker, will the minister in his role as Minister of Intergovernmental Affairs set up procedures with the federal Liberal government to ensure that this kind of thing never happens again and that the federal government does not shift jobs out of Ontario to union-busting companies like Michelin in Nova Scotia?

**Hon. Mr. Wells:** I would be happy to tell my friend that I will do everything possible to ensure that we have even better lines of communication—obviously they have not been good in this particular instance—on all those things between this government and the federal government.

#### WATERLOO DETENTION CENTRE

**Mr. Sweeney:** Mr. Speaker, I have a question of the Minister of Correctional Services. Can the minister advise us what plans he has to resolve the conflict between the public inspection panel's view of overcrowding in the Waterloo jail and the view of his regional director, particularly when the panel says the jail should not have more than 60? It had 83 on the inspection tour, and the director says it can always get more in and has had as many as 100. How does the minister resolve that kind of conflict?

**Hon. Mr. Walker:** Mr. Speaker, in the same way as one does not build roads for rush-hour traffic, we have the same problems in corrections. During the spring we invariably have a heavier usage of our jails than we do at most times.

**Mr. Kerrio:** They are all out fishing for smelt.

**Hon. Mr. Walker:** The member for Niagara Falls suggests putting them out fish-

ing, but I do not think we can do that. A week ago last Monday I was actually at the Waterloo Detention Centre. That particular day the counts corresponded with the actual capacity; so I was not at all concerned. There is a certain fluctuation that continues to go up and go down. We have to accept the fact that we cannot always provide for the maximum usage. By about the middle of June, the usage in that particular facility will start to wane and over the summer it will go down well below the capacity level. It will probably build up a bit more towards the fall.

I do not think it is anything to be too concerned about. I looked at the facilities, specifically with the overcrowding in question, and I was satisfied that the pressures would not be substantial, even with a degree of overcrowding. Once we open the Wellington Detention Centre—the former Hillcrest—which is now being renovated and will be open, I believe, in December of this year, that will undoubtedly take some of the pressure off there and solve most of the concerns and alarms the member would have.

**Mr. Sweeney:** Is the minister aware of the comments by staff inspector David James that there are times when the local police are advised to use greater discretion in arresting people if they have been warned in advance that there is crowding at the jail? What kind of a system of justice is this where the determination as to whether a person is going to be arrested and jailed depends upon whether there is space in the jail to hold him?

3:20 p.m.

**Hon. Mr. Walker:** I think it is very wise for us to allow the police forces in the area to be well aware of the details of our own particular pressures at the moment. In fact, that would suggest to the staff inspector that some of the local lockups might be more used in that case than might otherwise be the case. In other words, they can keep one or two people in the lockups over the weekend until perhaps the pressure is off.

The fact is that we cannot build jails in this province to meet the highest pressure. We have to accept the fact that from time to time there is a buildup. I would be glad to make an arrangement for the member to tour that facility. I think he would see it can cope quite comfortably with some additional increase in the number of people who are incarcerated at the time.

In fact, when there are periods of overcrowding, when there are periods when the

capacity is surpassed, all that means is that each one does not have his own bedroom. What it really means is that the odd one or two must sleep in other accommodation. That amounts usually to a mattress provided in the day-room area outside the cell area which is perfectly secure. The public in the member's area can be satisfied that security is not in any way endangered. I think he will find, if he takes a tour of that himself, it can accommodate some overcrowding with no deleterious effects on inmates. I have not had one comment from one inmate, and that is unusual for an overcrowded area.

## MOTION

### COMMITTEE SITTING

Hon. Mr. Wells moved that the select committee on constitutional reform be authorized to meet concurrently with the House tomorrow evening.

Motion agreed to.

## INTRODUCTION OF BILLS

### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Wells moved first reading of Bill 119, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

**Hon. Mr. Wells:** Mr. Speaker, the purpose of this bill is to increase the representation on the Metropolitan School Board from the Scarborough Board of Education from two members to three members effective December 1, 1980.

## ANSWER TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, I would like to table the interim answer to questions 183 to 201, inclusive, standing on the Notice Paper. (See appendix, page 2665.)

## ORDERS OF THE DAY

### CONCURRENCE IN SUPPLY

Resolution for supply for the following ministries were concurred in by the House:

Ministry of Education;

Ministry of Colleges and Universities.

### NON-RESIDENT AGRICULTURAL LAND INTERESTS REGISTRATION ACT

Hon. Mr. Henderson moved second reading of Bill 60, An Act to require the Regis-

tration of Non-resident Interests in Agricultural Land in Ontario.

**Hon. Mr. Henderson:** Mr. Speaker, I have no prepared comments, but I would refer the House to the statement I made at the time of the introduction of this bill. I could go into some length, but I have made the two critics aware of an amendment I would like to make in committee of the whole House. I have informed them that I am quite willing to accept the recommendation made by the Ontario Federation of Agriculture, namely, that the time for registration of present land owned by nonresidents be reduced from two years to one year. But I would be very glad to answer questions on any part of it.

**Mr. Riddell:** Mr. Speaker, needless to say, I was very happy to welcome this government bill. It means we are finally going to have an opportunity to find out how extensive foreign purchase of land is in this province. The next step will be legislation imposing limits if that appears to be necessary.

I have been pushing the government to take action on foreign land ownership since 1978. I have been supported in my endeavours by the agricultural community, municipalities, individual owners and farm organizations.

Just by way of history, members will no doubt recall that on December 5, 1978, I asked the Minister of Agriculture and Food if he was aware of the widespread and serious concern about block purchases by foreign investors of agricultural land in the counties of Bruce, Huron and Kent. I also asked if it was true that foreign interests were circumventing the land transfer tax by forming Ontario corporations and whether the minister would undertake a survey of current foreign ownership of rural land in Ontario, as well as monitoring all new land transfers to private or corporate foreign ownership, as had been recommended by the Ontario Federation of Agriculture at its annual meeting.

For the last five years at least there have been periods of intense buying of farm land by non-Canadians. The latest increased activity in this connection appears to be concentrated in Huron-Bruce, but there are also reports of relatively significant activity in other counties throughout Ontario.

Recently, a person dropped into my office and left a copy of a deed on my desk. It was a deed for the sale of 1,073 acres of agricultural land in the regional municipality of Haldimand-Norfolk to a German pur-

chaser. This land was sold for more than \$1 million in cash. It was interesting to note that no land transfer tax was paid on this transaction.

I am sure that most of us have noticed the frequent advertisements in Ontario newspapers which lead to thousands of acres of farm land being sold to out-of-town cash buyers who have no intentions of farming. Many of our Canadian farmers who wish to expand their operations or who want to make room for their children are worried because these foreign investors drive up the price of land until it is out of reach for the young farmers.

Few people would feel justified in suggesting that non-nationals should be prohibited from owning Canadian real estate or farm land, but understandably there is considerable anxiety about large amounts of foreign investment frequently being concentrated in sizeable blocks of holdings. While some immediate problems arise from the escalating foreign land purchases, the overriding concern is with respect to future control of Canadian resources and communities.

A past director of the National Farmers' Union would like to see a province-wide farm land classification plan with all prime land excluded from foreign ownership, because he fears that in the long run rural municipalities will die unless the trend of corporate ownership is reversed. In his opinion, corporate farm owners will buy in bulk from wholesalers or manufacturers with complete disregard for local towns and villages. Moreover, food prices will increase because these corporations will insist on profit all through the chain and, by virtue of their strong grip on supply, will be able to force the issue.

Many people fear that because these corporations have no particular stake or interest in the community, public buildings will be neglected, schools and churches will be forced to close. Already there are complaints of corporations refusing to co-operate on drains and fences, thus hindering the efforts of neighbouring farmers to improve their land by effective tiling.

3:30 p.m.

Regrettably, there is very little statistical data on foreign land ownership in Ontario. The last systematic survey done on the subject was by the select committee on economic and cultural nationalism in 1973, at which time only about one per cent of Ontario real estate was owned by non-nationals. I would like to remind the House that the interim report of that select committee recommended that: "future acquisitions of land by indi-

viduals, including agricultural land, and the opportunity to farm in Ontario should be restricted to Canadian citizens and landed immigrants resident in Canada." I would also like to place on record that the Minister of Agriculture and Food once removed dissented from this recommendation.

We are aware that this problem of escalating foreign ownership of land is not unique to this province. However, it would seem we have been unique in our provincial government's determined reluctance to come to grips with this situation.

I once again raised the issue in this House on April 17, 1979, when I revealed that a West German family actively seeking to purchase agricultural land had enough money deposited in Huron county banks to buy the equivalent of two townships of land. At that time, both opposition parties urged the government to establish a provincial foreign investment review agency. However, the then Minister of Agriculture and Food told us he would need more facts and figures before taking action. He also deemed it necessary to remind me of the 20 per cent land transfer tax on the sale of land to non-Canadians and that many buyers are coming to Canada to farm the land themselves. To all appearances he was prepared to slough off the specific case I had raised.

You may recall that I had received a call from a local farmer with the story of the West German family which had solicited the assistance of a real estate agent to buy his 1,000-acre farm. The German family was apparently in the cement business in Germany and worth about \$750 million.

Belgian and Dutch money is also coming into Huron county, one of the counties where there seem to be considerable land-buying activities on the part of foreign interests. The usual approach is to buy the land at \$1,200 to \$1,500 an acre, although there are reports of land being sold to foreign investors for as much as \$3,000 an acre. Frequently, the land is leased back to the farmer at \$100 an acre annually.

The minister was sceptical about the anxiety which I expressed. He said the minister did a survey in Kent county, and I want to quote his words: "When all of you were making a great deal of noise about the takeover by foreigners, it turned out to be about one per cent of the land—and that was not necessarily foreign ownership; they could have been Canadians who were resident somewhere else."

That was the end of his remarks at that time. My colleague the member for Essex

South (Mr. Mancini) asked whether the minister had a plan of action in the event the study showed there was more foreign ownership than expected, but the minister replied: "We have looked at the foreign ownership of land from the last survey we did. We do not feel there was any major problem to be concerned about at that point in time."

The minister may not have been concerned. I certainly was and I still am; so are a lot of people in Huron county, and so are a lot of people in other parts of Ontario and in other parts of Canada for that matter.

Already four other provinces have laws restricting foreign ownership of land. Already there is legislation on this subject in the United States. In the fall of 1978, the United States Congress passed a law that would force all foreign owners to register their land ownership. At least 25 states have enacted constraints of some kind on foreign land holdings.

Legislation has also been introduced to close tax loopholes which encourage foreign investors to buy United States farm land because, working through subsidiaries registered in tax havens, such as the Netherlands Antilles, they can invest in American farm land, rent it or lease it and pay no United States taxes. Moreover, when the foreign investor sells the land, he is exempt from capital gains tax.

Many of the foreign investors come from countries that have tax treaties with Canada. They do not have to pay income tax; instead, they pay a withholding tax. In cases where there is a treaty with Canada, the rate is 15 per cent. In other cases it is 25 per cent. The only other tax they are likely to pay is capital gains on real property. Canadians, on the other hand, have to pay regular income tax, frequently in excess of 15 or 25 per cent, plus half of the gains tax.

Foreign ownership of land is a matter of some controversy in the United States, where Germans and Italians are the heaviest investors, followed by the British, French, Belgians and—note this—Canadians. There are people in the United States who, like Ontario's Minister of Agriculture and Food, believe there is no cause for alarm or even concern. After all, they say, most of the buyers are good neighbours who often lease the land back to Americans and pour in development money to introduce modern small-farming techniques. Supposedly, these foreign investors are not primarily interested in making a profit. They simply wish to protect their capital against the ravages of inflation and the spectre of creeping socialism.

Mr. Speaker, you may be interested in the response of a San Francisco-based expert on farm real estate when he was asked why a foreign investor would believe he could possibly make \$2,100-an-acre row-crop land pay, when the local farmer says there is no way. I want to quote what he said: "If your money is sitting in a bank in Lugano or Zurich, if your money is sitting in that economy, in Spain, for instance, with 25 per cent inflation last year, you're losing capital. If you can invest in something that is going to produce long-range inflation protection, as compared to a negative return in the Swiss bank, you are going to do it." However, we in this House are not directly concerned with the situation in the United States, although indirectly what happens there affects us.

The Minister of Agriculture and Food may be more interested in excerpts from a Windsor Star editorial, following the exchange between myself and the former minister on April 17, 1979, on this subject. I would like to place these comments on record. I quote what that article stated:

"If Newman" the former Minister of Agriculture and Food—"really believes that a 20 per cent land transfer tax would discourage large-scale land purchases, we must assume he is a very naive minister indeed. If he really believes that German or Dutch or Belgian industrialists would sink millions upon millions of dollars to buy thousands of acres of land in Canada because they want to farm it, he must also be a very gullible minister.

"If Newman continues to rely on old studies on the matter and is willing to give purchasers of land the benefit of the doubt as to their nationality, in reply to Mancini's question, without having made certain of the existence of reasons for that doubt, he may be said to be not a very serious minister, and that could be a disastrous combination for the provincial government.

"What if, one day, the opposition's claims prove to be true? What if the German owners of 40,000 acres of land in Huron county decide to subdivide the land for residential or industrial development? What if they start scraping off the topsoil and start digging out the limestone beneath it to roast it and grind it into cement? The least Newman can do, if he takes the job seriously, is to investigate the opposition's claims. They may turn out to be unfounded, but they may also hold some surprises, and a surprise now would be far easier to take than a future shock."

On April 17, 1979, I asked the Minister of Agriculture and Food, "What in the

world is it going to take to move you on this subject?" I am pleased that the present minister has finally taken some action. But his seriousness might be questioned considering he is giving foreign investors two years in which to register.

Despite the apparent reluctance I perceive, the minister, who not only represents a rural riding but also the farmers of Ontario, knows that the leading topic of conversation and concern in our rural communities is about Ontario farm land being sold for record prices, in many cases at prices far above the going rates, and being bought by foreign investors.

Small-scale farmers complain they are being priced out of the market, and larger-scale farmers say they simply cannot compete with the special tax advantages foreign investors have. I have alluded previously to that tax advantage.

3:40 p.m.

Yet no one knows how much land foreigners have bought or are buying. Let me make it perfectly clear that, by foreign-owned, I am referring to persons non-resident in Canada. I was interested in hearing the results of the Rural Development Outreach Project, which were revealed last Thursday night at a meeting in Huron county. The Rural Development Outreach Project has been going on for more than a year, and I trust they have submitted a report to the minister. I don't think I am giving away any secrets at this present time.

They used township assessment roll data, augmented by registry office data, and indicated that foreign-owned land amounted to about 0.95 per cent. There also was land that was owned by non-Ontarians but residents of Canada, which amounted to 0.1 per cent. Land owned by nonlocal people, but resident in Ontario, amounted to 3.8 per cent. There was what they called local urban land, which amounted also to 3.8 per cent. This local urban land investor is one who lives in a town, village or hamlet within the township in which the land is located or within its adjacent township.

The story revealed that 8.7 per cent of the land in Huron county is owned by non-resident farmers. They drew the conclusion that this can have serious effects on the structure of the local communities in the same way that foreign investors affect a community.

I trust the minister will be getting this report. It may well be worth his while to peruse it and see what is contained therein.



I am sure it will help him to realize we are doing the right thing by disclosing the amount of land in foreign ownership. We may even find out, at some time, how much of this land is owned by nonresident farmers.

I have no objection to foreign people coming to this province and competing with our own farmers in the purchase and operation of farm land. Most of these people have made a very great contribution to the agricultural industry in this country. These people live on the land and they farm it. What I do object to is the investment type of purchase of property, where foreign investors do not live in this country, do not participate in the production of the land and just reap the profits from it.

I know there are those who are concerned about nonresident farmers per se, period. There are some who are prepared to say that any investment in farm land should be only by those who are prepared to come and farm the land and compete with our own farmers. I am not prepared to go that far, but there are many whom I have talked to who are really concerned about this 8.7 per cent of our land that is owned by nonresident farmers. They may be living in other places in Canada, other places in Ontario or in other communities within Huron county, but not necessarily living on and farming the land they own.

I believe most people would agree that large concentrations of nonresident owners in any one area can affect the whole social structure of a community. While in many cases the practice seems to be that the land is usually leased back to resident farmers, I am inclined to believe that foreign investment will accelerate the demise of the family farm unit. Moreover, in most cases the rent being charged for the land that is foreign controlled is unjustifiably high from the standpoint of even hoping to make a profit on the land.

The main objection from farmers is that foreign buyers are paying excessively high prices for the land. That in turn pushes up the value of land owned and prevents young people from entering farming or expanding in the business. What that means is that the younger generation of potential farmers would be reduced to nothing more than tenant farmers.

I don't think that when the Minister of Agriculture and Food (Mr. Henderson) talks to the graduating students at the agricultural colleges across Ontario he can convince them the thing they should be doing is going back to the land, renting the land from foreign

investors and never hoping ever to own that land eventually. Once that land is sold to a foreign investor, it is going to be very difficult ever to get it back under Canadian control.

I would hate to think these graduates are going to be reduced to what I call tenant farmers. I do not think I would have ever gone farming if I did not think I would be able to own that farm at one time, and I am sure young people look at it the same way I do.

Some farmers feel their land is their pension, and they would like to be able to sell it for the top dollar regardless of who will eventually own it. This point is well taken if we choose to disregard the future of this country. The eventual conclusion, however, is that if our agricultural industry becomes foreign-controlled, we could find ourselves at the mercy of other countries for the food we need for our own domestic consumption.

Surely we have learned a lesson from the energy situation in which we find ourselves today. We are so reliant on the nations of the Organization of Petroleum Exporting Countries for our oil that we have very little to say in the price or even the assurance that we will continue to get this source of energy, which we cannot do without at this time.

I know the minister is going to say they cannot pick this land up and take it over to Germany or whatever countries these investors are investing their money in. But we will have very little control over what they do with that land. If they choose to grow a crop that is more lucrative to sell on the foreign market, or even take it back to their own country, they will do that. The first thing we know, we will become less and less self-sufficient in food production in this province.

Surely we do not want to lose control over the primary resource we still have, and that is land. We have sold the shop in everything else. Most of our industry, as we must admit, is now foreign-owned.

Much of the concern over foreign ownership stems from the lack of knowledge about its extent, the source and nature of such large amounts of ready cash, the long-term intent of foreign purchasers regarding the use of the land and the lack of any effective controls over these purchasers. It is far from easy getting concrete evidence.

There is growing evidence that land-buying is done through Ontario-registered companies. This arrangement avoids the payment of the 20 per cent land transfer tax and

gives the impression that little buying of farm land has been undertaken. It is with these concerns in mind that I asked the Minister of Agriculture and Food last year to conduct a survey of foreign investment in Ontario farm land. The only figures compiled so far by him on the extent of foreign, non-resident ownership in this province were released in a report tabled in the Legislature on June 22, 1979, entitled *Foreign Ownership of Agricultural Land in Kent and Huron Counties*.

The report which the minister released just last week was based on the questionnaire which the minister sent to the clerks of the various municipalities throughout Ontario. The tables in the Kent and Huron counties report are based on data that are far from comprehensive and are, in many cases, inaccurate. These statistics on individual foreigners are from the farm tax reduction list which are based on assessment rolls. These rolls, however, do not have accurate recordings of nonresident owners since the assessment notices may be sent legally to local agents of the real property owners. The address in this case would be listed as the address of the Ontario-incorporated company, and the foreign company would further be able to receive the 50 per cent farm tax reduction. The Minister of Agriculture and Food has not made any inquiry into holdings by Ontario foreign-controlled companies.

The other sources used to compile the data were data gathered from the payment of the Ontario land transfer tax. This law was amended in 1974 to assess 20 per cent of the value of the purchase price to foreign buyers. However, the Ministry of Revenue has emphasized that the tax is not conceived as a deterrent to foreign land purchases by non-Canadians and, hence, no effort is made by the Ministry of Revenue to monitor such purchases.

The figures last year for land purchases by foreigners were insignificant, as far as their tax revenues go, with almost all their money collected with regard to cottage and recreational property purchases.

The Ministry of Agriculture and Food data conflict with information we have been receiving. In Huron county, for instance, the Ministry of Agriculture and Food report indicates that 1,248 acres were owned by German firms in 1978. But the local federation of agriculture has compiled information on 1,870 acres of German-owned land in Ashfield township alone. In neighbouring Howick township, about 1,000 acres have been bought since 1975 by a registered Ontario corpora-

tion whose principal director is a citizen of West Germany.

3:50 p.m.

In Perth county, the Ministry of Agriculture and Food reports no European-owned land and some 689 acres owned by Americans. However, the local federation of agriculture has so far uncovered 2,600 acres owned by foreign interests in five townships, with information still to be gathered from six other townships.

In Prince Edward county the figures of the Ministry of Agriculture and Food show only 100 acres owned by Swiss interests, as the extent of European foreign ownership. However, figures compiled by the local paper in the area, the Kingston Whig-Standard, show that 1,658 acres are foreign-owned and all but one parcel was owned by German interests. In fact, 208 acres showed up in the tax rolls which seem to have gone undetected by the Ministry of Agriculture and Food researchers.

I am simply trying to point out to the minister that the figures in that report which he released are inaccurate—

**Hon. Mr. Henderson:** Mr. Speaker, on a point of privilege: Would the honourable member repeat those figures for Huron and Perth? I believe I will have to differ with him, but I would like him to repeat them.

**Mr. Riddell:** Mr. Speaker, I will be pleased to repeat them.

In Huron county, the Ministry of Agriculture and Food report indicates that 1,248 acres were owned by German firms in 1978. The local federation of agriculture compiled information on 1,870 acres of German-owned land in Ashfield township alone. In neighbouring Howick township, about 1,000 acres have been bought since 1975 by a registered Ontario corporation whose principal director is a citizen of West Germany.

Then I went on to talk about Perth county and how the minister's figures indicated there was no European-owned land and 689 acres were American-owned. The local federation of agriculture in that county uncovered 2,600 acres owned by foreign interests. That was in five townships and information is still to be gathered from six other townships. Then I was just going on to say that in Prince Edward—

**Hon. Mr. Henderson:** Mr. Speaker, I want the House to study the picture. For Huron county, my report says there were six properties totalling 899 acres owned by people residing outside of Ontario, but in Canada. My report says there were 36 properties in



Huron county totalling 5,002 acres owned by people residing outside of Canada. The member has not quoted those figures or anything like them. That is the report.

Now I am going to Perth county, where the member has said there is no foreign ownership. In Perth county, I have said there are eight properties totalling 640 acres owned by people residing outside of Ontario but in Canada. I have said there are 32 properties totalling 3,662 acres owned by people outside of Canada. So, Mr. Speaker, I would have to ask the member to read the report.

**Mr. Riddell:** Mr. Speaker, I am sure that the report the minister is now quoting is the report compiled as a result of the questionnaire sent to the municipal clerks.

**Hon. Mr. Henderson:** It is from the reports I got back from the municipal clerks, including the clerk of the member's county. Every clerk reported.

**Mr. Riddell:** Mr. Speaker, I have not got to that report yet. I am talking about the report that was tabled in this Legislature; that report was based on Huron and Kent counties. This report the minister is alluding to is a report that came after that; it is the municipal report.

**Hon. Mr. Henderson:** Any quotations I have made, Mr. Speaker, are from the report here in front of me.

**The Acting Speaker (Mr. MacBeth):** I think we are referring to two different reports, and so it is not surprising that the figures are different depending on the point of view of time and other elements. However, I think you will have your opportunity, Mr. Minister, to make those points you are trying to make, and I would ask the honourable member to proceed.

**Mr. Riddell:** As a matter of fact, the report the minister is now reading from is the one he sent to me last Thursday when we were supposed to debate this bill; so I am quoting from a former report.

I am coming to the questionnaire. The response to the minister's questionnaire to the clerks of the municipalities indicated that approximately 0.68 per cent of the agricultural land in Ontario is foreign-owned. Am I quoting those figures right?

**Hon. Mr. Henderson:** Yes.

**Mr. Riddell:** Good. Eighty one per cent of the clerks replied. They are to be commended for their efforts in providing information to the minister on the amount of land which they believed was foreign-owned. However, it would be impossible for the

clerks to know where the capital came from for the purchase of land by Ontario agents or Ontario corporations. Therefore, it is impossible for the clerks to know who the true owners of that land are. That is why once again we have to consider that those figures are inaccurate.

I believe these few examples illustrate only too clearly the lack of any concrete and reliable facts gathered so far by the government on this most important question. Even the government's own limited data show that in 1978 close to 100,000 acres of Ontario farm land was owned by American non-resident interests.

The bill we have before us is a reasonable facsimile of my own private member's bill, which in turn is based on similar legislation found in the United States. I am going to ask that the bill go to committee as it is my view and that of the Ontario Federation of Agriculture that two years is too long a time in which to require existing nonresident owners to file a registration report. Since the principal purpose of the bill is to do an inventory of the extent of foreign ownership of agricultural land in Ontario, the sooner we can require all foreign owners to register the better. Thus we feel that a maximum period of one year should be sufficient for registration.

I might point out that the United States requires all foreign land owners to register within 180 days. It may well be I will be amending the section of the bill dealing with the number of acres that a nonresident person can acquire, hold or maintain an interest in before he is compelled to file a registration report. It may well be that a 25-acre farm no longer exists in Ontario. But I am sure that a farmer with a 25-acre orchard would consider this to be sufficient land to generate a fairly significant part of his income.

I know that at one time land was severed into 10-, 15- and 25-acre lots. I believe that in many cases farmers have rented this land for the purpose of farming it. I also believe that the United States requires registration of land of one acre and more. At this time I fail to see the rationale in exempting 25 acres or less from being registered. The minister may well comment on this in his reply. If I can be convinced we should be dealing in 10 hectares, or approximately 25 acres, then I will be prepared to accept it.

My bill contains a section which spells out in detail the information that should be contained in the registration report, whereas the government's bill leaves this

matter entirely to regulations we have not seen. I would like to ask the minister what kind of information he will be requesting on the form of a registration report.

My bill also contains a section providing for public examination of the report submitted to the minister and requiring the minister to table in the Legislature annual reports on the extent of foreign land ownership. No such stipulation is made in the government's bill. I would like to ask the minister what the government intends to do with the reports when it gets them. Will it be compiling the information in a report of its own and tabling it in the Legislature on an annual basis?

Let me conclude by saying I wholeheartedly support this bill. I am pleased the minister has finally come to the realization that farm land in Ontario is a prime and limited resource. It is surely the government's responsibility to see that the farming industry does not go the way of so many other foreign-controlled industries throughout Ontario.

4 p.m.

**Mr. MacDonald:** Mr. Speaker, the concern which the government is finally reacting to in this bill is of even longer standing than the member for Huron-Middlesex has indicated. We can go back into the 1960s, if not before, with the odd voice crying in the wilderness. But in the 1960s not only was there a growing concern in general with regard to foreign ownership of lands and industry in this country, as was studied federally and examined in a cursory fashion provincially, but also in Ontario the select committee which had been referred to look at this whole issue in a very detailed fashion indicated the seriousness of it and, therefore, the need for the government to react.

In the election campaign of 1975, Stephen Lewis, the leader of the New Democratic Party at that time, fought a campaign with regard to agricultural land which highlighted the 26 acres an hour of prime agricultural land that was being lost, but which laid a great deal of emphasis on the foreign and nonresident ownership of Ontario's prime agricultural land.

I can remember that in those days our research staff took a look at some of the concessions in the eastern section of the province and found that farm after farm had gone into either foreign ownership or nonresident ownership by somebody who was living in, say, Montreal—a retired air pilot, or you name it—who had decided to invest his money in agricultural land.

To put it in a general perspective, what has happened throughout the 1970s, with the skyrocketing inflation rates and price increases, is that Canada, and particularly Ontario, has become an inflation haven. We know about tax havens; the E. P. Taylors and the K. C. Irvings of the world, who made their millions, if not billions, in Canada, went to the Bahamas and elsewhere where there was a tax haven that made it possible for them to escape a good deal of the tax they would have paid had they stayed in their native country.

What we have is a variant of that in terms of an inflation haven and in a fashion I am not going to repeat, but which the member for Huron-Middlesex has spelled out. People from many countries in Europe and people from Japan have come to Ontario to invest because, even if they do not make anything in terms of a return from the farm, anything of any serious consequence, they are making money by countering the negative effect of inflation since they come from countries where inflation has ranged to 20, 25, 30 per cent, or more.

The concern that arose in a serious fashion in the 1960s was reflected in a select committee that reported in 1973 or 1974. It was a major issue in the election campaign in 1975. The honourable member has reminded the House that since 1978 he has had bills on at least one or two occasions which spelled out how the problem might be tackled as it has been tackled in other jurisdictions.

As on so many issues, the problem has been that one cannot solve a problem if one first will not acknowledge the existence of the problem. That has been the difficulty with this government. Minister after minister has said there is no serious problem. After some sort of cursory, inadequate, superficial survey, they have come back and said that only one per cent of the land was in foreign ownership or was moved into foreign ownership in the previous year and therefore what were we concerned about? That was the kind of stand we got earlier with Bill Stewart when he was the Minister of Agriculture and Food; it was the stand we got with the member for Durham-York (Mr. W. Newman) when he was the minister.

I suppose one must at least give a minor bit of credit to this minister. As quickly as he was sworn in as minister he started to grandstand on the issue. I say, "grandstand," because he said he was going to go over the heads of the bureaucrats in his ministry who had been working on this issue and was going to seek another survey from the clerks of the

various municipalities to find out how much land was in foreign ownership and how much was being transferred, for example, in the current year.

The minister must have known—otherwise, he was as naive as the Windsor Star contended his predecessor was—that the mechanisms the clerks had to find out how much was owned, really owned, by foreigners, were not adequate. They were not complete; they were not efficient enough. Therefore, it is not surprising that, having made his survey and got a somewhat more detailed picture, he came to the conclusion that he finally had to bow to the pressure that had been building constantly over a period of 10, 15 or 20 years, not only in this House but also outside this House.

Anybody who has read the provincial dailies across Ontario knows that the Kingston-Whig Standard, the London Free Press, the Windsor Star and paper after paper have written not only editorials trying to arouse this government but also long series of articles in which they went out—granted, facing again the inadequacies of a mechanism for getting the information—and at least got ad hoc bits and pieces of information to indicate that there was this significant transfer to foreign ownership.

Now the minister has brought in a bill. I share the view of the member for Huron-Middlesex, that the fact the government was willing to wait for two years to get an answer to the problem is an indication that, even having awakened to the problem, it was not willing to grapple with it with the kind of vigour and speed necessary. I am interested and pleased to hear the minister indicate that he has no objection to the proposed amendment brought by the Ontario Federation of Agriculture; when we get into committee we will be able to deal with that amendment, as well as with the minister's amendment and, conceivably, with others.

However, let us recognize that what we are doing here in this bill—and the details of the bill are not as important as its overall principle and thrust—is finally providing the mechanism for getting the basic facts.

As the member for Huron-Middlesex pointed out, both opposition parties in the Agriculture and Food estimates two or three years ago, when the then minister said in effect that there was no serious problem, said "Why do we not have a report every six months or every year so that we could get some sort of trend picture as to how serious the problem was?"

What we are going to get in this bill finally, at long last, is an indication—and I hope it will not be too little—as to exactly what the picture is in Ontario. When we have that picture, then we can come to further conclusions as to whether we should begin to put restrictions on the amount of land a foreigner can come in and buy up and to define the circumstances exactly.

I believe four other provinces have already moved in this direction, each in varying degrees, depending on the seriousness of the situation. In Prince Edward Island, where foreigners were coming in and buying up a good deal, not only of the shoreline but also of the agricultural land, they have moved with considerable vigour. Three other provinces have followed suit.

I have only one serious reservation about this bill. I am not going to push the thing now; it is beyond the jurisdiction of this bill. It is that the government has finally awakened to the requirement as far as prime agricultural land is concerned, but it has not awakened to the broader problem. I would like to see a bill brought in some time soon which would examine the whole issue of foreign ownership—a foreign ownership review board of some nature, not just in reference to agricultural land—so that we might be able at least to alert the public to the kinds of consequences that can flow from a gradual loss of control of our own resources. It might be in the production of food for our own needs, or in the maintaining of rural communities so that they do not get so degouted that they become nonviable, giving the few remaining farmers who are residents a tax burden that gets increasingly beyond their control.

In short, at some time, once we have the picture which I hope this bill will provide, we must then take a look at the broader, longer-range problem that was addressed very significantly in considerable detail, and with the support of many members on the other side of the House, when the select committee examined this whole issue in 1973 and 1974.

4:10 p.m.

Obviously we will support this bill. We will support it because it is something we should have had at least 10 years ago. I am a little curious as to whether the penalties are as great as they should be. Games can be played when lawyers get into the picture. It is a question whether the penalties now in the bill indicate it are ones that are going to discourage somebody who feels that the inflation haven, which Ontario rep-

resents, is the kind of place he is willing to sustain losses in and even have a bit of a penalty imposed upon him for not living up to the requirements of the act. Perhaps with the benefit of the experience of a year or so, we will find it necessary to make that penalty so big that there will be nobody who would dare for a minute to defy the purpose of the legislation.

As for the other amendments that have been suggested, we can deal with them in committee. But in the principle of the bill it has our wholehearted support.

**Mr. J. Johnson:** Mr. Speaker, I would like to add my support to Bill 60, An Act to require the Registration of Non-resident Interests in Agricultural Land in Ontario.

This bill was introduced for first reading on April 29, 1980; however, my interest goes back much further. On Tuesday, November 6, 1979, I had the privilege to second a bill presented to the Legislature by my colleague the member for Middlesex (Mr. Eaton). The purpose of this bill was basically the same as that of Bill 60.

On several occasions, both before and after this date, I have had the opportunity to discuss this perceived concern of nonresident ownership of agricultural land in Ontario. I have discussed this with many of my constituents in Wellington-Dufferin-Peel, as well as with many other individuals and interested groups from other parts of Ontario. When I mention "perceived" concern, there is absolutely no question that many people do perceive that there are many large sales taking place to nonresidents.

The member for Huron-Middlesex has shown his interest in this subject and has raised many questions that require answers. I have had some people tell me about large sales of this nature that have taken place and yet when we tried to substantiate the sales, we could not do so. I am not sure if we have a problem or not, but I do know that there is a perceived problem. I, for one, support the idea of trying to clarify the situation and we, as legislators, should have the clear, hard facts to make a concrete decision.

I believe that Bill 60, with the amendments proposed, should give the true statistics that we need at this time to make knowledgeable decisions. If it is proven that we have a problem, then it is time we pass legislation that will preserve our agricultural land for our people, the people of Ontario and Canada.

I would like to go on record as supporting this Bill 60 and, if the facts warranted it, I would support stronger legislation.

**Mr. McKessock:** Mr. Speaker, I rise to support this bill as well.

The foreign investors have spread right across the province and into my county and Grey as well. I believe that, as my colleague stated, Huron county has been concerned about this for some time. That is, they have considerable good farm land in that area and these foreign buyers seem to move in where this land is best for agriculture and have picked this up at what was strong prices for us, but seem to be very good prices as far as the foreign buyer was concerned. The prices in these other countries are very much above our land prices; so they can come over here and purchase this land at what they consider is a bargain.

The immediate concern is that because it raises farm land values here—to our Ontario farmers and to their sons—even though it is a good buy for these foreign owners, it puts the land here out of reach of our own farmers. It is just too high to be fair or economical to continue to buy it at those prices and continue to try to pay for it. Therefore, our farmers are forced to contain themselves within their own boundaries as this foreign ownership goes on. It is nice to see this bill come in. Although it will not stop it, it will keep a watch on it. Perhaps some time in the future we will have to take stronger action.

It also has the effect of taking land out of agricultural production when foreign buyers come in. Some of them rent it to neighbours and the land carries on in agriculture, but others just buy it and go back home and let it sit there. One of my neighbours sold his farm to a person from Switzerland who rented the land out for five years but has now gone back to Switzerland for the next five years. What is going to happen after that nobody knows. My immediate neighbour has been approached by Arab money to sell out. He has one of the largest dairy farms in the county. This seems to be the type of operation they like to buy, one that is going full force and is an outstanding setup. He was offered a very large sum of money, but he turned it down.

We have not got too many people like this in Ontario who go to these lengths to preserve agricultural land. Some farmers will do this. No matter what price they are offered, they will not sell their farms for various reasons. One of the reasons is that it is a homestead farm and it is the third generation on that farm. This is similar to the one near Hanover this past couple of years, owned by Mr. Magwood, who fought vigorously to retain his farm. In this case, it was not being

bought by foreign interests, but the town wanted to take it over.

It is hard in most cases for farmers to resist the high prices that are being paid unless, as I say, they are like my neighbour who is dedicated to staying there at any cost and is willing to give up the big dollars just to remain on that farm. From the way things have been happening in the last year with the high cost to the farmer, the expenses he has had, the high interest rates, and the low beef and hog prices, he has been put in a position where it is hard for him to refuse these big prices now when they come along.

The longer-term concern about foreign ownership of land is that our agriculture could some day be controlled by foreign interests, if they owned enough of the land. As my colleague from Huron-Middlesex has suggested, they may produce food and send it overseas. This puts a strain on our agriculture here and promotes more imports as time goes on.

I am glad to see that the government has taken a step in this direction to monitor the land now. I hope it takes a serious look at it at the end of each year to see what further action might be taken. One part of the bill that concerns me is the definition of agricultural land, if it is zoned agricultural or assessed or actually used. I suppose if it is "and/or," it is all right, but there are quite a number of farms in our area now which, even though they are zoned for agriculture, are not assessed for agriculture. Buyers come and if they do not farm it, it is then changed to recreational-residential assessment.

I would hope that would not let them off the hook as far as being registered is concerned, because it is still agricultural land even though it is not being farmed. The assessment is then changed to residential with an increased assessment on the property. No doubt this will happen to some of the farms bought by foreign owners.

That is all I want to say on this. I am interested in what the other speakers have to say. I hope this bill receives fast passage.

4:20 p.m.

Mr. Wildman: Mr. Speaker, I rise in support of this bill. It is funny; I suppose we all sound like we are getting on the bandwagon, saying something is finally being done and we should all support this. I find it somewhat funny to hear the Tories espousing this bill, talking about the member for Middlesex (Mr. Eaton) and his work to promote this bill. It was pretty obvious that it was not until it became quite an issue in the

farm community and the farm press that the Tories even listened to this whole concern. It was not something they were looking at initially and attempting to find an avenue to deal with it. Rather, they thought it was getting to be a big issue they had better deal with and react to or they would be in political trouble.

I also find it amusing to hear the party of C. D. Howe, to my right, espousing an attempt to protect the economy of this country and this province against foreign ownership, when we look at the record of successive Liberal governments since the 1940s. They have sold off every industry it was possible to sell to foreign interests and given control of our natural resources, mineral or whatever throughout northern Ontario, and oil in the west, to foreign interests. To have them now suddenly become the champions of this province against foreign interests and foreign control of our economy is somewhat amusing.

Having said that, I am glad to see a few initial steps by these two parties towards conversion, towards nationalism. They are finally becoming concerned about the effects of foreign control on our economy and they want to do something about agricultural land.

I do not think any of us in this party have to feel at all embarrassed about any of our spokesmen over the last few years who have talked about foreign ownership. We have been consistently concerned about the fact that governments at the federal or provincial level, Tory or Liberal, have not done anything to try to protect our economy against foreign control.

Although I have said I support this bill, I think we should be quite honest in assessing its effects. Obviously, as the previous speaker, the member for Grey (Mr. McKessock) indicated, the bill only looks at the problem. What we are going to have here is the registration of land ownership to make it possible for us to look at the problem. We will be able to determine, in the words of the previous Minister of Agriculture and Food, whether there is a problem. He did not think there was. What we have now is a bill that will make it possible for us to find out, by registering land ownership, whether there is a problem.

There is a long tradition in this province that when there is a political problem we are not sure exactly what to do about, we look at it. We eye it seriously; we study it. We have a long tradition of doing that.

As an aside, a lot of people think we have a resource-based industry in northern Ontario. In fact, the largest industry we have is consultants' reports on northern Ontario. Every time there is a problem we set up another group to study it. That is what we are doing here, in essence: studying it. It solves nothing. It does not do anything about foreign ownership except tell us the extent of it. I hope it will do that.

In northern Ontario, in my riding, where we have a large agricultural community, certainly in comparison to other parts of the north—

**Mr. T. P. Reid:** Not as large as Rainy River.

**Mr. Wildman:** No. That is true. Nor as large as Timiskaming, which is a very rich agricultural area. In my area, as the member for Algoma-Manitoulin (Mr. Lane) will agree, we have a viable and important agricultural industry, both in Algoma and in Manitoulin. As a matter of fact, the previous Minister of Agriculture and Food used to point to the north as the future for agriculture because he could not seem to do anything about the eating up of agricultural land in southern Ontario by residential and industrial development.

However, in our area the purchase of agricultural land by foreign interests seems to have had some serious effects. In our area it is not so much European investors; although we have had reports of German money interested in agricultural land in our area, it has been mostly American money. Many farms have been purchased, apparently for recreational or summer estates, by well-to-do Americans from Michigan, Ohio or other parts of the United States who wish to use the land largely for recreational purposes. A number of others have invested in the land simply as a hedge against inflation. They purchase land that may increase in value and then, at some future time, will sell it for a profit.

These kinds of transactions have had the effect of inflating land prices in our area so the land prices of agricultural land have gone up significantly. That is a serious problem for the future of agriculture in our area, because young farmers wishing to get into the business often have to borrow money from Farm Credit, or wherever. It is very difficult for them to match the kinds of prices that are being paid by foreign investors.

One of the arguments that has been alluded to by other speakers against any action about foreign ownership has been the old

argument that farmers are land-poor, which is basically that their land is a pension. There is no contributory pension plan for farmers, as there is in many other industries; so the farmer sees his land as a way of protecting himself in his old age. After he has finished active farming, if he can sell it to the highest bidder, then the money he gets from the sale will support him and his wife in their old age. You can have some kind of sympathy for that kind of argument when you consider that he has worked all his life, often having to deal with situations where prices and costs are higher than the amounts the farmer is getting for his produce.

On the other hand, if we believe in the future of agriculture in this province, we have to do something to protect our agricultural land and ensure that good agricultural land remains in agriculture and does not simply go to waste, or grow up in poplar bush as so much of it does in our area. In order to do that, obviously we have to take some kind of action that is going to protect the farmers so they have a decent income while they are farming. Perhaps that is something that this government should be looking at further. I know all the programs that the Ministry of Agriculture and Food has for farmers but when it comes to changing the situation in terms of the boom-bust cycle, whether it be in beef, hogs or whatever, this government is doing very little. The stabilization programs have helped somewhat, but all they did was maintain price at a level where a farmer, instead of drowning, was able to tread water. That is something we should be looking at.

4:30 p.m.

In terms of the bill itself, I support it because at least we are going to look at the problem and see the extent of it. But I support it only in the view that after a year, after we have some idea of how much land is owned by foreign interests in this province, we can expect this government to do something, to take some real action, to bring in a bill that will do something along the lines of what has been done in the western provinces or even Prince Edward Island—which is far stricter than anything that has been proposed in Ontario—to protect our agricultural land and to protect our farms from inflated prices that make it difficult for young men and women to get into the industry.

As I said, Mr. Speaker, I support the legislation; I hope it will pass quickly. But again I want to emphasize that it is somewhat ironic that we have the two parties most responsible for selling off all our resources suddenly



grabbing hold of the bandwagon and trying to jump on to protect our land against foreign interests.

Mr. T. P. Reid: Mr. Speaker, I rise to participate in this particular debate with a feeling of déjà vu. It was some 10 or 11 years ago that I was standing in my place in the Legislature talking about the foreign ownership of crown cottage lots, or cottage lots in northwestern Ontario particularly.

Mr. Wildman: They screwed that up now too.

Mr. T. P. Reid: They certainly did. The government made a mess of that. The perambulations and twistings and turnings on that particular policy would have confused even Houdini. Now we have this bill before us at the instigation of a lot of members of the Legislature, particularly my colleague from Huron-Middlesex. The bill is probably the second stage in what I hope will be a program to deal in some reasonable and comprehensive way with the whole problem of foreign ownership in Ontario.

I might say, before I deal with the bill itself and the principle, that I would like to make comments related to that. I would agree with my friend from York South and others that it is time the Legislature took another look at the whole issue of foreign ownership in Ontario, whether it be land, mining, forestry or manufacturing.

I well recall the select committee, although I was not a member of that. I read those reports with great interest. The only thing I can see that the government has done in reaction to those reports of the select committee on economic nationalism was to proceed with a program of giving companies in the pulp and paper industry some \$200 million presumably over the next few years to update their facilities.

When we talk about land, it is interesting that it is probably the one thing more than anything else that defines a people and gives character and personality to the people who reside in that particular territory or community. Here we have been engaged in the province for some time in selling that land out from underneath ourselves—whether it be cottage lots in northern Ontario or on Lake Erie and now also probably the prime agricultural land that we have in the province. The government has been pulled, kicking and straining, to where we are today on Bill 60, which, as I say, is probably only a secondary step in at least identifying how large the problem is.

My friend from Huron-Middlesex took issue with some of the preliminary figures

that the government had in regard to the extent of this problem in some of the townships in southern Ontario. I would like to indicate the northern perspective and outline for the House the size of the problem as it exists particularly in my constituency of Rainy River district.

I thought the member for Huron-Middlesex covered the area quite well in that he indicated why there was the pressure on us in this regard that there is in the present day. We have a lot of people in a lot of countries outside of Canada, outside of the United States in many instances, who are sitting on large pools of capital which they wish to protect from the ravages of inflation. They are investing that money in land. As Mark Twain said many years ago, "Buy land; they're not making it any more."

It is obvious with that in the back of their minds that many of these people, individuals and corporations, are embarked upon protecting themselves from inflation by purchasing land, whether it be agricultural land, commercial real estate, golf courses or cottage land. It is the one commodity that will always be in demand and has consistently kept pace with or run ahead of inflation. We only have to look at the costs of housing, for instance, in the province and certainly in the city of Toronto to see what inflation has done to house prices. We can all look at our own constituencies to see what effect inflation has had on the price of land.

I say parenthetically for my socialist friends that on the weekend I was reading their former colleague's book; I believe it is entitled *How To Beat Inflation*, by Morton Shulman. One of his suggestions is that one should buy land because it is the best hedge against inflation that money can buy. Of course what Dr. Shulman never mentions in any of his books on how to make a million is that it certainly helps if one starts with a million when one starts investing. But that is another story.

Obviously all the authors and books on the subject—whether it be Ruff's *How To Prosper From The Coming Bad Years*, or Shulman, or Harry Browne, or whoever it is—recommend that one invest in land. As I say, buy it; they aren't making it any more.

There is going to be continuing and increasing pressure, particularly on our agricultural land, particularly in those areas around cities where they may ultimately be developed by those people outside of Canada's borders buying an inflation hedge. If one lives in Japan or almost any Euro-

pean country, the price of land in Canada is dirt cheap—pun intended. Compared with what they can buy property for in their own countries, we are practically giving it away.

But as my colleague from Grey and others pointed out, not only are we losing control over what should be the very pith and substance of our country, but we are also not mortgaging our future and the young people's future in this province; we have sold their future, because they themselves will not be able to purchase the land if they want to go into farming or tree farming or what have you. The prices are being inflated—with the inflation rate and by the fact that there are so many people in the world with large pools of money who can and do bid up the price. It gets so high that Canadians will not be able to buy the land back.

This brings me to another topic that bothers me. It seems to me this should be addressed in this bill, and perhaps my colleague from Huron-Middlesex will give it some thought. I have been concerned for some years and have raised it—but not lately, I must admit—about the H. M. Dignam Corporation Limited, Canada Estates Corporation, these kinds of companies that are advertising tax sales in Ontario and abroad. They are simply picking up properties at tax sales.

A lot of them admittedly are not very good properties; some of them are worthless. But often people forget to pay the taxes. There may be a death in the family and the property might go into an estate. The taxes are not paid, and after a two-year period Dignam, or Canada Estates, or one of these companies, get control of the property and then advertises 400 acres of beautiful farm land in northwestern Ontario or in southern Ontario, or wherever it happens.

4:40 p.m.

I would say that one of the measures the government should be taking is to outlaw that kind of thing. In terms of the non-payment of taxes, the province should get into the business of setting up a land corporation—we already have that mechanism in place—get the Agricultural Rehabilitation and Development Administration involved again in this, if you like, buying up these farms, rather than allowing them to be purchased by nonresidents or purchased by these companies that are reselling them and speculating on this property. It often ultimately gets into the hands of foreign buyers who sometimes—and I suppose it is caveat emptor—never see the property, but once it is bought,

and it is bought at a ridiculously low price because of it being a tax sale, it is impossible to buy back from them at any kind of a price once it gets into their hands.

I am trying to have this map duplicated so I can send him a copy, but I have here a map of the agricultural area of the Rainy River district. I think the minister can see it from here. This map was done, I believe, by the Ontario Federation of Agriculture, Rainy River chapter, I think under one of the student employment grants, about a summer ago.

The minister can see the areas that are coloured various colours, but I draw to his attention that the areas coloured in red on this map, covering thousands and thousands of acres, are American-owned. Not all of it, obviously, is prime agricultural land. Some of it, as I said, has been bought through tax sales and some of it is, frankly, moose pasture, but some of it isn't, and those farms are American-owned and controlled.

The areas coloured dark green, which is obviously a much smaller amount than the red, is also foreign-owned; in other words, it is other than American. The yellow is resident Canadian-owned, and the light blue is government-owned, either crown land or ARDA land.

But I think the minister can see from where he sits—he had his glasses off and on; so I presume that one way or the other he has been able to see the map, and I will send it over to him to have a closer inspection when I am finished—that there is a substantial amount of land in the Rainy River district, in the agricultural area, that is owned and controlled either by Americans or some other foreigners. I haven't counted up all the plots, and I don't have the right sizing tools, but I would say that about a third of the land in the Rainy River district is owned and controlled by Americans or other non-Canadians. So that gives a small indication of the size of the properties.

Attempts have been made by the farmers in the area to buy this land back, particularly if they have adjoining farms, but it has been impossible to do so, because they either purchased it cheaply to begin with or they are holding it for speculation, as an investment in the hopes that inflation will keep increasing the price of that property, so that while the money aspect of it goes down the property in real terms will maintain or increase its value.

I say to the minister that in my part of the world this is a serious problem. The Ontario Federation of Agriculture, Rainy River



branch, is obviously very concerned about it. Individuals are very concerned about it. I would hope the bill would be amended to indicate one year. I would agree with my colleague from Huron-Middlesex that I see no reason why 180 days or six months should not be in the bill to require them to register the land so that we will know exactly the size and scope of the problem. I believe it is a problem and a very serious one. It is growing every day for the reasons I have outlined, because of the desire of people to protect themselves against inflation. It is going to be an increasing problem in the next year or two as inflation continues, as most analysts and economists say it will.

I would recommend to the minister that he amend the bill to require that registration be done within a six-month period. At the same time, while the minister has that six months from the time the bill is passed, his ministry should be dealing with the problem of the disappearing farm land—because to some extent it is disappearing from the heritage of the people of Ontario who might expect it would be available to them—and we should have a policy in place or ready to put in place when we know the scope of the problem.

I reiterate, this should be only a piece of the whole puzzle dealing with foreign ownership in Ontario. We should have a provincial strategy to deal with foreign ownership not only of the land but also of our natural resources, industry and commerce.

Mr. Warner: Mr. Speaker, I would like to dispel a rumour going around that this bill is related only to the rural communities of the province. In fact, it has a profound effect on the urban population. The people I represent have a great deal of concern about agricultural land. If the land disappears so that we are no longer producing food, all us city folk know we will end up paying higher prices, because we will have to import more and more food. Anything that affects the agricultural land in this province is of great concern to people in the cities.

Unfortunately, we know we are losing the battle to retain our home-grown food so that we do not have to import food. With each passing day our stores become more inundated with foreign-produced foods and higher prices. There seems to be no protection against that. Over the years the government has not had any particular interest in protecting us against the invasion of foreign foods, and there is no sign they are going to do anything.

While some of my colleagues and I are pleased to see the bill, we are puzzled as to why it is just one small timid step forward, why the government does not have a little more courage than it has shown. Of course, we would like to have the registration. Naturally we want to know who owns the land around the province. The government has known for some time that it has the power.

I refer the minister to the case of Morgan versus the Attorney General for Prince Edward Island in 1975. It followed from legislation introduced in Prince Edward Island in 1972. During the 1975 case the Supreme Court of Canada upheld a statute of Prince Edward Island providing that no person who was not a resident of the province could acquire holdings of real property of more than a specified size, except with the permission of the provincial cabinet. The qualification for unrestricted land holding was residence, not citizenship; so the prohibition applied to nonresident citizens as well as nonresident aliens. That decision was upheld some five years ago.

4:50 p.m.

The government has known full well from a constitutional standpoint it could move into the area of ensuring that the ownership of land in Ontario would be by residents of Ontario, and yet it has done nothing until now when we have this timid step forward to require the registration of nonresident interests in agricultural land in Ontario. That timid step was taken only after a tremendous amount of pressure was applied on the government by many members of the House, including in the forefront of the pressure the member for Huron-Middlesex, who has been quite relentless in his quest on this issue and has done, in my humble opinion, a first-rate job in bringing forward the issue.

Some members of my party have done a good job as well. Our previous leader, Stephen Lewis, spent a lot of time working on the issue of the foreign ownership of land. The member for York South (Mr. MacDonald) has likewise been concerned and expressed those concerns over many years.

It is only under a tremendous amount of pressure that the government takes one timid step forward. As has been expressed here, that is not going to be good enough unless we have a commitment, say a year from now or whatever time the government wants to specify, that there will be some companion legislation based on the registration. The

companion legislation should be along the lines of what they have in Prince Edward Island or perhaps what they have in Saskatchewan. The minister perhaps knows the fine details a little better than I do, but I understand in Saskatchewan the residents have first option on land which comes up for sale. Following that, if there are no takers, then the government of Saskatchewan has second option. Only following those two options would the land be allowed for sale to a nonresident.

There are protections there. In other words, that government sees that the residents should first have a chance to own the land. Following that, the government, representing all of the people of the province, would have a look at the land to see if it would be of some value to it. The nonresident having an opportunity is third choice and is down at the bottom of the list, and that is the way it should be.

The minister knows by now the dimensions of the problem. I suspect we do not need the bill for the minister and government officials to know the extent of the problem. The minister is not about to share that information with the members of the opposition, which I understand, but the problem is severe in the country and to varying degrees in the various provinces.

Prince Edward Island felt obligated to move quickly in 1972 when the people suddenly realized what was happening to their land. It would appear they had simply lost control over their own land. Americans were moving up and buying beach front and everything they could get their hands on. The problem was severe.

At the same time, the members should be aware, as I am sure many of them are and perhaps most of them are, this problem cannot be isolated. There is a very important link between the ownership of land and the ownership of our country. As my colleague from Algoma so rightfully pointed out, it has long been the tradition of successive Liberal governments in Ottawa and Conservative governments in Ontario to aid and abet the takeover of this country by foreign interests. Liberals in Ottawa and Tories in Toronto have been only too willing to help the Americans buy out our economy by the ownership of our companies and of our natural resources. Ultimately, what is left? The land. That is the one last visible aspect, the land.

It would not do much good, I suppose, to own the land if we do not own the stuff that is on top of it or underneath it. We are fast approaching that critical stage.

I would hope the government could do a couple of things. First, as I mentioned before, I hope they follow up with a companion piece of legislation similar to either that which is in Prince Edward Island or Saskatchewan. Second, I hope they put the bill into the framework of our economic situation in this province. In other words, how can we ensure that we are going to look at this bill as part of having a better control, by Ontarians, over our Ontario economy and link this in with the development of our industries and perhaps also with a better development of our agricultural industry?

When I leave my house and travel to my mother-in-law's place, which is up the road a few miles in a lovely little village called Victoria Square, I drive up through what has always been some of the most productive farm land in this country. In fact, part of that farm land was the old Massey-Ferguson farm and was used for the international ploughing match not too long ago. It was the area where my wife grew up, and it was the area I fondly knew for many years when I was going to high school.

There were only farms there, and they were productive farms. It was some of the most beautiful farm land you could find anywhere. It was the experimental farm for Massey-Ferguson and from there, no doubt, they developed many useful strains of various grains and so on they were working on.

Do you know what it is today, Mr. Speaker? Houses. They have paved over almost every inch of that valuable farm land. There is nothing left.

**Mr. B. Newman:** Asphalt farms.

**Mr. Warner:** That is right. Asphalt farms. What makes it so sad is that is what is happening in this province. It has happened for years, continues to happen, and the government sits idly by, watching the farm land disappear. They are not about to do anything about it. I know that, and you know that, Mr. Speaker.

We fought a provincial election partly over the issue of the disappearance of farm land. I don't know what the figure is today. It was 26 acres an hour then; it is probably 27 or 28 now. Perhaps the minister can tell us. The land continues to be gobbled up for nonagricultural uses. I would think that the minister should be outraged about that, quite frankly, but he seems complacent; the government is quite complacent. But it is a crime in my books, an absolute crime, to have agricultural land disappear in this province, and that will continue unabated.

Mr. Nixon: That is because food prices are so low. If farmers were paid a little more money, they would not want to sell.

Mr. Warner: Maybe. Do not put the farmer in between. The farmer cannot win either way when you put him in between the interests of all of us in terms of our food needs and his own personal concern of how to arrive at a decent pension. Do something for the farmer. Make sure that he does have a good pension; make sure that he is guaranteed a decent income for his work from day to day. This province has not done that. There isn't a guaranteed farm income, there isn't the Farmstart program and there aren't the kinds of guarantees that farmer needs. There isn't the lower interest rates so he can purchase the needed farm machinery and so on.

5 p.m.

We are just miles behind what other provinces do for the farmers. Instead, we leave them in the middle. On the other hand, the people in the city, some of whom I represent, know that if we don't have agricultural land, we buy imported food and we pay higher prices for that food. That's on the one hand.

On the other hand, the farmer is attempting to extract for himself and his family a decent living and a decent future when he retires. He can't do that; so he ends up selling the land. This government sits idly by and does nothing, except bring in a bill, one timid little step forward, that will record the names of those who own the land. Big deal. If that's all they're going to do, big deal.

While I asked before that a year from now they should bring in the companion legislation, I don't sense there's anything in this bill to indicate they're going to do anything more. In fact, in the purpose of the bill they're talking about the registration report expiring five years after the day on which it is filed. That says to me we're not likely to see anything more on this issue for another five years.

Sure, we'll support the bill. Who wouldn't, Mr. Speaker? If we're going to support this, they might as well bring in a bill and ask us to vote against Mother's Day. No one in his right mind is going to vote against the bill. But I want the government to know very clearly, from someone who represents city people who are concerned about the production of food, the cost of food and saving our agricultural land, that there had better be something more than just this timid step forward. A plague on their house.

Mr. Nixon: Mr. Speaker, I support the bill as well. Along with a number of other members here, I can recall the debate having gone forward in the House for a number of years. Along with other members, I thought back to some of my own excellent speeches and looked them up in the record. Actually, when I reread them, I didn't find them quite as inspiring as I remembered them.

But I can remember one of the times when the issue seemed to be pressing in rather strongly. I was speaking in the budget debate of 1974, and I know you'll want to look this up, Mr. Speaker. On page 86, I said as follows: "German, Swiss, American, Japanese and British investors have all been attracted to Ontario's buoyant property market, but their demand for real estate has resulted in inflated housing prices for Canadians. Last year, the Urban Development Institute revealed that 13 foreign-controlled companies owned half of the land available for housing"—that is developed land—"between Oshawa and Burlington."

I recalled some of the circumstances about that. When the member for Scarborough-Ellesmere got up I thought perhaps he was going to indicate there is some concern as to the ownership of land other than farm land, particularly the land between Oshawa and Burlington, the area of which he represents a small part, where foreign interests have dictated the rate of development and to some extent the cost of the development for a good long time.

I know there is a very special concern about farm land. It's evident among farming people, but as the honourable member has indicated, the people in the city are concerned about it as well. When he was referring to the fact that so much farm land has gone into development, it brought very forcefully home to me the fact that farmers normally would prefer to farm their land and make a profit out of it.

If they were going to make a profit anything like what would give them the net income of a teacher, a lawyer or a businessman in the urban area, the cost of milk would probably be twice what it is now, the cost of eggs would probably be at least double, and chicken would probably be three times what it is now. It is very difficult for the government to be urged to keep the farmers from selling the land at the same time as it is urged to keep the cost of food down and dropping, as compared with the buying power of the urban people.

It is a problem for those of us in the rural areas. Certainly farmers have shared to some

extent in the more buoyant economy. But if you were to equate the cost of food with the earning power of the urban citizenry, you can prove very readily that the farmers have not shared in this.

To a great extent, this leaves the pressure on farmers not only to sell their farms as a pension, but also the pressures of the economy as they are now tend to pressure them into cashing the land if there is some reasonable chance to do so.

The member for Huron-Middlesex has put forward the facts and figures that have been made available to us in this connection. I think he has done an excellent job. I know there is plenty of farm land for sale in my own area. The very next farm, which is a tract of 100 acres, can be bought for \$1,800 an acre, and "for sale" signs have been on it for a good, long time. I have a feeling that the owner, while he might not welcome a German, Swiss, Italian, Arab or Japanese buyer, would not look at the nationality of the money but would sell it darned quickly if somebody came forward with an offer. There are areas that have been shown to be more popular with foreign buyers. It is a matter of grave concern.

I agree with those who have said to the minister that this bill does little or nothing towards coping with the problem that we see. I personally believe that we have lost most of our good recreational land along Lake Erie. In the northern part of Ontario, in Muskoka and in many other areas, we have lost that land to foreign buyers. The member for York South owns a small piece of it, and a few others have some of it, but there are many lots and large tracts of property that were sold out to foreign owners long ago and will not be sold back. The same is true of the developable land. I have already referred to that in my remarks made in the House earlier, and I believe the same is true of farm land.

I believe we should have a companion piece of legislation which controls the sale of our land to foreign interests. It is not just farm property I am talking about, but all property. This might not represent the view of all my colleagues, but I have stated it in the House as long ago as 1974 when I called on the Premier (Mr. Davis) to take some action in this connection. I believe we should have land available for leasing to anybody from outside who wants a good recreational property or an industrial site, but I believe it has been a mistake over the years to allow the title to so much of our property to have been lost.

I certainly intend to support the bill, but I believe that until it is accompanied by some sort of a sale review of our properties to foreign interests it will be largely meaningless.

The minister, who is so involved and interested in this debate, is probably trying to show by the passage of this legislation that the problem of foreign ownership is largely imaginary. I do not believe that is the case. But by the time it is proved to him that it is a significant problem we will have already lost a good deal more of the property which we should be controlling.

I look forward to the passage of the bill but I urge the government to take the next step, the important step, and impose the controls that are necessary on the sale of our farm property.

**Mr. J. Reed:** Mr. Speaker, it is a privilege to be able to speak to Bill 60 today and hope that it is the start, as my colleague from Brant-Oxford-Norfolk says, of a much closer scrutiny of what is happening to land in Ontario.

In the longer term, if it is possible for politicians to observe the longer term—and sometimes we are criticized for taking the short, expedient view—the future, in my view, of Ontario farmers is at stake here because of the situation that has arisen over the ownership of land. I think the arguments that have been put forward by the members speaking to this bill have explained most of the conditions that exist in Ontario. The truth is we do not know, at this time, how extensive this problem is.

My colleague the member for Rainy River was able to bring a map with him of a study done in the Rainy River area, and it showed pretty conclusively that about one third of that land in the agricultural area belonged to noncitizens, nonresidents of this province.

5:10 p.m.

What is happening in Halton is also interesting to note. We do not know at this point how extensive foreign control is on the land there, but we do know that what we are recreating in Halton is a situation that became commonplace in the United Kingdom hundreds of years ago which ultimately resulted in the migration of many thousands of people to a new land where they could own their own property. We in Halton have become a region of tenant farmers in many respects where the land is held by absentee landlords and farmers, in order to expand their operations and make them economical, rent that land from land owners.

The price of land in Halton, of course, has been influenced to a large extent by the ultimate expectation of development. This has forced the price of that land to the point where farmers in many cases simply cannot afford to buy it. If anyone wonders why someone from Europe, for instance, would come over to Ontario in order to buy land, the answer is obvious. Even if the land were to stay in long-term agricultural production, all you would have to do would be to consider the price of food in Canada and compare the percentage of annual income spent on food by Canadians, with the percentage of income that is spent on food by people in various countries in Europe and it is very easy to understand. Productive agricultural land in Europe is much more expensive. The forcing up of that price and the establishment of that new relationship so that Europeans will come over and readily pay what for them are low prices for agricultural land is quite easy to understand.

We, as Canadians, should be agreeable to pay a fair price for food but it seems to be rather unfair that the consumer should be required to pay the extra high prices to include the cost of land in that food. The farmer receives no benefit if he is trying to produce that food on his soil because he has to pay the interest on what are becoming prohibitive sums of money.

I am concerned with the direction that this kind of exchange of capital is taking at the present time. I believe if it is not stopped now—if we cannot stop it in the next year or two—perhaps in a matter of 10, 15 or 20 years we will find ourselves, unfortunately, in a similar position to those tenant farmers who were forced to leave Ireland, Scotland, England, or wherever, to come to a new land to try to make it on their own.

The ownership of farm land is fundamental. The ownership of land is fundamental to our nature in this country. Sometimes our friends to the left may not agree with ownership, but it seems to me incredibly important we recognize that the ownership of land represents a real stake in this country.

I would urge the government not to stop with this bill, which is desirable so far as it goes, but to express their concern about the other areas of land ownership so that we may not ultimately become a land of tenant farmers and absentee landlords.

**Mr. G. I. Miller:** Mr. Speaker, it is a privilege for me to rise and speak on Bill 60 brought in by the Minister of Agriculture and Food. I think it is a step forward and something I can support.

However, I would like to bring to the attention of the minister, if he is not already aware, that foreign land ownership and the owning of farm land by people who are not farmers is a real problem in my riding of Haldimand-Norfolk. It has been going on for many years now and, as our colleague the member for Brant-Oxford-Norfolk pointed out, he spoke on it back in 1974. It has been brought to the attention of the government for many years. Only today, the member for Huron-Middlesex indicated that 1,000 acres in the town of Dunnville have been turned over to a buyer from Germany.

It just points out one more time that the policies of this government have not been encouraging our young farmers to go back to the farm. They have not been able to survive because they cannot make enough money to make the payments. They cannot compete with industry and with the speculators who have been moving in. So I would just like to point out that this government may have been around 37 years too long. They have not been receptive to the needs of our young farmers and agriculture people.

My colleague from Scarborough-Ellesmere pointed out that there is a need for protection of our farm lands, and he, representing an urban riding, has made that very clear.

I think our young farmers do not have a pension to which they can look forward for their retirement. As a farmer myself, the only thing we had to depend upon for our retirement was either the sale of the farm, or our family's taking over from us and supporting us, as we did our former generations. My mother still lives in town, in the village of Jarvis. We are supporting her. She has a home of her own and, fortunately, has had good enough health to look after herself up to this time. That has been the only way we could survive. We certainly had planned on doing the same thing for our young family, our young people coming along. We have two boys farming at present, but I know that unless they can have some plan or provision made for them, they are not going to be able to retire after spending 25 or 30 years, as I did myself. I started a farm in 1945 and farmed with three brothers until 1973 or 1974, or, as a matter of fact, until I was elected to the Legislature. We certainly did not have anything on which to fall back.

If this government cannot do it, I would hope that the Liberals might be given a chance in the future so that we could come up with some agricultural policies that can provide and encourage.

I would like to point out that our area is going from rural and agricultural to urban and industrial. I think the province is the largest land owner in our particular riding. I think it has bought something like 25,000 acres and, fortunately, I think all that land is being worked at the present time, with the exception of maybe 1,000 acres in the Townsend town site which is now being developed for housing and being prepared for that possible use.

As I have pointed out, I can support the bill. I think it is only a beginning. I would also like to point out that several acreages have changed hands, and it has been a blessing in disguise that these people have come along to purchase it; I can name about six or seven farms that have been sold only within the last two years for health reasons and for other reasons. It has been a blessing in disguise that the money was available, that they could take them off their hands, so that they could retire and live respectable lives.

5:20 p.m.

The point is, we have to make sure our agricultural land is used properly and, along with industry and agriculture working together, it is going to be good for the economy of all Ontario and Canada, particularly in a time when only today I noted on the agriculture news on CBL that starvation is the largest destroyer of life in Africa. There is a need for food. The world markets are there. It is only a matter of getting a price they can afford, getting the food to them and providing them with the knowledge to use their soil properly. I think Canada and Ontario have a responsibility. I think we should protect that responsibility, and I think this legislation is a beginning in that regard.

**Mr. B. Newman:** Mr. Speaker, I rise to support the bill and to make a few comments concerning it. I am strictly an urban member, so you might wonder why one from an urban area would be concerned about agricultural land. I happen to live across the river from Detroit, and every Friday you can see the large fleets of cars that come over to enjoy the nice atmosphere and the fertility of the soil of Essex county. Not all of them are necessarily farmers, but at least a lot of them do possess large acreages of farm land in Essex county. The amount and extent of their ownership is unknown. However, through this legislation, at least we will know that.

I would be remiss if I did not commend the member for Huron-Middlesex for his

untiring efforts over the years in his attempt to get government to move. Mind you, this is only one small step in the giant steps that we look forward to being implemented, if not by this government in a short period of time, then by a Liberal government in the not-too-distant future.

The American who purchases land in Essex county in many instances does not necessarily farm the land and, as a result, that land is taken out of production. Others, naturally, go ahead and do farm the land; so we don't lose the use of that land. But he buys it for several reasons: one, as an investment, because he can buy it there a lot cheaper than he can buy land in his own country, and also it is in many instances a shorter distance for him to live in Essex county and to work in some area in Detroit. He has a shorter distance to travel. He has the added advantage now in the fact that he is paying about 37 cents to 50 cents a gallon less for gasoline than his American counterpart; so it is substantially cheaper for him to be living on acreage in Essex county than in the city of Detroit or the suburbs.

Then again he doesn't have the problems that are prevalent in large urban areas or large industrial areas. His place of work is close to him. He is safe to walk our streets and throughout the countryside, with no fear of being bothered or threatened by anyone the way he might be in his own country.

Even in downtown Windsor many of the apartments are occupied by Americans, because all they have to do is walk three or four blocks to the tunnel entrance, pay a 50-cent fare on the tunnel over to Detroit and they are at their place of work if they work in the Renaissance Center in the downtown area; that is the big development you see as you near the city of Windsor, the four circular towers with one tower in the centre jutting into the clouds.

Besides the production of food, for which land is essentially used, you will find it is being used as an investment by many foreigners. I know of an individual who sold his farm within the last year or so for \$2 million. He did not invest any more than \$75,000 or \$100,000 when he first purchased it years ago. Who do you think purchased it? We wouldn't mind if it were a Canadian, but it was bought by German interests. You can rest assured it is not going to pass into Canadian hands. It is going to be sold in the German market. Yet we really don't know, because no legislation has required the indicating of the nationality of the ownership of that land.



There is another type of land in the country that should be brought under control, and that is marsh land. People in Essex county have been accustomed to hunting in the marsh area for years and years. It was such a common type of recreation that many wealthy Americans saw it would be a nice idea to purchase a lot of this marsh land to use as private clubs for hunting purposes. Ford Motor Company had substantial holdings at one time. That was raised in the Legislature maybe eight or 10 years ago and we didn't have legislation to control it. Even with this legislation we won't control it; all we will know is the nationality of the individuals who own the land.

The bill does not refer to them, but beach properties are being bought up more and more by other than Canadians. If that trend continues, we are going to find the residents in Essex county will have to pay to swim in Lake St. Clair, the Detroit River and Lake Erie. If it weren't for the fact that the government developed Holiday Beach in the Essex county area and the federal government developed Point Pelee, we could rest assured our American friends would have bought that out simply because dollars don't seem hard to come by for many of them.

I commend the member for Huron-Middlesex for his untiring efforts. I appreciate the fact the minister did introduce this bill. I hope he uses it as only one short step in eventually not only knowing who owns the land in the county but also having some types of controls over it.

**Mr. Haggerty:** Mr. Speaker, I would like to address myself to Bill 60. I have just had an opportunity to breeze through the intent of the bill. The explanatory note is: "The bill requires persons who are non-residents of Canada to file a registration report on any agricultural land in Ontario in excess of 10 hectares in which they acquire or have acquired and retain an interest." From that I could say the only purpose of the bill is that a nonresident foreigner buying land in Ontario has to file with the registry office. It doesn't solve the problem as it relates to young persons who want to get involved in the agricultural industry in Ontario.

Without a healthy agricultural industry in Ontario, you can almost see the complete economy backsliding today, particularly in the manufacturing of farm equipment. The intent may be there, it may resolve some small measure there, but it does not resolve the whole issue.

5:30 p.m.

I can recall, as a member of the Bertie council, that we had some difficulty there as it related to foreign interests purchasing land within our township. They were buying it and actually subdividing it later on so that each member of the family would get a portion of it.

This bill does not plug that loophole. It still provides 25 acres, or 10 hectares, or more. This will encourage the further subdividing of large parcels of good agricultural land in Ontario. Instead of 10-acre sites, there will be 25-acre lots in large, rural farming areas in Ontario. I disapprove of this even in the Niagara regional bill where they allow a large farm to be subdivided so that it can be broken up in four lots. I do not think this bill is going to solve the area of my concern, which is the conservation of good agricultural farm land in Ontario.

I think one area the minister and the government should be looking at is an improved farm loan in the province by which we can encourage young people to get into farming. It does create jobs, not only in the agricultural end of it but also in the industry itself.

I suggest it is time this government moves to see that farm loans are reasonable to persons who want to venture into the agricultural industry. I compare this with what the Ministry of Industry and Tourism has for certain industries in Ontario. Some can have loans that are interest-free or forgiven and the interest can vary from zero to 12 per cent.

It is time the province went back to—I guess I was thinking of the junior farm loan it used to have years ago that encouraged young people to stay in the farming industry. These are the areas I am concerned about, but particularly legislation that would permit further subdividing of large parcels of farm land. I think this should be a no-no in the province because eventually it is going to end up being urbanized.

We had members from Metro Toronto talk about this. One can see the farm land disappear within Metro Toronto and it is disappearing all across Ontario. That is the key, I think, if we are going to bring in any legislation here to control the ownership of farm lands. It should not permit further subdividing of large parcels of lands.

There is another area that I am concerned about. I have heard councillors and other persons say, "This is development progress in our municipality." I do have a small parcel of farm land in Sherston and I dislike it every time I see speculators moving into that area. They are paying a good price



for the farm land—a well-inflated price, well above what it should be selling for. But in the long run, the adjoining property owner is the one who is going to suffer. As soon as the assessor comes and notes that land is selling for this price, my assessment or any other farmer's assessment changes. There is change in the Niagara region under the assessment practices there, and I am sure there is across Ontario, but that is inflated assessment. It does not actually give the true value. Why should a person be paying higher taxes on an assessment base because a speculator has moved in there to make a profit on that land?

There are many persons who do not want to sell their property and want to maintain it as part of the farming community. I suppose it relates even to urban communities too because their land values increase with that speculator coming and buying land, perhaps above what it is actually worth.

I suggest this bill encourages that. Actually it just says the purchaser must register if he is a nonresident. It does not do anything else for me to say that it is a good piece of legislation. It says who has bought it, that is about all. It is not going to solve the problem if we want to maintain a viable farming community in Ontario.

These are the areas the minister should be looking at; these are the areas that require some government action. I think the member for Huron-Middlesex, who brought the foreign ownership of land in Ontario to the attention of the minister, would agree this is the area we should be looking at. He mentioned there is no land transfer tax. It is another giveaway.

I think it is still federal government policy to encourage foreign investment in Ontario and particularly to encourage people to come in and to buy land here. They are given tax concessions in this particular area. With the Canadian dollar being down as low as it is, 15 per cent lower than the American dollar, and comparing its worth to the German mark, they can well afford to pay a good price for the land because their money is worth that much more in Canada. With the tax concessions given in this area, the government encourages the breakup of family farms in the province.

To me, the bill does not go far enough. I suggest there are areas to be considered when other members speak on it. I support the bill in principle, but it does not go far enough to solve the problem. The agricultural industry in the province is going to be destroyed by permitting foreign ownership.

They do not even have to take up residence until later on. Perhaps at retirement

age over there, they will come over here. They are looking for security. That is what they really want to invest in; not to maintain the land as agricultural land.

I know a farmer in my area who is renting land now owned by German people. They even get the farm tax rebate sent over there. The person who is running the land does not get it. I question whether we should be allowing this.

These are the areas I am concerned about. I support the bill in principle, but not much further, because there is nothing in it.

Mr. Ruston: I suppose almost everything has been covered, Mr. Speaker. We have had a pretty wide-ranging debate on this bill, but it has been a long time coming and we have been worried for some time—many years actually.

I think the first time I saw something similar to this was in a brochure sent to me by my brother who lives in California. The brochure was sent out by his senator, Senator Alan Cranston, to his constituents. It was addressed to my brother who lives in Hollywood. Since he knows I am interested in farming and farm legislation, he sent me a copy of this. It is dated December 31, 1978. I gave a copy to the member for Huron-Middlesex for his perusal because I knew he was interested in this particular item and had a private member's bill on it. This was brought forward in the United States.

I will read from the brochure: "A check of land transfer records on file in country courthouses throughout the San Joaquin Valley shows the unmistakable trend. Increasingly the purchasers of California land are French, German or Italian nonresident aliens, or investment firms headquartered in the West Indies or the Far East. Some real estate dealers in the rural counties estimate at least 40 per cent of their sales are to foreigners. Induced by attractive rates of return on what they feel to be a secure investment, foreign investors are contributing to the inflation of California farm land by aggressively bidding as much as \$600 to \$800 an acre above the prevailing market price." We can see they were concerned there and they have done some research on it.

5:40 p.m.

"The immediate problem is there is no accurate information on the extent and economic impact of foreign land holdings. But Congress has taken a necessary and useful first step. In the weeks prior to adjournment, a new law," which Senator Cranston sponsored, "was enacted. It creates a national reporting system, under which all foreign

farm owners and long-term leases will be required to register their holdings."

It pretty well covers the same areas as this bill. It's a start. I know the member for Erie was concerned that it didn't go far enough.

Some of the farm people in my area are worried about other types of ownership, such as where a very successful business person in some other business, it might be a school teacher, would go and buy the farm land and then rent it out. He would be able to pay a little higher price because his main income is from other sources. The farmer living next door, if he had a couple of boys, would not be able to pay that price.

In our county, there is land running from \$2,500 to \$4,000 an acre. The average is around \$2,500 to \$3,000 for Bruxton clay, which is a pretty high price to try to end up at the end of the year with anything other than just a crop. You wouldn't have much left if you had to pay \$3,000 an acre. I don't think I'm aware of anyone who could successfully farm and pay for it on that basis.

There is a concern because farmers are having problems in acquiring more land for their children because of the competition. That's very difficult to control. After all, the people who are farming are Canadians, Canadian residents who live in other areas, or who have other sources of income, and they can acquire the land. With inflation the way it's been for the last 25 years, it's been a very good investment for anyone. This has been a concern of many people as well.

With the registration, as required under this bill, we can certainly see that within a year and thereafter, we will know where the areas are and the extent of the legislation which will have to be brought in. At that time, that will have to be looked at.

One of the things that has added to the acquiring of farm land is the farm tax rebate. The Minister of Agriculture and Food is well aware of that. This year, in the subsidies branch, they are doing a rather thorough examination of these farm tax rebates to see that they are going to people who are actually farmers. Some people who rent out the land, I understand, separate the assessment of the buildings and the owner gets a farm tax rebate for the bare land and not for the buildings. Yet the people may not be operating it themselves; they are renting it out to a regular farmer, and their main source of income could be some other business. That's one of the areas that gives us some problems with the farm tax rebate.

We appreciate the minister bringing in this legislation. It took a lot of prodding from the member for Huron-Middlesex and other people in the House, but that's fine. That's what opposition members are for. The government takes the member's legislation and put it into effect, and take the credit for it, but that's quite all right. As long as we get the job done, we'll accept that. The minister can say when he's going around that he passed the bill and it took the assistance of the opposition members and he took some of their ideas and put them into the bill. We accept that.

**Hon. Mr. Henderson:** Mr. Speaker, I would like to thank all the members. There have been 12 of them who have taken part in this debate, and they have brought out many new ideas, many new thoughts. I do believe that the bill, with the two amendments I have informed the two opposition parties about, will take care of the majority of the concerns.

There have been remarks that we should make it apply to a lesser amount than 10 hectares, or approximately 25 acres. We are concerned that if we make it apply to a smaller amount of land it might mean a nightmare within our office so far as the number of extra civil servants we might need is concerned. We believe we can handle it within the department. We believe that under the present situation it will not make that much difference on the staffing.

I would go further to suggest too that I do believe the member for Huron-Middlesex, who has done a great deal of research and a lot of work and has been very helpful to me—I do not mind admitting that to him—has brought out some good points. When we went to draft the legislation there was a bill that was not too hard to look at. That is a compliment to the honourable member; I think he deserves it. After all, we are here as provincial members to serve the people of the province. We are here representing different parties and I think we are here to make the legislation workable.

Again I say the two amendments that they are aware of will improve the situation. I would prefer they are not the other amendments. I would prefer to let it work.

Someone wondered whether we would report what our findings were annually. Yes, in the statistics of our department; this will be part of the report of our department annually.

Beyond that, I could go on and speak for half an hour about it, but there have been many kind remarks and I thank the mem-

bers for them. I would appreciate the bill's going to committee where I would present the two amendments I have.

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

#### NON-RESIDENT AGRICULTURAL LAND INTERESTS REGISTRATION ACT

Consideration of Bill 60, An Act to require the Registration of Non-resident Interests in Agricultural Land in Ontario.

**Mr. Deputy Chairman:** Mr. Minister, do you have amendment to make and on what section?

**Hon. Mr. Henderson:** Yes, Mr. Chairman, it is on section 2(5) of the bill.

Section 1 agreed to.

On section 2:

**Hon. Mr. Henderson:** Mr. Chairman, so the members will realize what is happening, they received a letter from the Ontario Federation of Agriculture, which suggested the amendment should be to section 3. That letter was a misprint; it should be section 2 of the bill.

**Mr. Deputy Chairman:** Hon. Mr. Henderson moves that section 2(5) of the bill be amended by striking out "two years" in the second line and inserting in lieu thereof "one year."

**Mr. Riddell:** Mr. Chairman, I am pleased that the minister has seen fit to reduce the time limit to one year. I had indicated in the debate on second reading that the US Congress had put on a time limit of 180 days. This is what I would have preferred. But I do believe Congress had to extend that period of time, as some of the foreign investors did not know of the bill that had been passed and therefore could hardly have been held responsible for not reporting within 180 days.

I would hope any foreign investor would know of the passage of this bill within a period of one year and therefore would see that he had that land registered within that period. We do concur with this amendment.

5:50 p.m.

**Hon. Mr. Henderson:** Mr. Chairman, if I might just respond to that statement, in accepting the one year in place of the two years we may be forced to come back here a year from now in a similar position. We hope we do not, but we recognize that there

might be cases where we would have to look on the exception.

**Mr. Warner:** Mr. Chairman, our opinion is that this proposed amendment will strengthen the bill and we approve of the amendment and will support it.

Amendment agreed to.

**Mr. Deputy Chairman:** Hon. Mr. Henderson moves that section 2 of the bill be amended by adding thereto the following subsection:

6. Where a nonresident person files a registration report under this section respecting any agricultural land and the registration report or material filed therewith: (a) provides information on other nonresident persons who are also required to file a registration report respecting that agricultural land; and (b) the information supplied under clause (a) is equivalent in nature and extent to the information required of a nonresident person filing a registration report, those other nonresident persons are not required to file a separate requisition report respecting that agricultural land.

**Hon. Mr. Henderson:** Mr. Chairman, this is to save duplication and time, again looking at staffing and red tape.

**Mr. Riddell:** I can appreciate what the minister is trying to accomplish here. I only wish I knew the kind of information he is going to require on the registration form. I would hope he would insist on finding out where this capital is coming from, how much foreign capital has been invested in the land and what percentage ownership of that land is actually owned by the foreign investor. If indeed the person who is reporting on the land under foreign ownership can report all of this information on behalf of some other foreign investor, then I would say there is nothing wrong with this amendment.

But I am wondering, if he is going to be looking for this kind of detailed information, if a foreign investor who is going to register his land would know all of this information from another investor. Would he know how much foreign capital has come over from another country and has been invested in the land? Would he know what percentage ownership that foreign investor had in the land? If that is the case then I concur with the amendment, but maybe the minister could elaborate on what kind of detailed information he is going to be looking for on the registration form.

**Hon. Mr. Henderson:** Mr. Chairman, first let me assure the honourable member that this afternoon's Hansard will all be looked

at and the recommendations that have been made here will be considered. First, the reporting procedure will have the name, the address, the citizenship, the type of legal equity, the trust corporation, the description of property, lots and acreage, the type of interest in property, the deed, the mortgage, the price or consideration given, and the intended use of the property.

If you go back to the bill itself I think that sets out the 25 per cent owned by anyone outside of Canada who is an individual or if it is more than 50 per cent, owned by a company or corporation. We will be putting these regulations together. I would be happy to send a copy to the honourable member as soon as we have them together.

**Mr. Riddell:** As I understand it, if a person is reporting on someone else's land that is under foreign ownership, the minister is expecting that that person will be giving him all that detailed information that he just indicated. Supposing this is not the case? Suppose he does not do this? On whom does the penalty fall? Does the penalty fall on that person who has been trying to report on somebody else's land or does it fall on the government or whom does it fall on?

**Hon. Mr. Henderson:** No. The individual who is not doing the reporting will have to see that the person reporting for him has reported the information that is required. Our idea is that the two people should not have to report. Let us say there are two people owning 75 per cent, or 37.5 per cent each. There is no reason why one can't report the holdings of both. There is no reason for the two of them to have to report. If only the one reports and the other one doesn't, then the onus is on the one who didn't report to answer.

**Mr. Riddell:** Then as I understand it, it is a case of joint ownership. It is not a case where a foreign owner not only reports on his own land, but on land he has no interest in whatsoever but is simply reporting on that land. It is a case of joint ownership where there are maybe two or three foreign investors who have invested money in the same land. Only one is required to report. Is it also a case where one foreign investor can report on someone else's land that he has no interest in whatsoever?

**Hon. Mr. Henderson:** It is a case where we will accept one of the combination to file a report for all of them. We are not relieving the other ones of the need of filing a report, but the intention is to reduce the amount of paper work with it. It is not the intention to have someone down the road come and report for somebody not involved. It is to reduce the work load within our ministry.

**Mr. Warner:** Mr. Chairman, I can appreciate the purpose and the intent of the amendment. The difficulty for the members is that we do not have the registration form in front of us. The minister has given us a list of the items he is considering and so on. But, as I understand it, that form has not yet been drafted and so we do not know precisely what those questions are going to be. That makes it a little difficult in dealing with this amendment, it seems to me. The intent is fairly clear, and I have no quarrel with the intent. It is a very cautious approval from our standpoint because we do not know entirely what it is we are dealing with. Without that form and without that registration, we do not know precisely what questions you are going to be asking and how thorough a questioning there will be of the owner who is being asked to register.

**Hon. Mr. Henderson:** We have proceeded to the point where I can't give any more information than I have. We believe we will draft a form that will get all of the needed information in keeping with the bill and in keeping with what the House really wants.

**Mr. Martel:** When will that be ready?

**Hon. Mr. Henderson:** At this moment, I cannot answer that question. The amendment does not allow an outsider to report. That was not the intention. It covers partnerships and corporations et cetera.

**Mr. Deputy Chairman:** Any further discussions or questions?

Motion agreed to.

Section 2, as amended, agreed to.

Sections 3 to 13, inclusive, agreed to.

Bill 60, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with certain amendments.

The House adjourned at 6 p.m.

APPENDIX  
(See page 2640)

**INTERIM ANSWER TO QUESTIONS  
ON NOTICE PAPER**

**183. Mr. Cassidy:** Is the ministry aware of a recent study done by Dofasco, Stelco and Algoma Steel about the future of the iron ore industry in northwestern Ontario? If so, will the ministry obtain and table the report? Will the ministry also table any analysis it has completed of that report? (Tabled May 27, 1980.)

**184. Mr. Cassidy:** Will the ministry explain and provide further evidence to support the statement of the Minister of Natural Resources on May 22, 1980, that Inco pellets contain higher than average amounts of alkalis, potassium oxide and soda ash? In particular will the ministry compare the characteristics of Inco pellets to those produced in the eight iron ore mines that operated in Ontario in 1978, those pellets purchased by Ontario steel companies from Hibbing Taconite Limited, Eveleth Expansion Company and Tilden Iron Ore Company and those produced by iron ore mines in Labrador? (Tabled May 27, 1980.)

**185. Mr. Cassidy:** Will the ministry table all documents and analyses it has pertaining to the costs to the steel companies and to the Ontario economy of the present action of replacing Canadian mined iron ore with foreign iron ore by Dofasco, Stelco and Algoma Steel? (Tabled May 27, 1980.)

**186. Mr. Cassidy:** Will the ministry indicate when it first became aware of the decisions of Dofasco, Stelco and Algoma Steel to buy interests in foreign iron ore mines? Will it indicate in detail all action it took to protect the Canadian iron ore industry? Will the ministry table its detailed estimates of the amount of production, value of production and number of jobs lost as a result of the decisions which lead Ontario steel producers to buy interests in foreign iron ore mines? (Tabled May 27, 1980.)

**187. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by the owners and operators of the four Ontario iron ore mines which have closed down since 1978? Secondly, will the ministry table for each year the amount of (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by the

owners and operators of four Ontario iron ore mines which have closed down since 1978? (Tabled May 27, 1980.)

**188. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by all iron ore mining or milling operations in Ontario? Secondly, will the ministry table for each year the amount of (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by all iron ore mining or milling operations in Ontario? (Tabled May 27, 1980.)

**189. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by all producers of iron ore pellets in Ontario? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by all producers of iron ore pellets in Ontario? (Tabled May 27, 1980.)

**190. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Marmoraton? Secondly, will the ministry table for each year the amount of (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Marmoraton? (Tabled May 27, 1980.)

**191. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Inco? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Inco? (Tabled May 27, 1980.)

**192. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Inland Steel Company? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Inland Steel Company? (Tabled May 27, 1980.)

**193. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid

by Caland Ore Company? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Caland Ore Company? (Tabled May 27, 1980.)

194. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by CP Investments? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by CP Investments? (Tabled May 27, 1980.)

195. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Steep Rock Mines? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Steep Rock Mines? (Tabled May 27, 1980.)

196. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial tax paid by Hanna Mining? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Hanna Mining? (Tabled May 27, 1980.)

197. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by National Steel? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of pro-

vincial tax deductions and write-offs used by National Steel? (Tabled May 27, 1980.)

198. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax (2) provincial corporate tax paid by Bethlehem Steel? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Bethlehem Steel? (Tabled May 27, 1980.)

199. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Stelco? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Stelco? (Tabled May 27, 1980.)

200. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Algoma Steel? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Algoma Steel? (Tabled May 27, 1980.)

201. Mr. Cassidy: Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Dofasco? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Dofasco? (Tabled May 27, 1980.)

Hon. Mr. Auld: Because of the volume of material and complexity of questions 183 to 201, additional time is required to prepare the answers. The replies will be available on or before June 16.

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No. 70

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, June 10, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, JUNE 10, 1980

The House met at 2:04 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### ENERGY IN AGRICULTURE

**Hon. Mr. Henderson:** Today, Mr. Speaker, I am pleased to make an announcement jointly with our Deputy Premier, the Minister of Energy (Mr. Welch). I am pleased to advise honourable members of the establishment of a joint agricultural energy policy committee with the objective of examining energy problems and opportunities which will be faced by the agricultural community over the next 20 years.

The committee's findings and recommendations will become the basis for the government's agricultural energy management program. The committee will be co-chaired by the Deputy Minister of Agriculture and Food, Mr. Kenneth Lantz, and the Deputy Minister of Energy, Mr. Malcolm Rowan.

Other members will include Dr. George Collin, executive director of the rural development division of the Ministry of Agriculture and Food; Dr. Roger Higgin, director, renewable energy program, Ministry of Energy; Mr. Charles Munro, Embro, Ontario, a past president of the Ontario Federation of Agriculture and the Canadian Federation of Agriculture; Mr. Robert Bethune, head, long-range planning, United Co-operatives of Ontario; Professor Peter H. Southwell of the University of Guelph; and Mr. Ron Moyer, past chairman of the Ontario Grape Growers' Marketing Board.

Mr. Donald Oke, senior policy adviser to the cabinet office, will serve as executive secretary to the steering committee. The committee is expected to take about six months to complete its work. My ministry looks forward to working with the farming community and with agribusiness and with the Ministry of Energy in this important undertaking.

The Ministry of Energy, in co-operation with the Ministry of Agriculture and Food, Agriculture Canada and Ontario Hydro, is now involved in many different projects relating to agriculture, including energy con-

servation, the use of solar energy in grain drying and the production of methane gas from animal manure.

Since 1950 there has been a stronger and stronger trend to mechanization. In that year, the wholesale value of farm machinery sales was about \$52 million. By 1978 the wholesale value of sales was more than \$272 million. In 1950, the value of farm implements and machinery was estimated at \$389 million. By 1978 that figure had risen to more than \$2.3 billion. This trend to mechanization has brought with it an estimated 300 per cent increase in energy consumption since 1960.

While mechanization has contributed to increased Ontario agricultural production per acre, the cost of energy to operate modern farm systems has become the largest factor in farm expenses with a corresponding impact on the cost of farm products. In 1976, fuel oil alone used in the agricultural industry cost \$152 million, with by far the greatest portion being for the purchase of gasoline and diesel fuel.

Specifically, the task of the joint agricultural energy policy committee will be to examine the future profile of the agricultural industry and to analyse the requirements of the industry in terms of such factors as feed, fertilizer and energy.

At the same time, it will consider Ontario's future supply of energy, both by fuel and price, as it relates to agriculture. Using this information, the committee will then recommend a long-range strategy for energy in agriculture; identify and recommend appropriate policies and programs to deal with the problems and opportunities that energy represents to the agricultural community; develop an outline of a five-year agricultural energy management program, including budget and resource requirements; and develop an organizational structure for the development and implementation of these programs, which are to be carried out by my ministry's agricultural management resource centre, as announced in the speech from the throne.

The agricultural energy policy committee will be supported by staff input from agricultural and energy experts. As we move into the 1980s there is the need for even

greater efforts to improve the energy efficiency of agriculture in Ontario. We must ensure the continued growth and profitability of the agricultural and related industries; we must also ensure a secure food supply and energy future for the people of this province. It may be necessary to adopt new agricultural practices, new forms of technology and new energy systems if Ontario farmers are to remain competitive.

2:10 p.m.

I am confident the joint committee which has been established will provide many of the answers and recommendations to enable us to establish a comprehensive agricultural energy management program for the benefit of farmers, the food industry and all the people of Ontario.

#### FLORALIES AWARD

**Hon. Mr. Henderson:** Mr. Speaker, as members may be aware, the province of Ontario has won a prize at the international horticultural show, called Floralties, in Montreal. The prize was for the best national exhibit.

Our display, known as Ontario Garden, is sponsored by my ministry and was designed by the staff and students of the Niagara Parks Commission School of Horticulture, under the direction of Mr. Roly Barnsley. Some of the plant material in the garden was made available by the Horticultural Research Institute of Ontario at Vineland.

The display will be open to the public until September 1, and I want to take this opportunity to urge anyone planning to visit Montreal this summer to make a trip to Floralties. Aside from Ontario's exhibit, there are more than 60 others from many foreign countries. The prize awarded to the Ontario exhibit included a cheque for \$5,000. I am pleased to announce that the entire proceeds of this cheque will be turned over to the library at Niagara Parks Commission School of Horticulture.

I might add that we in the Ministry of Agriculture and Food are very proud of Ontario's young horticulturalists. I should like to offer my congratulations and those of the entire government of Ontario to the students and staff whose efforts brought this honour to our province.

**Hon. Mr. Davis:** Just wait until we win Le Mans. The Minister of Industry and Tourism (Mr. Grossman) will be able to announce that in the House.

**Mr. Kerrio:** The minister will be sitting in the driver's lap.

**Mr. Nixon:** How about that? Are you the organ grinder or the monkey?

**Hon. Mr. Davis:** Mr. Speaker, the members opposite don't appear to want to listen.

**Mr. Kerrio:** Oh yes, we do.

**Hon. Mr. Davis:** Oh, do they? Okay.

**Mr. Speaker:** I think they were probably prompted by your opening remarks.

**Hon. Mr. Davis:** Oh, were they? I can't understand that.

#### CONSTITUTIONAL NEGOTIATIONS

**Hon. Mr. Davis:** Mr. Speaker, yesterday a meeting of Canada's first ministers on constitutional reform was held at the residence of the Prime Minister of Canada. I wish to report briefly to the House that agreement was reached on an intensive schedule of work over the next three months on an agreed set of priority issues.

We agreed that one week from today our Ministers of Intergovernmental Affairs and Attorneys General would meet to organize their work over the summer. They and their staffs will meet during July—for roughly a three-week period—to attempt to work out agreed positions on a list of 11 major constitutional areas. These will be reviewed by the provincial Premiers at our meeting in Winnipeg on August 21 and August 22, prior to a renewed federal-provincial first ministers' meeting, scheduled to begin on or about September 8.

We have agreed to consider—at least I have, from my concept—two basic packages of constitutional topics during this period. One package deals with a statement of principles, a charter of rights, including language rights, an entrenched commitment to the reduction of regional disparities and the patriation of the constitution.

The other package deals with government powers and institutions and includes the questions of resource ownership, international trade, offshore resources, fisheries, economic powers, communications, family law, the Supreme Court and a new upper house involving the provinces.

I was pleased to agree with this approach to constitutional reform, because I happen to believe it is urgent and essential that our governments devote themselves to showing the Canadian people that substantial constitutional reform is possible and practical. From the debate in the House from May 5 to May 9, I know that members of this House from all parties share this objective. The list

of issues with which we have agreed to deal over the summer coincides well with the principles for constitutional reform which I outlined on May 9 as our government's position.

The schedule of meetings ahead of us places some urgency on the work of the select committee on constitutional reform. I would hope to have the benefit of advice from that committee, at least on some aspects, in time for our meeting on September 8. Obviously there are other issues involving the constitution beyond those contained in the two areas I have just outlined. I would expect that the select committee, using such reports as that of the Task Force on Canadian Unity, the Quebec Liberal beige paper and those of the Ontario Advisory Committee on Confederation, will be making recommendations to this House on the entire scope of a new constitution. But these priorities have been identified and are the ones that will be dealt with on September 8.

There will be some difficult hurdles to overcome if we are to avoid the impasse that has characterized our previous efforts at constitutional reform. Nevertheless, much work has already been done and early agreement seems possible on some of the issues that I have outlined. I give my commitment to this House, and to the people of this province, that I and my ministers will do our utmost to make this effort a success.

## ORAL QUESTIONS

### CONSTITUTIONAL NEGOTIATIONS

**Mr. S. Smith:** I wonder, Mr. Speaker, if we might ask of the Premier that he share with this House any report which he feels able to give us over and above the comments he has made with regard to the meeting.

In particular, can the Premier tell us whether he feels there are any particular obstacles that he thinks will be major, and which will have to be tackled this summer, and to which the select committee, for instance, might wish to give particular attention? Does he find among his colleagues, the other first ministers of this land, any attitudes or suggestions which will cause Ontario difficulties at the forthcoming meetings?

In general, could we ask the Premier if he could report in a little more detail on what he thinks the obstacles or problems might be, and to which areas the select committee might profitably devote its attention and concentration during the early weeks of its meetings?

**Hon. Mr. Davis:** Mr. Speaker, I think the areas of difficulty are pretty well known to

all of us. I sensed that one of the understandings at these private meetings of first ministers is that we do not go around quoting what other first ministers have said. We say what we said, we can give impressions, but I would not want to quote any of the other first ministers. I think I am right in this: I sensed a very genuine desire on the part of the first ministers to move ahead with constitutional change or renewed federalism, whatever term we may use for this process, over the next several months.

I sensed from some provinces that they had particular concerns. I think it is fair to state that they broke down into two areas: the question of the principles, patriation, et cetera, on the one hand, and the question of entrenchment or nonentrenchment of, say, a Bill of Rights, within the constitution, on the other. This is not new.

My own position on this question, and that of the government, is this: We can make some of the legal arguments that the member for Riverdale (Mr. Renwick), and perhaps others would have made over the years—and I look to the member for Lakeshore (Mr. Lawlor)—that we do have a different system, and, as a result, we do not need entrenchment of a Bill of Rights per se in a legal sense. But I accepted the concept and philosophy of entrenching a Bill of Rights some time ago because, while I can make the same legal arguments, I think there is something of a symbolic nature, something that has relevance or is important, whatever term one may wish to use.

When it comes down to the question of patriation, quite frankly, the amending formula per se was not discussed yesterday. We did not discuss the various items that are now on the agenda. Our time was spent in terms of the process, and how we get to this in a way that will give some finality, at least to a number of these issues.

One can envisage, though, that the question of amending formulae will still be a matter of some discussion, and at any constitutional conference of this nature, I think there will have to be some give and take. Over the years, Ontario has accepted two or three different routes. As we go through these discussions a consensus may or may not emerge. A consensus on that will depend on what progress we make in the area of distribution of powers.

I think it is fair to state, without betraying any confidence, that when you get into distribution of powers, one of the primary concerns will obviously be the resource sector, the question of offshore resources.

Another concern, which is probably less relevant for this province in terms of its practical implications, relates to fisheries and where it would fit in any redistribution.

2:20 p.m.

I think it is fair to state, as I perceive the conversations, they were not dissimilar in some respects to those held in February 1979, in the nation's capital. By and large, this list of items was on that agenda and the various provincial positions were known.

One that is now on the list was on the list in September 1979 only as an idea—and I am suggesting to the members of the select committee that it perhaps now needs a little more substance to it—and that is the question of a second House. A number of ideas have been suggested. There are those who feel that the existing Senate should be maintained. The member to the left of the Leader of the Opposition may still wish to get to the Senate some day; I do not know.

**Mr. Nixon:** I want it abolished.

**Hon. Mr. Davis:** Oh, the member wants it abolished. Anyway, if he is on the select committee—

**Mr. Martel:** That's a new position.

**Hon. Mr. Davis:** The one on his right might like it.

But maybe this is an area for consideration, and I am just offering a little advice. I do not think there is any point in the select committee getting into a number of permutations and combinations over the question of the resource sector. I think the debate there will not be on ownership of resources, because that is at present part of the constitution. Rather, it could be on the extent to which a national government would have the right, because of compelling national interest—whatever term one may wish to use—to make them part of the federal power.

I would like to see the committee move into those areas where positions have not been already well established. We know what the arguments are going to be on those. But as a suggestion, the committee might perhaps tackle some of those areas where some new and creative thinking can be done.

In terms of the activities of the select committee, the list for September 8 is not all-inclusive. There was a general feeling at the meeting yesterday that this was all we could effectively tackle at this stage and there is a great deal yet to be done. I think this could be the subject matter for the select committee as well.

That is a fairly lengthy answer with my impressions of where we are and some of the areas where I expect there will be some rather energetic discussion on September 8. I do not think anything new has emerged. It is a question of the extent to which we can be creative enough to find solutions to the problems on that list that we know are there.

**Mr. S. Smith:** I thank the Premier for his extensive answer. I recognize that there are certain confidences which he must maintain. May I ask the Premier whether the conversation did get around at all to some of the dollars-and-cents aspects as opposed to the constitutional phrases?

In other words, certain constitutional solutions might be acceptable, provided there were a different system of redistribution of revenues. As an example, Alberta might accept certain constitutional positions if there were certain guarantees of its ability to industrialize and things of that kind. Was there a movement from the constitutional positions themselves to some of these other dollars-and-cents or broader areas at the meeting? If not, does the Premier expect that will eventually occur? Should the select committee be concerning itself with things like distribution of resource revenues and Alberta's industrial future?

**Hon. Mr. Davis:** It is hard to divorce the economics from some of the basic principles that could find their way into a new constitution. I would not want to venture an opinion as to what other provinces may think or feel on this issue.

I would like to think that we will be dealing with it from a standpoint of a principle and what will work 50 years from now, and not just related to specific economic situations of the day. In my view, the constitution has to include something of a general nature that relates to regional disparities or equalization. The traditional view of British Columbia is that the term "equalization" is not as acceptable to them as say the term "sharing" or "equity." But I think we should agree on some principle whereby we recognize in an economic sense the more fortunate areas of Canada have a responsibility to share—which word is not acceptable to some other—that there is an obligation to make this country work to share in this. I think one accommodates the fact that not just in terms of distribution but, shall we say, in the general principles of the constitution we will have to refer to the question of regional disparities or some form of equalization, whatever term one may wish to use.



Quite frankly, yesterday we didn't get down to, for example, the debate on the pricing of energy. I mean the pricing of energy per se; the amount that people pay for the price of energy I don't think will ever find its way, in a constitutional sense, into the constitution. I think it is fair to state that one of our maritime provinces made quite clear that its perception of a new constitution had to take into account its desire to have greater participation in some of the resource sectors to bolster its economy. No argument about that; that will be the point of view of that province and Ontario is not unsympathetic to some aspects of that. But once again it is something that will sort of move out of the discussions that I think will take place.

However, trying to answer as helpfully as I can, we didn't really get around to what we could call the strict dollars and cents or economic implications. We really dealt more with the process, the areas where we thought we could come to grips with the issues and hope to make some progress.

My hope is that in September it won't be a case of sitting around the table saying, "We have made progress," and then adjourning four days later indicating we will get together again in six months' time. I think the process will go on for a period of time, but I am one of those who hopes that in September there will be, out of those 12 or so issues on the list, eight or 10 where we could reach agreement, where something could take place. That may be too high an expectation, but I would like to see it happen.

**Mr. Cassidy:** Supplementary, Mr. Speaker: I want to welcome the Premier's statement but also would express some concern about the process by which the opposition parties will be involved in this process in view of the commitment that all three parties made to negotiate a renewed federalism and the desire, certainly of our party, to play a full role.

Could the Premier first assure the House that the statement he made today is not to indicate that the select committee will be put off in a corner studying documents from Quebec and from other parts of the country? Will he undertake that the select committee will have the benefit of full briefing on the process of reform and that it will be enabled to consult with the senior advisers to the government in order that all three parties will have the benefit of that advice?

Would the Premier also undertake to follow the lead of the Prime Minister of Canada? Would he fully brief both me and the leader of the official opposition on the status of

yesterday's talks and on the process of reform as it unfolds over the course of the summer?

**Hon. Mr. Davis:** Mr. Speaker, I don't know what process the Prime Minister of Canada has pursued since yesterday. I can only say that I have given the honourable member about as thorough a briefing in the last 10 or 15 minutes as I could if we had been sitting in his office, in the office of the member for Hamilton West or in my own. I really can't add much more.

In terms of the select committee, I don't envisage that committee will be studying reports that don't relate to the agenda items of September 8. There is one agenda item—I do not have the specific wording, I am not sure what wording the Prime Minister used yesterday because we were working from notes; there was no one else in the meeting at all. I have in my notes here: "a new upper House involving the provinces." Some will say that is the House of the Provinces; there have been other terms used.

That is not something I think we would study for the next six months or a year. It is on the agenda for September 8. I think that is an area the select committee could very beneficially discuss. I have no fixed views on the subject; I will be very frank about it. Ontario has put the advice from our advisory committee; we have discussed the British Columbia proposal.

Really, the House of the Provinces as envisaged by some is a vehicle whereby the new House, if there is to be a new House, would have greater provincial input in terms of the decision-making process. I think in the minds of some of us, though, it would not be a House that in the long run would be able to say "no" to the House of Commons with regard to some particular policy or piece of legislation it would like to see approved. That is only a point of view, but certainly that is an area where I think the select committee could usefully spend some time and offer some guidance. There are things already there. In the public, there are other examples.

2:30 p.m.

In terms of the ongoing process, our positions on most of these issues are a matter of public knowledge in any event. I would have no reluctance in having the materials that were used at the February 1979 conference brought forward. I think nearly all these items were on the agenda. We discussed them in public, certainly. The select committee should have some discussions with our own officials relative to some aspects of those agenda items.

All I am saying to the leader of the New Democratic Party is that this process will be ongoing. We have a lengthy list for the time involved, but in the whole context it is an incomplete list. I would hope the select committee would not just deal with those items, but would be looking into some of the broader issues that are going to emerge as this process goes on.

**Mr. T. P. Reid:** Mr. Speaker, the Premier spoke about the agenda. Did he and his colleagues talk about a timetable yesterday? Have they set out any time limits within which these negotiations are going to take place? Did they come to any resolution as to when the negotiations will be resolved and there will be something concrete? Or are we going to continue as we have for the last 15 years with first ministers' conferences and nothing being resolved?

**Hon. Mr. Davis:** Mr. Speaker, once again I will not reflect the point of view of others. Perhaps I am safe in not quoting but paraphrasing the Prime Minister in his public observations. I have no reluctance in making my own point of view known, and I thought I had done so earlier. Of the issues on the agenda for September 8, there is none on that list that has not been worked on by the committee of ministers and by first ministers.

As I tried to say to the Leader of the Opposition, on September 8 my hope is we can bring some finality; not finality in terms of the whole process because there are—I cannot enumerate them for the member—another 15, 20 or 25 items that will have to go through a process, but finality to a goodly number of those on the list for September 8.

My personal view is that there has to be a sense of urgency. The Premier of Quebec was there and he participated. He said publicly, so I have no hesitation in quoting him, that he will be a part of the process. But I think it is also fair to state that he is sitting back and saying, "We will wait and see what is produced."

I want to make this point—and I apologize for taking a little longer, but I think it is very relevant—I said to the Premier of Quebec, and I happen to believe this, that it is not sufficient to say to the rest of Canada, "I am going to sit back and see what you people produce." I said to him that I thought it was incumbent upon him, if he is going to participate in the process, to enumerate what he sees from his perspective as being a necessary part of a new constitution with the people of Quebec content within it. I do not think it is fair, logical or sensible for the Premier of Quebec to say,

"Fellows, let's see what you produce." I do not mind saying it because I said it to him and I am saying it now publicly: there is an onus on him to share. He has to say what he would like to see in a new constitution, recognizing all of us are committed to the federal concept.

To answer briefly, I do not think there is any sort of guillotine or anything of that nature. My own view is that—

**Mr. T. P. Reid:** There is a feeling of urgency.

**Hon. Mr. Davis:** Yes, there is. I would go as far as to say that my sense is if we do not move on some of these things at the September meeting, some first ministers or a first minister may pursue other options.

**Mr. Cassidy:** Final supplementary, Mr. Speaker: I want to return to the point I raised before. Because of the accelerated pressure put on the select committee—that sense of urgency the Premier has spoken of—I would like the Premier to be a bit more clear about whether it is the government's intention to have the select committee involved actively in the process of considering the position Ontario will be taking, or whether it is his intention, as seems to be coming from his statement today, that the committee will work purely at arm's length.

Is it the government's intention that the committee will simply consider the public documents and statements the government has put forward on behalf of Ontario, perhaps with the benefit of occasional brief encounters with the senior advisers, or is it the government's intention that the select committee will have the benefit of the advice of the senior advisers to the government as and when it requires it, in order to be able to come up with the best possible kind of position on the issues that the Premier has outlined, which will reflect the views of all three parties in Ontario?

**Hon. Mr. Davis:** Mr. Speaker, the member may disagree with my point. If he has, he hasn't said so. I don't say this critically, but Ontario's position on most of the items that are on the agenda for September 8 has been a matter of public record, discussed in public for more than a year and a half. For the purposes of the meeting in September, the member already has them in his possession or in his knowledge. If he hasn't, it is only because he has had other priorities, because it has all been on the table. I don't say that critically. There is nothing secret. He has seen it. I am

sure he was glued to his TV set whenever it was in 1979.

I am not in any way limiting the activities of the select committee, but I have to make this point: Part of these discussions and activities over the summer will not be in terms of advice to this government, it will be a question of the officials from this government and the ministers dealing on some of the phraseology, some of the give and take as it relates to what they are going to recommend to us as ministers from all across Canada at our meeting in August.

I can't give the honourable member a commitment that if officials are required in Halifax or somewhere they can be there at the same time as they are sharing their views with the members of the select committee. There are a number of very able people working for this government, but they can only spread themselves so thinly. Is that grammatically correct?

I am not trying to limit it, but I don't want to lead the member astray either and say we can do all of these things. We have the short time frame for a selected list of items that quite frankly have been in the public domain where members of this House have had great opportunity to express a point of view to me. I haven't had many. My assumption is that by and large, and I think I am right in this, the honourable member has been supportive of the general position we have taken on most of the items on the agenda.

## UNEMPLOYMENT

**Mr. S. Smith:** Mr. Speaker, a question for the Premier with regard to the latest unemployment statistics which have just been released and are somewhat alarming: Is the Premier aware that in the year-over-year statistic from May 1979 to May 1980, there are 68,000 more unemployed people in Canada, but of that total 61,000 are right here in Ontario? Is the Premier not alarmed by the fact that Ontario seems to be by far the hardest hit and the province that is now contributing most to the increase in Canada's unemployment? Would the Premier be prepared to admit that when things were in pretty good shape in the 1960s and early 1970s, the strategy adopted then was simply insufficient to carry us through the problems that might have been anticipated for the late 1970s and early 1980s?

**Hon. Mr. Davis:** Mr. Speaker, I haven't had a chance to discuss the figures with the Treasurer (Mr. F. S. Miller) or the Minister of Industry and Tourism (Mr. Grossman),

but as I read the figures, which I have seen only in the last few moments because I was elsewhere at noon, I sense they do reflect what is happening primarily in the manufacturing sector and in the automotive sector.

With great respect, it is not a question of the policies of this government as they relate to the automotive manufacturing field. If members look at the figures, they will find the big increases were in Windsor, Kitchener-Waterloo, St. Catharines and Niagara, which would be the automotive industry there, and to a certain extent in Hamilton, which would relate as well to some aspects of the automotive industry.

If we look back historically to when we had the last downturn, in 1974 or 1975, which was perhaps not as great—it is hard to measure yet; we will know better at the end of the month—when the downturn was taking place in the automotive industry, some of these figures would not be too dissimilar. The figures for Toronto and London—I guess Talbotville might be included in the London area, I am not sure what the rate of production is in Talbotville—show that a lot of it does relate to the automotive sector.

2:40 p.m.

That is an issue that gives this government concern, and we are making every effort to assist in it. I think it is also abundantly clear that it relates to a great extent to the economic situation in the United States and the depressed car market there. Our market is still marginally better than theirs.

We are going to go through a depressed period in the automotive field but I am one of those who is quite optimistic that this will turn around. It will turn around with the introduction, I think, of types of vehicles that are more acceptable to consumers and with the reduction, as is happening, of other pressures related to the automotive industry. I do not say it is all automotive, but a lot of it does relate to that industry.

**Mr. S. Smith:** By way of supplementary: It would appear that the increase over last year is approximately 20 per cent in the young age group and 25 per cent in the so-called prime age group, 25 to 54 years old. It is hard to attribute all of the 61,000 additional unemployed to the automotive industry itself, so could the Premier tell us whether he finally recognizes that the branch plant manufacturing economy, which prospered so well here in the early 1970s, was simply inadequate to the opportunities that

the world provided in the latter part of the 1970s and in the early part of the 1980s?

Is he prepared to change that strategy now? Is he prepared to admit that the problems of Ontario go well beyond those of the auto industry? Also, while he is on his feet, will he undertake a massive program of retraining of our young people? It is my understanding that Canada is going to seek to import close to 2,000 skilled workers this year while our own people are unemployed.

**Hon. Mr. Davis:** Mr. Speaker, I guess we could spend quite a bit of time debating the "branch plant" situation. I only have to look at the figures in the United States—one can hardly consider that to be a branch plant economy. If the Leader of the Opposition says our automotive industry, on a percentage basis, is suffering more than that of our partner in the industry, I would like to see his figures. The fact is they are not.

I think really there are two separate issues. If he wants to debate philosophically the degree of foreign ownership, that is fair. But I think to single out the automotive industry and say that this is where the basic problem is, it spills over into so many others. From personal knowledge, if car dealers during these months are not selling many automobiles, the young people—at least in our community, I am not sure about Hamilton—who are normally taken on during the summer months for odd jobs are not being hired in the same numbers this year. It goes through the whole system and it has an impact.

I would say, not to be at all facetious, that I wouldn't mind—and I may live to regret this—if we had a branch plant, say, of Toyota or Volkswagen, at the moment because they might be selling. I guess it all depends on how the market conditions are. Some of the imported vehicles are still selling relatively well. I answered a member from one of the Windsor ridings about their campaign. I think it is something we should all support—to remind people that it is in our interest to buy automobiles produced in North America. But I really think it is a mistake to try to relate the problems in the manufacturing sector here, primarily the automotive sector, with respect to branch plants. If we were suffering far more than our American neighbours, that I think would be a more telling argument—but the reality is we are not.

**Mr. Cassidy:** Supplementary: now that the Premier has delivered that ringing defence of branch plants, there are those in this party who would like to see the industry of

the province owned and operated by Canadians serving Canadian needs instead of having them sold to the rest of the world.

Is the Premier not aware that the 333,000 people out of work in Ontario this past month and the unemployment rate of 7.6 per cent is not just the worst since the recession of 1974 or 1971 or 1958 but is the highest level of unemployment we have had in Ontario since the great Depression of the 1930s? Will the government say when we will start to get a job creation program that puts Ontarians back to work and a strategy to create industry in the province rather than a strategy of watching as industry shuts down?

**Hon. Mr. Davis:** Mr. Speaker, I understand the leader of the New Democratic Party's traditional philosophical statement of objectives. That is fine. There will be occasions when we can debate it. But I have to tell the member it was the head of the United Auto Workers who made very strong representations to the government of Canada and the government of Ontario to assist Chrysler Canada Limited. It was not the head of the Canadian Manufacturers Association nor the head of the Ontario Medical Association nor the legal profession. It was the head of the UAW of Canada who called me.

**Mr. Laughren:** What has that got to do with it?

**Mr. Makarchuk:** What is so unusual about that?

**Hon. Mr. Davis:** I am just telling members that he was not raising the branch plant issue. He wanted some assistance because he is a realist and recognized we needed to do something. Please recognize that our reaction is an attempt to help the people. I am not going to get into a philosophical debate; that is not going to solve the problem.

**Mr. Foulds:** We want to see some concrete action.

**Hon. Mr. Davis:** Of course you do, but then do not raise the red herring of a branch plant problem.

**Mr. S. Smith:** Would the Premier not recognize when an increase of 61,000 in unemployment in this year over last year has occurred in this province alone, compared to a total of 68,000 for the whole country, this cannot all be attributed to the automobile industry? Does he have any plans for revitalizing Ontario's manufacturing industry for the 1980s, which will have to include a change from his branch plant

mentality, or is he just going to sit back and allow these 337,000 Ontarians to continue to be unemployed—while he waits for an upturn in the auto industry in the United States? Is that what we elect a Premier of Ontario to do, to sit back and wait for an upturn in the US auto industry?

**Hon. Mr. Davis:** Mr. Speaker, I have to be very careful not to say anything that could be regarded as an insult because the member for Hamilton West is very sensitive. I know the figures do not relate totally to the automotive industry. What I am saying is that it has a very significant impact and has a spin-off from the actual production of automobiles to the sale of automobiles, to the servicing of automobiles, to the parts manufacturers and to many others. I think it is fair to state that, unlike him, I do not have a branch plant mentality. I hope I have a fairly stable mentality that does not relate to branch plants.

There is a great contradiction in all of this. I have a letter here to my very distinguished colleague, the Minister of Industry and Tourism (Mr. Grossman): "Dear Larry: I am writing to you in regard to an interest"—and I won't name the plant because that perhaps would be unfair. This gentleman—actually it is a lady—is interested "in setting up a branch plant in the Sarnia area. I do hope that we will be able to do as much as we can to encourage the establishment of this branch plant in Ontario."

That did not come from the member for St. Andrew-St. Patrick; it did not come from the member for Brampton; it did not come from any member on this side of the House. It came from a person I think very highly of, a very nice fellow who does not agree with the member on environmental issues and, quite obviously, does not agree with him on branch plants. It was from the member for Sarnia (Mr. Blundy).

2:50 p.m.

**Mr. Di Santo:** Mr. Speaker, I would like to ask a supplementary to the first question by the Leader of the Opposition. While the Premier and the Leader of the Opposition solve the problem of who is against or for the branch plant economy and while they solve the problem of how to deal with investments in this province, is the Premier knowledgeable of the fact that de Havilland Aircraft of Canada Limited will need 3,000 skilled workers when it builds the new DASH-8 plant? In view of the fact that in Ontario right now there is not the available skilled manpower, has the Premier undertaken any communication with the de Havilland people? Does he know whether we are going to have

skilled people in Ontario, or are we going to import skilled people when they are needed?

Interjections.

**Hon. Mr. Davis:** I am sorry, I really was trying to listen very carefully. Because of the interjections from others, I must ask, was the member referring to de Havilland, to the DASH-8? It is a great machine. We have ordered two already, the Minister of Northern Affairs (Mr. Bernier) tells me. We will order a third for the New Democratic Party caucus—at their expense, out of the caucus budget.

My understanding is that when the new plant moves ahead at whatever point in time I am sure we can find sufficient personnel to look after those needs. I think we have, basically, for de Havilland; with great respect, we have for McDonnell Douglas of Canada Limited. I happen to know a lot of them; they reside in my particular constituency.

**Mr. Cassidy:** Mr. Speaker, I have a question for the Premier about the level of unemployment, about the fact that it is the worst unemployment in 40 years, and about what is happening within the automobile industry.

Is the Premier aware of the fact that in the automobile bumper production sector here in Ontario, Gulf and Western (Canada) Limited has gone from 400 jobs two years ago to only 20 today; that Houdaille Industries of Canada Limited in Oshawa has gone from 650 jobs to 234 today; and that effective October 1, this last remaining major producer of automobile bumpers is going to shut down in Oshawa and will not have any jobs left at all? Does the government intend to continue this policy of global mandating, which sees the systematic elimination of industries such as these two companies, which were major producers of automobile bumpers in Canada?

**Hon. Mr. Davis:** No, Mr. Speaker, we do not. In fact, as a matter of policy we have been encouraging the parts manufacturers to increase their activities here, and up until the very substantial downturn in the market we were having some significant success. I am not going to go through the litany or the debate we have had in this House as to whether the honourable member agrees or disagrees with the development fund providing assistance to the parts manufacturers to increase the amount of production. That is our policy. It would be very helpful if the members opposite were to support it.

**Mr. Cassidy:** Supplementary: Would the Premier be prepared to put the number of jobs created against the number of jobs that are now being eliminated because of shut-

downs in Ontario? There were 200 at Beach Appliances International Limited, the stove plant in Ottawa, and 200 were announced at Canadian General Electric Company Limited in Peterborough, in its wire and cable division, just this week; 650 jobs are being eliminated at Firestone at a time when the federal government is encouraging a competing plant to open up in Nova Scotia; 1,500 jobs are being eliminated in the iron ore industry in Capreol and in Atikokan, and 650 jobs at Houdaille Industries of Canada Limited; there were another 200 jobs at Pedlar Beatty Farm Equipment in Whitby, and 300 jobs in—

**Mr. Speaker:** Is there a question there someplace?

**Mr. Cassidy:** My question is this: How long is this government going to stand aside with no job creation programs as plant after plant, factory after factory, is shut down in Ontario? When is the Premier going to call a stop to it?

**Hon. Mr. Davis:** Instead of using all of those particular statistics, I will just give the member one, which he likes to forget. No one is denying the fact that there is an economic problem at the moment, and I say with respect it is primarily related to the automotive industry, but not totally.

**Interjection.**

**Hon. Mr. Davis:** I am saying primarily, not totally. Brantford is not related to the automotive industry but to another type of vehicle, if I can phrase it that way.

Please go back in history just five months. Taking the total figures in 1979 as to job creation in Ontario, the member can read off all the figures he likes, but the reality is we created 166,000 new job opportunities in the province, a figure the member doesn't like to understand and never gives any credit for, and I don't expect it. But the people of this province do understand it.

**Mr. Sargent:** Supplementary, Mr. Speaker: In view of the Premier's high profile in Ottawa in the constitutional talks, and the fact that the Gardiner Expressway looks like Tokyo with all the Mitsubishi signs, foreign appliances and cars, whatever there is down there, and in view of his branch plant economy and the federal government's approach to unemployment, why doesn't the Premier carry a strong message to Ottawa and say that its foreign policy stinks and so does the Premier's branch plant economy? Why doesn't he get it across at those talks that unemployment—who is the Premier going to listen to, Grossman or me?

**Hon. Mr. Davis:** In answer to that question, if I had a choice I would much prefer to listen to the member for St. Andrew-St. Patrick.

**Mr. Sargent:** That guy talks from both sides of his mouth, and the Premier wants to listen to him.

Why doesn't the Premier get it across to Ottawa that we are concerned about unemployment in Ontario and that we have to have a better foreign policy than we have today?

**Hon. Mr. Davis:** Mr. Speaker, I'm looking to see if I got a letter from the member for Grey-Bruce asking me to support a branch plant of one of the glass companies in Owen Sound, but I don't happen to have my hands on that yet. It may just come to me at some time.

**Mr. Sargent:** The Premier refused to give them one cent. He wouldn't give one penny to the glass plant.

**Hon. Mr. Davis:** I've just proved my point.

**Mr. Cooke:** Mr. Speaker, the Premier can throw out all the statistics he wants about the new jobs he's created, but the fact of the matter is that today there are 337,000 people in Ontario unemployed.

The supplementary question I want to ask the Premier is, while we do have problems in the automobile industry, does he not realize that the jobs will not turn around in that sector of the economy until the plants in this province are retooled? Layoffs have taken place at Ford Motor Company of Canada Limited in Oakville and in Windsor, and the other major automobile makers are not retooling their plants in Ontario. We're not getting our fair share of investment. We're getting the traditional five per cent, which is half of what our market represents.

When is the Premier going to do something about getting our fair share of new retooling?

**Hon. Mr. Davis:** With great respect, Mr. Speaker, my understanding is that the industry is. I'm not as familiar with Windsor as I am with Brampton, but American Motors at this moment is retooling—

**Mr. Cooke:** We are not getting our fair share, so don't give us that garbage.

**Hon. Mr. Davis:** Does the member want to listen to my answer or does he just want to shout?

**Mr. Cooke:** That is garbage.

**Hon. Mr. Davis:** Does he want to listen to my answer, or does he just want to be rude and shout across the House?



**Mr. Cooke:** It is not rude at all.

**Mr. McClellan:** Did he hurt your feelings?

**Hon. Mr. Davis:** I just asked. Does the member want me to answer?

Interjections.

**Mr. S. Smith:** Tell them when they are at the next cabinet meeting.

**Hon. Mr. Davis:** Mr. Speaker, the member for Hamilton West is talking about cabinet meetings. I was going to observe to him that he will never know what it's like to be at a cabinet meeting, but I won't.

**Mr. S. Smith:** The member for Ottawa Centre knows.

**Hon. Mr. Davis:** The member for Ottawa Centre? The only cabinet meeting—well, I won't say what I was going to say.

**Mr. Nixon:** He knows. He knew about your labour bill before the Tory caucus did.

**Hon. Mr. Davis:** And you're going to vote for it? The member for Rainy River has to vote for it.

Interjection.

**Hon. Mr. Davis:** I see. You may all vote for it. Your relatives would turn in their graves.

**Mr. Speaker:** Do you have a response to the supplementary from the member for Windsor-Riverside?

**Hon. Mr. Davis:** Mr. Speaker, my understanding is that the auto industry is in fact retooling. As I say, I happen to know about American Motors. Their decision was to retool. I forget the exact vehicles, but I think it is the four-wheel-drive Eagle station wagon, which is the finest station wagon that will be made in Brampton.

3 p.m.

Interjections.

**Hon. Mr. Davis:** That is right. It is the only one; that is why it can be the finest. But they are retooling. I just use them as one example, for models that have been best sellers in the American market. That has been their response to it.

**Mr. B. Newman:** A supplementary, Mr. Speaker: The Premier is aware that retooling will require new, advanced skills. To develop these skills we will either have to go through our educational system or use immigration. In the light of the fact that the Ministry of Education or Colleges and Universities has approved a \$2-million grant for the development of a resource centre in the city of Windsor that will not be in operation for approximately 18 months, in the meantime,

why does the Premier not consider using the programs we had during the war years? We used our school system for the development of new skills, using the schools between four o'clock in the afternoon and midnight, and midnight and eight o'clock in the morning.

**Hon. Mr. Davis:** Mr. Speaker, can I tell you once again the experience I have in a more limited area? That is, when the local community councils have been established, as they have in our own area, there is nothing to preclude them—and I am sure they are prepared to, if it makes sense—from sitting down with Peel County Board of Education and saying, "We need Brampton Centennial High School for useful purposes from four o'clock Monday to Friday on any given day of the week, or from six o'clock until nine o'clock or midnight."

The local school authorities, in my view, have been very responsive. If the community group can put together the kinds of training programs that are relevant, primarily in those schools with shop facilities, the school boards of this province will respond.

The member has some influence with these people. If he thinks that something useful can be done at Walkerville Collegiate secondary school—I am not sure that they have shops there; the last time I was there they did not. But there are schools in Windsor that have this ability. Some of the post-secondary institutions do. There is no limitation on the physical plant that can be made available for any retraining program.

## SPECIAL EDUCATION

**Mr. Cassidy:** Mr. Speaker, I have a question of the Minister of Education about the mandatory special education bill being debated this afternoon, and about the need for adequate funding for special education now it is being made an obligation for all school boards across the province.

Could the minister explain why last fall her ministry was looking for \$17 million in funding to implement the commitment to mandatory special education in its first year, but the government is only providing \$7.5 million, that is, less than half the amount the ministry said it needed just a few months ago? How does the minister account for the disparity? What assurance can we have from the minister that there will be adequate provincial funding for the new special education obligations the school boards are undertaking?

**Hon. Miss Stephenson:** Mr. Speaker, I am sure the leader of the third party is aware



that in addition to the amounts provided on a per pupil basis to the school system for students with special education problems, the province provides an additional \$120 million at this time.

The additional \$7.5 million funding being provided this year is to remove the time lag in order to encourage boards that in the past may have been somewhat reluctant to introduce new special education activities to do that, so they may be funded concurrently with the introduction of the program.

**Mr. Cassidy:** A supplementary, Mr. Speaker: Is the minister not aware that the removal of the time lag, which was seen as a possible obstacle to school boards starting on special education, was only one of the priorities identified by the ministry just a few short months ago? Is the minister not aware that at that time she or her ministry recommended there be an additional \$4 million to remove the maximum on the weighting factor and \$8 million for program enrichment, both of which were also deemed essential as means of ensuring that special education was provided to every child who needed it in the province? What happened to those particular priorities? Why are the Ministry of Education and the government shortchanging the children of Ontario who should be entitled to special education now it is being made mandatory?

**Hon. Miss Stephenson:** Mr. Speaker, if the honourable member would kindly read the legislation he would understand that we have responded very directly to the concerns that were expressed by boards of education, by the teachers, by the administrative officials of the education community and by a number of parental groups about the need to ensure we have the appropriate number of people trained, the appropriate mechanisms established to introduce further expansion of the program and the appropriate examination of community resources to ensure the right kind of co-ordination of those resources. In that response, we have modified the way in which the legislation was to be introduced.

It was specifically in response to the concerns they had expressed that the program was modified, the legislation was modified and, as a result of that modification, the amount that is necessary this year has in fact been provided.

**Mr. Cassidy:** Mr. Speaker, is the minister not aware that according to the estimates we have had from the educational administrators, the \$75 million that the minister has promised the program will get at matur-

ity is anywhere between about \$20 million and \$40 million short of what will be required as the province's share in order to ensure that special education will be provided for the children in the province who need it? Will the minister give an unqualified assurance to the Legislature that adequate funds will be available if the needs happen to exceed the \$75 million, which is all that she has been prepared to commit up until now?

**Hon. Miss Stephenson:** Mr. Speaker, that \$75 million is, of course, in addition to the funds that would be provided through the ordinary weighting factor mechanism, which the honourable member chooses to ignore at this time. I am not aware of the specific statement the honourable member has quoted but I shall certainly examine it. Since I do not have any great mathematical capacity myself, I will turn it over to those within the ministry who do have that capacity to ensure that the prediction is either accurate or inaccurate.

**Mr. Cassidy:** Mr. Speaker, one does not need an official to make a commitment. If I could ask a final supplementary: Can we have an unqualified assurance from the minister that the province will not cut back on the funds required in order to fulfil the commitment of special education for every child who needs it in the province? That is the commitment we need, not from an official or some functionary in the Ministry of Education but from this minister speaking on behalf of the government of Ontario.

**Hon. Miss Stephenson:** Mr. Speaker, the government in this province has made a greater commitment to special education for every child in this province who requires it than any other government on this continent. We made that commitment earlier and more effectively than any other jurisdiction. That commitment will continue.

#### TOWNSEND SITE DEVELOPMENT

**Mr. G. I. Miller:** Mr. Speaker, I have a question to the Minister of Housing. In view of the fact that the information centre for the Townsend town site was financed by the province and the taxpayers, and that the hydro bills are being paid for the beautiful signs erected to designate the town-site area, would the minister consider using that information centre to provide assistance to the home builders in the area to sell their homes, taking into consideration the high financial costs and the financial burden on those existing builders?

**Hon. Mr. Bennett:** Mr. Speaker, once again we are into this question of whether this House expects the Ontario Land Corporation to operate on a private basis, the same as any other private company. The investment that has been put into that information centre is obviously part of the development costs and will be laid off against the costs of developing the land, whether it be for industrial purposes or for residential purposes.

While the member has a concern for the other developers in the area, I have not had such a request from the development industry nor have I had any kind of offer from others in the development industry that we should participate with them in their information centres. So at this moment I am not prepared to take it under consideration.

**Mr. G. I. Miller:** Mr. Speaker, if I made that request to the Minister of Housing on behalf of the builders in the area, would the minister give that consideration on their behalf?

**Hon. Mr. Bennett:** No, Mr. Speaker.

**Mr. Nixon:** Why would the minister say in Simcoe a week ago Saturday that he was opening up the throttle on development for Townsend, not cutting it back, when he already has about \$45 million invested in land and other services down there? There are already 1,000 or more private serviced lots for sale in the area and his best efforts have just sold a handful of lots. Actually the last report was only 11.

3:10 p.m.

**Hon. Mr. Bennett:** First of all, I was not in Simcoe on Saturday; I was there on the Friday at the conclusion of the Commonwealth conference.

**Mr. Nixon:** Did the minister take the government jet to fly down?

**Mr. Speaker:** Order. Order.

**Hon. Mr. Bennett:** Mr. Speaker, on a point of privilege: May I indicate clearly to this House that it was not by chartered jet, and the province of Ontario does not own a jet. The minister did travel by a chartered propeller-driven aircraft to that particular site to bring the province of Ontario's position at the conclusion of the Commonwealth conference that was held, and I would hope respectfully, in the member's particular constituency.

**Mr. Speaker:** Order. I don't know whether the Minister of Housing is complaining because we don't have a jet, but if that is his point of privilege, it is well taken.

## TOXIC SUBSTANCES

**Mr. Mackenzie:** Mr. Speaker, I have a question of the Minister of Labour. Does the minister recall our discussion in the Ministry of Labour estimates of December 11, 1979, and December 13, 1979, when he, Dr. May and Mr. Heath assured members that the seven toxic substances that were first gazetted in the summer of 1978, namely noise, lead, mercury, vinyl chloride, silica, isocyanates and asbestos, would be ready for gazetting for the second time in January for three of them—lead, mercury and noise—and perhaps two or three months later for the balance? The actual quote was, "But we are ready now to start the gazetting of regulations. Can you comment on that, Dr. May?" There is further direct comment.

Can the minister tell us what has happened? Why, as of last Friday, had his advisory committee received nothing, with no action within six months of the promised date, and with none of the toxic substances scheduled for 1979-80 or 1980-81 gazetted for even the first time? Can the minister not understand the feeling or the suspicion that he may have misled members of the committee?

**Hon. Mr. Elgie:** Mr. Speaker, I am sure the member knows me better than to think I would deliberately try to mislead him or to mislead the committee. There has been some unavoidable delay in getting the particular substances published for regulation, but I may tell him I have been pursuing that actively over the past two weeks and I would expect that notification would be forthcoming on all of those substances within the next two or three weeks.

I may tell him there have been some technical difficulties. He may recall that at the time of the first gazetting of those substances in the summer of 1978, the Occupational Health and Safety Act, 1978, had not yet become law, and indeed there was some doubt as to its eventual course. We were faced with a legal dilemma in that we had not complied with the act as it now stands, but we are setting about to correct those problems and I can assure the member we will be proceeding forthwith.

**Mr. Mackenzie:** Supplementary: The minister specifically told us in the middle of December that some of them would have the second gazetting in January and the balance, as I say, in February, March or at the latest April. He also gave us a list of nine substances for 1979-80 and eight for 1980-81. What would have prevented him from at least gazetting those the first time, inas-

much as it obviously takes two years to get through the first gazetting, in spite of the general rule of thumb of a 120-day time frame?

Hon. Mr. Elgie: Mr. Speaker, I can appreciate that the member, not being involved in the actual process and in the form of the regulations, might think it is an easy process, but it is not. I do apologize because there has been some delay. I am satisfied that it has not been due to any deliberate intention. I may say clearly that my staff will look upon endeavours now to proceed with due haste and with some degree of interest.

#### CONSOLIDATED COMPUTER INC.

Hon. Mr. Grossman: Mr. Speaker, I would like to reply to the question raised in the House last Thursday by the member for Carleton East (Ms. Gigantes) concerning Consolidated Computer Inc. The financial difficulty faced by the company over the past year has resulted in a net loss for the year of close to \$10 million. The government of Ontario, through the Ontario Development Corporation, has a 16 per cent interest consisting of 2.8 million shares in Consolidated Computer Inc. In addition, guarantees and a line of credit financing export activities provided by the ODC represent assistance amounting to \$5.6 million.

The aid has not been provided without careful consideration. It has recognized the considerable contribution of the company in developing and marketing abroad Canadian technological expertise, as well as its important present and future employment significance.

None the less, its current financial situation has required that the government reassess its contribution and the company's potential for long-term viability. In this connection, our representative on the board of CCI, along with staff from ODC, has been working closely with company management, representatives of the federal government, which is the major shareholder in CCI, and representatives of Fujitsu Limited, a Japanese-based technology company with a 25 per cent interest in the company, to develop together a solution to the short-term and longer-term problems faced by the company.

It is my understanding that these meetings have produced some promising results, and we are hopeful the jobs and the important technological capabilities of this company will not be lost. None the less, it would at this time be inappropriate, and I think premature,

for me to discuss the details of the proposed package. I think we will be able to provide the member with some more detail very shortly.

The member has referred to the role played by Fujitsu Limited in the overall development of CCI. I simply want to assure the member that the relationship between Fujitsu and CCI is an important and attractive one. Fujitsu Limited is one of the world's largest computer manufacturers outside the US. The Japanese investment in CCI has provided the company with vital linkages to foreign technology and products. Fujitsu's position is not one of control. Its holdings represent only about one quarter of the equity, compared to a 65 per cent federal-provincial interest, nor is CCI simply a vehicle for overseas research and development. It is a key component of an international network of high technology companies. This year CCI anticipates spending in its own right more than \$3 million on R and D.

Fujitsu's involvement, far from limiting the growth of CCI, has given it access to added technology and the ability to manufacture and market more, not fewer, products. Specifically, the company has been given a mandate to adapt and manufacture for the North American and European market the Inagi II micro-computer in co-operation with Fujitsu. Other high technology products are being sought as well. Development along these lines will enable the company to capitalize on its past success in penetrating export markets for its key-edit desk data-entry product lines.

Despite the company's immediate financial problems, the mandate provided by Fujitsu holds some promise for longer-term success at CCI. I am hopeful that ongoing discussions will result in the maintenance of this important component of our technological capabilities in Ontario. I will report to the House further as the discussions continue.

#### INTRODUCTION OF BILLS

##### CANADIAN SCHOOL OF MANAGEMENT ACT

Mr. Williams moved first reading of Bill Pr31, An Act respecting Canadian School of Management.

Motion agreed to.

##### CITY OF OTTAWA ACT

Mr. Roy moved first reading of Bill Pr18, An Act respecting the City of Ottawa.

Motion agreed to.

3:20 p.m.

## BRANTFORD BILL

**Mr. Nixon:** Mr. Speaker, on a point of order: Since the introduction of bills has been completed, I wonder if the government House leader can explain how he is going to introduce the bill dealing with the city of Brantford and the township of Brantford and hold committee hearings, as I understand he has promised to do, now we are so late into the session? Can he explain to the House why there has been this delay and if he is thinking of dividing the bill so that the parts dealing with freezing of development in the township might be dealt with in the fall?

**Hon. Mr. Wells:** In answer to that, Mr. Speaker, I am looking forward to bringing in the bill, I hope, later this week, and I am looking at ways of instituting some procedure so we will be able to consider the bill over the recess period and yet not interfere with the process that is there. I would be happy to talk to my friend about it.

**Mr. Nixon:** Is the minister going to divide the bill?

**Hon. Mr. Wells:** I am not sure how we are going to do it yet but it is not a short bill and it has taken a while for legal counsel and legislative people to get it ready for introduction into the House.

**Mr. Speaker,** while I am on my feet I wonder if I might have unanimous consent to revert to motions.

Agreed to.

## MOTION

## COMMITTEE MEETING

**Hon. Mr. Wells** moved that the standing committee on social development be authorized to visit the Ontario Educational Communications Authority in Toronto on Thursday, June 12, and that the provisions of section 66 of the Legislative Assembly Act be not applicable.

Motion agreed to.

100TH BIRTHDAY OF  
THOMAS P. MURRAY

**Mr. Yakubski:** Mr. Speaker, yesterday the members for Wellington South (Mr. Worton) and York South (Mr. MacDonald) celebrated their 25th year in this Legislature.

Today I want to bring to the attention of this House and all its members another very special event. Today, June 10, is the 100th birthday of Mr. Thomas P. Murray who was

a member of this Legislature from October 30, 1929, until June 1945, a period of almost 16 years. We all know his grandson is the member for Renfrew North (Mr. Conway).

Yesterday both members mentioned that when they were elected there were taunts from this side of the House that they were only overnight guests. Somehow they brought their sleeping bags with them and stayed a long, long while. Mr. Murray was, I believe, elected by a scant 77 votes and I am sure there were similar remarks at that time, but he remained for almost 17 years.

Mr. Murray is well known throughout the province. He is a sports-minded person, a great conservationist, a fine gentleman and a great Canadian. I am sure all members of this House, along with his grandson and myself, would like to extend to him today very special congratulations and best wishes on this very unique event.

**Mr. Nixon:** Because of the well-known reticence of the present member for Renfrew North, I want to rise to speak on behalf of my Liberal colleagues in support of what the honourable member for Renfrew South has just put before us. Certainly we want to join with all of the good wishes that possibly can be directed towards the gentleman who has had a distinguished career in this province. He founded the Murray Lumber Company, which is still working extensively in the area, and has earned the respect and support of the community at large.

Mr. Murray, with his large family of people who have been involved in business and in politics, as the honourable members well know, has also provided a great example to all of us as a man who has lived his century involved in the affairs of the community with great commitment to his family, and a person whom we honour in this House for having been a member here, in the great palmy Liberal days, in support of Mitch Hepburn when there was so much development in the Renfrew area that has been lapsing in recent days. We wish him many more years of happiness, health and interest in the community.

**Mr. Foulds:** Mr. Speaker, I find myself in the same position today as I did the other day when commenting on the appointment of the new Lieutenant Governor. I do not know the gentleman nearly as well as do the previous two speakers, but I am sure that he has served his constituents and the people of Ontario well. We in this party want to wish him, as did the previous speaker, many more years of health and happiness.

I must enter a slightly partisan note: I certainly hope the present member for Renfrew North does not have as long a parliamentary career.

### ORDERS OF THE DAY

#### STANDING COMMITTEE ON PROCEDURAL AFFAIRS

Resuming the adjourned debate on the motion for adoption of the report of the standing committee on procedural affairs re: amendment to the committee's order of reference.

Report adopted.

#### MONTREAL TRUST COMPANY OF CANADA ACT

Mr. Renwick, on behalf of Mr. McCaffrey, moved second reading of Bill Pr7, An Act respecting Montreal Trust Company and Montreal Trust Company of Canada.

Motion agreed to.

Third reading also agreed to on motion.

#### CAN-CON ENTERPRISES AND EXPLORATIONS LIMITED ACT

Mr. J. A. Taylor moved second reading of Bill Pr13, An Act to revive Can-Con Enterprises and Explorations Limited.

Motion agreed to.

Third reading also agreed to on motion.

#### CITY OF TORONTO ACT

Mr. Renwick moved second reading of Bill Pr14, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

#### CITY OF STRATFORD ACT

Mr. Edighoffer moved second reading of Bill Pr19, An Act respecting the City of Stratford.

Motion agreed to.

Third reading also agreed to on motion.

#### KNOX PRESBYTERIAN CHURCH, OTTAWA, ACT

Mr. Martel, on behalf of Mr. Cassidy, moved second reading of Bill Pr23, An Act to incorporate Knox Presbyterian Church, Ottawa.

Motion agreed to.

Third reading also agreed to on motion.

3:30 p.m.

#### CITY OF HAMILTON ACT

Mr. Mackenzie moved second reading of Bill Pr27, An Act respecting the City of Hamilton.

Motion agreed to.

Third reading also agreed to on motion.

#### TOWN OF GRIMSBY ACT

Mr. Nixon, on behalf of Mr. Hall, moved second reading of Bill Pr29, An Act respecting the Town of Grimsby.

Motion agreed to.

Third reading also agreed to on motion.

#### METROPOLITAN POLICE FORCE COMPLAINTS PROJECT ACT

(concluded)

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act for the establishment and conduct of a Project in the Municipality of Metropolitan Toronto to improve methods of processing Complaints by members of the Public against Police Officers on the Metropolitan Police Force.

**Hon. Mr. McMurtry:** Mr. Speaker, I rise once again to invite the members of the opposition to support this very important legislation, and in doing so I ask them, in effect, to join with the mayors of Metropolitan Toronto, the Metropolitan Toronto Board of Commissioners of Police, the chief of police and the Metropolitan Toronto Police Association in endorsing, in principle, this extremely important legislation.

I say that Bill 47 is good legislation. It is carefully constructed to serve the public and the police who, in the words of Sir Robert Peel, the founder of modern police, are the public.

I suggest that for the opposition to torpedo this legislation at this sensitive time in Metropolitan Toronto's history would simply be totally irresponsible. To deprive the community of important new legislation that all agree represents at the very least a significant improvement over the present situation, would be very distressing indeed.

I would like to recap briefly the events of the past few weeks. Second reading of this bill began on May 20. The New Democratic Party, as expected, immediately indicated its disagreement with the bill. The member for Scarborough-Ellesmere (Mr. Warner) stated the position very succinctly, and I quote: "The public also has to be assured that it can trust the investigation. I

don't think one can do that by having the police investigate themselves."

Putting the rhetoric aside, the position of the NDP is very simply that the police are not to be trusted. I want to indicate that I disagree with this very strongly. But what disappoints me and concerns me very much is the machinations of the Liberal Party, the official opposition.

Interjections.

**Mr. Laughren:** You are being dishonest with that kind of statement.

**Mr. Warner:** Point of privilege, Mr. Speaker: At no time have I ever said that the police could not be trusted. I would expect that it would be responsible for the minister to withdraw that allegation.

**Mr. Speaker:** I do not know that there is anything in the record that would lead the Solicitor General to indicate that someone over there said the police were not to be trusted. Conversely, the member for Nickel Belt cannot accuse the Solicitor General of being dishonest. I think if there was a withdrawal on both sides and if you would cut out the hyperbole, we can get on with the business.

**Hon. Mr. McMurtry:** Mr. Speaker, simply quoting the words of the member for Scarborough-Ellesmere who talked about quashing the investigation, and let the words speak for themselves—

**Mr. Speaker:** Can you find some place where you can attribute to him that the police are not to be trusted? I think you are imputing motive.

**Hon. Mr. McMurtry:** I will repeat the words of the honourable member: "the public also has to be assured that it can trust the investigation. I don't think one can do that by having the police investigate themselves." That to me is a clear indication of lack of trust—

**Mr. Nixon:** It is clear, Mr. Speaker, that the Attorney General is coming here this afternoon with the precise idea in mind of reflecting on the positions taken by the two opposition parties. I suggest, Mr. Speaker, that you should enforce your order that he withdraw that statement.

**Mr. Speaker:** The Solicitor General cannot impute motive.

**Hon. Mr. McMurtry:** I am not imputing motive.

**Mr. Speaker:** With respect, you are. I would ask you to withdraw that imputation of motive on the part of another member.

**Hon. Mr. McMurtry:** Mr. Speaker, I must admit I am having some difficulty in appreciating the motive you suggest I am imputing to the member. I am simply quoting words that indicate—

**Mr. Speaker:** You were saying that members over here are saying that the police force is not to be trusted. If they want to make that accusation, let them live with it, but you have no right to make it on their behalf.

Interjections.

**Mr. Speaker:** If they make those accusations, they have to live by them. I do not think you have the right to make them on their behalf.

**Hon. Mr. McMurtry:** I will withdraw any remark that imputes any improper intention on the part of the members opposite. But I repeat the words of the member for Scarborough-Ellesmere, "the public also has to be assured that it can trust the investigation."

**Mr. Speaker:** You have a right to repeat the words, but not to impute motive.

**Hon. Mr. McMurtry:** And I repeat, "I don't think one can do that by having the police investigate themselves." I am quite prepared to let the words stand on their own.

As I said a moment ago, what disappoints me and concerns me very much is the machinations of the Liberal Party, the official opposition. The Liberal Party has pressed for this legislation, and indicated on May 20 that it supported it. Typical were the opening remarks of the member for York Centre (Mr. Stong), which I quote: "Mr. Speaker, I rise in support of the principles contained in Bill 47 before the House today. This bill has been long awaited."

This is what we are debating today: the principles of this legislation. But I suggest some peculiar transformation took place over the following week. By May 27, the member for St. George (Mr. Campbell) was declaring the Liberal position as follows: "There is no way I will accept the concept of police investigating police . . . We certainly are of the opinion that the bill must have that amendment to make it palatable in any way to us."

A couple of days later the member for Brant-Oxford-Norfolk drove the point home as follows: "The only way the bill is going to continue without being defeated is if there is a clear undertaking, as we required as the official opposition, that there be changes in the bill so that the police will not be investigating themselves in the first instance . . .

Is the Premier going to change the bill, or is he going to have it defeated?"

While most observers might well be confused by the obvious lack of consistency on the part of the official opposition, I am also concerned by their attitude, which appears to represent an unwarranted lack of confidence in the Metropolitan Toronto Police.

I would like to take a few moments to describe what the bill does.

**Mr. Nixon:** Cheap politics.

**Hon. Mr. McMurtry:** I do not know how the member dares to suggest anybody else in this House can teach him anything about cheap politics.

3:40 p.m.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. McMurtry:** It is obvious from the debate that many of the members opposite are really quite unfamiliar with the contents of the bill. I feel this bill sets out a new and very innovative system for the handling of complaints.

The bill would establish a new and independent civilian complaints commissioner to oversee the process and review individual complaints. He would have an investigative staff and wide powers of investigation. A new hearing body would also be established to hear complaints.

A citizen can make a complaint either in person or by mail at any one of three places—a police station, the public complaints investigation bureau of the Metropolitan Police, or at the office of the public complaints commissioner. The complaint will be recorded on a form and the citizen would then receive a document indicating how the complaint will be handled and what his rights are.

Regardless of where the complaint is filed it will be investigated initially by the public complaints investigation bureau of the Metropolitan Toronto Police. At the same time, a file will be opened in the office of the public complaints commissioner and, from the outset, he will monitor the handling of the complaint.

If the complaint can be resolved informally, a member of the bureau staff will meet with the citizen and the police officer concerned. Both the citizen and the police officer must agree for this to happen. If the complaint is resolved informally, it will be recorded in writing, and both the citizen and the police officer will then be asked to sign it. Both parties receive a copy of the docu-

ment, as will the public complaints commissioner.

The public complaints commissioner may still review the matter and advise the police that the complaint should be investigated if he is not satisfied with the informal resolution. Where the complaint is not resolved informally, the bureau staff would then investigate it. The citizen will have been advised earlier of the procedure that the bureau staff must follow.

The citizen must receive an interim report on the investigation within 30 days. If the investigation continues, the citizen and a police officer would receive an interim report on at least a monthly basis. When the investigation is complete, both citizen and police officer receive a final investigation report. Copies of these reports also go to the public complaints commissioner and the chief of police.

The final investigation report will summarize the complaint, the alleged misconduct, the course of the investigation and all information and the physical evidence obtained. The chief of police must review this report and can order a further investigation. At this stage, the public complaints commissioner can also request the chief of police to make a further investigation.

It bears repeating that the public complaints commissioner has a special power to conduct his own investigation using his own staff. In special cases he can commence his own investigation after receipt of the initial report, which must be prepared within 30 days after the complaint is received. In other words, the public complaints commissioner has a broad power to act if he has some concern with the first interim report coming from the Metropolitan Toronto Police.

Returning now to the final investigation report, I wish to point out that the chief of police would have five courses of action after receiving the report. First, he can have charges laid against the police officer. Second, he can order a hearing before the police complaints board, which is the independent body I referred to. Third, he can take disciplinary proceedings against the police officer. Fourth, he can warn the police officer about his conduct. Fifth, he can decide that no action is called for.

The chief of police must notify the citizen, the police officer and the public complaints commissioner of the course of action he decides upon.

Suppose the citizen is unhappy with the result. There are three situations in which the citizen can ask the public complaints commissioner to review the complaint: when



a citizen is dissatisfied with the results of the disciplinary proceeding against the police officer; when the chief of police warns the police officer; and finally when the chief of police felt no action should be taken against the police officer.

In those three situations the public complaints commissioner is required to conduct a review upon a citizen's request. When conducting this review, the public complaints commissioner's staff, as I have already said, has broad powers of investigation. It can require that all documents be made available and can subpoena individuals to answer questions.

After his review, the public complaints commissioner may order a hearing before the police complaints board where he feels the public interest requires it. If he decides there should not be a hearing, he must give his reasons to the citizen. If there is a hearing before the police complaints board, the citizen can, of course, be there with or without a lawyer to give evidence. It would be a full hearing held in public. If the board finds a police officer guilty of misconduct it may impose a penalty. Depending on the circumstances, this may amount to dismissal from the police force, reduction in rank, loss of pay or a reprimand and the citizen gets a copy of the board's decision.

In summary, the main duties of the public complaints commissioner are to monitor the handling of a complaint in the initial stages by the Metro Toronto Police force and second, to conduct a full review if the citizen is dissatisfied with the initial handling. He can also order a public hearing before the police complaints board. This would be a new civilian body with one third of the appointments recommended by the municipality of Metropolitan Toronto and one third by the Metropolitan Toronto Board of Commissioners of Police and the Metropolitan Toronto Police Association jointly.

It seems to me that the proposed system would open a new and important window into the complaint handling process and inject a greater element of independence, which all parties would like to see.

Let us not forget that work on this bill began last fall when the mayors of Metropolitan Toronto and the Metro chairman came to me requesting a new complaint system for the Metropolitan Toronto Police. There was general agreement among the mayors that there should be a greater civilian component injected into the complaints process and that the system must be fair to both

citizens and police. A pilot project in Metropolitan Toronto was favoured.

Since that time the mayors of Metropolitan Toronto have been closely involved in the process and their views have been of great assistance. The Metropolitan Toronto Board of Commissioners of Police, the chief of police and the Metropolitan Toronto Police Association also favoured the move and have been involved in long and productive discussions with my ministry. My staff has also met with a myriad of individuals and groups to discuss the framework and details of the proposed system.

After many months' work we have arrived at a format which most people, including the police, have confidence in. The mayors of Metropolitan Toronto and the Metro chairman have joined me in urging that this pilot project be given a chance to operate. Experience will obviously show us any defects and we can correct them.

I believe it would be highly irresponsible to stand in the way, at this time, of very significant changes that have such a high measure of support. This is a good bill and if it is defeated in principle on second reading, then I suggest that the members opposite have very little regard for either the police or the citizens of Metropolitan Toronto. This government has no difficulty in maintaining trust in the police and I know the vast majority of our citizens feel the same way.

I am not arguing that the police are perfect. They are a group of human beings doing a tremendously difficult job under extremely onerous and often dangerous conditions. We are simply asking members to support the bill in principle and then to take advantage of the opportunity in committee that will be provided for further discussion of reasonable suggestions.

However, this government will not accept unworkable legislation and will not accept legislation that eviscerates the authority of the police chief or undermines the morale of the dedicated officers serving under him.

I would remind the members opposite that 90 per cent of all complaints at present received by the Metropolitan Toronto Police are resolved informally. We as a government are not prepared to construct artificial barriers that would interfere with that process. It is important to note just how far the police have come down the road in accepting civilian review. They are quite prepared to move from a complaint handling system that

has been essentially in-house to a new model of overall civilian control.

Certainly, they have some trepidation about this and I understand that. A police officer is faced daily with the challenge of making almost instantaneous decisions and acting quickly. Yet they know that these decisions and actions may be later dissected and examined piece by piece in the light of hindsight, with the result that an officer is often unfairly criticized.

3:50 p.m.

I have to say the police force in the community of Metropolitan Toronto is at this point very puzzled and, I believe, a little sceptical of the political process. They believe they have gone a long way to facilitate and support a new system which they recognize will add to their burden of accountability.

I saw a newspaper quote from Mr. Mal Connolly, which I think pretty well sums it up. Mr. Connolly is president of the Metropolitan Toronto Police Association. I wish to say I am personally impressed by his responsible approach and able assistance over these past months. He said of the bill: "It is a compromise the police officers can accept. Now the opposition forces have made the bill into a political football. We need something and, while I am not totally enthused about the bill, it answers the majority of complaints we have heard."

The Metropolitan mayors, Police Chief Jack Ackroyd, Chairman Givens of the Metropolitan Toronto Board of Commissioners of Police and Metro Chairman Paul Godfrey have all expressed grave concern about the possibility of the bill's defeat. In conclusion, this government has sought a civilian review system which has emphasized co-operation and not confrontation or polarization. The lessons learned from other jurisdictions are that any other premise simply will not work.

I say to the members opposite let us set aside partisan politics and give Bill 47 a chance. Finally, if we don't trust the police, whom do we trust?

The House divided on Hon. Mr. McMurry's motion for second reading of Bill 47, which was negatived on the following vote:

AYES

Auld, Ashe, Baetz, Belanger, Bennett, Bernier, Birch, Brunelle, Cureatz, Davis, Drea, Eaton, Elgie, Gregory, Grossman, Havrot, Henderson, Hennessy, Hodgson, Johnson, J., Jones, Kennedy, Kerr, Lane, Leluk, Maeck, McCaffrey, McCague, McMurry, McNeil, Miller, F. S.

Newman, W., Norton, Parrott, Pope, Ramsay, Rollins, Rowe, Scrivener, Smith, G. E., Snow, Stephenson, Sterling, Taylor, J. A., Taylor, G., Timbrell, Turner, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

NAYS

Blundy, Bolan, Bradley, Breaugh, Breithaupt, Bryden, Campbell, Cassidy, Charlton, Conway, Cooke, Cunningham, Davidson, M., Davison, M. N., Di Santo, Dukszta, Eakins, Foulds, Gaunt, Germa, Gigantes, Grande, Hall, Isaacs, Johnston, R. F., Kerrio, Laughren, Lawlor, Lupusella.

MacDonald, Mackenzie, Makarchuk, Mancini, Martel, McClellan, McEwen, McGuigan, McKessock, Miller, G. I., Newman, B., Nixon, O'Neil, Peterson, Philip, Reed, J., Reid, T. P., Renwick, Riddell, Roy, Ruston, Samis, Sargent, Smith, S., Stong, Swart, Sweeney, Van Horne, Warner, Worton, Young, Ziembra.

Pair: MacBeth and Edighoffer.

Ayes 55; nays 61.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, I would like to place a motion. I would like to announce that the order of business for tonight has been changed. Bill 89, An Act to amend the Labour Relations Act, will be debated before Bill 82, An Act to amend the Education Act. It is necessary to have a motion of the House to conform with the standing orders to allow a labour bill to be heard, since the standing committee on resource development is also meeting tonight, if the House will consent.

Hon. Mr. Wells moved, notwithstanding any standing order of the House, business may be considered from the Resources Development policy field tonight both in the House and in the standing committee on resources development.

Motion agreed to.

5:10 p.m.

#### GRANT TO RACING CAR DRIVER

**Mr. Hall:** Mr. Speaker, today's issue of the Hamilton Spectator contains some unfortunate comments that I feel reflect on all members of the House. On the front page, Maurice Carter, at a conference held at government of Ontario offices in Paris, is quoted as saying, "I despise the German cars, despise them. I landed here in Europe on D-Day and I have hated the Germans ever since." This article as well refers to the Ontario government's \$15,000 contribution which the Ministry of

Industry and Tourism said would be good advertising for Ontario.

I would like to know what steps are being taken by the minister to dissociate individual members from these remarks, which I also feel are very harmful to goodwill generally. It is a most unnecessary comment spoken at ministry offices in Paris. I for one want to be dissociated from it.

**Hon. Mr. Grossman:** Mr. Speaker, I am certainly not pleased with the alleged remarks. I will have a look at them to see if in fact they are accurate, and reflect upon them at that time. I would hope they are not, but in any case I will see what the circumstances were.

**Mr. M. N. Davison:** Mr. Speaker, on a point of privilege: Would the minister, if he is unable, after this incredible outrage perpetrated by Mr. Carter, to get back the \$15,000 of taxpayers' money which he so glibly gave away, at least make sure that the name of the province of Ontario does not appear on that car during the race?

**Mr. Speaker:** The honourable minister has undertaken to look into it and I am sure that he will report back to the House.

House in committee of the whole.

#### ONTARIO MINERAL EXPLORATION ACT

Consideration of Bill 50, An Act to provide Incentives for the Exploration of Mineral Resources in Ontario.

**Hon. F. S. Miller:** Mr. Chairman, I have given notice of these amendments, as I understand it, to the opposition.

On section 1:

**Mr. Chairman:** Hon. F. S. Miller moves that section 1 of the bill be amended by adding thereto the following subsection:

(3) In determining whether one corporation is affiliated with another corporation, subsections 2, 4 and 5 of section 1 of the Small Business Development Corporations Act, 1979, apply.

**Hon. F. S. Miller:** Mr. Chairman, this is a reference, as I understand it, to include the word "affiliation" with the word "association" in the act, so that we catch what we would call upstream and downstream companies in the relationship between two corporations. We simply are, by reference, using the definition in the Small Business Development Corporations Act. It is strictly a technical point brought forward in the interval existing between the printing of the bill and today by lawyers who have looked at the ramifications of associations and affiliations of corporations.

**Mr. Laughren:** Mr. Chairman, I think I qualify my remarks, as the Treasurer did. If I understand it properly, the Treasurer is cleaning up the term "affiliated corporation." I still have a feeling it is going to be difficult to monitor. It must be very difficult to know who is affiliated with whom out there in the corporate world. I know there are problems.

For example, we are going to be debating the small business development corporations bill this afternoon, and there are some problems in that area with who is who when it comes to the application of grants. So while we support the amendment, we are worried that the Treasurer is not going to be able to keep track of who is affiliated with whom out there in the mining industry.

Motion agreed to.

Section 1, as amended, agreed to.

On section 2:

**Mr. Chairman:** Hon. F. S. Miller moves that clauses (a) and (b) of section 2(2) of the bill be struck out and the following substituted therefor:

(a) actively engaged in mineral production in Ontario; or

(b) an affiliated corporation or an associate of any person who is actively engaged in mineral production in Ontario.

**Mr. T. P. Reid:** I have been giving some thought to this amendment, and it seems to me to fly somewhat in the face of some of the remarks that have been made in the last couple of days in regard to various grants and incentives to people in other parts of Canada. As I understand the amendment, if I am from Manitoba or Saskatchewan or Quebec or any place in the world for that matter—from anywhere but Ontario—I can apply to the government for the 25 per cent grant or subsidy, but if I am resident in Ontario, already engaged in mineral production or affiliated with any other company, I am not eligible.

I understand that part of the reason is the mining companies that are engaged in the development of a mine or operating a mine already get a tax break or tax incentive or tax credit—whatever we want to call it—under the Mining Tax Act and Corporations Tax Act. I am presuming, therefore, that this amendment is only to block that channel, so to speak, rather than to try to entice exploration from other provinces or even outside of Canada into Ontario.

If the gist of the amendment is to entice mineral exploration from other provinces, I wonder how the Treasurer squares that with the stated policy of the government that to

provide incentives in Ontario we don't wish to harm any other province.

**Hon. F. S. Miller:** I am sure we aren't trying to harm any other province, but the very reason we disallowed associated and affiliated corporations in Ontario was because a mechanism already exists to allow the reduction of exploration expense for those companies.

**Mr. Laughren:** Did you say "nepotism"?

**Hon. F. S. Miller:** No. I probably just enunciated a little less clearly than I should have. A mechanism already exists, not nepotism—that is my family. All my reasoned thoughts are going to go to my head with that kind of chatter.

**Mr. T. P. Reid:** They will get lost up there.

**Hon. F. S. Miller:** Yes. There is lots of room for loss up there.

The definition of "person" doesn't domicile the person where the person is an individual. The corporation that may have earnings outside of Ontario because of the processing or mining operations, has no tax against which the Ontario exploration expense can be disallowed, as I understand it, so we are simply putting a corporation which is a nonresident or earns its money in another province in the same position as an individual. We are simply saying, yes, we are trying to encourage exploration for potential new mines in Ontario. This omission eliminated a series of companies which, perhaps, earned money in another province and were, in fact, trans-Canadian in nature, from gaining the same benefit we had given to others.

5:20 p.m.

**Mr. Laughren:** Mr. Chairman, this section bothers me for different reasons than those of the member for Rainy River. If I read this correctly, this means that people in the mining industry in Ontario cannot take advantage of this incentive.

Interjection.

**Mr. Laughren:** No, not if the main part of their business is industrial mining. Inco and Falconbridge Nickel Mines Limited are not eligible.

**Hon. F. S. Miller:** They cannot, because they already have the advantage. The weakness before was if one had an income against which one could write off the expenses in advance of this bill, one in fact had a way of covering 100 per cent of those costs through the tax structure. The bill is aimed at people who have no potential to write off costs, and therefore the grant is in lieu of a tax credit.

**Mr. Laughren:** What is bothering me about it is that what we are really saying to the world, particularly in the sensitive area of resources, is, "Come on over, fellows, here is your grant." It does not surprise me, as I was reading—and it pertains particularly to this section—that the Ontario Mining Association—and the Treasurer certainly knows that organization very well—commissioned a research report by Goldfarb Consultants. The name of the report is Current Public Attitudes. Towards the Mining Industry in Ontario. I quote one brief paragraph from that. The heading is "Preferred Ownership of Mineral Resources."

"The Ontario population is split as to what kind of participation in the ownership and development of Ontario's mineral resources they would like to see. While 27 per cent would like to see all private ownership, 20 per cent would like to see all government ownership. Another 29 per cent would like to see the private sector and the provincial government in joint ownership, while 21 per cent would rather see the private sector and the federal government own the industry. The overall implication is that most people would like to see joint ownership. They do not want to see the mineral resources of Ontario under total government control."

We have a situation here in which only 27 per cent of the Ontario people think the private sector should own all those resources. I would predict that this figure is going to drop even lower with these kinds of amendments, in which the Treasurer is inviting the internationals to come in and take advantage—if they cannot already do so by virtue of their being here already—and they too will get this incentive.

I thought this package, this bill, was part of all the incentives to the small business community out there. I thought it tied in with the small business development corporations bill. That was the implication, that we were now going to assist the small prospector and developer to get out there and beat the bushes in Ontario, and perhaps find some kind of ore body rather than having the big boys do it all. Here we now have the Treasurer saying, "Oh, no, we have taken it out of that realm now. We are going to turn it over to everybody."

I am sure the Treasurer will correct me if I am wrong, but I was certain, when I read the budget papers a couple of months ago, that that was the intention: it was a small incentive. Now, although it is a small business incentive, he has also taken it into the

arena of the big business sector. I wonder if that is playing square.

As a matter of fact, given the statements previously made by the Treasurer, I think the argument could be made that this amendment is out of order, that suddenly he is changing the principle of the bill. The principle of the bill was to provide incentives to the small business community. Now he is saying, "Oh no, it is to provide incentives to the big business sector." I do not think that was the principle of this bill when it was introduced.

The Treasurer has had some heat from the private sector, from the Ontario Mining Association, I suppose, and he has brought in this amendment. I have to tell you that we in this party are very suspicious about what the Treasurer has done here, although I know he would like us to believe otherwise. I think I would like the Treasurer to respond.

**Hon. F. S. Miller:** I can understand the concern and I have to say that the intent of the bill is basically as the member defines it. However, we had to look at the kinds of people and companies who could, in fact, do exploration work in Ontario. We are, and we have been, at the meetings yesterday and, I think, consistently over the last couple of years in Ontario, taking a Canadian position rather than an Ontario position in most of our dealings.

In looking at our bill, we simply said that corporations, many of which work in a number of provinces in the mining field, as I think members would agree, which by chance may have interests in Ontario that are not producing, even if they are simply claims, but happen to have some producing property elsewhere, and corporations which may have producing properties elsewhere in Canada and no interests in Ontario, plus the many prospectors and developers who had nothing to write it off against, needed a mechanism to encourage them to do it here to be on the same basis as anyone else who had no revenue in Ontario against which to claim that credit. It was simply in the interests of equity that we did it and I would argue that it is fair in the Canadian context.

I suppose I could become quite parochial and could add the words right down to "in Ontario" to define person if I wanted to do so. I guess I shy away from definitions, particularly at this sensitive time in our country, that are limiting a benefit to a corporation or an individual only in the province of Ontario, and that was the intent here. It was

by no means to extrapolate it to the big companies in terms of favour.

Obviously some big companies are going to be involved in the process but the people I think have been most maligned in the process—it can be a small company too, you know, elsewhere—have been the individuals, such as the individual prospector who felt that our plethora of new rules, regulations, et cetera, in the Ontario Securities Commission and other places, had virtually cut him off. We are simply trying to stimulate exploration. We are doing it for corporations that have interests in other parts of Canada but not here, by this definition, as well as individuals.

**Mr. T. P. Reid:** Now that we have that explanation, it still leaves it open, as far as I am concerned, to an advertisement of all comers from wherever. Would the minister consider amending the bill to say "Canadian-based companies" or "Canadian-incorporated companies"? Otherwise, it will be left wide open for people from the United States, from Japan, from wherever. While I do not want to be overly parochial, I want to see as much of our resources kept in Canadian hands as possible. With this amendment I think the minister is leaving it wide open.

I would suggest that perhaps the brains trust of the ministry might be able to come up with an amendment to ensure that this is available only to Canadian-based companies.

**Hon. F. S. Miller:** The principle the member is enunciating does not offend me at all. I am sure my staff are currently using their brains to see what wording might change it, but the principle of it being Canadian does not bother me at all.

In fact, I think the percentage will be so overwhelmingly Canadian in terms of point of incorporation or point of residence as to make any change almost meaningless except to satisfy the three of us that we have done so. If that satisfies the three of us and unless I hear some awfully good reasons, I, in principle, would not have any reason to try to make that amendment.

**Mr. Laughren:** I think it is worth spending a little time on this particular amendment because the ones that flow from it, the ones that follow this one, embody the same principle.

5:30 p.m.

**Hon. F. S. Miller:** Mr. Chairman, I could take out the words "in Ontario" very easily, even though they were words we added. It would solve the corporation issue, but it does not attack the individual issue you are re-

ferring to—in effect, you are extending it to individuals. I do not believe there is any citizenship to the individuals, either, under normal situations.

I do not know how we have ever defined that to date, except for one basic thing. Remember that this is not a totally permissive or obligatory bill—maybe that is the way to put it. Every single project that is approved has to be approved by the ministry. I do not know whether you trust that route, but that is the route of inspection.

**Mr. Laughren:** There are a couple of things that bother me. One is that I think the bill is not drafted very well, and these amendments are an indication of that. Second, I think there is a fuzziness there about whom you are trying to encourage to do the exploration and development. Are you really plugging that into the Prospectors and Developers Association or are you plugging in with the Ontario Mining Association?

The explanatory note under the amendment says, "These words were added following submissions received by the minister." Who is making these submissions to you? Who is suggesting to you that it be from outside Ontario that we need some more exploration and development? I would put it to you that the people in Ontario are not looking for increased foreign ownership of the resources of Ontario. I think it is bad enough that the resources of Ontario are in the private sector. To have them in the private sector outside the country is outrageous.

**Hon. F. S. Miller:** I have not seen all the representations, but the one I recall best of all was from the recently retired president of the Prospectors and Developers Association, Mr. E. G. Thompson, not the Ontario Mining Association. He was one of the first people to question whether this kind of benefit was going to help a few of those who had small mines operating somewhere. He questioned the possibility that automatically, because they were on the Manitoba side of the border or perhaps in British Columbia, they would be disallowed from continuing with what has been their traditional work in Ontario and gaining the benefits. The moment they strike pay dirt somewhere, they are disqualified.

**Mr. T. P. Reid:** I have to agree with my friend from Nickel Belt, and this is what I was groping my way to in my original remarks. Your explanatory remark does open it to the world, to use the terms in the explanatory note at the bottom of the amendment. A company that was in mineral production or

had an associate or affiliate in mineral production anywhere in the world would not qualify.

I was under the impression as well that this bill—I spent some time speaking about this the other day—was for the individual prospector or small group of two or three people, many of whom I have in my riding, who would go out and try to do further exploration and develop a mine. Now I am getting the distinct impression from the minister that concept is not what the bill is about.

So either I was under a misapprehension or the whole approach of the minister has changed in this regard. Also, if we are going to make this available to the world, as the amendment suggests, I would hope your people under the gallery would have been able to come up with something that would not make it the world but make it Canadian-incorporated or Canadian-based. At least then we would have that amount of control.

**Hon. F. S. Miller:** I recall my days as Minister of Natural Resources quite well. That was when I learned that prospecting and developing and the geosciences that go with it, the electronic equipment used for today's aerial surveying, were at their highest level of competence in Canada. For that reason it was in effect one of our export industries. As a matter of routine, a number of Canadians had been active in foreign jurisdictions.

I sense there is some risk in the approach that on the surface looks very much as if it is protecting Canadians when it is almost the reverse. In effect, here is an industry, manned by Canadians, operating to a large degree out of Toronto, Ontario, in countries of the world where, by good luck, for example, we have South African mines basically owned by Canadian interests. I'm sure the member knows that. We have them in a lot of other places in the world.

I can sense that the member's attempt to assist Canadians could in effect hurt Canadians in that very way. I think one has to be very careful about that approach before we discover we have cut off our nose to spite our face.

**Mr. T. P. Reid:** The minister wouldn't like to take these amendments back and think about them and try again another day would he?

**Hon. F. S. Miller:** I have never had any objection to doing something like that. If the member wants us to have another day, fine. I'm not about to ram them down members' throats today. I'm quite happy to have that, if that's the wish of my two opposition critics.



**Mr. Laughren:** Could the minister do the same thing with the Income Tax Act?

**Hon. F. S. Miller:** While we're in committee, we could leave this one for a few minutes, if members wish to have me defer it. Is that out of order?

**Mr. T. P. Reid:** Go on with the rest.

**Hon. F. S. Miller:** Go on with the other amendments? Can we leave that one unpassed at the moment, Mr. Chairman?

**Mr. Chairman:** We can certainly stand that one down, if you wish.

**Hon. F. S. Miller:** The problem is that I believe a number of the other amendments refer back to this one. I would say there is only one other amendment that isn't in the same category. The amendment in section 3(1) and the one in section 3(2) both have the words "in Ontario" in them. The one in section 4(1) is quite unrelated to this one. In effect we only have one other amendment we can discuss today without resolving this issue. That one is section 4.

**Mr. Chairman:** I would ask the direction of the committee. Do you wish to stand down sections 2 and 3?

**Mr. Laughren:** Yes, if the minister is prepared to take a serious look at it.

**Hon. F. S. Miller:** We'll come back on Thursday anyway.

**Mr. T. P. Reid:** I think, as I've suggested, the minister might want to have a look at this. I think we're getting into something that requires a little more thought on all our parts.

**Hon. F. S. Miller:** I would also be glad to invite both my critics to take some time in the next couple of days, if they would like—of course they would like—to talk to anyone plus my own staff, for a legal explanation of their reason behind this and the problems given. I'm sure Mr. Gough of my staff would be glad to give members the reasoned legal arguments behind this, to see whether they offend the members' principles or whether they can accept them.

**Mr. Chairman:** Is it the wish of the committee that we continue with section 4 or should we stand the bill down?

**Mr. Laughren:** We are voting against that one.

**Mr. Chairman:** It's up to the committee.

**Mr. Laughren:** He hasn't moved section 4 yet.

**Mr. Chairman:** I would just like to get the feeling of the committee.

Is the committee agreeable that we go on to section 4?

Sections 2 and 3 stood down.

On section 4:

**Mr. Chairman:** Hon. F. S. Miller moves that section 4(1)(a) of the bill be amended by striking out "invoices and" in the first line.

**Mr. Laughren:** Mr. Chairman, I understand the reason for this, but is it common to do away with verification by invoice? It seems to me there is no more direct way of verifying an expenditure than by producing the invoice. It is going to make it more difficult in the long run, is it not?

**Hon. F. S. Miller:** No, it will be just the opposite. The words "invoices and" were put in so we could look at every single piece of documentation of expenditure. We began to realize what that meant in terms of the bureaucratic process. We have the right to the financial records, and I understand the right to go, if we feel anything is amiss, and look at invoices. It's not a question of the invoices not being callable; we can look at them. It's just that we don't have to process them.

Motion agreed to.

Section 4, as amended, agreed to.

5:40 p.m.

**Mr. Chairman:** Is it the wish of the committee to deal with any other section?

**Mr. T. P. Reid:** We might as well go on with the rest of the bill. There are no other amendments, as I understand it.

On section 5:

**Mr. T. P. Reid:** I have a question on section 5:

"5(1) Only one application for a grant or tax credit available under section 3 shall be made for each designated program of mineral exploration unless otherwise agreed to by the minister at the time the program is designated."

I would like an explanation of exactly what that is all about. Does it mean that one company or person, as the minister is fond of saying can apply for two grants or tax credits for the same area or the same program of exploration? Is there going to be a limit on the amount of each of these?

**Hon. F. S. Miller:** We set up \$4 million, I think the figure is, for the annual budget. We have obviously got to stay within that \$4 million. I understand that the approval of each application will have a dollar value attached to it. In effect, when we approve a dollar value for a particular exploratory or developmental study process, the prospector may not have guessed right in terms of the amount of work to do, but we could not have an automatic right for him to extend



it on. Therefore, we need to have a budgetary process that lets us approve further expenditure.

That is what this does. It simply means that before he spends or has more money approved in terms of grant he has to come back and see that the money is available and that the Ministry of Natural Resources is satisfied the work is worth doing.

Mr. T. P. Reid: There is no ceiling on how much any one person, company, et cetera, will get under this?

Hon. F. S. Miller: No, but when one has only \$4 million a year, the ceiling is very real in terms of individual cases.

Mr. T. P. Reid: Presumably one company could get \$4 million?

Hon. F. S. Miller: Presumably one company would not get \$4 million.

Mr. Chairman: The member for Nickel Belt on section 5.

Mr. Laughren: I do not know what section this is.

Mr. Chairman: It is section 5.

Mr. Peterson: They are all numbered.

Mr. Laughren: I am taking the easy way out here. I am reading the explanatory notes at the beginning. I do not think they correspond.

Under number three: "An exploration program will be designated only if the person undertaking it is not actively engaged in mineral production." I am sorry; that is section 2.

Mr. Peterson: Should we adjourn while you figure it out?

Mr. Laughren: No, you might have to adjourn too long.

Under subsection 2(2): "A designation under subsection 1 shall not be made by the minister where the person who applies for designation is (a) actively engaged in mineral production, or (b) an associate of any person who is actively engaged in mineral production."

That is what I was getting at earlier when the minister cut me off at the pass, as it were, and said it was not true. Was he implying that anybody engaged in mineral production already has access to other means of incentives and that this was to pick up the ones who, until this time, had any kind of write-off available to them? Is that the purpose of that?

Hon. F. S. Miller: Yes, that was the part we were discussing earlier, though.

Section 5 agreed to.

On section 6:

Mr. T. P. Reid: Section 6 intrigues me—I realize it was not quite a parallel situation—in view of your memorandum of understanding with Reed Paper Limited, which now presumably is part of the assets of Great Lakes Paper Company Limited. If we are talking about a corporation whose assets and liabilities presumably are going to be sold or changed, why would the tax credit or grant not be transferable if the work, in fact, had been done?

Hon. F. S. Miller: I am looking at my own explanatory notes—

Mr. T. P. Reid: Send us a set. It might save a lot of time.

Hon. F. S. Miller: There is nothing here the member could not see.

We have had the problem, if the member recalls, with a number of government programs such as the guaranteed annual income supplement or, on the federal scene, with income tax refunds, of people taking a government payment that is due to them and using it as some form of collateral for advance payment. This is the whole technique where a discounter can get into the act. We are precluding it through this route. Somebody who may be temporarily hard up for cash cannot, in effect, take a partial payment from a third party, who in turn would get the full payment when the government was able to make it.

Mr. T. P. Reid: That is exactly what the minister did with Reed Paper. He gave them an asset they otherwise would not have had, with which they hoped to raise capital.

Hon. F. S. Miller: I do not think it was quite that way.

Section 6 agreed to.

On section 7:

Mr. T. P. Reid: I have one comment on section 7 dealing with the appeal process. If somebody objects to the ministry's decision as to what level of grant or subsidy should be paid, subsections 3, 4 and 5 say that after we go through this kind of procedure—and I would have thought we were trying to avoid the paperwork on the designated form of objecting—the minister shall forthwith review his decision. The minister's decision following that will be final except for arguments on points of law and all that good stuff.

Having been around here for a while, I know what a review by a minister means. It means some bureaucrat or civil servant gets this handed to him by the minister or more likely by the executive assistant or the secretary, and they say, "Floyd Laughren is

objecting that we only gave him \$25,000 and he should have got \$35,000." It usually goes back to the very person who made the decision in the first place, who says, "No, there is nothing wrong with this." That is the appeal procedure.

I am looking at it in terms of simple justice. It seems a little strange to give the minister that kind of authority when I do not think the system works particularly well in giving people an opportunity to object.

**Mr. Laughren:** What we need is a complaint bureau.

**Mr. T. P. Reid:** There is an idea. Perhaps we need a mineral resources ombudsman, a job for which I might be prepared to apply, in lieu of section 7.

I realize the minister is trying to simplify the procedure, but at the same time, knowing how the system works around here, it is almost a farce. It almost verges on the fraudulent to be telling people there is an appeal procedure when the decision goes back to the very people who made the decision in the first place and in fact that is going to be the end of it.

The minister, in this case the Treasurer, has no time to concern himself with appeals on what is probably going to amount to \$5,000 or \$10,000. I don't think anyone expects the Treasurer is going to be saying, "Ah yes, Laughren Mining and Smelting is objecting and I personally will look into this." I find it a strange bit of window dressing.

**Hon. F. S. Miller:** First, I would be delighted to appoint the member as ombudsman for this. The trouble is, of course, when our successor wins the member's seat there is likely to be somebody in this House stand up and accuse us of having bought the seat.

**Mr. T. P. Reid:** I doubt that—

**Hon. F. S. Miller:** Having done that we would be in trouble.

**Mr. T. P. Reid:** —having ruined my future career.

**Hon. F. S. Miller:** The fact remains, I would say the checks and balances of having the Ombudsman in Ontario to review government decisions and to allow people to appeal, apart from the points of law here, has brought the necessary balance into this. We have an act administered by a minister, the Minister of Natural Resources, who in effect approves the grant, and we feel that

under our system of government, unlike the member in his perception, we run it reasonably well.

We believe we treat people fairly and equitably. Without having an extremely complex system of appeals, almost making it litigious, I don't know what else one would do. It is an attempt to give people the right to have something reviewed that they believe is unfair.

The member knows what that entails. It very often brings in a person like himself, an opposition member or one of our own backbenchers, with a person to discuss it with a minister, recognizing that in the beginning, in most cases, the decision would have been made properly by staff. This allows the minister to be acquainted with details and objections and I think sets up the necessary review process in a not very costly way. I would argue that is better than trying to enshrine something in what seems to be an airtight legal route that in the long run can only be of great cost to the people objecting.

Section 7 agreed to.

Sections 8 to 15, inclusive, agreed to.

**Mr. Chairman:** The committee has agreed to stand down sections 2 and 3 until a later date.

On motion by Hon. F. S. Miller, the committee of the whole House reported progress.

#### SMALL BUSINESS DEVELOPMENT CORPORATIONS AMENDMENT ACT

Hon. F. S. Miller moved second reading of Bill 51, An Act to amend the Small Business Development Corporations Act, 1979.

**Hon. F. S. Miller:** Mr. Speaker, the intentions in this bill are well spelled out in the explanatory detail. They are based upon a year of experience with the bill, petitions received from northern Ontario from a number of people, and experience in the administration of the program.

**Mr. Peterson:** In view of the hour I wonder if we should adjourn the debate and start afresh, I believe it would be on Thursday evening. If that is in order I would like to so move.

**Hon. F. S. Miller:** I would be quite happy to do so if the members wish that, Mr. Speaker.

On motion by Mr. Peterson, the debate was adjourned.

The House recessed at 5:55 p.m.

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No. 71

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# Legislature of Ontario Debates

Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, June 10, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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TUESDAY, JUNE 10, 1980

The House resumed at 8:03 p.m.

## LABOUR RELATIONS AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 89, An Act to amend the Labour Relations Act.

Hon. Mr. Elgie: Mr. Speaker, Bill 89, An Act to amend the Labour Relations Act, was given first reading on June 3. Since then, there has been considerable comment on the bill in the media. As a result of the wide public attention it received from the member for Brant-Oxford-Norfolk (Mr. Nixon), the specific issues dealt with in the bill will undoubtedly be familiar to all members of the House.

While it would be inaccurate to claim the bill has met with universal public acclaim, I think it is fair to observe it has received a broad measure of support, both from the labour relations community and from the public at large.

It is particularly important in the area of labour relations that legislative initiatives be accepted, if not embraced with enthusiasm, by those primarily affected by the changes. There are few fields of public law where fairness, equity and balance are more important than in the sensitive area of industrial relations. Labour relations must not only make sense, but must as well be acceptable to employers, trade unions and individual employees if they are to work effectively and contribute to the reduction of unnecessary conflict.

I have been monitoring the responses carefully and I am persuaded that in the main we have achieved in Bill 89 the equity and the balance upon which acceptance depends. The generally positive reception to the bill augurs well for its contribution to the maintenance and promotion of industrial stability in Ontario.

Mr. Nixon: We have been waiting for it for 30 years.

Hon. Mr. Elgie: The last time I heard that remark it was the member's wife who said it to me. She was waiting for him for 30 years.

Mr. Laughren: We are still waiting.

Hon. Mr. Elgie: It is particularly encouraging that few commentators have characterized it as either pro labour or pro management. It is not intended to be partisan legislation. Its fundamental purpose is to remove some troublesome barriers to conflict in the resolutions of labour relations in this province.

Mr. Kerrio: Liberal legislation.

Hon. Mr. Elgie: As the Toronto Star has said, a newspaper that the official opposition will undoubtedly support, the legislation, if enacted, will avert futile contract disputes, reinforce union democracy and compensate unions fairly for the service they render workers. These are precisely my goals which, if achieved, will certainly justify the characterization of the legislation as a landmark labour bill.

Perhaps I might be permitted to spend several minutes in outlining the main provisions of the bill. It provides for the mandatory checkoff of union dues or the equivalent amount thereof as a minimum requirement in collective agreements where a union that has acquired bargaining rights in accordance with the provisions of the act so requests, subject to three qualifications. First, the checkoff becomes effective only where a union requests it in bargaining. Secondly, the checkoff does not apply to agreements in the construction industry where employees work for a number of employers for varying periods of time and where in most cases dues are collected through the union's hiring hall. Thirdly, the checkoff dues do not apply during the life of collective agreements in force on the date of proclamation, but do apply to all agreements concluded after the coming into force of the act.

The second major amendment permits employers to require the Minister of Labour to direct the supervised vote of employees on the employer's last offer. Under the bill, such a request by the employer may be made on one occasion only during the course of negotiations, either before or after a strike or lockout commences.

Finally, the bill adds a new provision to the Labour Relations Act, entitling all employees in the bargaining unit to participate in all strike or ratification votes whether or not

such employees are members of the particular bargaining agent. The rationale for these amendments is self-evident. However, I will be pleased to deal with the reasons behind each of the individual amendments as the debate proceeds.

By way of introduction, I might make these preliminary observations. As to the checkoff, as members are aware, there is perhaps no single issue that has contributed more to industrial unrest in the organized sector than union security. What is proposed should remove this contentious item from the bargaining table and avoid the protracted, difficult and often ugly disputes that have marked the industrial relations scene in Ontario over the last decade or more.

The amendment providing for the minister's supervised vote on the employer's last offer responds to the argument, advanced by some, that strikes sometimes occur because of bargaining agents' failure or unwillingness to give employees an opportunity to vote on the employer's most recent offer. My impression is that most bargaining agents already do communicate effectively with members of the bargaining unit. However, the proposed amendment, entitling employers to require the Minister of Labour to direct that a vote be taken, will ensure more widespread use of this desirable practice.

Finally, the statutory right of all employees to participate in strike or ratification votes is a natural concomitant to the mandatory dues checkoff requirement. In other words, entitlement to participate in ratification and strike votes is a logical extension of the obligation upon all employees to pay union dues in return for full and fair union representation.

**8:10 p.m.**

In summary, each of the proposed amendments addresses a legitimate industrial relations concern. The compulsory dues checkoff responds to unions who contend that all members of the bargaining unit should contribute towards the benefits gained in bargaining. The ministry-directed last offer vote responds to concerns about inadequate communication with the rank and file, which, it is claimed, sometimes results in unnecessary or unnecessarily prolonged strikes. The entitlement to participate in strike and ratification votes is, as I have said, a logical consequence of mandatory dues checkoff.

While the amendments themselves are relatively simple, their potential contribution to the improvement of Ontario's industrial relations climate cannot be overemphasized. For that reason, it is my hope the bill will receive speedy passage so that it may be

proclaimed before the House rises later this month.

**Mr. Van Horne:** Mr. Speaker, in rising to speak on behalf of my party on this bill, first of all I have to concur with the minister in his basic rationale, which is that this legislation is needed to remove a source of unnecessary conflict in the bargaining process.

I realize we have witnessed a rather new phenomenon in the House in the last few weeks, that is, the Progressive New Democratic coalition. We find our Socialist friends in bed with the Tories, as witnessed right at this very moment with the conversation going on between the minister and members of the third party.

At this time, I would like to ramble for a few moments until I have the minister's undivided attention. In my view, this piece of legislation demands more than just passing interest on behalf of the minister who is making the motion or the Socialists who are so hot to see it go through without any debate.

Having said that, I would repeat myself and ask the minister if, at some point in the evening, we might have some few moments of his time so we may properly address remarks to him straight on, without any kind of interference or any kind of Socialist coalition influence in this whole debate process.

Interjections.

**Mr. Deputy Speaker:** Order.

**Mr. Van Horne:** We realize how envious the members of the third party are of the government and how they desire to be on that side of the House. Having said that, and realizing perhaps I have made my point, I will get back to what I was trying to say in the beginning. I would suggest to the minister that before we were so rudely interrupted by the in-House Progressive New Democratic caucus, I was saying I would agree with his rationale.

**Hon. Mr. Elgie:** It is called honest co-operation. The member should try it; he would like it.

**Mr. Van Horne:** I would never stoop that low. As envious as I might be and as ambitious as I might be, I would never prostitute myself into that position as have my friends on the left.

**Mr. Deputy Speaker:** Order. On to the bill.

**Mr. Van Horne:** I would like to repeat that I do not quarrel with any form of legislation, Mr. Speaker, that would remove a source of unnecessary conflict in the bar-

gaining process. I think it is fair to say my party has never—

**Mr. Laughren:** Mr. Speaker, a point of privilege, please. I would ask you to tell the member for London North that he is using unparliamentary language and impugning motives to this party that do not belong here. He very definitely used the word “prostitute” as applying to this party. If you let that go through, we are going to have a long and interesting debate this evening.

**Mr. Van Horne:** Mr. Speaker, I do not want to interfere with the process of debate and I gladly withdraw that remark and will not make any further reference to the habits of the New Democratic Party, who apparently are in some kind of concert with our friends opposite.

**Mr. Laughren:** He should be thrown out. He is a combination clown with the member for Niagara Falls (Mr. Kerrio). They are a pair. They can both balance balls on the ends of their noses.

**Mr. Deputy Speaker:** Order. The honourable member asked the member to withdraw. He withdrew. Would the member for London North continue on the bill?

**Mr. Van Horne:** Thank you, Mr. Speaker, for bringing back a sense of balance to this debate.

I was about to say that beyond the point that the minister made, we as a party have never spoken out against what is essentially known as the Rand formula. As a matter of fact, many of my colleagues, present and from earlier parliaments, have spoken in support of that particular formula.

I think it is fair to draw to the minister's attention that whereas there was notoriety that accompanied this bill when it was introduced last week, the notoriety reflected the views of the Conservative Party and the New Democratic Party and seemed to ignore almost totally any views that our party may have had, with perhaps the exception of a passing question put to the leader of my party.

We determined in the beginning of this whole political process, back on June 10, 1977, that legislation that was brought to the House should by and large have some kind of caucus treatment before we went running off making statements. That caucus treatment was given due process in our caucus today. I might say this particular bill received a long, thorough, complete discussion. My own particular inclination was that this bill was significant enough, was important enough, that there would be some

merit in seeing it being sent to committee and not having it rushed through as is the minister's particular wont.

It would seem, if I might digress for just a moment, that any legislation or changes that have been brought to us by this particular minister, such as amendments to the Labour Relations Act or the entitlement in workmen's compensation, have been brought with the threat of being cancelled or withdrawn. They have been brought in at the last minute and, if we do not concur, he will withdraw them or see that the changes are not pursued.

That is the sort of political blackmail I find very difficult to accept in this so-called political process. In my view the democratic process demands, dictates, that there be some kind of debate, not just the five or 10 or 20 minutes that we seem to spend on these matters that are brought to us by this particular minister. It demands a thorough debate that comes about through having proper and complete input.

I think my case is made to a degree if one notes the significant number of people in the labour movement who have expressed some kind of concern about certain aspects of this bill. The bill, which was introduced just one week ago, is here in front of us now with a sort of steamroller or train locomotive kind of propulsion. It was brought to us by this minister, who would see this very important piece of legislation whipped through with virtually no opportunity for those who will be affected to express their views. Nobody can express his views, except for those who are quick enough to catch it in the press, to have a quick meeting, to make a few quick phone calls or even to lobby us on the way to this room tonight. They tried to catch us on the way into this room tonight because it is the only chance they have had for any kind of input.

8:20 p.m.

It is that kind of tactic that makes me wonder how sincere the ministry is, how sincere the government is, in its desire to have this kind of legislation brought in and, beyond that, the rationale for it. What are they trying to do? Are they trying, as the minister said in the beginning, to remove a source of conflict, or is the minister trying to hang an election lollipop out in front of labour to convince labour that the government is a bunch of good guys, supportive of labour and deserves to have another goodness knows how many more years in government. That kind of, whatever it is called—tactic is the kindest word I can think of—

that kind of tactic to me detracts from this particular piece of legislation.

**Mr. Warner:** Why do you hate working people?

**Mr. Van Horne:** Having said that, and having expressed that view to my colleagues, I consider the proper process should be for this bill to go to committee. I realize there are constraints of time—

**Mr. Warner:** You are trying to kill the bill.

**Mr. Van Horne:**—and I realize those people who should have the opportunity for input will not have it and I feel badly about that. The fact is that this is important enough to proceed with. That has been the determination of our caucus.

There are a couple of points I would like to bring to the minister's attention, points that may well have been made by labour or management had they had the opportunity. For example, parts one and three of this bill apply to the construction industry but part two does not. We realize the construction industry has some individual characteristics. It is a little different, for example, from the manufacturing industry, but there is some inconsistency in that two parts would apply to the construction industry but another part would not. I am sure the minister in his reply will give us all kinds of good reasons for this, but in my view it is reflective of the type of legislation that has not been thought through totally.

Beyond that, I would point out that in the anxiety reflected by the ministry in bringing this legislation on with a rush, it has given to our party, and perhaps to the New Democratic Party as well, what I would consider—I am trying to find a word that would be kind enough to the minister, but they have delivered to us an insult which I do not think is deserved.

When legislation is introduced there is supposed to be a compendium of background information provided for the opposition members at the same time that legislation is introduced. I have in front of me background material for Bill 89, the bill we are discussing tonight, which was presented to me at 4:45 this afternoon. It was not presented to us when this legislation was introduced—

**Mr. Nixon:** Bad administration.

**Mr. Van Horne:**—and that is an insult to the process of parliament here in Ontario. I ask the minister, how can he explain that kind of treatment to us as members of this House? In addition, aside from getting it a week late, I would submit to the minister

that he may as well take this and roll it into a small ball—

**Mr. Nixon:** And?

**Mr. Van Horne:**—and put it in a waste basket or some other receptacle that would be appropriate, because by and large the information contained in this compendium is virtually useless.

That is something the minister has to accept the responsibility for. If we are dealing with an important piece of legislation, how can he honestly say to us he is taking this matter seriously and wants us to support it when he comes along eight days after the bill is introduced and says, "By the way, here is the compendium of information"?

Coupled with that is another form of insult. Last week after the bill was introduced our research staff called an office in the ministry and we asked for the director of research in the Ministry of Labour, only to find out that at this time there is no such animal. How does he come up with all of these wonderful ideas? I guess we have to look to his deputy dog or a couple of other people in his upper echelon and assume they are the people who feed them to him.

After finding out there is no director of research—or at least at that point there was not—we were asking for background information on similar types of legislation in other jurisdictions in North America—we were put on to another person in the minister's office who said, "Yes, I understand your question. We will call you right back." We are still waiting for a call back from the minister's office.

In this instance, with this legislation which is so important, this minister and the government have treated us as third-class citizens. They want our support for this but we are treated with the indignity that would only be given to an animal of a lower level, and that is not right.

It is alleged that the minister spoke to members of the New Democratic Party and the Ontario Federation of Labour even before he spoke to his own caucus. In his response, would the minister please tell us this is not true, that he did come up with this through the accepted channels and discussed it with his own caucus before he spoke with his friends?

The member for Nickel Belt took umbrage at some of the comments I made earlier about the relativity of those two parties. Let me tell the minister that if that is true we have some kind of peculiar coalition here in Ontario that the people simply do not need. It is a discourtesy and an insult to have

treated us the way he has treated us with this form of legislation.

Having said those few kind words to the minister, I will conclude by saying we have an amendment to make to this piece of legislation. We perceive the amendment to be one that cries out to be made, upon closer examination of this bill. We will move, at the appropriate time, that section 34(e) be amended by adding a subsection—

**Mr. Deputy Speaker:** Order. We are not in committee now.

8:30 p.m.

**Mr. Van Horne:** I appreciate that. But it is important enough to give an indication of what area of the legislation will be amended and what the design of that amendment is. The purpose of this would be to preclude that sort of situation in which an offer might be made by an employer to a group of employees. Then, having been rejected by the employer and a strike situation having developed, the employer brings in some new employees and asks the minister for a vote to be called on.

**Mr. Warner:** Scabs. A scab is a scab.

**Mr. Deputy Speaker:** Order.

**Mr. Van Horne:** Essentially what we are suggesting is that after the commencement of a strike or lockout only those employees who were employed in the bargaining unit before the commencement of a strike may vote. That is the amendment we would make.

I would like to hear my Socialist friends elaborate on that. If they don't support that, they are supporting strikebreakers and scabs.

**Mr. Warner:** You have spent your whole life supporting scabs. You are turkeys with a hernia.

**Mr. Deputy Speaker:** Order.

**Mr. Van Horne:** Having obviously succeeded in bringing some kind of reasoning to my friends on the left and having also brought to the attention of the minister what I consider to be pretty shabby treatment of a very important issue, I would like to conclude—

**Mr. McClellan:** Where was the member during the Fleck strike? Does he remember the scabs then?

**Mr. Deputy Speaker:** Order.

**Mr. Van Horne:** —by suggesting to the ministry that legislation so important as this demands more attention and more complete debate. It demands more thorough examination than, unfortunately, we are being given at this time. In spite of that, it is important enough for us to say we will support it.

**Mr. Mackenzie:** Mr. Speaker, there is probably only one point tonight on which I will agree with the labour critic, if that is what he can be called, for the Liberal Party. That is simply the manner in which this government brings in at the last minute bills that are as important as the checkoff in union security.

We have been faced with at least three or four such bills in this House in the period of time I have been here. I recognize and will even accept that the Minister of Labour may have some problems in his own caucus. But it is a bloody disgrace to this House to present something as important as this issue at the very last minute under conditions in which one takes it or leaves it. This happens to be a major bill. I am totally disgusted at the way in which the Liberal Party has treated it. I don't intend to pull any punches in terms of what we want, what we hope for and where we stand on this bill. I want it made clear we are not going to go through this kind of wringer another time around on any major piece of labour legislation.

Having said that, I want to make it very clear I appreciate the Liberal labour critic's referring to the Socialists because, whatever happens in this House, there is no question where I stand as a democratic Socialist. I try to use the positions we take in terms of people and in terms of the trade union movement as the principle I stand by in this House.

I have no difficulty in understanding why the Liberals are so upset with the government treating them as some kind of animal. I think the reference was to a "lower-level animal." Let me ask the Liberal labour critic, when we are dealing with the kind of ultimatum, if you like, that we have been given on a bill as important as this one—

**Mr. Kerrio:** You are squirming.

**Mr. Mackenzie:** No, I am not squirming in the least. I will be a lot more honest than the member for Niagara Falls was any day of the week.

**Mr. Nixon:** No amendments. The NDP is going to lie low, eh? They are going to go with a secret ballot, are they?

**Mr. Deputy Speaker:** Order.

**Mr. Mackenzie:** I have to ask, in trying to decide where we stand, what we might get. Yes, the amendment the Liberal labour critic has said they are going to move is the point with which we have real concern.

**Mr. Nixon:** The NDP are going to vote for it, and stick with their buddies across the way.

**Mr. Mackenzie:** Mr. Speaker, I really enjoy the former leader of the Liberal Party. I didn't realize until I sat down over a couple of beers with him and sat on a couple of the committees on which we both serve, just how much he hated the organized labour movement. It took me a long while to understand why. It is because he blames them for the fact he never became the Premier of the province.

Interjections.

**Mr. Deputy Speaker:** Order.

**Mr. Nixon:** On a point of order: I must ask you, Mr. Speaker, to ask the honourable member to withdraw his statement that I hate people in organized labour. For example, I am a very good friend of the honourable member himself and he made most of his money, before he got on easy street here, in the service of organized labour.

**Mr. Deputy Speaker:** Order.

Interjections.

**Mr. Breaugh:** Mr. Speaker, if I may speak to the point of privilege, I think the position of the honourable member has been put very squarely by my honourable colleague. He hates labour. That is well known. He has expressed it on innumerable occasions and we are simply reaffirming that fact this evening.

**Mr. Nixon:** The only reasonable alternative is to ask the honourable member to withdraw his completely unacceptable statement. I don't hate anybody, even the honourable member.

Interjections.

**Mr. Deputy Speaker:** Because of all the shouting, I am afraid I did not hear what the member for Oshawa actually said. The honourable member was referring to the member for Brant-Oxford-Norfolk. If the member for Brant-Oxford-Norfolk feels it is unacceptable, I can look that up in Hansard. However, if the member for Oshawa wishes to make any further comments, he may wish to withdraw certain words.

**Mr. Breaugh:** Mr. Speaker, I do hesitate to withdraw the truth from the record, but if it so unsettles the honourable member for Brant-Oxford-Norfolk that we have put the truth on the record this evening, I would be happy to withdraw for parliamentary privilege purposes.

**Mr. Nixon:** It is typical of your principles that you are prepared to withdraw what you consider to be the truth.

**Mr. Deputy Speaker:** Order. The member for Hamilton East.

**Mr. Mackenzie:** Mr. Speaker, I really did not want to waste so much time on the

former leader of the Liberal Party. I do think it is important, though, in deciding where we stand on an issue as important as union security, to have on the record what we can expect from the party that wants to give us such a hammering on it.

**Mr. Nixon:** It is the only reasonable amendment.

**Mr. Mackenzie:** Can I ask the members on my right if they still support the position they have been strongly taking in this House that we should deny teachers the right to strike? Do they have an explanation? Do they have an explanation for the great number of them who voted against my bill for a 40-hour week the first year I was in this House?

**Mr. Nixon:** Mr. Speaker, on a point of order: I would like to bring to your attention that the member for Windsor-Walkerville (Mr. B. Newman) had legislation for a 40-hour week before this House before the honourable member who is at present speaking was even a member.

8:40 p.m.

**The Acting Speaker (Mr. MacBeth):** It is indeed an interesting point, but hardly a point of order. Does the member for Oshawa have a point of order?

**Mr. Nixon:** He rides with General Motors.

**Mr. Breaugh:** Once again, to the point of order: We would like to put on the record that the parliamentary truth of the matter is that the Liberal Party over there hates labour. We would be quite compelled, I suppose, to withdraw that remark according to parliamentary privilege, and we will do so, so long as the record proves exactly where they stand.

**The Acting Speaker:** I cannot imagine the Liberal Party hating anybody, but at the same time—

Interjections.

**Mr. T. P. Reid:** Point of order.

**The Acting Speaker:** Order. The member for Hamilton East has the floor. Are you on a point of order?

**Mr. T. P. Reid:** I am, Mr. Speaker. We are here dealing with one of the most important pieces of legislation that has come down in my 13 years in this House in regard to labour-management relations. I find it most objectionable that our friends on the left, and particularly the last speaker, should have made the comments that have been made in regard to whether the Liberal Party hates or loves labour.

Interjections.



**The Acting Speaker:** Order, please. The member for Hamilton East is entitled to make remarks of that nature as long as they are not unparliamentary. The Speaker has made his own comment on it, but I agree with you, the House is in a little frivolous mood and it is a serious subject, so I think, noting the comments of the member for Rainy River—

**Mr. T. P. Reid:** Mr. Speaker—

**The Acting Speaker:** You don't have the floor. You have made your point of order.

**Mr. T. P. Reid:** I have not, Mr. Speaker, because the member for Oshawa has not withdrawn those kinds of remarks. Until he withdraws what I consider to be an imputation about us, that stands on the record. We have a most important piece of legislation that is going to affect a lot of people, some of whom are in the gallery tonight. I am, quite frankly, upset that the matter we are dealing with in this bill should be lost in the kind of pious, sanctimonious—

**The Acting Speaker:** Your point of order has been made.

**Mr. T. P. Reid:** All right, but the member has not withdrawn those allegations that stand, Mr. Speaker—

**The Acting Speaker:** Order, order.

**Mr. T. P. Reid:** —either in the words of the member for—

**The Acting Speaker:** Order, order. Will the member for Rainy River please take his seat? You have made your point of order.

**Mr. T. P. Reid:** No, I won't until that member withdraws his remarks.

**The Acting Speaker:** Whether the remark is asked to be withdrawn or not is a matter for the Speaker. The member for Hamilton East is entitled, I think, to make that remark. I don't find it unparliamentary. I made my own comment in regard to it. It was made in frivolity, I feel, and certainly I feel the Liberal Party hates no one. I am going to leave it up to the member for Hamilton East to make his own comments. I don't think it is unparliamentary and I am not going to ask him to withdraw it, but he may decide in his own wisdom to make something of it. The member for Hamilton East has the floor.

**Mr. Mackenzie:** Mr. Speaker, it is precisely because I think this bill is as important in the principle we are trying to establish as it is that I did not interrupt or object once when I listened to some of the inane remarks from the Liberal labour critic. It is because of his remarks, during which I gave him free rein without any interruption on my part,

that I think we should put a few things on the record.

I mentioned the teachers' right to strike and the 40-hour work week. May I talk about passing the picket lines last Monday in Stratford where members of this caucus refused to go through, as did the bus driver, but the leader of the Liberal Party passed that picket line to attend a performance? May I talk about the debate in the estimates on minimum wages where the labour critic of the Liberal Party at that time told me and told the committee that he disagreed with us on the need to increase the minimum wage because small businessmen like himself would go out of business if that happened? Do I need to raise Bill 70 and the Liberal press release that allowed the Tories a loophole they could drive a truck through in terms of exemptions from that legislation?

**Mr. Roy:** He is out of order.

**Mr. Mackenzie:** I could mention another case, a bitter debate in this House where this party was the only party to stand and oppose the ordering back to work of the transit workers in Toronto.

Mr. Speaker, I think it should be put clearly on record what labour means to that party. It means damn all. It is important that we put on record the kind of proposition that was put to us. I do not particularly like it but I am also not going to play games with it. There are some answers we want from the Minister of Labour very clearly.

**Mr. Bradley:** Or what?

**Mr. M. Davidson:** Just bide your time, boys. Just bide your time.

**Mr. Bradley:** Is the NDP going to bring them down?

**Mr. Mackenzie:** The major issue, among many, for the trade union movement for the last couple of years has been to try to establish what they thought they had won back with the Rand formula in 1945, the union security or dues checkoff. I personally, and almost every member of my caucus—I have not seen very many Liberals or Tories on picket lines—have all been on the lines in strike after strike across the province. In the bitter ones of late, it has been the management decision that the issue it can sell and that it can oppose the union on is the question of whether the workers have to sign a dues checkoff and whether they have to pay the dues.

Regardless of the fact that the union has the total responsibility of representing those workers and can be hauled over the coals if it does not, and regardless of the fact that



somebody who can be the most anti-union s.o.b. on the face of the earth can bid for and get a job over and above a loyal union member, once a local is established the union has to go to bat for a worker if he has not only the seniority but also the experience. Notwithstanding all the representation that has to be given, we have not had the right to the representation and security and dues checkoff.

It is something like saying one cannot pay taxes because one voted against the government or the party in power. There is not a heck of a lot of difference in terms of the kind of situation we face.

We have seen the attempt to organize unions go down the drain. We have seen bitter, long strikes where that has been the issue that clobbered the workers. Time and time again we have seen that kind of situation and we know it is not the millenium. We know there are a number of other things we need, but we also know that one of the things we have to establish is some protection and some rights for those members who want a union. The dues checkoff, the union security issue, has been the issue we have focused on.

Let me tell the House it is not the only issue. There are 19 specific strong recommendations and some of us have feelings that may not agree totally with the priorities of the Ontario Federation of Labour in terms of its presentation to the government. If the members opposite would look at it instead of insulting union executives, they might get somewhere some day. We all recognize the clobbering the workers have received over the union security issue and what it means to them and to people on the picket line. A major issue at Fleck Manufacturing Company, a major issue at Fotomat Canada Limited now, could be the issue that kills or cures the people who are desperately striking—

Interjections.

The Acting Speaker: Order. Will the member for Cambridge (Mr. M. Davidson) please allow his colleague from Hamilton East to speak? He has the floor.

Interjections.

The Acting Speaker: Order. Will the member for Hamilton East please proceed?

8:50 p.m.

Mr. Mackenzie. I would urge all my colleagues to ignore the Liberal interjections totally. That is about what they deserve.

Whether it is a Blue Cross strike, a Fotomat, a Fleck or any one of a good number

of other strikes we have gone through over this issue, those people are up against the realities of everyday life, and the reality is the company decided that the issue it could take them on and beat them on is whether or not they should be forced to pay their dues and whether the union should have the checkoff.

Mr. Stong: You just want the money.

Mr. Mackenzie: That is a pretty crass comment. However, I am missing my own admonition; I will not do it again, Mr. Speaker.

Mr. Makarchuk: It does reflect the Liberal mentality.

Mr. M. Davidson: It is not worth answering.

Mr. Mackenzie: This has been one of the key issues and has been picked up by decisions of not only union executives, as we have heard mentioned here, or of the Ontario Federation of Labour executive board or body, but, I would remind everyone, as a convention decision at the OFL convention. One of the major fights of the great union movement has been to establish union security. It is an issue that even the Tories have trouble denying. No one more of a right winger or a hard hat than the ex-Minister of Labour, the member for York Mills (Miss Stephenson) understood the justice of the issue, and that was something, believe me, coming from that source.

We have this as a key issue. We were presented very strongly, and this is one of my annoyances, with a demand at the last moment—and it should be put in context after much lobbying, pushing and the many questions I have asked in this House of the Minister of Labour as to whether or not we were going to get the union security issue, which had been sort of hinted at—that if we got anything out of the OFL brief or list of demands—and they are a legitimate pressure group in our society although they seem to get not a fraction of what a lobby from the Canadian Manufacturers' Association or the chamber of commerce may get; certainly they get their way with an awful lot of tax breaks in this province—but out of all of their demands, whether it is the plant closures, plant moves, union security, strike situation, strikebreakers and all of the issues that are bothering working people and were getting nowhere, there were some rumours that we might get one small concession from the ministry.

I am not surprised this is the one concession because I really do not believe that any

fair-minded or just person could argue that it is not totally justifiable and totally right. I suppose the verdict will not be in for some time, but until we see how the ministry deals with some of the problems that it may present and whether or not it is going to do the job we think it will do, at least it has the potential of defusing some of the labour problems and labour unrest in Ontario.

The Tories would like that, going into an election. That is to their advantage and I fully understand the politics of it. Notwithstanding that, it might also give some of the workers an opportunity to get a first contract for that union they fought so desperately hard for through the certification period and through their attempts to negotiate—although they had been held up over this issue; although first contracts are not always the best contracts—and to establish themselves as a union. There is an obligation on the union to do a job in terms of teaching, instructing and helping its members to get a better contract the next time around. There is that possibility there. It is a better possibility than if you are down the drain, and that is what has been happening in all too many cases.

We were presented with a government proposition made to the OFL, made to the leaders of the major unions in Ontario, that, "Yes, we will move, we will give you the union checkoff. We cannot deny the justice of it, but we have got to have something to saw off with or to argue with our own members on, and the argument is that we want everybody to have a vote. When you come up to that contract, we want the right of management to be able to request one vote on the final offer, whether it is during or after a strike situation."

Quite frankly, I think that was correctly characterized by trade union leaders I have listened to as an insult to the trade union movement. I said exactly the same thing myself when speaking to the press about it and in any comments I have made when asked about it in this province. I think it is something like saying, "We are really not sure of you represent your members or the thinking of your members."

Let me tell the House, there are very few unions that I know, and they know the kind of odds they are up against, that are afraid to put their members' wishes on the line. We have had plenty of reason to have some fear over that. A tough management will use it, if it can, to try to clobber the union. They will use it, whether it is a small plant or a large plant, if their judgement is that the

membership feeling is not strong enough that it can get away with ordering a vote on a final offer and get an inferior contract. We know those things, and we accept those things as being part of the facts of life.

Nevertheless, I happen to have some faith in the trade union movement in Ontario and I do not see it as much of a threat, as some people do, but I recognize the concern over it. We could not understand why there could not have been some movement in that particular area.

What I want this House to know clearly, and I said I am not pulling any punches here tonight, is exactly the kind of proposition that was put to us, not by the government, although we have had many talks with it since, but by some of our friends in the trade union movement. We are faced with winning the major fight and an important fight we have made over getting the union checkoff and union security.

That means a hell of a lot. It is an everyday, immediate fact of life to girls who are on the Blue Cross or Fotomat picket lines. I am just using those two because they are two of the most publicized, but there are a number of others. It is an immediate fact of life. They get their chance to try to get a better contract if they have that issue removed, which has been the issue that management has been clobbering them with.

There is a danger to some of the larger unions in that they feel management may use it to try to force a vote on what is seen by the negotiating committee and the executive of the union to be an inadequate contract. That is a danger we face in the trade-off. It is a danger I do not happen to share as strongly as some people do because I happen to have a heck of a lot more faith in the strength of the trade union movement. I say that, having said that, we have plenty of reasons to be concerned with what has happened to us in the past.

We have the choice of getting that much in return for the two trade-offs which, I can only presume, the minister needed to sell his caucus on supporting it. The proposition put to us was that we get it free and clear or we do not get it and go back at it in the fall, if at all. That is a little bit of gentle persuasion, and I am being kind.

Mr. Makarchuk: Some would call it blackmail.

Mr. Mackenzie: I do not like it. It is one of the things I have been unhappy about. I am unhappy about this last-minute offering of this kind of proposition.

Some of us have been through negotiations before. We understand, whether we like it or not, that we do not always get everything we want. The decision we had to make as a caucus and still have to make in some of the final parts of it, was whether or not the trade-off in winning that battle, which could have been the all-pervasive battle of the last couple of years, over the need for that kind of protection, particularly for new and small units, was worth it.

I do not hide behind anybody's skirt. I played a major role in convincing the members of our caucus we had to go with it. The decision of our caucus was that it was worth it, but we were not happy with it.

The thing is that we are not dealing with an NDP bill. We never would have seen a bill from the Liberals. We are dealing with a government bill and we know that. It is a matter of getting the best we can out of the government and then deciding whether or not it is worth it, whether the issue is important enough at this point to try to win that battle and then to take a look at whether or not the amendments that are in there to soften the blow for the Tories are abused.

The verdict is not in on that. There is great fear about that. If in the next six months we see that abused by management in the number of the units, there is going to be hell to pay over the arguments in this House. I suppose what will decide it will be where the people stand and how strongly they feel in an election.

9 p.m.

That particular issue is something the next few months will tell. I do not happen to think it is going to be used in the way some people fear. I want a statement from the Minister of Labour in this House on that. The concern most adequately put in my own caucus was to get union security and to have an organization effort in a new plant. We have the plant management wait and wait, and we are forced to strike. After we strike, they go to work. If it is a small plant of 50 or 60 employees, they quickly hire 30 or 40 scabs. There is no hesitation in using that word in this caucus whether it offends some people's sensibility or not.

Then they vote. They are not voting on whether they have a union or not; that is established. They vote on the contract and they vote against their own interests, including the scabs who vote against it. We understand that is one of the small checkmates. Nevertheless, they vote to accept what is an inferior contract. Where do we stand? What is the minister's position?

We wanted this kind of protection or an amendment on it. We were told we would get the bill as it is or not at all. We were also told by the legal authorities in the ministry, by senior ministry people up to the deputy minister level, and by the Minister of Labour in discussions that I and others have had with him, that the intent of the bill was not to allow that obvious misuse of authority or misuse of a piece of legislation.

Whether or not we have that in the amendment, which I would certainly much prefer, I want to hear from the Minister of Labour very clearly, if the intention of the ministry is that the bill could be used in that way.

I am sorry if I sound cynical on anything like this, but I also know that what we were offered when we were offered the deal was a package, and what we bought was a package. That does not mean the Minister of Labour should not clearly indicate what his thinking was on that particular point. I do not think any fair-minded person, including a Tory, can say that is the intent of the bill, because if it is they are deliberately inviting management to destroy an attempt to organize and certify a new union. That is the kind of proposition that was put to us and I do not like it.

The other proposition that was put to us within our own caucus as well, and they have not taken a labour position on any other bill, is what if the Liberals try to embarrass us? I will be embarrassed only, and I guess this is where I have to have some faith in the government and the Minister of Labour on this particular issue—

Mr. Kerrio: You are selling your soul.

Mr. Mackenzie: I will be embarrassed only—

Mr. Kerrio: Are you going to tell these people what you are doing?

Interjections.

An hon. member: Resign.

The Acting Speaker: Order.

Mr. Mackenzie: Not only will I not resign but let me make it clear that there is no member in that party who will ever defeat me in my riding.

Interjections.

The Acting Speaker: If the member for Scarborough-Ellesmere wishes to make interjections he will have to eject the man from his seat.

Mr. Warner: My seat is occupied.

Mr. Acting Speaker: The honourable member for Hamilton East has the floor.

**Mr. Mackenzie:** My concern would be to have that kind of firm commitment on the record in Hansard from the Minister of Labour. I am prepared to accept that he was being honest and telling us the truth when he told us it is the package or nothing. I would like him to be honest enough to tell us whether he will buy the Liberal amendment. I suppose we are telegraphing our move but I said I was not going to pull any punches in this debate. The Liberal amendment is very attractive to us, but we are not prepared to sacrifice the bill on the basis of that, if we have an assurance.

Interjections.

**Mr. Mackenzie:** I want to make it very clear that we were not going to be anything but straightforward in the kind of a situation we face. What we are concerned with is getting the principle of union security through. It is worth quite a bit to us. We want some answers from the minister in terms of the questions I have raised.

I want one other thing clarified. I would like some kind of comment from the minister in terms of the interpretation regarding construction employees. The first reaction of our members was that they were excluded from the bill, period. It now appears that it is only in terms of the checkoff. Do the same circumstances apply in terms of the ordering of the vote? That should be clearly laid out by the minister as well. I think these are legitimate areas of concern.

In closing my remarks, let me make it clear—

**Mr. Roy:** Talk about stick-handling.

**Mr. Mackenzie:** No, I have put it on the line, which the Liberal members have not done.

It is not what the OFL itself says, although that carries a lot of weight with me and I make no bones about it. It is not what individual pressure groups say, for whatever reason within the trade union movement—and some of them carry great weight with me. I do not buy that kind of pressure and do not intend to.

What I am going to take a look at is what is involved in this bill. I did not want to but I am constrained once more to remark that some people do not have any understanding at all. They are not the people who have been through the wringers. It is we, in the kind of pressures that are put on us and the kind of debate over whether it is or is not a good bill or whether we trust it or not. That is the kind of argument we have gone through in this bill.

But I want it clearly understood that what is important to me is whether or not I think the gain outweighs the loss. It establishes in this province something we fought so darned hard for and has been such a bone of contention, and that is the union checkoff. I think it is worth the risk. That is exactly why I am recommending to my caucus that we support the bill and that we not fool around with the Liberal amendments unless we are sure they will be accepted by the government—and I will be that blunt.

**Mr. Speaker,** I would like to conclude my remarks on that note. I do not know how I can be any more straightforward in this House.

**Mr. Kerrio:** Mr. Speaker, it is my pleasure tonight to join this very important debate and to tell the honourable minister that we are supporting his bill and that our critic has made his position very clear.

I have to bring a message here to the Legislature and to those people in organized labour who are listening to this debate, which is very significant and important at this time. We debated this issue today in our caucus. One thing that marked our caucus that did not mark the Socialist caucus was that both sides were represented. I think that is significant and important. There were those who spoke to the issues as they relate to organized labour—people very interested.

I take exception to the remark that the member for Brant-Oxford-Norfolk hates labour. That is further from the truth than anything that has ever been said in this House.

That member has been an honourable member of this Legislature for many years. He has supported labour and its causes. He knows what labour is all about because he himself participates to a greater degree than many of those people in the Socialist party who have never turned a tap of work in their lives. I have done more work by mistake than many of those people have done on purpose in a lifetime.

It is very important when we discuss and debate a bill like the one before us that both sides are fairly represented. This is truly the democratic process. The people of Ontario are not all New Democrats or Socialist; they are Liberals, they are Conservatives and they are Socialists. The numbers in these chambers indicate to what degree they exist.

9:10 p.m.

That party does not represent organized labour. They represent the union bosses who are as detrimental to this country as big monopolies and big business are. It is time

that organized labour began to realize that one of the greatest jurisdictions of the world, the United States of America, did not need a third party to represent organized labour. It never did, and this country does not need a third party.

The Liberals and the Tories have enough people who support our parties and can tell all those who are willing to be honest about the whole involvement that that party does not represent labour. Until that party decides that it will take equal time with management and truly represent the people in the labour movement in an honest, fair way, it will never sit on those benches or those benches.

I have to say that it is a fact that big labour from the United States dictates to all those rascals to my left and they kotow to it. How they do their thing is subject to what kind of representation they give organized labour. If they were true representatives of organized labour, by now we would have Canadian unions representing Canadians, not American unions representing the NDP. That is very important to this whole scheme of things.

The members to my left went about as far as they are going to go with what was a good leader in Stephen Lewis—a moderate who was willing to listen to both sides of an issue. My friends there have lost that leader. They do not have the kind of leadership that labour in Ontario needs today. They have lost it. Labour in Ontario does not need raving Socialists representing it. It needs honourable people, honest people who are going to look at two sides of an issue and do what is fair, not come down on either side to the discredit of the other side.

I have to say that that is what this party stands for. We understand and we are willing, and it must really hurt those rascals there to hear our member, the labour critic, stand up and put forth an amendment that is truly representative of one area where the worker of Ontario is disadvantaged. Now they can't bring themselves to support that amendment.

Interjections.

**Mr. Kerrio:** I have to say, they have another great problem. They are going to support that government at the same time as they are going to try to run it down. Talk about speaking out of both sides of your mouth at once, Mr. Speaker. I have to say those guys have invented a third side because they don't know where they fit. Isn't that a terrible predicament for them to find themselves in?

Interjections.

**Mr. Kerrio:** You will notice, Mr. Speaker, I haven't made a reference to one interjection. I will not allow myself to do that. This bill is important and significant. The Socialists have interjected on two or three occasions but I refuse to recognize any kind of interjection. I want to say it does my heart the world of good to see them grovelling over there, supporting the government, trying to run it down and not knowing where they fit in the whole sphere of things.

But if I were to conclude on a note that is worth repeating, I would like to make a plea to those people in organized labour who think they have friends in the Socialist party that they had better take another look, because there are members of the traditional parties who understand the problems of labour, who are willing to help, to discuss the problems, to do what is fair and just.

Nowhere in a democratic process is a party committed to support one side of an issue regardless of how it stands. That is the right of the democratic process. That is what the government stands for. That is why the members to my left will never survive in Ontario, because the people are wise enough to understand that any issue should be tempered with fairness on both sides. That is what we propose to do. I hope the succeeding members from the Socialist party who speak to the bill will just address themselves to the bill, because they are not making points in any other area.

**Mr. M. Davidson:** Mr. Speaker, I would like to rise and support the bill before us this evening. I was a little taken aback by the last member of the Legislature who had the opportunity to speak. I do not really know what he was speaking to. The bill is quite evident. In this province, if we pass this legislation, there will be a mandatory dues checkoff, which I suggest this party and the labour movement—and by that I mean the workers that the member seems to have some control of over there, the workers in Ontario—have been advocating for many years.

Interjections.

**Mr. M. Davidson:** I want to suggest to the member for York Centre, who turns out to be a lawyer, that perhaps he had better learn about working people by being a part of them.

**Mr. Stong:** I was one of them. I am one of them.

**Mr. M. Davidson:** To explain that, I would simply like to say this: I went to work in a

cotton mill out of grade 10 at 15 years of age. I worked in an unorganized cotton mill and from the time I was 15 until I was 29 I helped to organize the workers in a cotton mill. From the time I was 29 until I was elected into this House, I was a union organizer going out and doing all the things the member seems to think this party knows nothing about.

I ask the member, in his position, what on God's earth did he ever do for the working people in our society?

**Mr. Stong:** I represented them.

Interjections.

**Mr. M. Davidson:** Having said that, Mr. Speaker, let me suggest this to you. We in the New Democratic Party look at this bill in the context that in some areas it gives a victory to the trade union movement in the province. But there are areas of this bill that insult those of us who have been, are and continue to be trade unionists.

There are sections of this bill that we do take exception to and object to damned strongly. We understand one thing that the members opposite will never understand: if we want labour harmony and to develop within Ontario a true trade union-management relationship, this is one step—I am not saying it is the total—in that direction. That is something they do not understand.

**Mr. Bradley:** The enemy is over there.

**Mr. Stong:** We do understand.

**Mr. M. Davidson:** That is something those people over there will never understand because they have never been involved in the kinds of conflict that have existed.

**Mr. Bradley:** The enemy is over there.

**Mr. Stong:** What is the member talking about?

**Mr. M. Davidson:** They seem to think that the need for this legislation is a new phenomenon in the province.

**Mr. Stong:** What about the ordinary people? We are the ordinary people.

**Mr. Speaker:** Order. I want to remind the member for York Centre and the member for St. Catharines that every member has a right not only to speak in this House but also to be heard. I want to remind them that this is a democratic forum and everybody not only has the right to speak but also to be heard.  
9:20 p.m.

**Mr. M. Davidson:** I thank you for that, Mr. Speaker. I can well understand why my colleagues on the right of us—and I suggest on the right of anybody else in this Legislative

Assembly—would be hostile towards this kind of legislation. I have to suggest that there are people within their caucus who do understand the necessity and the relativity of this type of legislation as it applies to labour relations within Ontario. The difficulty I have with the position that apparently they are going to take, and they want to move amendments—I can understand that—

**Mr. Stong:** Support our amendment.

**Mr. M. Davidson:** Everything in here is not good.

**Mr. Stong:** Support our amendment.

**Mr. M. Davidson:** The member keeps saying, "Support it." Let me tell him why I won't. It is the part of the bill he does not totally understand. It is a part of labour relations that has existed in Ontario that you, as a lawyer, would not understand.

**Mr. Speaker:** It would help, too, if the member for Cambridge would direct his comments to the chair.

**Mr. M. Davidson:** I am speaking to the principle of the bill, Mr. Speaker, and I will continue to do so.

Within this bill there is a provision to provide for mandatory dues checkoff. That is the provision and that is the main principle of this legislation. There are, in our view—and I say "our" in terms of the New Democratic Party—other sections of this bill with which we cannot totally agree.

My God, as a trade unionist since I was 15 years of age, I do not like to accept the fact that this government somehow or other has incorporated into this legislation a provision that gives the company the right to call for a vote. I do not like that. I cannot accept that as a trade unionist. But in the bill, as a total bill, I have to weigh and balance what I am getting in return for what it is I am giving. That is what it is I have to look at.

**Mr. Speaker,** I want to suggest that you have allowed the member for Niagara Falls to make some very serious comments about Socialists and their relativity to this bill, and not only to this bill but also to the trade union movement of the province. You sat there in your chair and you have allowed them to speak about it. Let me talk to you a little bit, if I may, under the terms of this bill—

**Mr. Speaker:** I want to remind the honourable member that is his right.

**Mr. M. Davidson:** That's right. Under the terms of this bill—and you can rule me out of order when you think I am, sir—let me suggest to you that I, too, have the right as



a member of this Legislature to talk about the terms of relativity. I want to talk about what this bill means—and I think that is what the member for Niagara Falls was trying to talk about, although I am not exactly sure—what it means relative to management-labour relationships in Ontario.

All I can say is this: Based on the statements made by the member for Niagara Falls, based on the context of this bill, I find it very gratifying to understand that after all of the years I have been in the labour movement—and I think now of my age when I joined a union, and that is 30 years ago—that side of the House had suddenly recognized there is, within this legislation, some rights of some individuals and some rights granted to the labour movement in this province.

**Mr. Stong:** Go one step further.

**Mr. M. Davidson:** But in doing that, let me tell members, they have included and will hold solidly to several sections of this bill which, as a trade unionist, I don't like. I don't like those, but I am not a trade unionist in this Legislature. I was elected by the people and I am supposed to talk about what is best.

Let me tell the House something about what is best. I came out of a trade union where today, even in 1980, after all the years that this trade union has been in existence, we still have locals that do not have complete membership within them. We still exist under the legislation up until this point. We still have unions where there are members who do not pay dues.

More important, what we still have in the smaller locals—not the large locals in this province, because they have the strength to negotiate them into the contract—are escape clauses, in the year 1980 in the province of Ontario, which say in effect that 30 days prior to the expiry date of the agreement, if a member does not like it or cannot live with what the union has done for him, all he has to do is sign a paper and get out of the union. Do you know what that leaves us with, Mr. Speaker, after all the years people have struggled to form unions in this province? It leaves us with small locals that are fighting among themselves, and in fighting among themselves they are not doing any good either to the union or to the company under which they work.

They are not producing the way they could produce. They are not being of any benefit either to the company or to themselves. We have, under the circumstances in which we exist at the present time, a situa-

tion where the large locals can survive and the smaller locals have to go out and battle. I think this legislation will alleviate some of that problem. Not only that, it will alleviate the problems that have existed in this province for many years.

I can recall as an organizer, organizing Tilco Plastics Limited. I was the guy who organized Tilco Plastics. Most of the members over on that side can remember the strike; I hope some of them took an interest in it. They knew what happened in Tilco Plastics as well as I do. They know what happened in Spinrite Yarns and Dyers Limited in Listowel, Ontario, and I hope some of these people have taken the time to read that.

**Mr. Stong:** Certainly.

**Mr. M. Davidson:** I am sure they haven't.

The issue was, and has been in every case, the union security clause in the agreement. That was the issue. Never was it wages; never was it benefits. It was always to get the first union security clause in that contract. You worked from that basis: that you no longer had to fight your fellow workers, you no longer had to fight the company. What you had was a clause that said you didn't have to join the union, but you paid the equivalent because, damn it all, if that union was going to get an agreement, you were going to derive the benefit. If you are going to derive the benefit, just like anything else in our society, then you had better be prepared to pay. That's what this bill says.

As I said earlier, I do not agree with the other sections of this bill, but I can tell the House this: I have been involved in the labour movement, just like my friend the Minister of Consumer and Commercial Relations (Mr. Drea). I know his background. I know where he was.

9:30 p.m.

**Mr. Laughren:** Let's not talk about that.

**Mr. M. Davidson:** He may not be prepared to stand up and say no, but he understands the negotiating process. He knows that and he knows what labour relations in Ontario mean, and so does the Minister of Labour. I am sure that in proposing this bill, the Minister of Labour probably had more difficulty in getting that piece of paper through his caucus and through his cabinet than he is going to have getting it through this House.

If there is any stalling on this bill, I want to take a look over here at these people who have tried to woo labour. I want to ask them about last evening at the Shakespearian Fes-



tival in Stratford when their leader (Mr. S. Smith), the member for Perth (Mr. Edighoffer), who is the Deputy Speaker of this Legislative Assembly, and the member for Kitchener-Wilmot (Mr. Sweeney) walked through a picket line of the Canadian Union of Public Employees to get into that building to watch that show.

Where is their place in the labour society today? Where are they as a caucus? Where do they stand in support of labour? They stand nowhere. They destroyed themselves last night by walking into that building. I want to ask the member for Essex South (Mr. Mancini) would he have crossed that picket line? Would he have walked into that door?

If this bill had been passed and had been in effect prior to the strike in Stratford, they would not have had to be on strike. They would not have had to be on that picket line. The leader, the member for Hamilton West (Mr. S. Smith), would not have had to walk through workers who were only trying to defend their own position within the structure of society.

Based on this legislation—and the member for Niagara Falls well knows it—and on the fact that we are talking about this legislation, the leader of the Liberal Party in Ontario abrogated every position the labour movement in this province has ever taken on the rights of workers by crossing a picket line. He will live condemned forever based on that.

Mr. Bradley: Mr. Speaker, I speak in favour of the passage of this bill this evening, even though I recognize it is not a bill that all members of this Legislature can support in its entirety. I will attempt to confine my remarks at the request of the Speaker, as I know he is anxious for this, to the provisions of the bill itself as opposed to engaging in some of the histrionics that have gone on this evening.

I think we all recognize the dilemma which certain people are placed in and which all members of the Legislature probably share to a certain extent, in that some of us have grave concerns about certain provisions of this bill, particularly the trade-off that exists. The main aspect of the bill, in my view, is section 2, which now calls for the compulsory paying of union dues to a union that is properly certified as the bargaining agent for a group of employees.

Those of us who are familiar with the labour union movement recognize that this has been a sore point across Ontario and has resulted in many long and cantankerous

strikes. We recognize that those who benefit in terms of wages, job security, fringe benefits and health and safety protection, which have been won by unions across this province, should also be required to donate funds through the compulsory checkoff to the union that is representing them and winning these benefits.

They are also benefiting from the lobbying efforts of the union which represents them. That union must lobby for them at the municipal, provincial and federal levels. By providing these funds to the union, they also are recognizing the time, effort and energy that have been expended. Often it is a very difficult and pressure-filled position that these people, particularly in the early days of the labour union movement, have had to place themselves in.

In those plants where management is far from progressive and enlightened and where workers sometimes place their own safety—and some would suggest on occasion their own lives on the line—they should have provided for by all of those who are going to benefit from those efforts with the necessary funds in the form of union dues.

This is not breaking new ground. We in this Legislature recognize there are three other provinces at present that have legislation of this kind on the books: Quebec and two western provinces.

As a member of the Ontario Public School Men Teachers' Federation, when I was in the teaching profession—I am on leave of absence at the present time—I was not asked whether I wanted to pay my dues or not, but was required to pay them. I gladly did so because of the efforts put forward by the leaders of the teachers' federation and those who represented us at all levels. I know of very few who have ever objected to this particular principle, certainly within the teaching profession.

I think we recognize that the kinds of strikes that have existed have been because labour has been forced to fight for something fundamental in terms of the labour union movement and representation of workers. In other words, in initial contracts, instead of being able to fight for certain fringe benefits, wages and protection that they might have been able to fight for, they have been forced to concentrate on the issue of compulsory dues checkoff. On some occasions, other aspects of those issues on the bargaining table have had to be conceded because of the concentration on this particular matter. This legislation will remove that necessity.

I see dangers in certain other provisions in this particular bill. The proposed amendment—and I recognize we are not at the stage where we can discuss amendments in detail—which has been alluded to by our labour critic in the official opposition, requiring that only those who are employees at the time the strike commenced should be allowed to take part in a vote, thereby precluding those who might have been hired as strike breakers, I think is an amendment that offers an awful lot.

The bill says that “the minister shall on such terms as he considers necessary direct that a vote of employees to accept or reject the offer be held and thereafter no further such request shall be made.” Although I recognize that kind of undertaking can be enforced, because there is the ministerial discretion, I think it would be better to have that included as part of the legislation. Therefore, I am hopeful the Minister of Labour will seriously consider that aspect and will accept it as part of this legislation rather than using it as an excuse to withdraw the bill because of some charge of obstructionism.

I think it is a positive proposed amendment and one which the minister, in all conscience, can accept. We have already had the support of our friends to the left in the New Democratic Party, who I think recognize this as a very positive amendment.

The collective bargaining process is not going to be enhanced by the right of the employer, at any particular time in the negotiation process, be it before the commencement of the strike or during the strike, to insist upon a vote of the employees on the last offer. Indeed, it is my understanding that the Minister of Labour has the right to call for such a vote and to implement such a vote on his own terms at the present time. I believe that is so under section 34(d) of the Labour Relations Act.

I think most of us would recognize that the Minister of Labour would be more likely to implement a vote of that kind in a responsible fashion than would one of the adversaries in this particular dispute. Nevertheless, because the government has insisted that this be part of the package, because the bill will not proceed unless this particular provision and the subsequent provision concerning those who have the right to vote in the total bargaining unit are accepted, because the bill's passage is contingent upon those two particular aspects, we will reluctantly have to support them. Certainly, it would make it a lot easier to accept that unfortunate com-

promise if the minister were prepared to accept the amendment we have before us.

9:40 p.m.

It is my hope that members will give this bill speedy passage so that we can have it implemented by the time we rise from this session. I hope it will have gone through all the stages, and that we will have at least a partial, progressive bill affecting labour in the province.

Mr. Breough: Mr. Speaker, I rise to support this bill. I agree with previous speakers who have said this bill hardly is exactly the way it should be drawn, that there are reservations which have already been expressed about certain provisions of the bill. I listened with great interest to other members who have spoken in this debate, and I find this evening one that will somehow find its mark in the history of this Legislature. I find many parts of the bill objectionable; they have been stated already. I find many of the comments that have been made during the course of the debate equally objectionable.

I have heard murmured from the far rear of the benches to my extreme right some words about a backroom deal. I find that rather an amazing piece of business when members have before them—for those who can read—a bill printed which states exactly what we are talking about.

I have also heard during the course of the evening's debate precisely what the nature of our reservations are, and how far the government is prepared to go in recognizing that a union is acknowledged in our society as being something to which people have a right to belong and to which those people for whom a bargaining unit negotiates have some obligation to pay dues. It seems to me all of that is done in public. It is printed, and after this evening Hansard will show precisely what the esteemed members to my extreme right have said during the course of the evening. I find that an extremely worthwhile exercise. So, without question, the members of this House are in support of the principle of this bill.

I find that those members who have expressed their opinions so far are simply recognizing that in 1980 people do have the right to belong to a union, and a union is an acknowledged device whereby people negotiate for their salaries and their benefits. All those who receive benefits by virtue of a union have an obligation then to pay dues.

There are clauses in this bill to which we would take exception. The bill clearly is not designed the way we would have designed

it. But I think we acknowledge that this is as far as this government, with all its faults, is prepared to go. We accept that.

I think I would be remiss if, in speaking to the principle of this bill, I did not address myself at least for a few moments to those comments that have been made by my colleagues to the extreme right in this Legislature. We have seen the Monday position of the Liberal Party. That was demonstrated clearly in Stratford last evening when the member for Hamilton West, scab, crossed the legal picket line. That is their position on Monday evenings. On Tuesday evenings, however, we find a somewhat different position presented in this Legislature. I have heard two speakers so far for the Liberal Party, and it seems to me they have struck the usual Liberal compromise on the matter: one is opposed and one is in favour.

I can think of a number of terms which aptly describe the position of the Liberal Party in this matter. I am having some difficulty in finding a term which meets parliamentary decorum, but I think I have come up with one ancient parliamentary term which describes them in their entirety. It is the term "mugwump." That describes, in ancient parliamentary language, those who choose to sit on the fence with their mug on one side and their wump on the other. That, I think, describes quite aptly the Liberal Party.

Last night in Stratford, when we had the audacity to ask that the minister not only speak to a certain matter but follow it up with actions, when we in Stratford looked at what the Liberal Party does about a legal picket line, the answer was quite clear. The leader of the Liberal Party of Ontario crosses the picket line; no question, no argument. All the followers are in line; they scab across a picket line. No question there. Everything is nice and clear about where the honourable members are. They are quite prepared to walk across the picket line.

**Mr. Peterson:** Just because you are a cultural pig doesn't mean everyone else is.

**Mr. Breaugh:** The honourable member from wherever just described me as a cultural pig, I believe was the term.

**Mr. Deputy Speaker:** Order.

**Mr. Breaugh:** Speaking to his eloquence and his vocabulary, I think that about describes his knowledge of the labour movement as well.

In Stratford last night we saw a manifestation of where the Liberal Party in Ontario is in regard to organized labour: they are against it; no question about that at all.

This evening too I also heard some honourable members to my extreme right talk about a failure to recognize that Woodstock is in Ontario, because they talked about American unions. I happen to come from a community where we know a little bit about the trade union movement. We happen to know, for example, that Bob White, who leads the United Automobile Workers in Canada, comes from a place called Woodstock. It happens to be in Ontario. Stewart Cooke, who happens to be the leader of the United Steelworkers of America in this province, happens to come from Hamilton. These are Canadians leading Canadian units. Is there some question that those two communities are no longer here in this province? They are not a part of Ontario? I think they are.

What is interesting about this evening's debate is that we have had some clear indications of who is where on what issues. We have had some indications this evening about who understands the trade union movement in this province and for whom they are a matter of convenience. Although last night in Stratford they were opposed to trade unions and their right to have a strike and their right to have a picket line, tonight we are finding that in here in this Legislature they have the odd loose word in favour of trade unions. It is an interesting piece of business.

I do not want to stand around with bated breath, waiting in anticipation of where the Liberals are going to be tomorrow. I do not care where they are. I could give the House a suggestion as to where they should be, but I do not care where they are.

**Mr. Roy:** Where are you going to be? In bed with the Tories?

**Mr. Nixon:** We know where he slept last night.

**Mr. Breaugh:** I have listened to all of the suggestions from my colleagues on the extreme right as to where I should go to bed this evening. An honourable member asked me where I slept last night. I slept in Port Elgin, Ontario, with some members of the United Automobile Workers, in a hotel unit. If the member is interested in that kind of stuff, I slept alone, unfortunately. Tonight I will sleep in Oshawa. Unfortunately, it will be with a non-union person but one whom I hold in rather dear terms.

But I want to tell the honourable members to my extreme right that it doesn't matter where I slept last night or where I will sleep tonight; in this House and on the street and on the picket line I stand with the brothers and sisters who are in unions across this country. This member may have this fascina-

tion about where I sleep or where the member sleeps; I have to tell the member that where I sleep is of no concern.

**Mr. Nixon:** Yes, but you vote with the Tories.

**Mr. Breaugh:** We just heard another little outburst over here about where I vote. I will tell the member where I vote: I vote with the trade unions in this province. The member may not like it, it may gall him and his members may get upset that I do that, but I am going to do that today and tomorrow; I would have done it yesterday and I will do it a year from now. Those people do have a right to get organized and they do have a right to bargain and they do have a right in this province to exist and to express an opinion.

There have been those who have expressed legitimate concerns about this bill. I do not want to deny that for a moment. I too have concerns about the bill—not about the principle, because I think the principle will be supported even by the Liberal Party. When all is said and done and the rhetoric is through, I think we will find those honourable members to my extreme right in this House, at least some of them, standing to support the principle of this bill.

9:50 p.m.

The difficulties reside with some clauses within this bill which are not to our liking. We will express our concerns about those clauses, as we already have, as we go through clause-by-clause debate. We will reiterate the concerns we have for this bill.

I have in my riding, as I am sure members have in all ridings, people who are still struggling in 1980 for the right to organize. They are struggling for the right to negotiate as a group for salaries and for benefits and, in fact, for existence as trade union members. That is precisely what this bill does. That is precisely what is supportable about this piece of legislation.

I don't think any of us have made the argument that this bill is the way we would have drafted it, but it is a significant accomplishment for this Legislature in 1980 to see this government propose this kind of bill. I think that accomplishment deserves the acknowledgement of all members within this House.

In the last three or four years, there has been a substantial expenditure of public funds to break strikes. In the last three or four years, there has been a substantial acknowledgement that is wrong and that should not happen. In Boise Cascade, in

Fleck Manufacturing Company in Fotomat Canada Limited in Sandra Coffee and in a number of other cases, there have been strikes that have gone on for far too long and we all agree they have gone on for far too long.

There have been expenditures of public funds for police actions which we all agree, and I want to underline all—the government and the opposition, those on the picket line and those who crossed the picket line, and those who were policing that action—we all agree was the wrong thing to do. In a nutshell, I think this is the first substantial move, and it is long overdue, to correct that situation.

I could go on at great length about the reservations I have about the clauses in the bill. I could also go on about the principle of this bill, which is what this debate is supposedly focusing on. This bill is more than overdue. This bill is necessary. I agree with those who say this bill does not do all that it should. I agree. If I could find some mechanism whereby I could force the Minister of Labour and the government across the way to change the nature of the bill, I would do that. I am acknowledging now in this debate that this cannot happen, and that this is the best we are going to get.

**Mr. Mancini:** Who calls the shots in the New Democratic Party?

**Mr. Breaugh:** I will tell the member who calls the shots in the New Democratic Party; it is the working people of Ontario. That strikes me as being a particularly reasonable and rational way to go. Excuse me for responding to interjections, but I feel I must.

For example, I spent last evening with 120 trade unionists from across the province of Ontario and we went through this piece of legislation. We discussed the pros and the cons—and there are both sides—and at the end of the evening we came to the consensus that this bill was necessary in principle and that this had to happen. No matter what may be right or wrong about the piece of legislation before this House, the principle is paramount. Those of us who have spent some time at a negotiating table anywhere in this province, or anywhere in the world, understand that when one sits down to negotiate with anybody, the government, management or whoever, one never gets all of the things one wants to have.

To me, this bill represents something that is acceptable and something that this caucus, this party and the working people of Ontario desperately need. That desperation of need and the paramount expression of con-

cern that the people have put to me say to me and to the members of my party that this bill deserves and will get our support.

**Mr. Mancini:** Mr. Speaker, I know there are other members of the House who may wish to make a contribution to this debate concerning Bill 89, so I will try to keep my remarks short and to the point.

What we have witnessed here this evening is the total abandonment of all the democratic principles that have been set up in society over the past 100 years. The member for Oshawa (Mr. Breaugh) does not know the difference between negotiating at a bargaining table and the function of Parliament. When we receive legislation, if we feel it should be amended, it is up to the opposition critic or the opposition party to make those amendments in good faith. The government accept those amendments if they believe in them. If they do not believe in them, let the chips fall where they may.

I have some knowledge of what unions are all about and what their activities are. It may bother the New Democratic Party somewhat, but my father has been a member of the United Automobile Workers of America for 30 years. He worked for 30 years in a stone quarry for Allied Chemical Canada Limited. He supported the union movement, as I do, and he raised his family of seven children on one salary. He is not a pseudo-intellectual Socialist like my friends to the right. He knows what working people are all about.

Interjections.

**Mr. Breaugh:** A point of order, Mr. Speaker: I want to point out that the right is in that direction and the left is up here. If the honourable member cannot tell his right from his left—

**Mr. Nixon:** He was not talking about the NDP. He was talking about Ontario Hydro.

**Mr. Mancini:** I hope the member for Oshawa feels a little better. Mr. Speaker, there are many people involved in the Liberal Party who know what the union movement is all about, who have lived the union movement. That is what bothers the members to my left. They think they have the whole field to themselves. How sad. It is simply not true. I could outline in minute detail the activities my father has been involved in on behalf of union people and on behalf of the working people of Ontario.

I go back to the initial statement I made when I rose. It is the duty of Parliament, when it receives legislation, if the members of the opposition see fit to make amend-

ments, to make those amendments. What we have in this House now is what I think is the most unusual coalition that has ever existed in the history of Ontario politics.

We have a Progressive Conservative Party which has been in power for almost 40 years and which has made Ontario suffer for that consecutive power it has held in the province. To our left we have the pseudo-intellectual Socialists, who try to pretend they are intellectuals but who have very little knowledge of the working people. They are so busy dreaming their Socialist dreams they have forgotten the basic principle of Parliament; that is, to amend legislation that they do not agree with. This is the basic principle of Parliament. That is why they were elected to come to Queen's Park: to make amendments to the legislation this government proposes. When the Minister of Labour says "Jump," the NDP say "How high?" You have abandoned all your principles.

Interjections.

**Mr. Deputy Speaker:** Order. Perhaps the honourable member would address his remarks to the chair.

**Mr. Mancini:** Mr. Speaker, the Liberal Party is going to propose an amendment to this bill. The member for London North (Mr. Van Horne) is going to propose an amendment. He is going to carry out his parliamentary duties. He is not going to abandon his parliamentary principles, as has the party to the left. He is going to introduce an amendment that will prohibit strikebreakers from taking part in the vote that will decide the outcome of the contract.

I want to know if the New Democratic Party members wish to have strikebreakers participate in the vote. I want to know if that is their position.

**Mr. Bradley:** We know the answer.

10 p.m.

**Mr. Mancini:** That is not the position of the working people of Ontario and it is not the position of the unions. It is a sad day in Ontario when our democratic rights are given over to some kind of coalition which the New Democratic Party hopes will carry the life of this government on to next year. These people have already governed too long. The day will come soon when we will approach the people and we will explain to them that the Liberal Party had made this amendment in Parliament. They have not abandoned their democratic principles. The New Democratic Party is in bed with the Tories in a grand coalition. The Minister of

Labour said "Jump," and they said "How high?"

Mr. M. N. Davison: Mr. Speaker, on occasion people who do not know me terribly well ask me why I am not a Liberal. When they look at the actions of the Liberal Party on this issue, it is fairly clear to them that I am not a Liberal. The Ontario Liberal Party is fundamentally sleazy, two-faced and does not give a damn about working people. On top of it, they are the most incredibly opportunistic band I have ever seen.

It happens on occasion people ask me why I am not a Tory. When they look at the position of the Conservative Party of Ontario on this bill, which affects the rights of working people, they can tell it is because the Conservative Party of Ontario is a party that consistently and consciously insists on demeaning working people by making them crawl cap in hand to ask for even basic social and economic justice.

I have heard a lot of crap tonight about the Liberal Party and its brave defence of working people and democracy in our society. Let me say I have never seen a Liberal MPP on a picket line, but I have seen Liberal MPPs cross picket lines. So much for their commitment to the labour movement.

It makes me angry when I see the Tories come in with a half loaf like this 35 years after the fact. I find it repugnant that the Tories issue the kind of blackmail they have issued on this bill. It shows how little hope working people can have in either the Conservative Party or the Liberal Party in Ontario. I say, as does the trade union movement, a plague on both their houses. It is time we did have a democratic Socialist government that cares about working people.

This bill provides for mandatory dues checkoffs. That is something the trade union movement thought it had won 35 years ago, but the Conservative government has consistently denied that through legislation in all of that time. Unfortunately, this bill, at the insistence of the Conservative Party, allows scabs to vote in these votes. Unfortunately, because of the existence of the Conservative Party, it allows for employers to call a vote. Both of those are wrong, but one is good, one is long overdue and one is necessary for working people trying to organize in Ontario. We are told it is a package or it is nothing.

I believe the Tory Minister of Labour cares no more about working people than the Liberal Party cares about working people. The Liberal Party is prepared to lose manda-

tory checkoff by going to amendment, in spite of what the Minister of Labour said he would do if that bill goes forward. I believe the Minister of Labour would withdraw this bill, because I do not believe Tories care any more about workers than the Liberals care about workers in this province.

What is at stake in this bill is the men and women at places like Fotomat and Blue Cross. Will they be lucky like the people at Fleck and the people at Radio Shack, so close and so hard? Maybe they will get organized, but maybe they will not. That is what this bill is about.

What does it mean when the government opposes making it possible for people to organize in plants like that? What kind of workers is it discriminating against? It is discriminating against the people who find it so difficult in our society, and against women, and immigrants in the work place. That makes me sick when I look at what the Liberals are willing to do and what the Tories would do given the opportunity.

Let me personalize it. When I came into this House tonight, I met two people out in the lobby, Ruth Goldthorpe and Rick Bigelow, who are on strike at Fotomat. They were looking for seats in the gallery here and they came to me. But tonight they are looking for something else. They are looking for a job in a union shop. And if this bill goes down the drain, they may not get a job in a union plant at Fotomat. That's what this bill is about. Those people, my brothers and sisters in the trade union movement, are entitled to union security. That's why I am supporting this bill; it gives them a chance to get it.

Mr. Riddell: Mr. Speaker, it may come as a surprise to this House and particularly to the grandstanding puppets to my left that I am going to support this bill. I would think that if we were to talk to different people on the street we would probably have just as many tell us that compulsory dues payment cannot be justified on the basis of democracy. I think we would have quite a number of people tell us that.

It is interesting to note that Mr. Justice Rand strongly warned against a blanket application of his ruling. I would just like to quote what he said: "I should perhaps add that I do not for a moment suggest that this is a device of general applicability. Its object is primarily to enable the union to function properly. In other cases it might defeat that object by lessening the necessity for self-development. In dealing with each labour situation, we must pay regard to its special features and circumstances." So there are



two sides to this business of compulsory checkoffs.

**Ms. Gigantes:** Which side are you on?

**Mr. Roy:** If we don't agree with you, we are on the wrong side. Is that what the NDP says?

**Mr. Makarchuk:** Albert, you put the people out of work in Brantford.

**Ms. Gigantes:** Ask him where he was on Fleck.

**Mr. Deputy Speaker:** Order.

**Mr. Riddell:** Can you not quieten these squabbling yahoos Mr. Speaker?

**Mr. Deputy Speaker:** Order.

**Mr. Riddell:** I think the greatest surprise is having this bill introduced by the Conservatives. This does not reflect Conservative philosophy whatsoever. I would think the Minister of Labour has been severely chastised by his own colleagues. One only has to read the various articles in all the papers. I was trying to get hold of an article in the Friday edition of the London Free Press but the library up there hasn't got it yet. That paper had quite an article on this whole business, severely reprimanding the minister for what he has done.

But we all know what he is up to. We all know that the New Democratic Party members are going to diminish in number; the Tories are going to try to appeal to those voters. We know there is probably going to be an election this fall and therefore the minister has come in with this bill. If it were a majority government, we would not have seen this in any way, shape or form.

Even though I support the bill, I do not think it goes far enough. Some of the members have indicated we should be amending the bill to prevent strikebreakers from having a part in a vote. I would even go so far as to say there should be a supervised vote for union certification. The reason I say that is that I was somewhat involved in the Fleck strike. The reason I became involved is that there is one thing I have that these people to my left do not have and that's guts, that's intestinal fortitude, and the reason I say we should have a section in the bill calling for a supervised vote on union certification—

10:10 p.m.

**Mr. Speaker:** I want to remind the honourable member that he can only talk about things that are in the bill, not what is absent.

**Mr. Riddell:** Mr. Speaker, you have been here all night, you have listened to your colleagues call me Jack Fleck, you have listened to your colleagues mention Fleck

and my involvement with it, and I think in all fairness you had better give me an opportunity to indicate what I had to do and why it is I feel the bill should go a little further than it does.

Will you permit me to read one or two letters out of about 30 that were sent to me by employees at Fleck? The first one says:

"I went to a union meeting to see what was happening. Just as I sat down, the union organizer came up to me and told me I either had to join the union or leave. To me, all I was doing was paying \$1 to find out what was going to happen, as we were told in the plant we would not be told anything so we had better go to the meeting to find out."

The second letter reads:

"Union cards were passed around back in the fall of 1977. That first night that they were given out, I wanted to take my card home and discuss it with my husband, but they"—and referring again to union organizers—"told me the cards must be signed that night and there was mention of \$20 that we would have to pay if we did not sign them. This is what the union was going to charge all nonmembers when the union got in. Also, there was mention of jobs being lost if you did not sign. There was great emphasis that we must sign."

Another letter says:

"I was brought a card while I was doing my work, which I refused last fall, and was told I could not go to the meetings unless I signed. I was on leave of absence for four months and came back the week before the strike. I did not want a union and I did not want the strike, but I did want to go to the meeting to put in my protest, so therefore I had to join four days before the strike."

Another one says:

"I was told to pay my \$1 or I would have to pay more later on. I also asked if I could take the card home and talk it over and get a clear understanding about the union. Then they told me no. When the union did get in, I would not have a job because it would be a closed shop, so I was loaned \$1 at that meeting to join the meeting."

I could go on with 30 of those letters. I am also going to tell the House that these very same people were prepared to come to court when it was my day in court to testify as to how the union was certified, but the charges were withdrawn. I did not have my day in court and I regret that very much, because we did have some very substantial evidence to unfold.

That is the reason I became involved because I happen to know the difference be-



tween right and wrong. I also know that most union members—

Interjections.

**Mr. Riddell:** Why don't you shut up and give me a chance to talk?

I also know that most union members would like to conduct their affairs in a democratic fashion. I will be willing to bet the members to my left that if given an opportunity to vote on whether they would like secret balloting and whether they would like to have some kind of supervision for union certification, most union members would say yes. I think there are very few who would not want to conduct their affairs in a democratic fashion and have their voting done by secret ballot.

That was my involvement in the Fleck strike. I felt I had to say something about it in order to clear the record. Believe me, I have a lot of people on my side. If you people want to come into the riding and talk all you like, I invite you to do so.

**Mr. Roy:** They don't have the guts, Jack.

**Mr. Riddell:** That is right, they don't have the guts.

I am not going to carry on any more, Mr. Speaker. I have cleared the record. I have indicated that I believe in a democracy. I believe in democratic rights, and I know that most of the union members do as well. The only ones who don't are these people to my left.

**Hon. Mr. Drea:** Just very briefly, Mr. Speaker, I do not think the Minister of Labour needs a particular defence in this matter. I think my colleague has brought in an excellent, a fair and a balanced bill.

**Mr. Laughren:** Sure, you would know.

**Hon. Mr. Drea:** Mr. Speaker, I say to the member for Nickel Belt that if he is so unhappy he may vote against it. I just do not understand. I have listened to his colleagues tonight and on balance they favour the bill. He sits there and mumbles under his breath.

I just want to draw attention to one fact. Somehow the question of the compulsory payment of dues after the union is there has been a bit clouded tonight. I do not see how any member of this House can oppose the principle of paying your fee for your service. On the one hand, the Labour Relations Act of this province since the very beginning—

**Mr. Nixon:** Judge Rand was a Liberal.

**Hon. Mr. Drea:** So was your father and he sent the tanks to Oshawa.

**Mr. Nixon:** That, of course, is incorrect. Are you going to correct it?

**Hon. Mr. Drea:** Your father didn't support Mr. Hepburn?

**Mr. Nixon:** He didn't send the tanks to Ottawa.

**Hon. Mr. Drea:** Oshawa. Mr. Speaker, if I am guilty of exaggerating the role of the honourable member's father in the episodes in Oshawa in the 1930s, which led to the demise of the Liberal Party in this province for years, then I withdraw the remark.

**Mr. Nixon:** Are you going to tell them about your experiences in Sudbury when the union kicked you out of town?

**Hon. Mr. Drea:** I think the member should withdraw that.

**Mr. Nixon:** Well, it is true.

**Hon. Mr. Drea:** No, it is not true and you know it.

**Mr. Nixon:** Mr. Speaker, what do you think?

**Mr. Speaker:** The member for Brant-Oxford-Norfolk can say what he likes within the confines of the rules of the House. The honourable member can deny it. I am not in a position to deny whether it is right. It is a matter of opinion.

**Hon. Mr. Drea:** The only point I wish to raise in the matter is that everybody else in society, when he receives a service, is expected to pay for it. The real estate agents in this province pay a fee for their licence. If they refuse to pay and want a free ride, they do not get a licence and they do not work. The same goes for the insurance agents in this province, the car dealers, and so on and so forth. Why the great concern about people who must receive a service, because the union is obligated to represent them under the law and indeed faces severe penalties if it does not represent them properly in terms of a grievance? Why should they be expected to get a free ride?

**Mr. Speaker:** that was the one remark I wanted to make. I also want to congratulate my colleague for bringing in a very balanced bill, a very progressive bill and indeed one that will lead to better labour relations in this province.

**Mrs. Campbell:** I would like to have a few words about this bill and, I think, to congratulate the minister on provoking in the House a great deal of misunderstanding about the position of this party with reference to the bill. There is no question that in the normal course in this Legislature, if a bill is presented, we or others in the House have the

right to move an amendment if we consider the amendment might improve the bill. We had no knowledge of the government's position that this was a package and that if we attempted to amend, the bill would be lost. I think it is important for the record that that be known in this House.

10:20 p.m.

As far as I am concerned, and as my colleagues one and all have stated, the principle is one that we recognize as being long awaited and long overdue. However, we were of the opinion that there were certain elements in this bill that should not be accepted. We thus indicated an amendment that we thought would improve the bill.

I am appalled at the statements that have been made in this House tonight about my party, in which I too was included. I do not think anyone has worked harder in this field than I have, although it is true that I have not, recently in any event, been on a picket line.

I recognize the problems of the Fotomat workers. In fact, I raised some of their problems in this House to the Attorney General (Mr. McMurtry), if the House will recall. It is not a lack of concern, but to me, to have the government proceed with this kind of procedure on a bill as important as this bill, is simply frightful in my opinion.

We have been accused of trying to destroy the bill by bringing forward an amendment. It is sad that in the House, at this time, there is this kind of position taken by the government. To me, it is despicable that in order to achieve something that labour has wanted and needed for years, these tactics should have been used. It is to that that I address myself with reference to this debate tonight.

I do not think that all of those who spoke from the New Democratic Party were aware of the true situation. I think it is important that they know. We were not, under any circumstances, trying to kill this bill—under no circumstances. But we read in the bill that what has happened here, first of all, as I see it, is that in a very real sense the workers have lost their opportunity for their own strategy in a strike situation. That has gone down the drain.

When we see that one of the participants has the right to make an offer and then to call upon the ministry to call for a vote, we do not quite understand that position, since, although I agree labour is not that happy with, I believe it is section 34(d), which gives to the minister the right to intervene, at least those with whom I have been speaking feel that that is better than the provision in this

bill where the employer may intrude himself in this way in a strike position.

The right of virtually anyone to vote disturbs me as well. In a large union it might not be so important, but in a small unit it is quite possible to have people brought on to the line as strikebreakers. As we read the bill, there seems no question but that they would have the right to vote. Surely when we address ourselves to this very real concern, without the knowledge that the New Democrats have that this is a package, it is totally, utterly inequitable that we should be treated in this House as we were tonight.

There is no question and has been no question throughout this entire debate as to where the Liberal Party stands on the principle. Surely that has been made clear. I regret exceedingly that we should have been placed in this position this evening.

Mr. Speaker: The member for Rainy River.

Mr. Breough: This is the second time.

Mr. T. P. Reid: It is not the second time, Mr. Speaker, but we will ignore the interjections.

Mr. Speaker, probably one of the more interesting things that has happened tonight is the ability of people who are sitting in the public galleries to see the approach of the NDP in relation to labour-management relations and the legislation that is brought before the Legislature, and to see how they conduct themselves in the highest court of Ontario. I can say I find it personally objectionable and I believe the people in the galleries will remember well the way those people in the Socialist party have conducted themselves tonight.

I stand to support the principle of this bill. I had intended to speak much longer but I know there are many in the galleries who want to see this legislation get swift passage.

I have been involved in my constituency in the kind of dispute that revolves around the principle embodied in this bill, which is union security. I have seen people who voted and decided under the laws and regulations of Ontario that they wanted a union and yet they were not able to achieve that end because of a first contract that embodied the clause dealing with union security. I supported them at that point.

I have raised the matter in the Legislature; I have asked a question of the minister. I wrote him a letter in regard to this particular principle. It is ironic that the minister replied to me about a month ago or a month and a half ago saying he could not see bring-

ing forth this legislation because it had not worked in British Columbia and he was not prepared to bring such legislation forth. I regret that I do not have that letter from the minister to read here tonight.

10:30 p.m.

I want to say I support this bill. I do not intend to hold up the progress of the bill, but I want to express my concern about the allowance under section 3 of the bill to allow non-bargaining-unit employees to vote on a final offer. That concerns me greatly. I think they have no right to do so. They will not be employees. They are people who have been brought in on a short term. They don't deserve to have the vote on the final offer.

I say in winding up that I intended to speak much longer on the bill but I support, and have supported for years, the principle of the bill. I hope to see that it gets speedy passage so that those people, some of whom are with us tonight, will be able to reap the benefits of this legislation.

**Mr. Speaker:** We have about one minute. Can the Minister of Labour wind up in that time?

**Hon. Mr. Elgie:** Mr. Speaker, I wonder if we might have unanimous consent of the House to sit for a few minutes beyond 10:30 so I might complete concluding my remarks?

**Mr. Speaker:** Do we have such consent?

Agreed to.

**Hon. Mr. Elgie:** My remarks will be very brief. I don't want to get into some of the things I might have had there been more time. What is the phrase in Saturday's paper? Perhaps as a novice Labour minister, I can be forgiven if I don't take long enough to cover the issues.

I think it has been very well expressed tonight by many members that this bill, whatever some may deem to be its shortcomings, has only one objective. That objective is the objective mentioned very clearly by the member for Cambridge, namely, to improve industrial relations within this province. Ontario is a province I am proud of and a province I think now has a labour relations climate that is the envy of all provinces in this country.

Someone asked how a Conservative can bring in a bill like this. That is not difficult for me since it was Sir John A. Macdonald who legalized trade unions in this country in 1874. He did it because he recognized there are some things in society that had to be reviewed and that where a problem existed it had to be dealt with.

That is what I see in my role as Labour minister, namely, to review collective bargaining and where I see strains or stresses in the system, to deal with them incrementally in order to try to achieve, perpetuate and improve, where needs be, a harmony that I think is very important in this province and in this country.

That is why this bill was introduced and why there is an effort to try to achieve an equitable balance in it. I think it is an equitable balance. It recognizes the rights and responsibilities of employees and employers.

I regret that the member for London North feels he was deprived of the opportunity of considering the issue. I don't say this to be provocative, but I find that a little bit disturbing since he and I discussed this very issue in some detail in estimates last year in December. It has been an issue that has been raised in the House many times. It has been an issue I have spoken on and to which I have responded in public. I don't think it is an issue that any of us considers as new. The member for Rainy River didn't think it was a new issue when he wrote to me. The member for St. George didn't think it was a new issue when she spoke to me out in the hall two weeks ago about her concern with regard to the Fotomat workers.

It is an issue that everyone thought about. If that wasn't long enough, I apologize. I had no intention to deprive any member of this House of the opportunity of reviewing the issue thoughtfully, and I think each member has reviewed it thoughtfully. I find it difficult to feel that each and every one of us hasn't had the opportunity to consider it, maybe for too long.

I have put before the House now a bill that I think is a balanced and equitable package. I do ask members to consider it very carefully and accept it for what it is because that is what it is. It is my view of what achieves that balance and what I see as a progressive step to endeavour to improve labour relations in the industrial climate in a province of which I am very proud.

Some members asked a couple of questions I think I should respond to. The first, if I may deal with it briefly, relates to a question the member for Hamilton East raised about the construction industry. I may say to him that the particular matter that I am sure he is referring to was brought to my attention this afternoon and is at present under consideration. When this bill goes to committee of the whole, as I will request it to, it will be an issue I will address myself to at that time. That it is a matter that was

brought to my attention and that I am looking at now.

The other issue he raised and that was raised by the suggested Liberal amendment relates to the question of who shall vote if management calls a vote on the last offer after a strike has commenced. I can appreciate that is a difficult problem. I wouldn't want anybody to think it isn't a problem we endeavoured to put our minds to at some earlier date. But I have to tell the House that after considering it very carefully, I was concerned about any rigid codification of the rules relating to who should vote because, frankly, we all know it will be different from day to day, week to week, month to month.

There will be some people who will resign from employment. I have seen it happen many times. They will no longer be part of the employee group employed at the time the strike commenced who would not return to employment should the strike be settled. Surely there has to be some leeway to allow for that sort of nuance and that sort of change which can occur from day to day and month to month.

Although some may not agree with it, there may be certain situations where there are replacement employees who, at the time of a proposed settlement, will have a permanent and continuing interest in employment in that situation, others having resigned and left certain openings there.

I am not saying those situations will always be the same. I am saying that each situation has to be judged on its own merits. If there is evidence of a contest of opinions about who should vote, the act, as the members know from having read the section, gives the minister the power to direct that the vote shall take place on such terms as he considers necessary. Clearly, to my mind that gives me the leeway to direct the Ontario Labour Relations Board, when it conducts the vote, to make a careful tabulation of each person who votes so that in the event there is an application at a later date for relief by an employer, should a trade union feel it need not sign a collective agreement as a result of the vote, the labour relations board could review the whole issue and decide what the facts were in the situation before it in that particular case.

I think that is the appropriate way to deal with it, not to tie people's hands with some rigid codified structure that will not meet the nuances that can develop during the course of the period of a strike. I would ask the members to support that position because it is an honest position that has come after careful thought and consideration of many of the issues the members raised here tonight. Again I would ask the House to support the bill.

Motion agreed to.

Ordered for committee of the whole House.

The House adjourned at 10:40 p.m.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, June 12, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, JUNE 12, 1980

The House met at 2:04 p.m.

Prayers.

## STATEMENT BY THE MINISTRY

### BRANTFORD-BRANT ANNEXATION BILL

**Hon. Mr. Wells:** Mr. Speaker, it is with great pleasure that I rise today to inform the House I will be introducing, later on, an act respecting the city of Brantford, the township of Brantford and the county of Brant. This act contains 21 sections and represents the culmination of literally thousands of man-hours of work by representatives and officials of the city, township, county and my ministry.

It provides for the annexation of 4,000 acres of land to the city now and 600 acres later, the imposition of a moratorium on additional annexations for 23 years and the revision of municipal official plans to ensure the rural nature of the area outside the city. The bill would make unnecessary the consideration of any regional government proposals for the Brantford-Brant area.

Mr. Speaker, that last sentence represents very much the sentiments of the Minister of Intergovernmental Affairs. If any way could be found to achieve this kind of order without regional government, I certainly would be in favour of it.

**Mr. Nixon:** Finally escaped your net.

**Hon. Mr. Wells:** The legislation grows from a commitment which I made to the Association of Municipalities of Ontario on the first full day in which I held the new portfolio of Intergovernmental Affairs. At that time, I indicated that I recognized that urban-rural boundary disputes represented perhaps the most contentious and divisive issue facing local government, and I pledged to work with the municipalities to find an alternative method of dealing with these issues.

The members are all familiar with the difficulties presented by contested annexations and the legacy of bitterness, expense and continued dispute which arise from Ontario Municipal Board hearings on these subjects. Throughout the last half of 1978

and the first half of 1979 the Association of Municipalities of Ontario, the Association of Counties and Regions of Ontario and the Rural Ontario Municipal Association worked closely together to develop a proposed new approach to handling boundary disputes. In August 1979, these combined associations presented to me a proposal to apply labour-management bargaining techniques to boundary problems.

Immediately thereafter, and exactly one year after the creation of this ministry, I was able to announce a pilot project to implement the essence of the proposed new approach. The area where I proposed that this method be tested had perhaps the longest and one of the most complicated histories of intermunicipal disputes of any part of this province. The history of difficulties between the city of Brantford and its neighbours presented an intimidating background for the pilot project. We reasoned that if this process could work in Brantford-Brant, it could work in most other parts of the province. After some discussions, the city of Brantford, the township of Brantford and the county of Brant agreed to enter this process and to undertake to pioneer a new approach to solving boundary problems.

At this point I want to commend the municipal leaders in the city of Brantford, the township of Brantford and the county of Brant for their courage and foresight. These municipal leaders recognized that their responsibility to the residents of the city, township and county transcended the gamesmanship of legal battle. It is a testimony to the dedication and wisdom of our municipal counterparts that these representatives persevered to produce a comprehensive and complex agreement on issues which had frustrated and baffled their predecessors.

The act which I am introducing today implements the agreement arrived at through the Brantford-Brant local government pilot project. It contains some provisions unprecedented in Ontario's history. Foremost among these are the mechanisms designed to ensure that the settlement is enduring. It was obvious to all parties that a simple redrawing of the city of Brantford's boundary was not going to solve the basic problem facing the

area. The county and township required some assurance that in a few months or years the city would not again embark on an annexation exercise. The city required some assurance that the township and county would not allow substantial urbanization immediately beyond any new boundary. The mechanisms found to provide these assurances are contained in the bill.

2:10 p.m.

With the agreement of the city, this act provides that no further annexations of lands in the township of Brantford may take place prior to the year 2004 without the agreement of the township so long as urban development does not occur on the city's borders. The act also provides, with the agreement of the township and county, that an area surrounding the city will be preserved for primarily rural uses. All parties were very conscious of the need to provide an opportunity for land owners to express their views on this and other planning arrangements, and the act therefore provides for the completion of new official plans in relatively short order and the appointment of hearing officers to hear representations on these plans. Subsection 4(1) of the act provides legislative guidance to those hearing officers and the Lieutenant Governor in Council who will consider their report.

The other interesting feature of the Brantford-Brant agreement reflected in this act is the provision for arbitration of certain matters which may remain in dispute despite the attempts of all parties to agree. The councils of the three municipalities have agreed that, where they fail to reach agreement on these subsidiary issues, they will appoint an arbitrator and be bound by the arbitrator's decision. Through this mechanism, cost sharing, servicing and other matters will be resolved.

This bill puts in legislative form an agreement that has been public since April 2, 1980, and has been very widely discussed locally. Therefore, I believe extensive opportunity for public input has already been provided. I understand all three municipalities are very anxious that this bill receive third reading before the Legislature recesses this spring to allow sufficient time to prepare for the municipal elections in the fall.

Finally, I want to say a personal word of thanks to Reeve Bob Kennedy, who is in the gallery today, and Alderman David Neumann and all the other municipal councillors, aldermen and staff who worked so hard to make this day possible for the people of the Brantford-Brant area.

## VISITORS

**Mr. Speaker:** I would like to draw the attention of all honourable members to the presence in our gallery of distinguished visitors. The first one is the Honourable Brian Smith, who is the Minister of Education for British Columbia. On the other side of our gallery are Mr. and Mrs. Robert Fordham from Melbourne, Australia. Mr. Fordham is the deputy leader of the Labour Party for Victoria. Would you please welcome them?

## ORAL QUESTIONS

### ONTARIO WINES

**Mr. Nixon:** I'm sorry, Mr. Speaker; I did not hear you call the next order of business—

**Mr. Speaker:** I did not.

**Mr. Nixon:** —but I am glad to direct a question to the Treasurer concerning the expected revenues on the basis of sales tax imposed on Ontario-produced wines. Is he aware of the fact that the government policy imposing the sales tax on the newly elevated base wine price is expected to increase the revenue to the province on locally made wines from \$9 million to \$25 million? Because of the impact on this high revenue requirement, it is expected that sales and the development of the market will lag substantially. There is a clear prediction that about 3,000 acres of grapes in the Niagara Peninsula may go out of production because of this unwarranted financial policy.

**Hon. F. S. Miller:** Mr. Speaker, I do not have the exact figures on the increase in revenue for Ontario. I am not sure those figures are correct; they are larger than the ones I first saw.

I was quite aware, when both the government of Mr. Clark and the government of Mr. Trudeau made the increase in their tax rate on all wines, that there would be an increase in revenue to Ontario. Our percentage is added to the cost of wines after all federal taxes are applied.

In terms of the effect upon the marketplace for Ontario wines, one of the things I have been delighted with is the fact that over the past few years our deliberate policy of having a lower markup for Ontario wines—58 per cent, or somewhere around there, against 123 per cent on foreign wines—stimulated the sale of Ontario wines very greatly.

The second factor is that quality has improved through the use of hybrid grapes and different techniques. I am told this has increased the demand for Ontario grapes to the

point where the wine industry has to request extra importation of foreign grapes simply because there are not enough of our own to fill the demand.

This would belie the point the honourable member made.

**Mr. Nixon:** Is the minister aware that the benighted policy introduced by the previous federal Conservative government, and unfortunately not yet reversed by the present government, is going to change the excise revenue from about \$12 million to \$35 million, and at the same time Ontario is going to have this windfall of about \$16 million? This is going to knock the industry on the head unless the Treasurer takes good, progressive liberal action to assist them.

**Hon. F. S. Miller:** I always was of the opinion that, when a party won an election, it had the right to change the policies of the party it defeated. The Liberal government came in and immediately accepted them.

**Mr. Swart:** Mr. Speaker, in spite of this action by the Liberal government in Ottawa to continue this policy, which will destroy some of the farmers in the Niagara Peninsula, and because of the massive unemployment we have there now which will be aggravated both in the fields and in the wine industry, will the Treasurer consider revising the markup on Ontario wines still further so they will not be at a greater disadvantage with the foreign wines?

**Hon. F. S. Miller:** They are not at a disadvantage with the foreign wines. The percentage markup on Ontario wines is not quite half the markup on imported wines. If the honourable member will recall, the General Agreement on Tariffs and Trade negotiations which were concluded a year ago required Ontario to take no action that would increase the differential between foreign wines and our wines. That was one of the tradeoffs that was made on the international scene—and not by this government, I assure the member.

The question that precipitated all this discussion by the acting Leader of the Opposition makes me realize he has learned a bit from Mr. MacEachen, the successor to Mr. Crosbie, who said he wanted to remove any doubts the world might have had about the budget brought in by Mr. Crosbie, therefore, he would announce those parts of it he was adopting. What the member opposite nicely did was to take a Liberal move and blame me for it. A very neat trick.

**Mr. Hall:** Mr. Speaker, instead of paying lipservice to agricultural land preservation in the province, will the Treasurer do some-

thing real and roll back the \$16 million in excess revenues the province is going to get because of this situation?

**Hon. F. S. Miller:** When I have a surplus in my budget, I will be glad to consider those things.

**Mr. Riddell:** Mr. Speaker, considering that the federal and provincial tax value of an acre of grapes is \$8,500, or 1,000 per cent on the value to the grower, which is about \$800 an acre, why does this government use the agricultural industry to pay for its poor planning and deficit financing? Will the Treasurer review the provincial markup to keep that 3,000 acres in production?

2:20 p.m.

**Hon. F. S. Miller:** First, I will be glad to get some advice from my colleague the Minister of Agriculture and Food (Mr. Henderson). Four or five years ago there really was a problem of oversupply of grapes and juice. I am sure the members realize that at one point this province bought a lot of juice.

**Mr. Nixon:** What happened to the surplus?

**Hon. F. S. Miller:** We allowed it to ferment. The members opposite had a party and that solved the whole darn issue. That's it: Three caucus parties and it was gone.

Mr. Speaker, I can only say that my information right now is simply that there is not a surplus of grape production for wine use. I will be glad to hear from my colleague if I am wrong, and, as Treasurer, I could easily be. In any event, I know there is shortage of certain kinds of grapes.

#### GRANT TO RACING CAR DRIVER

**Mr. Nixon:** Mr. Speaker, I would like to direct a question to the Minister of Industry and Tourism. Can he report to the House that he has received an apology from Maurice Carter after the unfortunate comments he made in Europe about his views pertaining to the German people? If he has not received the apology, and even if he has, can he announce that the province is withdrawing sponsorship of his racing endeavours and that we are going to get the \$15,000 back?

Applause.

**Mr. Speaker:** Thumping of desks is not allowed in the Isle of Man either.

**Hon. Mr. Grossman:** Mr. Speaker, may I give the House some information on all those counts. First, we have received an apology from Mr. Carter expressing his regrets, indicating that his remarks were ill chosen and should not have been made, and regretting the embarrassment caused to himself, to

Canada and to all his supporters, including this government and his 12 private-sector supporters.

Second, I should indicate to the House that at the press conference at which Mr. Carter made these comments, he was accompanied by federal government officials at our Paris office—

Interjections.

**Hon. Mr. Grossman:** Wait until I finish. At that time the representatives of the federal government of Canada, the Liberal federal government of Canada, indicated they were going to join in sponsoring this vehicle to the tune of some \$5,000. I am sure the federal government joins me in totally dissociating itself, this government, myself and the people of Ontario from Mr. Carter's remarks. I am pleased that the federal government has joined us in a clearly non-partisan attempt to gain publicity for the auto industry in this province.

**Mr. Nixon:** Would the minister not agree that the words of the apology should be made public and could very properly be tabled in this House? And would he indicate whether we are getting the \$15,000 back? Echoing the minister's response, is his party withdrawing any further support of the PC candidacy of Mr. Carter in the future?

**Hon. Mr. Grossman:** As Minister of Industry and Tourism, I am not responsible for deciding who shall run for this party.

As to the \$15,000, in view of the apology—which I will attempt to have cabled to us tomorrow—I think it appropriate to take advantage of this important opportunity to get Ontario's auto industry advertised and publicized throughout Europe.

I should say to the House that I look at it—as does the federal government, I believe—as an opportunity to get a lot of advertising space similar, to, for example, buying—

Interjections.

**Hon. Mr. Grossman:** I am sure the member for Rainy River (Mr. T. P. Reid) can tell his brother, whose government is joining and supporting us.

I only say that I look at it as very similar to buying advertising space—which we would do if we could—on hockey boards for international tournaments. It is an important opportunity for this government to be aggressive and dynamic in promoting Ontario and our auto industry specifically.

Whether there was one Canadian car or five, and whether we had the opportunity to support more than one car or not, the basic question is, are we going to take advantage

of the unique opportunity to get some unusual and rather inventive publicity? We are going to take advantage of that.

**Mr. M. N. Davison:** Mr. Speaker, I have a supplementary about this matter coming from the only party left, it seems, which does not support Mr. Carter financially.

In view of the half-hearted apology from this fellow, who is clearly a Tory hack and a self-admitted bigot, will the minister not rethink his position and state that the people of Ontario deserve to get that \$15,000 back? If we cannot get the money back, the name of Ontario should not appear on that car, because it is advertising for bigotry. The people of Ontario do not believe in that and they are offended by Mr. Carter. They are certainly offended by the minister's response in this situation.

**Hon. Mr. Grossman:** I think it is a bit of an overstatement to suggest that car represents bigotry and that this government is supporting bigotry. Those are ill-chosen words by the honourable member. I understand and share his concern with regard to the statements made. The member is also free to make allegations that are totally incorrect such as that this involves patronage.

**Mr. M. N. Davison:** That is patronage.

**Hon. Mr. Grossman:** Why doesn't he let me finish? As I have indicated quite clearly, we would take this opportunity, as the federal government apparently has, to support a racing car at Le Mans to get Ontario's name on it, regardless of who was driving the car. In point of fact we did it, despite the fact I obviously knew the fact it was driven by a former Conservative candidate would attract some publicity and leave us open to that allegation. I had to make a judgement that I should run that political risk if I thought the move we were making was the right move in terms of promoting Ontario.

I respect the honourable member's right to take the view that it is a matter of patronage, which it is not. I respect his right to suggest that we get the \$15,000 back. I do not happen to share that position. I respect his right to take that position. I do take great offence at him going to the extreme to suggest that this government in any way is supporting bigotry. I think those are ill-chosen words, not appropriate to this assembly.

**Mr. Epp:** Mr. Speaker, can the minister indicate to this House whether he has personally spoken to Mr. Carter during the last few months with respect to the \$15,000 that

his ministry has given to Mr. Carter? Second, did he give an ultimatum to Mr. Carter either to give the \$15,000 back or to apologize publicly to the people of Ontario and particularly to those of German descent with respect to Mr. Carter's unfortunate remarks?

**Hon. Mr. Grossman:** I have not discussed the matter with Mr. Carter myself. The only discussion I have had with him was simply shaking his hand and wishing him well about a week and a half ago. That was the entire extent of my conversations with Mr. Carter on this transaction.

With regard to the apology, I can say I have not spoken to him myself. My staff has assured me that he has issued that apology and regrets what he said. I can only assure the member and all members of the House, as well as the people of Ontario, that we all disassociate ourselves from those comments which I am told Mr. Carter too has disassociated himself from and withdrawn.

2:30 p.m.

I should add, to put it in full perspective, that there are all sorts of instances where this government and other governments send people on trade missions and promote all sorts of industries with government funds. Unquestionably there are all sorts of them, I am sure, who say things from time to time that reflect poorly on Canada, and whose comments no doubt are as improper as Mr. Carter's were in this instance. Unfortunately, this happens to be one in which it received an extraordinary amount of publicity, and understandably so.

In all those other instances, which do not come to public attention so easily and readily, it is stretching it a bit to suggest that we should ask for a refund of all plane tickets for everyone who goes on a trade mission and says something outrageous, inappropriate and wrong, as Mr. Carter has. I wish there were a way we could stop all that but, as is the case with every government, there just is not.

**Mr. Di Santo:** Mr. Speaker, can the minister for once stand on his feet and respect the feelings of people who understand there is something that is called human rights and something that is called business? Can he state that the government of this province condemns this code of "hate on the basis of race"? By dissociating himself only in words with Mr. Carter, the minister is not doing any service to the minority groups in this province on whom these remarks have a devastating effect. Unless he makes an

exemplary decision, making clear that his government does not want to have anything to do with Mr. Carter, then he is becoming indirectly an accomplice of Mr. Carter's.

We know we have to live with the Carters and Havrots—

**Hon. Mr. Walker:** Withdraw that statement.

**Hon. Miss Stephenson:** Shame.

**Mr. Di Santo:** We know we have to live with the Carters and the Havrots of the Conservative Party, but at least once the minister should make up his mind and say that he stands for human rights.

**Hon. Mr. Pope:** Sit down.

**Hon. Mr. Walker:** Withdraw that statement. Be a man some time.

**Hon. Mr. Grossman:** I want to repeat what I said earlier, that the honourable member may make any suggestions he wants with regard to whether this was an appropriate place for us to advertise the province and the auto industry. What he is not going to do is lecture this party or this government, which has at least as long a history as any other government, as any other party, when it comes to the question of multiculturalism and human rights.

This government was legislating human rights long before any other government the honourable member can name. This government has been more outspoken on the question of human rights—I can take the member right across the whole arena of human rights—long before any other government was. For the honourable member to make points like that, for whatever personal reasons he has, I suggest is exactly the kind of situation that cause all the kinds of unrest and misunderstanding that this government has fought long before his party was attempting to get in the forefront on those issues.

I am not going to stand here and listen to the honourable member make such a suggestion about this party and this particular member—with the background that this member and his family have in multicultural and human rights matters in this province. I am not going to take that sort of accusation from that party.

I say to the honourable member: Save it for the election campaign. Don't mistreat the ethnic people of this province by slurring them and this institution in that way. The honourable member should be ashamed of himself. He should stick to the raw economic politics of it, and not take it into the sewers.

Mr. Cassidy: Mr. Speaker, if the statement of the minister is to be believed, he has no choice but to—

Mr. Speaker: Order. Is the member prepared to ask a new question?

Mr. Cassidy: Yes, I am.

### UNEMPLOYMENT

Mr. Cassidy: Mr. Speaker, I have a question to the Premier about 333,000 unemployed people in the province, and I want to suggest to the Premier all of those 333,000 people need the \$15,000 a lot more than Maurice Carter.

Is the Premier aware that, contrary to his statement on Tuesday, only 22,000 new jobs have been created in Ontario between May 1979 and May 1980? At that rate it would take 16 years to wipe out unemployment in the province, assuming there were not a single new entrant into the labour force during that 16 years. Given the concern of the province over unemployment now, and given the concern of the labour movement, which they intend to share with the Premier and his colleagues at a meeting later today, can the Premier explain why there is no plan coming from this government to create jobs in Ontario and why there is no plan to build a strong industrial economy for the people of Ontario?

Hon. Mr. Davis: Mr. Speaker, I will try to answer the honourable member without provoking him unnecessarily. I think if he checks the figures very carefully in what I said on Tuesday—

Mr. Laughren: The Premier used misleading figures.

Hon. Mr. Davis: Mr. Speaker, I listened to the member for Downsview (Mr. Di Santo). I am prepared to have a little give and take, and I understand that. But when the member for Nickel Belt accuses me of misleading the House, then I would like to know how. I would like him to explain where I deliberately misled this House, because I never have since I have been a member, which is 21 years as of yesterday.

Mr. Laughren: I would be glad to explain, Mr. Speaker, because I said the Premier was—

Mr. Speaker: Order. I don't want you to explain why you said what you said. If you accused another member of misleading this House, you will withdraw it.

Mr. Laughren: If I might respond, Mr. Speaker. May I respond?

Mr. Speaker: If you said somebody misled this House, I don't want an explanation as to why you said it; I want you to withdraw it.

Mr. Laughren: May I explain?

Mr. Speaker: If that is what you said, withdraw the remark.

Mr. Laughren: I said that the Premier used misleading figures. I did not say he misled the House.

Hon. Mr. Davis: On a point of order: I heard the member from here, and I know he didn't mean it.

Mr. Laughren: That's exactly what I said.

Hon. Mr. Davis: He said I misled the House.

Mr. Speaker: Is the honourable member saying he did not say that someone else was misleading the House?

Mr. Laughren: That is what I am saying.

Mr. Speaker: The member didn't say it.

Mr. Laughren: I did not say it. I said he was using misleading figures.

Hon. Mr. Davis: Mr. Speaker, I will answer the question and immediately apply for a hearing aid, but I have to tell you—I won't pursue it.

My recollection is—

Interjection.

Hon. Mr. Davis: Come on, Magna Carta, relax.

Mr. Warner: Why are you so uptight?

Hon. Mr. Davis: I am not uptight at all.

Mr. Warner: You should be, there are a lot of people out of work.

Hon. Mr. Davis: Although I must say I think the member for Downsview has given me sufficient reason to be upset from one of his observations.

Dealing with the question, my recollection as to what I said on Tuesday last was that during 1979 this province, not the government, had been successful in the creation of some 160,000 new job opportunities in the province. I think members will find the figures will stand up. I am talking about 1979, I am not talking about May 1980.

Mr. Laughren: And used misleading figures.

Hon. Mr. Davis: All right; listen to what I say. If the member is going to accuse me of misleading the House, he should understand what he understands by what I said. That will require a little bit of concentration on his part.

2:40 p.m.

I would also say to the honourable member that, in terms of creation of job oppor-



tunities, this government has done very well. I do not want to keep repeating it, but I am going to repeat it. I am also going to say it to the members of the Ontario Federation of Labour who will be seeing me at 4:30 this afternoon. This government has moved to assist the pulp and paper industry to provide security of job opportunities; we have done it in the automotive industry. The members of that party have been unalterably opposed to it. They have tried to inhibit or impede every single opportunity we have had as a government to create employment. They have done it in the housing industry. They do it with respect to the Ottawa courthouse. How many jobs, how soon, could we get with the Ottawa courthouse if they weren't unalterably opposed to its construction? The leader and his party have opposed—

**Mr. Cassidy:** Mr. Speaker, the Premier must stop that kind of distortion in this Legislature. I don't think members of this House should have to accept fabrications and distortions coming from the Premier of this province. I think the Premier does himself and his party a disservice—

**Mr. Speaker:** Order. This place is getting out of hand. You know, as leader of a party, that you cannot deliberately stand there and accuse another member of fabrication.

**Mr. Cassidy:** On a point of order, Mr. Speaker—

**Mr. Speaker:** You will withdraw that comment.

**Mr. Cassidy:** Mr. Speaker, I withdraw the comment. Would the Speaker kindly ask the Premier to withdraw his misstatements of fact? I have supported and support the courthouse in Ottawa. The other figures and statements he was making were also wrong. The Premier should withdraw. This should not be a one-sided thing, Mr. Speaker.

**Mr. Speaker:** Obviously, in the light of what the member has said, the Premier has clearly misrepresented the position of the member for Ottawa Centre.

**Hon. Mr. Davis:** Mr. Speaker, I won't prolong the debate on the courthouse. I am quite prepared to acknowledge that the leader of the New Democratic Party is in favour of the ultimate construction of the Ottawa courthouse—

**Mr. Cassidy:** I'm sorry, Mr. Speaker. Make him withdraw as well, with no explanations. Make him withdraw.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** What do I withdraw?

**Mr. Martel:** Make him withdraw categorically. You set the rules.

**Mr. Speaker:** Do you want to come up here? Do you want to come up here? I can delegate you or deputize you right now.

**Mr. Martel:** I might as well. The rules should be applied in the same way—

**Mr. Speaker:** Order. The Premier clearly said that the member was opposed to the construction of the Ottawa courthouse, and obviously that is not in keeping with the facts.

**Hon. Mr. Davis:** Mr. Speaker, I started to say, before the honourable member got so indignant, and I am saying, the honourable member is not in opposition to the construction of the Ottawa courthouse.

**Mr. Martel:** Period. Period.

**Hon. Mr. Davis:** Period. Period. It is also factually correct—

**Mr. Martel:** Mr. Speaker, on a point of order: When you asked my colleague from Nickel Belt to withdraw and the leader of this party to withdraw, they could not try to elaborate on why they were prepared to withdraw. Either they withdrew or they didn't. The Premier should be not allowed any further comments.

**Mr. Speaker:** I have never been accused of having defective hearing. I have a lot of other deficiencies but they are not associated with hearing. I clearly heard the Premier say: "I admit that the member for Ottawa Centre is not in opposition to the building of the courthouse." Does the Premier have a further response to the question?

**Hon. Mr. Davis:** Mr. Speaker, I don't think there is anything inappropriate in my acknowledging that the honourable member is not opposed to the ultimate construction. But I was making the point that I have listened to the members opposite with respect to many projects in terms of construction, in terms of development, in terms of support to the automotive industry, in terms of support to the pulp and paper industry. All of those things, we have done. It is not misleading the House to remind the public of Ontario that the New Democratic Party has been fundamentally opposed to all of those incentive programs. It's true.

**Mr. Cassidy:** On a point of order, Mr. Speaker: I would ask the Premier to withdraw that comment as well. I would point out quite explicitly that the New Democratic Party has supported some of the programs of assistance that have been proposed, provided there was equity for the people of Ontario and provided other conditions that were accepted by the people of this province were imposed. We are not funda-



mentally opposed to those. The Premier should withdraw.

Mr. Speaker: Order. This is just getting a little bit ridiculous. There is obviously a difference of opinion.

Mr. Cassidy: No, Mr. Speaker. He is misleading—

Mr. Speaker: There is clearly a difference of opinion. You do not have a point of privilege or a point of order. Do you have a supplementary?

Mr. Nixon: Mr. Speaker, I would like to ask the Premier what action he is taking so that Ontario, in conjunction with Canada, will not be importing 1,000 to 1,200 specially trained workers from Europe, and instead will be able to train our people to take these jobs and once and for all rely on our education system rather than on immigration to staff those important jobs in our industry?

Hon. Mr. Davis: I thought I had partially answered that on Tuesday when I was replying to a question, I think, from the member for Windsor-Walkerville (Mr. B. Newman), who I think asked a similar question. I was relating it to a particular situation in the city of Windsor, because I was drawing on a little experience from what the community group was doing in the great region of Peel with respect to the facilities. That is how the question emerged.

I would only say to the honourable member that, through the Ministry of Education, through the Ministry of Colleges and Universities, through the private sector, through these various community organizations that have been established, these kinds of training programs not only have been introduced but also they are well under way. I am relatively confident we can meet the manpower requirements in most areas over the next couple of years.

Mr. Cassidy: I hope the Premier will answer my initial question, which is why there has been no plan from the government to create jobs and to build a strong industrial economy in the province of Ontario.

Is the Premier aware that over the year from May 1979 to May 1980 there has been a loss of 39,000 jobs among male workers in Ontario? Therefore, since it is mainly males who work in industry, this is a symptom of the sickness of the industrial economy of the province.

Is the Premier also aware that contrary to what he said on Tuesday, it is not just the automobile industry, but that in the machinery industry today we are running a \$5-billion trade deficit and we have fewer

jobs than in 1974, and in the electrical products industry we are also running with fewer jobs than we were running with in 1974?

Will the Premier answer my question of why have we not got a program from this government to build a strong industrial economy which will serve the people of Ontario?

Hon. Mr. Davis: I do not want to upset my friend again, but I do have to go back, because this government has had policies to build one of the strongest manufacturing or industrial economies anywhere in this country. I will review them again without being provocative and without indicating that the New Democratic Party was not in support of them, and they do relate to the Employment Development Fund.

We can debate whether or not we should have equity, but I have not yet heard the leader of the NDP say, in this House or elsewhere, that we were wise in assisting the pulp and paper industry, or that we were wise in supplying or guaranteeing \$10 million to Chrysler Canada. He was critical of what we did for Ford. He has been critical of every employment incentive program because he happens to have a philosophical view about equity.

But I think it ill behooves the member to get up here and say he would have been supportive if we had done it the way he wanted to do it. We happen to believe in the approach we are taking. It makes sense. We disagree. He should not suggest that on one hand he is supporting us, but on the other hand he is not because we are not doing it the way he suggests. That is ridiculous.

If the honourable member takes the employment figures, the job growth, the demographics in terms of the makeup of the population and the rate of inflation, he will find that this province compares favourably with any state of the union, and with every Organization for Economic Co-operation and Development country with the exception of Japan. We have done a better job.

2:50 p.m.

There is a strong industrial base. It is at this moment under pressure, primarily because of issues that the honourable member will not even debate—primarily because of inflation; that is one of the governing factors, along with the increase in the price of energy which our friends in the Liberal Party would have go to world price. As a result of the recession in the United States, there is no question the manufacturing sector in this

province is affected because of our exports to the United States. This government takes no responsibility for the economy of our American neighbours. The member can talk about branch plants all he wants.

**Mr. Foulds:** Do you take responsibility for your own economy?

**Hon. Mr. Davis:** Certainly we do, and we have discharged it very well. We have discharged our responsibilities in this province related to our economy, our social programs, any program the member may wish to mention, in a way he won't find done in any other comparable jurisdiction.

I would say to the member for Port Arthur, if he really did not believe that himself—well, I won't; it would be provocative, what I was going to say next. But that happens to be the reality.

We know there are economic problems but nothing proposed by the New Democratic Party or the member for Ottawa Centre, in terms of specifics or philosophy, would in any way improve the economic life of this province. If anything, it would diminish it. It would limit opportunity, it would limit the rights of individuals to free choice in terms of economic growth. That is the direction that party would like to take us. We are opposed to it and we are prepared to do battle on that issue at any time.

**Mr. Van Horne:** Mr. Speaker, in the light of the little homily given to us by the Premier and one of the comments he made about things being well in Ontario for the next few years, and in the light of the comment of the federal Minister of Labour to me a week or so ago, in which he indicated he was not sure who in Ontario had the handle on manpower and that they were anxious to start renegotiating the federal-provincial manpower agreement which expires in 1981, can the Premier tell us what Ontario is doing to renegotiate that agreement for next spring?

**Hon. Mr. Davis:** Mr. Speaker, I am a great friend of the former Liberal Premier of Nova Scotia. I know that as a new federal minister of the crown, it will take him a day or two yet to understand how federal-provincial relations work when one happens to be on the other side of the bargaining table. He was very good when he was on the premiers' side.

**Mr. Van Horne:** It happens to be Mr. Axworthy.

**Hon. Mr. Davis:** With great respect to Mr. Axworthy, if he does not know with whom to communicate, then that is a horrible confession to make on his part. I know with whom I communicate. I know where I can

get answers. If Mr. Axworthy cannot, it is only because he has not made the effort.

**Mr. Speaker,** the honourable member said the Minister of Labour.

**Mr. Van Horne:** There are two ministers—the Minister of Labour and the Minister of Manpower and Immigration. There are two.

**Mr. Foulds:** That is the Liberal policy. There are two positions for the Liberals on every question.

#### IRON ORE DISCUSSIONS

**Mr. Cassidy:** I shall talk to my friend from Victoria, Australia, Mr. Speaker, after this question period, to see what he thinks of the Ontario Legislature. He will tell me the Liberals in Australia are almost as bad as the Liberals in Ontario.

I have a new question for the Premier, Mr. Speaker, a question about the specifics of the strategy for jobs that we need in the province. Now that the federal government has announced that it intends to do what this government has steadfastly refused to do and call in the steel companies to discuss the sourcing of their iron ore supplies in Canada rather than buying them from the United States, will the government of Ontario seek to participate in those meetings? We have lost fully 41 per cent of the jobs—1,525 jobs—in the iron ore mining industry over the course of the last couple of years. What policies will the government advocate in those discussions if it joins in with them with the steel companies?

**Hon. Mr. Davis:** Mr. Speaker, I was delighted to read in the press that the government of Canada was taking an interest in this matter.

**Mr. Makarchuk:** They were asked by Bob Rae to take an interest.

**Hon. Mr. Davis:** I have been asked a number of things by Bob Rae over the years. Some I have agreed to, some I did not, as he will tell the member if he ever talks to him.

I will be interested in seeing what those discussions may or may not produce. I would only say to the leader of the New Democratic Party that this government—

**Ms. Gigantes:** You will be monitoring them with concern.

**Hon. Mr. Davis:** I want to pay as much attention to the member for Carleton East as I can.

I would say to the leader of the New Democratic Party, we have already had the kind of discussions I expect are going to take place. I can assure the honourable member,

if anything new emerges in the discussions between the federal officials and the steel companies of this province that we were not aware of, I am sure they will inform us. My guess is the conversations will be substantially the same and the discussions and arguments will be the same as we have already had in this House over the past two or three weeks.

**Mr. Cassidy:** The Premier says there have been discussions with the steel companies. When did those discussions take place? What did the government urge the steel companies to do to restore employment after the loss of 1,500 jobs in the iron ore industry? Have the steel companies undertaken to take any such action?

Is the government prepared to act in concert with the federal government to work out a strategy to ensure that the eight or nine million tons of ore per annum the steel companies will need in new ore in the 1980s will come from Canada rather than from the United States?

**Hon. Mr. Davis:** I would suggest to the honourable member that he review very carefully the lengthy, comprehensive and, I think, intelligent statement made by the Minister of Natural Resources (Mr. Auld) on this subject. If he has any questions related to that statement, I would be delighted to have the Minister of Natural Resources answer them. This whole matter was discussed some two weeks ago.

**Mr. Sargent:** Mr. Speaker, the Premier said a few moments ago that he would do battle on this issue, probably for the election this fall. If he has a crash program to give employment to our people, why does he not get it in motion now and save four months' lead time down the way and not give us a bunch of fairy tales about what he is going to do for the people of Ontario?

Why does he not put the program into motion right now, if he has a program?

**Hon. Mr. Davis:** The honourable member, as is not his custom, was not listening to my answer. That is unusual for him. I would only say to him that if there is anyone who knows about fairy tales, it may be him; it is not me.

I would also say to him that I said to the leader of the New Democratic Party any time he wanted to have a contest relative to his philosophical approach to economic issues, such as the nationalization of the resource industry—

**Mr. Sargent:** We were talking about jobs.

**Hon. Mr. Davis:** No. If the member would only listen, we were talking about the New

Democrats' solution to the economic problems of the world, and that was to nationalize everything that lives and breathes. They would socialize the world if they had their way. That is what I was saying to the member for Ottawa Centre. I will fight him on that issue any time.

**Mr. Martel:** Mr. Speaker, I would like to ask the Premier where in our party policy he can find that we are going to nationalize the world. Aside from that, and in conjunction—

**Hon. Mr. Davis:** I acknowledge I exaggerated on that situation.

Interjections.

**Mr. Martel:** I have a question about the Premier's first supplementary answer regarding the composition of the ores. Since Inco has not had a problem since 1959 in selling its pellets, since we have done some checking which indicates that any blast furnace in this province can take three per cent to seven per cent nickel, and since the federal Department of Energy, Mines and Resources confirms they can take that amount, is the Premier prepared to admit that the real problem is that the steel industry in Ontario is locked into the mines they own in the United States, and the reason for the cutback has nothing to do with the quality of the ores but with where they have invested their dollars?

**Hon. Mr. Davis:** I think the minister made it quite clear that there were several things. It was not just the quality of the ore or the kind of ore, though that was a substantial part of it. I heard it very clearly when he said it.

3 p.m.

#### CAR FUEL SAVINGS INCENTIVES

**Mr. Ruston:** Mr. Speaker, I have a question of the Treasurer. Since most of the automobile industry in Canada is in Ontario, I would ask the Treasurer whether he is aware of a bill at present before the House ways and means committee in the United States that will provide a boost to the ailing auto industry by awarding a \$500 income tax credit to purchasers of specific automobiles that have demonstrated improved fuel efficiency?

**Hon. F. S. Miller:** I was pleased to receive the copy the honourable member sent me showing the proposed changes in the United States. They are of great interest, and since about 80 per cent or so of our production goes there, I rather hope they do it.

**Mr. Ruston:** A supplementary: Since we are all so interested in improving our own

sales, I would ask the Treasurer to consider the main aspect of the bill, and that it is restricted to products from companies whose overall fuel economy average for passenger cars in the model year 1979 equals or exceeds 120 per cent of the average fuel economy for 1974. Therefore, it favours Canadian and American cars and very few imports, but still does not exclude the imports.

**Hon. F. S. Miller:** I admire the dexterity of the person who drafted the proposal. It is a neat way of having your cake and eating it too.

### HOUDAILLE INDUSTRIES

**Mr. Breagh:** Mr. Speaker, I have a question for the Premier concerning the closing of Houdaille Industries of Canada Limited in Oshawa, which virtually completes the annihilation of anything other than the General Motors of Canada Limited production facility there, and brings our job loss total to more than 3,000 since January. Specifically, is the Premier aware of the allegations of a kickback from Ford Motor Company to KKR, the current owners of Houdaille Industries, that was somewhere in the order of \$4 million to get out of an \$8-million order for bumpers with Houdaille Industries?

**Hon. Mr. Davis:** Mr. Speaker, I have heard nothing about it other than the suggestion, I phrase it that way, from the honourable member as of this moment, which I am sure he is prepared to document.

**Mr. Breagh:** A supplementary: In regard to that, will the Premier attempt to get the details of that agreement between Ford and Houdaille Industries? Has he done a costing arrangement of the tax write-offs and tax exemptions that the government has given to that plant over the last five-year period? Would he table for us his comments on the Foreign Investment Review Agency review that allowed KKR to take over Houdaille Industries just last year?

**Hon. Mr. Davis:** We do not table the comments to FIRA, but any other information that is in the public domain I will be delighted to get. I am sure the honourable member, on the basis of what he has said, must have some documentation to make the kind of statement he did. I just wish he would share that with me as well.

**Mr. Breagh:** One final supplementary: Will the Premier share with us what it is he is doing to save those 700 jobs at Houdaille Industries in Oshawa, or is he doing

anything except advertising on Maurice Carter's Camaro these days?

**Hon. Mr. Davis:** I understood the honourable member to say something about kickbacks to somebody or other, and I assume he knew something about this that I do not know. All I am asking is for him to provide me with that information.

### USE OF DRUG DEPO-PROVERA

**Hon. Mr. Norton:** Mr. Speaker, in response to the question posed by the honourable member for Oshawa (Mr. Breagh) approximately a week ago, I believe, I am now prepared to answer that question. It is related to the use of Depo-Provera and its administration in provincial facilities under my jurisdiction.

This drug is an injectable progestational agent which has been approved worldwide for noncontraceptive gynaecological purposes and, in some 80 countries, for contraceptive as well as gynaecological purposes.

In Canada and the United States, the drug has been approved to treat functional menstrual disorders, and in the palliative care of those terminally ill with uterine cancer. It has been available for clinical use in Canada since the mid-1960s. Representatives from Canada's health protection branch, in discussions held with my ministry's consulting staff, have indicated their support for our approach to the administration of this drug.

The use of Depo-Provera began some 10 or 11 years ago in facilities for the mentally retarded, and has been used to treat functional menstrual disorders and to suppress menstruation. I am advised that it is prescribed for use by the facility or community physicians only, and in approximately half of our 17 government-operated facilities. Our last survey indicated there were in the order of 225 cases under treatment in the facilities across the province. I would point out that the drug is available for use by the general public when prescribed and administered by their personal physicians.

In selected cases where deemed appropriate by our consulting gynaecologists, the drug has been used to suppress menstruation in seriously and profoundly retarded women, where personal hygiene presents a significant problem. This is always done on a written order by an attending physician, usually supported by a gynaecological consultation as well and a recommendation, and the use is closely monitored thereafter.

The individuals being treated are significantly retarded, handicapped to a degree that they are unable to care for their personal

hygiene during menstruation, or incapable of being trained to do so. In fact, they are often very disturbed and agitated during menstruation. Depo-Provera has been of great benefit in these situations.

Very close medical supervision has revealed no significant risks in the use of the drug. It should be emphasized that the drug is not used in any of our facilities for contraceptive purposes or as an alternative to sterilization, for example.

With respect to the side effects cited by the member for Oshawa, I am advised there is no conclusive clinical evidence to support the allegation that it is harmful to humans. The concern with this product stems from an earlier study on a specific animal species—I believe beagle puppies—wherein cancer of the breast was discovered. However, it is also pointed out that life-long studies on other animal species have produced no evidence to support the statement that it induces any cancer activity.

In summary, it is the opinion of my ministry's consulting staff that this drug is an extremely safe product which has been used in a small number of facilities under very strict supervision of consulting gynaecologists. There have not been, to our knowledge, any untoward complications over the years and therefore no reports of adverse reactions have been sent to the health protection branch.

However, in view of the concern raised in the House, I have directed my senior staff in the ministry to make the necessary arrangements, such that a full and complete review and evaluation will be undertaken of all individuals being treated within the facilities for the mentally retarded. Such a review will include an exhaustive search for any possible side effects detrimental to the health, safety or the wellbeing of an individual, in addition to an examination of the need for consent. I have asked that this comprehensive review be completed by the fall of this year.

#### UNIVERSITY ENROLMENT

**Mr. Bradley:** I have a question for the Minister of Education, Mr. Speaker. Does the minister agree with Dr. Arthur Bourns, president of McMaster University, who said recently that limits may have to be placed on enrolments at certain Ontario universities so that smaller universities will be able to survive, in view of the declining enrolment that is now hitting secondary education and will most certainly hit post-secondary educational institutions within the next few years?

**Hon. Miss Stephenson:** Mr. Speaker, I am not sure I have heard that kind of remark

from my friend the president of McMaster University. It certainly is a departure from any of the concepts I have heard him express before in that I do think he believes the universities themselves should stand or fall on their own merit, which is a principle I believe is relatively well supported generally throughout the province.

The incidence of declining enrolment in first-year university, which had been a circumstance we were facing for at least two or three years has been reversed in the past two years. Last year there was an increase in first-year enrolment of some significance, and it appears it will be even greater this year.

We do, however, face a major demographic shift about 1985, when the reduction in the numbers of the traditional age group for universities will come into full power. It is my feeling and my understanding that the universities, aware of the needs of many of nontraditional age for university education in part-time programs, are preparing to provide through flexible measures those kinds of part-time programs to encourage more of the nontraditional group to attend universities.

The concept Dr. Bourns was suggesting in that statement is not one that has been discussed very broadly, I am sure, even within the Council of Ontario Universities.

**Mr. Bradley:** Is the minister prepared to give to this House the same commitment the member for Oxford (Mr. Parrott) gave a couple of years ago when I asked him a similar question, that is, that she will not close any of the smaller universities in Ontario, say, within the next 10 years as a result of declining enrolment, but instead will attempt to limit the enrolment at certain of the larger institutions to allow those smaller institutions to continue to flourish because of the vital roles they play within the community?

3:10 p.m.

**Hon. Miss Stephenson:** Mr. Speaker, I could not agree to the latter part of the honourable member's statement or suggestion that it would be reasonable to limit enrolment in certain specific institutions in order to increase enrolment in others.

The statement I have made is that each of the universities within the province has a responsibility to define its role within the entire system of university education and to make that role superior within that institution, in order to attract the students who wish to participate in that kind of program. I believe that activity is now beginning.

**Mr. Sweeney:** Mr. Speaker, a supplement: To what extent is the ministry prepared,

through some type of long-range planning, to participate in ensuring the continuation of the smaller universities as opposed to letting them either fall or stand on their own?

**Hon. Miss Stephenson:** Mr. Speaker, the ministry participates in ongoing discussions and consultations through the Council of Ontario Universities with the administrators, presidents and members of faculty of all the universities in the province. We certainly would be willing to continue that kind of participation and to provide appropriate input to that consultation.

#### ONTARIO STUDENT ASSISTANCE PROGRAM

**Mr. Cooke:** Mr. Speaker, I have a question for the Minister of Colleges and Universities. It concerns the incredible bureaucratic foul-up that has occurred in her ministry whereby 1,740 students have been notified by letter that their Ontario Student Assistance Program applications and assessments from 1978-79, two years ago, were miscalculated and \$1,035,000 was sent out to students that they should not have received.

I would like to ask the minister how did this happen, why has it taken two years to discover this mistake and how could her ministry send out such an insensitive letter to students? I will read the last paragraph of the letter: "Please note that failure to repay this overpayment can jeopardize your chances at receiving further assistance."

Can the minister indicate why she has given the students of this province only 30 days to repay this money, which is her problem, and what is the liability of the firm that developed the program for the ministry resulting in this screwup?

**Hon. Miss Stephenson:** Mr. Speaker, the problem was a result of the difficulties we had with the computer in the first year of the modified Ontario Student Assistance Program. As a matter of fact we were aware that errors had been made, and throughout the year 1978-79 the financial administrators were made aware that a significant number of students had been given more assistance than their applications designated they should receive.

Those students were notified by the financial aid administrators that they had received more assistance than they should have. Those who were not notified were students, and it was 50 per cent of that total, who had dropped out of the first year of either community college or university. Fifty per cent of the 1,740 did not continue beyond the first few months of their university or community col-

lege education. The financial aid administrators did not, I gather, make direct contact with them. However, they did make contact with those students who continued their studies.

We have been aware of the problem. The financial aid administrators have been aware of the problem. They have been in contact with the students. At this point we are attempting to find a resolution to the problem that will not in any way damage the current activities of those continuing their studies or the 50 per cent who are at present employed.

#### REPORTS

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Cureatz from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill Pr17, An Act respecting the City of Windsor.

Report adopted.

Mr. Cureatz from the standing committee on general government reported the following resolution:

That supply in the following amount and to defray the expenses of the Office of the Assembly be granted to Her Majesty for the fiscal year ending March 31, 1981:

Office of the Assembly program, \$21,553,-800.

##### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Lane, on behalf of Mr. Villeneuve, from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31, 1981:

Ministry administration program, \$7,644,-400; environmental assessment and planning program, \$23,080,000; environmental control program, \$269,048,500; waste management program, \$10,932,500.

##### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Gaunt from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Health be granted to Her Majesty for the fiscal year ending March 31, 1981:

Ministry administration program, \$53,403,-000; institutional health services program, \$3,064,517,000; community health services program, \$155,519,000; health insurance program, \$1,443,260,000.

#### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Philip from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr12 An Act to revive Gothic Mines and Oils Limited.

Bill Pr25, An Act respecting The Hamilton Foundation.

Your committee would recommend that the fees, less the actual cost of printing, be permitted on Bill Pr25, An Act respecting The Hamilton Foundation.

Report adopted.

#### STANDING COMMITTEE ON PROCEDURAL AFFAIRS

Mr. Breaugh from the standing committee on procedural affairs presented the committee's report and moved its adoption.

Mr. Breaugh: Mr. Speaker, if I may I would like to make a short statement on this report.

In presenting this report of the standing committee on procedural affairs titled, "Proposals For A New Committee System," I would like to make a few short remarks and then move the adjournment of the debate.

This is probably the most important of several recent reports from the committee. It is much more wide-ranging than our report several weeks ago which reviewed in depth the matter of witnesses appearing before legislative committees. This report represents the first comprehensive review of the Legislature's committees since the Ontario Commission on the Legislature.

The recommendations represent the committee's thinking in a general sense, though likely every member of the committee disagrees with particular recommendations. The committee felt, however, that it was more important to involve the members of the Legislature in the re-evaluation of the committee system than to reach total agreement within the committee. Thus we felt that the

time had come to put forward to the Legislature a set of comprehensive proposals for improving the committee system.

In this way, all members will have an opportunity to consider our recommendations and to debate them in the House. After members have reacted to the report, steps can be taken to refine and to rethink the recommendations and finally to implement whatever changes the members wish to make in our committee system.

The report identifies some serious shortcomings of the present committee system. It attempts to build proposals for change on those features of our committees that are working well. This report follows in the direction of several important reports that have recently come out calling for the strengthening of parliamentary committees—that is, the Lambert Royal Commission on Financial Management and Accountability, the white paper on reforming Parliament in the short-lived Conservative government in Ottawa, reports of the Auditor General of Canada, the report of the Canadian Tax Foundation, the report of the Business Council on National Issues, and the report of the British procedure committee.

In addition to these reports, our committee reviewed the important changes in committees taking place throughout other Commonwealth jurisdictions. The British, for example, just last year radically restructured their entire committee system. A member of the British House of Commons said this to a meeting held in this building last October:

"I remember during the course of one of our procedural debates in the House, when people were lamenting the poor attendance in the chamber and the declining attendance in the chamber of the whole House, Michael Stewart saying that in the course of his experience in the House of Commons from 1945 to the mid-1970s, debates in the chamber had been worse and worse attended and better and better informed.

"He rightly felt that the two went together, that because members specialized in one or two subjects they only bothered to go along when those subjects were being discussed. When they spoke on those subjects they did know what they were talking about more than in the past. This specialization is, I think, inevitable and desirable and the committee structure of the House ought to reflect that."

3:20 p.m.

One of the most important sections of this report sets out some proposals for including what I think we are all coming to realize is



one of our most serious problems: the Legislature's scrutiny of public finance. Let me quote from a recent report of a study group of the Commonwealth Parliamentary Association, just published by the Economist, which summarizes the problem well:

"There is general agreement throughout the Commonwealth that parliamentary scrutiny over public finance is at present inadequate and patchy. The growth in the size and range of activities of government has far outstripped the capacity of the legislature to exercise effective control over the executive in any but the legal sense of approving the annual estimates after little detailed scrutiny. The historic 'power of the purse' has in most countries become largely a fiction.

"Reform proposals have multiplied in recent years and have been gradualist rather than Utopian. Members have broadly accepted the constitutional distinction between the role of the executive in initiating expenditure proposals and the legislature's role in scrutinizing plans, though there are differences about the right stage at which MPs should try to influence executive decisions. In short, Parliamentary control means influence, not direct control; advice, not command; criticism, not obstruction; scrutiny, not initiative, and publicity, not secrecy."

We, as a committee, think this is an important report on a vital concern. We think a strengthened committee system will improve the quality of debate in the House and improve members' effectiveness in dealing with the complex issues of modern government. Committee reform has been on the Legislature's agenda for years, but it can no longer be relegated to the bottom of that agenda. I earnestly urge all members and all interested citizens to read the report and to think about our proposals carefully.

On motion by Mr. Breaugh, the debate was adjourned.

## MOTIONS

### HOUSE AND COMMITTEE SITTINGS

Hon. Mr. Wells moved, notwithstanding any standing orders of the House, business may be considered from the Resources Development policy field tonight both in the House and in the standing committee on resources development.

Motion agreed to.

Hon. Mr. Wells moved that the select committee on constitutional reform be authorized to meet concurrently with the House on Tuesday evening, June 17, 1980.

Motion agreed to.

## PETITION

### CARLETON PLACE OBSTETRICAL UNIT

Mr. Cassidy: I beg leave for unanimous consent to present briefly a petition on behalf of people in the area of Carleton Place.

Agreed to.

Mr. Cassidy: Mr. Speaker, the petition is in the following words and is addressed to the Legislature: "We are entirely opposed to the closing of the Carleton Place obstetrical unit." They refer to the closing of the obstetrical unit in the Memorial Hospital in Carleton Place.

The petition is signed by 2,300 residents of Carleton Place. It is endorsed by the 700-member Royal Canadian Legion branch in that area. It reflects very grave concern by those people with respect to a decision made locally but put very strongly by the provincial government. I believe it should be sent to the Minister of Health (Mr. Timbrell).

## INTRODUCTION OF BILLS

### BRANTFORD-BRANT ANNEXATION ACT

Hon. Mr. Wells moved first reading of Bill 120, An Act respecting the City of Brantford, the Township of Brantford and the County of Brant.

Motion agreed to.

### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON LAND ACQUISITION ACT

Hon. Mr. Wells moved first reading of Bill 121, An Act to vest certain Lands in the Regional Municipality of Ottawa-Carleton.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker the purpose of this bill is to transfer the ownership of certain lands, now in the possession of Algonquin College, to the regional municipality of Ottawa-Carleton. It is necessary for the region to have a 20-metre strip of the Lees Avenue campus property to complete the Ottawa-Carleton southeast rapid transit route. Unfortunately, the board of governors of the college and the region have not been able to reach an agreement and it is necessary for the government to take this step, through this legislation, to resolve this situation.

### POLICE VILLAGE OF ST. GEORGE ACT

Hon. Mr. Wells moved first reading of Bill 122, An Act respecting the Police Village of St. George.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, this bill has been prepared in response to requests from the trustees of the police village of St. George and the council of the township of South Dumfries. Both the police village and the township have asked for legislation that will enable the St. George hydro system to service with electricity a new sewage treatment plant in a proposed residential subdivision, both of which are adjacent to the police village and within the township.

The proposed legislation will expand the boundaries of the police village of St. George, effective July 1, 1980, to include the sewage treatment plant in the proposed subdivision. On January 1, 1981, the expanded police village will be dissolved and the police village trustees will be deemed to be a hydro-electric commission. Those persons will continue in office until the end of the next municipal term in 1982, or until their successors are appointed and assume office. The reeve of South Dumfries will be an ex-officio member of the commission.

The proposed legislation also seeks to establish an urban service area for the provision of sewer and water services, sidewalks, street lighting and garbage collection.

#### CITY OF MISSISSAUGA ACT

Mr. Jones moved first reading of Bill Pr32, An Act respecting the City of Mississauga.

Motion agreed to.

#### RESCUE SERVICES ACT

Mr. G. Taylor moved first reading of Bill 123, An Act to provide for Rescue Services in Ontario.

Motion agreed to.

Mr. G. Taylor: Mr. Speaker, the purpose of this bill is to provide for the establishment and operation of rescue services in Ontario. The bill applies to services held out to the public, as available, for rescue of persons requiring emergency attention. The bill provides a procedure for licensing and regulating rescue services. The bill also provides authority to the Lieutenant Governor in Council to make regulations respecting the instruction and training of rescue service personnel.

3:30 p.m.

#### RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. Foulds moved first reading of Bill 124, An Act to amend the Residential Tenancies Act.

Motion agreed to.

Mr. Foulds: Mr. Speaker, the purpose of the bill is to extend the application of the rent review provisions of the Residential Tenancies Act, 1979, to all rental units that are mobile homes or mobile home sites. Section 134(1)(d) of the act currently exempts from the rent review provisions a rental unit that is a mobile home, or a mobile home site that was not occupied as a rental unit before January 1, 1976. This bill attempts to right that injustice.

#### ORDERS OF THE DAY

#### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ONTARIO WATER RESOURCES AMENDMENT ACT

Mr. Germa moved second reading of Bill 39, An Act to amend the Ontario Water Resources Act.

Mr. Germa: Mr. Speaker, could I reserve five minutes at the end for rebuttals?

It is unfortunate that we must once again debate this whole concept that people in Ontario have a right and are entitled to potable water. I think it is a high principle that this government has not addressed itself to, despite the fact that it has been brought to the government's attention on numerous occasions. To this day they have not seen the importance of enacting this amendment to the Ontario Water Resources Act which would protect municipal water supplies from the activities of mining companies.

A simple explanation of the bill is: "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 issuance of permits to authorize mining activity that is in the public interest. Mining activity undertaken without the authority of a licence is constituted as an offence."

The bill does one other thing. It asks that the present sources of municipal water supplies be identified and listed so there will be ready access to the information when applications come in for drilling permits, because in order to know what one is protecting, one has to know the location and the source that one wants to protect.

I do not think the bill is so complex or so complicated that it could not be introduced as part of the present Ontario Water Resources Act. Clearly, the experience we have had in northern Ontario, and particularly in the regional municipality of Sudbury, indicates that the present provisions of the Ontario Water Resources Act just do not protect us from the problem.

It is a fact that in the city of Sudbury there are eight lakes, and despite what you might call a vast source of water supply, we still have to pipe our water from 20 miles outside the city of Sudbury. This speaks to the past record of this government's neglect when there are, in fact, eight polluted lakes and none of them are capable of supplying the citizens of the city of Sudbury with potable water.

We did go to a big expense in transporting water from Lake Wanapitei some 16 or 18 miles north of the city of Sudbury. It is no mean effort, and no small expense to put filtration plants, pumping stations and major water lines into the regional municipality in order to guarantee our water supply.

The regional municipality was motivated to do this, not from any feeling that it had a soft spot in its heart for the citizens of Sudbury, but in fact the Regional Municipality of Sudbury Act commands—it is the law—that the regional municipal council is responsible for supplying water to the citizens involved. They have no option; they have no choice in the matter. It commands them to supply the citizens of Sudbury with a source of potable water and deliver it to them.

This is why this vast expenditure went forward. We had just got this system on stream when, lo and behold, Hollinger Mines Limited decided there might be a uranium body at the bottom of Lake Wanapitei. They proposed to use the ice as a drilling platform and drill through to the bottom of the lake to determine whether there was a uranium ore body underneath our source of water for the 160,000 residents of the city.

Hollinger Mines knew full well this was a very important lake to the citizens. They cared not. They pressed forward and applied for a permit to drill.

Before the permit was issued in 1976, the vice-chairman of the regional municipality at that time, Mr. Mike Solski, alerted the provincial cabinet of the hazards involved if the drilling permit were issued. To their credit, the cabinet put a freeze on the application and formulated a committee to study the probability of damage to the source of water if the drilling permit went forward.

It took the committee from December 1976 to December 1977 to formulate its report. The major recommendation to the cabinet at that time, in December 1977, was that any commercial or industrial development should be under the Environmental Assessment Act. In fact, they said there should be a public hearing to deter-

mine the consequences of allowing this permit to go forward. Despite this strong and simple recommendation from its own study committee, the cabinet saw fit to issue the drilling order and Hollinger Mines was then free to move.

It did not take Hollinger Mines very long to go into action. The cabinet made this decision in December 1977 and one month later, in January 1978, Hollinger Mines announced it was going to begin its drilling program that winter. It was important for them to move fast because the ice is only on the lake for some six months and if they are going to do the damage, they have to get it done right away; they cannot do it in July or August. So they announced their plans.

The council of the regional municipality of Sudbury, who take seriously their obligations as enunciated in the Regional Municipality of Sudbury Act, by a motion, voted 19-0 to oppose the cabinet decision. Despite this unanimous decision of the people most concerned, the cabinet persisted in its approval to go ahead with the drilling.

The regional municipality was supported by other groups in the municipality: the Lake Wanapitei Home and Campers Association, Rayside-Balfour council, Nickel Centre council, Indian Reserve No. 11. A petition was circulated and 10,000 people of the region participated in their affirmation that they wanted their water supply protected from infringement by drilling for uranium.

We must understand how dangerous uranium is. I am not sure if every member knows that uranium can break down into 14 elements. Three elements are toxic and radioactive; they cannot be tolerated. They are radon gas, radium 226 and thorium. Is it any wonder that 10,000 people in Sudbury, plus the regional councillor, the council and these other organizations were concerned when Hollinger Mines insisted on going ahead with its drilling program?  
3:40 p.m.

Because there was no support from the cabinet, the region had to act to protect itself. What else do you do, except start to spend money? Here is where I am really offended: the region had to hire a high-priced lawyer to go to the courts to get injunctions to protect themselves from the negligence of this Conservative cabinet.

A citizens' committee was set up. They tried to meet with the Premier, but the Premier had already made his decision. He was not about to listen to reason, and he

rejected the overtures of the citizens' committee to meet. They never did meet with the Premier.

The court injunction process grinds away. An injunction was obtained from Mr. Justice Smith on February 25, 1978. The intervenors in the injunction were the regional municipality of Sudbury, Norman Recollet from Indian Reserve No. 11, Laurie St. Jean and Gary Larrett, two citizens of the region.

On February 25, 1978, Mr. Justice Smith continued the injunction to a later hearing. The judge did say in his decision that there was a real hazard of irreparable damage.

The judge thought that the provisions of section 32 of the Ontario Water Resources Act, which this government holds up as our protection, just is not good enough because section 32 comes into effect after the fact. There are certain things in this world and in this province that you cannot correct by fines. One of them is the poisoning of people with radon gas, radium 226 or thorium. There is no way that a \$5,000 fine can redress this weakness in the legislation.

The amendment I am putting forward seeks to stop this from happening before the damage is done, and not to try to make retribution for the damage afterwards. There is no way that can be done.

It is now four years later. The situation is the same, and if the government of Ontario thinks the people are not concerned, it is mistaken and is not reading the people. The people of my municipality are aware that the vulture still circles our lake and that, if we let down our guard, they will come in at the next freeze-up and start their program of drilling again.

Despite the fact that I suspect the government members will do what they did with this bill the last time it was debated, and block the bill—I have no doubt they are going to block it—I think the debate is important.

We are serving notice to Hollinger Mines Limited, and to any other mining company that wants to attack any municipal water source, that we will resist. The region has shown the way these municipalities will have to protect themselves; they will have to go for court injunctions. But the court injunction is only a temporary thing; we should not and cannot continue to spend and to waste money in the courts to protect ourselves from this attack by the mining companies.

To substantiate my statement that it is still an active consideration in the region, I will read into the record a letter addressed to my colleague the member for Sudbury East (Mr.

Martel), signed by Mr. Dozzi, the chairman of the regional municipality of Sudbury.

"Thank you for forwarding to me a copy of your letter to the Honourable Harry Parrott, the Minister of the Environment, concerning drilling on Lake Wanapitei. I can assure you that the position of the regional municipality of Sudbury in this matter has not changed. Our council remains unanimously opposed to any diamond drilling in our major water supply source. Please keep us posted on the status of Bud Germa's bill."

So the situation remains the same. The regional council is still aware of the hazards, and it is still categorically opposed to any adventure in our source of potable water.

Another motion was passed on May 13, 1980, by the corporation of the town of Nickel Centre, and I quote: "The council of the town of Nickel Centre is in full support of the bill to be reintroduced in the Legislature by Bud Germa pertaining to the protection of Lake Wanapitei as a source of drinking water for the region."

Mr. Speaker, the situation remains the same. The public is still alerted and well entrenched in opposition. So I would ask this House to consider the passage of this bill.

**Mr. Deputy Speaker:** The honourable member has five minutes remaining.

**Mr. Germa:** Thank you.

**Mr. Jones:** Mr. Speaker, I rise to participate in the debate. While not having had the pleasure of participating in this same debate a year ago last October, I made myself familiar with the Hansards of that occasion, and it is amazing how little the arguments have changed in the intervening time.

Just as this debate today is a duplication of the earlier one, I respectfully suggest to the member that this legislation duplicates existing legislation. The elimination of unnecessary legislation, regulation and red tape is one of the philosophical pillars of this party and this government. We run a danger when we begin to duplicate legislation in this Legislature. Such practice tends to lend confusion to the enforcement of existing laws and decreases the effectiveness of the laws that are already on the books.

The member for Sudbury's proposal may very well be counterproductive to the goal he is attempting to reach. I do not think any of us in this House quarrel with his opening comments about the right to pure water. We all agree with that. When I looked back at the previous occasion, I noticed neither the member for Timiskaming (Mr. Havrot), nor the Minister of Northern Affairs (Mr. Bernier), nor anyone else quarrelled with that issue.

But if he is truly concerned about environmental protection in the north, and about securing safe, abundant supplies of drinking water, then perhaps he would be better to lend his efforts to the support of existing legislation.

Every time the honourable member introduces this bill and it is defeated, we run the risk of creating a false impression that the activities it seeks to stop are legal. Let me quote:

"It is, at present, an offence for any person or municipality to discharge or deposit material of any kind into a body of water, or into the shore or bank of any water body, or into any place that may impair the quality of the water."

Surely that statement makes it clear that the discharge of effluent from mining operations would be covered under this section of the existing legislation.

I have read the Hansards from the last time this debate was held but I do not believe the member for Sudbury ever responded to that point. However, today he did mention that he felt that the \$5,000 or \$10,000 fines were not strong enough teeth. I see that he has again shared with us some of the facts of the situation in his riding which no doubt plays a large role in his bringing this bill forward in the first instance and again today.

3:50 p.m.

Offenders under this section of the Ontario Water Resources Act are liable for a fine of \$5,000 for a first offence and \$10,000 for each subsequent conviction. That is hardly a small sum when you consider we are talking of \$200 as a sum in the bill before us today and, because each day that contravention of the act takes place is considered to be a separate offence, this fine could clearly be a stiff penalty. I don't think the member pointed that out in his comments to the House.

Obviously this is not a weak piece of legislation. It provides very stiff penalties. When contravention of the act takes place, each and every day is considered to be a separate offence. We have to keep that in mind for a moment. It is also wide enough in scope to cover offenders from the mining industry as well as anyone else who might deliberately seek to ruin a fresh water supply.

My colleague the member for Timiskaming (Mr. Havrot) was referred to by the mover of the bill and I understand he will be contributing later to this debate. The last time he spoke to this issue he made certain comments that were never properly refuted; and I can appreciate that today, when he speaks in this

debate, he will have some source of frustration because he made several excellent points, as members may read in Hansard of last October, and he is still waiting for some answers and a response from the member who moved this bill today.

More specifically, I note the member for Timiskaming pointed out last October that the bill defines a source of community drinking water as "any body of water that is used or is likely to be used as a public source of drinking water, by any municipality or other community in Ontario." That phrase "or is likely to be used" leaves us with a broad definition of a community water supply, one that might legitimately be applied to every single body of water in the province.

The member said last year that it is not as though we are going to wipe out many bodies of water. I am sure there are only 500 or 600 it would have that effect on. But the interpretation, as one would read this phrase "or is likely to be used" could be very broad.

We all agree there is a need for environmental protection when it comes to preserving our supplies of fresh water, especially when we are dealing with the supply of drinking water. However, I do not support the idea of placing one more needless barrier before every mining operation that wishes to explore on or near any body of water in this province, "any" being the key word. In the recent budget significant incentives were provided for the mining community in Ontario, and I would hate to begin so soon afterwards to throw pointless barriers in front of them.

In addition to the measures I mentioned earlier, the government has provided other instruments under existing legislation that can serve to accomplish the same purpose as the honourable member's bill. The government has the authority to issue and revoke permits to control water consumption. These permits are applicable to anyone using more than 10,000 gallons of water in a day, which would include mining operations. It also has the power under sections 6 and 70 of the Environmental Protection Act to issue a control order to limit or control the discharge of any contaminants into a body of water. It can set up procedures to be followed for the elimination or control of these contaminants. It can also order the installation, replacement or alteration of any equipment designed to control and eliminate existing contaminants.

It appears to me that not only does the government have sufficient legislation on the books to deal with the types of circumstances that are of concern to the member for Sudbury, but also the laws now in place are of

a stiffer nature than those the member is proposing. I sincerely hope this is the last time we see this piece of legislation without having some answers, for which we are still waiting, to the questions that were raised during the debates of last October and as we will no doubt hear in the debate today.

I suppose it is particularly a curiosity that certain allegations in the member's opening remarks tended to indicate that we were not in favour of fresh water. I want to make perfectly clear from this side of the Legislature that is nothing more than a complete distortion of the commitment that this government, through its present Minister of the Environment (Mr. Parrott) and the other ministries that affect same, have as their commitment. I suggest that this bill is unnecessary and repetitive, and thus I cannot support it.

**Mr. Gaunt:** Mr. Speaker, I want to lend my support to this particular bill brought forward by my friend from Sudbury. We did debate this matter last fall. Undoubtedly, there will be some repetition in the arguments, but I think they are worth putting on the record again.

I want to deal with some of the points raised by my friend from Mississauga North (Mr. Jones). He mentioned that the arguments really have not changed, and I think there is a good reason for that. They are just as valid today as they were last October; so for that reason the question has to be, why would they change? They are valid today and they were valid then. Having said that, they are bound to be the same in terms of substance and direction.

He mentioned that the existing legislation was adequate. He mentioned the Ontario Water Resources Act, or alluded to that act. It is section 32 my friend quoted from that act. The problem is that one has to identify the offender, and one has to prosecute the offender, having witnessed or alleged an offence under that particular section. The ministry has to take that offender to court to prove the charge and get a conviction.

Meanwhile, the damage has been done to the body of water in question. It is a remedy after the fact, if you like. That is the problem with section 32 of the Ontario Water Resources Act. It is not designed to provide the kind of protection which the member for Sudbury desires and which all of us should desire in this province.

Here is a situation where the city of Sudbury is depending on the drinking water supply from Lake Wanapitei. It is the city's sole drinking supply. A mining company has applied, and is potentially still able, to mine

in that lake. Hence, the potential is also there for environmental damage. Radiation, alluded to by the member for Sudbury, could contaminate that water supply and render it useless for the city of Sudbury as a drinking water supply.

Section 32 of the Ontario Water Resources Act does not provide the protection one has to have. It is protection after the fact, and even at that it is not completely adequate. It has not been adequate in the past and would not be adequate in these situations. Section 36 of the Ontario Water Resources Act has not been mentioned so far in this debate, but I believe it was mentioned last year. It does not afford the protection either which is desired in this circumstance.

There is only one caveat I would throw in with respect to what my friend from Mississauga North has said, and that is the fact that I do have some level of agreement with him when he mentioned the part about "or is likely to be used, [at some future date] as a public source of drinking water." I think that problem could present itself in situations like Lake Huron or Lake Erie if oil is discovered under those water bodies. I hesitate to forgo the possibility of ever being able to drill for oil should it be found under the lake.

4 p.m.

Lake Huron supplies drinking water to London and environs. Lake Erie supplies some communities with drinking water to a limited extent. Both those bodies of water are very large, and I wonder whether there could not be an amendment to this bill to designate certain bodies of water as being exempt in part from this particular requirement under certain circumstances.

The member for Sudbury demonstrated that Bill 39 is a direct result of inadequate legislation, and I agree with his conclusion. Its passage would shut the door on a number of loopholes which, for instance, allowed the mining industry to destroy the Serpent River water system for some 110 miles from Elliot Lake right into Georgian Bay. Those communities did not get any remedy under section 32 of the Water Resources Act for one reason or the other.

The threat of contamination to municipal water supplies continues to grow as resources become scarcer. The more limited the resource becomes, the greater is the danger of this sort of thing happening. The Serpent River disaster demonstrated the need for Bill 39, and now we have the residents of Sudbury facing a potentially similar fate.



The member for Sudbury went through some of the history of this whole matter. I gather that the city of Sudbury has invested in the neighbourhood of \$9 million to \$10 million, which is a considerable sum, installing this particular pipeline, pumping stations, the filtration plant and so on to the lake.

I understand the alarm and concern which Sudbury officials have demonstrated. One can say without fear of contradiction that the cabinet has not taken this matter as seriously as it should in view of some of the things that have happened to bodies of water across this province. The Ministry of the Environment has had very limited success in prosecuting many of these offenders, not only under the Ontario Water Resources Act, but also under the Ontario Protection Act, the Environmental Protection Act, the Mining Act and a number of other pieces of legislation. It is simply not adequate to do the job, to meet the requirements that are needed under certain situations. Sudbury is a good case in point.

Based on the comments by the member for Mississauga North, I gather the government has taken basically the same position as it took last year. They said there is sufficient legislation on the statute books to deal with the matter. Last year, as I recall, the Public Lands Act was quoted, the Ontario Water Resources Act was quoted, the Environmental Protection Act was quoted and, frankly, none of those acts give the degree of protection that is being sought under this piece of legislation. All of those acts protect after the fact, and we are not after protection after the fact. We are after protection before these things happen.

So I suggest the legislation currently in place is not adequate and that this kind of act needs to be on the law books of this province to deal with a specific problem. It is a specific problem which in my view has not been adequately addressed up until now.

**Mr. Laughren:** Mr. Speaker, I am pleased to rise once again in support of my colleague's bill. I have always viewed this bill not as a Lake Wanapitei bill, nor as a Sudbury bill, but as a bill with provincial importance and application. I guess it is the second time we have debated this in here and, despite assurances from the government, it is still possible for someone to go in and drill through the ice in Lake Wanapitei. I guess if they could build a platform to put on the water they could even drill that way.

I do not know what the government is concerned about. If they are determined that the drinking water supply will be protected, why should they not let this bill go through? They say it is repetitive. I think we got a glimpse of the real reason this afternoon when the member for Mississauga North said they did not want to put any more barriers to mining exploration in the province. The relationship between that government and the mining industry is legendary in this country, and probably outside the jurisdiction of this country, so that does not surprise me.

A couple of things bother me. For one, it is not necessary to start fooling around with people's drinking water to explore for minerals. Surely the land mass of the province has not yet been fully explored—even lakes that are not the water supply for numbers of people. Certainly they have not all been explored. Yet here we go, going through the water supply on Lake Wanapitei, the drinking supply for a large number of people.

The other thing that bothers me a great deal is that we are talking about uranium. I do not know how many signals Mother Nature has to give people about the dangers of uranium before governments start to listen. Digging up uranium is dangerous. The generation of power using uranium creates all sorts of potential problems. We need only look at Three Mile Island. We need only look to the leaks that have occurred in the Ontario system. We need only look to the disposal of its waste. We need only look to the potential for making bombs to know how dangerous uranium is.

The whole question of uranium is paramount in the minds of a great many people who are worried about not just the immediate term but the years to come. Yet here we have this government saying in their minds it is okay if they drill for uranium through the drinking water supply of large numbers of people in this province.

Let people in Ontario clearly understand that this means anywhere in Ontario: no restrictions on mining companies drilling for uranium anywhere in Ontario, in anybody's drinking water supply. Let us not be diverted into thinking this is only a Lake Wanapitei or Sudbury region problem. It applies any place in Ontario.

I would like to see this government squirm the first time that happens in a major municipality in the southern part of this province. I would like to see how quickly they would run for cover then. But it happens to be



northern Ontario where uranium mining is already occurring and they say that is okay. I think that is fundamentally wrong.

It does not seem to matter that there is concern on the part of local residents. It does not seem to matter that the regional municipality has objected to it. That does not seem to matter to this government.

4:10 p.m.

**Mr. Jones:** The member is being redundant.

**Mr. Laughren:** The member for Mississauga North claims we are being redundant. I want to tell him something. The people in the regional municipality of Sudbury will be coming back to the government year after year after year, whether we are here or not. There will be people saying to the government, whoever is on that side, that drilling through their water supply for uranium is unacceptable. The government knows it cannot provide the protections. It has never provided protections in regard to uranium mining, and it cannot do so there. I am glad the Minister of Northern Affairs (Mr. Bernier) is here, because if ever there was a walking example of not providing protection in the uranium industry, there it sits, if a walking example can sit.

**Hon. Mr. Bernier:** The member is sick.

**Mr. Laughren:** Perhaps the minister would like to expand on that when it comes time for him to speak. The Minister of Northern Affairs is ashamed of his own performance and his relationship with the uranium industry in particular.

**Hon. Mr. Bernier:** The member should be ashamed of his performance. He has not changed his attitude at all. He should be a little more positive next time.

**Mr. Laughren:** The Minister of Northern Affairs thinks drilling for uranium through our water supply is negative. Let him stand up and say that. Let him stand up and say that taking uranium out of the water supply of the people of Sudbury is a positive act, if that is what he believes. Mr. Speaker, the minister's grunts speak for themselves.

Within the regional municipality of Sudbury, there is universal agreement that this should not be done. This government totally ignores that. Despite regional council resolutions and court injunctions, they still sit there and thumb their noses at the people in the regional municipality of Sudbury. They say: "We don't care what you think. If we want to have uranium drilled in your drinking water supply, we will permit it." That's what they are saying, and I would ask them if they think that is fair. They talk out of one side

of their mouths about regional or municipal autonomy, and the next minute they take it away from people. It is a shameful performance on their part.

The regional municipality of Sudbury is not normally a group of negative people, and yet they are being painted into a situation of wanting to stop development, putting barriers up to exploration. What nonsense. Surely the government agrees that, if the company drills down and gets uranium, it is going to allow them to extract it through that source. They cannot say the company can explore but not take it out. They cannot say that. If they drill and they find it, they are going to take it out. What kind of situation would they be in then when they say: "We have let you spend several million dollars on drilling. We are not going to let you take the ore out"?

What the government is doing is giving the company a permit to take uranium out from underneath the drinking water supply for the city of Sudbury. That is what they are doing. That is what they are giving approval for when they give approval for the company to drill. We say that is fundamentally wrong.

I wish the regional municipality of Sudbury were as tough on its position on the control order for Inco as it is on the drilling for uranium through its own water supply. If the government allows that to happen, it is going to run into a hornets' nest within the regional municipality of Sudbury, and so it should.

We believe it is simply an outrageous attitude on the government's part that it would say it would provide protection after the fact. I received a letter from the Minister of the Environment last year on this whole thing. I had written to him and asked him about the position. He wrote to me: "As you are probably aware, only one of the three former claim holders on Lake Wanapitei has retained his claim. Should this claim holder decide to drill, an application for a work permit would be submitted to the Ministry of Natural Resources. Only after the Ministry of Natural Resources and my ministry were satisfied that the proponent could comply with the guidelines developed to protect the lake (see attached) would a work permit be issued."

If I could interject into the letter for a moment, the kind of guidelines this government would insist on would allow, I suspect, virtually any developer to get in there and drill. Then he goes on: "It is still my firm belief that the existing legislative authority is adequate to protect Lake Wanapitei. This legislative authority includes the Environmental Protection Act, the Ontario Water Re-

sources Act and the Environmental Assessment Act. Yours truly, Harry Parrott."

The minister attaches the guidelines and information requirements for offshore drilling on Lake Wanapitei—specifically for Lake Wanapitei; not for all the drinking water supplies in Ontario, but specifically for Lake Wanapitei. It goes all the way through and lays down all the rules they must follow if they drill. It does not say a word about what happens when they find the uranium, if they find it. What is the government going to do then? What is it going to do when they find it, if they find it?

What this government is doing is outrageous. They will let them drill and they will let them take uranium out of the water supply of Sudbury if they find it. They could not do otherwise. Let them stand up and admit that to the people of Sudbury.

**Mr. Havrot:** Mr. Speaker, it was more than six months ago that this chamber dealt with this bill. If I am not mistaken, this is the third time in less than two years that we have had to deal with similar legislation from the member for Sudbury. But I am sure it is not the last time that we will have an opportunity to examine this bill; so please excuse me if I wander off topic.

Before I turn to the merits of this unending legislation, I would like to put some of the honourable member's motives in perspective. The obvious intent of this legislation is to hinder and restrict mining development in the north. The majority of northern mining activity is in close proximity to bodies of water which may, at some time in the future, prove to be somebody's source of drinking water.

**Mr. Laughren:** Not close proximity; the very water supply.

**Mr. Havrot:** I kept quiet while the honourable member was talking; so why doesn't he?

This type of legislation is not unexpected from this member. The paranoia he exhibits about all of the things connected with mining company activities is one of the few consistencies that the member for Sudbury can claim. If I am not mistaken, the member opposite even claimed that Sudbury District Chamber of Commerce was a lackey organization for Inco. I am still not sure which is more fantastic, the discrepancies of fact or the claim itself.

This paranoia of all mining activities has a serious effect on northern development. I might also add that the honourable member's repeated attempts to raise mining taxes jeopardizes further expansion and development.

It is an attitude which I have felt is dangerous and misguided.

What disturbs me most is the alternatives that are left open to the people of the north by the honourable member. Unfortunately, they are not very attractive. It seems that on the one hand he attempts to inhibit and curtail resource development, and yet on the other hand he has no alternatives for economic growth. In fact, he even goes so far as to rule out other possibilities for northern economic growth.

**Mr. Laughren:** That is untrue.

**Mr. Havrot:** My knowledge is no match for your ignorance, thank you.

I would like to quote a passage from the public accounts debate of last November. This is the contribution of the member for Sudbury.

"I start from the position that the ministry is dead wrong and they are going in the wrong direction when they think that tourism is a substitute for decent development in northern Ontario. I object to the government of Ontario turning northern Ontario into the biggest hot-dog stand in Canada. That seems to be your thrust. It is not an alternative to proper development. Any area which relies on tourism as its prime source of sustenance is a pretty poverty-stricken area. You can go around the world and take a look at that. It is not an alternative to the resource development which was the reason for settling northern Ontario in the first place."

I am confused. This resource development of which the member speaks cannot possibly include mining, because it is legislation like this before us that inhibits it. How can we have resource development without exploration to find new resources?

But if one takes away resource development—although for the life of me I cannot understand how one can encourage this development by taxing the mining companies out of existence or limiting their exploration—what is left?

The honourable member is clearly on the record as saying that tourism development in the north is nothing more than "a hot-dog stand." There are many northern communities that thrive in the tourist industry and whose very existence would be seriously jeopardized if it was not for that industry. I would like to remind the member for Sudbury that the second largest industry in the province is the tourist industry and, despite his convictions, it is not going to just dry up and blow away.

4:20 p.m.

In the sixth century, BC, Aesop said: "I will have nought to do with the man who can blow hot and cold with the same breath." It is my hope that the people of northern Ontario will have the same feelings for the party he represents.

This bill will seriously curtail mining exploration. Just because there is exploration on or near a water body does not necessarily mean there will be a mine in the middle of the lake, but I am afraid that is the inference left by this bill.

As I said last October, we have adequate legislation in this province to cover the security of drinking water. Obviously, since the bill is a repetition, these points bear repeating.

Section 32 of the Ontario Water Resources Act deals with the water quality. It makes it an offence for any person or municipality to discharge or deposit any material of any kind in the water, or on the shore or bank of a water course or water bed, or in any place that may impair the quality of the water. On summary conviction, the offender is liable to a fine, on first conviction, of not more than \$5,000 and, on each subsequent conviction, to a fine of not more than \$10,000. Each day of contravention constitutes a separate offence.

Section 36 allows a regional director to define an area that includes a source of public water supply and to provide protection for it. This section can be used to prohibit swimming or even bathing or the deposit or discharge of any material that may impair the quality of water, or any acts that would unduly reduce the amount of water available within the public water supply system. On summary conviction, a person guilty of an offence is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or both.

Section 36 could be used at the request of the municipality to protect its source of water supply. It is a very important section.

Section 37 of the Ontario Water Resources Act states very clearly that this regulates the taking of water. Except for the exclusion of domestic or farm uses, it requires any person taking more than 10,000 gallons of water in a day to obtain a permit issued by the director of the ministry. The director may issue, refuse to issue or cancel the permit and may impose such terms and conditions in the issuing of a permit as he considers proper.

This section also covers the taking of water by means of wells, surface source of supply, any structures or works constructed for the diversion and storage of water. It allows the ministry to regulate water use and prevent

interference with community water supplies. I repeat that it prevents interference with the community's source of water supply.

Under the Environmental Protection Act, which is complementary legislation, protection is provided to preserve environmental quality and to provide for the control of operations which may represent a hazard from contaminants added to or emitted or discharged into any part of the natural environment by any person or from any source. A director of the ministry may issue a control order in accordance with section 6 or section 70 to limit or control the discharge of contaminants or stop the addition, emission or discharge. The control order can set out procedures to be followed in the control or elimination of the contaminant or call for the installation, replacement or alteration of equipment designed to control or eliminate the contaminant or call for the installation, replacement or alteration of equipment designed to control or eliminate the contaminant.

I have two main difficulties with Bill 39. First, it is redundant and unnecessary. The protective legislation is already in place and provides a strong basis for the Ministry of the Environment to protect the water supplies of municipalities.

As I mentioned last October, the second problem is one of confusion in definition and enforcement. The bill defines a source of community drinking water as "any body of water that is used or is likely to be used as a public source of drinking water by any municipality or other community in Ontario." The phrase "or is likely to be used" could include almost any body of water in Ontario and might preclude that we will ever have another mining operation started in this province. That seems to be more than a little short-sighted.

I might add that last winter the town of Kirkland Lake, with the approval of the medical officer of health for Timiskaming, approved drilling on Victoria Lake by Queenston Gold Mines Limited. The original gold discoveries in the Kirkland Lake area were made on lakes. Inspections of Elliot Lake were carried by drillers through the ice during the winter months. Massive discoveries of uranium were made, and today the area is called the uranium capital of the world.

For these reasons I cannot support this bill. Legislation for the sake of legislation is not the right answer.

**Mr. Blundy:** Mr. Speaker, I am very pleased to rise in support of Bill 39, which is being submitted by the member for Sudbury. I believe that this bill addresses some real

fears that are held by many people in Ontario today.

The Ontario Water Resources Act goes a long way to protecting water resources. Just a few years ago we had no protection whatsoever. I can recall when drilling in even the Great Lakes, Lake Huron and so forth, was contemplated. At one point there were two drilling platforms built in Lake Huron to drill for oil and gas. The people of the city of Sarnia and the county of Lambton acted as one in opposing that matter. They finally got the word of the previous Premier, Mr. Robarts, that unequivocally there would be no drilling in the lakes.

We are talking specifically about the water supply of a major city in Ontario. It does not matter whether we are talking about Wapitei Lake or any other lake in Ontario. We do not know the day that any lake may become the source of potable water for people in Ontario.

The people who are opposing this bill are talking about interfering with resource development in Ontario. I am sure none of us in this House wants to do anything that will interfere with the resource development of Ontario. There are other ways and means of developing the resources. An engineering feasibility study now available suggests even for oil one could drill back hundreds of feet from a lake on a diagonal pattern to tap the pool of oil under the lake. There is no reason to say we ought not to have this bill because it might prevent us from developing the resources of Ontario.

The point is, even though I have now admitted that the resource development of Ontario is most important and must not be interfered with, how important is it to ensure—and I use the word “ensure”—the safety of potable water in this province? That is very important. If we do not have potable water, there will be no people to develop the resources of the province. We do not have complete prevention of water pollution under the existing Ontario Water Resources Act, even under section 32.

4:30 p.m.

The Ministry of the Environment has built plants all around Lake Huron, having spent many millions of dollars, and is now pumping water that serves 2.5 million Ontarians from plants located all the way from Sarnia north right up the lake. In Lambton county, there is the new \$40-million water pumping station and treatment plant, as well as ones at Brights Grove, Kettle Point and Grand Bend, all taking water from Lake Huron. If that is going to be the main source of potable water

for so many people in the southwestern area of Ontario, then it must follow that we will not just pay lip service to it, but ensure that nothing will take place in that lake that we can prevent. An act such as this will be able to handle that.

Previous speakers have talked generally about the lakes in the north, which are one of the beauties of the north, and getting away from the development of resources that is so important there. There has been talk about the tourist industry potential of the north. A great deal of that potential is due to the freshwater lakes so generously spread around throughout the north. For that reason, as well as for the potable water source for municipalities, we must consider the protection of the tourist industry in the north.

We have had people here this afternoon who spoke about the value of the tourist and hospitality industry in the north. That is a great potential, and it is another resource we must protect. I believe that a bill such as Bill 39, introduced by the member for Sudbury, is going to help to ensure that as well.

To sum up, I do not believe that existing legislation in Ontario is going to stop the possibility of pollution by minerals or oil or other things in the lakes of Ontario now. These bills will provide for penalties and for cleanup matters. But nothing is more essential than stopping it before that first act is taken. Therefore, I say a bill such as Bill 39 has an important place in the legislation of Ontario. I wish to support it and I hope other members of the Legislature will do the same.

Ms. Bryden: Mr. Speaker, in three and a half minutes, I can certainly say I am glad to support this bill for the third time. But I am shocked that it has to keep coming in year after year because the Conservative members, who have blocked this bill for each of the past two years when it came up, are putting the rights of mining companies to drill in areas that are sources of municipal water supply ahead of the rights of the residents of this province to have clean water.

I have introduced a bill calling for an environmental Magna Carta for Ontario, which I hope members will adopt next week in the private members' hour. In its preamble it states a position that I believe is widely held in this province. It says: "Whereas every person has a right to clean air, pure water and a healthy environment, and whereas it is the duty of the state to ensure that these rights are protected. . . ."

We would not need to keep bringing in bills of this kind if the Minister of the Environment and the Minister of Natural Resources would fulfil their obligation to protect our water supply. If the government continues to abdicate its responsibility in this field, we can expect this kind of legislation introduced by other members to protect their municipal water supplies.

The member for Sudbury mentioned a long list of northern municipalities that are supporting this bill, not just Sudbury. They all face the same threat from unrestricted mining activity. In fact, I believe municipal councils throughout the province would support the principle of this bill, namely, that no source of water supply should be endangered by allowing activities in the vicinity of the supply which might cause pollution.

In the north the threat is mainly from mining activities. In the south it is largely from industrial pollution. Even in my own area of Metropolitan Toronto we face a threat to our water supply from dredging activities in the Keating Channel and the deposit of the dredgeate in an area of Lake Ontario close to the Island water intake. We need legislation of this sort to protect us from that sort of activity. We need designation of water supply sources so that special rules can be made to prevent contamination by certain kinds of activities.

More and more toxic substances are being used today, which is all the more reason why we must have special rules about keeping those toxic substances out of our water supplies.

**The Acting Speaker (Mr. MacBeth):** The honourable member's time has expired.

**Mr. Germa:** Mr. Speaker, I wish to thank those members in the chamber who saw fit to support the legislation: the member for Huron-Bruce (Mr. Gaunt) and the members for Sarnia (Mr. Blundy), Nickel Belt (Mr. Laughren) and Beaches-Woodbine (Ms. Bryden). They gave good and rational reasons why the bill was worthy of support; they recognize the importance of such legislation. I am surprised at the response from the government side, although it was expected.

The member for Mississauga North (Mr. Jones) criticized the debate because it had not changed from the last time the bill was presented. There is no reason why it should change. The case was made last October, and it's still valid. The hazard still exists. The people in the city have not changed their minds and the people of Ontario deserve the protection the bill would provide.

To say it is a duplication of present legislation is false. If it were, we would not have hundreds and thousands of lakes polluted because of the lack of legislation and non-enforcement of the present legislation. To say that I would serve the cause by supporting the present legislation is to beg the question. I do support the legislation. I am in favour of clean drinking water, clean air and a clean general environment. This government has not seen fit to administer its own legislation.

Despite the negative attitude of the member for Mississauga North, I respect his opinion. If he thinks the world is okay as it is unfolding, that is his opinion. I do take issue with the remarks made by the member for Timiskaming (Mr. Havrot), whose argument was so weak he had to reduce himself to personal invective rather than dealing with the problem when he accused me of having motives other than the preservation of clean and potable water.

He said my motives were to block mining company exploration and expansion. Nothing could be further from the truth. If he cared to delve into my background, he would discover I made my living for 35 or 40 years in that field. I know the benefits of mining in Ontario, because without mining I probably would not have survived. I have a high regard and high respect for mining. While I do have that regard and respect, I do know how dangerous mining is. Not so the member for Timiskaming, who has spent his life somewhat otherwise occupied and he knows not whereof he speaks.

4:40 p.m.

**Mr. Havrot:** My father spent 29 years underground. I've lived in a mining community all my life.

**Mr. Germa:** His father is not sitting in the Legislature; it is the member who is sitting here. He should not speak to a subject he knows nothing about.

**Mr. Havrot:** Oh, I know all about it.

**Mr. Germa:** At least I was there, and I know what I am talking about.

I may have inadvertently contributed to tourism and I didn't think of that at the time I proposed the bill. The member for Timiskaming could not turn northern Ontario into a hot-dog stand if all the water bodies were polluted. If I go along with him, he is going to kill the tourism business more than I am. So I am contributing to the tourism efforts of the province in making sure that the water is clean and worthy of tourists coming to visit.

I would remind the member for Timiskaming to take a look at what has happened to 110 miles of the Serpent River chain from Elliot Lake right down to the north shore. There are 110 miles where not a living thing is left in the water body because of the laxity of this government and this cabinet in protecting water supply from contamination by miners.

If a tourist does inadvertently fall into the Serpent River system, he will come out glowing. He won't need any lights in his house; he will be radioactive. That is the kind of environment the member for Timiskaming (Mr. Havrot) is advocating.

In closing the debate, I do thank those who spoke in support of it. I would hope that the government would see fit not to block the bill.

**The Acting Speaker:** The time for debating Bill 39 has expired.

#### SERVICES FOR THE AGED IN NORTHERN ONTARIO

Mr. Lane moved resolution 26:

That, in the opinion of this House, the Ministries of Housing, Health, and Community and Social Services should combine their efforts in those areas of northern Ontario where the population is sparse, and in some of which these services will otherwise never be available, to provide rent-gear-to-income apartments, nursing home beds and residential home care beds within single combined facilities so that the people who have contributed to the building of the towns, villages and rural areas of the north will be able to remain in those areas when they age and are no longer able to take care of their own needs.

**Mr. Lane:** Mr. Speaker, a great social problem in northern Ontario among middle-aged and elderly people is the concern about where they will be when due to age or disability they are no longer able to take care of their own needs. This is not a concern in the larger urban areas of the north, but in the small towns, villages and rural areas the people who have spent their lives there want to remain there through the sunset years of life.

Yet because of the sparse population and the high cost of building and operating facilities of this kind, most of these areas can never have the benefits available to people living in the heavily populated areas of the province. That is the case unless the Ministries of Health, Housing, and Community and Social Services combine their efforts and provide a total needs facility that would in-

clude nursing home beds, residential care home beds and rent-gear-to-income units.

By combining these programs into one facility, we could have a viable operation in many areas of northern Ontario where none of these services could ever be provided by any one of the three mentioned ministries on an individual basis. I am not talking about spending more money. In fact, as I see this proposal, we would spend much less money as the facilities would be owned and operated by private business.

**Mr. Wildman:** Wait a minute.

**Mr. Lane:** I thought I would catch the member there.

As I see this program, an area needing these services would be assessed and, when the need had been decided, a call would go out for proposals from the private sector to provide the required facility. The best proposal received would be accepted, and the project would be completely owned and operated by the person or company which had put forth the best proposal and it would be operated under government regulations.

In this way we could be sure the residents of the complex would receive a high level of care, but we would not have to invest large amounts of public funds. The various ministries would pay on the same basis they do at present for operating losses on rent-gear-to-income units, nursing homes and home care beds.

We must provide these services for our people. The problem is that on an individual ministry basis these services can be supplied only in the larger areas. While our elderly can have the services they require, they have to be taken miles from home, family and friends when the time comes that they cannot provide for their own needs. In many cases, they die before their time because of loneliness. What I am proposing would mean that we could prevent this situation and allow people to enjoy these services in their own part of the province and be happy in the sunset years of their lives, rather than unhappy and lonely.

Some may think I am overstressing the situation. This is not the case. I have seen it happen far too often. I have many constituents who tell me how unhappy their mother or dad is in a nursing home for the aged in Sudbury or Sault Ste. Marie. This is not because they are not receiving good care, but rather because they are too far from home and family. Visits from family and friends are few and far between.

If a family member is in a nursing home less than 50 miles from home, it is quite easy



for the family and friends to visit on Sunday afternoon or a workday evening because the round trip is 100 miles or less. However, when a person is in a facility 150 miles or more from home, the round trip is 300 miles or more, thus visiting of any kind on a regular basis is out.

About seven years ago, the member for Muskoka (F. S. Miller), who is now our Treasurer, but who was then the parliamentary assistant to the Minister of Health, and the late Hon. John Rhodes and myself spent a fair bit of time looking at this situation in the north. We agreed that a total needs complex was the right approach to this problem. In fact, I can remember the member for Muskoka and myself sitting down with the mayor and council members of the town of Espanola who were then in need of some of these services. We advised them that at some time in the future we would hope to provide for the total needs of the elderly and the disabled.

Time has passed, and I have continued to work with the town of Espanola to get a project of this nature under way. Now it looks as if we will get a pilot project under way in that town. The town officials have co-operated with me on this proposal and have purchased acreage for the project. The soil testing has been done, as has the surveying. The study has been completed regarding the rental unit, and the Manitoulin District Health Council is recommending 30 nursing home beds. We have a working group made up of the Provincial Secretariat for Social Development and the Ministries of Northern Affairs, Community and Social Services, Housing, and Health. I am hopeful we will be into this pilot project in Espanola during the building period this summer.

I would like to tell this House I have the full support of my minister, the Minister of Northern Affairs (Mr. Bernier), not only for the project in Espanola, but for the total proposal itself. In fact, I had a letter on May 26 from him dealing with a number of matters, the second paragraph of which says:

"As northerners, it is clear to both of us that the standard responses to the needs of senior citizens do not always result in satisfactory care. I am anxious to see proposals develop that will suit the particular local needs of our widely dispersed northern communities. I am prepared, therefore, to urge ministers with responsibility for full grants in this field to assist in the development of the concept behind the Espanola long-term care proposal."

4:50 p.m.

Mr. Speaker, you may very well ask, if things have progressed that far, why bring forward the resolution that we are debating at this time? The reason is clear. As I have pointed out, I have been working for six years to get this model or pilot project built in Espanola and, as I have also said, we hope to be into construction this summer. We cannot afford such long periods to elapse between the time the need is shown and the time the matter is resolved. My idea in bringing forward this resolution, which, I would hope will get the full support of all members of all parties in this House, is to put in place the proper mechanisms to resolve these needs as they are identified across the north.

It could be that some may think I am proposing some kind of an institution in which to put our elderly people out of sight and out of sound. Nothing could be further from the truth. This proposal involves a complex that would require approximately seven acres of land for buildings, lawn and garden areas. It would include 30 rent-geared-to-income apartments for senior citizens needing this type of housing, 30 nursing home beds and 30 residential home care beds, plus a large senior citizens' drop-in centre to accommodate up to 150 people. It would also provide a library, games room, work shop, craft shop, exercise and recreational areas as well as a barber shop, beauty salon, coffee shop, tack shops and so on.

The nursing station would be so located in the complex as to serve both the nursing home wing and the residential care wing. The laundry and kitchen areas would be located so as to serve the entire complex. In fact, the kitchen could well be the base for a meals-on-wheels program for the area. The grounds would include a lawn large enough to accommodate various types of outside recreation. Also it is very important to have a garden area so that all those persons who would wish to could have a garden plot and grow flowers or vegetables.

It is very important that all of these services be under one roof so that the residents who have to use wheelchairs to transport themselves from one place to another will have the same access to all of these services as those who are able to get around without help. It is also important to have the entire complex on the same floor level because stairs are always a problem to the elderly and even elevators are not as convenient as having everything on one level.

It is also important to have a good parking area as near the main entrance as possible so that those senior citizens living out in



the community would find it very convenient to drive to the complex and could spend a good deal of their time using the facilities I have described and enjoy being with their friends who, because of age or health, find it necessary to be full-time residents of the complex.

It is most important not only to keep our seniors involved in the community, but also to get the community involved in the life of the complex. In fact, I have already been advised by a service club in the area that it wants to put a bus service at the disposal of the people living in the proposed complex.

There is no doubt that if we are able to provide properly for our seniors and disabled people in the sparsely populated areas of the north, the type of complex I have described in this past few minutes would not only provide the proper facilities for those in need of these services, but also provide these services at a lower cost to the taxpayer in the places of the province where our senior citizens will be able to get the very most out of the sunset years of their lives. This will happen only if they continue to be part of the community they helped to build and are able to enjoy to the utmost their friends and families, grandchildren and great-grandchildren because, as we get older, these people play an increasingly important role in our lives.

I trust I can get the full support of the House to make sure that this great social concern we now have in the north can be taken care of and that our people can look forward to a long and happy retirement in the part of the province they choose.

I have not taken the full 20 minutes allowed. I would like to reserve a couple of minutes to wind up and I would like also to have as many members as possible enter into this very important debate this afternoon.

**Mr. Deputy Speaker:** I will reserve two minutes for the honourable member.

**Mr. T. P. Reid:** Mr. Speaker, I rise to support the resolution. When I look across the floor and see the Minister of Northern Affairs, who shortly will be ready for one of these institutions, I am sure he too will be supporting it.

**Hon. Mr. Bernier:** The member is just checking my new hairstyle.

**Mr. T. P. Reid:** I noticed the new hairstyle. I figured the minister must be getting a little thin on top.

However, the idea put forward by the honourable member, as he has already in-

dedicated, is not entirely new. It relates to people who have lived in small towns in northern Ontario, mining communities, railway communities or communities associated with forestry or perhaps tourist areas. Essentially they are relatively small communities of anywhere from 500 to a few thousand which do not have, and cannot support on their own, facilities for senior citizens in the area.

I have had similar problems to the honourable member, in Rainy River. I have people who have to go to the Rainycrest Home for the Aged in Fort Frances, an excellent facility, but they have to come from the west end of the Rainy River district. From the town of Rainy River, it is a 60-mile drive each way. If they come from the far northern agricultural areas, the Morson area and so on, it can be over 100 miles. Atikokan on the east is 90 miles from Fort Frances. We have only the one facility there to deal with senior citizens who require assistance.

We have senior citizens' apartments in some of these areas, but they are not sufficient. We are all in this together. We are all going to go out the same way. At our different ages and stages we may be able to care for ourselves, but then we may require a certain amount of care, and perhaps at the end of the line we might require much more care.

The principle of the resolution addresses itself to that very well. It is a fact that people are taken from a place like Atikokan, Rainy River, Barwick or Stratton, 50 or 100 miles from their families and from their homes where they have spent all their lives. A lot of these people in my area were pioneers. They find themselves in Fort Frances in a facility that is anywhere from 100 miles one way from where they spent all their other years, and they are lonely.

It is a fact of life, unfortunately, that in the society we live in today, people who used to move in with their sons and daughters and stay with them until the millennium came or whatever are now put in institutions. Once that is done, we often forget them. A lot of people look upon it as a burden to drive a couple of hundred miles on a weekend to see their mother, father, sister or brother, or whoever it happens to be in a facility not close to where they themselves reside.

With the cost of energy being what it is now and what it will be in the future, it may also be quite uneconomical for many people to be able to make these trips. As the member pointed out, this leaves these people in

these institutions lonely, with nothing to look forward to. They probably do not pass their declining years in anything productive or creative, but may pass away earlier than they might have because of loneliness and lack of stimulus from people coming to visit.

The Atikokan General Hospital has made a suggestion that there be an addition built on to the hospital so that people who are ambulatory, but who may need their meals provided, who cannot completely function 100 per cent on their own, but who do not have to be put in a complete care facility, such as an old folks home, would be able to have their own small apartments attached to the hospital where they have their meals provided and any medical care they might require at a relatively low level.

5 p.m.

To me, that makes eminent good sense. It would be a lot more inexpensive for the government, or whoever is going to pay for it, than putting everyone into an old age institution where the costs are extremely high. It would allow these people to remain with dignity in their own community where they were raised, where they have spent the better part of their life and where they are surrounded by their friends and family. I think this is a concept whose time has come.

There was a pilot project some years ago—three or four, I think—in Hornepayne where this very experiment was tried. I understand it has been most successful. It has been very reasonably costed in terms of the alternatives that would have to be provided. This is the way of the future for people in these communities.

I would hope this resolution would have a larger impact on the government than is indicated by the numbers listening to it today. The Minister of Northern Affairs (Mr. Bernier) resides in a small community himself and, I am sure, wishes to pass his declining years there after the next election.

Hon. Mr. Bernier: I am good for three more at least.

Mr. T. P. Reid: If he uses that in his campaign, he will never get re-elected. They are hoping this is his last one.

As I say, there was a pilot project in Hornepayne. I do not understand, quite frankly, why the government and the three ministries involved, which have already been outlined—Health, Community and Social Services, and Housing—did not all get together prior to this to push this kind of concept, both within their ministries and within the health units that have been set up across

northern Ontario. The Kenora-Rainy River health council is now dealing with the request of Atikokan. I am sure there will be one shortly from the town of Rainy River and the hospital there and from Emo and the hospital there as well.

The Provincial Secretary for Social Development (Mrs. Birch) does not do a great deal that we ever see around here, but I would have thought this is something her policy field should have been developing and co-ordinating so that we would not be here debating it today.

My friend from Algoma-Manitoulin introduced the motion. I am speaking on it and, presumably, the member for Algoma (Mr. Wildman) will be speaking on this too as we are all from northern Ontario. I would presume it is a matter also for other areas of the province, the rural areas particularly, where they are not right next door or adjacent to a city. They would also be involved and interested in promoting this concept.

I would hope we can continue this further than merely voting on it today. I am sure it would pass, not only because it is an excellent concept, but to vote against it would be voting against motherhood and one's mother and father, which I am sure nobody is prepared to do.

I wonder what kind of mechanism, other than the debate today, we can use to impress upon the Provincial Secretary for Social Development and the three ministers involved that this concept should be taken seriously, that it is one that should be brought to the attention of these various areas and should be something that becomes government policy with the concomitant funds being made available.

I think the honourable member was absolutely right when he said there would be a saving overall by the time we computed the cost of having senior citizens' apartments at one end of town and then a senior citizens' housing unit in a different space. The concept makes sense in terms of the people, the human beings involved, from a social point of view as well as an economic one.

Mr. Wildman: Mr. Speaker, I rise to support the resolution introduced by the member for Algoma-Manitoulin. I want to congratulate him sincerely for introducing it and for the excellent speech he gave in support of his resolution. There is only one small thing I might disagree with him on, namely, his proposal that this should be done entirely by the private sector.

As the member for Rainy River indicated, there has been a pilot project for a number

of years in my riding in Hornepayne carried out through the Hornepayne Community Hospital with funding from the Ministry of Health and the Ministry of Community and Social Services. The Ministry of Housing, interestingly enough, has not been involved. They are looking at the establishment of senior citizens' apartments elsewhere.

The proposal made by the member for Algoma-Manitoulin is a very good one. The suggestions made really warrant serious consideration by the government since combined facilities would show a saving whether in the public or private sector. I certainly support that. I am so in favour of it and I have spoken on it many times in the House. The first major speech I gave in this House during the Ministry of Health estimates in 1975 was on this very matter.

This proposal is important to areas such as ours. Take the riding of Algoma. We have senior citizens' apartments in some small communities. The main old age homes are located in the southern part of the riding. There is one in Sault Ste. Marie and one in Thessalon. That means someone from Wawa, for instance, has to travel at least 140 miles from home. For someone from White River or Dubreuilville, it is a distance of approximately 200 miles. For someone from Hornepayne, it is 260 miles.

As the member for Algoma-Manitoulin indicated, that is just not acceptable in terms of dividing families. Many people who need care are unwilling to travel that distance because they do not want to be away from the familiarity of their home, their friends and their families. If we don't provide these people with facilities in their own communities in an economic way, we are denying them the kind of care they deserve after all the years they spent building those communities. The way to go about it is as the resolution proposes. There should be a combined, integrated effort of various ministries involved in different types of housing and care. I support that concept.

I would like to talk a little bit about the pilot project at Hornepayne. I want to say how disturbed I am by the fact that it is still a pilot project rather than a permanent facility. I am glad the Minister for Northern Affairs (Mr. Bernier) is in the House today to hear this debate. As the minister responsible for co-ordinating the operations and the response of the other ministries to the difficulties and problems in the north, he could be playing an enormous role by co-ordinating the activities of these various ministries

as proposed in the resolution by the member for Algoma-Manitoulin.

Hon. Mr. Bernier: We are.

Mr. Wildman: I want to get to that. I regret that apparently, the minister is not going to participate in the debate, but perhaps if there is time he will be able to respond to a couple of things I want to say.

The Hornepayne centre is attached to the hospital, as I said. Its main advantage is it provides residential and extended care so that the disabled and elderly in the community don't have to travel 260 miles to receive care. It was a five-year pilot project. 5:10 p.m.

It has been evaluated by the Algoma District Health Council which agrees with the opinions expressed by many that this project has proved most successful in economics and should serve as a model for ensuring the availability and flexibility of care for other small northern communities.

But it is still a pilot project. The government has not responded and has not said it will go ahead with this concept or that it wants to make it permanent in Hornepayne and extend it to other communities like Wawa and other small communities in northern Ontario.

There are problems with the facility at Hornepayne. It is set up as a portable unit. It is a prefab wooden unit; it is not a permanent structure. The Algoma District Health Council has recommended to the government that it be renovated or replaced by a permanent structure. The Ministry of Health has indicated that it is receptive to that idea, but we have got absolutely nowhere with the Minister of Community and Social Services (Mr. Norton). This is mainly because he does not have any money. Although he makes general comments that it is a good concept and he likes it and supports it, he can't put his money where his mouth is.

Because of that, I have asked the Minister of Northern Affairs to become involved and to try to co-ordinate that response, encourage his colleagues to respond. I wrote to him about this, as he may recall, on November 26. I was supported by our Community and Social Service critic, the member for Bellwoods (Mr. McClellan). I have yet to receive a response to that letter.

I did receive a response to a copy of that letter which I sent to the Minister of Health (Mr. Timbrell). He stated on January 10 that his ministry was working with the staff of the Ministry of Community and Social Services and the Ministry of Northern Affairs in an

effort to develop proposals mutually acceptable to all three ministries for replacement of the residential care unit at Hornepayne Community Hospital.

He wrote: "I am sure that you will appreciate that, given the financial constraints facing each of these three provincial ministries, it may not be possible to replace the residential unit in the immediate future."

As far as I am concerned, that is being penny wise and pound foolish. As the member for Algoma-Manitoulin indicated, if they went with this concept they would save money; it would not cost more. It is encouraging to know that at least the Minister of Health does seem interested in the proposal.

I again approached the Minister of Northern Affairs to ask him to prod his other colleagues to become involved in this. I wrote to him on April 28, pointing out to him that the Algoma District Health Council had sent a resolution to the Minister of Health and the Minister of Community and Social Services urging them to make a clear decision on the Hornepayne concept and on the Hornepayne project. I have yet to receive a reply to that letter too. I have not heard from the Minister of Northern Affairs on either of these letters.

I did receive a copy of a letter, however, from a Mr. Bain of the Ministry of Health to the Algoma District Health Council, in which he said he had been given the role by his minister to co-ordinate the activities of the three ministries in response to the Hornepayne study. That was dated April 23 of this year. That, again, is encouraging. At least they are talking to one another about it.

The Algoma District Health Council sees this as the type of project that could be used in other small communities to enable the disabled and the elderly to stay in their own communities. In that vein, the council held a meeting of the various ministries involved and senior citizens groups and set up a committee in the Wawa area to see how this kind of concept could be applied there. That group wrote to the Minister of Health and the Minister of Community and Social Services on May 8, suggesting they have a meeting at the end of May. The letter pointed out that there were about 200 residents of Wawa who were in the age category that could use these kinds of services in their own community.

This organization received no reply from either minister until I got in touch with their offices. The Minister of Health's staff apologized very much for not having replied until after the end of May when they wanted the

meeting. Boyd Suttie, assistant deputy minister, community health services, sent a letter to the chairman of that group, in which he suggested to this committee, which had been set up by the Algoma District Health Council, that he get in touch with the health council to discuss this concept.

All I am saying in this whole thing is that everyone accepts the proposal and everyone agrees with the concept, but one hand does not know what the other hand is doing over there. They cannot get together, and the Minister of Northern Affairs is doing nothing about it.

I would hope the introduction of this resolution by the member for Algoma-Manitoulin will prod his cabinet colleagues to do something to respond to the needs of the elderly and disabled in the small communities of northern Ontario.

**Mr. J. Johnson:** Mr. Speaker, I wholeheartedly support the resolution before the House today. It is a reflection of the humanity and concern of my colleague, the member for Algoma-Manitoulin (Mr. Lane) towards the senior citizens of northern Ontario.

Although my constituency is in the southern part of the province, it is a rural one. I know that distances and travel can prove to be a hardship to older residents. This is especially so for those people living in small villages or farms. The principle of this resolution could very well serve a useful purpose in a rural riding such as Wellington-Dufferin-Peel.

All of us recognize that northerners have special needs and requirements. There is a certain pioneer spirit that binds people together. Long distances and harsh terrain and climate are combined with a scattered population. Those people have the same need and right to the services that the majority of us take for granted.

Ontario society is undergoing a change. It is aging. As a result of this trend, social services for the elderly are going to have to be adjusted; programs will have to be strengthened; co-operation among those ministries that deliver social services will become even more necessary. This government has recognized the problem and is beginning to take steps towards improving the facilities and services available to the elderly. What this government is committed to is ensuring the dignity and wellbeing of its elderly citizens. By elderly I am including the very old people in their 80s and 90s who are not necessarily physically sick, just frail. Yet in the north these people cannot travel two blocks down the road to get to an elderly

persons' centre or rent-geared-to-income housing. Their nearest place might be 30, 50 or 100 miles away.

At any time of the year this would prove to be an obstacle that would be practically impossible to overcome on their own resources. The questions we must consider then are the following: What is being done at the moment to provide services to seniors in the north? How effective are the programs and what alternatives are being considered to strengthen integration of social services? Finally, can such new alternatives and programs be delivered within a reasonable cost?

In addressing the first question, the Ministers of Health, Housing, Northern Affairs and Community and Social Services work together to provide complementary services.

**Mr. Wildman:** Why can he not answer my letter?

**Mr. J. Johnson:** Yes, sir. For example, in Hornepayne, a 16-bed residential and health care unit was built on to the community hospital in 1974. A new idea is a proposal to establish a nursing home, residential care, housing units and a community centre complex in Espanola.

Ideas of this sort are indicative of the concern and flexibility of both the government and the local residents. I might add that we should not underestimate the abilities of volunteers and local clubs to help the elderly. It is not only these people but family members as well who can provide for many of the emotional and physical needs for senior citizens.

**5:20 p.m.**

At present, the Ministry of Health operates home care programs in northwestern Ontario, Algoma, North Bay, Sudbury, Porcupine and Thunder Bay areas. I am sure the member for Rainy River (Mr. T. P. Reid) is pleased that the home care program in his district is being expanded to include chronically ill patients. The government has a positive role to play. It works with local district health councils, social service groups and other ministries to provide initiatives and service funding to groups involved with the community.

In the Ministry of Community and Social Services northern region, there are over 2,900 beds in municipal and charitable homes for the aged. This represents approximately 10 per cent of total provincial beds. I have done a little checking and have discovered that 47 per cent of northern beds are located in municipalities with average populations of under 6,000 people. The people living in the sur-

rounding areas would also have access to these beds. I find this an encouraging indication that facilities are being provided in smaller communities. I might also add, that the ratio of municipal and charitable beds per 1,000 population aged 60 and over in the north is 28.1, which is much higher than the 24.9 bed provincial average.

Another example of alternative methods of support for the elderly in the ministry's home support program. Under the program, social service agencies and citizens' groups are eligible to receive up to 50 per cent funding for their approved budgets by the Ministry of Community and Social Services. The remaining costs are met through donations, user fees and municipal grants. Funding is being provided for a variety of projects such as Meals on Wheels in Sudbury and New Liskeard. Another project is snow removal for the elderly living in Wawa.

Solutions of this sort are practical, simple and effective. However, while it is all very easy to stand here collectively patting ourselves on the back, two questions remain: What other methods can we devise to assist northern senior citizens to stay in their own communities? How can these new approaches be combined to achieve the maximum results within reasonable budgetary guidelines?

I don't think there is any doubt that the three ministries in question agree with the proposal to combine the resources in communities that have the need for their services. In fact, there are already some combined facilities located not only in Hornepayne but in Chapleau and Dryden as well. I know that any reasonable suggestion would probably be examined and studied for possible implementation. The major obstacle is that while it would be beneficial to combine facilities in communities, the high costs of capital construction and renovation must be considered.

It is not just a matter of going into a community and saying: "Okay, folks, how would you like a new integrated complex for your elderly residents?" We also have to pay a percentage of the operating costs of the complex. In some places, cost-sharing by the local municipality might not be possible. Don't misunderstand me, it is not that the difficulties are insurmountable, but there has to be a realistic assessment of what can and can't be done. In fact, only one component of a ministry program might be required to satisfy the specific needs of the elderly within a given distance of that town.

The benefits of establishing integrated services for the elderly in the north are enormous. I would certainly support any

steps taken to keep senior citizens in their homes and communities for as long as possible. Helping the elderly should never be just a matter of obligation or necessity for this government, but a matter of pride. We owe them a great deal, and this government will ensure that they receive our support whenever and wherever it is needed.

I call upon all members of this House to support this fine resolution.

**Mr. J. Reed:** Mr. Speaker, it is a privilege for me to rise in support of this resolution put forward by my colleague the member for Algoma-Manitoulin (Mr. Lane).

In commenting on the principle of the bill, I must say to the member I wish he had also included the rural areas of southern Ontario in this resolution. It seems to me there are a good many areas in the south of our province where people grow up and live their lives in communities, but because of circumstance, because the physical infirmities of the body take over, suddenly they find themselves having to be completely displaced and taken away from those communities where they grew up and from their friends and peers whom they interrelated with all through their lives.

I also realize the member for Algoma-Manitoulin is going very much against the current of his own government and of his own party in recommending this kind of resolution, and I commend him for that bold step. I say that inasmuch as the trend by this government in so many things has been towards a more centralized kind of operation presented in the name of efficiencies, either now or some time in the future. What we have found through experience is those efficiencies have not happened, and a more decentralized policy serving the needs of people in relation to their lifestyle is more efficient in the end.

I will make a couple of references and cite a couple of examples. One has occurred in southern Ontario, the area I am most familiar with, that is the consolidation of schools. It has been policy in the past few years—it was a policy that prompted my standing for nomination and running successfully for election initially—that schools considered small, which was a very arbitrary kind of description, were also considered uneconomical and not serving the best educational interests of young people. In fact, experience has shown that smaller schools were just as economical, perhaps more so, as larger schools, and in many cases the quality of education has been superior to that of large, centralized, impersonal learning institutions.

The same thing can be said about the establishment of regional government, where governments became more centralized and thus one step further removed from the people. They were sold to us, forced down our throats, on the basis of efficiency, that they would actually be better and would result in lower taxes. In fact, experience has proved that taxes under the regional system have been higher.

I could go on and comment on the social aspects of that kind of centralization, but I use those two examples just to show that bigger is not always better as we go through this life. People do not live in regions, in counties, in large cities. They live in communities and will continue to do so as long as the human psyche is somewhat similar to the way it is now.

Even if one goes into the great city of Metropolitan Toronto, one will find it is made up of a composite of communities.

5:30 p.m.

If one goes into the region of Halton, one will find people live there in communities. One of the fundamental problems this government has had over the years is to relate not only its social policies, but its economic policies as well, to the fundamental fact that human beings choose to live and interrelate inside communities. If the government is going to serve the interests of people properly, it has to serve them in terms of the community.

Right now in the region of Halton, we have more than an adequate number of nursing home beds in the south end. Statistics show we are well served by nursing home beds there. But when we get north of halfway up the region, there are no nursing home beds. This simply means that someone who needs that kind of care must be removed from his community and must go to another area far away. I have to say that if any kind of moral persuasion can be brought to bear on this government, which this member is trying to do, he has my support and we stand behind him 100 per cent.

I hope he is conscious, as I am sure he is, of the fact that this kind of thrust should apply to the whole province. We have an opportunity here to improve the way we serve people. I know the Treasurer (Mr. F. S. Miller) and some other people will come back to him and say it is going to be more costly. They will give him the old Duke of Kent argument that we have heard so often. But experience has shown that it is not necessarily true that kind of decentralization costs



more money and is less efficient. I believe that both important aspects, the social as well as the economic, can be well served by this kind of thrust.

I can assure the member I will do everything in my power to see this idea is continued and grows.

**Mr. Breaugh:** Mr. Speaker, I rise to support this resolution. I do have some reservations about it, but essentially the thrust and the principle behind the resolution are ones which we, as a party, have supported for a long period of time. A couple of years ago, we addressed ourselves to a kind of model for the provision of care in a number of situations. They are interrelated between Community and Social Services and Health. In this particular instance, the Ministry of Northern Affairs has its little finger in the pie as well. It speaks to a number of problems.

I would join with those who expressed some small measure of regret that the resolution addresses itself to the problems of northern Ontario. There is absolutely no denying from anyone's point of view that is where the problems are more acute and more obvious. They are compounded by facts of geography, weather and road systems which do not exist in other parts of the province. But for many of those in southwestern and southeastern Ontario who live in sparsely populated areas the same concept and the same problems are there. The access is a bit better in terms of a road system and perhaps not as severe in terms of geography and weather conditions, but the same concept would apply equally as well there.

I want to go over what I think would be a major problem with this resolution because it is a highly supportable notion. The concept of integrating into one facility the work of other ministries is the most common-sense approach to it all that I have seen. It is my personal viewpoint that in the long run one would achieve a cost saving by doing that, but that would not be the purpose of the exercise because I think this resolution speaks to two major problems we have in Ontario.

One is the clearly demonstrated inability time after time for one ministry to co-ordinate anything with another ministry. If we add a third one, we go through an almost impossible mix to achieve what seems to be a very noble and sensible proposition. For some reason, the ministries are unable to co-operate with each other. Even if they all agree that it is a good idea and it ought to occur, somehow in the process of working among more than one ministry it becomes fouled up.

Everyone writes nice letters saying, "This is a highly supportable idea and we approve it in principle. We will now send our staff to work." A year later the common practice is the staff's report: "Due to some technical difficulty or administrative problem, we could not achieve what we all set out to do." That speaks to a failure of our own civil service, highly trained though it is and operating in most instances with extremely good intentions. There seems to be that constant inability to resolve a problem of this nature.

The second major problem this resolution gets at is very simply that the ministry service systems in this province, Community and Social Services, Housing or Health, are not set up in the first instance to provide services to human beings. The system does not work that way. The system is administratively sensible and logical. It is good for those who provide the service sometimes, but it is consistently wrong from the point of view of those who need the service. We have a health care system which is set up essentially—and historically there are good reasons and lots of documentation for it—so that doctors can practise medicine. It is not set up so that people who have a need for health care services will get them easily, conveniently and in the form they need.

The same is true of community and social services of all kinds. They are set up perhaps logically from an administrative point of view, but for some individuals who need that kind of assistance, whether it be an allowance, benefit or a pension, the system defies them. They do not understand it. They are into paperwork and different categories of service; they are covered under different pieces of legislation; they have to go to different offices; they have to call different people; they have to fill out different forms; they have to have information for the filling out of forms which they do not have. And, of course, because these offices are spread all over the immediate world, regionalized and so on, there is not much chance that an individual who needs care of any kind, health services, community and social services or, in this case, housing services, can quickly, easily and conveniently get those services.

They are all in little boxes and little categories and set up according to different ministries. The regions do not conform, nor do the needs of the administrators conform. They all have different approaches in the setting up of administrative models; they all have different approaches to covering different pieces of legislation supposedly geared to do noble things. The unfortunate fact of life



for people who need these kinds of services is simply that the system is not set up to address itself to their particular needs; it is set up for other purposes.

In a sense, this resolution goes directly to that major problem. We have a whole system of civil servants, programs and funding systems in place in this province which were not really designed in the first instance to service human beings. They are administrative systems. God help anyone who runs afoul of that system, or requires the system to be the least bit flexible or needs to work with more than one system at any given moment in time. He is going to have the kinds of problems all members have addressed themselves to in the course of this debate.

The concept which the member has proposed here is one which, to me, is basic common sense, that is, to set up the administrative unit to address itself in the first instance to the needs of the human beings it is trying to serve. If they need a place to live, if they need some social assistance programs or if they need some health care, then that is what the administrative unit should be. It is implementing the concept itself which causes the problem because all of our systems are set up to deal with very different concepts.

It is much easier to put them in an institution. It is much easier to take human beings and ship them somewhere in little boxes. That can happen. It is very difficult to bring those services to individuals in their own communities, where they were born, raised, grew up, worked, made friends or enemies, talked to other people, went to church and made contributions—in other words, where those human beings want to stay and have a right to stay. It is difficult to get that across to people who are used to filling out forms and doing reports and studies. To them, it seems a foreign language in a foreign world.

5:40 p.m.

It would be extremely worth while if this House would say this afternoon that the concept proposed in this resolution is necessary and is something which we all support. Forget the administration and forget the problems the ministers and the staff in the ministries have. Let us talk this afternoon about human beings who have needs, in Espanola or Hornepayne or Smooth Rock Falls or anywhere in this province. Let us talk about the concept of providing services which meet those needs.

If it means breaking every rule in the book to accomplish it, let us break them. If it means three ministries at very high levels

go crazy for the next six months, let them go crazy, instead of the people who require the services. If it means ministers have to bump their budgets around and that the whole system quavers a bit, then surely this system could use some moving about.

This concept is workable. It has been done in a number of other jurisdictions. It has been done in this province in a variety of ways, but it is always very difficult to achieve. I believe the concept is solid. The first principle of providing service to a province like Ontario is to address ourselves to the needs of the individual the system is supposed to serve. If the system can't get around to dealing with those needs, then change the system. The needs of the human being are what we are supposedly here this afternoon to try to meet.

This resolution is supportable from a number of points of view but it will be difficult to achieve.

I would like to conclude with this remark. I sense from the debate that members of all political parties have looked at this concept and found it supportable. Members from the government, the official opposition and from this caucus have voiced their support. When this House speaks on Thursday afternoons to a resolution like this, it ought to be heard, no matter what price the consequences. I sense the resolution will carry, I hope with a substantial majority. Then the test of the government will be to see whether it can carry out something which addresses itself to the needs of the people of this province, needs which have been clearly expressed by the Legislature itself.

If it can't, there are three ministers of the crown who have some explaining to do to this Legislature and to the people of Ontario. If it means—

**Mr. Speaker:** The honourable member's time has expired.

**Mr. Breugh:** They must go to their local member and do things they don't like, I plead with them to do that. The resolution deserves our support; the concept is long overdue.

**Mr. Hennessy:** Mr. Speaker, do I have 10 minutes?

**Mr. Speaker:** No, you don't. You have about five.

**Mr. Hennessy:** I think I'll forget about the speech because when they write a speech for me I can't read it anyway.

I come from northwest Ontario, a vast area. It is very difficult to get around. People who do need assistance find it extremely

difficult to get into Thunder Bay. Elderly people in small communities need assistance, be it medical or otherwise, and the government should look at trying to amalgamate two or three ministries and putting up some kind of structure to satisfactorily take care of the needs of the people in those areas. It is extremely hard, especially in winter, to go from one area to another and to do so in a short time. If there is a serious illness or emergency, it is difficult to get a plane at the appropriate time.

With all due respect, without taking up too much of the time of the House, I support this bill 100 per cent. The government should give serious consideration to establishing a multicare unit in northwestern Ontario and various small communities so that the people in those areas can receive the help they need.

**Mr. Riddell:** If the member supports it, the government will pass it.

**Mr. Hennessy:** Does the member opposite have to keep yapping? Can he not keep quiet once in a while? He talks enough here. For once, he could keep his mouth shut. He might just get elected.

With pleasure, I support this resolution and I wish the loudmouths on the other side would keep quiet.

**Mr. Lane:** Mr. Speaker, I certainly want to thank each and every member who has spoken this afternoon. I appreciate that my friend from Halton-Burlington said he wished the resolution had encompassed southern Ontario. I would say to my friend there are two groups in this province: northerners and those who wish they were northerners. In any case, if the concept is good then, God bless, it will apply to any part of the province where it fits. As a northerner, I am looking at northern needs. I basically directed the resolution to the area where I could see the need.

I appreciate the comments of my friend from Algoma and his frustrations with the Hornepayne situation which, as he pointed out, has been a pilot project.

While I call the Espanola proposal a model or a pilot project, it will also be a permanent situation. As a matter of fact, it is rather interesting to look at how quickly people accumulate. I start to talk about 6,000 people in Espanola, and then I look at five other organized municipalities within a 20-mile radius. We have Webbwood, Nairn, Baldwin, Massey and Spanish River townships and some unorganized areas. Suddenly, I wind up with over 11,000 people just in a 20-mile radius of Espanola.

If we look at the entire needs of northern Ontario—and, again, I am not keeping it in northern Ontario—it is surprising how often we could have a concept of this nature so that these people would be within a reasonable distance of home. We would really take care of needs that have been outstanding for a long time.

My friend from Oshawa raised a point about the difficulty of co-ordinating ministers and ministries to work together to provide any kind of total concept of this nature. I have been a member of this House long enough that I am not going to deny that is a problem. I will be the first one to accept that it has been a problem. All I am saying is now that we have the Minister of Northern Affairs in northern Ontario, this is going to be less of a problem. I am sure he is going to be co-ordinating a great many of these kinds of programs in the north, because we need programs in other fields besides social services.

In listening to the discussion this afternoon, it seems to me that perhaps this concept might be the key required to provide a greater service in the social needs field throughout the province. If that is the case, it has been time well spent.

5:50 p.m.

#### ONTARIO WATER RESOURCES AMENDMENT ACT

The following members having objected by rising, a vote was not taken on Mr. Germa's motion for second reading of Bill 39:

Belanger, Bernier, Birch, Brunelle, Cureatz, Eaton, Gregory, Havrot, Henderson, Hennessy, Hodgson, Johnson, J., Leluk, Maeck, McCague, McNeil, Norton, Parrott, Rotenberg, Scrivener, Sterling, Walker, Watson, Wells—24.

#### SERVICES FOR THE AGED IN NORTHERN ONTARIO

**Mr. Speaker:** Mr. Lane has moved resolution 26.

Resolution concurred in.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, I would like to indicate to the members of the House the business for the rest of this week and, at this time, for just Monday and Tuesday of next week. I will advise the House next Monday of the order of legislation for the rest of the week.

Tonight we will be considering Bill 89, An Act to amend the Labour Relations Act,

in committee of the whole House. If any time remains, we will move on to Bill 82, An Act to amend the Education Act. Tomorrow morning we will begin with second readings of Bill 50 in committee of the whole House, followed by Bill 51 and then Bill 48.

On Monday, June 16, we will consider legislation, starting with Bill 1, in the afternoon and evening in committee of the whole House. We will then finish legislation that was not completed on Friday, that is, the Treasurer's bills, followed by the Minister of Revenue's Bill 55, and then Bill 71, Bill

69, Bill 81 and Bill 119 with second readings in committee of the whole House as required. On Tuesday afternoon we will deal with legislation—Bill 82, the amendments to the Education Act. In the evening we will deal with Bill 120, the Brantford amalgamation bill, Bill 122 and Bill 121.

The House, as I announced, will be sitting on Monday evening and will also sit on Wednesday afternoon from two until six o'clock with no routine proceedings.

The House recessed at 5:54 p.m.

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No. 73

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, June 12, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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THURSDAY, JUNE 12, 1980

The House resumed at 8 p.m.

House in committee of the whole.

### LABOUR RELATIONS AMENDMENT ACT

Consideration of Bill 89, An Act to amend the Labour Relations Act.

**Mr. Chairman:** Are there any questions, comments or amendments to any section of Bill 89?

**Hon. Mr. Elgie:** Mr. Chairman, would it be appropriate if I made a few remarks before we commence with this legislation?

**Mr. Van Horne:** Mr. Chairman, you asked if anyone would like to make any comments on a particular section, and I believe that the minister indicated general comments. Is he going to indicate to us that there will be specific recommendations or comments on each section as we go through?

**Hon. Mr. Elgie:** Mr. Chairman, if the member does not wish me to make some general comments at the start, I shall make them on the appropriate section.

**Mr. McClellan:** Mr. Chairman, for our part I think we would be grateful if the minister could make his statement at the outset, and I would ask you to make that accommodation.

**Mr. Chairman:** I will have to ask the committee. The usual procedure is to discuss the bill section by section. Do I have the agreement of the committee to allow the minister to make some comments?

Some hon. members: Agreed.

**Hon. Mr. Elgie:** Mr. Chairman, on Tuesday there was considerable discussion about one aspect of section 34(e)(1) of Bill 89, the section that deals with a ministry-directed vote on an employer's last offer.

Some concern was expressed about the determination of the appropriate voting constituency in such a situation, and the member for London North (Mr. Van Horne) indicated he would be moving an amendment. The effect of it would be to limit voting entitlement in strike situations to those persons in the employ of the employer on the date the strike commenced.

In the last two days there has apparently been some uncertainty in some quarters about my position on the matter, arising partly, I take it, from press and other media reports which were either unclear or incorrect. In the light of this uncertainty I should like, with your permission, to clarify my position before we proceed to clause-by-clause debate.

The government does not believe that the amendment to which my friends in the Liberal Party referred is either necessary or desirable; therefore, we cannot support it. As I said the other night, the proposed new section 34(e)(1) was deliberately drafted in general terms to avoid the undesirable or unfair consequences of the type of rigid and inflexible codification proposed in the amendment.

Under the language of section 34(e)(1) of the bill, the Minister of Labour is required to direct a vote on such terms as he considers necessary. This broad language entitles me to respond to any concerns that may be raised or disputes that may arise concerning all aspects of the vote.

Specifically, if objections are raised concerning the effect to be given or the weight to be attached to the votes cast by replacement employees, that language would entitle me to direct that the balance of the disputed persons be segregated by the Ontario Labour Relations Board, whose staff would be called upon to supervise the ballot.

Let us then assume that the ballots of the replacement employees were relevant to the outcome of the vote and that their inclusion in the overall tally resulted in a majority voting in favour of acceptance of the last offer. The bargaining agent might then contend that the overall vote did not truly reflect the interests of those employees having a continuing or permanent interest in the outcome of the dispute.

In that situation, the validity of the union's position might depend on a variety of factors, each of which could vary in important respects from case to case: for example, the relative number of striking employees versus replacement employees; the duration of the employment of the replacement employees; the timing and circumstances under which

the replacements were hired; the numbers of strikers who had resigned during the strike; and the provisions of the last offer concerning the recall of striking employees. I fully expect that these and other factors would be weighed by the board in any proceedings brought before it to determine the consequences of such a vote.

As I have said, no two situations will be precisely the same; that is why the substance of the proposed Liberal amendment is, in my view, far too simplistic. For example, there may well be cases where replacement employees have a legitimate continuing interest in the outcome of the vote. In other cases it may be apparent that their wishes should be given little, if any, weight. I simply do not see how one could work out a single test that is universally applicable to every situation that would not run the risk of wrongfully enfranchising or disfranchising replacement.

The bill as drafted leaves determinations of this sort to the labour relations board, a tribunal with special expertise, which is in the best position to hear submissions and make judgements on a case-to-case basis in accordance with the labour relations realities of particular fact situations.

Although I have described how a contested matter might conceivably arise and have outlined the mechanisms available for resolution, I hasten to add that I believe the concerns expressed by honourable members opposite are more theoretical than real. Where a significant number of replacement employees have been hired it is extremely unlikely that the employer would wish to have a vote on the last offer—

**Mr. Van Horne:** On a point of order, Mr. Chairman: I understood through the question I asked earlier that the minister was going to make some introductory comments. In fact, as I interpret what he has just said, he is making specific reference to an amendment which I said I might introduce. I would think it would be far more appropriate for him, if I may offer this suggestion, to hold his comments until the amendment is introduced.

**Mr. Warner:** On a point of order, Mr. Chairman: At the outset there was a request for unanimous consent for a statement to be made by the minister, and that consent was given; so I would take it that the items raised by my friend from London North are not in order and that it is quite in order for the minister to continue since we gave him unanimous consent to do so.

**Mr. Van Horne:** My point again is simply this, Mr. Chairman: We were given to understand that the minister would make general introductory comments. In fact, he is addressing himself to an amendment which might or might not be made.

**Mr. Chairman:** The member for London North, has raised a point of order, and I must say that any information presented to the committee prior to the introduction of an amendment is out of order; because that particular matter has not been put before the committee. If the minister wishes to continue with general comments, the committee gave him permission to do that.

**Mr. M. Davidson:** Mr. Chairman, on the point of order, if I may: I believe the member for Scarborough-Ellesmere (Mr. Warner) was correct in what he said. There was unanimous consent from this House to allow the minister to make his statement. I do not believe that what the minister is saying is out of line.

**Mr. Chairman:** Order. The minister may continue.

8:10 p.m.

**Hon. Mr. Elgie:** Mr. Chairman, if I may proceed, although I have described how a contested matter might conceivably arise and have outlined the mechanisms available for resolution, I hasten to add that I believe the concerns expressed by honourable members opposite are more theoretical than real. Where a significant number of replacement employees have been hired, it is extremely unlikely that the employer would wish to have a vote on the last offer, unless of course the hirings had been part of a deliberate scheme to artificially influence the outcome of the vote, in which case a finding of bad faith would surely ensue.

The point is, that whatever the facts, proper procedures are available for all affected parties to have the issue resolved in a fair manner. It is easy for opponents of the bill, and I gather there are some, to raise the worst-case hypothesis and argue that the provision is undesirable and unfair. However, I want personally to assure members that if abuses do occur and the labour relations board remedies to which I have referred prove to be ineffective, neither I nor this government will hesitate to change that law. Members have my firm assurance on that point.

In closing, may I simply reiterate that I cannot for the reasons indicated, which I believe to be valid, proceed with the bill if it is altered in accordance with the amend-

ment which I understand will be proposed by my friend, the member for London North.

**Mr. Chairman:** Are there any comments, questions or amendments to section 1?

**Mr. Van Horne:** Mr. Chairman, again I have to rise to make a point—I would have to assume at this time it would be a point of privilege. As I understand it, in the debate we had on Tuesday evening, the minister indicated in his concluding comments that my remarks were noted. By the way, I want also to make a point so I might clarify what I perceive to be a correction in what was answered by the minister on Tuesday evening. I want to make the point that in my opening comments I made it clear to the minister that I was concerned about this bill as it applies to the construction industry. I think I made it clear in my comments that, as we read the bill, sections 1 and 3 do include the construction industry, but section 2 does not.

I understood the minister to say in his concluding remarks—I have the Instant Hansard here, but I won't take the time to search for it—that my comments were noted. He gave credit for those comments to the member for Hamilton East (Mr. Mackenzie), but the fact is that I made the observation and he indicated that was under consideration.

In his remarks this evening he made no reference at all to that, and I can only assume he is going to ignore the construction industry as we proceed through this bill this evening.

**Hon. Mr. Elgie:** Mr. Chairman, I will have an amendment to section 1 dealing with the construction industry.

**Mr. Chairman:** I understand that there are amendments to section 1. Does any member wish to move an amendment?

**Mr. Van Horne:** Mr. Chairman, again on a point of privilege: As we began this exercise on Tuesday evening in the inimitable fashion of the minister, to proceed with critical labour legislation in a hurry-up, run-it-through, last-minute process, we understood—and the minister did not deny this when I made the allegation—that there was some kind of agreement made between the government and the third party that this bill would go as is or it would be withdrawn.

If the minister spoke in language that I can understand, I understand that he is prepared to make concessions or amendments to this. If that is the case, I would have to submit to the members that the statements he made on Tuesday evening, or that he did not reply to on Tuesday evening, whichever

is the more appropriate way of putting it, may be interpreted as misleading.

**Mr. Chairman:** Order. I believe I understand the member to state that another member made a statement that was misleading.

**Mr. Van Horne:** The point was, Mr. Chairman, I indicated to the minister that was my understanding. There have been sufficient references made in the news media that this was the understanding between the government and the third party. I would seek clarification if I cannot make any other point.

**Mr. Chairman:** As I understood the honourable member, he accused another member of making a misleading statement, and I would ask him to withdraw.

**Mr. Van Horne:** If he was not misleading me, perhaps I could submit that I did not understand his words in the language of the—

**Mr. Chairman:** Are you withdrawing?

**Mr. Van Horne:** Yes, I am. Then I will ask you, Mr. Chairman, if the minister would like to elaborate.

**Mr. Chairman:** Order. I must inform the member for London North that it is not the purpose of this committee for another member to ask questions of the chairman.

**Mr. Van Horne:** I intended to ask it of the minister.

**Mr. Chairman:** Order. The purpose of the committee is to consider this legislation clause by clause.

On section 1:

**Mr. Chairman:** Hon. Mr. Elgie moves that section 34(e)(1) of the act as set out in section 1 of the bill be amended by adding after the word "shall" in the sixth line the words "and in the construction industry the minister may."

**Mr. Van Horne:** Mr. Chairman, it is my understanding that the amendments we proposed were distributed to the Clerk's table and to the members of both other parties. If they have not received them, would they indicate so that I could give them to them? I don't seem to have a copy of this amendment. Is this something that is not normal procedure?

**Mr. Mackenzie:** Mr. Chairman, I think it is worth putting our position on the record, to the extent that we can, both in terms of this amendment and some of the dialogue that went on from the member for London North over what was or was not agreed. I went to great lengths on Tuesday night, with some

pain, to point out exactly the kind of proposition that was put to us. I wanted it on the record in terms of getting this legislation through, in terms of the union checkoff.

I don't know whether the member for London North forgets—I think he may have raised it as well—but I asked if the minister would clarify that the construction industry was exempted from the dues part of it. That has to do with the kind of arrangements they have in terms of the dues payments and the membership fee that may be there and the fact that they were included under other sections. I asked whether that is a substantive amendment or housecleaning, because we seemed to have them both in and out of the bill. It may be a moot point, but we asked for that kind of clarification.

We have that clarification now in this amendment. To some extent it puts it back to where it was before the bill in terms of the old 34(d). It is now "the minister may," or "ministerial discretion," rather than "the minister shall" in the case of a vote.

My own inclination would have been to have removed them entirely. That apparently would have meant a substantive change, which I understand the government is not willing to do.

The minister made it very clear that if the bill was not working, if they had trouble with some of the other sections—I appreciate that he clarified it to some extent in terms of shenanigans in a vote, but I am asking him, if we find there are problems with this section, is he willing in a reasonable period of time down the road to look at one or two options? One might be to complete the exclusion of those involved and a second might be to go the other route and include them totally if they see some benefit in that move. I am not sure that the building trades and the construction industry are totally certain which way they would end up in the best position.

8:20 p.m.

My own feeling is they are probably better off with this amendment. They will find out whether some of their fears develop over the next few months. I would like to know at that point in time, whether there will be any flexibility, if we find we have troubles with the bill, that would extend to taking a look at this particular section as well.

**Hon. Mr. Elgie:** Mr. Chairman, I think the member knows there have been certain representations made to many of us about peculiar factors that relate to the construction industry bargaining. There is pattern and

coalition bargaining, and there are matters of timing in certain votes in the construction industry. I recognize that by making it, as the member says, discretionary. But he and this House have my undertaking that if legitimate problems arise with the application of this section, I will review it.

**Mr. Laughren:** Mr. Chairman, I have read the Instant Hansard from Tuesday night very carefully. I would like to hear again from the minister what he means by the last part of subsection 34(e)(1), when he states in the bill that a vote of such employees to accept or reject the offer be held and thereafter no further such request shall be made. Does he mean that, once an employer has requested the minister to direct that a supervised vote will not be held, thereafter not one other vote can be called for by the employer? No other vote can be called, whether that occurs before or during a strike?

I know we are not allowed to impute motives, but the outrageous manipulation of the minister on labour matters leads me to be very suspicious of his comments in this regard.

**Hon. Mr. Elgie:** Mr. Chairman, I am soothed and comforted by the remarks. I am quite relaxed now. I think the section is self-explanatory. It says, as the member says, thereafter no further such request shall be made. That is what it means.

**Mr. Van Horne:** Mr. Chairman, I would like to ask the minister, in the light of the concerns expressed, would he simply reconsider the amendment he is suggesting and add a fourth part? That would simply read that this section does not apply to the construction industry. That ministry seems to have a penchant for bringing in amendments to the Labour Relations Act which are poorly thought out and which have to be brought back to us for further amendment. That was witnessed at Christmas with Bill 204.

If I can get one further little dig in, I would like to add, had we brought this to the light of some committee as opposed to committee of the whole at the last minute, we may have been able to come up with an amicable settlement. Would it not simply be better to add a further subsection that this section does not apply to the construction industry?

**Hon. Mr. Elgie:** Mr. Chairman, I think the member understands the meaning of the words quite well. The only thing I think this does that the government deems to be of some importance—but again, as I have undertaken to the member for Hamilton East (Mr. Mackenzie), I am willing to review it if it

seems to be presenting a problem—is to give the clear opportunity for such a vote prior to the calling of a strike. Surely that is a desirable thing should there be a situation where one might avert a strike. I think it is a pretty logical thing to suggest. I would submit that is why the government has taken the step it has.

**Mr. Nixon:** I would like to ask the minister about the procedures for votes in which he is the legal supervisor. Are they all secret ballots?

**Hon. Mr. Elgie:** The Ontario Labour Relations Board, as I am sure the member knows, conducts the balloting in certain instances. They are secret ballots.

**Mr. Van Horne:** With respect to the history of the Ministry of Labour in the province in this past year is the minister satisfied that what we are suggesting as an alternative to the amendment he is making would have the support of the Toronto Building Trades Council? They seemed to have considerable concern about the construction industry.

**Hon. Mr. Elgie:** Mr. Chairman, with the greatest of respect and all the University of Western Ontario strength I can muster—my friend and I happen to share the university in our background—it's because of the representations of the building trades council that I think we are being very legitimate in introducing this change. The principle of being able to hold a vote before a strike is important and that's why it's inserted.

**Mr. M. Davidson:** Mr. Chairman, I have a question relating to the vote, originally asked by the member for Hamilton East. In my view, the minister was a little fuzzy in his answer. I would like to ask him directly, under this legislation, does the employer have only one opportunity to request a vote through him either during the course of negotiations or after the strike? All I want is a yes or no answer.

**Hon. Mr. Elgie:** Yes.

Motion agreed to.

**Hon. Mr. Elgie:** Mr. Chairman, subsection 2 needs to be clarified so that matters of timeliness are not interfered with.

**Mr. Chairman:** Mr. Elgie moves that section 34(e)(2) of the act as set out in section 1 of the bill be struck out and the following substituted therefor: "(2) A request for the taking of a vote or the holding of a vote under subsection 1 does not abridge or extend any time limits or periods provided for in this act."

**Mr. Mackenzie:** As I understand it, this simply makes the point that if such a vote is held, it will not delay a no-board report or a time when a strike would become legal, the normal procedures that might apply under the act. Is that correct?

**Hon. Mr. Elgie:** It's exactly why it's inserted. The no board can proceed and if a strike is voted upon by the members, they proceed with it.

**Mr. Van Horne:** Our understanding is the same as that of the member for Hamilton East, Mr. Chairman, and I have no further comments.

Motion agreed to.

**Mr. Chairman:** Mr. Van Horne moves that section 34(e) of the act as set out in section 1 of the bill be amended by adding thereto the following subsection: "(3) Where a vote pursuant to subsection 1 is held after the commencement of a strike or lockout, only those employees who were employed in the bargaining unit before the commencement of the strike or lockout may vote."

8:30 p.m.

**Mr. Van Horne:** I would like to highlight briefly the few comments I made on this on Tuesday evening, which I submitted to the chair the same evening and to the minister and to the members of the third party. We as a caucus had a concern in spite of the veiled threat that any amendment would see this bill withdrawn. The member for Nickel Belt is again suffering from the schizophrenic syndrome becoming more and more apparent in his party. They have some kind of determination to be on both sides of the House at the same time by periodically aligning themselves through prior information with our friends, colleagues or opponents, whichever, depending on the circumstance in the government.

The point is simply this: In spite of the comments or the interjections, there is a concern that the members of the third party agree to in principle, that because they basically have no principles, they are saying they cannot support it, and they are supporting—

**Mr. Makarchuk:** Are you going to cross the picket line?

**Mr. Van Horne:** Would Mr. Makarchuk please float his yacht into Lake Erie so the Socialists could wave at him from the shoreline? Would he simply let me make the point to the minister that as we perceive it, the amendment we are offering would preclude any opportunity for workers who are



hired after a strike has begun to take part in the vote provided for in the legislation he is presenting to us.

This, in our opinion, would preclude strike-breakers from being employed indiscriminately, unfairly or in any other way. This amendment is worthy of the consideration not only of the government, but also of the members of the third party who again are extremely schizophrenic in this instance.

**Mr. Riddell:** They don't want to hear the truth.

**Mr. Chairman:** Order.

**Mr. Mackenzie:** Mr. Chairman, members of this party have some principles and agonize over something like this. I am not sure whether a jackass does or does not.

We in this caucus and this party have agonized over this bill, but unlike the Liberals, we aren't just brave when we know what is going to happen. Before I make my points, let me make it very clear that we will be voting against the Liberal amendments.

**Mr. Nixon:** You are in favour of strike-breakers.

**Mr. Riddell:** You couldn't stand up for what is right. You don't know the differences between right and wrong.

**Mr. Martel:** Would you tell Jack Fleck to keep quiet?

**Mr. Chairman:** Order. Would the member for Huron-Middlesex control himself? Order.

**Mr. Mackenzie:** If we accept the proposition, and I made no bones about this when the bill and the conditions on which it would go through the House were laid out to us—

Interjections.

**Mr. Mackenzie:** It might be nice if the Liberal members would be honest with themselves for once. They are dealing with an issue that means something to people, but to them, it means absolutely nothing, whether the checkoff is there or not, and that is the difference in the intensity of our feelings.

**Mr. Roy:** You are embarrassed by the amendment, that's what your problem is.

**Mr. Chairman:** Order.

**Mr. Mackenzie:** It was not a question of what we wanted, since it is not our bill. It is a Tory bill, Mr. Chairman. It is simply a question of whether or not we felt the Tories were being honest and meant what they said, for their own reasons, which I do not agree with, or were doing a con. A con is always the kind of risk you take in a bill like this. The difference is, we were not prepared to

sacrifice, or take a chance on sacrificing after all the years we have fought for it, the check-off provision. For that reason we took them at face value when they put that kind of proposition to us. It is one, which I made clear in this House on Tuesday night, we were not going to have any part of from this point on.

We decided the principle that was involved was too important to let go and on that basis we would agree this bill should go through. It is easy to be brave when there are people who do have guts and will take a position in this House, and who are concerned with whether or not we have a bill that provides union security in this province, the check-off. If they used their heads and thought for just a minute, they would understand.

When a member who should know better, such as the one for St. Catharines (Mr. Bradley), I think, throws a name out—Dave Patterson—he should understand the wide diversity of opinions and the kind of factions that are strongly present within the trade union movement and the fact that people in the trade union movement have a right to make those kinds of arguments and state those kinds of positions. Because they do, or because there are differences over a bill as important as this, the ones who have to face facts are not the Liberals.

They are not going to find votes on either side of this issue. No matter which way that debate goes, they are not going to gain a vote out of the trade union movement. We are the ones who have to face that kind of an argument.

**Mr. Van Horne:** Point of privilege, Mr. Chairman: If the member is suggesting that we won't find for either side of the point, or of the issue, in fact—

**Mr. Chairman:** Order. He is expressing a point of view.

**Mr. Mackenzie:** I simply want to make it very clear that it is that kind of understanding, that kind of argument and pressure, that mean something to us and mean nothing to the Liberal Party. We have had to look at this, and very clearly—

**Mr. Van Horne:** That is not true.

**Mr. Mackenzie:** I hear the interjection that it is not true. It is the last one I will respond to.

The only Liberal member for Toronto, the member for St. George (Mrs. Campbell), who had some understanding of the problem, was the last Liberal speaker of the other evening. She was saying that they did support this bill and they would not risk it. The fact that he might risk it never even entered

the so-called labour critic's mind when he moved this particular amendment, because that would have been the issue that would have brought it out.

**Mr. T. P. Reid:** Oh, baloney. You are so full of baloney, it's sickening. You are so sanctimonious when it pleases you that it is sickening. You give in to the blackmail of the Minister of Labour.

**Mr. Chairman:** The member for Rainy River does not have the floor.

**Mr. Mackenzie:** Mr. Chairman, if a little bit of sanctimoniousness gets us the union checkoff in Ontario, then yes, I am going to be as sanctimonious as hell. Is that clear?

**Mr. Riddell:** You are not surprising us at all.

**Mr. Mackenzie:** I'm glad I'm not surprising the member because I never want to be on the same side of an issue as him. I want to make that clear, and that is all I have to say on it. We do not like it, and it would not have been our particular amendment. We figure it was the tradeoff. We know we are negotiating for this darned bill, and for that reason we will not support the Liberal amendment.

**Mr. Nixon:** Mr. Chairman, of course I am speaking in favour of the amendment which will come to a recorded division later this evening or whenever the debate on the bill concludes. I believe it is a very sensible one and I am surprised the minister himself did not put it in the bill originally.

8:40 p.m.

I feel the reasons given by the official spokesman for the third party for not supporting the amendment are completely insufficient. It is clear the Liberal amendment put forward by my colleague from London North simply means any vote prescribed under the section of the bill already referred to should not include those who are brought in by management to carry on the work of the company after the strike is called. It is very clear, it is easily understood and it is really unthinkable that the NDP would not support it.

However, I would say this to you, Mr. Chairman, that if there is a villain in the piece, it is the Minister of Labour. I do not know of any instance in the history of this Legislature when a minister brought forward a bill of this importance—it is important to everyone, that is certain, but of special importance to a group that is closely associated, or feels it is more closely associated than any other with the group specifically referred to

—and said, "If you offer an amendment I will withdraw the bill."

I have a feeling that the Minister of Labour is much too smart, too whole a person, too full of integrity to have come up with such a formula himself, that this certainly smacks of the kind of direction he would get from his cabinet colleagues and, probably, from the head of the cabinet himself.

I am deeply concerned that this should be put forward in this democratic chamber which, in fact, muzzles the NDP in a situation such as this. All of the arguments have been put forward. It is an important bill brought into this House in the dying hours of the session, one that is supported on all sides, but I do not recall a situation where any member of the cabinet would be so ill-advised, whoever his adviser is, and, I have to use the word, so arrogant that he would say to the House, "The bill passes the way I put it forward or I withdraw it."

I say to you, Mr. Chairman, that is not an acceptable democratic procedure. I feel it brings discredit on this House, and it has to bring discredit on the minister. I say that most sincerely.

**Mr. Riddell:** It is far below the minister's dignity.

**Mr. Nixon:** I will tell you that there are many jokes in this House. The minister knows in his heart that I am right, and the day will come when he will regret having taken this position. The amendment is certainly an acceptable one to a minister who would bring in this amending legislation and has gone through what must have been a rather uncomfortable time at the annual meeting of the Progressive Conservative Party in the luxurious surroundings of downtown Toronto and been criticized. The Premier (Mr. Davis) would come forward and be his trusty shield and protect him from those criticisms. But then, to come forward with this sort of unreasonable, undemocratic and positively unhealthy procedure that in fact muzzles a part of the Legislature, is a very bad day for the Legislature.

I have regrets on more than one level. I believe the amendment should be supported by parties of all sides. I regret statements made by the labour spokesman for the NDP during second reading I indicated my resentment that night, Mr. Chairman—I do not believe you were in the chair as Mr. Speaker at the time—that they were not forced to withdraw certain statements they made about members of the Liberal Party, including myself. I say to you, and to the honourable

member who is still in the House, although the member for Oshawa (Mr. Breaugh) is not here, that I resented it then and still do. But I think I can live with that just as the honourable member has to live with his decisions expressed a few moments ago to vote against our amendment.

There is no way that the moral condemnation that must flow to the NDP for not supporting our amendment is alleviated in any way. I would suggest that they are paying too high a price for the luxury of getting one of the principles of the bill forward. They will find, when you talk to their friends in labour, and we have friends in labour who have said these things to us, that they are paying too high a price, and the people who are giggling in the cheap seats will come to the point when they will realize that as well.

I return to my original point. I am deeply disappointed that the Minister of Labour who may, at one time, have contemplated a career in this Legislature that would transcend perhaps all others, is taking a step that he should regret tonight and will regret in the future.

I want to end by simply asking for reconsideration by the Conservatives and the NDP and for the support of the amendment put forward by my colleague from London North. This would make it clearly understood that it would bring an ingredient of justice to this bill which it now lacks.

**Mr. Laughren:** Mr. Chairman, there is no doubt in anyone's mind, I don't think, that the amendment being put forth by the member for London North is an amendment that is attractive to all of us in this party. What is so terribly offensive is the minister's behaviour here. I hope the minister, when he responds to this amendment, will stand in his place and tell us all exactly what this amendment means. I want him to say that this is an amendment to kill the automatic check-off in labour disputes.

If I understand the minister's position correctly, what he is saying is that if you want the automatic check-off, then you must accept in return something offensive to the trade union movement and to us. He is saying that if you support the Liberal amendment, he will withdraw the bill and will not proceed with it further.

I hope the minister does not mince his words when he stands to respond, because we in this party are getting a little tired of the minister's behaviour in the way he introduces legislation in this chamber. Everything is the last minute. I recall the amend-

ments to the Ontario Human Rights Code. I recall the amendments to the Workmen's Compensation Board last December, and it smacked of the same kind of behaviour as what the minister is showing here. We find it terribly, terribly offensive.

I find it unacceptable that in 1980 the working people in this province and their representatives, the trade union movement, would have to accept something offensive in order to get something to which they are entitled and for which they have fought for very many years. That is fundamentally wrong. The minister did not have the courage to introduce a bill in two separate amendments. One could have dealt with the automatic checkoff and one with something to satisfy his friends in the Canadian Manufacturers' Association.

The minister could not do that. Why not? I want him to tell us why. Could he not get it through his caucus? Would the manufacturers' association all have voted New Democrat in the next election? Is that what was bothering the minister? Surely he was not worried about the support of the Liberal Party. The Liberal Party is not going to challenge the minister on labour matters.

**Mr. T. P. Reid:** We just have and you backed down from it.

**Mr. Laughren:** Mr. Chairman, any political party whose leader just this week, with two other members of his caucus, was walked through a CUPE picket line in Stratford need not worry about defending the rights of labour in Ontario. I want the minister to stand and state very explicitly what the effect of the Liberal amendment is on the legislation.

**Mr. Roy:** Mr. Chairman, I want to reiterate and support the comments of my colleague from Brant-Oxford-Norfolk and make certain comments about what the minister is doing here this evening. As I understand it, he is trying to force, through blackmail and intimidation, the bill through as it is without any further amendments.

8:50 p.m.

I think there is no doubt, after listening to the member for Nickel Belt and after listening to some of his colleagues, that the NDP certainly is in favour of this amendment. I do not think there is any doubt that the—as they call them—scabs should not have a right to vote. That is what this amendment does.

There is no doubt they are in support of this. The minister was able to extricate from members of that party an agreement that the

bill would not be touched, would not suffer any amendment, on the basis that it must go through as is or it will be withdrawn. As the member for Nickel Belt said, we have seen this minister procrastinate for some time before the legislation came in.

As my colleague from Brant-Oxford-Norfolk has said, of all the members who would take that approach in bringing forth legislation, I would have thought the minister would be the last one. We used to see it when Eric Winkler was House leader in this place. He cut off debate and brought in legislation at the last minute.

**Mr. Nixon:** Those were the bad old days of majority government.

**Mr. Roy:** Exactly. This minister was able to say to the NDP that no matter what amendments are brought forward, no matter how the legislation may be enhanced by any amendments, the bill is a package. Not only that, but he spread the fear of the Lord so badly among NDP members and among part of the labour movement that the members of all parties, certainly members of the Liberal Party, were asked outside of this Legislature by some of the people who are here in the gallery not to bring forward any amendments. "Please do not bring forward any amendments," they said.

What the hell kind of process is this, Mr. Chairman? The minister accepted the verdict of the people in 1977 that we had a minority government and that this place was going to work. If this place is going to work, it is on the basis of democracy not on the basis of blackmail.

**Mr. Breithaupt:** No cosy deals.

**Mr. Nixon:** Behind the scenes.

**Mr. Roy:** Exactly. Mr. Chairman, what is even more annoying about the fact that the minister will not tolerate any amendments is that he just brought forward two amendments himself. If this bill was a piece of draftmanship, a jewel, something that could not be amended, the best, the latest thing that could not be touched unless the whole thing came down, why has the minister already brought forward two amendments?

How cynical it must seem to the people who are here this evening who see a process whereby the minister comes along and brings forward two amendments on the very first section of this legislation. But he says to the rest of us, "You bring forward an amendment and you are going to kill the bill, if you dare support this amendment."

Say what you will, this party will not submit to this type of blackmail. He can try to intimidate—

**Hon. Mr. Gregory:** Stop grandstanding.

**Mr. Roy:** Stop grandstanding. Yes, I know it's embarrassing. It is embarrassing to the people here, what the minister is attempting to do. It should be embarrassing to some of the minister's colleagues. This place has worked since 1977 because they have compromised, they have allowed amendments. We are all prepared to compromise. He knows us to be reasonable people.

**Hon. Mr. Pope:** How did the Liberal Party compromise on the police bill?

**Mr. Roy:** The member should ask his colleague. He failed to compromise.

Interjections.

**Mr. Chairman:** Order.

**Mr. Roy:** I am enjoying this because I know I hit a raw nerve. When I wake up the trained seals on the other side I know I have hit something pretty good, and that is what is happening here this evening. I want to support what my colleague from Brant-Oxford-Norfolk has said. The minister should be ashamed to treat the members of this Legislature with contempt. That is what he is doing, telling people, "You bring forward an amendment and I withdraw it." It may work with some people here but it will not work on this side.

**Mr. M. Davidson:** Mr. Chairman, I have had—well, I am not exactly sure what to call it—after listening to the member for Brant-Oxford-Norfolk and the member for Ottawa East.

I would like to suggest in starting that we on this side in the New Democratic Party are probably more aware of what the amendment means to the people who are in the labour movement than is anyone else in this assembly.

**Mr. Breithaupt:** I doubt that.

**Mr. M. Davidson:** I think it is also safe to say that when the member for Brant-Oxford-Norfolk—

**Mr. Breithaupt:** They voted for me. They don't vote for the NDP in Kitchener.

**Mr. M. Davidson:** Mr. Chairman, could you restrain the member for Kitchener? I would like to suggest that when the member for Brant-Oxford-Norfolk was talking about the people in the cheap seats, he was talking about the working people in Ontario because that happens to be who is in the gallery tonight.

**Mr. Breithaupt:** The cheap seats are in the NDP caucus and nowhere else.

**Mr. M. Davidson:** That happens to be who is in the gallery tonight.

Interruption.

**Mr. Breithaupt:** He was talking about the NDP caucus.

**Mr. Deputy Chairman:** Order. I would remind those people in the galleries they are welcome here. We are pleased to have the people in the gallery here, but they are not participants in the debate. I would ask them to refrain from expressing either their approval or disapproval of what is said.

**Mr. Martel:** No, they can insult them though.

**Mr. T. P. Reid:** We didn't insult them. We were referring to the NDP caucus. That is where the cheapest seats are.

**Mr. Deputy Chairman:** All right, members have made their points. If the member for Cambridge would please proceed.

**Mr. M. Davidson:** I would like to, Mr. Chairman, but I am being interrupted by those over there who don't understand the labour movement in this province.

If I can, I want to re-emphasize what the member for Hamilton East has said. We, in this party, are not at all pleased with the way this section reads.

**Mr. Breithaupt:** Then why are you supporting it?

**Mr. Martel:** You are too obtuse to understand. It is either this or nothing.

**Mr. M. Davidson:** We are not at all pleased that we, in fact, have to—

**Mr. Van Horne:** He has not said that in the House. Where did he say it to you? Was it in your private room?

**Mr. Martel:** Are you so obtuse you want the bill killed? That is your trouble, you want the bill killed.

**Mr. M. Davidson:** We in fact have to support it in order to get something that the labour movement and this party—

**Mr. Riddell:** Those people will submit to blackmail.

**Mr. Deputy Chairman:** Order. I appreciate the interjections but—

**Mr. Riddell:** They will submit to blackmail. That is what I said. They have no intestinal fortitude.

**Mr. Deputy Chairman:** I don't wish to adjourn the proceedings but if the exuberance of the members is not restrained it may come to that. Would the member for Cambridge please proceed and try not to be too provocative?

**Mr. M. Davidson:** Believe me, Mr. Chairman, I am desperately trying. If, in fact, it

means that we in the New Democratic Party have to accept it for something the trade union movement wants, we will. When I say the trade union movement, I am talking about the majority of organized workers in this province. I understand there are others. There are others within this province who also have opinions. I grant there are those within this House who have the right to express the opinions of others, but I am talking about the majority of the organized workers within Ontario who have fought for God knows how many years to get this type of legislation on the books in the province.

Certainly if they, those people who work day in and day out in the plants, textile mills, steel mills, laundries and chemical plants, say to us, as they are doing here tonight by their presence, "Pass this legislation," then my God, what kind of an answer are we going to give them? Are we going to run the risk that the Liberal Party is running tonight of having this legislation withdrawn and not passed? Are we to say to these people that we are, in fact, going to turn down after their many years of struggle, an opportunity to get the dues checkoff on first agreement?

9 p.m.

I don't think we should be saying that to these people. By putting this section in this bill the minister has insulted not only the members of this Legislative Assembly, he has insulted the entire work force in the province. They have organized and have worked for many years to get the key section of this legislation implemented.

**Mr. Riddell:** And you are going to support it.

**Mr. M. Davidson:** You are damned right we are going to support it, because we are not going to run the risk you guys are.

The amendment talks about scabs who cross picket lines—not in those words—and it talks about workers who have rights to set up pickets. But all I have to do is look at the Liberal record of many years—not just since 1977. Let's talk about what their role towards the workers in this province has been over the many years.

**Mr. Riddell:** Oh for the days of Stephen Lewis. Let's get him back.

**Mr. Deputy Chairman:** Order. The member for Cambridge has the floor.

**Mr. M. Davidson:** Let's discuss a little bit—there is a fellow down there who is doing a lot of talking—the member for Huron-Middlesex who during the days of the Fleck

strike was standing up here and supporting the company's position—

**Mr. Breithaupt:** What has that got to do with the bill?

**Mr. M. Davidson:** Let's talk about the other evening when the Canadian Union of Public Employees set up a picket line about the Stratford Shakespearian Festival and about certain members of that Liberal caucus who had the intestinal fortitude to walk through that picket line without even taking the time to stop and talk to the people who were out there, to find out what they were there for.

**Mr. Breithaupt:** Just like the Labour member from Australia. He walked through too.

**Mr. M. Davidson:** My friend, we are not in the jurisdiction of Australia; we are in Ontario. If you don't understand that difference, you had better get in your canoe and paddle over to Australia to find out what their role in life is.

If it is necessary to go before the working people in this province and defend the position of the New Democratic Party as it relates to Bill 89 and as our role in this Legislature relates to labour in general, we will have no hesitation to do so. We will be prepared to answer for the action we take on this bill, which is more than I can say the Liberals will be able to do.

**Mr. Bradley:** Mr. Chairman, it would be interesting to listen to the reaction of the New Democratic Party member if the positions were reversed—if the Liberal Party announced it was going to support this legislation because it felt the bill would be withdrawn otherwise. I could just hear the chorus of cries from the members to the left, how we were selling out on principle.

When the present Minister of Labour was elevated to that position by the Premier, there were many of us in the official opposition and probably in the New Democratic Party who applauded that move. At least we were prepared to give the new minister a chance to prove that he could do an adequate or a very good job. In the initial stages, the Minister of Labour certainly indicated to my satisfaction that he had a genuine concern for the welfare of the workers of Ontario. His actions, as well as his speeches, gave us enough evidence to believe that was true.

I find it difficult to believe the minister has changed in any substantial way his viewpoint in that direction. It appears that his colleagues, be they in the Progressive Conservative caucus or in the cabinet, have forced the minister to insist that this bill go

through as presented to the Legislature or not at all.

Although I can't speak for the minister, I find it difficult to believe it is his opinion that there shall be absolutely no amendments to the bill except those he himself would suggest to the House. We have already heard from the minister and from representatives of the New Democratic Party that the bill cannot pass with amendments. Yet tonight, as other speakers have indicated, we have seen two amendments, albeit not substantive ones. We have heard amendments to the bill which we were led to believe would not be permitted if they were introduced by members of the opposition. There also was a suggestion the government itself was not prepared to entertain amendments that it would put forward.

We have seen these amendments and in this party we have now put forward an amendment that is not particularly radical. It is a very common-sense amendment, a very just amendment. We recognize it is unlikely that strikebreakers will be hired by those companies which have the benefit of a large and strong union—they recognize the strength of the union. It would be very unusual for those companies to hire strikebreakers and so it is unlikely this provision will affect them substantially. Nevertheless, there are middle-size and particularly smaller plants in the province prepared to hire strikebreakers to replace those workers out on a legitimate strike. History has proved this to be so and there is no reason to believe the future will be any different.

Essentially, that means that under the present legislation as introduced unamended, the company will have the opportunity at a time convenient to it to put a vote to the so-called membership at that time, augmenting it by a number of people who are obviously going to be pro company since they have attempted to break the strike by crossing the picket line to work. Those people will have an opportunity to vote on a proposal by the company. This is our concern about this legislation and this is why the amendment is being put forward.

As the House leader of the Liberal Party said, it is easy to point a finger at the New Democratic Party tonight and make fun of what the president of the United Steelworkers of America Local 6500 might have to say. If we want to be partisan, we have the opportunity to do so. As the House leader of the Liberal Party has done, I prefer to say the government has placed the party that prides itself on its support of the labour union movement in a very difficult position. I be-



lieve every member of the New Democratic Party would support the principle of this amendment if he could.

If the minister had not stated either in the House or in some private meeting with representatives of that party that he would withdraw the bill, I have no doubt they would be supporting this amendment or indeed putting this amendment forward as one of their own.

**Interjection.**

**Mr. Bradley:** We have the member for Brantford interjecting. I suppose if I were wise I would ignore the interjection and continue on, but I do resent some of the members of the New Democratic Party suggesting they are the only party that has the interests of the working people of this province at heart. In the past I have commended the labour critic and other members of the New Democratic Party in this House for defending the viewpoint of organized labour and I am prepared to do so now. I am not being charitable; I am simply stating in the Legislature, that which I think is a true fact. Some of us can sympathize with the party having been placed in the position of having to vote against an amendment that I think is reasonable.

**Hon. Mr. Gregory:** People do what they want.

**Mr. Bradley:** I hope the government whip who keeps interjecting has turned in his chauffeur-driven limousine. I am glad to see he is out of his government-supported and government-financed limousine and in the House this evening to interject.

9:10 p.m.

**Hon. Mr. Gregory:** On a point of order: I can appreciate the honourable member doesn't appreciate my interjecting but I don't think my limousine has anything to do with that. Would he stick to the principle of the bill?

**Mr. Bradley:** Mr. Chairman, I know you would be interested in having me stick to the principle of the bill, so I will make no more reference to the chauffeur-driven limousine of the government whip and I will continue with my comments on this legislation.

It is my hope that the Minister of Labour will recognize that the majority of the members of this House are in agreement with this amendment, that it is not a radical amendment and, in the spirit of co-operation and in the interest of getting a bill through that all members of this House can then support, he will indeed be prepared to accept this amendment.

I resent the fact that certain members of the third party have stated the purpose of this particular amendment is to kill the bill; that the members of this party do not want to see this bill go through so the only purpose of introducing that amendment is, in effect, to kill the bill. Nothing could be further from the truth. I strongly believe, as do all members of the Liberal caucus, that this is a very positive amendment, one which will make the bill stronger, one which will be a good addition to the bill and not one designed to kill the bill. If it were a substantial change, if it were a complete departure from the spirit of the bill, I could understand it could be characterized in that way, but it is not.

I would suggest there are certain members of the Progressive Conservative caucus who might agree with it. I don't expect them to rise this evening to say that but there may well be certain members of that caucus who are honest and sincere about getting a good bill through and who would agree that is a just amendment.

I find it difficult to believe that they also are placed in the position—not just the New Democratic Party which has characterized itself as being the only party interested in labour but also members of the government party, some of whom I know have a lot of sympathy for the goals of organized labour—of having to vote against an amendment which we think is a good one.

So I would ask that the minister withdraw the threat; not that he withdraw the bill, but withdraw the threat to withdraw this bill because of a very reasonable amendment and I suppose we, both in the official opposition and in the third party, place ourselves at the mercy of the minister and his common sense.

**Mr. Swart:** Mr. Chairman, I rise to reiterate two or three points that have been made by my colleagues in this party.

I don't think there's a member in this party who would not like to see the Minister of Labour rise and say he would be willing to accept this amendment. We feel just as strongly about that as the members of the Liberal Party, in fact more strongly, but we know that is not going to take place as surely as they do.

Does anyone really believe the majority of the Ontario federation of the labour movement would be supporting this package if they believed the minister was going to change and permit this amendment? In no way. Does anybody really believe that we in this party would be supporting a package after the years and decades that we spent associated with labour if we thought there



was any possibility this amendment would pass? Of course we wouldn't. Of course the labour movement would not be supporting it.

We have before us an ultimatum that has been presented to this House by the people on that side. We have here the irresponsibility of a party moving an amendment which, if we supported it, could destroy the union security. It is willing to take the risk, the assured risk of another Radio Shack and another Fleck and all those others where people have been out on the picket line. They have been forced to go back in some instances with some gains and in others with little gains.

**Mr. T. P. Reid:** It is relevant to the whole process.

**Mr. Swart:** So we have an ultimatum over there. I heard the member for Brant-Oxford-Norfolk say, "Oh for the good old days of majority government." Maybe it is time the Liberals realized we do not have a majority government and somebody has to take a responsibility in this House, Mr. Chairman.

**Mr. T. P. Reid:** But we have got a minority, and we can force them to do it.

**Mr. Martel:** We cannot force them to do it. They will just withdraw the bill.

Interjections.

**Mr. Deputy Chairman:** Order. The member for Welland-Thorold has the floor. Will you all afford him the courtesy of listening to him?

**Mr. Swart:** So the onus falls on the members of this party to accept the responsibility of whether we are going to destroy the opportunity for union security, or whether we are going to include in this bill something of which we in the labour movement do not approve. We do not like having that onus put upon us, we are willing to accept our responsibilities and make the best of a bad deal which is union security for the people of this province.

**Mr. Breithaupt:** Mr. Chairman, it has been interesting to listen to the member for Welland-Thorold, who apparently would rather live on his knees instead of standing on his feet. He has come up with an attitude that suggests because his party is somewhat committed to the ranks of organized labour, it is prepared to compromise tonight in a way it would prefer not to do.

That is most interesting because those who are involved in organized labour will reflect upon the people who let them down, and the people who have let them down in this ex-

perience are those who are prepared to cave in, who are prepared not to stand up for an amendment whose time in this province has come.

It would appear that the deal between the minister and his colleagues in the New Democratic Party is such that it will not allow any amendment in this particular. We have seen before us a certain bill that gives something to one side and certain things supposedly to another in this traditional conflict of labour-management relations within the province. More important, we have seen the relationship that has developed which would allow—and indeed almost accept and praise—the inability of the third party to stand up for organized labour in Ontario.

One of the things that may be of interest is the fact that my remarks, so far at least, have not been particularly interrupted. I presume that is because they are true and accepted. The situation is such that those who are prepared now to back off have in fact lost the commitment to which they have always presumed.

**Mr. Warner:** When was the member last on a picket line?

**Mr. Breithaupt:** I can assure the member that whether I have ever been on a picket line, the organized workers in my riding vote for me. I appreciate the support I have received for a dozen years. Without that continuous support from members of unions in a constituency that has a very large organized labour force, I clearly would not be the member for Kitcheneer. I am proud of the support I have been honoured to receive from those who have made that choice.

9:20 p.m.

The end result is that the amendment before us is a reasonable one. It adds strength to the system we are wishing to develop. The backing off by the New Democratic members, who are not prepared to force this to the sticking point, is regrettable.

We have all had to compromise during the years of minority government, that is true. We have seen, over these past three years, a variety of combinations and permutations on occasion. I just wish this was a different circumstance because I think we would have better legislation if we could have the support of the New Democratic Party.

**Mr. Deputy Chairman:** A comment before the member for Sudbury East proceeds: We are getting a long way, in our discussion, from the principle of the amendment. It may be a little unfair at this point—

**Mr. Renwick:** Perhaps if the minister would understand that this is an open debate and enter it, we might get on with the clause in the bill.

**Mr. Deputy Chairman:** That may be, but I would just ask you to look again at the terms of the amendment and try to tie in your remarks to the amendment.

**Mr. Martel:** Mr. Chairman, I will attempt to keep it all tied together, I will probably wander a bit, but keep tying it in to the principle at stake.

I am sorry the member for Brant-Oxford-Norfolk is not here. When he said the people in the cheap seats were smiling, I hope he was not referring to the people in the galleries tonight.

**Mr. T. P. Reid:** He was referring to the NDP.

**Mr. Martel:** I listened very carefully and if he wants to change his mind now and say it is us, that's fine. We can take that type of snide remark. My friends to my right know that this amendment, which none of us particularly would like to see go down the tube, faces us with an ultimatum.

Before I get to that, let me remind my friends to my right who are such friends of labour, who are to the right of Genghis Khan when it comes to labour legislation, of their commitment to labour—

**Mr. Roy:** Talk about management.

**Mr. Martel:** Just shut up, Albert, I have the floor.

Let me tell them about Bill 70. When this party said all workers were going to be included under Bill 70 except agricultural workers, they then proceeded to decimate the bill, group by group by group, whether it was hospital workers, teachers, correctional services, you name it.

I saw your campaign literature in Sault Ste. Marie. I was there and I have a copy of it upstairs. That is what you promised in that election too. On the very day the by-election was going on, you beggars were in the House excluding group after group after group. If you want me to go and get it, I can sit down and get back in, because it is committee of the whole, and I will quote it to you word for word.

Let me remind you of a couple of other flip-flops, and there have only been 103 under Stuart Smith. I recall the teachers' strike not too long ago in Sudbury. You remember, my friends, that dispute happened to be in my community. When it involved North Bay there was not a word, but when it was in my riding there was old Stueie standing in his

place demanding that teachers be forced back to work. And that was not the first time.

Let me remind you of the number of people they forced back to work over the years. They voted with the government every time for return-to-work legislation. Be it transit workers, be it hydro workers, be it teachers, elevator workers—just go down the list—my friends deprive people of the right to strike, time after time after time.

I talked about scab labour.

Interjections.

**Mr. Deputy Chairman:** Order.

**Mr. Martel:** Let me tell you something. I am talking about the principle of scab labour, Mr. Chairman.

**Mr. Deputy Chairman:** Order. I know there has been a great deal of lenience given by the chair this evening as far as the principles of the bill are concerned. The member for Sudbury East indicated he would tie his remarks, in some way, not to the principle of the bill but to the particulars of the amendment. I have yet to see where he has done so. I would ask him to try to restrain himself and talk to the subject matter of the amendment.

**Mr. Martel:** Mr. Chairman, I have now come to the principle of the amendment moved by my friend.

**Mr. Deputy Chairman:** The principle of the amendment.

**Mr. Martel:** He talks about scabs not having the right to vote and scabs not having the right to work. There is another type of scab. That is the type who crosses the picket line. That is the type who crosses the picket line and does not give it the respect it is entitled to. Do you know who that was? Stueie, little Stueie, just a couple of nights ago.

**Mr. Nixon:** Did the deputy leader of the Labour party from Australia do that?

**Mr. Cureatz:** The member must be wrong.

**Mr. Martel:** Yes. That scab did not worry about that picket line, did he? That scab did not worry about that. He crossed it with impunity. Tell me about the scabs.

I have an option tonight. I can do what the Liberals want us to do—

**Mr. Warner:** Who want to kill the bill.

**Mr. Martel:**—and that is to kill the bill.

**Mr. Roy:** It has worked. The minister has him on his knees. He is crawling now.

**Mr. Martel:** It would take more than the member for Ottawa East to make this man crawl.

**Mr. Roy:** That is what he is doing right now. He is crawling.

**Mr. Martel:** I have an option. I can accept this amendment, and I know full well—

**Mr. Bradley:** What does Dave Patterson say?

**Mr. Martel:** I will repeat that for the member. If I vote for this amendment, as I stand in my place, I will know full well that that bill will be withdrawn and union security will go down the tube.

**Mr. Nixon:** The Minister of Labour would never do that to the member.

**Mr. Martel:** My friend, the Minister of Labour, would do that to me. I want to tell members that I am prepared to stand here, as distasteful as I find that particular sector, to ensure that the people, particularly the small unions, survive. The member makes reference to the unions, particularly the small unions like Fotomat and Blue Cross, who will go down the tube because about 40 per cent of the strikes in southwestern Ontario, the area many of them represent, have been over union security. Those people are prepared to throw them out to the wolves.

**Mr. Roy:** No, no.

**Mr. Martel:** The member can say “no” till hell freezes over, but if that bill goes down the tube tonight, he and I know full well that union security for the very people who are in the galleries tonight will go down the tube. That party is prepared, with its history, in this province to see that happen.

**Mr. Roy:** The member has guts.

**Mr. Martel:** He calls it guts. I listened to the member for Niagara Falls (Mr. Kerrio) the other night. He said we consulted both sides on this bill. I want to say I did not. I did not consult with the Canadian Manufacturers' Association or the Ontario Chamber of Commerce. I did not ask them for their opinion.

**Mr. T. P. Reid:** The member did not have to. He was told what to say by the Tories.

**Mr. Martel:** I did not ask them for their opinion.

**Mr. T. P. Reid:** The member didn't have to go to them; he got it secondhand.

**Mr. Chairman:** Order.

**Mr. Martel:** Could you control them, sir?

**Mr. Chairman:** Order.

**Mr. Martel:** The day I am on the side of the Globe and Mail, the Canadian Manufacturers' Association and the Ontario Chamber of Commerce—

**Mr. McClellan:** And the Liberal Party.

**Mr. Martel:** —and the Liberal Party, I know my usefulness is terminated.

**Mr. Roy:** It is working. He is on his knees.  
9:30 p.m.

**Mr. Martel:** I have seen the last four editorials from the Globe and Mail and I said to myself, “There has to be a little good in that bill because otherwise the Globe would not have blasted it.” Was it four editorials?

I don't mind the minister getting blasted, but the Globe and the chamber of commerce are not my friends. When the members opposite come to Sudbury, they come to visit with Inco. They were in Sudbury recently, and who did they meet with? They did not meet the steelworkers; they met with Inco. Not me. I didn't go and consult both sides, and I have no intention of consulting the Canadian Manufacturers' Association. The honourable members to my right might well, but not us.

**Mr. T. P. Reid:** Who wrote this speech? Bob Elgie?

**Mr. Martel:** Unlike the honourable member, who has never seen a day's work in his life, I am not prepared to see people thrown to the wolves.

**Mr. Nixon:** How long were you in the classroom?

**Mr. Martel:** I had my years before my time in the classroom.

**Mr. Roy:** By the look of the pot on you, you haven't worked hard in a long time.

**Mr. Martel:** That might well be. When you have to get personal, I know I have got you. It shows how—

**Mr. Chairman:** Will the honourable member direct his comment to the chair?

**Mr. Martel:** Mr. Chairman, it's time you ruled your boys out of order, because that is where they have been all night.

**Mr. Swart:** How come you're here tonight, Albert? Why aren't you out practising law like you do most of the time?

**Mr. Roy:** I'm not afraid to stand up to that government.

**Mr. Chairman:** Order.

**Mr. Martel:** Again, Mr. Chairman, he is on his feet.

I hope the minister will change his mind, because we find it distasteful. To ensure the rights of workers and the security that is necessary, particularly in the smaller unions, we are prepared to go along with this bill, but we are not happy.

I want to suggest to my friend, as I did the other day, that I do not want to see another bill come in at the 11th hour, because it does not give us the opportunity to

get the assessment. I know there have been objections to this bill. In fact, Dave Patterson happens to be not only in my riding, but also on the executive in my riding association; and we agree to disagree. So don't tell me about Dave Patterson; I know him much better than anyone on that side of the House. When they start quoting him, they shouldn't come and tell me about it; I know him full well. He's not happy; he has expressed his concern. I am not happy; I have expressed my concern.

But I will not be involved in the flip-flop that has gone on—and I think there have been 103 of them under the member for Hamilton West—I will not take the type of—

**Mr. Roy:** You're going to have to go back to school, fellow.

**Mr. Martel:** Do you want me to name them?

**Mr. Chairman,** as distasteful as we find it, we are going to support this bill. But for that group to my right to pretend they are the friends of labour on every piece of return-to-work legislation—Bill 70, you name it—is the biggest sham going.

**Mr. Cooke:** How about the right to strike for teachers?

**Mr. Martel:** It was only a couple of weeks ago that the member for Hamilton West wanted the right to strike for teachers removed. Who will it be next week?

**Mr. Chairman,** as I take my place I tell you that we will support the bill, unacceptable as it is, to ensure that workers in this province have union security, because to them that is paramount.

**Mr. T. P. Reid:** Mr. Chairman, as I listened to the member for Sudbury East, I could not help but think of a cartoon that might or might not appear in one of the news media, where the Premier picks up the end of his blanket and looks under it to see who is in bed with him. That, to me, would be one that would be worthy.

On Tuesday night I spoke to some of the people who are in the gallery tonight. I see Ron. I don't see Charlie, but he may be—

**Mr. Chairman:** Would the honourable member address his remarks to the chair?

**Mr. T. P. Reid:** Yes, Mr. Chairman. I said then that I would not allow this bill to go down the drain; in fact, I would do the best I could to ensure that union security in a first contract was maintained. I said that for a number of reasons, one of which was that I went through a strike in my riding in which that was the issue. The union lost on that

particular occasion, and I do not think it should have.

Unlike my friends on the left, I believe that most members should be neutral in a labour-management dispute, because we are here and it is our responsibility to pass laws that as equally as we can balance out the power on one side and the other. Then those forces that come into play should resolve the dispute one way or another. The compromises that we in this chamber are supposed to deal with, whether it be a minority or majority government, should come into play so that while everybody is not completely satisfied and happy, at least we arrive at a solution everybody can live with.

I am disappointed in one sense that the Liberal Party has been feuding with the NDP in this matter when the real villain is across the road. I pay tribute to the Minister of Labour for having come this far with his colleagues to be able to present Bill 89 in the form that it is. But the dispute is with the governing party, not with the members of the NDP, who have thrown aside their principles and their credibility to accept the bone that is thrown from the Tory cabinet table in this regard.

I alluded to it Tuesday night and I checked my correspondence. I had written a letter last fall to the Minister of Labour, saying I would support him on legislation of this kind to guarantee union security in first contracts because I believe that if the union has gone through the process of getting the union cards signed, gone through the Ontario Labour Relations Board and been certified, then it is entitled to a contract. There may be those who are concerned about how that process works, but that is not what we are dealing with in this bill. If they get to that point, then they should have the security of being able to go on.

There is a cliché that we in this chamber do not think of, but there is not one of us to whom it does not apply, no matter which party we are in, Conservative, NDP or Liberal, namely, that the basic thing we operate on in here is credibility. If we do not have credibility with the people who have sent us here in the first place in our own constituencies, if we do not have continuing credibility with them and, secondly, in this chamber, we do not have much of an effect in what we do.

I am disappointed and concerned that the NDP has been prepared to submit to what it considers and has stated in this chamber, on Tuesday night and again tonight, is blackmail from the government side. I have been

here for 13 years; and all I have ever heard from those people on the left is the great thing about principle and how they stand on what they believe in. They say: "We are not prepared to compromise one iota. We are going to ram it to the end. And if we do not get what we want, then we would rather go down the tube than give up our principles."

I remember Stephen Lewis. He was that kind of person.

**Mr. Samis:** It is funny that he does not remember you.

**Mr. T. P. Reid:** He would not remember whoever's voice that was. He did not even remember the member for York South (Mr. MacDonald) on Tuesday night when he was celebrating 25 years in the Ontario Legislature.

**Mr. Samis:** That's a cheap shot.

9:40 p.m.

**Mr. T. P. Reid:** If my friend wants to play that game, I have been through that. If he wants to play that cheap-shot game, I am prepared to be just as personal as he is—just so we all understand what we are about.

It is amazing to me—I could not believe it, Mr. Chairman—that in question period today the leader of the NDP, who has made some of the crassest, meanest and most personal comments and has distorted the position of everybody else in this party, rose to the bait the Premier offered. Some of us in this place are fishermen, and if one has ever seen a trout rise to a fly, one has never seen a more perfect example than the way the NDP chief was hooked today.

**Mr. Chairman:** Order. Would the honourable member return to the amendment?

**Mr. T. P. Reid:** I return, Mr. Chairman, to the essence to the amendment. My friends on the left are always accusing me of stealing the Liberal-Labour banner in the Rainy River district. They get quite incensed not over what I say and do, but over the fact that I happen to call myself Liberal-Labour.

It was my suggestion in our caucus that we put this amendment, and it was supported wholeheartedly by my caucus. We in the Liberal Party feel there has to be an equation and an equilibrium and a balance in labour-management relations so that each side is dealing from relatively the same amount and principle of strength. So we have this amendment today.

I find it most repugnant to my Liberal principles, as a person who believes in balance, that the Ministry of Labour, and the government in particular, should consider allowing people who are not permanently

employed—who will not be members of the permanent bargaining position or group—to have a vote on the final contract. Why should that be? I can tell members that in the particular instance I was involved in, had that been so, the vote probably would have been lost. I can ask the people in Fotomat, some of whom are here tonight, about those people who replaced them. If each and every one of them is allowed to vote, as they are by the provisions of this bill, what is going to happen?

**Hon. Mr. Pope:** No, they are not.

**Mr. T. P. Reid:** They will be. There is nothing in Bill 89 that says they cannot vote when the final offer is laid down.

**Hon. Mr. Pope:** No, they will not. The member should have been here for the minister's statement. He missed something.

**Mr. Chairman:** Order.

**Mr. T. P. Reid:** Mr. Chairman, I return to the fact that for 13 years in this chamber I have listened to my sanctimonious friends on the left talk about principle and ideals. It is like a religion with them.

**Mr. Wildman:** The member would not know about that.

**Mr. T. P. Reid:** Their federal friend, Mr. David Lewis, did the same thing in minority government a few years ago. He agreed with everything the government of the day said. He sold out all his principles; he sold out all his idealism. In the end nobody believed in what that party stood for. I could have understood it perhaps, when we look at this amendment, if the NDP had at least said we were not blocking. But they used that very term in the debate; they were ready and willing to accept that threat by the Minister of Labour in regard to the amendment proposed by my colleague from London North.

I say to the people in the gallery through you, Mr. Chairman, that they have the opportunity of a no-confidence motion, if they are dissatisfied or if this government withdraws this bill, to do something about it. They have that opportunity, if they believe that the very principle and guts of this bill is so important, to stand up in their place and put that, and then we will let the democratic process decide.

**Hon. Mr. Pope:** You want an election, do you?

**Mr. T. P. Reid:** We are ready for an election. We think the Tories have been in power much too long, and we are prepared to get rid of them. We are prepared, but those people of conscience, those people of principle, those people of the ideals, those people

of the labour movement, are prepared to sell everything out so that they can stay a few more months in the Ontario Legislature.

**Mr. Bradley:** It's pensionable time.

**Mr. T. P. Reid:** My friend says pension time; it is all pensionable time. I don't know about that. I make no comment at all about whether they want their pensions. I think it is much more realistic and basic than that. They know that if there is an election within the next 37 days in Ontario under the leadership of the member for Ottawa Centre (Mr. Cassidy) they will be practically wiped out. That is why they haven't got the guts to stand up against the Minister of Labour and the Tory government, and not because they are afraid of this bill being withdrawn.

Through you, Mr. Chairman, I say to the people in the gallery, we have not been told, we have not been threatened and, perhaps because we are principled we will not stand for that kind of nonsense.

Some hon. members: Ho, ho, ho.

**Mr. T. P. Reid:** The seals over there say "Ho, ho, ho."

The Minister of Labour did not go to my colleague the member for London North and try to blackmail him, saying, "If you don't keep your mouth shut, this bill won't go through." The Minister of Labour did not go to the House leader of this party and say, "If you don't keep your members shut up, this bill won't go through." The Minister of Labour did not come to the leader of this party and say, "If you don't shut up, this bill won't go through."

Who the hell are the members on my left in bed with? We know who they are in bed with: those people who are prepared to sell out every basic principle that they supposedly stand for in this Legislature.

But this amendment is more important, because it is equitable and it is balanced. What bothers me, as a member of this Legislature, is the kind of intimidation tactics that are being used by the Conservative government to get legislation through. The Tories have threatened them. They have said it; they have been blackmailed. The member for Hamilton East, their labour critic, went on at great length about that on Tuesday night and again tonight. It makes one wonder what the whole democratic process is about.

Quite frankly, I am not sure whether the Minister of Labour has been able to rape or seduce the New Democratic Party. There is a subtle distinction. As my friend the member for Grey-Bruce (Mr. Sargent) said once, the difference between seduction and rape is

salesmanship. But I gather this is not seduction; it is rape.

This is one of the most antidemocratic things I have seen in 13 years in the Ontario Legislature. The government has been holding the people on Fotomat as hostages in this whole scheme, which is going to affect everybody in the province.

9:50 p.m.

I can only say that we support this amendment. We think it is fair. We think it is equitable. We think it gives some balance to both sides. And I hope, as others have expressed, that the Minister of Labour will rise and say: "Yes, indeed, it is a reasonable amendment. People who are not permanent members of a bargaining union really shouldn't have anything to say about the on-going negotiations and bargaining situation as far as the union goes." I don't think any reasonable person can quarrel with that position. I hope the minister will find it within himself to rise and say that. Had he said that earlier, we could have avoided this long and acrimonious debate.

**Mr. Riddell:** Mr. Chairman, I am going to speak very briefly. I cannot believe what I am hearing tonight. I am hearing the NDP suggest that we are dealing with a government that governs by ultimatum and by threat. I cannot believe the Minister of Labour would ever suggest he would withdraw the bill if the opposition parties introduced any amendments. If indeed he did say that, I cannot believe he meant it.

I am sure he came into this business as I did, believing that it was government of the people, for the people and by the people. We have a minority government. We have a government which I would hope would govern its affairs according to majority decisions that are made in this House. I am serious when I say if I have to go back to my people and tell them I had to cave in to the government because of threats they made, then I would hope they would be prepared to tell me it is time we had an election and got a government that governs the way it was supposed to and not by so-called ultimatums and threats.

**Ms. Gigantes:** Would you like an election on the Rand formula?

**Mr. Riddell:** They can talk all they like to the left, but I cannot believe they feel the minister is prepared to withdraw the bill because of the very reasonable amendment we have introduced. I do not believe he would withdraw the bill, and I would hope he would give consideration to this amend-

ment. It is an amendment with which all parties on this side of the House agree; I don't think there is any doubt about that.

Surely we are not going to have to vote because of the threat that the bill will be withdrawn. Those are not the principles upon which the government in Ontario was founded. I think it is time we paused to remember which country we live in. I cannot believe I am living in a country governed by threat and ultimatum rather than, as Lincoln said, "a government of the people, by the people and for the people."

Mr. Renwick: Mr. Chairman, I am constrained to take part somewhat briefly in the debate with respect to the amendment the Liberal Party has put before us tonight. I have listened to most of the debate this evening, and I suppose the course has ranged very broadly under the usual gracious latitude permitted by the chair, which I think on this occasion has allowed the debate to proceed much too long and over much too great a range, bearing in mind the very specific amendment the Liberal Party has put before us tonight. But within that framework it is essential we talk a little about what our colleagues on the right have said to us, what the Liberal Party's understanding of the reality of Ontario is today, what our understanding is, and what reality is so far as the Minister of Labour is concerned.

I am going to back up a little bit because, when we are talking in these terms about the fundamentals of the relationship of this party and the organized labour movement, I think a little instruction is required for the Liberal Party and, I believe, for the Conservative Party, but certainly for my friends on the right. We are not fighting for labour's vote. We are fighting for labour. Let's get that distinction clear.

In 1958, there were two resolutions passed, one at the Canadian Labour Congress convention in April in Winnipeg, and one at the national convention of the CCF in Montreal in July. So members will begin to understand the kind of party this caucus represents, I am going to refer to the terms of the founding of the party.

Mr. Roy: We are on the principle of the bill now.

Hon. Mr. Davis: Don't forget who introduced the bill.

Mr. Renwick: I am glad the Premier is here. He sometimes needs a little instruction on fundamentals.

The Canadian Labour Congress said in 1958: "The time has come for a fundamental

realignment of political forces in Canada. There is need for a broadly based people's political movement."

Mr. Roy: It's working, Bill; you've got them on their knees.

Mr. Renwick: I always understand when I am getting to the Liberal Party, because the member for Ottawa East engages in cross-chatter with somebody in the Conservative Party; it's a sign that he is edgy.

Mr. Roy: I'm sorry I interrupted the member.

Mr. Renwick: I'm sorry too. Let me start again, now that I have his undivided attention.

Mr. Roy: I am taking notes.

Mr. Renwick: I'll send the member a photostated copy.

"The time has come for a fundamental realignment of political forces in Canada. There is need for a broadly based people's political movement which embraces the CCF, the labour movement, farm organizations, professional people and other liberally minded persons interested in basic social reform and reconstruction through our parliamentary system of government. Such a broadly based political instrument should provide that labour and other peoples organizations may, together with the CCF, participate directly in the establishment of such a movement, its organization, structure and basic philosophy and program, as well as in its financing and choice of candidates for public office."

At the national convention of the CCF in July 1958, a companion resolution was passed that speaks to the fundamentals of the party—now I am faced with the government House leader talking to the Minister of Labour.

Mr. Chairman: Is there any other member wishing to—

Mr. Renwick: No, I will resume. I don't know what has come over the House. In committee of the whole House, one usually speaks and has an interchange, but apparently tonight the Minister of Labour is going to sit in his seat and pretend he has the last word. He will not have the last word on this amendment until we understand what it is all about. He should have spoken to the amendment earlier. It is about his bill; not about our bill.

Hon. Mr. Elgie: I did speak.

Mr. Renwick: Yes, but I want a little exchange in relation to what has been taking place.

Mr. Roy: The minister has had the member's reaction. He is with the minister. He is afraid of the minister.



**Mr. Renwick:** There is no question whatsoever that the price the Tory government is extracting is the introduction of clause 1 in the bill for the provision related to union security, but the unreality of the Liberal Party's position is unbelievable to me. Clause 1, as the minister introduced it in the bill, is a basically flawed provision. They cannot improve a basically flawed provision by moving an amendment. My friend from Rainy River indicates that it is a very reasonable amendment. How in God's name can they have a reasonable amendment to an unreasonable clause? The clause should not be there in the first place. We understand that. I just want the Minister of Labour to know that we can play hardball. We know how to play it.

10 p.m.

The last few days in the Legislature, with the Liberal Party on the city of Toronto bill, on the police complaints bill and now on this bill, have been like playing three-handed bridge with two dummies.

Let me talk a little bit about the clause as it was actually introduced by the minister and which he is going to amend. The reality of clause 1 is that it is unreasonable. From our point of view, it is basically and fundamentally flawed. We have two fallback positions with respect to that clause. Fortunately, the legislative draftsman has left it open for a very clear understanding that persons hired after a strike and lockout will not necessarily be included in the vote.

**Mr. T. P. Reid:** But may well be.

**Mr. Renwick:** Not "may well be" at all. It is good for my profession; they will be able to earn a few more dollars because of a certain ambiguity in the language. But if one compares clause 3 with clause 1, anybody who reads the two clauses will understand very clearly that if one is going to have the employer given the right to put his last offer to those employees in the bargaining unit, presumably one has to give it as the last offer to the employees who were in the bargaining unit at the time.

A very real argument can be put to indicate that there is a subtle distinction in language between clause 1 and clause 3. If anyone reads them carefully and understands the distinction, he will say—and I trust that the Ontario Labour Relations Board will say—how ridiculous can a provision be if it is interpreted to mean that, for the very people who are employed after the members of the bargaining unit have withdrawn on a strike or are locked out, their vote is going to determine whether the offer of the employer is accepted.

I am not a labour lawyer. I'm like the Premier; I don't practise law any more. I used to; he never has.

**Hon. Mr. Davis:** On a point of personal privilege, Mr. Chairman: For two years and four months I did my best. It was never as good as the member for Riverdale, but I tried very hard. The reason I am here is the same reason he is here: He did not succeed that well at the law; so he decided to go into politics. So did I.

**Mr. Renwick:** I'm sorry; I didn't mean to offend the Premier. I had always thought that on all occasions he had stood up and said he really was not a lawyer; he was just the—

**Hon. Mr. Davis:** Mr. Chairman, I have never said I am not a lawyer. I have stood up on many occasions and said politics is my profession; the law was really a hobby for a short period of time.

**Mr. Renwick:** All I am saying is that there are labour lawyers who will be acting in any of the cases which are involved in it and who can very clearly argue the proposition that persons hired after the strike and lockout are not included in it. That is one argument; it is a very good argument. I would accept a modest fee to argue that case on any occasion before any one.

Let me put the reality of the hardball to the Minister of Labour; he knows it as well as I do. Organized labour is not nearly as powerful in this province as it should be in relation to organized capital, or as powerful as the relationship of organized capital to the Conservative Party as distinct from the integral relationship of working people with this party.

If an employer exercises the privilege, subject to the minister's consent under clause 1 in this bill; if by any chance the last offer of the employer were to be made by some ill-conceived decision of the minister or the Ontario Labour Relations Board to include persons employed after the strike or lockout had begun; and if that so-called last offer was accepted in numbers, including a number of people equal to or less than the number who were employed after the strike or lockout took place, the Minister of Labour knows very well there would be an uproar in organized labour that even this government would have to listen to and that clause would be removed.

Let me make another point about clause 1 in the bill, without this so-called ridiculous amendment of my friends on the right—

**Mr. T. P. Reid:** You just said five minutes ago that it was reasonable.

**Mr. Renwick:** —without that so-called reasonable amendment to an unreasonable clause, to use the words of the member for Rainy River.

**Mr. T. P. Reid:** I never knew what a whirling dervish was before.

**Mr. Renwick:** Let me just say to the Minister of Labour why we think he is very unwise to extract this price. What he has done with clause 1 is to toss a wild card into the collective bargaining process. In the province at this time in its labour history, he shouldn't do that.

Clause 2 of the bill is not a wild card. Clause 2 of the bill has been around. Had it not been for the defeat of the CCF in 1945 in this Legislature, in 1946 when Mr. Justice Rand made his decision, later on in that same year, this government, a Conservative government, would have enacted it into law. We have waited 35 years.

I was a student at law school when the Rand decision came down and, personally, long before I joined this party, I waited for 35 years for that provision of union security. It was not the provision the United Automobile Workers asked for during the strike, but Mr. Justice Rand's version of union security. The checkoff was adopted, and we have waited that long for it to be legislated into law.

Under some short-sighted view of what this government's basic intentions are, we are not about to miss out on the opportunity to have that principle enshrined in law. This government knows and that party knows—and God help us if they were ever the government of the province—that clause 2 will never be revoked and will never be withdrawn once it is introduced.

Clause 1 is the wild card tossed in by the Minister of Labour for whatever reason, and I do not impute motives to the Minister of Labour or to the Premier. I think about them occasionally but I never impute audibly to anybody what they may be about.

The minister knows and everybody else knows that if the consequences of that wild card are in any way inimical to the rights of labour in this province, in due course we will see clause 1 withdrawn. We are prepared to take that risk. The Minister of Labour knows it. I say it because it appears difficult for my colleagues in the Liberal Party to understand that.

**Mr. Roy.** Keep apologizing.

**Mr. Renwick:** That is known as minority government in operation. Stick around a little bit.

**Mr. T. P. Reid:** Where you get intimidated and blackmailed. Do you call that minority government?

**Mr. Deputy Chairman:** Will the member for Rainy River please restrain himself?

**Mr. Renwick:** I sat in the standing committee on general government the other day as a voting member on two provisions related to the city of Toronto. They were basically very important to the city of Toronto. The four members of the committee from this party and the member for St. George (Mrs. Campbell) voted for them. The four members of the Conservative Party and the member for Waterloo North (Mr. Epp) voted against them; so they were lost.

10:10 p.m.

So a couple of nights later, what happened? The member for York Centre (Mr. Stong) stood in his place and said, "We are going to vote for this bill," and he explained to the House what they are going to do. One week later, the House leader of the Liberal Party stood up and signalled the switch.

In this strange game they are playing tonight, they know nothing about collective bargaining. They know even less than I know about the collective bargaining process. If they think they can tamper with a poor clause and improve it they are incorrect.

I am going to finish with the Minister of Labour. I want him, at least during the summer recess, after this bill is passed into law, to consult a little bit about clause 1. Consult with the Canadian Manufacturers' Association and ask its members if they have thought through the consequences of an employers' last offer being accepted on a vote where the scab labour was part of the majority for the adoption of that contract. Ask them whether they want to face those consequences. Let me not kid about it. These are not any threats. This is organized labour from its terribly weakened position in this province and in the country getting an opportunity, as Mr. Justice Rand has said, to redress the balance of social justice.

We think the balance under clause 2 in favour of social justice is much greater than the balance under clause 1 in favour of social injustice. In due course, we will see clause 1 repealed. We intend to vote against the amendment. We intend to support clause 1 of the bill. I trust the bill tonight will be passed out of committee, pass third reading and, perhaps even tonight, we could wait

around for Her Honour to come in and give it royal assent.

**Mr. Haggerty:** Mr. Chairman, I want to address myself to the amendment moved by my colleague: "Where a vote pursuant to subsection 1 is held after the commencement of a strike or lockout, only those employees who were employed in the bargaining unit before the commencement of the strike or lockout may vote."

I sat here tonight and listened with interest to both sides of the House—I should say to three sides—in relation to who is really supporting labour. My background is that I am still in good standing with a labour union. I sat on a negotiating team and bargained for a first contract, and I can tell of the difficulties we had at that time trying to even get the Rand formula into a contract.

I support the principle of the bill. It is a good piece of legislation because it will remove, I hope, confrontation from the streets. That is the most important thing about this particular bill. I have heard my colleagues to my left who are deeply concerned about this. The member for Welland-Thorold is comparing apples with oranges in a sense to say it is a bad deal.

If the Minister of Labour had called me in to discuss it with him I would have suggested this proposed amendment. Perhaps the member for Riverdale is quite correct. If you look at section 4 of the bill, subsection 63(4a) says, "All employees in a bargaining unit, whether or not such employees are members of the trade union."

In the Bell Canada strike they were able to continue to operate with engineers and other staff. It also happened at Fleck Manufacturing Company, for example. Even now under this bill, when a union wants to organize, get certified and get the first collective bargaining unit going, it still permits management to hire outside employees to come in to carry on and operate that industry.

Tonight Fotomat was mentioned. This is what is taking place there.

As I interpret this bill, and looking at it from the labour side sitting at a bargaining table, it does not give them coverage. Those employees who are working there now will be considered part of the bargaining unit under section 4 of the act.

One of the things that really disappoints me most is that the Minister of Labour is using a loaded shotgun in this Legislative Assembly. It is either we do as he wants us to do or he will withdraw the bill. To me that is unparliamentary procedure. I think it

goes beyond the rules and principles of the parliamentary system in Ontario when the ministry can use that guillotine or shotgun and say, "You either come my way or there will be no way at all." I had greater confidence in this government until I read that article in the paper and heard it in the chamber here—it is not proper for the government to use that as blackmail.

The member for Welland-Thorold is right when he says it is bad deal. They made the deal with the minister. But we are dealing with the principle of this bill here tonight. Section 1 is good, but when one gets into it, it is not going to provide for those persons there. I think we are still going to see confrontation on the streets, and again the police will be brought in. Surely they have enough difficulties now, when one thinks about the police bill that was here? I don't want to get into that but I had some strong reservations about it.

I think the principle of this bill is related to the summation of the Ontario Federation of Labour this year. Number one on it was that dues checkoff must be granted with certification. I think it is a great move by the Ministry of Labour to move in this direction. I understand the minister had some difficulties within his own party on this. I have to give him credit, because I think of all the times the minister has actually looked at the needs of labour in Ontario.

I know the NDP have been very critical of the Liberal Party in saying there is nobody here who actually represents labour. I could go back to the Mining Act in 1970 when I was sitting on that committee and moved an amendment that would give employees in the mining industry the right to engage in safety and occupational health committees within the mine. They did not support it. I have had a private member's bill here for years suggesting that we should have a new occupational health and safety act and I did not get much support from them.

Like other members, we have some disagreement. The Liberal Party labour critic a few years ago suggested we should be moving to do away with that confrontation in the streets when there is a strike or a union-established certification. I suggest we have looked at labour seriously and we have tried to improve, by amendments to legislation workmen's compensation and dozens of things I can name. I am sure my colleagues over there know this.

I regret we have to get into a hassle on a bill like this, but they brought it on them-

selves. They are in bed with the Minister of Labour over there, and the minister is using a shotgun against them. It is a bad deal—no doubt about it—but they will have to live with it.

The more I look at this bill—looking at it from my side as a person who used to represent labour at a bargaining table—this is not going to solve all the problems. Section 4 says you do not have to be part of the bargaining unit—as long as you are considered as an employee of that industry you will have the right to vote. Those persons who belong to the union will be denied that right, and that is what is going to happen at Foto-mat.

I support the amendment put forth by my colleague, and I think it is a reasonable amendment, coming under either section 1 of the bill or under section 4. There is a loophole there and the intent of this is to plug it now. The minister surely should have learned this long ago; bringing in his bills at the last moment, then without proper consultation with all members of the House or labour or management, he has to bring in additional amendments in a hurry. It has been the same time and time again with this minister. I think he has moved a little too fast but I think it is in the right direction. The minister should have just taken a little more time.

10:20 p.m.

Hon. Mr. Elgie: Mr. Chairman, I would just like to respond to a couple of remarks. I want to make it very clear that in spite of all of the variety of things that have been said, many accurate and most inaccurate, this bill is seen by me and by this government as a fair, balanced and equitable bill which will improve industrial relations in this province and that is the purpose of it.

There has been a lot of talk about credibility and the sanctity of the Legislature. My father shared this Legislature with the father of the member for Brant-Oxford-Norfolk. I cherish those memories of sanctity and I am not doing any disrespect to them here in this

House today, because the member and everybody in this House knows the commitment I have to improve industrial relations in this province. This legislation is further evidence of my commitment and of this government's commitment.

The member for Nickel Belt asked me to put in very precise terms what would happen if this amendment was approved. I will do that and I will repeat it for him as I said at the outset. I cannot, for the reasons indicated, which I believe to be valid, proceed with the bill if it is altered in accordance with the amendment proposed.

I think it is an unnecessary amendment. I think it would be an inflexible codification which would not take into account the fact that there can be variations from time to time and place to place. For that reason I ask for support in opposition to that amendment.

Mr. Chairman: All those in favour of Mr. Van Horne's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Amendment stacked.

Sections 2 to 5, inclusive, agreed to.

The committee divided on Mr. Van Horne's amendment to section 1, which was negatived on the following vote:

Ayes 22; nays 69.

Section 1, as amended, agreed to.

Bill 89, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with certain amendments.

### THIRD READING LABOUR RELATIONS AMENDMENT ACT

The following bill was given third reading on motion:

Bill 89, An Act to amend the Labour Relations Act.

The House adjourned at 10:37 p.m.

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No. 74

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**  
Friday, June 13, 1980

Speaker: Honourable John E. Stokes  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, JUNE 13, 1980

The House met at 10:04 a.m.

Prayers.

## VISITORS

**Mr. Speaker:** I would like to draw the attention of all honourable members to the presence in our gallery this morning of the Honourable Rafe Mair, who is the Minister of Health for British Columbia. He is the guest of our own Minister of Health (Mr. Timbrell). Would you please welcome him to our presence.

## ORAL QUESTIONS

### ASBESTOS HAZARDS

**Mr. Nixon:** Mr. Speaker, since the Minister of Health is here bright and early this Friday morning, I would like to direct a question to him which has to do with the decision taken by the officials in Toronto to undertake a thorough review of the public health aspects of asbestos in the atmosphere and in buildings.

Since the responsibility for this matter at the provincial level seems to be widely distributed, and the Minister of the Environment (Mr. Parrott) is not here today—I think this is his day to exercise his horse—could the Minister of Health indicate what sort of correlation there is at the provincial level to assist the various health units and boards of health across the province, since it appears quite clearly that in the future we are going to have to survey all the public buildings and many private buildings, erected since 1945? Would the minister care to comment on the level of the health hazards from the standpoint of public health?

**Hon. Mr. Timbrell:** Mr. Speaker, there is an interministerial group at the provincial level involving the ministries of Health, Environment and Labour. The lead ministry in this, as the member knows, has been the Ministry of Labour. He may want to relay his question, or redirect it.

**Mr. Nixon:** Just before the minister transfers it to the Minister of Labour (Mr. Elgie), can he comment on whether he is giving any directive to the various health units and

boards of health that come under his direction, who are obviously concerned about this and are taking very proper but unilateral action as far as he is concerned?

**Hon. Mr. Timbrell:** We are all taking our lead from the information that has been gleaned by the Ministry of Labour in this regard. Over the last year we have made all the medical officers of health aware of the various aspects of this asbestos question as they have unfolded. We are all working together with the Ministry of Labour and using our resources in Health and Environment, for that matter, to back them up.

**Mr. Cassidy:** Mr. Speaker, can the minister explain why the government has been so negligent on the asbestos issue in that there are no standards for the disposal of asbestos that is being taken out of schools and other public buildings? Can the minister explain why, as a consequence, asbestos is being put in large plastic garbage bags and placed on dumps? The moment a tractor or bulldozer goes over them, those bags are going to break and spread asbestos back into the environment where it does not belong.

**Hon. Mr. Timbrell:** The aspect of disposal is one that would properly fall under the jurisdiction of my colleague the Minister of the Environment. (Mr. Parrott). I will take that as notice for him, but I think it should be stated that asbestos is widely distributed in the environment. For the honourable member to ignore that is to ignore a very basic fact of the question. The Minister of Labour may want to comment on the basic question.

**Mr. Nixon:** Since the Minister of Health is taking the one question as notice for the Minister of the Environment and responded by indicating the minister directly responsible is the Minister of Labour, will he permit the question be transferred to the Minister of Labour?

Can the Minister of Labour tell the House just how he is co-ordinating the policies and programs of the government of Ontario which appear to public health officials at the local level, and to us here in the Legislature, to be ill-coordinated, ineffectual and insufficient?

10:10 a.m.

**Hon. Mr. Elgie:** Mr. Speaker, as the member well knows, the interministerial committee dealing with this particular health hazard has been fairly active to date. It has been active with regard to the Toronto Transit Commission subway situation, and fairly significant inroads into the problem in the school system have been carried out by the Ministry of Education.

We are continuing to receive recommendations from that interministerial committee, and we have referred the matter of the overall public aspects of it, as well as a variety of other problems, to a royal commission.

I might also tell the member that we have sent to the Ministry of Health, as well as to the medical officers of health and the Ontario Hospital Association, copies of the publication we prepared for the Ministry of Education to distribute to the school system. So we are continuing to deal with the situations that become apparent in the community, in spite of the fact there is a royal commission reviewing the matter in greater detail.

#### UNEMPLOYMENT

**Mr. Nixon:** Mr. Speaker, I have a question for the Treasurer. It is related to the fact that we have about four active days left here before the session adjourns for the summer. The information given us a few days ago indicated that the level of unemployment is rising more rapidly in this province than in any other, and there was news this morning about the alarmingly high increase in the cost of living, 1.2 per cent for the month. When is the minister going to make available the discussion paper he announced on page 10 of his budget with the following words: "I would also like to inform the members that this government will be tabling a discussion paper in May which will outline alternatives available to deal with this pressing situation"? I could go on. He describes it in glowing terms. I realize that statement dealt largely with the economy in its reaction to changing interest rates, but obviously the matter has tremendous impact on what we are talking about: unemployment and the high rate of inflation.

Does the minister, as Minister of Economics, not believe that he should be making a statement for the good of the members of this Legislature and for the community at large?

**Hon. F. S. Miller:** Mr. Speaker, specifically, I expect the paper to be ready for distribution on Tuesday. It has been at the printers,

I am told, for more than a week. I expected it to be back within two days of going to the printers. I think I made some indication to someone a week or so ago to that effect. I trust it will be released as soon as it comes out.

In terms of the unemployment situation, I know the members opposite asked the Premier (Mr. Davis) a number of questions on that matter yesterday, or the New Democratic Party members did. I am sure the honourable gentleman would be as anxious as I am to minimize the real problems of unemployment; so I want to reflect one of the comments the Ontario Federation of Labour made yesterday. I think I am reflecting it accurately.

They pointed out one of the greatest problems today is that people are concerned about the security of their jobs. I do not blame them for being concerned, but concern for the security of jobs often reflects in deferment of purchase decisions. Purchase decisions deferred, sadly enough, add to the problem. In effect, that is one of the major points we talked about yesterday.

I would like to state a few positive things because, whether or not we take seriously the give and take in this room, the member opposite and I seem to be very serious. I have to tell him that if he tells somebody over and over and over again how bad things are, he may not be doing them or the economy a favour.

**Mr. Mackenzie:** You are not going to make it go away by doing nothing.

**Hon. F. S. Miller:** I am leading into my response. The honourable members have chosen quite properly, as opposition people, to dwell upon negatives. Let me dwell upon positives too. There are some positives. There are 22,000 more people at work today in Ontario than there were a year ago. I listen to the members opposite, they make it sound as if the world had ended.

We have more than four million people employed in this province, and there have been very few months in its whole history when there were more than four million people employed. We have the highest percentage of the population available to work in this province in all Canada—62 or 63 per cent here, versus 59 per cent for Canada. So we have more people available for work. We are affected more by recession in the United States than is any other province in Canada. Why? Because, fortunately, in Ontario we have more than half of the manufacturing employment in Canada. Therefore, when there is a recession, planned or

otherwise, on the US side of the border, a market that is very important to us, obviously it affects us and obviously we are concerned about it. But let us not minimize the fact that we have more people at work and almost a record number at work.

**Mr. Nixon:** The minister seems to be forgetting the fact that he must deal with the situation as it is, not perhaps how he would like it to appear on the basis of some psychological mumbo-jumbo. The minister must be aware that in the recently announced increase in unemployment in Canada, close to 90 per cent of it was in this province.

While we are concerned about the status of the economy in Canada, we are members of this Legislature and we are concerned with the inadequacies of the policy of this Treasurer. He has promised a full paper reviewing this. We are almost at the end of the session. The only reason the government survived the no-confidence motion was that the New Democratic Party members, in voting with the Conservatives, said they were expecting this paper—

**Mr. Speaker:** Is there a question there somewhere?

**Mr. Nixon:** —to come along and solve the problem. What is the minister going to do to answer that situation?

**Hon. F. S. Miller:** We took action before the paper came out in the sector that was agreed to be one of the two of greatest concern, and that was the farming sector. I believe that action was taken with the support of all members, to assist an immediate problem, and \$25 million was allocated to assist. The fact is that legislation is already in place to allow us to do it.

**Mr. Nixon:** How much have you lent? How much have you granted?

**Hon. F. S. Miller:** My friend, we do not lend, but we will pay three per cent of the cost of borrowing money, up to \$25 million; that is our estimate. We did not even say, "We stop paying it at \$25 million." I have to tell the member, that was well received by the farming community of Ontario; I have a letter from the president of the Ontario Federation of Agriculture telling me it was well received.

I want to say one more thing. Had it not been for two actions taken by Ontario, one last year and one this year, things could have been worse. We have fought for a realistic Canadian oil price to maintain employment. Heads of the Ontario Federation of Labour representatives, were nodding up and down again when we talked about that

yesterday, understanding that if the kinds of pricing the member recommended were in place, there would even be more unemployment.

**Mr. Laughren:** Mr. Speaker, since the Treasurer admits that he has addressed himself only to one of the two groups with serious problems concerning interest rates—the other is the home owners—will the Treasurer make a commitment here and now to provide relief for home owners whose mortgages are being renewed and whose total mortgage cost will exceed 30 per cent of their income? Will he make that commitment now?

**Hon. F. S. Miller:** Mr. Speaker, I do not want to pre-empt my paper. I hope, when it comes out on Tuesday, the member will find it satisfactory.

**Mr. Peterson:** Mr. Speaker, I am concerned with the mental health of the government and the Treasurer. His frequent response, as well as that of the Premier, is to accuse us of being nabobs of negativism. Has he not read the paper from the Ontario Economic Council? Has he not looked at what has been said by almost every economist who has analysed the Canadian scene today, looking at the structural deficiencies and weaknesses in the Ontario economy?

Will he not agree with me that, if he is going to rectify some of those problems, albeit they are difficult and will take a long time to solve, he first has to recognize them? Will he not agree that his Pollyanna view of the Ontario economy, at this time and for the immediate future, is just incorrect compared with that of all the other experts?

**Hon. F. S. Miller:** I do not think I am a nabob of negativism, and the member is obviously not a savant of sartorial splendour. I do not look at the world through rose-coloured glasses. One of the reasons we allowed the cash requirements of the province to remain above those we could have maintained this year was that we predicted this was going to be a pretty soft economic year. Taxes not taken out of a worker's pocket are dollars he or she has to spend to help maintain the economy.

**10:20 a.m.**

**Mr. Makarchuk:** Mr. Speaker, in view of the fact that corporate profits declared yesterday were running something like 100 per cent ahead of the corresponding quarter of last year, would he consider taking the taxes out of the corporations and putting them into the economy instead of taking them out of the workers' pockets?

**Hon. F. S. Miller:** We do that very effectively. If one wants to look at the reason I got such a good cash result last year, it was because my corporate taxes went up by \$200 million to \$300 million above predictions. I hope they stay there, because I need that source of revenue.

The honourable member knows, and I know, that figures reported are historic, not current. If we want to see some of those companies survive the next few months, we are going to have to make sure they have some cushion to do so.

#### FRUIT AND VEGETABLE PROCESSING

**Mr. Cassidy:** Mr. Speaker, I have a question of the Treasurer, since he asked for some suggestions about what should be done within the economy.

Is the Treasurer aware that, during the 1970s, we lost 1,818 jobs in the fruit and vegetable processing industry in Ontario and another 3,000 jobs in other sectors of food processing? Can the Treasurer explain why no action has been taken by the government to maintain this essential sector of our industry in Ontario, particularly in view of the fact that food and vegetable prices are up by 14 per cent over last year and the fact that unemployment in the Niagara region now is running at one worker out of every nine?

**Hon. F. S. Miller:** Mr. Speaker, I understand a study is being done by at least one and possibly two ministries on that very topic. I would point out that the member is always able, particularly in cyclical downturns, to point to changes. Let me just say that when the 1970s started there were three million people employed in Ontario, and when the 1970s ended there were just over four million, a 33 per cent increase in 10 years.

**Mr. Cassidy:** The minister has not answered the question. Is the minister aware that at the beginning of the 1970s we had a trade deficit of about \$180 million in foods and foodstuffs in Ontario and in Canada, but that had grown by three and a half times, to close to \$800 million, by 1978? In other words, rather than standing still or improving our situation and our ability to feed ourselves, we have been getting worse and worse every year at the expense of jobs here in the processing industry in Ontario. Why has there not been a policy from this government to ensure that we grow what we can use for ourselves and process it here and give jobs to Ontario workers, rather than continue to allow this essential industry to run down?

**Hon. F. S. Miller:** I could argue that the best person to whom some of these questions should be directed in terms of actual dollars is the Minister of Agriculture and Food (Mr. Henderson), but I want to tell the member one thing. We have taken several steps to try to help. We do export quite a bit of food, and he tends not to take that into the picture. One should look at the net. If the member likes orange juice for breakfast, and I do not know whether he does, or if he likes bananas, he is importing food. I happen to drink apple juice or grape juice, but I do not know about him. Even the cabinet stays with apple juice, grape juice or tomato juice these days.

**Mr. Warner:** We also like turkey.

**Hon. F. S. Miller:** He likes turkey. Well, he certainly should, because he is seated with a bunch of them.

The second thing we have done recently is that through the Employment Development Fund we have requested more companies to get into the processing business. The member for Welland-Thorold (Mr. Swart) is forever bringing in evidence of lower-cost foods from somewhere else. One of the reasons for that is it happens to cost less to grow certain of the Canadian fruits in areas of Georgia and Alabama.

**Mr. Swart:** It might have something to do with the profits of some of those Canadian companies.

**Hon. F. S. Miller:** Hardly. If there were profits in the fruit-growing business there would not be the problem that the honourable member's colleague is mentioning. The fact is, there are very competitive processing problems in fruit and vegetables, and the member knows it.

**Mr. Riddell:** Mr. Speaker, the question posed by the NDP leader is really a follow-up to the question I posed earlier in the week about the Consultative Task Force Report on the Fruit and Vegetable Processing Industry in Ontario. Why is it that this report, which was completed in July 1979, was never sent from the Ministry of Industry and Tourism to the Minister of Agriculture and Food? The minister just got that report yesterday and did not even have a chance to read it. When are we going to have some communication between the two ministries? When are they going to act on that report?

**Hon. F. S. Miller:** The member is not asking either of the ministers involved.

**Mr. Swart:** Mr. Speaker, does the Treasurer not realize that the loss of agricultural land alone in terms of its productive value in

this province in the last 18 years has meant a loss of something like \$800 million in revenue? At the present time we are importing \$800 million worth of food that could be produced in this country. Does he not think his government has been extremely negligent in not having a plan to deal with this?

Does he not realize his government lost canning factory after canning factory, and because of this we cannot supply our own needs and have become dependent on the United States? Does he not think it is time he took some immediate action in this field to reverse that policy?

**Hon. F. S. Miller:** No, I do not agree. Why are some of the fruit lands under pressure? It is not because industry has chosen to go to a particular area. In many cases we have large areas of agricultural land not in production because there has not been a demand for the product. We have more ability to produce food than there are consumers for it, thank goodness.

**Mr. Swart:** There is too much coming from outside.

**Hon. F. S. Miller:** I wish the member was as pure in his actions as he is in his words.

**Hon. Mr. Henderson:** Mr. Speaker, in view of the question just submitted by the member for Huron-Middlesex (Mr. Riddell), and in view of the question he presented to me the other day, I believe this would be an appropriate time for me to answer.

**Mr. Speaker:** I am not aware that there was a question directed to you.

**Hon. Mr. Henderson:** On Monday of this week, the member for—

**Mr. Speaker:** Are you saying you have the answer to a question that was asked previously?

**Hon. Mr. Henderson:** Yes, and it will add to this question.

**Mr. Cassidy:** On a point of order, Mr. Speaker: I have a supplementary question for the Treasurer. Could he explain how the people of Ontario can have any faith in the policies of this government to create jobs in the fruit and vegetable processing industry when for 20 years the government has stood aside while multinational corporations have systematically seen to the shutdown of canneries in Ontario? Can the Treasurer explain how the people can have any faith in the policies of this government when there is a request to open new canneries and yet 548 food processing plants have been closed down in Ontario during the course of the

1970s? Why does he stand idle so long while jobs disappear in Ontario?

**Hon. F. S. Miller:** The member asked if I can explain. I have tried explaining my fundamental beliefs to him for a long time; they are totally divergent from his. I do not think, therefore, that I can convert the member to the fact that in our kind of system food is produced more efficiently than it ever is in any of the countries he emulates in his policies. Long-range planning has never made farmers produce, and the member knows it.

**Hon. Mr. Henderson:** Mr. Speaker, on Monday of this week, the member for Huron-Middlesex asked a question, which I want to answer.

The Ministry of Industry and Tourism conducted a task force and supplied my ministry with a copy of its report. The report covers six major areas. The first four deal with proposals for economic incentives to be made available to growers and processors. The last two deal with the marketing board/processor relations and information needs. The specific areas were financing and incentives, reviewing the tender fruit processing industry, stimulating the tomato paste industry, increasing the apple juice industry, improving processor/marketing board relations and information and intelligence gathering.

10:30 a.m.

The report was submitted to my colleague the Minister of Industry and Tourism on July 27, 1979. The Ministry of Agriculture and Food viewed this report as helpful in its ongoing work with the processed fruit and vegetable industry of Ontario.

I would like to take this opportunity to bring members up to date on a number of initiatives within the marketing division of my ministry which relate to some of the recommendations in the report. I would point out that many of these programs were well under way prior to the release of the task force report.

You will recall, Mr. Speaker, that last year the Ontario Vegetable Growers' Marketing Board was seeking price-setting powers. I successfully resolved this area of conflict between the board and processors. Both parties reported they were quite satisfied with the negotiations for the 1980 vegetables for processing crops.

My ministry has worked, and will continue to work, with processors and marketing boards to further develop a spirit of co-operation



and understanding between these two sectors. Last week my ministry called a meeting between representatives of the Ontario Food Processors' Association and the Ontario Vegetable Growers' Marketing Board for the purpose of developing a forum for working together in the area of marketing development.

I am sure most people are aware of the major commitment of my ministry to the development of the tomato paste industry in Ontario. A major study, conducted by my ministry in co-operation with growers and processors, was completed last year and was extremely well received by the industry. It is serving as a model for further development in this area. My ministry has also arranged for funding, through the Employment Development Fund, of \$270,000 to Sunbrite Canning for expansion in the tomato paste area. These are but two examples of our ongoing work in this important area.

The tender fruit processing industry is regarded as an essential industry by my ministry and by me. I am pleased to report there has been considerable advancement in the area of clingstone peach development. The Tender Fruit Producers' Marketing Board, in conjunction with a major processor, has initiated a development program and my ministry will continue to work with this industry. My ministry is working with the Apple Commission and processors on the development of an apple juice industry. The main area that has to be dealt with is economic viability, and we are continuing to work in this area.

My ministry has a number of other ongoing programs related to the recommendations of the task force. The domestic section of my ministry's market development branch is in the process of identifying commodities with the best potential for development in Ontario with the objective of replacing imports.

The export section of the market development branch is continually analysing market opportunities in foreign markets for Ontario products. A major part of this program is taking Ontario companies on export missions to these foreign markets and bringing in foreign buyers to meet with Ontario companies.

I would like to point out that the marketing division of my ministry has the responsibility for dealing with all agricultural and food-related applications for assistance from the Employment Development Fund. My ministry has assisted and will assist any applicant in this area.

I submit that the marketing division of my ministry views the further development of the processed fruit and vegetable industry in Ontario as a vital area, and this is well proven

by our ongoing programs. This is an area of responsibility for the Ministry of Agriculture and Food, and I assure members we will continue to meet this responsibility with all the resources available to us.

I have to apologize to the member for Huron-Middlesex. I had this report yesterday, but it was six pages then. I have reduced it to two pages this morning.

**Mr. Cassidy:** Mr. Speaker, I would ask that you declare that to have been a statement, because it took five or six minutes of members' time and that in future it should not come—

**Mr. Speaker:** A new question.

**Mr. Cassidy:** On the point of order, Mr. Speaker: Could that answer not be deducted from the question period? It was very much a statement.

**Mr. Speaker:** The question asked by the member for Huron-Middlesex was fairly detailed and I think the minister was entitled to give a detailed answer.

#### TORONTO DOCTORS' DISPUTE

**Mr. Cassidy:** Mr. Speaker, I have a question for the Minister of Health. Could the minister say what the government intends to do in the face of the threat by doctors in Ontario to boycott the city of Toronto and to cut off essential programs, such as immunization, school clinics and other preventive health services? Since the city was doing nothing more provocative than exercising its freedom of choice of doctors, can the minister say what the government intends to do to ensure that the essential services of doctors are not cut off to public health in Toronto?

**Hon. Mr. Timbrell:** Mr. Speaker, I think this is a matter that can be resolved between the doctors in Toronto and the health unit. The remarks of the medical officer of health, as quoted in the press, indicated to me, at least, that this is not a likelihood. While there is a dispute between the Ontario Medical Association and district 11, and particularly the OMA and the city, I do not believe that will result in the services being cut off, as the honourable member says, because they are being paid on a sessional basis, and I am sure they will be able to obtain the physicians' help that they need.

**Mr. Cassidy:** Can the minister explain why it is that in the face of bullying tactics by the Ontario Medical Association which include a call to its members in Toronto to boycott these public health services in the city and the establishment of something that

amounts to a strike fund to compensate those doctors if they withdraw the services, the minister simply says he believes something can be worked out?

**Mr. Rotenberg:** Doesn't that union have the same rights as other unions?

**Mr. Speaker:** Order. Is something troubling the member for Wilson Heights?

**Mr. Cassidy:** Why is the minister prepared to tolerate these kinds of bullying tactics, which have been adopted not by a group or a handful of doctors, but by the senior leadership of the Ontario Medical Association gathered in their convention at the Harbour Castle Hotel here in Toronto? Why should the people of Toronto have to put up with those kinds of tactics after Ontario has just given doctors the richest settlement in terms of an increase in the history of medicare in Ontario?

**Hon. Mr. Timbrell:** With respect, I rather suspect that both sides in the discussion think that the other is trying to provoke them to the discussion. What I am saying to the member is that, rather than always rushing to the rampart and always being there to hold somebody's coat, which is his style, I think it can be resolved between the OMA and the board if they will both just step back from the rhetoric for a minute and look at the health needs of the city.

**Mr. Cassidy:** I have a lot more time for the city of Toronto, trying to protect people who want services under the Ontario Health Insurance Plan, than for the Ministry of Health and this government, which stand aside while doctors continue to charge just as they did before, despite the increase they got in December.

Why will the government of Ontario not take action, now that doctors have the settlement they got in December, to ensure that nobody in Ontario should have to pay extra? Why does the minister not use the pressure of this government to ensure that doctors stop the extra billing which is now making a mockery of medicare in Ontario?

**Hon. Mr. Timbrell:** We have been through this many times before. The fact remains that in Ontario we do have a good balance between the rights of the public and the rights of the profession, guaranteed in our Health Insurance Act. The number of doctors opted-out in the province has gone down every month for five months, not because we came along with a big club and said they have to do it our way because it is the government way, but because we have found

ways to entice doctors back into the opted-in status. That's the way to do it.

If I were to adopt some of the ideas advanced by the member for Ottawa Centre, we would have a serious deterioration in the system on a provincial basis. We would have the kind of situation, on a provincial basis, that prevailed in Saskatchewan a number of years ago. On a provincial basis, we would have the problems that still persist in Saskatchewan, where they have got to go outside of Canada to get doctors. We do not have that situation because we have a good balance and we are going to keep it.

10:40 a.m.

**Mr. R. F. Johnston:** Mr. Speaker, I would be interested to know from the minister how he feels the board of health has misstated the position, or what it is they are asking for that is so outrageous?

**Hon. Mr. Timbrell:** On a point of privilege, Mr. Speaker: I did not say that.

**Mr. R. F. Johnston:** I would like to know why the minister thinks there is any need for the board of health to step back from its position, which is a very sensible position?

**Hon. Mr. Timbrell:** My understanding is that the board pays for the services in question on a sessional basis. There is no question of billing OHIP. There are bills that go into OHIP, individual claim cards; they pay on a sessional basis. What I am saying is I think there are sufficient physicians in Metropolitan Toronto prepared to do that kind of work for the board of health. The member is not going to see the services disrupted as is suggested by his leader.

I did not say the board misrepresented their position. I am saying that rather than trying to assist in promoting a fight, if the two sides would step back from the rhetoric, it could be resolved.

#### NIAGARA REGIONAL HEALTH UNIT STRIKE

**Hon. Mr. Elgie:** Mr. Speaker, last week the member for St. Catharines (Mr. Bradley) asked about the involvement of ministry officials in the labour dispute between the board of health of the Niagara Regional Health Unit and its employees.

As I am sure he knows, ministry officials were involved with the parties in several meetings prior to the actual commencement of the strike on May 22, but unfortunately no agreement could be reached at those meetings.

Subsequent to the start of the strike, a mediator has been and continues to be in touch with both sides and stands ready, should either side indicate an interest in resuming discussions. At the present time, I do not believe there is such a desire on the part of either side.

**Mr. Bradley:** Mr. Speaker, may I direct a supplementary to the Minister of Health, because the Minister of Labour's answer involves the Minister of Health?

Is the Minister of Health aware that some people have tested the situation with the Niagara Regional Health Unit by making a call suggesting some work be done by the unit, and it has been unable to comply with this request? I believe it was to check out rats in a particular building.

Is the minister satisfied that the situation in the Niagara region as it relates to public health is being adequately looked after by the supervisory staff, who are currently doing the job? Those who would normally be doing it are now on strike.

**Hon. Mr. Timbrell:** Mr. Speaker, I am sure the medical officer of health and his supervisory staff are having to be selective about the calls they answer. They look after the urgent priority items first.

I have to rely on the medical officer of health and the board to advise us as to the point at which they feel they have a problem, when we and other health units would back them up if they are not able to look after emerging health problems. To date, all the indications to us have been that they are capable of handling the situation. They have it in hand.

#### WELFARE SHELTER ALLOWANCE

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Community and Social Services. In view of the very serious unemployment situation in the construction industry of Ontario, particularly in certain pockets where the auto industry is involved, and in view of the dramatic increase in the cost of living, will the minister inform the House whether he is prepared to comply with the request of a municipal resolution which is going around the province, and which was endorsed recently by the regional municipality of Niagara, to increase the shelter allowances for welfare recipients?

**Hon. Mr. Norton:** Mr. Speaker, at this point I think I have received a copy of that resolution as endorsed by one municipality. It reflects a misunderstanding of the purpose for which the shelter allowance still remains as

part of the assistance. As I have explained in the House a number of times, every time there has been an increase in the allowance to either family benefits or general welfare assistance, it has been applied to the total allowance. That was the case this year with the 10 per cent increase, although it has not been reflected in the specific component that has been traditionally earmarked as shelter allowance. The reason for maintaining that is merely to meet the requirements of the Canada Assistance Plan.

We have deliberately moved away from trying to maintain compartmentalized components in the allowance so we can treat those persons on public assistance, in the sense of giving them a pay packet, the same as anyone else who is in receipt of income from any source. The honourable member's income from the Legislature does not come in component parts, saying that so much is for food, so much is for shelter and so much is for something else. That is the way we would like to treat the recipients of public assistance in this province as well.

**Mr. Bradley:** In view of the statement made by the minister, and since the fact remains that the cost of living has increased tremendously and there is chronic high unemployment in the Niagara Peninsula, is the minister not aware that the municipalities must pay any additional funds if they are to provide supplementary assistance or special aid because there is not enough money coming from the province? In the area I am talking about, this additional municipal money has to come from the regional municipality of Niagara. Therefore, the local taxpayers, using the property tax base, which is generally conceded to be regressive, are forced to pay more in an area where there is high unemployment.

**Hon. Mr. Norton:** I am aware that the honourable member and certain others share the views that he has just expressed.

With respect to special assistance, I have had some discussions recently with some municipalities in the province which may lead eventually to some change in the cost sharing with respect to special assistance.

In some other areas of assistance—for example, the purchase of counselling services through municipalities—we have just made a major shift in cost sharing this month from 50-50 to 80-20, which I hope will be of particular assistance in those communities where, in times of difficulty like this—I know there has been a special request from Windsor—there is a need for additional financial and

other types of counselling. We have improved the cost sharing in those kinds of situations.

**Mr. McClellan:** Mr. Speaker, leaving aside the question of how a social work counsellor is a substitute for enough money, let me ask the minister whether he is aware that when a family benefits worker visits a recipient to fill out his ministry's little form, the social worker asks how much rent is being paid? Is the minister aware of that?

What does he mean by trying to tell us there is not a separation between rent and the rest of the allowance when he knows full well that he only pays \$130 a month as the base for rental allowance, when rents are in excess of \$200 a month and even more in a place like Metropolitan Toronto?

When is the minister going to face up to the fact that people are having to pay the rent out of their food money and bring in reforms, even on an emergency basis—perhaps a rent supplement program itself, which his ministry would administer—to relieve the enormous burden on social assistance recipients?

**Hon. Mr. Norton:** I must confess that the way in which we have made the effort to move away from compartmentalized components within the allowance has played into the hands of those people like the member for Bellwoods, who does—but will not, for public purposes—understand what we are trying to do. I have answered that question many times in this House. The honourable member knows what we are attempting, and he knows what that component represents. He knows it is only significant for those who drop below it; there are very few, and everybody else gets the same amount. I do not think there is much point in explaining it further to him.

10:50 a.m.

#### NORTH AMERICAN CAR SALES

**Mr. Laughren:** Mr. Speaker, I have a question of the Premier, which is particularly pertinent in view of the Treasurer's remarkable complaint a few moments ago that the Ontario economy was too dependent on the United States.

In view of the fact that if one takes the automobile industry out of our exports, only 17 per cent of our exports are manufactured goods, and in view of the fact that we are incredibly dependent on the automobile industry and, since the North American automobile industry's world share has dropped from 40 per cent five years ago to 20 per cent now, with no indication that is going

to turn around, what are the Premier's plans to turn around the Ontario economy's dependence not only on the United States but also on the automobile industry in general?

What are his plans? What is he talking about in cabinet to make sure we do not continue this incredible dependence on both the United States and the automobile industry?

**Hon. Mr. Davis:** Mr. Speaker, I listened very carefully to what the Treasurer said, and I would not want to suggest for a moment that the honourable member did not understand what the Treasurer said.

**Mr. Laughren:** And I would not mislead you, either.

**Hon. Mr. Davis:** I certainly know the member for Nickel Belt would not want to mislead anyone either. I do not know how Hansard operates. I read this very carefully.

**Mr. Martel:** You fellows turned off the mikes.

**Hon. Mr. Davis:** My hearing is still very good. I didn't need a mike to know what he said yesterday. However, I don't want to be provocative on Friday the 13th. I know it would suit some members of the press gallery who, because of a modest interchange yesterday, are trying to escalate matters. It would make them feel happier with the stories they have written. I don't want to make life difficult.

**Mr. Swart:** It would be a disaster for you.

**Hon. Mr. Davis:** I say to the member for Welland-Thorold, one disaster around here is him, to be very frank about it.

I would just love to get into this debate on food and its importation, and just how many people of the members eat imported foods seven days a week.

I saw the odd member of the NDP caucus eating strawberry tartlets at lunch yesterday, and those were imported strawberries.

**Mr. Nixon:** What about your butterscotch sundae?

**Hon. Mr. Davis:** Butterscotch sundae? Made in Ontario.

Mr. Speaker, as I listened very carefully to the Treasurer, he made it quite clear—and it is factually correct—that the economy of this province is affected because of the high manufacturing component in the automotive industry, but one cannot separate that out of the economy of Ontario. One cannot say, "Forget about the automotive industry." The reality is that we are dependent to the extent that the United States rep-

resents our most significant market. That is what the Treasurer would say.

When the Americans are not buying it means we are not exporting as much as we would be normally. This is true in the automotive field, it is true in other sectors of manufacturing, and it has been traditionally true in the resource sector. If the automotive industry is down, the resource sector suffers to a certain extent.

I have no magic solution as it relates to my concern with respect to the automotive industry in North America losing its traditional share of the market. I know the kind of automobile I drive—I don't drive it; it is driven for me. I know the kind of automobile my wife drives. I am sure every member of the New Democratic Party caucus drives a car that is made in North America. I would do a quick evaluation, but I am sure that is the case. If it is not the case, I am sure those who do not will rush out and rectify that over the weekend.

What is necessary in relation to the automotive industry is to do as the people in Windsor are doing—and we are endeavouring to support it—make it abundantly clear that it is in the interests of Ontario citizens and of the American citizens that they buy North American-produced vehicles. But I would say to the honourable member it is incumbent upon the industry to produce vehicles that relate more specifically to consumer demand.

I cannot account for, and I am taking no responsibility for, decisions made by the automotive industry as to the size of automobiles, styling of automobiles, et cetera. Except I will remind the honourable member that traditionally, while they have had their ups and downs, the North American automotive industry has been able to compete with foreign imports.

My expectation—and I cannot say this categorically, as I am not involved in the business—is that the North American industry will be able to compete. I think there is still going to be a short time frame while they adjust to the market reality. When that happens, I think they can regain their share of the marketplace. I think all of us in this House not only have to hope that, but we also have to encourage it, because it does relate very directly to the economic strength, not only in this province, but also in the United States.

**Mr. Speaker:** I think that answer is sufficient.

**Hon. Mr. Davis:** Does the Speaker think I have covered the whole territory?

**Mr. Speaker:** Yes, I think so; very adequately.

**Hon. Mr. Davis:** Very adequately. I hope the members heard the Speaker say it was very adequate.

**Mr. Laughren:** Mr. Speaker, I had a supplementary but I am not interested in giving the Premier a platform on which to play court jester.

**Mr. Ruston:** I have a supplementary to the Treasurer, Mr. Speaker. Is the Treasurer now prepared to accept a plan similar to that of the United States with regard to a tax credit on automobiles provided they meet certain standards for gas mileage, which would entice people to buy North American cars, as the Premier has just said? Such a plan would cover at least 95 per cent of North American cars but still would not exempt imports.

**Hon. F. S. Miller:** As my colleague will have noted, that was a federal bill in the United States. I would think that might be the appropriate level of government to deal with it in Canada. It cannot be done here.

**Mr. Cassidy:** Mr. Speaker, that was a question to a different minister.

**Mr. Speaker:** The member for Essex North said it was a supplementary.

#### CHARGES AGAINST COMPANY OFFICIALS

**Mr. Hall:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations in connection with companies known as C and M Financial Consultants Limited, Re-Mor Investment Management Corporation and Astra Trust. Can the minister advise whether, as a result of recent court appearances, Mr. Carlo Montemurro is free to leave the country? Does he have any concern about such a possibility?

**Hon. Mr. Drea:** Mr. Speaker, to put it into perspective, the charges against Mr. Montemurro at this time basically involve Astra Trust. I have been informed that there have been certain modifications of the bail order concerning the accused. I am very concerned about the matter, as indeed are the Ontario Securities Commission and other investigatory groups.

One of the reasons for my concern is that the Astra Trust criminal proceedings and the Astra Trust civil proceedings are separated, the latter being under the direct control of the federal government at the moment, and there is an ongoing investigation by the Ontario Provincial Police into

activities of certain related companies above and beyond the first set of charges. I intend to talk to my colleague the Attorney General (Mr. McMurtry) or, in his absence, the director of crown prosecutions on this matter.

I have very grave concerns. I do not want that to be interpreted in any way that I am taking issue with the decision of the court. Notwithstanding that, I have the greatest of concerns in this matter, particularly because of the ongoing investigation.

**Mr. Hall:** From the minister's remarks, I take it that he feels there is a degree of urgency in this. I think the creditors who are facing a substantial loss in this matter would feel more assured if any trips outside of Canada were accompanied, even if they were with the point of view of trying to resolve some of the financial problems that are there. Their situation would be worsened, it would appear to me, if Mr. Montemurro's presence is not guaranteed in this country.

**Mr. Speaker:** A question? Would the minister agree?

**Mr. Hall:** Yes. Would he agree?

11 a.m.

**Hon. Mr. Drea:** I do agree, Mr. Speaker. But, without getting into the detail of the matter, I also want to underline that my concern is with the ongoing investigation and the impact upon that of the accused's presence and where, I understand, he intends to go.

#### FRENCH-LANGUAGE HIGH SCHOOL IN OTTAWA

**Ms. Gigantes:** Mr. Speaker, my question is to the Minister of Education. I would like to ask if the minister realizes that the years of hesitation and foot-dragging and delay by her and by her predecessor, and her very belated approval in April of the construction of the new Carleton board French-language high school in Gloucester township, have now resulted in a municipal planning process tangle that virtually ensures the school will not be ready for classes this fall and perhaps not even for this school year?

**Hon. Miss Stephenson:** Mr. Speaker, I recognize and I understand that as a result of some kind of local reaction, there has been a delay in the approval of the zoning change that is necessary within that area. I am also aware that alternative activities are being undertaken at the present time.

**Ms. Gigantes:** I think the minister does not have the correct information. There is no zoning change involved, and the planning process has had to be rushed as a result of

her late decision, so that there is real danger to the opening of the school. I would like to know what action she is going to undertake to fulfil her promise to francophone families of the Carleton board that their urgently needed high school will be open this fall?

**Hon. Miss Stephenson:** Mr. Speaker, I have just said there are alternative activities taking place to ensure that the commitment will be met. It is my understanding that the planning board has refused to hear the school board or the board of education, and has refused to meet with them at this point, on the basis of an application, until the end of June. If that has something to do with the ministry, I would like to know what it is.

#### ONTARIO STUDENT ASSISTANCE PROGRAM

**Hon. Miss Stephenson:** Mr. Speaker, if I may, the member for Windsor-Riverside (Mr. Cooke) raised an issue yesterday regarding overpayments of student assistance grants to university and college students. I suggested yesterday I would be pursuing the matter with my colleague the Minister of Government Services (Mr. Wiseman), into whose hands the collection of this falls.

I have been assured by the Minister of Government Services that if the students are still attending university or college, they may delay their repayments; and if they are unable to repay the full amount owing—as I said yesterday, 50 per cent of those students are not attending university or college at this time and are working—there will be a mechanism developed to allow them to pay gradually.

What I really wanted to mention was the fact that the honourable member suggested there had been a very peremptory letter sent by the Ministry of Colleges and Universities about this matter. What the honourable member quoted was only one line at the bottom of a notice of overpayment which is sent to all students with a covering letter. I should like to read the covering letter:

"Dear OSAP Recipient:

"May I draw your attention to an important matter related to your Ontario study grant for the 1978-79 academic year.

"The Ministry of Colleges and Universities is continually auditing after the fact student award applications in order to confirm that the proper amount of assistance in keeping with ministry policy in force has been paid. The audit process has established that some students receive less assistance than that for which they were eligible, and some students

receive more. Where students receive less than their entitlement, the amount of underpayment is being paid. Where students receive more than their entitlement, they are being asked to repay the amount received in excess of their entitlement.

"Enclosed is a notice of grant overpayment which states the amount of overpayment to you on your Ontario study grant for 1978-79. I would ask that you make arrangements to repay this amount to the province of Ontario, following the instructions upon the notice.

"You will appreciate that funds for the Ontario Student Assistance Program are provided out of tax revenues paid by the public. As a consequence, the ministry, on behalf of the government of Ontario, is obliged to ensure that all students receive their correct entitlement.

"Your immediate attention to this matter is requested. Yours truly."

It was certainly not a peremptory note.

### PETITION

#### MARKHAM SCHOOL

Mr. Stong: Mr. Speaker, arising out of the question I had asked the Minister of Education (Miss Stephenson) during the week with respect to busing and financial allocations for a new school in German Mills, I have a petition signed by almost 600 people protesting the busing on that particular issue, which I would like to present at this time.

#### GRANT TO RACING CAR DRIVER

Mr. Epp: Mr. Speaker, on a point of privilege: I want to draw to the attention of the House the statement the Minister of Industry and Tourism made yesterday with respect to the Maurice Carter affair, when he indicated to the House that the federal government had given \$5,000 to Mr. Carter with respect to his pleasure trip to France.

I have learned the federal government has not given that \$5,000 and the minister may have inadvertently misled this House. I am wondering whether the minister has a statement with respect to this matter.

Mr. Speaker: I would like to make it quite clear to the member, that is definitely not a point of privilege. His privileges as a member of this House have not been abrogated in any way. He rose on a point to correct the record based on the information that he has. Let us not misconstrue it as being an abrogation of his privileges or of anybody else's. Does the Minister of Industry and Tourism have anything to say?

Hon. Mr. Grossman: Mr. Speaker, I would like to reconfirm the record. I can only relate to this assembly the information relayed by the appointed representatives of the federal government of Canada, the embassy representatives in Paris, when they indicated that their government was making that contribution to the racing car.

If the member believes that information to be incorrect, he should take up the matter with Ottawa because their representatives, in that case, would be misstating the facts. As I understand it, I am correctly relaying the information relayed to our people and to the public in France by the embassy representatives.

### MOTIONS

#### HOUSE SITTING

Hon. Mr. Wells moved that notwithstanding the previous order, the House will meet in the chamber on Wednesday next, June 18, at 2 p.m., no routine proceedings to be held.

Motion agreed to.

#### BUSINESS OF THE HOUSE

Hon. Mr. Wells moved that private members' business not be taken up on Thursday, June 19, and that ballot items all be moved down one place, accordingly.

Motion agreed to.

### INTRODUCTION OF BILLS

#### FUNERAL SERVICES AMENDMENT ACT

Mr. Foulds moved first reading of Bill 125, An Act to amend the Funeral Services Act, 1976.

Motion agreed to.

Mr. Foulds: Mr. Speaker, the purpose of this bill is to require that a funeral director provide an itemized price list to a purchaser of funeral services and supply it before the purchaser enters into an agreement for the provision of any funeral services and supplies.

11:10 a.m.

#### FUNERAL SERVICES AMENDMENT ACT

Mr. Foulds moved first reading of Bill 126, An Act to amend the Funeral Services Act, 1976.

Motion agreed to.

Mr. Foulds: The purpose of this bill is to permit persons who are not funeral directors to provide funeral supplies.



### FUNERAL SERVICES AMENDMENT ACT

Mr. Foulds moved first reading of Bill 128, An Act to amend the Funeral Services Act, 1976.

Motion agreed to.

Mr. Foulds: The purpose of this bill is to prohibit a funeral director from embalming a dead human body unless he has been specifically instructed to do so by the purchaser of funeral services or unless the body is to be transported out of Ontario.

These three bills reiterate a number of principles I introduced in a bill that was blocked by the Tory government when we debated it in the last session. It is a fall-back position.

### ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 59, 140, 206, 207, 209, 211 to 218, 220 to 223 and 235, and the interim answers to questions 202 to 205, 210, 227, 228, 231, 232 and 239 standing on the Notice Paper. (See appendix, page 2832.)

### ORDERS OF THE DAY

House in committee of the whole.

### ONTARIO MINERAL EXPLORATION PROGRAM ACT (concluded)

Resuming the adjourned consideration of Bill 50, An Act to provide Incentives for the Exploration of Mineral Resources in Ontario.

Hon. F. S. Miller: Mr. Chairman, members will recall we asked that this bill be put aside for a while because we were discussing the amendments to sections 2 and 3. After consultation with the parties involved, I would like to withdraw my amendment to section 3(1)(a) and (b) and replace it with a new amendment, if I may.

Mr. Chairman: Do members agree to the withdrawal of the amendment?

Agreed to.

On section 3:

Mr. Chairman: Hon. F. S. Miller moves that section 3(1)(a) and (b) of the bill be struck out and the following substituted therefor:

"(a) is ordinarily resident in Canada; and  
"(b) is not actively engaged in mineral production in Ontario and is not an affiliated

corporation nor associate of any person actively engaged in mineral production in Ontario."

Hon. F. S. Miller: Mr. Chairman, only one word was changed. The word "Ontario" was replaced with the word "Canada" for the domicile of individuals who are eligible. That was one of the points we argued the other night.

Mr. Peterson: I want to thank the Treasurer. I think that is responding sensibly to the concerns raised by my colleague, the member for Rainy River (Mr. T. P. Reid). We support that and congratulate him on his flexibility, new-found as it is.

Hon. F. S. Miller: Mr. Chairman, I want to correct what I may have said a second ago, because I assumed that standing before you for discussion were also the other two amendments I had in place the other evening. If they have to be reintroduced I will gladly reintroduce them. Do you have any amendments in front of you at the moment besides the one I have just mentioned?

Mr. Chairman: I have quite a few pieces of paper.

Hon. F. S. Miller: All right. There are three amendments before this committee. Two of them were there before, I thought, but I want to check that, and they are amendments to sections 2(2)(a) and 2(2)(b), section 3(2) and the one I just read.

Mr. Chairman: Shall the motion for the amendment to sections 3(1)(a) and 3(1)(b) carry?

Motion agreed to.

Mr. Chairman: Shall the motion for the amendment to section 3(2) carry?

Motion agreed to.

Section 3, as amended, agreed to.

On section 2:

Mr. Laughren: This was the part of the bill that bothered us, because of the possibility of large operations domiciled elsewhere coming in and taking advantage of an incentive grant, the purpose of which was to stimulate the local prospecting and development for mines in Ontario. We have no problem with that.

Mr. Chairman: Shall the motion for the amendment to sections 2(2)(a) and 2(2)(b) carry?

Motion agreed to.

Section 2, as amended, agreed to.

Bill 50, as amended, reported.

On motion by Hon. F. S. Miller, the committee of the whole House reported one bill with certain amendments.

## SMALL BUSINESS DEVELOPMENT CORPORATIONS ACT

(concluded)

Resuming the adjourned debate on the motion for second reading of Bill 51, An Act to amend the Small Business Development Corporations Act, 1979.

**Hon. F. S. Miller:** Mr. Speaker, we adjourned this debate at the request of the opposition because we were within a minute or two of the hour and the opposition critics were still discussing the bill. I shall await completion of their discussions.

**Mr. Peterson:** If the Treasurer did have a comment, and I don't recall he made one, he is certainly welcome to go ahead.

I don't intend to speak at great length on this. We had a very full discussion of this a year or so ago. We all had certain hopes and expectations and different points of view at that time, and it is to some extent a subjective judgement as to whether this has been successful or not.

As the House will recall, it was the Treasurer's wish to turn this province into a "nursery for capitalists," and this was his great vehicle to so do. We all know the figures. We know that something like \$4 million has been paid out in incentives in the first year. We also know, on the basis of history and what we have seen, that most of this money is going into specific instruments, specific-application kinds of investment, as opposed to a generalized free pool of risk capital seeking different kinds of investments around the province.

11:20 a.m.

I say respectfully that this was one of our concerns at the time. We are very much in favour of any device, any instrument, that brings new risk capital into the marketplace. On the basis of performance after a year, we have reservations that this has been the case. In fact, what has transpired in the majority of situations is that the small business development corporation has become a vehicle for an alternative conventional kind of device for financing relatively safe operations. Obviously, any entrepreneur who did not take advantage of this situation would not be doing his job today. But we do not see evidence that the money is being applied to and invested in the kinds of situations we would like to see.

We expressed that reservation at the time. I know you personally have analysed this very carefully, Mr. Speaker, and I suspect you would agree with me. That being said, we are not of a view that it should be cut

off. It is, I gather and I hope, gaining some momentum. It is a function to some measure of the publicity it receives and its successes in certain situations. We hope it will continue to grow and provide the kind of risk capital that we feel should be involved.

I know the Minister of Revenue (Mr. Maeck) is very carefully monitoring the kinds of applications of this bill. He has expressed—and I do not believe I am putting words in his mouth—some reservations about the way it has been used. Of course one could have easily assumed that, given the situation; the sharpies—or the people who are looking for every government advantage to do these kinds of things—are going to take advantage of these kinds of programs, not necessarily for the motives the government would like to see. That, generally, has been the case.

His first amendment, I gather as a response to the northern lobby, which would reduce the minimum capital requirements to \$100,000, is something we argued for on second reading of this bill a year ago, as the Treasurer will recall. I support that very strongly because we have to tailor the size to the specific application.

Another amendment I would like to see, interestingly enough, is an increase in the maximum amount. I understand there have been two public companies floated—three now; my information is a little stale. The majority, as I said, are specific application, private SBDCs, but it seems to me we have to tailor this program to fit a multiplicity of purposes.

Yes, we can have the small ones that address problems in specific northern communities. I agree with that. But if we want to get capital flowing freely at arm's length in the marketplace, I think we should contemplate, very seriously, increasing the maximum to get this money into the hands of so-called professional fund managers, as opposed to friends of the entrepreneur, as has been happening in this particular situation. As larger funds are established and professional fund managers organize this, looking at objective investments, it may create more investment in the kinds of things we want to see happen.

The other aspect of this is that if one is only making one investment through an SBDC, one tends to be more conservative and justifiably so. But if one has a broad range of investments, one is probably prepared to take a higher risk on some of them, compensated by the more conservative investments on the other side.

Most portfolios run that way. They have some stable guaranteed assets and some a little more volatile, a little more risky. Perhaps almost on the insurance thesis some of those SBDC fund managers would say, "Yes, I am prepared to take on a little more risky stuff." This is the entrepreneurial capital we would like to see going more into the marketplace. I leave that with the Treasurer and the Minister of Revenue for their consideration.

We have nothing to lose by doing that kind of thing. When we get this money into the hands of the professionals, such as Wayne Beach, Aurelian Small Business Developers Limited, or whoever, it is not impossible to see the major brokerage houses going into this kind of thing. They have a wide network of contacts. They know where the highest return is in the marketplace. They have contacts with the government that a lot of individual entrepreneurs do not have. The government may want to expand the vehicle into that kind of an area.

As you know, Mr. Speaker, we expressed some reservations at the time this bill was brought down because we felt ideally a pool of risk capital should be in conjunction with the federal government. I certainly recognize the limitations the Treasurer had. He did not have that co-operation and he had to move on his own.

Ideally, the simple and creative way to do this thing would be along the lines of an RRSP, along the lines of a federal and provincial income tax deferral, as this is really because it is only a tax deferral and not really a grant, to take advantage of the tax situations in both areas and to run it in probably a far more simple way than this is being run. It still requires a lot of bureaucratic discretion and bureaucrats sometimes are going to be right and sometimes they are going to be wrong.

We have seen a number of cases of people expressing some reservations because there are ways to get around the system. I am not suggesting it is not illegal and I am not suggesting that if they were aware of it, bureaucrats would not put a stop to that kind of thing. That being said, this system could potentially be abused by having friends, nominees or trustees handling money and washing money for one back into one own's company. I know the Treasurer is aware of it and is watching that very carefully, as well he should, but there are other systems. If life were ideal and if our relationships with our federal friends and the government's federal friends were ideal, we might have a

different and better way to structure this kind of situation.

I wanted to express that one reservation I have and also to bring to the attention of the two ministers involved that they should be using whatever moral power and moral suasion they have to bring about the kind of investments they would like and I would like. If it is just an alternative for conventional sources of capital and the government is giving out free money to people who would be going ahead anyway, which is what it looks like, then it probably has not accomplished a great deal in terms of job creation, stimulating new employment or stimulating new investment in this province.

It is a difficult judgement, as I recognize, because everyone who comes will say, "Yes, we would not do this without this extra assist from the government." I just commend that point to the Treasurer for his consideration and say that I know he is looking at it and is going to be sensitive to it.

There are a few other amendments with respect to pension funds getting involved in SBDCs. I think that is a sensible and worthwhile amendment, as is also the tax credit treatment of investments in an SBDC, all of which I am in favour of and all of which our party is happy to support.

We recognize, as the Treasurer expressed a year ago, that we are all fishing our way through this situation. Some of my reservations, I must say, were probably overstated last year. I think some of them proved dead on. Some of the Treasurer's estimates were on and some of them were dramatically off. We were all groping with a new vehicle, with a new mechanism for providing the kind of investment we all want to see.

We—at least on this side of the House—recognize that with the deindustrialization and the underinvestment in capital, plant and infrastructure in this province we do have a serious structural problem. The Treasurer probably will not agree with me and I do not expect him to, but we feel that way. We feel that creative use of risk capital is one of the ways to start to rectify this problem.

I do not intend to speak much longer, but I want to say that as of April 8, of the 47 SBDCs registered, 26 were in Metropolitan Toronto. That is of some concern because we tend to have more financial sophistication in this bailiwick here in the Golden Horseshoe. People are used to being close to government, to using and working

with government and taking advantage of every little program it provides.

11:30 a.m.

The government may want to look at the dissemination of the information for this program to make sure it is getting out to the tourist resorts up north, and that kind of thing, where we do need some investment. I hope that with this reduction in the minimum capital required, they will make it more available and attainable for certain kinds of situations.

The other reservation I expressed at the time, and I still have, is that generally speaking it is a relatively complicated process to create a special company, a special class of shares, make applications, sit through the process of waiting for approval or nonapproval, getting approval every time they make a pay out and before they can get a grant. From that point of view, a lot of people will look at this and wash their hands of it and say it is just too complicated; it is not worth fooling around with.

I also commend to the government that they may want to keep their minds operating on ways to simplify this procedure. I have heard from more than one person that it is so complicated, it is almost off putting. I have no simple answer to that problem because, at the same time, we have to provide the safeguards so the program is not being abused.

What is done in the process, and I think we see evidence of this, is to take it out of the hands of all but those people who are reasonably sophisticated, who have some kind of appreciation of how to use the system. It takes it out of the hands of the guy who does not want to hire expensive lawyers and accountants to get him through this process. The front money, in terms of lawyers and accountants to make an application, is still significant. When we are talking about a small enterprise, a small hotel, a small manufacturing plant or whatever, this almost takes it out of the hands of these people or provides, for want of a better word, a false saving, because what they are ultimately going to get back from the government in terms of tax deferral or interest saved on money, is going to be more than gobbled up in professional fees.

I do not have a simple answer to that one and I am sure the ministers are sensitive to those problems. I would urge them to use their good offices to see larger funds, and in addition to this, to see more mobility of cash, to see it broaden, to see it widen, to

see it being employed in more places in this province.

Necessarily, they want to do two things. They want to bring this down to the level of small capitalists, to the individual entrepreneur. For the reasons I have expressed, I think it makes it in some instances just a little complicated for that kind of investment.

On the other hand, they want to use their accounting companies, brokers and all of those kinds of institutions, banks and trust companies, which have wide networks and contacts throughout the entire province, to make them aware of the programs available to small entrepreneurs so they can take advantage of this program reasonably and fairly right across the province.

With those little provisos, those little words of wisdom to the ministers involved, I will sit down and say that we will support these amendments with those few qualifications.

Mr. Makarchuk: I want to join in the discussion on this bill. I want to bring to the minister's attention the fact that one form of tax incentive or another has been around for some time. There is a great deal of evidence available now to indicate that they do not do the job. That is the tragedy of the situation because what they are doing here is continuing policies that now have been proved, from past experience, to be useless.

If we look at the evidence that is available in Canada right now on the tax incentives that were provided by the federal government and the provincial government, we find that the industries that really need them, such as agriculture, forestry, fishing, service industries, hotels, et cetera, as mentioned by my colleague from London Centre, really get very little of that money or very little advantage from those incentives. The people who do get the money are in the mining and manufacturing industries.

There is no question but that we want to increase the manufacturing in this province, but if we look at the results, we find that in each and every one of those industries there has been a loss of jobs every year. The incentives are not doing the job. If the government is going to use taxpayers' money, which in effect it is using, for a social purpose and if the social purpose is to provide jobs it is going about it the wrong way. The jobs are not being provided through this method.

If one looks at it closely one will also see that what this type of plan does is to help to entrench those businesses that are already established. It helps to entrench those people who have the money, who have the expertise, who have the lawyers and who have the ac-

countants. It does not provide any new source of revenue for the small man; it does not provide any or easier access to capital for the small businessman.

I would suggest to the minister that he should look closely at what Saskatchewan is doing in this particular department. They have two provincial agencies. There is the small industry development loan program for businesses worth \$100,000 or less that is prepared to give these businesses loans that will forgive from 25 per cent to 35 per cent of the amount of money granted. The Saskatchewan Economic Development Corporation provides money to businesses at rates that are generally lower than the bank rates. That is very important these days, as members well know.

It also provides long-term financing, which is the other problem. There are businessmen right now in Ontario who have difficulty arranging long-term financing. They would like to have working capital, either through a mortgage on their property or some other means, to obtain the capital, particularly when interest rates are lower. Ordinarily, if they have a loan from the bank, they are stuck with paying the high interest rates, and their interest rate on their loan fluctuates with the going rate at the bank.

Under certain conditions, they may be able to operate under certain interest rates, but when they get up to 17 per cent or 18 per cent, as was the case with a businessman who talked to me the other day, they find it difficult to operate. This businessman has no other source of capital. He can't find any capital. In 1979, the Saskatchewan Economic Development Corporation handed out something like \$50 million in long-term financing. In 1980, they expect to put out about \$100 million in long-term financing at the same interest rates as the banks or lower.

On a similar basis, the population of Saskatchewan being about one eighth of the population of Ontario, this government should be putting out something like \$800 million to small businesses. Despite the statements that the Tories are supporting small business, they are very miserly and very insensitive to the needs of small business in this province.

Losses by the Saskatchewan Economic Development Corporation have been less than one per cent. I don't think that is a bad record in comparison to the number of jobs they have created in the province. Members know that small businesses create jobs. If we compare the unemployment rate of Saskatchewan with a Socialist government to Ontario's unemployment rate under a so-called private enterprise system, we find

the unemployment rate in Saskatchewan is less than four per cent compared to Ontario's of about eight per cent.

**Hon. Miss Stephenson:** They have 900,000 people.

**Mr. Makarchuk:** They have more than 900,000 people. That is beside the point. Their unemployment rate is lower. Remember when members used to stand here and say the reason they have high unemployment in Saskatchewan is that they couldn't run the province? Remember when they used to say the reason people were moving out of Saskatchewan was they had a Socialist government?

**Hon. Miss Stephenson:** They still are.

**Mr. Makarchuk:** No, they're not. They have an increase in population. People are moving out of Ontario. There is a net loss of population in Ontario. It is because there is a Tory government, I presume. Let us be consistent.

**Hon. Mr. Maeck:** They are moving both ways.

**Mr. Makarchuk:** They are moving both ways, but generally out.

To be effective, to be helpful to small business, as was suggested on numerous occasions here, the minister should perhaps increase the powers of the Province of Ontario Savings Office and get it a charter so it can operate as a bank and provide some competition in the banking industry so that the small businessman in Ontario would have some alternative place to go. That is one point.

11:40 a.m.

The other point is that perhaps the government should develop the Ontario Development Corporation to the extent that it competes with the bank, that it is an effective source of money without the great difficulties created by running around, all the consultants, all the investigations and everything else which generally turns everybody off any time they go through the whole process. The government should take a chance on the small businessman in Ontario, take a chance on the people of Ontario. Sure, the government may suffer some losses and may make some bad loans, but as the net result it would do a lot more to create jobs in this province than has been done to this point.

The last figures indicate there has not been very much success. In fact, the economic actions of the government have been deplorable. Right now this bill is cutting benefits to the needy at the same time bur-

dens are being removed from the rich. It is not really creating jobs.

**The Acting Speaker (Mr. MacBeth):** Before the next speaker, I wonder if I might take this opportunity to introduce to the House a delegation from the Southeast Asian region of the Commonwealth Parliamentary Association: from Malaysia, the leader of the delegation is the Honourable Abu Hassan Bin Haji Omar, who is parliamentary secretary; from Singapore, Dr. Yeoh Ghim Seng, who is the Speaker there. Gentlemen, we welcome you.

**Mr. Laughren:** Mr. Speaker, I would like to add to our words of welcome; perhaps some day we will journey there and investigate the problems of corporate law. That perpetual committee some day may get to Malaysia.

**Mr. Peterson:** They know what free enterprise is in Singapore. They run a good country.

**Mr. Laughren:** We could go down there and, I am sure, they would like the benefit of our experience in running the odd Socialist jurisdiction as well.

**Mr. Peterson:** In two days you would ruin the country.

**Mr. Laughren:** Mr. Speaker, my colleague from Brantford, as our small business critic, has put the position of this party together very nicely. He is quite right. The Ontario Conservatives operate on a grand scale when it comes to dealing with Ford, Chrysler and other big companies, but when it comes to the small business community the minister piddles around—I think “piddles” is the right word—he piddles around with it and really offers them nothing of substance.

I am sure the 30 per cent tax dodge is welcomed by those who use it, but can you imagine the small businessman who is struggling to expand? He wants to borrow money at a reasonable rate, or perhaps he needs financial advice or other kinds of marketing information that is sitting there.

I have a friend in Chappleau. Where is the Minister of Education (Miss Stephenson)? She should come to Chappleau and meet this fellow. Anyway, this fellow applied for a Northern Ontario Development Corporation loan last August. To this date he has received no answer. There is no answer of yes, no or maybe. Since then, on commitments he had from contractors, in the first case to a building contractor, the estimates have now gone up between 15 and 20 per cent. Another person was going to provide supplies; his

estimate now has jumped 15 or 20 per cent. Meanwhile, NODC will not provide him with an answer of yes or no. That is not the kind of assistance that the small business community needs.

As a matter of fact, I have often thought that if this government really wanted to do something for the small business community it would provide more access to information when they need it, more access to money at a reasonable rate of interest. That is really what the small business community wants, Mr. Speaker.

We part company with the Treasurer in that we believe the small business community, while it creates the bulk of the jobs, will thrive as the big business community thrives. I think of the efforts of 2001, for example, in Sudbury, without diverting into its problem with goats. I told them from the beginning they should be into sheep anyway.

Putting that aside for a moment, it is very difficult for the small businessman to turn economic conditions around. I use the Sudbury model as an example. If we had a thriving mining machinery complex in the Sudbury basin, then the small business community would thrive as well, for a couple of reasons; first, they would be supplying materials to the mining machinery complexes there, and second, the increased population would make the small business community more prosperous.

The Treasurer seems to think, I guess because of his own personal background, that the small business community itself can turn things around. That is the Schumacher theory of small being beautiful and that is what will make our economy thrive. We have a feeling that day has passed us by. We should be encouraging the small business communities, but, unless the economy overall is healthy and prospering, it is going to be extremely difficult for the small business community.

We are very proud of the efforts of our western provinces when they had NDP governments to work with the small business community in a very positive way. I would suggest to the Treasurer he might contact the small business community in those provinces and see what kind of response he gets. I bet they had more co-operation from the New Democratic Party governments out there—I am thinking of Manitoba and British Columbia—than they are getting from the present regimes, if I might use that term, Mr. Speaker.

We are going to support this bill because it does do some good things. The northern

Ontario amendment is one that particularly pleases me. That same community of Chapeau had businessmen come to me about an SBDC. The \$250,000 was just too large an amount for a small community of 4,000 people to think about. This, I hope, will encourage that kind of creation in the small communities, and it ties in, of course, with allowing what is formed to grow to 200 employees rather than 100.

The amendments being put are ones we can support, but I reiterate to the Treasurer that the biggest favour he could do to the small business community in Ontario is to create a healthy economic climate in Ontario; not the de-industrializing climate we have in the province now, but one in which we are thriving and creating industries to meet our domestic demands. Then the small business community can say, "We have a government that has our interests at heart."

**Hon. F. S. Miller:** Mr. Speaker, I obviously agree with a number of the comments made by both my critics in terms of the possibility for the bill to be expanded in the future. The increase in the limit beyond \$5 million, as mentioned by the Liberal critic, bears watching. Just last year I said I would keep on watching and make changes again. I will do so, I think, this year. The number of dollars available may be the limit more than anything else. That is one of the reasons for not changing the \$5 million limit this year.

The fact that companies can make parallel small business development corporations and stack them also helps. There are three public companies to date. They are, I hope, going to get out into the kind of area the honourable member talked about, where they manage the capital of small investors and take some of the risks.

The northern Ontario amendment, as the member for Nickel Belt has just said, is an attempt to get what I hoped would happen, that is, more of the less sophisticated people investing in their own communities. I hope it works this year and I hope the change encourages it to work.

The kinds of risks of money being invested in enterprises that really do not meet our criteria are real, as pointed out by the member for London North. The spirit and intent provision, though, has been very—

**Mr. Peterson:** North? I am Centre.

**Hon. F. S. Miller:** London Centre, my golly, yes.

**Mr. Laughren:** He represents the soft underbelly of the Liberals.

**Mr. Peterson:** No, the vortex.

**Hon. F. S. Miller:** Vortex is better than fulcrum, I will give you that. Vortex implies wind.

11:50 a.m.

In any case, the spirit and intent provision has allowed us to look beyond some strictly legal proposals and say they were not doing what we had hoped or intended to see happen and so they were not passed. I am glad to see the credit unions and pension funds being allowed to receive grants and to become involved. I read the law to allow the banks to do it. I have checked this and I am assured they can. They can form an SBDC. I was rather hoping we might find some through the banks at the local levels, almost at the branch level, willing to make equity.

One of the things I have discovered is the weakness, not necessarily of the drafting but perhaps of our attitudes, that many of the potential small businessmen who desperately need capital are not willing to dilute equity.

**Mr. Peterson:** I told the Treasurer that. I told him that earlier.

**Hon. F. S. Miller:** I am not arguing that. What I am bringing up is that I think the selling needs to be in the other direction at this point in the fact that—

**Mr. Peterson:** This will get them into the debt business.

**Hon. F. S. Miller:** They can have 30 per cent of their money in debt. The member knows that. The fact remains that I think they can have the advantages of preferred redeemable shares with certain terms and covenants that are all set up there.

**Mr. Peterson:** It is too fancy for most little guys.

**Hon. F. S. Miller:** They may be too fancy, my friend, but the fact remains that we need to protect the potential investment companies as well as the—

**Mr. Peterson:** They need lawyers and accountants and God knows what else to implement it.

**Hon. F. S. Miller:** One of the comments of my colleague from Brantford was, "Tax incentives do not work." He may quarrel with it but I would say this was not a tax incentive in that sense. It is a reduction of risk. It is a grant against an investment which is only payable back to the government if, as and when the company is wound up and there are assets left over and above zero. We share in them.



**Mr. Laughren:** It is a 30 per cent tax dodge. Admit it. Call it for what it is.

**Hon. F. S. Miller:** In the strictest sense it is for corporations.

**Mr. Peterson:** It is a tax deferral.

**Hon. F. S. Miller:** It is a tax deferral but it is not a tax incentive in the sense that we have lowered a tax rate. We reduced a risk. I think that was the key difference. One implies the rate of taxation on profits has been reduced. What we have done here is lower the losses if a company goes belly up.

In the last year I have been intrigued, in fact, I have admired the ingenuity of some of the companies coming before us with proposals. I think one was called Infinitum Growth Fund.

**Mr. Peterson:** I am going to invest in that one.

**Hon. F. S. Miller:** That is run by a fellow named John Turner.

**Mr. Peterson:** My friend John Turner?

**Hon. F. S. Miller:** Yes.

**Mr. Peterson:** If he is doing it, it must be good.

**Hon. F. S. Miller:** Understandably, the attitude has changed. The people behind that fund did do something one of the members referred to—they rolled the Registered Retirement Savings Plan and the SBDC together to get the maximum benefits of the federal and provincial programs. It was very creative thinking and I hope we will do some of this. Our friends talked about the programs of lending and investment out west.

We do have the Ontario development corporations, which was brought up later. I would be the last one to defend them. In fact, I have been a critic of the time frame it takes government to approve a loan. Let us all work toward improving that time frame. They have a bright young executive director or chairman of the Ontario Development Corporation who, I believe, is determined to improve that and I think we need to encourage him to do so.

Apart from that one criticism the member has made, which I think has to be accepted as valid, which was the length of time it takes government to make a decision as opposed to banks that are in the market on a risk basis, we have to recognize the Ontario development corporations and the Employment Development Fund have been partly filling the role that the member talked about in comparing us to the west. We are talking quite strictly about risk equity participation here.

I am happy with the first year. I could recite a lot more statistics about the number of corporations. About 82 have been either formed or are in the basis of being formed.

**Mr. Laughren:** Would the Treasurer answer a question?

**Hon. F. S. Miller:** I do not know if it is in order at this point.

**The Acting Speaker:** Do you allow him the question?

**Hon. F. S. Miller:** I will allow him the question.

**Mr. Laughren:** Have you had an application from an insurance company called Predator Life?

**Hon. F. S. Miller:** Predator?

**The Acting Speaker:** It sounds to me like a little frivolous question. Do you have a frivolous answer?

**Hon. F. S. Miller:** It is a voracious question. Mr. Speaker, I never have frivolous answers.

Motion agreed to.

Ordered for third reading.

#### ONTARIO PENSIONERS PROPERTY TAX ASSISTANCE ACT

Hon. Mr. F. S. Miller moved second reading of Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario.

**Hon. F. S. Miller:** Mr. Speaker, first I would like to say that I have a proposed amendment to this bill which will be put in committee. That amendment deals with the eligibility for receipt of pension under—

**Mr. Peterson:** Do you have copies of it?

**Hon. F. S. Miller:** I gave out copies of the proposed amendment to the bill several days ago. I believe all proposed amendments were traded on either Friday or Monday and examined by each party. We received a copy of the member's and he got a copy of ours. So I think we have all had a chance to look at each other's proposals.

**Mr. Laughren:** Were you negotiating behind the scenes with the Liberals?

**Hon. F. S. Miller:** No. In fact, it was all above board in this room, as everything I do always is.

**Mr. Peterson:** The Treasurer couldn't get me to dinner at the Albany Club.

**Hon. F. S. Miller:** Well, the truth is we settled on the National Club. I didn't even get the member for my Rotary tickets yet.

**Mr. Peterson:** I paid you.

**Hon. F. S. Miller:** Oh, the member did pay me, pardon me. Did he get his ticket?

**The Acting Speaker (Mr. MacBeth):** What has this to do with property tax assistance?

**Hon. F. S. Miller:** The Speaker got his touch too. I would also like to inform the House, and I will say this again when we are in committee, that we have had the required message from Her Honour with respect to my proposed amendment.

I strongly believe this is a fine bill, bringing to Ontario pensioners, people over 65, a direct payment for property taxes up to the amount of \$500. The bill itself deals with property tax assistance and sales tax assistance.

My feeling is that many of the criticisms aimed at this bill ignored the fact that there were four parts to our program to assist the elderly: the property tax part, the sales tax credit, the Gains increase and—of course not within our jurisdiction, but taken into account in the preparation of our program—the guaranteed income supplement changes that we knew were being made by the federal government because we had been told of them.

**Mr. Peterson:** Are you going to make a speech about what great guys they are?

**Hon. F. S. Miller:** No, I just simply say that so often one government is accused of working independently of another and either duplicating or leaving uncovered areas of programs that I would think all members would be glad to realize that in preparing our program we took into account in advance the stated changes being made by the federal government, rather than simply ignoring what was happening on the national scale and doing something that was either not complementary or undoing what was done federally.

I would be pleased to leave this bill in the hands of my opposition critics, both of whom I know will jump to support it, and allow the discussion to go on.

**Mr. Peterson:** Mr. Speaker, my party will be supporting Bill 48 on second reading. We will support this bill in principle because we believe, like all members of this House, in providing enriched support for senior citizens in Ontario, too many of whom live close to or below the poverty line.

However, we in the Ontario Liberal Party have serious reservations about this bill, about its fundamental lack of equity and its unnecessary administrative costs. I will be introducing an amendment at the committee stage which is directed towards solv-

ing the equity problem in the government bill. More about that amendment in a moment.

12 noon

This bill parades under the guise of a scheme to provide pensioners with increased assistance. In truth, it gives more to well-to-do senior citizens—the better off they are the more they get—and less to those most in need. Only a Tory government could dream up such a plan to redistribute the wealth to those who already have most of it.

The Treasurer himself admits 135,000 tax credit claimants will receive less under his new scheme. He also claims many of these will have their losses counterbalanced by a \$10-a-month increase in Gains payments. What he neglected to mention is that Gains is available only to those pensioners with incomes under \$5,000, well under half the pensioners in Ontario.

Why introduce such a plan? What is the real intent of these changes? Nothing could be clearer: There is an election coming up in this province some time in the next year. Some may say it may be right around the corner; some may even say it is going to be two weeks after the first cheques go out and that the Tories want to be mailing out those cheques to the old people of Ontario, with the Premier's (Mr. Davis) or the Treasurer's name on them, before the polls. They may even steal a line from the Minister of Industry and Tourism's (Mr. Grossman) play book and put their pictures on those cheques.

This whole exercise is an election ploy, purely and simply—a ploy that is going to cost the taxpayers of Ontario an additional \$3 million in administrative costs. Ontario taxpayers will be making a \$3-million involuntary contribution to the Tory campaign fund.

I want to take a few minutes to review a few concrete examples of how this program will actually work, especially for those most in need. The Treasurer, to this time at least, has not disputed any of our examples or any of our figures.

I want to look first at the Gains recipients. Any senior citizen who receives Gains payments from the province is to be compensated for the loss of the pension tax credit by an increased Gains payment of \$10 a month. They end up with about the same under the new scheme as under the old. This juggling hardly justifies an extra administrative expenditure of \$3 million, but of course that would be the conclusion of hard-pressed senior citizens, not of cynical Tories worried about their re-election prospects.

Let's take the case of single pensioners with an income of about \$6,000—remember, that means they are not eligible for Gains—who are fortunate enough to be living, say, with their children and are probably contributing or would like to contribute to their upkeep. These pensioners claim no property tax credit and therefore are not eligible for a grant. Under the old system those pensioners would have received no property tax credit, a sales tax credit of \$43.10 and a pensioner tax credit of \$110 for a total of \$153.10. Under the new bill they will receive a property tax credit of nothing and a sales tax grant of \$50 for a total of \$50.

If this bill is passed unamended, those old people will receive over \$100 less than they do now. This prospect is unjust, and to us is unacceptable. Indeed, any pensioner who pays no property tax and moderate rent or no rent will lose the pensioner tax credit without gaining any benefit from the enriched, for the more affluent only, property tax credit.

Let me take another example: pensioners with incomes over \$5,000 a year and under about \$8,000 who rent rooms for, say, \$75 a month—and there are a lot of them. Under the present schemes they receive a property tax credit of \$198, a sales tax credit of \$43.10 and a pensioner tax credit of \$110 for a total of \$351.10. Under the scheme proposed by the Treasurer in this bill they will get a property tax grant of \$180 and a sales tax grant of \$50 for a total of \$230.

These pensioners on their own with few resources are going to receive \$121 less from the government of Ontario, but they will receive it by way of a cheque from the Treasurer or the Premier. Mr. Speaker, ask any one of the approximately 325,000 pensioners, 60 per cent of the pensioners in Ontario, whether that in any way compensates for the loss of that assistance they require so badly. Any pensioner with a low gross income paying less than \$131 a month rent loses under this marvellous new scheme dreamt up by the worried Tory election planners. I assume this is Eddie Goodman at his finest.

But to be fair, let's look at the case of pensioners who actually benefit from this plan. A pensioner earning between about \$5,100 and \$8,000 annually, almost 30 per cent of the Ontario pensioners, who pays the average for pensioners of \$574 in property tax, receives a property tax credit of \$237.40, a sales tax credit of \$43.10 and a pensioner tax credit of \$110 for a total of \$390.50 under the old scheme. Now they are going to receive a property tax credit

of \$500 and a sales tax grant of \$50 for a total of \$550.

How does their net benefit compare with that of another set of winners under the proposed plan? Pensioners with incomes of over \$20,000 a year who also pay the average \$574 in property taxes, benefit too. These wealthier pensioners will receive an additional \$450 while the poorer beneficiaries get a paltry \$159 more. What kind of priority is this whereby those who need it least get the most? I would wager that many of those who will receive the greatest benefit would be the first to declare that this proposal is wrong and that it is their less-well-off counterparts who should be on the receiving end of any additional benefits.

Those pensioners who reside in the 182 municipal and charitable homes for the aged in Ontario are hit the very hardest. The bill makes it clear that pensioners who live in charitable institutions, homes for special care, homes for the aged, private nursing homes, public nursing homes or chronic care facilities will not be eligible for the property tax grant as they have been for the property tax credit.

Take the example of a resident of Huronview in Clinton, Ontario. A percentage of the daily rate charged this pensioner at Huronview is considered as rent, and he is allowed to claim a property tax credit on that amount. That, together with the sales tax credit and pensioner tax credit, brought him \$371.51 last year. This year, if the bill passes intact, he can expect to receive only the \$50 sales tax credit. This represents an incredible loss of \$321.51 for this senior citizen. I ask the Treasurer to look at these examples of how he is hurting specific people.

If one looks at how the distribution of additional funds under this new plan breaks down, one will see that out of the additional \$75 million some 353,000 pensioner tax filers earning less than \$5,000 a year share some \$3.8 million of the increase, or five per cent. The 212,000 pensioner tax filers earning between \$5,000 and \$10,000 share another \$10.1 million. Those 101,000 pensioners with incomes between \$10,000 and \$15,000 share \$16.7 million, or 22.3 per cent of the increase. The 48,000 pensioners with incomes between \$15,000 and \$20,000 share \$13.9 million, or 18.5 per cent. Incredibly, those 70,000 pensioner tax filers earning over \$25,000 get \$31 million, or 41 per cent of the additional funds, for their use. In sum, 85 per cent of Ontario pensioner tax filers, those with incomes under \$15,000, get \$31

million of the increase, while nine per cent of those who earn more than \$20,000 share the same amount of \$31 million.

The chart in the budget paper tells the story. For those with incomes of \$5,000 per year or less, the new grant system provides increased assistance of five per cent towards the payment of their total property taxes. For those with incomes of more than \$20,000 per year, the new grant scheme provides increased assistance of 1,000 per cent towards payment of the total property taxes of this group.

We believe the scheme is unjust, inequitable and quite simply wrong. I will be moving an amendment on behalf of the Ontario Liberal Party which will ensure that no eligible person will receive less under the provisions of this bill than he or she would have received under the Ontario tax credit program in force in 1979, if that program had continued in force in 1980 and in subsequent years.

While we believe in enriching support for our senior citizens, we would not conceive of doing it at the expense of our poorer pensioners. The Tories would not only give these seniors less, but they would have the taxpayers among them help contribute to the \$3 million in administration costs resulting from this new plan. That is a clear case of double jeopardy. There appears to be no limit to which this government will go when faced with the prospect of an election.

I sincerely hope the Treasurer will re-examine this program. I honestly believe he hadn't completely thought this whole matter out prior to the introduction of the bill. Maybe he hadn't delved into it in depth with his bureaucrats because he was so entranced with the idea of sending out a cheque with his signature on it that he didn't fully think through all the implications to a great number of specific individuals in this province. His response that it is going to be made up by increases in Gains or by federal supplement programs is only partially correct. There are a number of specific cases of people who are going to be hurt, which is not fair, and there is going to be no compensation for them.

12:10 p.m.

How this government chooses to distribute the money inside the global context is its own responsibility and we are prepared to continue with that, but any system that sees the great majority of that money go to the wealthy—some nine per cent are getting half of that money and all the rest are getting

the other half of the money—is uneven and it is not rateably distributed.

I commend that the government look at it, as it did with the bill in response to my colleague from Rainy River (Mr. T. P. Reid), go back and look at this. An amendment should be brought in that will protect those people that we are so concerned about. You are aware of our position. We laid this out in the budget response very shortly after the budget. We are right; our figures are correct. They have never been challenged with authority.

I say to the minister, he should go back, look at this, redraft it, redistribute it, but protect those people in our midst who are most in need of that kind of assistance. Anything else is unfair and we are going to fight very hard to protect those tens of thousands of people who are going to suffer under this plan.

Mr. Laughren: Mr. Speaker, this bill provides increased financial relief for some pensioners in Ontario. It is typical, especially more recently, of Canadian governments that we chip away, seemingly forever, at inadequate or discriminatory legislation. We have, in Ontario, as in other provinces, an incredible hotchpotch of income support programs for senior citizens.

This bill deals with property tax relief but does not remove the burden of property taxes for senior citizens. We have old age security, guaranteed income supplement and Gains and thousands of senior citizens living below the poverty level; we have property tax relief for senior citizens, but there is still no commitment in principle to the removal of this regressive form of taxation. We have property tax relief but we do not say we are removing property taxes from senior citizens; in the same way as we say we are providing income support for senior citizens, but we will not take them above the poverty level.

This government is indeed providing relief for some pensioners but it cannot bring itself to simply remove all property taxes for senior citizens. This situation can also be found with the Minister of Labour (Mr. Elgie)—I am glad he is here—who cannot introduce progressive legislation without having regressive elements in it as well.

It was interesting that this government introduced legislation to increase grants to pensioners but at the same time was prepared to discriminate against Ontario residents who had not been residing in Ontario for 10 years. The amendments the minister will introduce are a tribute to my colleagues in this caucus who fought so hard for them and, in

particular, I would pay tribute to my colleague from Downsview (Mr. Di Santo) who fought extremely hard and passionately for his people to be protected against discriminatory legislation, which the Treasurer was prepared to bring in and live with. I am very proud of my colleagues for the battle they fought on that particular part of the bill.

We are going to support this bill because it does indeed provide increased benefits for many senior citizens. We are not happy that the bill reduces benefits for some. We have done some calculations as to what happens to some people before and to some after this particular legislation. I would like to give the Treasurer some examples.

If a pensioner lives with his family and has no shelter costs, last year he would have received the pensioners' tax credit of \$110 plus the sales tax credit of about \$40 for a total of \$150. This year he will get the sales tax credit of \$50 only.

If someone rents an accommodation where the annual rental cost is \$3,000, in other words, \$250 a month, by combining the pensioners' tax credit and the property tax credit, plus the 10 per cent of occupancy cost, plus the sales tax credit, last year he would have received \$390. This year that pensioner will be better off than last year because he will receive the \$500 on the property tax credit plus \$50 in sales tax credit for a total of \$550.

The person who owns accommodation where the annual property tax paid is \$1,000 will also be better off, because last year those pensioners would have received \$430, by my calculations; this year they will receive \$550. Someone who owns accommodation and whose annual property tax is only \$300—in other words, pensioners whose property taxes are very low—will be slightly worse off this year, at least in the example I have used. Last year, they would have received \$360; this year, \$350.

The part that causes us the most concern involves people who live in what the Treasurer chooses to call charitable institutions; that is, homes for the aged and nursing homes. They will lose not only property tax benefits but also the pensioners' tax credit of \$110, and will be left with only the sales tax credit of \$50.

I understand very well the rationale used by the Treasurer, namely, that they are already receiving a high subsidy from the people of Ontario, in that they only pay part of their accommodation costs in those institutions. Still, we would have much preferred it if the Treasurer had brought in

legislation that did not do that, and it could easily have been done.

The Treasurer does not seem to understand that a universal program is easier to administer, much more efficient and more equitable. In that case one simply taxes back at the source on income. That is an argument we Socialists have been putting for a long time, and I guess we will always be fighting a battle against the Treasurer on those kinds of arguments.

Someone who lives in an Ontario Housing Corporation unit, by our calculations, if they paid annual shelter costs of \$960, last year would have received about \$350. This year, that will drop to about \$250. So one can see discrimination there as well.

We are not entirely happy with this legislation. We think the Treasurer could have done better for all of Ontario's senior citizens. It seems to us the pensioners who will receive less are those who received tax credits last year in excess of property taxes paid. That is the one part that has some logic to it, I suppose. I guess that is what the Treasurer is hanging his hat on, that no one should receive a property tax credit in excess of property taxes paid. I would remind the Treasurer his government introduced that into the legislation, I think in 1974. They caused that problem, and now he has to find a way to squirm out of it. There is no compensating action so that the Treasurer is not discriminating against all pensioners.

**Hon. F. S. Miller:** It's like buying a ready-made suit versus a hand-made suit.

**Mr. Laughren:** Oh, my goodness. I think I am going to be ill.

We know that the Royal Commission on the Status of Pensions in Ontario will be reporting some time this year. At least we have a fervent hope they will. We have had several completion dates anticipated for the commission to report, and we very much hope they will report later this year. This government will have an opportunity then to demonstrate its commitment to senior citizens. I suspect the pressure from social agencies and senior citizens will mount substantially in the next few years. We are already anticipating the commission report and we will be anxiously looking to the government's response to that.

We are very hopeful there will be recommendations for some very fundamental reforms.

While we in this party understand the need for federal action, we also know that the provincial government cannot stand idly by

and watch the problems of our pensioners increase. Government, including whichever party is in power in Ontario, must respond to the pressures that are going to be applied in the years to come. It is a sad commentary that the plight of our senior citizens will be improved not because it is right, not because it should be done, not because we have an obligation to our senior citizens, but simply because their increasing numbers will make it politically expedient for this government to do it. That is why this government and the federal government will respond.

It does not seem to matter that our colleague in the House of Commons, to whom I will refer further in a moment, the Honourable Stanley Knowles, PC—which stands for privy council, not Progressive Conservative—has been calling for years and years for a better deal for senior citizens. It fell on deaf ears until now, but with the demographic shift in the country we have what is known as grey power. These people will have a large number of votes. How cynical can the federal government get? And this government is no better than the one in Ottawa.

12:20 p.m.

In Canada, the number of senior citizens will increase from 2.1 million to 3.4 million in the next 20 years. A common front for pensioners has been formed. The federal Croll committee has reported, the Ontario royal commission will report, and I suspect there will be commissions in all the provinces reporting to their governments in the years ahead, as the free enterprise governments in this country continue to flirt with and chip away at minor pension reform.

This bill is a precious example of how our governments are so tentative about fundamental change. This government is prepared to create a bureaucratic jungle consisting of bits and pieces of income relief for senior citizens. This government, however, is not prepared to grasp the nettle and sit down with the federal government to work out a proper pension scheme for our senior citizens.

This government has become mean and narrow in spirit. It cannot give without taking away. I am glad the Minister of Labour (Mr. Elgie) is here. The problem of income support is dramatically simple. A commitment by this government to a universal and decent income for senior citizens is attainable here in this country and in this province.

A recent retirement income, whether at age 65, 60 or 70, will not be achieved with legislation such as this, which provides property tax relief for some and does nothing to

alter the basic problem of a guaranteed decent income retirement for senior citizens. Furthermore, this bill does not deal with those people on disability pensions. This is one that really sticks in my craw. All sorts of people under the age of 65 for one reason or another, because of health or an injury, are living on restricted incomes. Very often, because they are younger, these people have families at home. This government does not treat those people properly.

This legislation does not apply to disability pensioners. I would like the Treasurer, when he is finished working out a new compromise with the Minister of Labour, to tell us how he makes the distinction between disability pensioners and old-age pensioners in legislation like this. What is it that makes this inequitable distinction? Is there something about disabled people under 65 that they should not be entitled to the same kind of benefits as people who are over 65? That is an outrageous distinction. I hope the Treasurer will address himself to that problem.

To move an amendment on our part to include disability pensioners would be ruled out of order by the Speaker because it would be regarded as a money amendment.

**Mr. Warner:** That is the Treasurer's protection.

**Mr. Laughren:** I thought so. That is why we did not move an amendment dealing with disability pensioners, knowing that the Speaker, because of his expertise with the rules, would rule it out of order as a money amendment.

I want to say to the Treasurer that it is wrong to make the distinction between disability pensioners and senior citizen pensioners. I hope the Treasurer will look at it. It would not bankrupt the province to do the decent thing and bring disability pensioners in under the umbrella in order to enjoy all the same benefits that are enjoyed by senior citizens. Think about it. It does make sense.

I have several friends who are under the age of 65. In one case, the fellow is only about 50. He is very active in the Inco pensioners' group. He feels very passionately about this. His name is Tom Hannaway. Maybe he has even lobbied some members. He cares very strongly about this, not just for himself but because he sees other people of his age with children at home who are placed in terrible positions and who simply cannot get by. I condemn the Treasurer for not including disability pensioners under this legislation.

Senior citizens have objected to paying property taxes because they have no children in school. They object to paying property



taxes because they have lower incomes and are not adequately protected from inflation. This bill does not deal with the problems of either the educational component of property taxes or the level of income of senior citizens.

We in this party believe that education should be reduced and eventually phased out as a component of property taxes. If the Treasurer wants any advice on that, I would ask him to call my colleague the member for Wentworth (Mr. Isaacs), who knows more about property tax reform than even the member for Parry Sound (Mr. Maeck). Between the member for Wentworth and the member for Hamilton Mountain (Mr. Charlton), we have a reservoir of knowledge about property tax reform that is the envy of the free world.

We believe property taxes should pay for municipal services, and not for health, education and other social services. We believe those services should be paid for on the basis of people's ability to pay, namely, through a truly progressive income tax.

This government adds property tax relief, sales tax relief, relief of Ontario Health Insurance Plan premiums, prescription drug relief and the Gains program on to the bottom of the federal government's old-age supplement, Canada Pension Plan and guaranteed income supplements, and we have an incredible series of layers of bureaucracy all to minister to the needs of senior citizens. This government talks about efficiency. Mr. Speaker, think about all those different kinds of assistance for senior citizens and the fact that in total they have not solved the problem. I could not devise a more inadequate, incompetent system than we have devised in this country to aid senior citizens. It is simply outrageous.

I will tell you something, Mr. Speaker. We have the machinery there now, and it is called the Canada Pension Plan. It is a tribute to the private sector that it left a gap wide enough to drive a truck through which led to the creation of the Canada Pension Plan. I will bet the House that they are kicking themselves today. But there are still enormous gaps out there in pensions in terms of portability, vesting and funding. The governments simply have to address themselves to that problem.

All these bits and pieces of support go some way to providing relief for pensioners, but the fact remains that many pensioners in this province are living below the poverty line. The problem is particularly acute with single pensioners. We all know the argument that two cannot live as cheaply as one, and we

know as well that one cannot live half as cheaply as two. Did I get it right?

Interjections.

Mr. Laughren: I think I will not repeat that, Mr. Speaker.

The point is that it is very difficult for a single pensioner to get by. It is a very serious problem for single pensioners. When we told the Treasurer earlier that despite his legislation there were still senior citizens in Ontario living below the poverty line, do you know what he did, Mr. Speaker? He whipped out his engineer's slide rule, put together the OHIP premiums that are paid and said, "When you add in all those extras that we have in Ontario for senior citizens, senior citizens are not very far below the poverty line and sometimes are even flirting with it." He dared even to say some were above it. Is that not magnificent?

That is not good enough. This bill, while providing tax relief, does not address itself to the very serious financial problems of our senior citizens. It is a telling commentary that in this country more than half of our senior citizens receive guaranteed income supplements. As we know, one does not receive the supplement unless one's income is inadequate. In this country, a country as wealthy as this, we have allowed that to happen in our social system.

12:30 p.m.

Our esteemed colleague in the House of Commons, Stanley Knowles, has recommended that our senior citizens be granted a retirement income—is the Treasurer ready for this?—of 125 per cent of the Statistics Canada poverty level. I should point out to the Treasurer that StatsCan has the lowest recognized level of poverty. Other social agencies, like the Canadian Council on Social Development, have a higher level, I think a more realistic level. The Social Planning Council of Metropolitan Toronto also has a higher level, so my colleague, Mr. Stanley Knowles is saying, "Let us not guarantee poverty for senior citizens, let us guarantee an income that is in excess of it so that there is some give there."

As inflation occurs, and six months go by and there is no increase in their pension, then that 125 per cent at least keeps them above the poverty level until the next increase can fall into place. That kind of commitment to our senior citizens would make us proud as Canadians. To do otherwise is perverse. It is not as though other countries cannot do it. Check with the system in Sweden. Check with the system in Germany. They have done it in Holland. They have provided much more



dignity for the senior citizens than we have, and who would say they are wealthier than we are in this country.

Mr. Knowles makes the pertinent argument that fighting for a level of poverty is hardly an honourable battle. We should be fighting for a life of retirement that removes the spectre of poverty as a condition and a fact of life for our senior citizens. To argue that we cannot afford to collectively provide for a decent retirement for our people is to confess to a monstrous perversity in setting both economic and social policies.

This government can get away with cosmetic reforms for senior citizens for now, but the day is fast approaching when no government in this country will be allowed to treat senior citizens in such a cavalier fashion. Increasingly, young working people are saying to their employers and to government that retirement income must become a priority, and increasingly the awareness is growing that inequitable distinctions between disabled pensioners and senior citizen pensioners must be removed.

This legislation represents strictly a holding action for this government. The New Democrats say it is not good enough. We shall monitor very closely the recommendations of the Ontario Pension Commission and of course the government's response to it.

I would like to conclude, Mr. Speaker, by quoting briefly from the federal special senate committee on retirement age policy, sometimes known as the Croll report. It is called Retirement Without Tears. I am quoting from Senator Croll's report:

"Those who believe that the cost of maintaining the elderly in the next 25 or 50 years will materialize out of thin air are deluding themselves. This money will come either from savings in this generation or taxes in following generations."

Mr. Croll goes on: "The elderly must organize politically in order to achieve their goal. Politics is power. The elderly in this country for far too long have had too little political power to satisfy their needs. We believe that the elderly must be given the basic rights that go to all citizens in our society. Our report invites and urges the elderly to mobilize their considerable resources, to organize themselves politically and to demand their rights. We do this because we know the pursuit of human dignity by any one group can only enrich all of us."

Mr. Nixon: Mr. Speaker, I was interested in re-reading the Treasurer's introduction of the concept that has resulted in this bill as

laid out in his budget message some weeks ago. He indicated that he thought of improving the position of our pensioners with this additional \$75 million by enriching the tax credit.

I can well recall when his predecessor as Treasurer, John White, introduced the concept of tax credit. I have not been a well-known exponent of Mr. White's initiatives in this House, but I did feel the concept of tax credits was quite a good one. He almost got into trouble with some of them, as you will recall, Mr. Speaker, when he was going to put the sales tax on everything, including children's clothes and food and heating oil.

He was going to return a tax credit to families, except for heating, of course, where his solution was to suggest if they did not like to pay so much for heating oil, they could put on a wool sweater. I wish he were still here, actually. He was an awfully good representative of the true philosophy of conservatism.

The tax credit concept, however, was reviewed by a committee of the House. My former colleague and our former Treasury critic, Donald Deacon, was a member of that committee. I can recall him urging us in the Liberal caucus to accept that concept, which we did rather reluctantly but which I think has proved itself quite well.

It concerns me, however, that the Treasurer would say the reason he did not enrich the tax credit was because he felt there might be some delays in getting this required money into the hands of the pensioners. Probably, if you are going to look at that statement with your eyes wide open, and looking at the record of the Conservative Party, what it really means is that they were not getting enough votes for the buck; that in fact they felt the grateful pensioners were not grateful enough that the Conservative Party had in fact put the dollars right in their hands.

I do not know whether the Treasurer recalls, I do not think he was in such an eminent position, when the new policy of paying half the land taxes on farm properties was introduced. That might have been done as a tax credit or in some more rational way, but the political decision taken by the Conservatives was that the cheque would be sent directly to the farmers.

The minister is well aware that the first time this occurred, the rebates from the province of Ontario, well designated with signatures and a picture of these Parliament Buildings in the background on the cheque—not the minister's picture; I am afraid

there are no votes in that; not in the farming area; not in Paris—arrived in the hands of the farm voters the very week of the election. The general public responded just the way the Treasurer is responding—with mock amazement and a wide smile, as if to say, “We are pretty smart and we got you again.”

Frankly, I am ambivalent about this. I know the farmers are very canny. They are prepared to take the minister's money and not stay bought. I think the government is aware of the fact that its support in the farming communities has been gradually going downward. I see the member for Middlesex (Mr. Eaton) shaking his head. We have our sights set on his riding next time as well. Perhaps I should say we have our sights set on his riding again.

I do not think the farmers are so naive that they are going to be bought with their own money. I feel the same way about the pensioners. I feel the tax credit scheme has been reasonably well accepted. To begin with, many pensioners who had never filled out an income tax return, felt they never would and certainly did not want to, were persuaded to do so with the assistance of many of the members of this House, because it was a rational procedure whereby in essence a negative income tax system was established so that the money came to those who could prove through their return that their requirement mandated the return of these funds. Surely it would have been a much better way to proceed, particularly since the policy was established that the assistance for the pensioners was going to be enriched by an additional \$75 million.

There is also an indication that the minister did not want the pensioners to wait unduly, and he was at least honest enough to indicate the first cheques would go out this fall, but that in 1981 there would be two cheques, one to cover the interim payment in the spring and of course one for the final payment in the fall. It really is just about the greatest extent of brazenness that one could imagine; that is exactly what it is. The minister does not even have to worry about when the election is coming, because whenever it comes there is going to be a cheque, with his name on it and he even indicates it will have his face on it, which is going to be put in the hands of the pensioners across the province.

As they say, Mr. Speaker, I am a bit ambivalent because I know the senior citizens, ahead of all others, who have had an opportunity to watch the chicanery of 37 years of

Toryism, know exactly what is going on. They will take the money and they will have the same smile on their faces as the Treasurer does because they are just as astute politically as he is. The government is not going to buy their votes with this handout.

12:40 p.m.

I regret as well that obviously this political machine is going to cost an additional \$3 million simply to print and send out the cheques. I know the Treasurer does not worry about those small numbers. So far he has restrained himself from expressing any view like such as, “What's \$3 million?” But we know his attitudes in this connection. He is an amateur, a dilettante when it comes to running the Treasury. We miss that strong hand on the helm we were used to over a few months and years when his predecessor was here. I am not talking about John White. I was not too sure which way he was steering the boat. At one stage he was steering it straight down. That is another matter. He is not here to defend himself, but I do not worry too much about that either.

This Treasurer is here, and I do not know where the grand concept came from to change the program into a direct payout by cheque to the pensioners. It smacks of the approach to politics of the Minister of Agriculture and Food (Mr. Henderson) who in his area probably will save the postage by delivering the cheques personally door to door.

Anyway, the bill is before us. Certainly we want to assist the pensioners in every way possible and I am very glad my colleague has given notice to you, Mr. Speaker, and the members of the House that his amendment is going to protect those who are going to escape even the very careful net the Conservatives have put out to give as much money as possible to as many people as possible from their own resources. We want to be sure that no one is going to receive less than he would have received under normal circumstances.

It is a little frustrating because nobody is interested, I suppose, in the approach my political experience leads me to take to an amendment like this. Unfortunately the people in Ontario and the people who report this House are more or less inured to that approach. They are steeped in the concepts of Conservatism. If they are going to spend money on a program, they have to get the credit. It has to be seen to provide a good harvest of votes in response to this sort of largess, this sort of generosity, this spending of the people's own funds.

I simply say that if the Treasury were well and efficiently run, the money would very much better have been provided through a system of tax credits now understood, well-established, and which can be improved, rather than this reversion to the old Tory concept, "Here is a buck. We want your vote."

**Mr. McClellan:** Mr. Speaker, as the Treasury critic for our party indicated, we will be supporting this bill we are debating this afternoon. But let us not delude ourselves that the bill begins to address the financial needs of senior citizens in this province, because it does not.

The Treasurer makes the argument that this bill in a sense tidies things up. It makes the property tax relief program more logical and more consistent. In some respects that is true. At least there is a theoretical niceness, I suppose, about tidying the program up so that the tax credits are only available to those who actually pay money towards municipal property taxes. One cannot argue with that notion theoretically, that a property tax program ought to be available for those who actually pay property taxes. There is only one thing wrong with it, and that is the poverty position of senior citizens in Ontario. We cannot really address this bill in isolation from the reality that many tens of thousands of senior citizens in Ontario in 1980 are living below the Statistics Canada poverty line.

The concerns raised by both the opposition parties are raised because of that reality and because of that dilemma that confronts tens of thousands of retired Canadians who live in Ontario. That is our difficulty in being very enthusiastic about this particular bill.

We have at least managed, before even getting to second reading, to eliminate what was a fairly glaring error in the drafting of the bill. I can only hope it was a drafting error because as printed, the assistance is restricted to Canadians who live in Ontario, who receive old age security. As a result of the prodding of my colleague, the member for Downsview, who pointed out that restriction would disentitle many residents and citizens of this province, the Treasurer has wisely and, I say, generously made the necessary amendment so that all residents of Ontario over the age of 65 will be eligible for the property tax assistance.

But let me go back to the fundamental problem we have and the reason we are concerned with the fact that some people will be receiving less and some people will be excluded entirely. It is not a question of housekeeping, or of tidying up, or of making

some nice little theoretical consistencies in the program. The reality is poverty.

Even with the increases in old age pensions that have been announced by the federal government, which will be taking place in a few months—I am not sure of the precise date—we were told by the Treasurer a few weeks ago that, once those increases go through, a single pensioner will be receiving, through a combination of old age security, guaranteed income supplement and Gains, an income of about, rounded off, \$5,200 a year. That sounds like a lot of money, but the Statistics Canada poverty line for a single person, updated to June 1980, is \$5,554 a year.

Even with all of the programs that are supposed to provide a measure of income security for senior citizens, even with all of those programs paid at the maximum rate, a single pensioner living, for example, in Metropolitan Toronto and receiving the new rate of \$5,200 a year is still \$300 a year below the poverty line.

We have argued over the years that it makes no sense to be relying on a property tax assistance program—whether it is administered through a negative income tax, or through a direct grant is irrelevant basically—it makes no sense to be relying on tax credits, property tax relief, as an anti-poverty measure. That is absolutely nuts. No senior citizen in this province should have to be in the position of paying property tax in order to escape from poverty. No senior citizen should have to be in that ludicrous and iniquitous position.

It is because of the failure of the federal government and the failure of the provincial government to develop, over the years, a decent social security system in this country that we are now in the ridiculous and ludicrous position where a senior citizen has to pay property tax in order to escape from poverty. What kind of nonsense is this? What kind of imbecility is this? What kind of iniquity is this?

We are waiting for the results of the Royal Commission on the Status of Pensions, and we are trying to prepare ourselves for what we hope will be a major debate on the financial needs of retired Canadians. I say to the Treasurer, once that royal commission report is available to us, I hope the government will ensure that this Legislature has a full opportunity to debate the issues involved in the provision of a proper social security system for retired Canadians, because we have never really had such a debate in Ontario. What we have had in Ontario is a

series of vetoes and nyets which have prohibited and blocked any change in the Canada Pension Plan.

12:50 p.m.

We are, in 1980, in the unenviable position as an advanced industrial country of having one of the most inadequate social security systems in the western industrial world. That's why we have to rely on things like property tax assistance grants to raise senior citizens up out of poverty because we don't have a decent public pension plan. The Canada Pension Plan in 1980 is almost a joke. It's a plan that pays on the basis of 25 per cent of earnings and it's a joke. We know that many tens of thousands of Canada's pensioners are also receiving the guaranteed income supplement.

We have a Rube Goldberg collection of programs and add-on programs and compensatory programs which we have developed over the last 15 or 20 years for senior citizens, but the net result is still, despite all of the programs, an enormous incidence of poverty among senior citizens.

I really wish the government would stop trying to deal with the income needs of senior citizens on this patchwork hotchpotch ad hoc basis. We can't oppose the legislation because, granted, it does provide additional benefits, but surely the government can have the decency to say, "Yes, we can provide a decent income for pensioners in this province through the guaranteed annual income system." Surely the government can have the decency to make a commitment to raise the levels of the Gains pension to a level above the poverty line. The figure our colleague, Stanley Knowles, has suggested is 25 per cent above the Statistics Canada poverty line. If the government is unwilling to do that, let the Treasurer or let the Premier stand up and say, "No, we can't afford to pay our senior citizens an income above the poverty line."

They should stand up and say that in the House during the course of this debate and be honest about it. They should tell us if they can't afford to pay senior citizens a retirement income above a level of poverty and then tell us why they can't afford to do that, because even with the tax credit scheme that the Treasurer has brought forward today and even with the Gains increase that he announced, taking effect on May 1, and even with the increases that the federal Liberal government has announced to the guaranteed income supplement program, even with all of these programs, pen-

sioners are still living below the Statistics Canada poverty line.

We can't escape that reality and the problem is particularly acute for single pensioners. The preponderance of single pensioners is of course, women, who have traditionally been excluded from benefits under the Canada Pension Plan, inadequate as those are.

I hope very much that the government would proceed by way of a major initiative to address the income needs of seniors. We are prepared to support this on an ad hoc basis as providing some increased benefits. For people in a constituency like mine in an urban industrial area, I do not deny that the benefits under this bill are significant but they don't deal with the issue that underlies the dilemma. This kind of tinkering can't begin to deal with it.

I would like to suggest to the government, now that the Premier has joined us, that there is a unique opportunity facing Ontario with the imminent report of the royal commission on pensions to sit down as a Legislature to design an income security program that could truly meet the retirement income needs of the citizens of this province.

I hope the government will not continue to keep its cards so close to the vest that nobody else will know what is happening. Does the Premier have anything up his sleeve?

**Hon. Mr. Davis:** I can't find a thing.

**Mr. McClellan:** All of the fundamental decisions about the Canada Pension Plan that have been made since 1965 have been made in back rooms with the 11 heads of government sitting there with their cards up their sleeves and in their side pockets. Never has there been an opportunity for the people's representatives through their legislatures to engage in the fundamental issues with respect to the design of a pension program.

**Hon. Mr. Davis:** Only Premiers Blakeney and Barrett had cards in their pockets.

**Mr. McClellan:** They had the good cards. We know what the role of Ontario was during this period. It was to say no to the drop-out proposal. It was to say no to any significant enrichments in the Canada Pension Plan. It was to continue to regard the Canada Pension Plan solely and exclusively as a pool of cheap-interest borrowing money for public purposes, regardless of the fact that the Canada Pension was totally inadequate to the retirement needs of senior citizens.

One cannot live on the Canada Pension Plan. One cannot live on the Canada Pension Plan and the old age security program. One cannot live on the Canada Pension Plan, the

old age security program and the guaranteed income supplement program. If one is excluded from the Canada Pension Plan, one cannot live on old age security, guaranteed income supplement and Gains with whatever kind of hotchpotch and skewed-up add-on program the government wants to devise.

We cannot go through another decade like this. We have gone since 1966 with a totally inadequate public pension plan and periodically we add another little piece on to it. We add a little invention here and a new gimmick there, but still we have not been able to move a vast number of senior citizens out of poverty. Until we are able to do that, we will be perpetuating a fundamental injustice.

I invite some of the Tory back-benchers to participate, to get up and tell us why we cannot afford to raise the Gains program for single pensioners above the poverty line so that the people can understand what the financial constraints are that force this government to keep so many tens of thousands of senior citizens in poverty.

**Mr. Worton:** Mr. Speaker, I would like to draw to your attention one item I discussed with both the Treasurer and the Premier shortly after the budget was brought down.

There is no question but that some enrichments have been made in certain areas. The Treasurer, however, is well aware, as I am, that in homes for the aged, there are two rates, one of which is for the person who has nothing else except his old age pension. Of course, that rate is subsidized.

The Treasurer made the comment that because these institutions were subsidized he did not feel the occupants were entitled to the tax rebate. I must remind him that there are widows and widowers who are living in these homes for the aged who are now paying \$800 to \$900 a month with two of them sharing a room. It is nothing short of gouging when the government does not give them an opportunity to attempt to get a rebate.

This type of legislation is very wrong. People with the funds to pay their own way can now be paying between \$800 and \$900, plus another \$51 for comfort allowance. Come next spring, when these people make out an income tax return and find they will not get any refund, this government is going to be in hot water in many communities of this province.

On motion by Mr. Di Santo, the debate was adjourned.

The House adjourned at 1:01 p.m.

APPENDIX  
(See page 2813)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

PUBLIC SERVICE SALARIES

59. Mr. Breithaupt: How many provincial civil servants receive annual incomes in the following ranges: (a) \$30,000 to \$39,999; (b) \$40,000 to \$49,999; (c) \$50,000 to \$59,999; (d) more than \$60,000? 2. In addition, how many employees of Ontario Hydro

are in those four categories? 3. In addition, how many employees of other agencies, boards and commissions are in those four categories? 4. In addition, how many employees of regional governments are in those four categories? (Tabled March 27, 1980. Interim answer April 10, 1980. Approximate date information available June 9, 1980.)

Hon. Mr. McCague:

	(a) \$30,000- 39,999	(b) \$40,000- 49,999	(c) \$50,000- 59,999	(d) \$60,000 and over
Part 1, provincial civil servants	3,296	830	94	— March 31/80
Part 2, Ontario Hydro	3,030	373	45	12 Dec. 31/79
Part 3, agencies, boards and commissions*	182	123	36	— March 31/80

\* Data for this list represents agencies, boards, and commissions on schedule one. These agencies are normally subject to all Management Board administrative policies, and most have their administrative support services provided by the parent ministry.

Part 4,  
regional governments

Response by Hon. T. L. Wells, Minister of Intergovernmental Affairs: In answering this part of the question, I think it should be clearly understood that employees of regional governments are not employees of the government of Ontario. We do not take part in negotiating, approving or monitoring such salaries. This is clearly the responsibility, in each case, of the duly elected regional councils which in turn are responsible for their policies in this regard to their own constituencies.

MULTICULTURAL TELEVISION

140. Mr. Di Santo: Will the Ministry of Culture and Recreation table the following information: 1. How many hours of the TV-Ontario programs are devoted to ethnic groups, their cultures and traditions? Can a breakdown be provided of the hours devoted to such programs, year by year, since 1975? 2. How many programs with multicultural content have been broadcast since 1975, number of hours, with breakdown year by

year? 3. What new programs, devoted to the ethnic groups of Ontario and/or with multicultural content have been broadcast since the minister's commitment in the House on April 2, 1979? 4. Has TVOntario any new plan for programs devoted to ethnic groups and/or with multicultural content? If so, can the ministry elaborate on the content of these programs? (Tabled April 28, 1980. Interim answer May 12, 1980. Approximate date information available May 30, 1980.)

See sessional paper 134.

LEAD IN THE ENVIRONMENT

206. Mr. Renwick: Will the Minister of Labour table any or all information available to him about the health hazards of lead in the work place? (Tabled May 29, 1980.)

See sessional paper 135.

207. Mr. Renwick: Will the Minister of the Environment table any or all information available to him about the health hazards of lead in the environment particularly those pertaining to low level exposure to lead? (Tabled May 29, 1980.)

See sessional paper 136.

SECRETARIES' SALARIES

209. Mr. Nixon: What is the justification based on the concept of equal pay for equal work of equal value that led Management

Board to approve a 12 per cent increase for cabinet ministers' secretaries' salaries giving them a maximum of \$19,800 per year when the regular increase enjoyed by other employees is 8.6 per cent? (Tabled May 29, 1980.)

**Hon. Mr. McCague:** The recent increase given to cabinet ministers' secretaries and other secretaries excluded from the bargaining unit was based on the need to maintain equitable pay relationships with their counterparts in the bargaining unit.

The highest-paid secretarial class in the bargaining unit is secretary five, which prior to January 1 this year had a maximum rate of \$14,481. By September 1, as a result of the revisions negotiated with OPSEU, this will increase by 12.03 per cent to \$16,223.

The next higher class is secretary-senior. It is excluded from the bargaining unit and covers the positions of secretaries to executive directors and assistant deputy ministers. Prior to April 1 its maximum rate was \$15,475. This was increased by 11.95 per cent to 17,325 as a result of the revisions granted to excluded classes.

Prior to the revisions, the differential between the maxima of secretary five and secretary-senior was 6.86 per cent. After the revisions have been applied to both classes the differential will be 6.79 per cent. Increases granted to the other excluded secretarial classes were secretary to the deputy minister 11.98 per cent, secretary to the minister 11.86 per cent and secretary to the Premier 11.98 per cent, in order to maintain equitable relationships with secretary-senior.

#### KEATING CHANNEL DREDGING

**211. Mr. R. F. Johnston:** Will the ministry table with the House any studies or reports which deal with the possible negative impact on water quality in Toronto harbour should the dredging of Keating Channel not be started in 1980? (Tabled May 29, 1980.)

**212. Mr. R. F. Johnston:** Will the ministry table any studies indicating that silting in the Keating Channel, Toronto, might be a major factor in potential flooding of the Don River? (Tabled May 29, 1980.)

**213. Mr. R. F. Johnston:** Will the ministry table a full report on the proposed water quality monitoring procedures to be undertaken as regards the dredging of the Keating Channel? (Tabled May 29, 1980.)

**214. Mr. R. F. Johnston:** Will the ministry table with the House all reports and studies on the present water quality of the Don River and on projections of water quality

levels in the next five years? (Tabled May 29, 1980.)

**215. Mr. R. F. Johnston:** Will the ministry table any reports, studies, letters or memoranda relating to the potential effects on swimming at the Toronto Island beaches, and on fish and wildlife in the Leslie Street spit ecosystem which might result from dumping Keating Channel dredgeate at the site recently approved by the ministry? (Tabled May 29, 1980.)

**216. Mr. R. F. Johnston:** Will the ministry table any studies or reports on the closing of the Toronto Island filtration plant which might relate to the dumping of the Keating Channel dredgeate or with the plant's capacity to extract certain contaminants found in the silt of Keating Channel? (Tabled May 29, 1980.)

**217. Mr. R. F. Johnston:** Will the ministry table any studies or reports which deal with the possible contamination of drinking water in the city of Toronto, resulting from the dumping of dredgeate from the Keating Channel at the site recently approved by the ministry? (Tabled May 29, 1980.)

See sessional paper 137.

**Hon. Mr. Auld:** In answer to question 212, I am pleased to table one study carried out by the Metropolitan Toronto and Region Conservation Authority entitled Flood Control Program Watershed Plan, which indicates the Keating Channel—Don River, Toronto, is the foremost flood damage centre within the authority due to channel restrictions, and that channel enlargement through dredging is one of the proposed remedial measures to be undertaken.

Information gathered to date by staff and consultants of MTRCA to support the creating of the flood control program, watershed plan, isolated information from historical records that show approximately 60,000 cubic metres of materials are deposited annually at the mouth of the Don River, and further that the deposition, uncounterbalanced by dredging since 1974, has severely restricted the capacity of the channel to conduct flood flows. Additional information gathered revealed that average flood damage at the Keating Channel—Don River flood damage centre, calculated by the methods outlined in the tabled report, amounts to approximately \$300,000 annually.

#### OHC FIELD MANUAL

**218. Mr. Warner:** Will the Ministry of Housing table a copy of the OHC policy



manual no later than June 16, 1980? If not, why not? (Tabled May 30, 1980.)

**Hon. Mr. Bennett:** On May 30, the member for Scarborough-Ellesmere asked if I would table a copy of the Ontario Housing Corporation's policy manual.

In view of the government's efforts to make information more accessible to the general public, I have concluded that OHC's Field Manual of Administration, which is the publication referred to, should be more accessible. It must be emphasized that the OHC field manual is a technical manual used by management personnel in OHC and the local housing authorities as a set of guidelines to be applied with discretion within local autonomy. As such it is a working document and under constant revision.

Because it is a guideline and must be kept up to date, I have not previously tabled it. Within the next few days a copy of the OHC field manual will be made available in the legislative library. The Ministry of Housing's Non-Profit Program Manual and other related documents and publications will also be placed in the library.

To facilitate access across the province, the OHC field manual will be available in the OHC branch offices, and I will request the local housing authorities to have copies available. All manuals and documents will also be made available in the ministry's library on the second floor at 56 Wellesley Street West. Although not tabling the manual in the House, this distribution will enable us to keep the manual as up to date as possible, yet allow public access.

I would again emphasize the housing authorities use the manual as a set of guidelines. Within the local autonomy delegated to them, the housing authorities are encouraged to exercise discretion in the local application of the guidelines. Obviously different authorities may interpret or apply the guidelines somewhat differently. The concept behind this is that housing authorities, made up of local people nominated by the three levels of government, are better suited to respond to the needs of their communities, as opposed to a centralized property management system.

#### OHC ASSAULTS AND VANDALISM

**220. Mr. R. F. Johnston:** Will the ministry report on the number of assaults in OHC developments in Metro Toronto that had "racial implications" during the past year ending April 30, 1980? (Tabled June 2, 1980.)

**Hon. Mr. Bennett:** As Ontario Housing Corporation does not record the identity of those involved in assault by race, colour or

ethnic background, it is not possible to report on assaults with "racial implications."

**221. Mr. R. F. Johnston:** Will the ministry inform the House of the number of acts of vandalism and assault, by housing development, investigated by the security forces in Metro Toronto Ontario Housing developments during the past year ending April 30, 1980? (Tabled June 2, 1980.)

**Hon. Mr. Bennett:** Ontario Housing Corporation incidents of vandalism and assault investigated by the security services contracted by the Ontario Housing Corporation between May 1, 1979, and April 30, 1980, are as delineated below, by project.

#### COMMUNITY GUARDIAN COMPANY LIMITED

May 1, 1979-April 30, 1980

Project	Vandalism	Assaults
Alexandra Park	128	5
Bessie Luffman Apartments	6	0
Birchmount/Eglinton	33	0
Blake Street	183	17
Danforth/Midland	171	6
East Mall	31	1
Edgeley Village	164	15
Falstaff	256	29
Finch/Tobermory	113	10
Firgrove Crescent	222	12
Flemingdon Park	94	1
Gilder Drive	147	9
Granby/Church	28	11
Greenwood Park	50	4
Jane/Firgrove	63	5
Jane/Yewtree	49	5
675 Kennedy Road	174	7
3190 Kingston Road	8	0
Kingston/Galloway	194	21
Kipling/Mount Olive	63	6
Lawrence/Galloway	54	8
McCowan Road	120	15
1201 Midland Avenue	3	0
Morningside/Coronation	8	0
Moss Park	156	12
North Regent Park	706	43
Pelham Park	24	1
Queensway/Windermere	83	7
River/Gerrard	3	4
155 Sherbourne Street	10	3
South Regent Park	270	16
Warden Woods	47	5
West Mall	88	1
Willowdale Avenue	95	6
Willowridge/Richview	98	10
Yorkwoods Village	63	0
Projects Special Detail	10	12

**UNITED SECURITY LIMITED**

May 1, 1979-April 30, 1980

Project	Vandalism	Assaults
Don Mount Court	150	16
Lumsden Avenue	52	0
Teesdale/Pharmacy	57	4
St. Clair/Birchmount	36	14
O'Connor Drive	18	1
Markham/Eglinton	61	19
Ellesmere/Markham	49	12
Greenbrae Circuit	37	13
Kennedy/Glamorgan	23	2
Mornelle/Ellesmere	13	6
Mornelle/Morningside	36	11
Dunn Avenue	21	4
Humber Boulevard	28	3
Jane/Woolner	25	5
Dundas/Gooch	38	2
Scarlettwood	17	0
Islington/St. Andrews	52	14
Jane/Milo	16	1
Finch/Brahms	36	5
Parkwoods/Rayoak	7	2
Finch/Birchmount	60	27
Sheppard/Victoria Park	16	0
Leslie/Finch	11	3
Edgewood Avenue	12	0
Don Summerville	24	1
Eastview Park	0	0
Lawrence/Valia	7	0
Canlish	16	3
Lawrence/Orton	68	13
Morningside/Ling	1	0
Roywood Drive	10	1
Parkwoods/Rayoak	13	2
Leslie/Nymark	0	0
Allenbury Gardens	16	3
Lawrence/Galloway	20	4
(May-September)		
Lawrence/Susan	40	4
(May-August)		
Warden Woods	19	3
(May-August)		
Bay Mills	4	0
Sheppard/Birchmount	52	4

**ALLIED INVESTIGATION AND SECURITY LIMITED**

May 1, 1979-April 30, 1980

Project	Vandalism	Assaults
OH-66 Bleecker Street I	130	16
OH-74 Bleecker Street II		

**OHC VANDALISM COSTS**

222. Mr. R. F. Johnston: Will the ministry inform the House of the estimated financial cost of the vandalism investigated by the security forces in Metro Toronto Ontario Hous-

ing developments during the past year ending April 30, 1980? (Tabled June 2, 1980.)

Hon. Mr. Bennett: Ontario Housing Corporation, Metro operations branch, does not keep records of the financial costs of vandalism incidents investigated by the security forces, since vandalism costs and ongoing maintenance costs of the corporation are not separated from the normal operational maintenance costs. Where investigation establishes the responsibility for the vandalism incident, the responsible party is assessed the full costs of the repair or replacement. In some instances, criminal charges are laid and upon conviction the presiding justice may make an order for restitution as provided for in the Criminal Code of Canada.

**HAMILTON AND DISTRICT AMR**

223. Mr. Mackenzie: Will the Minister of Community and Social Services table the results of his ministry's investigation of the books of the Hamilton and District Association for the Mentally Retarded, including the figures that led to the minister's statement in the House on May 29, 1980, that he was satisfied that funds exist in the association that ought to lead to a settlement? (Tabled June 2, 1980.)

Hon. Mr. Norton: Financial staff of the ministry reviewed the accounting records of the Hamilton DAMR with association personnel prior to that association's audit by their public accountant. Subsequently the executive director of the association and three members of the board met with the deputy minister and the other senior ministry personnel.

Since final audited financial statements for 1979-80 and settlement of 1979-80 claims were still pending, no written report was communicated to the minister. Ministry staff reported verbally to the minister that they were satisfied as to the availability of, and that the above-mentioned association representatives had guaranteed there would be, sufficient funds not specifically earmarked for capital purposes to support an improved offer to the union. Furthermore, such offer would not require that the ministry increase its previously agreed 1980-81 funding level of eight per cent increase over 1979-80 approved levels.

**PAYMENTS TO MARVIN SHORE**

235. Mr. Van Horne: Will the Minister of Industry and Tourism provide the following information to the House: What salary was paid to the former member for London North,

Mr. Marvin Shore, during his tenure with the ministry in 1978-79? What travelling, accommodation and incidental expenses were incurred by Mr. Shore during the same period of time? (Tabled June 9, 1980.)

**Hon. Mr. Grossman:** Salary, \$29,850; travelling expenses, \$246.77; accommodation expenses, \$940.23; incidental expenses, \$900.

#### INTERIM ANSWERS

**202. Mr. Cassidy:** Will the Minister of Natural Resources provide (1) a list of the studies referred to by him in his statement of February 11, 1980, on Ontario's iron ore industry, the names of the authors, whom they were done for, and the dates completed; (2) a detailed summary of the conclusions arrived at by each of the studies and basis for these conclusions, particularly any relevant cost/benefit data; (3) a detailed outline of the amount and extent of the government assistance offered and the amount of assistance the government remains committed to extending for both Bending Lake and Lake St. Joseph developments? (Tabled May 29, 1980.)

**203. Mr. Cassidy:** Will the Minister of Natural Resources table the studies referred to in his statement of February 11, 1980 (paid for by the government), designed to find alternative uses for existing plant at Marmora subsequent to the closure of the iron ore mine and mill there? (Tabled May 29, 1980.)

**204. Mr. Cassidy:** Will the Minister of Natural Resources table copies of the comprehensive analyses which his statement of February 11, 1980, referred to relating to the potential of the Lake St. Joseph deposits and the Bending Lake deposits? (Tabled May 29, 1980.)

**205. Mr. Cassidy:** Will the Minister of Natural Resources table each of the analyses referred to in his statement of February 11, 1980, on the four iron ore mines that have closed in Ontario since 1978? (Tabled May 29, 1980.)

**Hon. Mr. Auld:** Due to the volume of material received for the answer to questions 202 to 205, additional time is required. The replies will be available on or before June 16.

**210. Mr. Ziembra:** Will the Premier table the names of all former Progressive Conservative MPs and MPPs as well as all Progressive Conservative Party officials who at present hold positions on government agencies, boards and commissions? (Tabled May 29, 1980.)

**Hon. Mr. Davis:** Information will be available approximately October 30, 1980.

**227. Mr. Samis:** Will the Minister of Health table current proposals for extension

of francophone health services in the 1980-81 fiscal year, including details of location, services proposed, and expected date of delivery? (Tabled June 5, 1980.)

**228. Mr. Samis:** Will the Minister of Health table both a provincial total and a breakdown of funding expenditures by the ministry relating to provision of francophone health services in Ontario, including description and cost of (1) administration; (2) services delivered to hospitals, health units, ministry offices and other programs; (3) geographical location of services funded; (4) staff allocation of services; (5) estimated or actual usership of these services, including demand and waiting lists where relevant? (Tabled June 5, 1980.)

**231. Mr. Samis:** (a) Will the Minister of Health table any policy and guidelines which have been developed by the French Language Health Services Co-ordinator? (b) Will the minister table a detailed breakdown of budget allocations for the office of the French Language Health Services Co-ordinator in the main office of the ministry administration? (c) Will the minister table an explanation of the evaluation and monitoring methods utilized by the office of the French Language Health Services Co-ordinator, as mentioned in the 1980-81 Health estimates briefing report? (Tabled June 5, 1980.)

**232. Mr. Samis:** (a) Will the Minister of Health table any surveys which have been undertaken in the past three years to determine the need for extended francophone health services? (b) Will the minister table any reports undertaken as an assessment of the current lack of francophone health services? (Tabled June 5, 1980.)

**Hon. Mr. Timbrell:** Due to the large amount of information requested in the above questions, it will not be possible to provide answers by June 19, 1980. Complete responses will be tabled on or about October 30, 1980.

**239. Mr. Di Santo:** Will the Ministry of Industry and Tourism provide the following information to the House: 1. What is the total government advertising budget for the years 1979 and 1980 for the ethnic media? 2. How much of the allotted funds went to the printed media and how much to the electronic media? 3. Will the ministry list all the radio, TV and publications and the amount received, respectively, in 1978, 1979 and 1980? 4. Will the ministry elaborate on the provincial increases? 5. How many advertising agencies handle government advertising for the ethnic media? 6. What amount of money did they receive for commission in 1978, 1979

and 1980? 7. How much advertising was given directly by the government without the mediation of the agencies? (Tabled June 10, 1980.)

**Hon. Mr. Grossman:** Additional time will be required to answer this question. A response will be available on October 30, 1980.

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No. 75

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Monday, June 16, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

MONDAY, JUNE 16, 1980

The House met at 2:02 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### SALES TAX EXEMPTION

**Hon. Mr. Maeck:** Mr. Speaker, the honourable members are aware of the government's commitment to deregulation and the simplification of taxing procedures. In this respect, I intend to simplify the procedures under which an Indian may purchase goods exempt from retail sales tax.

This has been an ongoing problem. It has been frequently suggested to me by the members of the Legislature, including you, Mr. Speaker, that Indians are not able to obtain the full benefit of the retail sales tax exemption because of the requirement that any purchase of goods off the reserve must be delivered to the reserve by the vendor in order to obtain the exemption. Many purchased goods reach the reserve by transportation other than that of a vendor, in which case there is no exemption.

My ministry has been studying this issue, and I am pleased to inform the honourable members that, effective September 1, 1980, an Indian may make exempt purchases off the reserve, provided the purchases are to be used on the reserve, without the requirement of delivery to the reserve by the vendor.

**Mr. T. P. Reid:** It's about time. Does the minister remember when I raised this with him?

**Hon. Mr. Maeck:** Yes, the member for Rainy River among many others.

My officials are establishing a simple administrative procedure which will, in effect, make it clear that the responsibility for delivery to reserves may be assumed by the Indian purchasing the goods. These details are being worked out, as well as arrangements to communicate these procedures to all vendors and registered Indians in the province.

In closing, the honourable members should note that these forthcoming changes are one more indication of the government's desire to simplify tax procedures and provide all

possible benefits to the native community of Ontario.

## HILL REPORT ON GROUPS, SECTS AND CULTS

**Hon. Mr. McMurtry:** Mr. Speaker, I am today tabling the report of the study of mind development groups, sects and cults in Ontario. The report was produced in this form within my ministry for security reasons and in order that the members receive it before the Legislature recesses.

A limited number of copies of the report, which is almost 800 pages in length, are available to the Legislature, the press and the organizations involved in the study. Additional copies will be available at the government bookstore in a few days when commercial printing of it is completed.

Members will recall that on October 24, 1978, I announced this study, to be conducted by Dr. Daniel G. Hill, the distinguished former director and chairman of the Ontario Human Rights Commission. This followed expressions of concern to the government and to many members about the activities of such organizations.

Dr. Hill's terms of reference were spelled out in my letter to him, dated December 27, 1978, a copy of which is included in the report. I indicated our concern for the preservation of civil and religious liberties and instructed that the study was not to make adverse findings of fact in relation to any identifiable individuals or groups. Dr. Hill was asked to advise the government about issues raised during the study; whether it would be in the public interest to establish a public inquiry into these matters; and to recommend any other steps the government might take to fulfil its responsibilities in this area.

Dr. Hill examined the activities of 14 groups as well as the actions of de-programmers.

With regard to allegations that groups use brainwashing and hypnosis to recruit and hold their followers, Dr. Hill states: "There is no doubt . . . that most of the groups under examination do employ emotionally and psychologically taxing techniques in the conver-

sion of recruits. Many of their practices clearly are intended to make recruits doubt relationships and activities of their past and press them to accept new, radically different beliefs and lifestyles. It is also readily apparent that the movements employing such techniques are highly effective; people do change radically and certainly not always to their own benefit."

In the final analysis, however, the study could not confirm that such practices actually constitute brainwashing and hypnosis. In all the medical opinion canvassed, there was no agreement on what constituted brainwashing or hypnosis in this context or the real results of them.

With regard to concerns about the effect that participation in some groups has had on the mental health of some followers, the report states: "In the study's view, it seems highly likely that the experiences several former members reportedly underwent in various movements did contribute to health problems they suffered." The study also found that many group members expressed the positive emotional benefits of their involvement.

In relation to one mind development group, Dr. Hill found there was "a strong enough circumstantial link between its practices and reported casualties" to warrant the consideration of legislative controls. But he concluded: "However, whether in the case of this group or any other, the study doubted that there was any workable way to prohibit a particular group from employing any of its allegedly destructive techniques."

In dealing with concerns that some cults pose a threat to society and have a potential for violence, Dr. Hill notes that he was appointed a few weeks prior to the horror of Jonestown. He adds: "In the study's view, there is no doubt that mass madness and group paranoia are a possibility wherever certain factors—charismatic leadership, fanatical adherence to a cause, a real or imagined threat from outside—come together. And it is clear that society is at risk when groups with such factors have mass followings or any significant measure of social or political influence."

2:10 p.m.

But this is only a hypothetical threat in view of the study, and Dr. Hill states: "A democratic society does not penalize its members for what they are capable of doing. Moreover, existing laws governing matters such as the possession of weapons, infliction of harm, counselling violence, threatening or harassing seem sufficient at this time to cope

with the challenge if a potential were to become actual."

As members know, one of the most wrenching concerns raised has been the effect of involvement in some groups on the followers' families, and Dr. Hill states: "It is clear that some movements purposely isolate members from their families, preach against family loyalties as evil, or actively encourage hostility toward parents and other relatives."

The study notes, with some moving case histories to illustrate, that this alienation "can strike a family as a full-scale tragedy." However, Dr. Hill concludes that, despite the impact on specific families, the effect of such activities is not at present of such a magnitude in Ontario that it jeopardizes the family as an institution.

Dr. Hill adds: "It must also be acknowledged that the 'children' whom various groups have been accused of luring away from their families almost all have been adults, legally responsible for their own actions. Their choices may constitute tragic errors; they may cause immeasurable pain to those who love them; and they may be acting on the basis of distorted and bizarre interpretations placed on their family relationships by their group leaders. Yet, in so far as public authority is concerned, their decisions are in the realm of emotional relationships, an area in which state intervention is inappropriate and perhaps unenforceable."

Dr. Hill also concludes that many groups engage in hard-sell methods, unconscionable contracts, loan frauds, tax law manipulations and falsified bookkeeping. In fact, he concludes: "In these movements deception and fraud are endemic and carried out on a substantial scale. All energy is devoted to the pursuit of more members and, through them, more money to enrich the leader and his lieutenants. It appears to be why these groups exist at all."

Dr. Hill notes that existing consumer protection legislation and the criminal law may not have been vigorously enforced in regard to such practices. But he stresses that the various law enforcement agencies acted out of their own deep concern about our religious and other civil rights which are often invoked by some groups to shield their activities.

Dr. Hill properly observes: "As noted earlier, a religious orientation does not shield groups or individuals from the responsibility to act in accordance with law, from investigation where there is sufficient reason to believe they have broken the law or from prosecution where evidence exists."

With regard to concerns about forced deprogramming, the study indicates that this activity was of a very limited nature in Ontario and is at present virtually non-existent, probably because it is no longer profitable for "professional" practitioners. But the study warns that it could well recur, complete with acts such as kidnapping, abduction, involuntary confinement and assault. Dr. Hill states: "For all the sympathy and understanding parents in this situation may evoke, the study cannot condone forced deprogramming as a way of returning anyone to his family."

As part of his general conclusions, Dr. Hill states that no new legislation is either required or desirable to deal with these issues, nor does he recommend the establishment of a public inquiry. Dr. Hill concludes: "In light of the evidence at hand, there seems to be no area in which the people of Ontario would be served by the government implementing new legislative measures to control or otherwise affect the activities of cults, sects, mind development groups, new religions or deprogrammers. To the extent that the movements and deprogrammers foster problems that are susceptible to legal resolution, the criminal and civil law appear already to afford sufficient avenues of punishment and redress."

While Dr. Hill rejects legislative action, he candidly acknowledges that a number of vexing problems remain: "The study still is disturbed by questions surrounding the concepts of cultic brainwashing, mind control, mental coercion and hypnosis. It remains disquieted by the wanton use of confrontation techniques by some groups. It is convinced that some movements are, as their detractors say, corrupt, even pernicious. It has no doubt that some leaders are false prophets who lure bewildered people through a maze of absurdities, waste talents and abuse intellects for the sake of some self-gratification. All that and other unresolved problems leave the study feeling somewhat uneasy."

As I indicated, Dr. Hill recommends that no public inquiry be held regarding the issues arising out of the activities of such organizations and individuals. In coming to this conclusion, he poses a number of questions, and I quote:

"Can the perceived problem be addressed in a less unusual way—through existing legislation or normal investigatory channels open to police or other agents of the law? Is the problem so pressing that it warrants giving a specially constituted body the extraordinary powers of a formal public inquiry, in-

cluding the power to search, to require the presentation of documents or to compel witnesses to testify? Is the resulting interference with civil rights warranted? Can the subject of inquiry be defined precisely enough to make it manageable and prevent the process from turning into an examination of the universe or, worse, a witchhunt? Is it worth the cost to the public purse?"

The report states: "In the study's view, none of these questions could be answered in the affirmative in this case. To conduct a public inquiry now would duplicate work the study already has done and likely would not produce any other substantive recommendations."

A major proposal of the study is for an educational campaign by government and other agencies to acquaint the public with these matters. I should add that many of the 300 recommendations made to Dr. Hill included the need for education, and I believe that Dr. Hill's report itself will be of enormous assistance in public understanding of these issues and the need for balance in consideration of them.

In the time available, I have been able to highlight only a few points and conclusions in Dr. Hill's study. I believe that members and the public who take the time to read the report will come to see that this entire area is what Dr. Hill refers to as a public policy minefield which must be crossed with great care.

During the course of the study I met informally with Dr. Hill on a number of occasions and it was apparent to me that he was taking a most comprehensive and balanced approach to these complex issues involving fundamental rights.

I want to pay tribute to Dr. Hill, who is here today, and to his staff for their dedicated work under what were often very trying and emotional circumstances.

While my cabinet colleagues and I have not yet had the opportunity to study the report in detail, I want to assure the members and the public that the government will assess this report with the same balance and thoughtfulness that Dr. Hill and his staff put into it. We will make our intentions known as soon as possible.

#### ALGONQUIN PARK MASTER PLAN REVIEW

Hon. Mr. Auld: Mr. Speaker, as I indicated on Friday, June 6, 1980, in response to a question by the member for Renfrew North (Mr. Conway), the Ontario Provincial Parks Council recommendations on the Al-



gonquin Provincial Park master plan first five-year review and my response were released to the public on June 12, 1980.

As honourable members may remember, the Algonquin Provincial Park master plan was approved in 1974 following several years of public involvement, including the report of a citizens' advisory committee under the chairmanship of the late Honourable Leslie M. Frost.

At the time of the Algonquin Park master plan approval, in 1974, the provincial parks council was established to monitor and to make recommendations on the implementation of the Algonquin Park master plan together with other responsibilities as specified in the parks council's terms of reference.

For the past four years, the parks council's annual report has included recommendations on Algonquin Park based on information received at public meetings and on the council's own deliberations.

Last year, I asked the council to carry out a comprehensive review of the Algonquin Park master plan. The practice is to carry out a review of all approved provincial park master plans at regular intervals to ensure that they reflect changing conditions.

**2:20 p.m.**

Included in the report released on June 12 are the provincial parks council's 102 recommendations and my responses. From March until September last year, the council held seven public meetings attended by more than 1,100 people. The council also received 167 briefs from individuals and groups. Several of the briefs were from outside Canada, reflecting Algonquin Park's international stature. The parks council chairman, Dr. George Priddle, has informed me that the recommendations were shaped to a considerable extent by the public input.

Major topics covered by the parks council recommendations include acid rain, zoning, historical resources, forest management, motorboats, enforcement of regulations, management plans, tin can and bottle ban, impact of the master plan on neighbouring communities, leases and winter recreation. I want to commend the parks council for the effective manner in which the master plan review was carried out.

Major results of the five-year review of the plan, as indicated by my responses to the recommendations, are as follows: The effects of acid rain on Algonquin Park will be given increased attention. Wilderness zone expansion is being considered. More emphasis will be placed on the management of historical resources in the park. The existing motorboat

policy will remain in effect for the 1980 operating season. Beginning in 1982, motorboats on lakes with cottage leases will be restricted to 10 horsepower. Portage aids called wheels, will continue to be permitted. The council's rejection of the Renfrew Hydro proposal to dam Robitaille Lake is accepted.

The former aircraft landing strip at the Lake of Two Rivers will remain closed. Canoe rangers in the park interior will be increased to assist park users. The park museum and interpretive services will be expanded. Fisheries and wildlife management plans for the park will be prepared. The can and bottle ban will continue. Access point quotas and the interior campsite reservation system will be improved.

The period for reduced fees for youth groups will be extended to include July and August. Canoe safety will be given increased attention. A major parks and tourism initiative by my ministry is expected to increase the economic benefits to neighbouring communities. The existing cottage lease policy will remain in effect. New lease agreements with the lodges will be negotiated, allowing them to remain in the park beyond 1996. The townships of Clyde and Bruton will remain in the park. Increased emphasis will be placed on winter recreation.

As a further response to the question last week by the member for Renfrew North, may I say that no additional public meetings related to the master plan itself will be held until the next review period. However, the forest management plan for the park, being prepared by the Algonquin Forestry Authority, will be available for review by the public and the details will be announced in the near future.

I would like to take this opportunity to add that, since the establishment of the Algonquin Forestry Authority, a number of significant improvements have taken place in relation to forest management and the reduction of resource utilization and recreation activity conflicts in the parks. The Algonquin Forestry Authority can be justly proud of its achievements.

In conclusion, the changes to the Algonquin master plan as a result of the first five-year review, although important, might better be described as fine-tuning rather than a major overall. The results of the review are welcome as indicating substantial public support for the Algonquin master plan policy. My responses to the parks council's recommendations will guide ministry staff in the ongoing implementation of the master plan. Parks council review and the public input

have served a very worthwhile purpose in ensuring that Algonquin Provincial Park remains the special place it is.

Copies of the report, which have been mailed to all those who submitted briefs, are also available from our offices here, in Huntsville, in the park and the parks council office in Waterloo.

## ORAL QUESTIONS

### SHULMAN CASE

**Mr. S. Smith:** I have a question for the Minister of Health, Mr. Speaker, concerning the decision of the Court of Appeal in the case of Morton Shulman versus the College of Physicians and Surgeons of Ontario. As the minister no doubt knows, the court last week dismissed Dr. Shulman's appeal against the finding of professional misconduct by the college's discipline committee because he disclosed in a newspaper column that a patient at Toronto East General Hospital, given the wrong blood following surgery, subsequently died.

Would the minister agree that Dr. Shulman had no medical association with the patient, that he received and published the information as a journalist, not as a doctor, and the fact he happens to be a doctor is totally irrelevant to this case? Since the Court of Appeal simply ignored this all-important argument in its decision, will the minister consider an amendment to the Health Disciplines Act to ensure that the disciplinary power of the College of Physicians and Surgeons of Ontario is limited to the practice of medicine and does not extend to freedom of press and speech?

**Hon. Mr. Timbrell:** Mr. Speaker, I have not had a chance to see the written decision of the court. I have only seen the press reports. Going back to the origins of the case, if I remember the details correctly, the patient did not die as a result of the mismatch in question.

Where it got into being a matter of professional misconduct, with charges being laid by fellow physicians and the matter being considered by the college, had to do with the lack of consent on the part of the lady in question to have her name used at all.

I think we are well served by journalists who identify specific cases and, where they have the consent of patients involved, use their names and where they do not leave the names out. I welcome it as part of the checks and balances of the system. So I do not think an amendment to the Health Disciplines Act is necessary. In fact, one of

the press accounts I saw indicated that the gentleman in question as much as admitted the next time he will get the patient's consent or not use the name.

**Mr. S. Smith:** There was no complaint from the survivors that the lady's name was used. Since the patient was not Dr. Shulman's patient, and the information did not come to him in his capacity as a doctor, any other journalist getting the same information could easily have used the lady's name with impunity. Surely then, the question comes to why this journalist, because he is also a doctor, should have to suffer certain consequences and be impeded from writing as convincing and as authentic a story as any other journalist?

Does the minister understand the potential threat to freedom of speech or the press which is involved in a person who happens to be a physician but is primarily at this time a journalist?

While the minister is on his feet, so that I do not have to ask another question, will the minister say whether Dr. Shulman is correct in his column of last Thursday where he reported that nothing has been done by the college about the doctor who administered the wrong blood to the patient?

**Hon. Mr. Timbrell:** First of all, yes, I acknowledge that this individual was not a patient of Dr. Shulman's. But he is in quite a different situation from that of any other journalist in that he took an oath, which all physicians have taken, which involves protecting confidentiality. As part of that oath and part of the ethics of the profession he has sworn to protect the confidentiality of patients and medical information about those patients, in the absence of any consent from them to use their names and/or the details of their cases.

That kind of oath is not binding, nor does it apply in the regular practice of journalism. However, I would expect that any other journalist writing about an individual case would respect rights to confidentiality about their condition and about their treatment. If he wants to print details and include names, I would hope he would get their permission.

Regarding the question of the blood-matching operation, I am not sure whether it was a physician who was involved—if I remember the details, it may have been a technologist who was involved—but steps were taken by the hospital at the time to correct the problem.

**Mr. Breaugh:** Mr. Speaker, I have not heard the minister say in the course of this

conversation that he is undertaking an inquiry on his own. Is he looking at the various aspects of this case, and might we anticipate, if not a legal intervention, then some intervention from the minister himself?

2:30 p.m.

**Hon. Mr. Timbrell:** At the time, we did follow up to make sure that corrective action had been taken at the hospital in question. As I say, I do not believe—I have not got my notes with me, and it goes back quite a while—a physician was involved. Further, I do not recall any complaint made to the college in that regard about a particular physician, by the survivors or anyone else. I think it involved a technician, and steps were taken to correct the situation in that facility. We did look into it at the time.

**Mr. Breagh:** The minister seems to be negating the question of poor Morty. Is he going to look in any way, shape or form at what appears to be, at the outset anyway, an injustice to Dr. Shulman?

**Hon. Mr. Timbrell:** I think the member means rich Morty. Based on all the material I have seen to date, and I have not seen the actual court decision, in this particular case the individual serves two roles: one as a practising physician and the other as a practising journalist. He has an extra encumbrance on him that does not apply to others, namely, the oath he took as a physician. There have been many cases in the past where allegations have been made by that particular journalist-physician without the involvement of patients' names.

All this essentially means, as far as I can determine, is that if he wants to use the person's name, he should get consent. I would hope that would apply to any journalist, whether or not he has taken the Hippocratic oath.

**Mr. S. Smith:** Mr. Speaker, if I may have your indulgence for a moment, the Hippocratic oath says: "Whatever comes into my knowledge in my duties as a physician, I shall forswear." It is not a question of whether this person is also a journalist. I do not think they had that problem in Hippocrates' time, but I do think there is a serious question.

Interjection.

**Mr. S. Smith:** If I am incorrect, will the Minister of Education please correct me?

**Hon. Miss Stephenson:** Yes, I shall.

**Mr. S. Smith:** She will do so? That is correct.

**Mr. Nixon:** As soon as she looks it up.

**Mr. S. Smith:** She will look it up and try to recall it.

#### TOWNSEND SITE DEVELOPMENT

**Mr. S. Smith:** Mr. Speaker, I have a question for the Minister of Housing. Can the minister tell the House of any expectation he has of further development in the Nanticoke area in the near future? Does he have any particular expectation of additional developments beyond those we already know about? And can he describe them to the House?

**Hon. Mr. Bennett:** Mr. Speaker, I take it that the Leader of the Opposition is referring to further industrial growth in the Nanticoke area and the Townsend area. I have already covered with members of his own party in the past the development as far as residential is concerned at the present time in relationship to the economics. We have a continuing relationship with Stelco Inc., which owns probably the largest tract of industrial land for development in that area, and we will have services sufficient to accommodate the type of industry anticipated. In that relationship, the Minister of Industry and Tourism (Mr. Grossman) is working with Stelco to try to find some companies, and I am told there are some. At the same time, there are a couple of discussions taking place with the Ontario Land Corporation and its board of directors and management and some firms that are looking for an opportunity of doing some relocations or additions to their plant expansion in Canada.

**Mr. S. Smith:** With great respect, given the utter vagueness of those suggestions and the downright improbability of some of them, can the minister explain why enormous investments are being made in the Townsend area to prepare for this great influx of people when the existing industrial developments already have, largely speaking, their full complement of employees, and the population projections upon which Townsend was based have simply been proven to be false? If anything, I think the population in the area has actually gone down in recent times.

Given the fact that, in the communities around Nanticoke, there are now some 1,500 serviced lots sitting idle and lots of empty stores, what conceivable reason is there for the government to pour more millions of dollars and vast advertising into Townsend

to try to persuade people to buy lots there? In March, the ministry sold a grand total of 11 lots, as I recall. Is the minister going to continue pouring millions into Townsend when the existing communities can easily take up the population that is there, given that the population projections have proven wrong?

**Hon. Mr. Bennett:** Obviously the leader of the Liberal Party does not read any of the responses tabled in this House and sent to the member for the particular area. He says the industry has already established its entire contingency in that area. Let me assure him it has not.

Stelco will be coming on stream for a great number of months yet and will eventually have total employment of something between 2,300 and 3,000 people when that mill is fully in production.

During the course of the development of Townsend—and it has been under debate on more than one occasion in this House, as well as in consideration of the estimates of the Ministry of Housing on several occasions—we have indicated very clearly we will keep a very close watch on the economics of its development.

There are a number of things that will change the complex of Townsend and the whole overall establishment of it. One is economics, and I have mentioned that two or three times. The cost of petroleum will have a very large impact on the success of Townsend in relationship to the steelworkers who will come to work at Stelco. We know very well in our discussions with the union, with the people at Stelco and with others what the period of time will be.

We will have all these lots coming on stream. I indicated clearly that over a period of time it will be tailored to accommodate the market as we see it. The Leader of the Opposition claims about 1,500 lots are available within a very large area in the Townsend community. Some of those lots are available; I will agree with that. Some of them are without servicing to accommodate the type of development, and some of them are far higher-priced than will be available to those who wish to move into the area and work at Stelco.

We have reviewed this with the union to try to be assured of what market conditions are and the price range we should be looking at as far as accommodation is concerned. We have tried to put the Ontario Land Corporation in the development of Townsend on the same footing as a private industry going in there, keeping in mind that the government

did have some very substantial front-end moneys expended to accommodate Stelco, to extend services to Jarvis, Hagersville and Port Dover. All those communities will gain substantially from the establishment of Townsend and of sewer and water services and so on.

While it is easy to criticize, this government will be prepared to meet the influx of new workers who will come into that community. Stelco is going to have 2,300; I can tell the member that right now. There will be a number of them coming. There are a number of inquiries.

As for the number of lots that were sold, I indicated in my response to the member for Haldimand-Norfolk (Mr. G. I. Miller) exactly what was happening. The lots have been put on, and we have 154 lots under option at the moment. Fourteen have been sold; there are 20 model homes—

**Mr. S. Smith:** Fourteen? Terrific!

**Hon. Mr. Bennett:** It's easy to be very comical in this House.

Fourteen have been sold. Twenty model homes are being developed by the private sector. Let me assure the Leader of the Opposition that Liberal members from that area have been proud and pleased to be associated with the minister when turning the sod to make this new community viable in their area.

**Mr. Makarchuk:** Mr. Speaker, the opposition to Townsend comes from two sources, one source being developers who believe in private enterprise but cannot stand competition, and the other source being local residents who are concerned about the possibility they may be saddled with the cost of the community in the future. Can the minister give assurance to the taxpayers in the Nanticoke area that they will not be liable for the cost of that community through their taxes some time down the road?

**Hon. Mr. Bennett:** Through the Ministry of Housing and the Ontario Land Corporation, I have entered into agreements with the regional government, signed and sealed by the chairman of that region and myself as the minister, that indicate very clearly the cost-sharing program. If for some reason or other the capacity of the services is not absorbed as quickly as has been projected, both by that region and this government, then there will be some absorption of costs by the provincial government.

**Mr. G. I. Miller:** Mr. Speaker, I have a request from the Common Sense Coalition which has the support of the chambers of

commerce of Simcoe, Port Dover, Jarvis, Hagersville and Caledonia, and they would like to meet with the minister. Would he be willing to come down and discuss development in the area, particularly in Townsend, with this group?

**Hon. Mr. Bennett:** Over the past number of months I have had the opportunity of meeting—

**Some hon. members: Yes or no?**

**Hon. Mr. Bennett:** That is about as simple as the members opposite think the answer should always be.

Over the past number of months I have had the opportunity of meeting with people from chambers of commerce, from the Housing and Urban Development Association of Canada and from the development corporation in that area. I have not received the letter the member indicates. I will look at it to see what subject they would like to discuss. If it is within reason, we will certainly accommodate it.

2:40 p.m.

**Mr. Nixon:** Will the minister explain to the House why he can continue with the very high promotional cost, as well as the very high development cost, when up to this point he has sold only 14 lots? Will the minister not agree that some of the serviced lots in the community around are available at as low a price, just as there will be higher-priced lots in Townsend, if the minister's plans are carried to fruition at this time?

**Hon. Mr. Bennett:** There is no doubt that in any development there will always be lots on the periphery of the development owned by the private sector which will come on stream at higher and lower prices. Most of the lots owned by the private sector in the area of Townsend are considerably higher priced than they would be if they were placed in the Townsend project.

Frankly, I would hope that those would come in. We have indicated clearly to the private sector that it is not the intention in the development of Townsend by the Ontario Land Corporation that we should try in any way, shape or form to capitalize or capture the entire market. We are serving a very specific market for the Stelco people. There will be, I admit, some higher-priced lots in the Townsend development. That is to provide variety and choice for the individual who is purchasing. But the bulk of the lots will be in the medium price range to accommodate the market which, we believe, is the one that is available to us from the Stelco development.

Frankly, I think we have priced it correctly. The advancement of the promotion is part of the capitalization of the project, as I said here in the House on Thursday of last week, and I think it is well invested. Townsend will be a reality, is a reality, and it will be a viable entity in the honourable member's political area.

**Mr. Nixon: Mr. Speaker,** I have a point of privilege to correct the record: The minister indicated that I attended the sod turning, as if that were in some way in support of the program that he put forward. Surely he will remember my statements at that time, indicating that I had been opposed to the buying of this property by Treasurer John White when he bought two townsites, not one, within about 10 miles of each other. I indicated clearly at that time that the surrounding communities had the servicing for an expansion of the local population that would surely accommodate that expansion for 20 years.

**Hon. Mr. Bennett:** Mr. Speaker, I have to say to the member that I do not recall him being quite that elaborate, but I do recall him being very complimentary about the fact that Townsend was under development and he wished us the best of luck in the future.

#### SMALL CAR PRODUCTION

**Mr. Cassidy:** Mr. Speaker, I have a question for the Premier about jobs and specifically about the prospects for a turnaround in the automobile industry, since the Premier told us last week that when the automobile industry turns around, that will turn the Ontario economy around as well.

Since the Premier referred to vehicles and the North American producers that will have consumer acceptance, can the Premier explain how Ontario stands to benefit when we have no major car producer with a small engine being produced in the province and when three of our four producers do not make and have no plans to make small cars in Ontario?

How can he expect the automobile industry to turn around and create jobs for Ontario workers when we are being saddled with the white elephants of the North American automobile industry?

**Hon. Mr. Davis:** Mr. Speaker, speaking of white elephants—

**Mr. Makarchuk:** The elephants over there are blue.

**Hon. Mr. Davis:** We see pink elephants when we look across there, and some days

we see irrelevant elephants when we look over there.

**Mr. Makarchuk:** An elephant is never irrelevant.

**Hon. Mr. Davis:** Oh, an elephant is never irrelevant. Never having been that involved with elephants, I wouldn't know.

**Mr. Speaker,** I will try to recall exactly what I said. I do not think I said that when the automotive industry turned around, all would be solved. I did point out that the automotive industry, by its very nature, was a very basic ingredient of the Ontario economy as it relates to parts. I went through the whole bit. I do not think I said the whole thing would be solved with the automotive industry.

I expressed some concern about the types of vehicles that had been produced in the past by the industry. I recall going on to point out one of the Big Four which happens to be, geographically, in the great city of Brampton and which has made a very genuine effort as it relates to more consumer acceptance. I think one is the Eagle four-door station wagon, which I would recommend to anybody in this House.

**Mr. Martel:** Do you drive one?

**Hon. Mr. Davis:** My family has diminished to the extent that I no longer need that sort of vehicle. But I did point out that that company was accommodating the change in production in Brampton to what has been their best-selling model. I do not think one can ask any more than that.

I think it fair to state that under the auto pact the companies must achieve a reasonable degree of balance. I cannot tell the member that Ford is going to produce vehicles A, B, C, and D. I know that traditionally at Talbotville—I think I am right in this—they have produced the smaller-sized vehicles.

The expert I saw on television last night on the show of the gentleman we were discussing earlier, but who is absent today, had some observations to make in another capacity, as a journalist.

I think it is also fair to state that General Motors has had some of its smaller model production here although the K cars, the X cars, or whatever they are called have not been made here.

But I am also relatively optimistic that those manufacturers will adjust their production to accommodate the need for this province to have its fair share of whatever new models or more consumer-acceptable goods are produced by the automotive companies. I see no reason that will not happen.

**Mr. Cassidy:** Mr. Speaker, apparently the Premier is not aware of the fact that GM has no small-car production in Canada and does not intend to have any small-car production in Canada; that Chrysler Corporation has no small-car production in Canada and does not intend to have any small cars produced in Canada; that American Motors Corporation classes the Eagle as an intermediate car and has no small-car production in Canada; and that the only small car destined to be produced in Ontario is the model of the Escort and the Lynx, to be built by Ford at Talbotville, a model which while it might be very good has yet to be proven as a winner in the market.

Is the Ontario government not keeping itself aware of what the automobile producers are producing? Why is the government not insisting that we get a fair share, not just of the automobile industry in general, but also of the four-cylinder engines and of the small cars, which clearly are going to be the winners in the gas-short automobile economy of the 1980s?

Interjection.

**Hon. Mr. Davis:** The honourable member does not drive a Volkswagen, does he?

**Mr. Nixon:** He drives a Peugeot

**Hon. Mr. Davis:** Peugeot. He doesn't drive a Peugeot. A Peugeot?

**Mr. Cassidy:** Yes.

**Hon. Mr. Davis:** He's not serious? Mr. Speaker, I am tempted to go into what I think is one of the basic problems of the automotive industry, that problem being that Ontarians, Canadians and North Americans are not buying all they should of North American-produced vehicles. That is one of the basic reasons we have difficulty.

However, I will not say that today. I will not repeat what I have said. I will only say to the leader of the New Democratic Party that he should not get up and ask me questions about assisting the city of Windsor and its problems, and bringing to the attention of our citizens what cars their neighbours are building. I do not know any neighbours of mine who are building Peugeots; at least I do not know of any. Maybe they are; I will look. I don't think so.

I do not pretend to know exactly what models the various companies intend to manufacture in Ontario over the next two years. I am relatively content that over the past 10 years, say, when it comes to the model mix, the companies have, by and large, adjusted to the demands of the public.

Interjection.



**Hon. Mr. Davis:** It's true. I'll give the member chapter and verse. The company is not too healthy today. But there was a period—and the member for Windsor-Walkerville (Mr. B. Newman), and any other member from Essex or Windsor will recall—when Chrysler was not selling much else other than the Cordoba but the Cordoba was selling extremely well. Where was it being assembled? In Windsor, to the benefit of the workers in Windsor when, in fact, Chrysler generally was not selling the cars produced in the United States. That happens to be factually correct.

All I am saying to the honourable member is that we are mentioning this with great enthusiasm, aggressively, et cetera. It was part of the deliberations with Chrysler in terms of the assistance. We know that the more energy-efficient vehicle is the kind of vehicle that the consumers, by and large, are going to buy.

While we cannot do it without the intervention of the government of Canada, we as a government will be making every effort to see that we get our fair share of whatever production the companies determine.

2:50 p.m.

**Mr. Di Santo:** Mr. Speaker, I will ask the Premier a serious question, since he does not seem to know what the situation is in the automobile industry and he likes to be facetious about the cars that members are driving, when we have a very serious crisis in Ontario. We have 29,000 workers laid off which is a more serious matter than the cars we are driving. Does the Premier not think it is his responsibility to ascertain what kind of cars the Big Four companies are going to build in Ontario since all that Chrysler is going to build is the small car in 1983?

Does the Premier not think it is his responsibility to ascertain what investments they are going to make in Ontario, in view of the fact that for the mid-1980s Ford is going to make 3.4 per cent of the total investment in North America; General Motors, 6.2 per cent; and Chrysler 7.2 per cent? Where is there a fair share for our automobile industry?

**Hon. Mr. Davis:** I think several questions were asked by the honourable member with perhaps one piece of editorial comment where he suggested I was being facetious about the kinds of cars that people drive. I just want to clear up that point. I am not being facetious. I say it in some jest, but I wish he would pay attention to some of the questions his own members ask. His own colleague

asked me if this government would be allocating funds to the city of Windsor to help in its campaign to promote the purchase of North American-produced vehicles.

One of the basic problems of the automotive industry is—

**Mr. Martel:** They're building the wrong type of cars.

**Hon. Mr. Davis:** I have to tell the member it is not totally that. People have bought more imported vehicles in terms of the percentage of the marketplace.

**Mr. Martel:** Because they are smaller.

**Hon. Mr. Davis:** I can take the member to a Chrysler dealer tomorrow, and I will make a small wager that he can get nearly as much efficiency out of an Omni or a Horizon as he can out of a Peugeot or a Toyota.

**Mr. Warner:** They are imported.

**Hon. Mr. Davis:** With great respect, the Omni is not an imported car; neither is the Horizon. The engines traditionally have been purchased from Volkswagen.

**Mr. Warner:** They are being imported. They are foreign cars.

**Hon. Mr. Davis:** I know a little bit more about the industry than my friend does.

I would also say to the honourable member that we are aware of the potential percentage figures of investment. As a government, we have been making our best efforts to see that we get our share of that investment. In the figures the member mentioned was the capital commitment of Ford to the plant in Windsor which was part of the \$50 billion that we had been talking about two years ago. This government made an effort, and was successful, in getting that \$500-million capital facility located in Windsor.

**Mr. Di Santo:** Yes, 3.4 per cent in Canada.

**Hon. Mr. Davis:** I have to tell the member it was a \$500-million investment that his party opposed. Let him never forget it, because we are not going to let his party forget it when we eventually meet on the hustings down in that part of the province. We are going to remind the people down there that we were instrumental in getting it, and that all the New Democratic members who wish to be elected to represent their best interests were unalterably opposed to the fact that there is a \$500-million investment in that great part of Ontario.

**Mr. Cassidy:** On a point of privilege, Mr. Speaker: May I say that the Premier has referred—

**Mr. Speaker:** Have the member's privileges been abrogated in any way?



**Mr. Cassidy:** They have, as a matter of fact, because the Premier might have referred to the car which I was instrumental in buying from Oshawa, a Pontiac Parisienne, which is a help to the people of Ontario.

**Mr. Speaker:** I want to assure you it is none of our business which car you buy. A new question.

### FRUIT AND VEGETABLE PROCESSING

**Mr. Cassidy:** I have a new question which is directed to the Ministry of Industry and Tourism, Mr. Speaker, which is also about jobs. Will the minister say what action the government intends to take to ensure that Ontario farmers and food processors get a better share of the frozen fruit and vegetable market here in Ontario, in view of the fact that his ministry's own figures indicate that between 1973 and 1977 the trade deficit of Ontario in frozen fruits and vegetables rose from about \$4 million to about \$35 million with a consequent loss in the jobs we could have had in the province?

**Hon. Mr. Grossman:** Mr. Speaker, at the conclusion of a very effective and well-thought-out task force set up by this ministry, it was agreed between the Ministry of Agriculture and Food and ourselves that action on that report would best be taken by that ministry. The member ought to be referring that question to the minister now responsible.

**Mr. Cassidy:** There is no minister for me to redirect it to. Perhaps the Minister of Industry and Tourism will say what action his ministry intends to take over the fact that more than 500 fruit and vegetable and food processing plants have closed down in Ontario over the course of the 1970s. As those food processing plants have shut down, jobs have been lost in that industry and farm land in southern Ontario has been going out of production. How long will that spiral go on before the government comes in with a policy to turn it around and starts to create jobs both for farmers and for workers in food processing?

**Hon. Mr. Grossman:** We can debate forever whether the government ought to be doing what the leader of the third party would have us do. That is simply to avoid the discussion of whether government money should be put to support winners or losers—industries that have a natural market and long-term strength or not.

To analyse those kinds of things, we organized the task force reports. I think it is interesting to note that we have only done two or three, and we have selected that particular sector for the second report we did. This indicates the emphasis we put on that industry and our concern with that industry.

I can only say to the member, I know he is frustrated that the Minister of Agriculture and Food (Mr. Henderson) is not here today, but it is his responsibility to deal with the recommendations of that report and act upon them. We will simply have to wait until he returns.

**Mr. Cassidy:** Is the minister saying that the farming industry is a loser or a winner in Ontario? If it is a winner, will the minister explain why it is that more than half the fruit land production in the Niagara Peninsula, with all of the jobs in processing that are entailed as well, has disappeared from this province over the course of the last 30 years under a Conservative government? How much more farm land are we going to lose and how many more farm jobs and farm-related jobs are we going to lose before we get a policy that includes not just the Minister of Agriculture and Food, but also the Treasurer (Mr. F. S. Miller) and the Minister of Industry and Tourism? We need those jobs, we want those jobs and we cannot afford to lose those jobs.

**Hon. Mr. Grossman:** I understand the good politics of the leader of the third party standing up and accusing this government of being responsible for the loss of those jobs in that sector. The Premier and the Treasurer, quite properly and regularly, point out the monumental dimensions of creating, what is it, 166,000 new jobs last year in this province? But when they do, we are very careful not to take full credit for all of those jobs.

I am willing to make the leader of the third party a deal: We will accept the blame for all those losses if he will give us full credit for the 166,000 jobs last year.

### GRANT TO RACING CAR DRIVER

**Mr. Breithaupt:** Mr. Speaker, I have a question for the Minister of Industry and Tourism. Following the weekend press comments on his ministry's grant of \$15,000 to the Carter team at Le Mans, and the controversy as to whether the funds are recoverable, will the minister table the agreement or letters in this matter which led him to believe that these funds are recoverable, so that he does not prove the old adage, "He who laps last, laps best"?

Hon. Mr. Davis: The problem was he didn't lap anybody.

Hon. Mr. Grossman: He lapped me.

Yes, whatever we have got will be made available. I hope to have the cheque back in our hands shortly after the team returns, which I understand is tonight or tomorrow morning.

Mr. Breithaupt: They will probably be late.

Mr. S. Smith: Mr. Speaker, is the minister aware that certain people associated with the eminent Mr. Carter have stated they feel no obligation at all to give back this money? However, if there is a legal basis the minister has for expecting that he will receive it back, we would be grateful if he would share that basis with the House.

Hon. Mr. Grossman: Sure. As—

Mr. Speaker: That really was not a question.

Hon. Mr. Grossman: That's okay. There really won't be an answer either.

I am sorry, Mr. Speaker. I will be consulting the federal government, because I am sure the federal government will be anxious to get their commitment to give \$5,000—

Mr. Nixon: They didn't give them any.

3 p.m.

Hon. Mr. Grossman: Okay; they cancelled it. They stopped payment on the cheque, did they? That is different. At least we know it was not a partisan arrangement. At least we have established that.

In any case, I am aware of those comments. The member invited me to explain and, based upon what the member has said, it is very simple: The clear, unequivocal understanding upon which we were approached was that we were buying advertising space, as it were, for Ontario on a starting vehicle. It is in writing. It says that: "sixty-five cars are invited, only 50 start and we"—that is, the team—"have one of the 50 guaranteed starting spots." That is what it says. It was on that basis we bought that.

Mr. S. Smith: A Conservative candidate wouldn't tell the truth to the minister?

Hon. Mr. Grossman: I suggest to the Leader of the Opposition that the other three members of the racing team are very reputable people and he might be careful, some of them may live in his riding. In any case, if the federal government is willing to accept their word for it, then based upon that, I felt a little bit safe. I do not usually trust

their judgement. We will have the money back.

Mr. M. N. Davison: Mr. Speaker, I am not particularly amused by the fact that the minister finds this an occasion for levity. I wonder if he would care to tell us why he did not have the courtesy to make this announcement of his newfound aggressiveness against Mr. Carter in the Legislature rather than doing it in the press? The assembly is where he should properly have made it.

The second part of my supplementary is this: Before the minister wastes any more money by suing Mr. Carter, who I am sure can also afford an expensive battery of lawyers, will he table some legal opinion which he may or may not have and, if he does not have one, will he get it?

On the weekend, the minister did not know who the alleged letter was from. Does he now know who the letter guaranteeing a spot is from, and will he tell us the name of the person whose signature appears at the bottom of that letter?

Hon. Mr. Grossman: I will have all that for the member. It is from the racing team; I forget the name of the company, but there is a company which owns the car, and the racing team races for the company that owns the car, which happens to be a company in Concord, Ontario. That is who sent us the letter and had all the conversations with my ministry. I note the member's request for the fancy legal opinions, and I am so sure we will get the \$15,000 back; that if we do not, maybe I will take the case myself; we will see.

#### SOCIAL ASSISTANCE REVIEW BOARD APPEALS

Mr. R. F. Johnston: Mr. Speaker, I have a question for the Minister of Community and Social Services, because the appeals process for the Social Assistance Review Board, as it deals with disabled children, is not working.

Given that the Mekler decision seems to have rendered the Social Assistance Review Board incapable of making decisions on special education appeals brought before it, and given that many applicants—like Geoffry Watters, a 15-year-old Niagara Falls youth—after waiting 15 weeks for a decision are now in danger of losing approved placements for this fall because of delays, what action is the minister willing to take to ensure that their futures are not jeopardized by the ministry's inability to quickly untie the board's hands?

Hon. Mr. Norton: Mr. Speaker, I have explained to the honourable members opposite

on a number of occasion what my response was to the Mekler decision by way of making a policy decision in the ministry to make it very clear to both the staff of my ministry and the Social Assistance Review Board that, as a matter of policy, we would view educational goals on the part of children as pre-vocational goals under the vocational and rehabilitation legislation.

I am not aware of the specific case the member raised. Certainly I have met with the chairman of the board on one occasion with legal staff to explain my policy decision. I had no indication from the member, prior to his raising it in the House, that he was aware that any problems had developed. I realize it may be to his advantage to raise them here rather than to use the usual course of communication and speak to me or send me a letter. If the member has information on particular cases where there are difficulties, I would be pleased to have that information and do whatever I can to attempt to expedite the situation.

**Mr. R. F. Johnston:** I have been dealing with the chairman of the board on the matter. It seems to me the ministry does not agree that the present appeal system is not working and that his ministry often obstructs parents' applications.

I would like him to explain to me, if he does not agree with that, how it is that the Watterses have been requesting assistance for two years now and that the ministry has sent legal counsel to argue against the Watters' case, even though an expert such as Dr. Griffith Morgan of the University of Guelph was willing to testify that Geoffrey needed the special help requested, and a school in the United States has already accepted the child as disabled.

Why is the minister not bending over backwards to give these families assistance instead of adding to their burdens by obstructing the process? Why does he not speed things up?

**Hon. Mr. Norton:** I would like to make it clear to the honourable member that simply because in a given case there may be some differences of opinion with respect to facts—and in many cases there are differences of opinion among the professionals in terms of the assessment—that does not mean the staff of my ministry is being obstructionist in dealing with these cases. The staff has a responsibility to carry out its mandate under the law of this province. It does not deal as arbitrarily as the member might wish to see it deal with the matters. It does live within the law, as the rest of us in this province do.

I think it is very unfair of the member to stand here in this House and suggest the staff of my ministry is obstructing the procedures that would lead to meeting the needs of learning disabled children in this province. I think that is a rather irresponsible position for him to take. If he has any concrete information he wishes to offer me, Mr. Speaker, would he offer it to me and I will pursue it. I ask the member not to stand up here in the House and make idle, loose-mouthed allegations against the staff of my ministry.

**Mr. Sweeney:** Mr. Speaker, can the minister respond at this time to a question I raised with him about three to four weeks ago that applications were deliberately being held up until July when it would be too late for these students to qualify for some of the other schools? At that time the minister clearly said he would investigate it and report back. That is a good three weeks ago, if not a little longer.

**Hon. Mr. Norton:** I do not have a formal reply for the member at this point. I do not believe that is the case, that there is any deliberate attempt to delay these applications. I explained to him at the time what kinds of factors caused these delays. Often it is the difficulty in collecting all the necessary information from the parties with whom the family has had contact. In the specific case he gave me, I have asked the staff for a full report on that and I have not yet received it.

**Mr. McClellan:** Mr. Speaker, can I ask a supplementary?

**Mr. Speaker:** No. A new question.

## BOMB INCIDENTS

**Mr. Cunningham:** Mr. Speaker, I have a question of the Attorney General relating to a series of bombings that have occurred in the last year or so in the Hamilton-Wentworth area. Does the Attorney General have any report to make to the Legislature on these bombings? Does he have any reason to believe that organized crime is involved?

**Hon. Mr. McMurtry:** Again, Mr. Speaker, it depends on whose definition one is employing in relation to organized crime. We know the motorcycle gangs in that area have been causing us considerable concern and we believe some of the bombings are related to their activities. I would regard them as organized crime, yes. It is a matter that is of great concern to the local police force, but I can say there are other police forces assisting the Hamilton-Wentworth Regional Police in this area.

**Mr. Cunningham:** While I was not aware of any relationship between motorcycle gangs and the bombings to which I referred, I would like to ask the minister if he has been informed by the Hamilton-Wentworth Regional Police of extortion attempts. There have been specifically four occasions, I am reasonably advised. Is he aware there have been a number of incidents, and as late as yesterday a case of beer was mined with a bomb in Dundas?

**Hon. Mr. McMurtry:** I am not aware of these specific cases at the moment.

3:10 p.m.

### STEAM ENGINE PROJECT

**Mr. Di Santo:** Mr. Speaker, I have a question of the Minister of Industry and Tourism. Does the minister remember being in Kapuskasing on February 15 and receiving a presentation from the Kapuskasing-Hearst committee, which asked for a grant from the Ministry of Industry and Tourism for a steam engine, for a project that has been worked out by that community? The minister promised to give an answer in 90 days. As that is more than four months ago, is the minister ready to answer that request? Is he willing to give the grant to the committee?

**Hon. Mr. Grossman:** Mr. Speaker, I presume that is the Smokey Line project. I think the member left that out. Yes, my colleague the Provincial Secretary for Resources Development (Mr. Brunelle), who has been co-ordinating our efforts in that regard and arranged for that presentation up there, and I and two or three others of my colleagues have been discussing this matter. I would hope to have an answer for the people very shortly.

**Mr. Di Santo:** Can the minister say whether he is considering giving them a capital grant or an operational grant? Can the minister confirm that a similar grant for \$180,000 has been given recently to Steam City, which is a similar operation?

**Hon. Mr. Grossman:** Steam City? I thought that was a rock group or something. I don't know about anything called Steam City. The only thing I can relate it to is some support we gave to the Ontario Rail Foundation in the Collingwood area, I think, where we, together with the Ministry of Culture and Recreation, arranged for some \$50,000 worth of funding to protect, in essence, some old steam engines from disappearing out of the province. That is the only other funding I can think of that is similar.

In any event, there has been some other assistance given to viable tourism projects related to steam engines. If, at the conclusion of our analysis, this looks to be a viable one, I will be delighted to provide that kind of assistance both on an operating and capital grant basis.

**Mr. Di Santo:** When?

**Hon. Mr. Grossman:** When we are finished looking at the thing very carefully. And I can assure the member that, with the Provincial Secretary for Resources Development sitting to my right, we have an opportunity to discuss it all the time, not just when the member's tourism task force, or whatever it is, drops into Kapuskasing for its first visit.

### SPEECH THERAPISTS

**Mr. Stong:** Mr. Speaker, I have a question of the Minister of Community and Social Services. Is the minister aware of the increasing need for speech therapists for preschoolers and school children in the region of York and that it will take more than a year for even the 118 people on the present waiting list to be able to avail themselves of the existing services in the York Central Hospital?

Will he comply with the recommendation of the district working group of the York County Association for the Mentally Retarded that two more full-time speech pathologists be hired by his ministry, one to be added to the services provided at York Central Hospital in Richmond Hill and the other to be added to those at the York County Hospital at Newmarket?

**Hon. Mr. Norton:** Mr. Speaker, I am aware there is some concern about the availability of the services of speech therapists not keeping abreast of the demand. I have not yet seen the recommendations from the district working group, but if the district working group has fulfilled its function in terms of establishing its priorities with respect to the available resources, I will certainly take the advice very seriously and attempt to assist them.

### HILL REPORT ON GROUPS, SECTS AND CULTS

**Mr. Warner:** Mr. Speaker, I have a question for the Attorney General, following the statement he made today regarding Dr. Hill's study. On page six, it is noted that Dr. Hill concluded "that many groups engaged in hard-sell methods, unconscionable contracts, loan frauds, tax law

manipulations and falsified bookkeeping." Is it the minister's intention to use the information collected by Dr. Hill in his study to lay the appropriate charges against those persons who were involved in the items that are listed on page six?

**Hon. Mr. McMurtry:** Mr. Speaker, for a number of reasons, including security reasons but also related to the matters the member for Scarborough-Ellesmere just raised, a law officer from the ministry was working closely with Dr. Hill during the course of the study. A senior Ontario Provincial Police officer assisted in a number of matters. All of this information has been made available to them on an ongoing basis. It is currently being reviewed by law officers of the crown. Where there is evidence that would warrant the laying of charges, charges will be laid.

**Mr. Sweeney:** Mr. Speaker, in the light of what the minister just said, and in the light of the previous experience when the OPP was involved in an investigation and gained the necessary information to take action but had to come back and say the legislation simply does not exist for them to take the kind of action they think they wanted, how are the minister and his cabinet colleagues going to deal with the main recommendation, which says there should be no legislative change because the legislation already there is sufficient?

**Hon. Mr. McMurtry:** I would seriously recommend that the honourable member read Dr. Hill's report. After reading his report, he will appreciate the inherent difficulty related to the introduction of any legislation. Because of the member's obvious interest in the matter, I would be very happy to hear his further comments when he has had an opportunity to peruse the report.

#### FAMILY BENEFITS

**Mr. Swart:** I have a question of the Minister of Community and Social Services. The minister will recall that many months ago I asked him to permit Workmen's Compensation Board partial-permanent disability payments to be placed in the same category as employment income in computing family benefits. That is that the first \$50 or \$100 of that Workmen's Compensation Board income not be deducted from family benefits when he is paying family benefits. I think the minister said at that time he would keep it under active consideration. Can he tell us at this time whether he is now prepared to do it?

**Hon. Mr. Norton:** It is still under consideration, Mr. Speaker.

**Mr. Swart:** Can I ask the minister whether he realizes that income is in lieu of work? Does he realize those people on family benefits who have a partial-permanent disability payment often do not have work solely because of that injury? Why can he not make that reasonable provision now?

**Hon. Mr. Norton:** I can assure the honourable member I am aware of both the purpose and operation of the Workmen's Compensation Board.

#### NATURAL GAS SERVICE

**Mr. J. Reed:** I have a question for the Minister of Energy, Mr. Speaker. Has the minister been made aware recently of any instances where gas companies are withholding new installations on streets unless the installation can be made in every house? Will he insist that gas companies install without making that insistence?

**Hon. Mr. Welch:** Mr. Speaker, that has not been drawn to my attention. I would be glad to get some further information before I respond to the second part.

**Mr. Peterson:** The minister never responds when he says that.

**Mr. J. Reed:** As I supply the minister with the details of this case—

**Mr. Peterson:** He never responds when I bring things to his attention. He owes me about four. He is part of the problem. He is the problem.

**Mr. J. Reed:** I would like to bring my people to order, and then I will carry on.

**Mr. Speaker:** Will the member for London Centre stop interrupting his colleague? You really don't have the floor.

**Mr. J. Reed:** Mr. Speaker, I would like to have the minister's undivided attention on this matter. As I bring the details of this particular case to him, will the minister investigate as to whether there is any monopolistic policy being practised over the larger area? In other words, is it widespread, and if so, will he bring in some kind of regulation to make sure that gas companies do not take undue advantage of the expansion situation in which they find themselves?

3:20 p.m.

**Hon. Mr. Welch:** I assure the member that I will make it my business to find out the extent of the difficulty, if there is one; after we have that information, I will be in a much better position to see what may be necessary to correct it.

**Mr. Peterson:** Mr. Speaker, how can the minister expect my colleague to take his response at face value when he gives similar responses to other members of the House and he never responds when he takes a question under advisement and he never responds to letters written to him by members? How can he expect him to believe what he just said?

**Hon. Mr. Welch:** Could the honourable member draw my attention to any letter for which he has not had an answer from me? It seems to me I am writing a letter to him almost every other day, to tell the truth. A "Dear David" crosses my desk practically every other day.

### AUTO INDUSTRY LAYOFFS

**Mr. Cassidy:** Mr. Speaker, I have another question for the Premier about what is happening in the automobile industry in view of the confidence that he expressed in it just a few minutes ago. Is the Premier aware that the workers at Bendix in Windsor have been made aware of a feasibility study being carried out by the American parent company, which they fear will lead to a closure of that plant with a loss of further 750 jobs in Windsor?

How many more shutdowns by multinationals in the automobile industry is this government going to tolerate before the government of Ontario says to the multinationals that enough is enough and we have to have a fair share here in Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I think I recall there is a meeting scheduled with Bendix and one or two others in the next month or so. I personally am not aware of a study. I know these companies, multinationals and nonmultinationals, are doing studies seven days of the week.

I would only say to the honourable member, if he looks back at what has been said in the past two weeks, and the past two years, this government has been making a very urgent request to the government of Canada, before they even thought of it, to make sure that Ontario has its fair share of the automotive industry.

In fact, that was one reason that led us to the participation in some of the programs of this government which have been moderately successful in terms of securing some of the parts manufacturers, Ford, or you name it. The people opposite—and I do not like to keep harping on it, but they really are just a bit—

Interjection.

**Hon. Mr. Davis:** They are a bit contradictory. I am going to be very conciliatory, but it really is contradictory to come in here and say to us, why don't we do more, when for every effort we make in the automotive field, those people sit back and say we should not do it. They cannot have it both ways. They either agree with the incentive programs that we have introduced and are applying in the automotive industry or they do not. If they do not, then do not come and talk to us about jobs.

**Mr. Cassidy:** Could the Premier explain why it is that when he talks about a fair-share concept, it is only because he is pushed to do so by members of the New Democratic Party? Can the Premier say why it is that, unlike the situation in the oil industry with western oil, we do not have the government of Ontario using every resource at its disposal to insist that Herb Gray take a tough stand with the American government when he holds discussions and consultations over the auto pact on June 27? What has the government said to the federal government about the June 27 meeting? Why have we not yet heard what Ontario's position is with the federal government going into those talks?

**Hon. Mr. Davis:** The Minister of Industry and Tourism has made it very clear. If the member wants me to get some further material or to refresh his memory as to what he has said, I would be delighted to do it, but it is there. It is very clear, it is quite understandable, and I think he will find it very easy to assimilate.

### OMB HEARINGS

**Mr. Epp:** Mr. Speaker, I have a question for the Premier. Given the fact that the Minister of Housing and the Premier took the opportunity last week, when speaking to the Ontario Renews conference, to rap the knuckles of the municipalities in Ontario with respect to holding up needed zoning changes to attract additional development in Ontario; and given the fact that the Ontario Municipal Board, which is under the jurisdiction of the Ontario government and this Legislature, on many occasions takes up to six months to establish a date for a hearing, then another three or four months actually to have the hearing, plus another month or two sometimes, to bring in a decision, so that the delay is up to a year; what steps has the Premier taken to streamline the Ontario Municipal Board so that decisions can be made within three or four

months of an application actually coming before them?

**Hon. Mr. Davis:** Mr. Speaker, I do not think it is fair to state that the Minister of Housing and I were rapping any knuckles at that great conference, where the ministry was one of the partial hosts.

**Mr. Epp:** Just pointing an accusing finger?

**Hon. Mr. Davis:** No, I did not even point an accusing finger. In fact, I did not point anything. I was very conciliatory, as I am on all occasions in this House.

I did point out that part of the problem with respect to development was not the attitude but the approach taken by some municipalities and other levels of government. I did not single out the municipalities. I even said that, on occasion, provincial and federal governments had been known to delay certain projects just because of, shall we say, the existing legislation or regulations.

The honourable member and others have raised the question of the OMB. He might be more specific as it relates to certain hearings before the board. My impression, from both the municipalities and the development industry, is that in the past two years things have improved quite substantially. The length of time he referred to is not the norm. In those cases which members do bring to my attention from both sides of the House, I find out on many occasions the fault is not really at the doorstep of the OMB.

I think the honourable member has had some municipal experience. If he checks with the board, checks the record, he may find there is the odd lawyer who has a little bit too much on his plate and seeks an adjournment. He may find the odd municipality whose lawyer is not yet quite ready and seeks an adjournment. He may even find certain planners or consultants who are not yet quite ready and seek an adjournment. In fact, he may find a lot of people are responsible for the delays before the board other than themselves. I say that with some modest knowledge, because it happens to be true in many cases.

## PETITION

### THE TIN DRUM

**Mr. M. N. Davison:** Mr. Speaker, I wish to present a 2,272-name petition of Toronto filmgoers collected at the International Cinema and at Cineplex. The petitioners oppose the rigid and discriminatory policies set by the government of Ontario and the Ontario Board of Censors. They want to be free to choose whether they wish to see The

Tin Drum as it was originally created without further delay.

## MOTION

### ORDER OF BUSINESS

**Hon. Mr. Wells:** Mr. Speaker, I move that, notwithstanding any standing order of the House, business be considered from the Social Development policy field tomorrow afternoon, in both the House and the standing committee on social development.

Motion agreed to.

## INTRODUCTION OF BILL

### PUBLIC VEHICLES AMENDMENT ACT

**Hon. Mr. Brunelle,** on behalf of **Hon. Mr. Snow,** moved first reading of Bill 129, An Act to amend the Public Vehicles Act.

Motion agreed to.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, I would like to table the answers to questions 169, 183 to 205, 208, 226, 229 and 230 standing on the Notice Paper and the return to question 76 on the Notice Paper. (See appendix, page 2884.)

3:30 p.m.

## ORDERS OF THE DAY

### ONTARIO PENSIONERS PROPERTY TAX ASSISTANCE ACT

(concluded)

Resuming consideration of the adjourned debate for second reading of Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario.

**Mr. Di Santo:** Mr. Speaker, Bill 48 is supported by our party with some reluctance. It tries to remedy a situation that is quite clearly unjust and unfair to senior citizens, but doesn't remove the real reason why that situation exists.

In Bill 48 the government is introducing a flat grant for homeowners who are pensioners, who are recipients of old age security, of up to \$500, and up to \$400 for tenants. As you remember, Mr. Speaker, when the budget was introduced in March I raised the very serious question that the decision of the government brought up, namely, that many senior citizens who are not recipients of old age security are ex-



cluded from the tax credit grant. When we started discussing the whole matter and saw the bill, we realized that there are other groups of senior citizens who before the budget had some benefits that are now removed from them. That is the \$110 all pensioners were receiving. Pensioners who live in homes for the aged or in chronic care homes will not receive this any longer. In effect, this is the removal of a benefit that some senior citizens were receiving. They do not receive it any longer under the legislation we are discussing.

If the intent of this bill is to bring more fairness to the tax system, this bill fails to do that. In fact, this party is convinced that a fair tax system should be based on the ability of the physical person or legal entity to pay. Through property tax we are faced with a situation where a person is paying not because of an income he is receiving but because of the possession of a building, the home where he lives.

I think that is profoundly unfair. A home doesn't become a source of revenue until it is sold. Until that moment, it is the place where a person lives and which he should enjoy. For us, it is a social right that every person should have in our society. Until the moment a home is sold, that home should not be taxed. Instead, what should be taxed is the income of the person who lives in the house or the revenues or the incomes of corporations, companies, and commercial and industrial enterprises.

With this bill we do not remove the basic inequity in the property tax system. Since that basic inequity is not removed, we are faced also with a situation where people who are totally disabled because of industrial accidents or otherwise and who do have any income whatsoever do not benefit from Bill 48. I cannot understand why a pensioner who is a recipient of old age security should receive a \$500 tax credit, but a pensioner of the Workmen's Compensation Board who is receiving the same amount, and only that amount of income, should not benefit from the \$500.

There are other aspects that are not reassuring at all. For instance, there is the problem of the widows and widowers. Under the federal legislation they are allowed to receive spouse's allowance when they reach the age of 60 and the spouse is 65 and therefore qualifies for old age security. These people are not eligible for this grant. I think a group of people on fixed incomes, people who have very low incomes, are being deprived of a right they should have.

It was the federal Tory government that changed the federal legislation because there was a basic injustice—the spouse of a pensioner who was 60 or older would get the spouse's allowance but if the spouse died the spouse's allowance was removed. I think it was the federal Tory government's only piece of social legislation. It changed that rule to say that when a person qualifies for spouse's allowance he or she would get the allowance even after he or she became a widower or a widow.

There is no provision in this bill for that group of people although it is not a very large group. In most cases they are non-working people because they cannot work. They are older than 60 and therefore should be considered pensioners and senior citizens.

I also think the residence requirement should be removed from the bill. I hope the minister will bring in a broad amendment that will solve all the problems that I have been enunciating. As I said at the beginning, we will reluctantly support the bill as it is now. It solves some problems but does not solve the basic problem. Above all, it leaves out groups of people who should be protected.

Ms. Bryden: Mr. Speaker, the sad plight of our senior citizens has been well documented in recent years by many studies. We know many of them live below the poverty line. They are the first victims of inflation. Many are finding it extremely difficult to carry on in their own homes because of rising property taxes. If they have to become institutionalized because of their inability to carry that burden on their fixed incomes, it will cost the taxpayers of this province much more.

More than two thirds of single women over 65 live below the Statistics Canada poverty line, which is the lowest of the various yardsticks that are used to measure whether people are living in decency or in poverty. These women live in tiny rooms on inadequate diets. As a result, they are more prone to illnesses and to depression.

A great many other pensioners are also living on incomes that are considered inadequate by the Canadian Council on Social Development and the social planning councils. They have poverty lines that are slightly more generous than the Statistics Canada line, but are still only at what they consider is a bare minimum for a decent existence.

3:40 p.m.

I find it shocking that this is the first legislation before this House to improve senior citizens' payments since the 1977 election.

Perhaps the fact that we have an election looming this year or next year has something to do with the fact that at last the government has decided to bring in some legislation in this field.

This legislation comes after three years of broken promises to our senior citizens. Let me remind the government of its record. In the middle of the 1977 provincial election, the Premier (Mr. Davis) unveiled a charter for Ontario which came to be known as the Brampton charter. It contained many promises that have not been kept, such as the promise to plant two trees for every one cut.

Among the promises was the following relating to senior citizens: "Reducing the municipal tax burden on senior citizens and to work towards the ultimate elimination of this particular tax for the majority of Ontario's senior citizens." This legislation does not fulfil that promise, despite the government's boast that it does.

In the first budget after the 1977 election, the government did bring in a promise to enrich the property tax credit and to raise the basic credit from \$290 to \$510. The pensioners thought they were getting the first step in implementing the Brampton charter. Nowhere in the 1978 budget did the Treasurer at that time, Mr. McKeough, mention that this promise would not be implemented until overall property tax reform was brought in. We have been waiting for that tax reform for about 10 years and we are still waiting.

That promise in the budget was never implemented. The delay in implementation was announced in budget paper B—if anybody went that far beyond the minister's budget statement. There, he or she could find the crossing of fingers by the government, literally, saying, "We will not carry this out until overall property tax reform is brought in." The same budget paper managed to come up with the astounding conclusion that "pensioners enjoy a comfortable standard of living during their retirement years." Perhaps that is why the government felt it did not have to implement either the Brampton charter or its promise in the 1978 budget.

As I say, the reports keep coming in telling us pensioners are far from enjoying a comfortable standard of living. If it was not true in 1978 when that statement was written, it is even less true today, because in three years of unfulfilled promises, pensioners have slipped further behind. One cannot live on promises.

Because of this record, pensioners may be suspicious as to whether this legislation really

will benefit them; and so they should be. When the new pension grant program was announced in the 1980 budget this spring, I am afraid many pensioners got the impression the government was providing them with a substantial increase of up to \$500 a year. Many thought it was on top of their present tax credits. Many thought it was a major step, as the government boasted, towards fulfilling the promise in the Brampton charter. In actual fact, the total amount of new money going to the assistance to pensioners is only \$75 million, or an average of less than \$100 for each pensioner in Ontario. The biggest increases will go to the better-off pensioners. Some pensioners will get less than they got under the old system.

The government has justified this on the grounds that the program is a property tax relief program and not a program to ensure that our senior citizens have a decent income that would enable them to have adequate food, shelter and clothing. But it is high time we guaranteed to our pensioners the right to have adequate food, shelter and clothing. They have contributed many years to building this province and have raised families to carry on the work of this province. They deserve an opportunity to live their retirement years in dignity, not in squalor. They should not be condemned to inadequate diets and inadequate housing because their income is too low.

When the new legislation came in, it also contained a very large exemption that said this new program would not apply at all to people who had not qualified for old age security. As my colleagues have mentioned, fortunately we have persuaded the government that it should bring in an amendment to remove this discrimination against people who have not been in this country long enough to qualify for the old age security pension, but who have equal rights to have adequate food, clothing and shelter and to this kind of property tax relief. I am expecting this amendment will come forward, as the government has indicated it intends to bring it forward.

The member for Downsview should be congratulated particularly for raising this point and indicating that a great many newcomers to the country who have been here many years would not qualify unless that discrimination was removed.

I think we should still be looking at a guaranteed annual income for all pensioners. That is what this province could afford if it wanted to afford it. In the long run, it would pay because the pensioners would

have purchasing power they could put into the economy and their general state of health would be improved. It would keep many of them out of institutions. It would be a preventive measure and it would also allow them to live in dignity. We owe that to them.

As my colleagues have indicated and I also indicate, we will support this bill because we do not want to deny to pensioners any increase. But I think this increase is much too small and is not addressing itself to the real problems of our senior citizens. I hope it will be only a first step and that we will go forward with adequate legislation as soon as possible.

**Mr. Haggerty:** Mr. Speaker, I want to address myself to Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario. I was interested in some of the comments of the previous speakers on the inequity in our system relating to pension plans or income protection.

I believe there was a white paper a few years ago on social income as related to a guaranteed income put out by the federal government. It was a study at that time by a former federal Minister of National Health and Welfare, Marc Lalonde. There were some interesting suggestions and recommendations in that report. I find that some of them are not in the amendments to this piece of legislation this afternoon.

3:50 p.m.

I can relate one of the problems to those persons who have lost the breadwinner in the family and the surviving spouse is left perhaps with a large debt, a mortgage on the home and is a person who is incapable of being permanently employed. There are a number of such persons in Ontario who are below the age of 65. In that white paper study related to guaranteed income, one of the major improvements was that for any spouse who was in receipt of the old age pension, the other spouse would receive additional income support if he or she was below the age of 65. I think that was a step in the right direction.

But there are many individuals in Ontario below the age of 65 who are permanently unemployed because of some disability or handicap and who are not receiving a sufficient amount of income to maintain a decent standard of living. I am sure even the Minister of Revenue is aware of that problem. I had thought perhaps we would have seen something in this particular piece of legislation this afternoon that would open up the door, that there would have been some addi-

tional provisions for persons in this category, because it is a serious problem in Ontario.

I have had a number of people come to my constituency office and bring this to my attention. They perhaps receive general welfare but they have a hard time getting even that. They are not eligible for a disability pension in Ontario, but medical reports indicate that through some handicap or disability they are permanently unemployed. It is a struggle for those persons to maintain a home, even to pay rent. In a number of cases I have had them inform me that they were told by their social worker to sell their home, live off that income and then they would be eligible for general welfare, providing sufficient funds thereafter from welfare to pay for decent rent and decent accommodations. This is one area this government has failed to look at with respect to pensions in Ontario. As I said before, I had hoped they would be looking for a comprehensive pension scheme that would include these persons in dire need.

There is nothing in this bill. There is nothing in the following bill the Minister of Revenue will be debating this afternoon, Bill 55. I suggest this is an area that the minister has overlooked. I agree with the principle in the section which, I think, is in both bills, Bill 55 and Bill 48, that persons who are in a home for the aged or a nursing home would not be eligible for this tax assistance program that is now available. I think this is a right choice. But I must say, when that was in force, that money should have gone directly to the regional municipality of Niagara, for example, so that they could carry out a better program for those persons who are under their care and in their regional homes. I suggest there is an additional cost. I know it has been put on to almost every taxpayer in the region and that it may have been \$300 a year ago. If it had been applied to the administration of these homes in the area, they could have even built additions in that area which are needed and required.

There is a waiting list for elderly persons to get into these homes, and again this government has not moved in that area because of government restraints and cutbacks. There is a waiting list in the region of Niagara of persons wanting to get into homes for the aged. There is a waiting list for persons wanting to get into private nursing homes. There are a large number of persons waiting to get into this special care program.

I can't recall the figures for the Niagara region but thousands of dollars are going into a trust fund that even they couldn't use;

I suppose after the person passed on it would go back to the estate and they would be gaining this additional source of income which, personally, I don't think they are entitled to.

There is a great need now to give additional funding to these institutions within the Niagara region and perhaps all across Ontario. These are the areas where there should be tax changes that would relieve some of the heavy burden of taxes on a number of people in any community. They can't afford increased municipal taxes, and one area that should be given additional funding is the homes for the aged in many of the regions.

I suggest the government has made some progress here, but there is still an area that may cause some inequity in the system. Here it says some persons are going to be included who do not require a rebate. It is not saying those who were under the scheme a year ago will receive more. Perhaps they will receive less. That is the area of Bill 48 we on this side are concerned about. I suggest the Treasurer should be looking to ensure this doesn't happen. I can see where it could open the door to some discrepancy in the bill that could cause further inequity.

This is the intent of my colleague's amendment, which he intends to move sometime this afternoon; so I guess we can support it in principle.

**Mr. R. F. Johnston:** Mr. Speaker, I rise to support this bill on second reading. As someone who has been working with the elderly for the past eight years before being elected, I am very pleased that finally some action has been taken on the matter of property tax and making it a more universal program than it was before.

I think it is unfortunate, however, that the measure of the property tax grant was brought in as part of the same package as the guaranteed annual income system addition. It confuses people about the two programs; one is essentially a very specific program having to do with assistance and with property owners and tenants, and the other has to do with income stability in the province and the needs of older people—the dollars they should have on hand to be able to live in dignity in this province above the poverty line. I think it was confusing to people that it was brought in that way. It has been quite confusing to a lot of the elderly people I have known over the years, who have been phoning me in the last few weeks.

A number of areas of confusion have come up that I would like to bring to the

Treasurer's attention so that whatever releases are published following this bill's passage, in one form or another, will get the proper facts out to the people. There are a number of people who believe the sum of \$500 will be available to everyone. Some also believe it will be available on top of the present tax credit they are getting under the old system. I believe we should get that idea of a wind-fall out of people's minds as quickly as possible, or they are going to be very disappointed by the time the cheques are actually sent out.

Another group of people believe they are not going to be eligible for it. I refer specifically to the old age security provision in the initial bill. A number of people I have met in the Italian community and the Portuguese community over the last number of years have been calling me, concerned that they would not be covered because of the OAS provision. This is the case even though there may or may not be an agreement between their country and Canada in accepting our OAS. It is very important that after this amendment is agreed upon by the House—we hope—we will see this matter cleared up very quickly.

One thing that I think is important is the notion of universality. I think that is vital. That was why it was crucial to have the old age security provision erased from it, because that was bringing in exemptions. Somebody is always raising the notion of somebody like E. P. Taylor getting an extra \$500 that he does not need. But essentially if we want to make sure the vast majority of people are protected, it is better to have a universal system rather than one that has a number of significant exemptions to it and tries to include people piecemeal until finally a vast number are included. So I welcome the universality.

4 p.m.

It would also be very important for the Treasurer to get across the idea that this grant is not going to be a taxable portion of somebody's income. If one were to look at the \$500 maximum amount someone might receive in terms of its being taxable, the increase over last year's property tax credit approach would not be that significant. I think it would be important to get that through.

A number of members have spoken very well to the matter of the disabled not being protected. People of that sort on fixed incomes have as much need to property tax assistance as do pensioners because of age.

The other major group I can see who need assistance and should be covered under this kind of program would be widows; specifically, as has been mentioned by other members, widows of people who have been retired and have been receiving benefits under the Canada Pension Plan or old age security or GIS. I believe widows over a specific age—perhaps 60—should also be included, because they are the group with the largest single difficulty in terms of financing of any group I have met.

I would like to draw to the Treasurer's attention that although this program is a universal one and has benefits for most seniors, the urban dweller does less well by this if one looks at it in terms of picking up the actual property tax costs than does someone from a rural district who might have a lower tax base. I would point out by recently reviewing the average property taxes of people in North York or Scarborough we find they average somewhere between \$800 and \$1,200 a year. That means those individual older people would all be eligible for the full \$500 back, but in some cases that would represent only 50 per cent, in some cases 60 per cent of their overall tax and in some cases less than 50 per cent of their property tax, whereas an individual in a farming community, like that of my parents' pays approximately \$425, I believe, in tax. They would have the full \$425 picked up.

We in this party have argued for years that the education portion of taxes should be taken away from elderly people who have paid their dues in that area. It seems to me within the farm communities and the lower property tax areas that is being done quite nicely under this bill in that all their taxes are being picked up, whereas in a place like North York if one had a property tax of \$1,100 one would not be picking up the total portion of even the education tax under this system. However, it is a basic improvement over what we have had in the past.

One of our aldermen, Mike Foster from North York, was quick to point out to me that under the old property tax credit system in 1976 a senior in North York would have had the same basic saving to his income as he now does under the grant credit. That was around \$500 when it was worked all through in 1976, but it has decreased since then over the last number of years. In some senses, even for those urban dwellers, we are only dropping back to 1976 levels of benefits for them.

I have also done some studies of apartment rents in Toronto. I am pleased to see that most individuals within Metropolitan Toronto I know of would be receiving as much back under this system with their grants as they would have under the old tax credit system. There are some individuals who will not, but if one accepts the principle that 20 per cent of a person's rent is the equivalent of the property tax owing, then those people will be receiving back 100 per cent of their property tax. That seems to me to be a very positive thing.

I might make one note in more of a humorous fashion. I am not sure what we would do if we were government, but I know in Saskatchewan they send out cheques rather than having it on the tax form. It is an advantage of incumbency, I presume, to be able to issue cheques and to have them go out with the minister's name on them with all the glory of the logos of the province of Ontario on them, and all of that benefits the government.

Let me say that there may be a cost, and it has been raised by a number of Liberal members in that area, but I accept that as one of the *droits de seigneur*, you might say, or the rights of government. I would not see us changing that approach when we become government, although I have not checked it out with all my colleagues today.

**Mr. Warner:** That's fine.

**Mr. R. F. Johnston:** Good. The member for Scarborough-Ellesmere is in agreement, and I think the rest of the caucus will fall in line.

I would like to point out that because this bill was brought in with the budget, very much linked to the raise in payments under the guaranteed annual income system, often there would be mention that somebody who is not doing as well through this system as one might like is also getting the Gains. I would like to point out that we should not have been comparing apples and oranges in this matter. This is a very specific kind of assistance for a very specific tax. It is a good thing that it has happened, but I do regret very much the level of the Gains increase that has been brought forward and I believe it is totally inadequate.

One of the major concerns I have with it is that the province continues to accept the fact that older people should live below the poverty line as established by Statistics Canada. I have now mislaid it, as I am wont to do, but as of May 1980, Statistics Canada says that in a city of over 500,000 popula-

tion, the poverty line for a single pensioner would be \$5,776.

Given the recent increases federally, in old age security and guaranteed income supplement payments, and given the amount of Gains that is now being added in terms of income stability within the province, my estimate is that the single pensioner in Ontario will be receiving only \$4,668 under this system. That is substantially below the poverty line. My estimate would be that it is 23.7 per cent below the poverty line as established by Statistics Canada, let alone other poverty lines which are slightly more generous and have been developed by people like the Social Planning Council of Metropolitan Toronto.

I would agree that under the new system, a married couple who are older pensioners would have the ability of finally getting over the poverty line. My estimate would be that they are approximately 8.7 per cent above the poverty line. I welcome that but I really do not like to see the distinction between the single older person and the married older couple in terms of the right to receive what is established as the minimum amount to get by on in Ontario today in a city of 500,000 plus.

This is the greatest failure of this particular government, if I might say so, which has not looked seriously at pensions. Perhaps we are looking too much to the royal commission some day finally coming down with its long-awaited, almost Rip Van Winkle style report. I think that has been a major mistake and that this government should have been looking very seriously at basic incomes for the elderly in Ontario long before now, instead of doing what I consider a piecemeal raise in the Gains portion of the income for older people in Ontario.

I do not understand why it has not been raised at least to the poverty level, or why major lobbying has not been done with the federal government to make sure that the combination of federal and provincial money does not come at least to the poverty level. I do not understand why the principle of tying that to the cost of living has not been accepted and why we do not have for Gains, as we have for the federal pensions, a quarterly raise in the amount of money available to people so that the cost of living, as it affects them in day-to-day life, is also reflected in their income.

4:10 p.m.

I cannot understand why it is that we instead had this small raise added into a package of property tax assistance and a

slight increase in the sales tax. I think it is a kind of con game which is very unfair and which confuses older people in the province by making them think the whole package somehow is income stability when it is not. They are very separate items and should be dealt with clearly in that fashion.

It is my view that we should be trying to keep older people in our communities as long as possible. That has become a truism that seems to be accepted by all people. Having worked in the field and actually having practically administered programs that have tried to do that, it is my opinion that the largest single preventive action that this government or any provincial government could take to help older people stay in their community has nothing to do with organizing volunteers like I did or with providing essential community supports in terms of nursing care, Meals on Wheels and other items like that.

The fundamental, first preventive step that should be taken is one of making sure older people have an adequate income to live at a standard at which we could expect them to be able to look after their own health and to live truly independently in that fashion.

The cost of maintaining older people in the community without providing them with an adequate basic income, I believe, will be enormous by the years 2000 and 2010 when that population has increased. Far better that we review our whole pension system; far better that we get it as quickly as possible to the position where it is covering an adequate proportion of a person's preretirement income; and far better that we, as a province, ensure that the Gains amount moves with the times, accepts the fact that we are going to have inflationary spirals and provides these people with a sufficient income.

To conclude, I accept the bill for what it is worth. It is my view that, for a lot of pensioners in this province, it will be worth a lot. It will mean a great deal to them to have that \$500. When they get that cheque this fall, although glory will fall on the Tory party for it, I accept that. I accept the fact that many older people in this province are going to do better by it.

**Mr. Riddell:** Mr. Speaker, I want to speak briefly on Bill 48. I say briefly, because I assume my colleague the member for London Centre (Mr. Peterson) commented on some of the points I wish to raise this afternoon.

I want to outline the effect of the proposed grant scheme on three groups of pensioners—the Gains recipients, the non-Gains recipients whose incomes are slightly higher



than the Gains level, and the institutionalized senior citizens. In each instance I have documented an actual case resulting from inquiries I have received from pensioners. I will be pleased to place in the hands of the minister a copy of this documentation, because it is awfully hard to talk figures when you are speaking in the House.

Dealing first with the Gains recipients, any senior citizens who receive Gains payments from the province are compensated for the loss of the pensioner tax credit by an increased Gains payment. They are no further ahead, however, because what the government is giving them in one hand, it is taking away in the other. They are losing the \$110 pensioner tax credit but gaining \$10 per month, or \$120 annually, from the increased Gains payment. The fact remains they are no further ahead, save \$5 or \$10, and the government is spending \$3 million to bring in this new proposal.

One pensioner, as an example—and here again it is hard to work the figures in—will receive \$96.89 less under the new grant system. However, the province has increased Gains payments by \$10 per month. Therefore, this pensioner will net \$120 less the \$96.89, or \$23.11 more per year by the new system. While she will net \$23.11 more, a very wealthy senior citizen who pays property tax of \$500 or more will receive \$550 under the new system. That does not seem too equitable.

I want to deal with the non-Gains recipients. The real losers here are those pensioners whose incomes are just above the Gains level. They will lose the \$110 pensioner tax credit without being compensated by an increase in the Gains payment. These are pensioners who would pay little rent or property tax.

Anyone paying rent of approximately \$131 or less per month will get less by this new system than he or she would have under the old system. This also applies to a pensioner who was fortunate enough to be living with his or her children and therefore pays no property tax but, rather, a small amount of rent.

The case I want to mention here is a pensioner who resides in an apartment in Toronto. Because he has other income from a company pension, which amounts to \$76.20 per month, he is eligible for only a \$2.50 Gains payment monthly. Because his rent was \$76 per month for the first five months of 1980 and \$80 per month for the remaining seven months, he will lose \$113.90 under the new grant system. I have documented this, and the minister can have a closer look at it when I send it across to him.

I want to talk about the institutionalized pensioners. Perhaps the group hardest hit by this new system is the residents of municipal and charitable homes for the aged. There are some 28,000 residents in 182 municipal and charitable homes. Of these, 92 are municipal and 90 are charitable. The budget clearly states that residents of these homes will not be eligible for the new relief as the homes are not subject to property taxes.

As well, residents of private nursing homes under the extended care program will not be eligible. Nursing homes, however, care for citizens of all ages. I am not sure what percentage of their 28,300 residents are seniors. It appears that residents of municipal and charitable homes for the aged are of all income levels, ranging from Gains recipients to fairly wealthy pensioners. There is no percentage breakdown of the 28,000 residents by income groups.

The case I want to mention is one that comes from my own constituency, a resident of Huronview, the county home for the aged in Clinton, Ontario. A percentage of his daily rate of \$19 was considered as rent. Therefore, 20 per cent of that amount was allowed to be deducted as his property tax credit. This procedure was verified by the district taxation office. The percentage of his daily rate considered as rent was approximately 67 per cent.

This pensioner moved into Huronview in October 1979. His tax credit for 1979—this is property tax—was a mixture of 10 months' property tax and two months' rent. Because under the new legislation he will not be eligible for the property tax grant, he will lose both the pensioner tax credit and the property tax grant. While he received \$371.51 in Ontario tax credits for 1979, he will be eligible for only \$50 in 1980.

I bring these cases to the minister's attention and I hope he will respond in each case because the pensioner is looking for an answer. Pensioners are concerned and they have brought their concerns to our attention. We are then expressing those concerns in this House.

We know there are some political overtones to the government's proposal. There is no question about that. A nice cheque will go out from the province. In all probability there is going to be an election some time this year, and it is going to look pretty good.

I hope that members will not be able to take these cheques and turn them into nice, crisp \$50 bills, which is something that did happen a little while back with a Conservative member when there was a certain bonus



given to senior citizens. That person was able to take that cheque, turn it into a nice, crisp \$50 bill and personally deliver it to the pensioner. Surely we won't expect this kind of thing with this kind of proposal.

The minister is shaking his head to indicate no. I'm pleased to hear that. I will be looking for a reply from the minister. If he is interested I will be pleased to send this documentation over to him.

4:20 p.m.

**Mr. Warner:** Mr. Speaker, I did not detect any movement in the Treasurer's head. His colleagues were clearly upset about that allegation.

**Mr. Eaton:** It is an awful allegation to make that somebody could cash a cheque.

**Mr. Laughren:** That is exactly what happened.

**Mr. Warner:** I know the Treasurer. Although he is a used car salesman of sterling character, he would not start handing out \$50 bills, crisp or otherwise. A picture of the Treasurer on the cheque with his autograph is a different matter. I can imagine seeing that.

Many who have spoken before me have certainly covered the area of how we appreciate seeing just about any bill that will be of some assistance to pensioners, including this bill, but it is really a poor apology for this government's track record. It is not sufficient as an apology for all that it has not done over the years. There is no substitute for having a guaranteed income for senior citizens. Certainly those who are interested may agonize over the procedure or the best method to make sure that senior citizens can live a life of dignity that is not possible today for thousands of seniors right here in this city. Within walking distance of this building, we will find seniors huddled in one-room units with a hot plate, not eating an adequate diet and certainly not having the kind of life that they should have. We know that. There is not a member in this House who does not know that.

How do we approach the problem? I listened very carefully to what my good colleague from Nickel Belt (Mr. Laughren) had to say on Friday. I agree with him. A part of the problem is this overlay of programs. We just add one program after another.

Quite a few senior citizens live in my riding, as I suspect they do in most member's ridings and one of the things that has been brought to me time and time again by seniors is that they are not particularly interested in having a half-price ticket to the

movie theatre, a half-price ride on the bus, or half price to whatever it is. They want cash so they can pay their own way. That is one of the messages that comes through to me quite often from the seniors in my area. They just want the money so they can pay their own way.

There is one exception to that which has come across loud and clear, and that is with respect to the education taxes. Few seniors, if any, see the rationale in them paying education tax when they are so far removed from the educational system. They see no justification for that whatsoever. I agree with them. It seems to me that what government should be doing is setting two goals. One is to eliminate education tax for seniors, and the second is eventually to eliminate property tax for everything other than municipal services; to take the social service component out of it and have it paid from here at Queen's Park. Those are the two goals I think the government should set and work towards. I certainly do not see evidence of them doing that. Instead, they are more content to have ad hockery. This is another little bit of ad hockery that they have thrown in.

As has been mentioned, not all seniors are going to get the \$500. The more property tax they pay, the better off they are going to be. I suspect that in order to make sure they get the \$500—

**Hon. F. S. Miller:** That is an extrapolation of the reality.

**Mr. Warner:** Okay. E. P. Taylor will get the \$500.

**Hon. F. S. Miller:** That is not what the member said. He said the more property tax they pay, the better off they are.

**Mr. Warner:** Yes, towards making sure they get the \$500. E. P. Taylor will get the \$500, right?

**Hon. F. S. Miller:** Sure.

**Mr. Warner:** The pensioner who is already living in poor circumstances is not going to get the \$500.

**Hon. F. S. Miller:** E. P. Taylor will get it assuming he lives in Canada. I don't think he lives in Ontario any more.

**Mr. Laughren:** That is another problem.

**Mr. Warner:** He leaves the country and leaves his trail of destruction behind. I realize the Treasurer, as well as I, is very embarrassed about the destruction that man has wreaked upon this province and this country. Sure, he has left now, and the Treasurer heaves a sigh of relief about that. But whoever is managing his nefarious affairs here

will get the \$500. That is, provided he has not been able to evade paying the property tax entirely, which, knowing the minions of lawyers that he has employed, he probably has been able to do. But, presuming he has to pay at least \$500 worth of property tax, he will get the \$500 from this government—with a nice picture of the Treasurer on it.

There will be seniors in my riding who will not get the \$500, and they are seniors who are far more deserving of some financial assistance than E. P. Taylor, one heck of a lot more, yet we will do nothing about that.

Mention has been made of waiting for the famous report from the royal commission on pensions. I hope it will be as good as our expectations but, if it follows the trail of anything else that has been done in this country, other than the introduction of the old age pension, we are going to be disappointed. It is just a hunch; I sure hope I am wrong.

We have done very little in this country and certainly far less, as the Treasurer knows, than has been done in many Scandinavian countries or European countries towards helping to ensure that seniors can live a life of dignity in their pension years. We have got a long way to go. I guess if one thinks back to not all that long ago, there wasn't even an old age pension. There would not have been one if it hadn't been for the CCF; members opposite know that as well as I do.

The forefathers of the party of which I am so proud to be a part fought hard for the old age pension and managed to get it through. There were some pretty strange comments made at the time by the so-called learned men in Parliament about how it would ruin the moral fibre of our nation if we had an old age pension. It was incredible. That was the starting point for this country, and we have not reached what I think is the proper goal.

The proper goal, it seems to me—and this government has an opportunity to be speaking up about it, making presentations to the federal government—is to ensure there is one pension, totally portable and totally accessible, for all Canadians.

For my part, I think the place to begin is the Canada Pension Plan. The Canada Pension Plan should be complete, it should be total and it should be the only plan. There is no reason to have more than one pension plan in this country; I don't see any reason for that. Whether it is a taxi driver in Halifax or a person working on the docks in Victoria, he should have access to that pen-

sion plan. If the taxi driver from Halifax moves to Victoria to work on the docks, his pension plan should go with him. Pension credits would be accumulated based on income, and it would become a total program. By the time one is a senior, it would be hoped there would be an adequate amount of money, because the pension would have been pegged to the cost of living, so that when one retires, one would have a proper pension. We would not then have to worry about fighting on behalf of people because of their particular circumstances and their being denied the kind of income they require.

There are certain vulnerable people in our society. I suppose the most vulnerable people I have come across are the women between the ages of 55 and 60 who are widowed and who are struggling desperately to have enough money to survive. I do not know how they do it. They are not employable in a practical sense; they are not old enough for the old age pension and there is almost literally nothing available.

4:30 p.m.

I do not know how these people survive. It is a very sad situation. They struggle very hard. A lot of those women will try to get jobs. They have been out of the job market for 25 years but they will attempt to be retrained and go back into that job situation. But when there are a million unemployed in this country, why should an employer hire a woman who is 56 years of age, and who has been out of the work force for 20 years, ahead of some young man who is 18 or 19 and just out of school? There is no incentive for an employer to do that. So the woman will not get a job and she will be faced with mounting property taxes, including an education tax and a lot of other things, and she will find it very difficult to make ends meet.

The minister's Band-Aid today will help a little. It will stop some of the bleeding, but the patient will be in serious trouble unless he does more than this—a lot more.

One thing I would like the Treasurer to answer for me when he has the opportunity—I know he has been noting a lot of things and he is going to be responding to different remarks—concerns what the government intends to do when the royal commission on pensions brings in its report. What precise plans does the Treasurer have in mind?

I learned that the Treasurer made sure that he had a suit jacket with two pockets because he had a budget in either pocket. Depending on what happened in that critical stage when

he was drafting the budget, and the political climate, he could pull out the right budget. What kind of plans has he got sitting on the burner awaiting the royal commission on pensions report? I assume he has something in mind as to where one goes from here.

This bill today results from the Bramalea charter three years ago. What is next? He knows that the pension report is coming down soon. What does he have in mind so that eventually this province can do something worthwhile to make sure that all the senior citizens in our province can live a life of dignity? That is what I want to know from the Treasurer.

**Hon. F. S. Miller:** Mr. Speaker, I will be brief. The official critic for the Liberals, the member for London Centre, talked about the administrative costs of the program. It is true that administrative costs are estimated to be \$2.5 million to \$3 million. He asked why we would spend that kind of money.

I think what was missed is that there should always be a benefit for a cost. One of the benefits that comes to my mind at once is that almost \$300 million will be flowed to pensioners about six months earlier than usual every year. In fact, in the years that follow, half of that amount of money will flow nine months earlier, almost a year earlier, than it would have.

I would estimate that, even with interest rates dropping, the benefit to the pensioners of that kind of advance of the money is in the range of \$20 million a year, in terms of the value of having that money six to nine months earlier than usual.

**Mr. Peterson:** That is your motive, is it?

**Hon. F. S. Miller:** No, that is not my motive at all. I am just answering that question. The member had brought up the cost of it. We have never denied our motives. Our motives were simple. All who have spoken have assumed some political motive. I am a politician; I never deny any political motives. Let us put those to one side.

The very fact that the member kept on saying I have political motives tells me he is worried that perhaps it was seen in the eyes of the recipients as a good thing. And the very fact that he has to stand up and lecture speaker after speaker on that point tells me it was more effective than I would have dreamed it was. Just a note.

The fact is, we took a program that was relatively simple to administer through the federal tax system. We tried in the last couple of years to get improvements in that and the Ontario property tax credit for people under 65, only to discover that the federal govern-

ment is getting more and more nervous about provincial property tax credits or tax credit schemes being administered by them. In fact, they were not able to meet some of our requirements that we get some credit for the fact we are laying out \$5 million.

We got a few notices this year, I think—the cheques said, “This credit is from the province of Ontario”—but nothing very consequential. The member’s friends in Ottawa would never have done that. They would not have laid out \$5 million without making darned sure they got some credit. That is part of the process. People should be aware of which level of government is doing something.

We then looked at the program and decided it was not targeted to do things it was trying to do as well as it should. It did not assist the person who was over 65 with a relatively high tax bill, because only 10 per cent of the increase was added to the basic credit. It did not start all people out with the same guaranteed net minimum income after their property tax was paid. If one person’s property taxes were \$400 versus someone else at \$200, that person only got \$20 more credit. So if one happened to be one of those people who received GIS or Gains, one was \$180 worse off for the essentials of life when one was under the minimum salary. So we said: “Let’s break it into other components. Let’s have the income supplement stand by itself with Gains. Let’s have the property tax part stand by itself. Let’s have the sales tax credit stand by itself. Then let’s take account of the fact that the federal government has the \$35-a-month increase per family unit coming through, either for two people or one, depending upon the way they paid it.”

When one takes the whole program, I think even those members who criticize me, as they must, will start to admit we cut the number of losers down—not the 105,000 or 135,000 figures used, but a figure much closer to 20,000. Those people are all people whose incomes are above the basic minimum we have agreed the sum total of OAS, GIS and Gains must meet. So those people now have that OAS, GIS and Gains money available for food and clothing, and they do not have to worry about their taxes. I think that is a lot fairer. There was no reason for the property tax to eat into the OAS, GIS and Gains component.

Then we openly admitted there are people in subsidized institutions who were not intended in the beginning to be assisted by a property tax program. Therefore, we took

them out of it, paying them \$6,300 a year, on average, through the tax system for support in a nursing home. We think that contribution is quite properly made by the state, but we should not also be giving them the reward or assistance given to people staying in their homes. I am glad to hear the member for Erie (Mr. Haggerty) agrees with me on that point, that we were not being unfair by taking away that component and using it within the tax base of Ontario for better things.

One thing I do not think has been clearly said is that the \$10 Gains increase does pass through to the people in those institutions. It does get added to the comfort allowance. So in many of the calculations thrown forward, they forgot the \$120 passed through to the people in the institutions. The \$110 pensioner credit was more than compensated for by the \$120 Gains payment.

**Mr. Haggerty:** What is the total?

**Hon. F. S. Miller:** Oh, it is in millions. All the administrators will say very few people use it. But for the ones who do, the \$10 was passed through. The balance, we admit, will end up in some beneficiary's estate some time in the future.

We have tailored a program to specific needs of individuals: a basic income support program enhanced by our \$10 a month and the federal government's \$35 a month. Those figures are significant on a yearly basis; \$35 times 12 is \$420, \$120 more from us—\$540 more guaranteed income, which is quite important to the people at the minimum end—and the payment of all taxes up to \$500, plus \$50 for sales tax.

4:40 p.m.

I am proud of the program. I have had chances to talk to quite a few audiences around this province who are heavily oriented towards senior citizens, and I get sound rounds of applause when I describe this program. The people in Ontario will appreciate this program because they understand it. That understanding by the great bulk of the electorate undoubtedly has made some of my colleagues opposite a bit sad.

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

#### ONTARIO PENSIONERS PROPERTY TAX ASSISTANCE ACT

Consideration of Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario.

On section 1:

**Mr. Chairman:** Hon. F. S. Miller moves that clause c of section 1 of the bill be struck out and the following substituted therefor:

"(c) 'eligible person' means an individual who is ordinarily resident in Ontario and either (1) is eligible to receive a pension under part I of the Old Age Security Act (Canada) or (2) is a Canadian citizen or a person who has been lawfully admitted to Canada for permanent residence, and has attained the age of 65 years on or before December 31 in the year in respect of which a grant is applied for under subsection 1 of section 2, and who incurs, or whose spouse incurs, occupancy costs."

**Hon. F. S. Miller:** Mr. Chairman, I have to read this to you. "I beg to inform the committee that the required message from Her Honour the Lieutenant Governor with respect to this proposed amendment and the proposed amendment to section 7 has been received."

**Mr. Laughren:** What does that mean?

**Hon. F. S. Miller:** That makes it legal.

**Mr. Peterson:** What does that mean, what you just said?

**Hon. F. S. Miller:** According to the rules of the House, if I read the rules correctly, a change in a money bill can be introduced only with the message of the Lieutenant Governor, and I have the message. The next clause says, "and that message must be introduced by a minister of the crown."

**Mr. Warner:** This is a fine example of minority government at its best, I take it. The Treasurer has kindly consented, and as I am sure you will recall, Mr. Chairman, he took the matter very seriously which my colleague, the member for Downsview (Mr. Di Santo) had raised in the assembly on a couple of occasions. I simply want the Treasurer to know that we appreciate his taking the matter seriously. He went away to see how it could be properly drafted and has come back with the appropriate amendment. I am sure there will be a number of seniors in the province who will be the better for the hard work that the member for Downsview has done. We appreciate it, and thank him for the credit.

**Mr. Laughren:** Mr. Chairman, I would like to add, to the words of my colleague the member for Scarborough-Ellesmere, my appreciation to the member for Downsview, who was so persuasive with the minister in dealing with this part of the bill.

**Mr. Van Horne:** It sounds like a mutual admiration society.

**Mr. Laughren:** Between me and the member for Downsview, there is a mutual admiration society—and between me and the member for Scarborough-Ellesmere.

I only wish that the minister had added a section 3 to this bill which would have included anyone who is in receipt of a Canada Pension Plan disability pension. I know, as I said in my remarks on second reading, that the chairman would frown very vigorously at me and declare that it was a moneyed amendment and that, without the Lieutenant Governor's permission, I would not be allowed to introduce such an amendment. I did want to say how much this particular amendment will help a large number of citizens in the province, and we are pleased to support it.

Motion agreed to.

Section 1, as amended, agreed to.

On section 2:

**Mr. Chairman:** Mr. Peterson moves that section 2 be amended by adding thereto the following subsection:

"(4) Notwithstanding anything in this act, the total of the grant paid to an eligible person under this act shall be at least equal to the grant that the person would have received under the Ontario tax credit program in force in 1979 if that program had continued in force in 1980 and subsequent years."

This seems somewhat questionable; however, I will listen to the honourable member.

**Hon. Mr. Wells:** Mr. Chairman, we are going to submit that this amendment is out of order. I would ask that you rule on that before we have a discussion on it. I believe it is not in order for this amendment to be moved. I would be willing to so state the case on a point of order now.

**Mr. Peterson:** I would like to respond here to a point of order. Would the honourable minister like to go ahead?

**Hon. Mr. Wells:** Yes. I think the member for London Centre (Mr. Peterson) will realize that the byplay which just went on about the message from Her Honour perhaps would give an indication of the point of order I am making. Standing order 15 of this House says:

"Any bill, resolution, motion or address, the passage of which would impose a tax or specifically direct the allocation of public funds, shall not be passed by the House unless recommended by a message from the

Lieutenant Governor, and shall be proposed only by a minister of the crown."

I would emphasize, Mr. Chairman, the standing order focuses on passage of an amending motion, such as we have before us right now. That is, such a motion is out of order if the effect of it, and I emphasize that, is to impose tax or specifically direct expenditure. I think the Chairman will know, from his own experience in the chair on tax bills, that rulings on an amendment's being in order must focus on the effect that motion has, rather than merely on the words. The effect of this motion, I would say, is to cause the spending of public funds.

**Mr. Stong:** It preserves the status quo.

**Hon. Mr. Wells:** No, it is specifically a motion that suggests public funds be expended. The Treasurer advises me that the effect of the passage of this amendment would be a substantial redirection or allocation of expenditure not contemplated or set out in the bill at the time it received the Lieutenant Governor's recommendation. Indeed, our legal advisers have advised us that, were the Treasurer himself to move this amendment, he would have to signify, as he just did, the Lieutenant Governor's recommendation for it. In other words, he would have to signify that Her Honour had sent her message, as he just did for the other amendment which he has just put forward. He would have to have the same message from Her Honour if he himself were to make an amendment such as this.

4:50 p.m.

**Mr. Bolan:** Whom does she get it from?

**Hon. Mr. Wells:** She does not get it from you.

**Mr. Bolan:** She gets it from you?

**Hon. Mr. Wells:** She gets it from the British North America Act through the Legislative Assembly Act, through the rules and proceedings of this House which state that a message from the Lieutenant Governor can be delivered to this House only by a minister of the crown.

**Hon. F. S. Miller:** It comes with winning elections.

**Hon. Mr. Wells:** It comes from sitting on this side of the House.

What I am saying, Mr. Chairman, is that if the Treasurer himself were to move the motion that has now been put to you, it would have to be accompanied by a message from Her Honour. That message is not accompanying this amendment, and the mover of the amendment under the standing rules of this House does not have the power to

bring to this House the message from Her Honour.

The effect of the amendment that has been put, I submit to you, Mr. Chairman, would clearly be to direct the expenditure of more public funds by giving pensioners the opportunity to claim either a grant under this bill or a tax credit under the Income Tax Act, whichever were the greater. I might add that both the wording and the effect of the amendment are to direct mandatory payment, irrespective of the effect of any other clauses in this bill which otherwise might have limited the impact of this amendment. This amendment specifically directs the allocation of public funds and, I would submit to you, Mr. Chairman, is clearly out of order on that account.

I would invite you to put emphasis, Mr. Chairman, in your ruling and in your interpretation on the very narrowest meaning of the words found in the standing order, which say specifically "direct the allocation of public funds" because that is what this amendment does.

Let me further add that while I have already argued that this amendment, if passed, would direct additional expenditure and would thus be out of order, that is not the ultimate meaning and importance of the standing order. The ultimate meaning is that no public funds can be specifically directed for allocation without signification of the Lieutenant Governor's message. In other words, that message must also accompany any resolution that directs the spending of public funds and, as the order so states, that message can be delivered to this House only by a member of the cabinet.

What I am saying is that an amendment need not have the effect of directing increased expenditures. We must remember that it need not just direct increased expenditures to be out of order; it need only direct an expenditure to be out of order. By that narrow but correct interpretation of the standing order, I would submit to you that this amendment is out of order, Mr. Chairman. Finally, I would remind you of section 56 of the Legislative Assembly Act, which is also almost identical to section 54 of the British North America Act. That act, which we in this House have no power to supersede by any motion here, provides that the assembly shall not pass a vote or resolution for the appropriation of any part of the consolidated revenue fund unless it has been first recommended by a message of the Lieutenant Governor to the assembly.

The amendment before us has no such recommendation; so I would submit to you that the amendment that has been made is clearly beyond the scope or the ability of the member who has made it to put it forward. I would, therefore, ask you to rule that it is out of order.

**Mr. Peterson:** Mr. Chairman, I will not at this time speak to the merits of the particular amendment, but I am quite aware of section 15 in the standing orders which says: "Any bill, resolution, motion or address, the passage of which would impose a tax or specifically direct the allocation of public funds, shall not be passed" et cetera.

I think it is very arguable that this will not specifically direct the allocation of public funds. In fact, it is just protecting a status quo situation as of this point in time. It is just protecting those people who, admittedly, are going to suffer under the imposition of this new bill that the Treasurer has brought to us.

I remind you, Mr. Chairman, that a question was put on the Notice Paper on May 12, 1980, asking if the Treasurer would table the following information with regard to Ontario's 1980 budget proposals for assistance to pensioners: "How much will the government of Ontario save annually as a consequence of the fact that some pensioners will receive less under the new program than under the program in place prior to the budget?" The response to that was that the government of Ontario is not saving any money under the new program of property tax grants, pensioner grants and enriched Gains payments.

If you extrapolate that logic there is no new net expenditure under the terms of the amendment as our party has proposed it today. If there is an allocation problem, that is the government's problem.

The Treasurer and the House leader have admitted there is a large number of people who are going to receive less under this program. How the government allocates that and how they look at their global budget to solve that is their problem. But I respectfully submit that it does not in itself direct the allocation of any new money. For that reason, it is clearly in order and should be part of the amendments to this bill.

**Hon. F. S. Miller:** Mr. Chairman, I would have to argue that my friend is not correct. This would specifically direct spending. Not only that, it would increase spending, since the bill before us is quite specific in terms of the moneys that would be allocated under the program and the ways they would be allocated. Therefore, this amendment would



require a further payment estimated to be at least \$20 million to people to whom he has alluded.

**Mr. J. A. Taylor:** Mr. Chairman, I have listened with interest to the arguments and I noted that you were especially absorbed in what was being said.

If this amendment means anything, surely it is a guarantee that no person will receive less under the new program. If that has any meaning, there has to be a commitment of public funds. So I cannot see how the member can argue that it does not commit public funds when he specifically agrees that manifest in the amendment is a commitment of public funds. It is clearly out of order, Mr. Chairman.

**Mr. Peterson:** I'll try one more time in this procedural debate, Mr. Chairman. It is established that the government—and I go back to its response to the question on the Notice Paper—is paying an additional \$75 million in 1980-81 to such pensioners. I am not asking for any money above and beyond that \$75 million; I am just talking about its allocation. The figure just given to us by the Treasurer—some \$20 million—would go only to those people who are going to receive less under his plan than before.

What we are talking about is the allocation. I respectfully submit, in the interest of equity and fairness, that this is very much in order and I would ask you to consider it in this light, Mr. Chairman.

**Mr. Stong:** Mr. Chairman, I would like to support my colleague from London Centre with respect to this amendment. For all the reasons he indicated, all we are really doing here is preserving the status quo. The three reasons given from the other side of the House with respect to why this amendment ought not be accepted surely suggest the introduction of a new aspect into an existing law, whether that amendment be offered to an existing law as brought forward initially from this side of the House, or by any other member.

Clearly that is not what is at stake. We have a status quo and a law in existence right now. There is a bill before the House which is not yet law. Surely maintaining the status quo, as has been agreed upon by the members opposite—this amendment that we offered—is not advocating or proposing the spending of money. It is simply preserving the law, which is already in order. The reasons given by the learned minister for not accepting this amendment do not follow the spirit of the law and suggest that we are introducing something new when we are not.

For those reasons, the amendment ought to be accepted.

5 p.m.

**Hon. Mr. Wells:** Mr. Chairman, forgetting about the merits or whatever the subject matter of this is, taken on its own, I think you cannot fail to see that this amendment specifically directs the allocation of public funds.

**Mr. Peterson:** It does not.

**Hon. Mr. Wells:** It does. It does not matter whether it preserves the status quo, whether it asks for a greater expenditure or a lesser; it specifically directs the allocation of public funds. The standing order of this House is very clear in that regard. Any amendment or resolution that specifically directs the allocation of public funds must be accompanied by a message from Her Honour, which can only be moved by a cabinet minister in this House. Therefore, Mr. Chairman, I submit to you that you have no other choice but to rule this amendment out of order.

**Mr. Chairman:** I have listened very carefully to the point of order and the discussion on the point of order. When looking at the amendment carefully, it says "the total of the grant paid to an eligible person under this act shall be at least equal to the grant that the person would have received under the Ontario tax credit." It certainly means that it would specifically direct the allocation of public funds. Therefore, I must rule that this amendment is out of order.

**Mr. Peterson:** Mr. Chairman, I read to you into the record today—

**Mr. Chairman:** Are you challenging the ruling?

**Mr. Peterson:** Regretfully, I think I have to, Mr. Chairman. In the circumstances I think I am obliged to challenge it.

**Mr. Chairman:** The honourable member has challenged the Chairman's ruling.

**Mr. Peterson:** Regretfully, I am obliged to challenge it.

**Mr. Chairman:** That's not debatable. The question is, "Shall the Chairman's ruling be sustained?"

All those in favour of the Chairman's ruling will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Ruling upheld.

Section 2 agreed to.

On section 3:



**Mr. Warner:** Mr. Chairman, I would like to know the specific plans the government has when the royal commission on pensions brings in its report.

**Hon. F. S. Miller:** I don't quite see that as the kind of debate that takes place in clause-by-clause consideration.

**Mr. Warner:** Mr. Chairman, I don't understand why the Treasurer is ducking the question. I asked this on second reading, and he didn't answer. I will try each section as we go through the bill, attempting to wrestle a response. I simply want to know the Treasurer's plans.

**Hon. F. S. Miller:** I don't know until I get the report.

**Mr. Warner:** Has the Treasurer no contingency plans whatsoever to follow on this bill?

Sections 3 to 6, inclusive, agreed to.

On section 7:

**Mr. Chairman:** Hon. F. S. Miller moves that section 7 of the bill be struck out and the following substituted therefor:

"(7) In addition to any grant paid under section 2, the minister may in respect of each year pay a grant of \$50 to every individual who is ordinarily resident in Ontario and either (1) is eligible to receive a pension under part I of the Old Age Security Act, (Canada) or (2) is a Canadian citizen or a person who has been lawfully admitted to Canada for permanent residence and has attained the age of 65 years on or before December 31 in the year in respect of which a grant may be paid under this section."

**Mr. Laughren:** Mr. Chairman, in a way it is too bad you ruled the Liberal amendment out of order, because then I could have moved my amendment to section 7 which would have brought disabled pensioners into the act too. Nevertheless, you ruled as you saw fit.

Motion agreed to.

Section 7, as amended, agreed to.

Sections 8 to 21, inclusive, agreed to.

Bill 48, as amended, reported.

On motion by Hon. F. S. Miller, the committee of the whole House reported one bill with certain amendments.

#### INCOME TAX AMENDMENT ACT

Hon. Mr. Maeck moved second reading of Bill 55, An Act to amend the Income Tax Act.

**Hon. Mr. Maeck:** Mr. Speaker, this bill, An Act to amend the Income Tax Act, in-

cludes important changes arising out of the 1980 Ontario budget.

First, of interest to all taxpayers is the 1980 rate of personal income tax which will remain at 44 per cent of the basic federal tax. Ontario's rate is unchanged since 1977, when it was originally set. The 44 per cent rate applies from January 1, 1980.

Second, of interest to senior citizens living in Ontario are a number of changes relating to the Ontario tax credit system. These changes are consequential on the introduction of the Ontario Pensioners' Property Tax Assistance Act, which we just dealt with. Individuals aged 65 years and older will no longer be eligible for Ontario tax credits. Those not receiving assistance from Ontario, if they are paying in excess of \$1,500 rent per year or in excess of \$300 in property taxes on the home they own, will be eligible for more generous grants under the new pensioners' assistance program.

The Income Tax Act is being amended to bring its criteria for property tax relief into line with those of the pensioners' assistance program to make individuals who are entitled to grants under the pensioners' assistance program ineligible for Ontario tax credits and to repeal the pensioners' tax credits. All these changes will come into effect on July 1, 1980, the same date the new pensioners' assistance program comes into effect and, except for those having taxation years ending prior to this date, will be applicable for the whole of 1980.

**Mr. Haggerty:** Mr. Speaker, I want to address myself to Bill 55. As the minister has indicated, it is a companion bill to Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario.

I noted in the explanatory note the bill continues for the 1980 taxation year the income tax rate of 44 per cent payable by individuals in Ontario. If we are fortunate, it is going to remain at 44 per cent. In a more serious mood, since Ontario is now facing high unemployment—perhaps the highest of all time—through the cutback in major industries in the province, I thought we could be looking forward to some tax cuts, particularly in income tax.

If I recall correctly, in the Income Tax Act in 1978 there was a joint federal-provincial economic stimulation program where the retail sales tax amendment reduced the rate of retail sales tax by three percentage points. I thought, if the government were seriously concerned about high unemployment in Ontario, we would be moving in this direction. But apparently it is not.

5:10 p.m.

If one looks at the statistics in the 1980 Ontario budget, it is interesting to note that personal income tax in 1976 and 1977 was 20.6 per cent of the total revenues; in 1980-81 it is predicted to be 22.5 per cent, which is two percentage points higher.

When you look back over the past decade, the increase in tax revenue has been three-fold, I suppose in all areas of taxation, from about \$5.5 billion to the neighbourhood of almost \$15 billion, and that is a substantial increase in tax revenues.

Ontario will be facing a very difficult period this year, and perhaps even next year, because many of the predictions are based upon the economy in the United States. Everybody knows the operations of the government over there, as it prepares its budgets and appropriations, and they are always about one year ahead. This year they will be dealing with the 1981 budget, and there has been nothing in their budget for the last two years to prime the economy. That is an area we are going to feel perhaps six months from now. We are going to be in a much deeper recession because this government has not done anything to prime the economy.

If one looks at the revenue that has been generated over the years, now is the time this government should be moving in this area to get some returns, to get people buying some of the products that are manufactured in Ontario.

I was interested in talking to a chap at Fleet Industries the other day. They are now attempting to bring persons in from offshore, from England, to fill jobs in the manufacture of aircraft parts at Fleet Industries in Fort Erie. They have already made application, as I understand it, to bring in more tradesmen from offshore, creating further unemployment here. This is the area that the government should be looking at. If we are talking about amendments to the Income Tax Act, I suggest it is going to cause us serious problems here if we do not do this.

We talk about Ontario saying, "Shop Canadian." I think if the Premier would get out into some of these industries and find out what equipment they are purchasing now to tool up in this aircraft industry, he would find that much of it is purchased offshore. I am talking about Asia and places like that. But perhaps it could even be bought from our neighbours to the south, because we do have a larger common market with them than with almost any other country. If something affects them there and creates employ-

ment, we will get some of the spinoff here. In the area of the automobile industry of Ontario and the spinoff in relation to its allied industries, we are going to see more persons unemployed. If we are looking for some amendments to the income tax, I suggest that this is one area the minister should be looking at. He could reduce the personal income tax or even the sales tax to put some new vitality in the economy, because when the Premier goes to an election, perhaps this fall, this is going to be one of the issues. The Premier is nodding his head.

**Hon. Mr. Davis:** No, I am not nodding my head; you are the ones who want an election.

**Mr. Haggerty:** No, no. I can read between the lines over there with what is going on.

**Hon. Mr. Davis:** You are one of the doves.

**Mr. Haggerty:** You can have doves and hawks, but I am not a chicken.

**Hon. Mr. Davis:** I don't know where the chickens are.

**Mr. Haggerty:** Oh, you know where the chickens are, do you?

**Hon. Mr. Davis:** No. I said I don't know.

**Mr. Haggerty:** I think you know where they are, and I think one of these days they are going to come to roost.

**Hon. Mr. Davis:** I have always sensed you are a dove.

**Mr. Haggerty:** You do, eh? It may surprise you one of these days. Very shortly.

**Hon. Mr. Davis:** I don't say that critically.

**Mr. Haggerty:** I am aware the Premier would not do anything like that, but I suggest to the government, if it really wants to do something good and amend the income tax, to move in this area.

We accept the principles of this bill; it is a companion bill to the one that was debated previously, and on that basis we support it. But I think the government had better take a look at the economy, the income tax and even the sales tax.

**Mr. Charlton:** Mr. Speaker, we too are going to support Bill 55, although somewhat reluctantly, as has already been mentioned by a number of my colleagues in this debate over the new tax grant for seniors.

I say reluctantly, because one of the things that bothers me about this bill is not the new dollars that most seniors will receive under the new program, but that in order to give those seniors those new dollars the government had to take them out of the Ontario tax credit program, and segregate them from

the rest of the society in this province to avoid giving an increase in the property tax credit and the other credits under this act to all of those other people in Ontario who are in just as serious financial difficulty as many of our seniors are.

We are eliminating the seniors from this bill to avoid an increase to all of those people—the people of whom my colleague the member for Nickel Belt (Mr. Laughren) spoke, the people who are on disability pensions and in no better position than our seniors financially and those people who are on other kinds of fixed incomes across this province who are paying rent and property taxes.

This bill is specifically designed to avoid allowing an increase in the benefits that they receive under the Ontario property tax credit program. This bill is specifically designed to avoid increases that this government knows full well would cost it considerably more than the \$75 million we are looking at in the new seniors' property tax grant program. That is why I say I am reluctant. I am reluctant to see four or five or six different games being played, which is what we are going to end up with, depending on which category in society one happens to fall into.

We would much rather have stayed with the universal program applicable to everybody that we had under the Ontario tax credit program up until this time. We would have much preferred to see amendments to the Ontario tax credit scheme, especially the property tax credit portion, in order that the additional assistance that seniors will be receiving could be given to all of those other people in this province whose financial circumstances are just as difficult and perhaps even more difficult if there happened to be other family members involved, such as children, which most seniors do not have still in their care.

We are forced into a position of having to support the government's approach to senior citizens in order to get the senior citizens the additional assistance, but it does not make us very happy because of those people who are being avoided—people who sincerely need the assistance just as badly as the seniors do.

I will end by saying as clearly as I can that we will continue in this House to raise the issue of increases in the property tax credit under the Income Tax Act on behalf of all those people that this government is intentionally and repeatedly avoiding.

**Mr. Bolan:** Mr. Speaker, I would like to say a few words with respect to this bill. I, for one, am very pleased to see the government come out with any type of measure

which will alleviate the condition of senior citizens in this province.

As this legislation unfolds, a very sad story presents itself. It demonstrates more than anything else, as far as I am concerned, that the government is totally insensitive to the needs of the people who are at the lower income level in our community—not only the pensioners but also those people who are on workmen's compensation or who are receiving other types of pension.

5:20 p.m.

I suspect the government is using this as it has done many times in the past to play its little political games. They say this to the senior citizens, in a year when an election is coming up—if not this year, early in the year 1981—and they present to them a nice, neat little package. This is fine for them; I agree with that, and there should perhaps be more of it. But they choose the right time as to when they are going to give their largess to certain segments of the people of Ontario.

I can assure the government that, for every senior citizen who needs this kind of legislation to help him make ends meet, there are two other citizens who are also deserving of the same type of equity. That is what it boils down to, is it not? It boils down to equity, and in many respects this government is not being equitable in its treatment of people.

What I would like to see is legislation introduced—not around election time—with a bona fide intention of helping those people in the province who are in the low-income bracket and who are on some kind of fixed pension and not just old age pensioners. I know of some provincial jurisdictions in this country where no sales tax is imposed on an individual item under a certain price. Quebec, for example, has retail sales tax legislation; if an item is under a certain value—and I believe the figure is \$500—there is no retail sales tax paid on that item. That is sensible. I say it is sensible because the person who pays \$500 or more for an item probably can afford it more than the individual who buys items costing less than \$500.

It is just an example, and I noticed the minister was shaking his head when I was mentioning that. But I was there last March; I was in the grocery stores and in the merchandise stores, and that is the way they run the shop there. They are giving a better break to the little guy. They are giving a better break to the guy who is on a fixed pension other than the old age pensioner.

This again shows, as far as I am concerned, the crass attitude of this government towards

the people of Ontario who are on low pensions and who are in the bottom income bracket. I hope the day will come when this government opens its eyes and realizes that all of the people of Ontario who are receiving fixed incomes at a low level are entitled to the same break as well.

**Mr. Laughren:** Mr. Speaker, it is fascinating to hear a debate going on between the Liberals, who have done so little for the low-income people in the country, and the Tories who if they had remained in power in Ottawa would have made it even worse.

This bill is very strange; I think it should have been two bills. The first part of the bill gets lost, as does the second one if one is addressing one part of the bill, because the maintenance of the 44 per cent of federal tax payable as provincial income tax is maintained for yet another year.

That 44 per cent figure is downright deceptive if not dishonest. If one looks at that as a percentage of the tax payable in Ontario compared to other provinces, it looks pretty good. In British Columbia it is 44 per cent, in Alberta it is 32.5 per cent, in Saskatchewan it is 31.5 per cent, in Manitoba it is 54 per cent, and in Ontario it is the 44 per cent that is maintained in this bill. In Quebec it is 78 per cent—I can just hear people shaking their heads; some people one can hear when they shake their heads—in New Brunswick 52.4 per cent, in Nova Scotia 52.5 per cent, in Prince Edward Island 50 per cent and in Newfoundland 58 per cent.

The Treasurer is always bragging about the very low rate of federal income tax payable by the people of Ontario. We did some work in our fine research department, and we put together a number of things we call a tax load on a family. This is the tax load on a typical family in each province, for someone earning a total of \$15,000 a year, with a spouse and two children.

One column is the provincial tax payable, which I just read to the minister; the second one is the amount payable after deducting any credits and rebates and taking into consideration premiums; for example, and specifically, OHIP premiums.

When we cut through all the nonsense about percentages the Treasurer and the Minister of Revenue like to give us, here is what we find out. The effective tax rate for Ontario is not 44 per cent, because by the time we have taken off the credits and added in the OHIP premiums, we find an effective tax rate of 68.5 per cent, the highest in the entire country. Yet the minister has the audacity to stand and pretend we have

a good tax rate in Ontario. It is the worst in the country.

**Hon. Mr. Maeck:** I never said a word about it.

**Mr. Laughren:** Oh, the minister and the Treasurer are forever beating their breasts about the tax system in Ontario.

**Hon. Mr. Maeck:** I have not talked about it.

**Mr. Laughren:** If the minister has not, he is not doing his job.

**Mr. Kerrio:** If the minister wants to learn about taxes, he should go to Sweden.

**Mr. Laughren:** Yes. As a matter of fact, if he wants to learn how to deal with senior citizens, he should go to Sweden, to Germany, and to other European countries, where they do make a commitment to senior citizens. They do not require a property tax credit to raise senior citizens above the level of poverty, or even up close to it, as is the situation in this province.

When we look at the tax rates, taking into consideration credits, property tax credits included, and OHIP premiums, these are the effective rates: Ontario, not 44 per cent, but 68.5 per cent; British Columbia, 31.5 per cent; Alberta, 32.2 per cent; Saskatchewan—are you ready for this, Mr. Speaker?—6.9 per cent; Manitoba, 20.1 per cent; Quebec, 62.8 per cent; New Brunswick, 43.7 per cent; Nova Scotia, 52.5 per cent; Prince Edward Island, 50 per cent; and Newfoundland, 58 per cent. There is Ontario at 68.5 per cent, the highest taxation rate in the country.

When the minister stands up and introduces this bill and includes in it the companion portion to the pensioners' property tax credit, he does this chamber a disservice. In effect, he is saying we have to get this bill through for the pensioners, and taking away attention from the part of the bill that deals with maintenance of the effective tax rate.

**Hon. Mr. Maeck:** Not at all.

**Mr. Laughren:** He does. I have decided he does.

If one were to do an analysis of the psyche and the mentality of all New Democrats—there is a challenge—I suspect one would find the underlying common thread running through all of us is the feeling that there needs to be more equity in our system. That is what ties us together in the New Democratic Party; not just the elected members, but the membership all across the province and in other provinces as well.

Whether it has to do with social legislation or with the ownership of the nonrenewable

resources of this province, our policies are determined and motivated by our commitment to a more equitable society. We do not think it is right, we think it is fundamentally wrong, to allow to continue what has been built up in this country.

I will give an example—and this 44 per cent is part of the whole scheme. Since the end of the Second World War, there has been no redistribution of income in this country, and Ontario is no different. We have all sorts of patches we put on the system, but basically we have not changed the distribution of income a whit. As a matter of fact, in the last figures I saw, the bottom 20 per cent was slightly worse off.

5:30 p.m.

If we look at the figures I have for 1978, the share of income for the lowest 20 per cent of income earners is 4.1 per cent and for the top 20 per cent, it is 42.7 per cent. Isn't that nice? I am sure the Minister of Revenue just rubs his hands with glee when he thinks of the bottom 20 per cent receiving roughly four per cent of the national income and the top 20 per cent receiving 42.7 per cent.

That is a terribly inequitable system. This government has done absolutely nothing to alleviate that. As a matter of fact, putting on the highest OHIP premiums in the country exacerbates the problem. That is a very serious tax to impose on the people of Ontario. I know the minister doesn't believe that, but it is a very serious and inequitable tax he has put on the people of the province.

**Mr. Rotenberg:** No, it is not.

**Mr. Laughren:** No one should have to pay an OHIP premium.

**Mr. Rotenberg:** Why not, if they have the money?

**Mr. Laughren:** Because we have a medical system which should be available to people on the basis of need without any deterrent. It is fine to sit over there in comfortable pews and say there is assistance for people at the bottom of the scale. But to try to live in that marginal level just above an income where you receive no premium assistance at all and add on to that the kind of tax rate we have in this province is a burden on those people. It is a burden that is not necessary for them to be carrying. We have the kind of province that can afford to eliminate that kind of inequity.

When we talk in this party about rebuilding the Ontario economy, it is not just to put more money in the hands of the investors and more money in the hands of the upper-

income groups. We know if we have a healthy economy we can then deliver the kinds of services we think people have a right to in this province. That is why we want to rebuild the economy. When we talk about it, it is not simply to make the business community fatter, but we do understand that without a healthy economy we cannot provide the services we think people should have. That is largely what motivates us when we start talking about problems in the economy.

When my leader talks about the decline in the food processing industry—that is a serious problem—when we talk about the lack of a mining machinery industry in this province, those things, if they were here, could add new wealth. They don't absorb wealth, they create wealth, and yet nothing is being done about it. The government would rather sit there in an uninterventionist way and say, "Let the invisible hand of the marketplace look after it." Well, it is not looking after it.

I did want to say that every time the members over there pretend or make the assumption that we do have an equitable system, something comes across my desk to contradict it. Just a couple of weeks ago, on May 18, in the Toronto Star there was a little story. I know the member for Wilson Heights (Mr. Rotenberg), who obtained his seat through unusual means, would be interested in this.

**Mr. Rotenberg:** Mr. Speaker, on a point of privilege: I think that remark was uncalled for and not in accordance with the rules of this House, and I would ask the member to withdraw. I obtained my seat in the most usual means. I ran in a very fair election and I won. That is the only way I want it, and I would ask the member to withdraw his remark.

**Mr. Laughren:** May I continue?

**The Acting Speaker (Mr. MacBeth):** I really don't believe the member obtained it through unusual means; he obtained it by the same means all the rest of us did. But I don't see anything unparliamentary in the remark.

**Mr. Laughren:** What I was really referring to was the vigour with which he ran his campaign, but never mind.

This is a quote from the Toronto Star:

"Toronto matrimonial lawyer Charles C. Mark, who according to a judge pays no income tax on his \$100,000 a year earnings, has been ordered to increase by \$8,220 his annual support payments to his former wife and their three children, to \$35,760 annually." It goes through the proceedings

and so forth. In the last paragraph of the short article, it says: "Cromarty noted"—

**An hon. member:** Who is Cromarty?

**Mr. Laughren:** He is the judge. It says: "Judge Cromarty noted that Mark now earns in excess of \$100,000 a year. 'Because of the way in which he has arranged his affairs and the fact that his maintenance payments are deductible for tax purposes and in spite of an income in excess of \$100,000 a year,' the judge said, 'he paid no income tax in 1979 and will pay none in 1980.'"

(The government should congratulate itself on the elitist tax system it has built over there.

**Hon. Miss Stephenson:** We didn't do that.

**Mr. Laughren:** Don't be silly. When this government has an opportunity to do something about it in this chamber, it does nothing. All it does is support the status quo. It has every power.

**Hon. Miss Stephenson:** The Income Tax Act happens to be a federal act.

**Mr. Laughren:** What does the minister mean? There is an amendment to the Income Tax Act that says what percentage this government takes. The Minister of Education knows not of what she interjects, because this bill itself affects the income tax.

**Hon. Mr. Maeck:** It doesn't affect the income tax.

**Mr. Laughren:** This government is taking 44 per cent of the federal tax payable. It affects the amount that the province takes.

**Hon. Mr. Maeck:** It is the same as last year.

**Mr. Laughren:** Is the Minister of Revenue implying that Ontario has no opportunity to increase its take, that the provincial income tax cannot be altered?

**Hon. Mr. Maeck:** Not in individual cases.

**Mr. Laughren:** The government can build an equitable tax system in Ontario, and it has not done that.

**Hon. Mr. Maeck:** We have one.

**Mr. Laughren:** The minister can make all the noise he wants. The fact remains that he and the Treasurer preside over a very inequitable tax system, and one of which he should not be proud.

**Mr. Rotenberg:** That is just your opinion.

**Mr. Laughren:** The facts are there. Tell me these figures are wrong. The member for Wilson Heights is prattling on again, but where are his figures? Let him show me that there has been any kind of redistribution of income in this country since the Second

World War. I tell him there has been none, and it remains as inequitable as it ever was.

**Mr. Rotenberg:** Everybody is making more money.

**Mr. Laughren:** I understand the system over there, and I understand that the Tories are in power to maintain the status quo. And so it will be as long as they are in power.

**Mr. Rotenberg:** Which will be a long time.

**Mr. Laughren:** Whether we are talking about the tax system, whether we are talking about the educational system, whether we are talking about the resources or, if I dare say it, whether we are talking about the compensation system in Ontario, this government is there to maintain the existing class structure that is now in Ontario.

**Mr. Warner:** Mr. Speaker, I appreciate the opportunity to participate in the second reading of this bill, particularly because my friend the member for Armourdale (Mr. McCaffrey) is here. I hope I did not disturb him or wake him up. He will recall when we were together on the select committee looking at health-care costs that the tax system of the province came under question.

We had a very interesting and serious discussion about whether to alter the present structure, the 44 per cent rate, because we were looking at the costs involved and what it would cost if we were to remove the premium in stages, how much it would cost if we removed part of the premium, by how much would we have to increase the income tax level and whether there should be any alternation.

**Hon. Mr. Maeck:** What has this got to do with this bill?

**Hon. Miss Stephenson:** Not a thing.

**Mr. Warner:** I may end up voting against the bill, in which case I should have a good argument.

**Hon. Mr. Maeck:** We are not debating OHIP premiums.

**Mr. Warner:** It would help to have a good argument if I am going to vote against the bill. Would you agree with that?

**Hon. Mr. Drea:** You want to get your picture in the paper.

**Mr. Warner:** Okay. As we looked at it, what is interesting and, I suppose, a little disappointing is it became clear to us as we went through our discussions that we could not deal with the tax rate in isolation. It was necessary to take a look at the corporate tax level at the same time and to look at



the level of premium assistance, at how many people were qualified and how many were receiving assistance.

5:40 p.m.

We discovered that just a very small fraction of those who qualified were actually getting the benefit through whatever inefficiency existed in the Ministry of Health. However, the Treasury people were able to identify for us how many people qualified for the premium assistance.

One of the things that became evident was, first of all, that in terms of corporate tax, this is quite a haven in Ontario in comparison with the rest of Canada; we could certainly increase taxes. We looked at how many points needed to be increased on the personal income tax level to offset the premiums. It was possible to have some increase in the personal level, along with the corporate tax level, to offset the premiums.

That was the focus of our debate and it was a very good one. Unfortunately—fortunately, however one views it—we came to a parting of the ways as to what should happen. We certainly favoured abolishing the premium, as they have done in most of the other provinces, recognizing there would have to be an increase in both the corporate tax level and the personal income tax level.

The government rejected that notion and it is unfortunate in my view. We are looking at a bill today which, I suppose it is fair to say, most if not all the members will end up supporting, to continue the present rate of income tax. At the same time, the government does not appear to have any alternative suggestions as to how to eliminate the premiums. Yet almost all the other provinces in Canada have eliminated those health premiums except Ontario, which persists in having the premium system.

Not only that, it has made the problem even worse by allowing extra billing to occur, allowing certain doctors to have a field day with those who cannot afford it. So health care now becomes the preserve of those who can afford it. If they cannot pay, no health care for them.

That is the truth, and I know it hurts. Boy, it hurts the Minister of Education (Miss Stephenson), the opted-out minister. It hurts, but it is the truth. The medical bills mount and mount, and more and more people every day say: "I'm not going to the doctor, because he will charge me amounts I cannot afford." The minister knows that.

I understand the fat cats of the Family Compact can sit there smugly and support

the status quo. Well, it is not good enough for me; it really is not.

The odd part about it is there is a darned good chance this income tax rate could be lowered. A cut would be a good stimulus, but we cannot do it as we deindustrialize. That is the problem. We are losing our revenue base. The branch plants are closing up shop. We now have more than double the rate of unemployment they have in Saskatchewan. As more people are tossed out of work, as more branch plants close up and move back to the United States and we lose our revenue base, we cannot decrease the income tax rate. Yet decreasing it might be a stimulus—it often is a stimulus—and might be a very good way to fight inflation.

What annoys me is that, while we have the twin enemies of unemployment and inflation, the government has answers to neither. Yet a personal income tax cut might be a very good stimulus to hedge against inflation by stimulating consumer demands and purchase of products. But we are not about to do it at a time when our branch-plant economy is closing up shop.

My colleague the member for Nickel Belt is right: Over the years, there has been no redistribution of income. In fact, the gap widens. The people at the top get off scot-free.

**Mr. Conway:** What kind of car does the member for Scarborough-Ellesmere drive?

**Mr. Warner:** Does the member want to know what kind of car I have? I have a foreign car. An imported car. It's a Chrysler Omni. These are the cars the government wants us to buy. They tell us to buy those Chrysler products. They're imported; they're foreign cars. We won't be making small cars here in Ontario because we've lost out.

The government is quite content to hand over all that money to Ford Motor Company and to Chrysler Corporation, and to anybody else who wants it, with no guarantees. We are left building the dinosaurs of the future, the cars no one is going to buy: the big gas-guzzlers.

**Mr. Conway:** I'll take the member at his word.

**Mr. Warner:** You liked that one, eh? The member broke my train of thought.

**The Acting Speaker:** If the member would stick to the principle of the bill, he wouldn't have trouble with members breaking his train of thought.

**Mr. Warner:** I will. Mr. Speaker, as you were listening so intently to the anecdote that my colleague from Nickel Belt brought



to your attention about the man who was paid—I wouldn't so loosely use the word "earned"—\$100,000 in a year and didn't pay a penny of tax, but had trouble keeping up his support payments, I will recall a little anecdote too. It is about someone who is near and dear to the hearts of some Tories sitting over there, a guy by the name of Carter. It is not the infamous one from Hamilton, but another infamous one from Sudbury. He wanted a raise in his pension. He asked for a pension of \$130,000 a year which is not a bad pension, you must admit.

At the same meeting when he got the shareholders to approve a pension of \$130,000 a year, he was asked by one of the workers what he or the company intended to do for the widowers of the miners who had died in his mine. He responded that they would then have a moment's silence. That is what he could do for the widows.

They had the moment's silence. Then the worker suggested, and he moved a motion, that they increase the pension for the widows by the huge sum of \$25 a month. The man who received the \$130,000-a-year pension, Mr. Carter, ruled the worker's motion out of order.

You want to talk about inequity in the system. That is what it is all about. That leech at the top gets off with \$130,000-a-year pension, and the widow of the guy who died in the mine cannot get an extra penny and cannot get a decent pension. That is inequity.

That is what my colleague the member for Nickel Belt talks about. The inequity is built into the government's system, including the tax system. The poor struggle at the bottom, with no hope of getting up to the top, and the rich get richer.

**Hon. Mr. Maeck:** What have pensions to do with this bill?

**Mr. Warner:** Of course, the member does not like hearing it—

**Hon. Mr. Maeck:** Sure, I like to hear it.

**Mr. Warner:**—just as the opted-out minister does not like to hear about people who are suffering in this province because of the extra billing by doctors.

**Hon. Miss Stephenson:** Show me who is suffering.

**Mr. Warner:** I will bring the Minister of Education a whole list of them; they are constituents of mine.

**Hon. Miss Stephenson:** By all means do that, and I will be happy to take them to the Ontario Medical Association.

**Mr. Warner:** They are constituents of mine, including pensioners and senior citi-

zens, who do not go to the doctor any more because of the extra billing. They cannot afford it. The government has no intention of ending that, and it could.

The irony of it all is that this government could be bringing in a bill that would reduce the level of personal tax in this province and supply greater services at the same time. There is a missing link in here, and the government knows it as well as I do, if it would just admit it. That is the tax base.

The tax base for Ontario is its resources. There is one thing we have and that is natural resources. The government has chosen to allow those resources to be exploited by foreigners. They have allowed the control of the resource industry to go outside of our borders instead of having it belong to the people of Ontario. What is the result of that? Poor services; a lack of social services; not sufficient programs—

5:50 p.m.

**Hon. Mr. Maeck:** Mr. Speaker, we are debating a bill on income tax here, not one on resources.

**Mr. Deputy Speaker:** I am sure the honourable member's comments are coming around to the bill.

**Mr. Warner:** They certainly are. As I pointed out to the last Speaker who, unhappily, was in the chair, I may be voting against this bill. In that case I think I deserve the opportunity to put forward an argument in setting out reasons for voting against this bill.

I submit that the bill maintains the tax rate at the 44 per cent level. There is a compelling argument for the tax rate to be lowered. The reason it is being kept at the same rate and not being lowered is that this government has lost control over the economy. The major part of the economy is in the resources.

The government has chosen not to have any control over its resources. It has chosen not to have those resources under the public ownership of the people in this province and so is now paying the price. Part of the price is that it cannot bring in a bill lowering the tax rate. It should be. The government would have a darn good chance to. It really could if it had control over the resources. From there we could be developing our own secondary industries and there would be no argument regarding the iron ore.

Why are the steel companies in Ontario not using Ontario iron ore? It is because the government has no control over the resources in this province; that is why.

I appreciate that the member for Parry Sound is uncomfortable. Of course he is uncomfortable. He should be embarrassed by the failure of his government to control its resources. Of course he is embarrassed that it has to bring in a bill that retains the 44 per cent level.

**Hon. Mr. Maeck:** Oh, it is terrible. I know it.

**Mr. Warner:** Under proper management, the government should be able to bring in a bill that lowers the tax rate and at the same time supplies the services that people deserve and need, such as OHIP without premiums and free dental care for children in this province. It can do that when it has control over the economy, and it has lost control of the economy.

I realize that other members wish to participate in the debate. I will sit down and I will let the minister sit there and stew a while about how I am going to cast my ballot on this bill.

**Hon. Mr. Maeck:** I am not concerned about it.

**Mr. Deputy Speaker:** Does any other member wish to participate in this debate? If not, the honourable minister.

**Mr. Warner:** He is still stewing.

**Hon. Mr. Maeck:** Mr. Speaker, I am going to be very brief because none of the speakers posed any questions whatsoever. It was a matter of political philosophy, I suppose, and we went right from one end of the spectrum to the other.

**Hon. Mr. Drea:** With a butterfly net.

**Hon. Mr. Maeck:** There are a couple of things that I do want to mention. The member for Nipissing (Mr. Bolan) was talking about sales tax in Quebec. What that has to do with the Income Tax Act I do not know, but he was talking about a \$500 exemption. I am not aware of any \$500 exemption in Quebec. According to my staff, this is not a program that is in effect at all; so, as usual, I guess he is doing a little daydreaming.

There really was nothing that required a reply from the minister, because it has been a philosophical debate rather than a technical one.

Motion agreed to.

Ordered for third reading.

House in committee of the whole.

#### MUNICIPAL ELECTIONS AMENDMENT ACT

Consideration of Bill 71, An Act to amend the Municipal Elections Act, 1977.

Section 1 agreed to.

On section 2:

**Mr. Deputy Chairman:** Mr. Epp moves that the bill be amended by adding thereto the following section:

“(2a) Subsection 1 of section 9 of the said act is amended by striking out ‘two’ in the fourth line and substituting in lieu thereof ‘three.’”

**Mr. Rotenberg:** Mr. Chairman, I would submit to you that the amendment is out of order. The amendment deals with section 2a, which has no relevance at all to section 2. But even more important, section 2a refers to subsection 1 of section 9 of the said act. I would indicate to you, Mr. Chairman, that nowhere in this bill is there any reference whatsoever to section 9 or any of its subsections.

I would submit that the amendment is in no way relevant to the subject matter of the bill as required by the standing orders of this Legislature. This is bringing in new matters which were not in any way discussed in the bill. Therefore, I would ask, Mr. Chairman, that you rule this section out of order.

**Mr. Deputy Chairman:** On the point of order raised by the parliamentary assistant, I will hear the member for Waterloo North.

**Mr. Epp:** Mr. Chairman, it is my feeling, after seeking advice on this matter, that this particular amendment should be entertained by the chair simply because it does deal with this section. We are dealing with section 2 which has been opened up by the government for amendment. An integral part of this bill is the elective office. We are dealing here with changing the term from two years to three, something I would think that the government and the opposition parties would support despite some of the statements they made to the contrary.

As you know, Mr. Chairman, there is a great deal of support for this particular amendment. I would hope the chair would entertain this amendment. The simple reason is that section 2 is opened up, and this is an amendment to section 2.

**Mr. Isaacs:** Mr. Chairman, on the point of order: It is of very great concern to me and to many of my colleagues that the government consistently uses the rules of this House to prevent debate on the very things that are of great importance to our municipal colleagues and to the public at large. The matter which has been placed before us by the member for Waterloo North is a very

important issue which I believe is worthy of debate. Of course, I will accept your ruling as to whether it is in order in this particular instance.

**Mr. Deputy Chairman:** The matter is of some import. It is almost six of the clock.

Some reference has been made to chicken, earlier today. I think I will consult with one or two of the roosters of my colleagues who will return at eight of the clock and give a ruling on this important matter.

The House recessed at 6 o'clock.

#### ERRATUM

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No.	Page	Column	Line	Should read
74	2833	2	27	See sessional papers 137 and 140.

## APPENDIX

(See page 2859)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## PUBLIC OPINION POLLS

76. **Mr. Peterson:** Have any crown agencies, boards or commissions taken any public opinion polls in the last five years? If so, what is the subject matter, who took it and what is the cost? (Tabled April 1, 1980. Interim answers April 14, 1980. Answered May 30, 1980.)

Supplementary answer: See sessional paper 18W10.

QUEEN'S PARK PLACE  
CONDOMINIUMS

169. **Mr. Breithaupt:** Is the ministry aware of the use of the name "Queen's Park" for a commercial property development on Wellesley Street? Are measures contemplated to protect the name "Queen's Park" as it has traditionally been the popular term for the seat of the government of Ontario? (Tabled May 14, 1980. Interim Answer May 29, 1980. Approximate date information available June 13, 1980.)

**Hon. Mr. Wells:** (1) The property referred to in the question is located just west of Bay Street on the north side of Wellesley Street West. The site has been zoned for multiple-residential use, a building permit has been applied for and received and construction is under way. Application for approval of a plan of condominium was submitted to the municipality of Metropolitan Toronto on May 20, 1980, by a company called Enhanced Investments Limited.

As the member indicated, the name "Queen's Park Place Condominiums" is being used in advertising promotions. In compliance with the Corporations Information Act, 1976, the style name "Queen's Park Place" was registered February 14, 1980, with the companies division of the Ministry of Consumer and Commercial Relations (information on registration form appears below) by the proponent.

(2) The name "Queen's Park" is commonly known and used as a place name for the area in and around the Legislative Building and related government of Ontario buildings, and as a colloquial term for the provincial government. The Wellesley Street development referred to in the question is the only commercial operation using "Queen's Park" that the government is aware of.

While the government has no immediate plans to protect the name "Queen's Park" in legislation, we are examining the private member's bill tabled by the member for Kitchener on June 5, 1980 (Bill 94).

1. Name or style to be registered  
Queen's Park Place
2. Business activity or service to be carried on in or identified by the registered name  
Sale of Condominium Units
3. Head office location of the corporation, giving street and number or RR number, municipality or post office and province  
111 Davisville Avenue  
Toronto, Ontario  
M4S 1G6
4. Incorporating jurisdiction  
Ontario
5. Ontario corporation number  
2377497
6. Name of the corporation  
Enhanced Investments Limited
7. Mailing address of the corporation  
111 Davisville Avenue  
Toronto, Ontario  
M4S 1G6
8. Signature of director or officer  
Abraham Green
9. Name and title of the signing official  
Abraham Green  
President

## IRON ORE

183. **Mr. Cassidy:** Is the ministry aware of a recent study done by Dofasco, Stelco and Algoma Steel about the future of the iron ore industry in northwestern Ontario? If so, will the ministry obtain and table the report? Will the ministry also table any analysis it has completed of that report? (Tabled May 27, 1980.)

**Hon. Mr. Auld:** (2) Officials of the three companies discussed the status of these technical studies with my deputy minister about a year ago. The studies were commissioned by the companies and the ministry has no authority to release them. (3) This report is essentially a progress report. The ministry has made no analysis of it.

184. **Mr. Cassidy:** Will the ministry explain and provide further evidence to support the statement of the Minister of Natural Resources on May 22, 1980, that Inco pellets contain higher than average amounts of alkalis, potassium oxide and soda ash? In particular

will the ministry compare the characteristics of Inco pellets to those produced in the eight iron ore mines that operated in Ontario in 1978, those pellets purchased by Ontario steel companies from Hibbing Taconite Limited, Eveleth Expansion Company and Tilden Iron Ore Company and those produced by iron ore mines in Labrador? (Tabled May 27, 1980.)

**Hon. Mr. Auld:** The amount of alkali a steel company will tolerate in an iron ore pellet depends upon other ingredients in the ore and the coke used in the blast furnace. It also depends upon the particular company's proprietary technological approach in their furnaces. To quote an isolated analysis is not meaningful because acceptability depends upon a combination of ingredients and ratios of elements to each other. This ministry is advised that the alkali in Inco pellets is running close to double other Ontario ores, and more than double Quebec, Labrador and United States ores.

Studies are under way by the Canadian steel companies and Canmet to find methods of reducing alkali content in all Canadian iron ore pellets. A recent paper indicated a target in the 1980s of 0.057 per cent maximum alkali in pellets, which is about one fourth of the alkali in Inco pellets.

**185. Mr. Cassidy:** Will the ministry table all documents and analyses it has pertaining to the costs to the steel companies and to the Ontario economy of the present action of replacing Canadian mined iron ore with foreign iron ore by Dofasco, Stelco and Algoma Steel? (Tabled May 27, 1980.)

**Hon. Mr. Auld:** There never was any question of "replacing Ontario ore." The technical nature of the term "ore" was covered in the news release of February 11, 1980, and in the backup material released with it. To the extent possible, the relative costs of Canadian, Ontario and United States feeds to Ontario steel mills will be covered in an iron ore policy background paper in preparation by this ministry.

**186. Mr. Cassidy:** Will the ministry indicate when it first became aware of the decisions of Dofasco, Stelco and Algoma Steel to buy interests in foreign iron ore mines? Will it indicate in detail all action it took to protect the Canadian iron ore industry? Will the ministry table its detailed estimates of the amount of production, value of production and number of jobs lost as a result of the decisions which lead Ontario steel producers to buy interests in foreign iron ore mines? (Tabled May 27, 1980.)

**Hon. Mr. Auld:** (1) The ministry became aware of decisions of Ontario steel companies

to buy into foreign iron ore mines at approximately the time they were reported to the technical press.

(2) No government in a democratic system can "protect" any mining industry against the marketplace, against the fact that ore reserves do run out. It has studied and warned repeatedly against the effects on investment—that is ultimately on job creation and extension of reserves—of the imposition of higher tax rates, of unproductive environmental expenditures, particularly if the latter do not lead to measurable benefits, as well as the effects of increases in labour costs.

(3) This is in essence the same as question 185.

#### MINING COMPANY TAXES AND ALLOWANCES

**187. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by the owners and operators of the four Ontario iron ore mines which have closed down since 1978? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by the owners and operators of the four Ontario iron ore mines which have closed down since 1978? (Tabled May 27, 1980.)

**188. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by all iron ore mining or milling operations in Ontario? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by all iron ore mining or milling operations in Ontario? (Tabled May 27, 1980.)

**189. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of (1) mining tax; (2) provincial corporate tax paid by all producers of iron ore pellets in Ontario? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by all producers of iron ore pellets in Ontario? (Tabled May 27, 1980.)

**Hon. Mr. Maeck:** In reply to item (2) of each part of the above questions, it is not possible to provide information on the provincial corporate tax paid nor to provide details of the provincial tax deductions and

write-offs. This information is obtained under the Corporations Tax Act, 1972. Section 166 of that act provides that information obtained under the act shall not be communicated or allowed to be communicated to any person not legally entitled thereto. Information of this type cannot therefore be provided where it is in respect of individual corporations, nor where it is in respect of small groups of corporations where the identity of the individual components cannot be protected.

**190. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Marmoraton? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Marmoraton? (Tabled May 27, 1980.)

**191. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Inco? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Inco? (Tabled May 27, 1980.)

**192. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Inland Steel Company? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Inland Steel Company? (Tabled May 27, 1980.)

**193. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Caland Ore Company? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Caland Ore Company? (Tabled May 27, 1980.)

**194. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by CP Investments? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by CP Investments? (Tabled May 27, 1980.)

**195. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Steep Rock Mines. Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Steep Rock Mines? (Tabled May 27, 1980.)

**196. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Hanna Mining? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Hanna Mining? (Tabled May 27, 1980.)

**197. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by National Steel? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by National Steel? (Tabled May 27, 1980.)

**198. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Bethlehem Steel? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Bethlehem Steel? (Tabled May 27, 1980.)

**199. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Stelco? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Stelco? (Tabled May 27, 1980.)

**200. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid by Algoma Steel. Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Algoma Steel? (Tabled May 27, 1980.)

**201. Mr. Cassidy:** Will the ministry table for each year since 1970 the amount of: (1) mining tax; (2) provincial corporate tax paid

by Dofasco? Secondly, will the ministry table for each year the amount of: (1) deductions from mining tax arising from processing allowances; (2) all other categories of provincial tax deductions and write-offs used by Dofasco? (Tabled May 27, 1980.)

**Hon. Mr. Maeck:** In reply to item two of each part of the above questions, it is not possible to provide details of the provincial corporate tax paid nor to provide details of the corporations' provincial tax deductions and write-offs. This information is obtained under the Corporations Tax Act, 1972. Section 166 of that act provides that it cannot be communicated or allowed to be communicated to any person not legally entitled thereto.

**Hon. Mr. Auld:** Under the provisions of section 14 of The Mining Tax Act, mining tax was remitted for the years 1970 and 1971 in the case of those iron mines whose product was treated in a blast furnace or smelter in Canada.

The filing date for a mining tax return for tax year 1979 is June 30, 1980, if the company's fiscal year ends as of December 31, 1979, or at the end of the six-month period following the close of the taxation year of a company.

For the years 1972 through 1978, the ministry is advised by the law officers of the crown that revealing mining tax information concerning individual taxpayers is prohibited by section 11(a) of the Mining Tax Act.

For the same reason, no aggregated information derived from the Mining Tax Act can be revealed where it is reasonable to assume that the identity of a specific taxpayer could be deduced or determined.

I requested that those parts of the questions tabled on May 27, 1980, involving information concerning the Corporations Tax Act of Ontario be redirected to the Minister of Revenue.

## IRON ORE INDUSTRY

**202. Mr. Cassidy:** Will the Minister of National Resources provide: (1) a list of the studies referred to by him in his statement of February 11, 1980, on Ontario's iron ore industry, the names of the authors, whom they were done for, and the dates completed; (2) a detailed summary of the conclusions arrived at by each of the studies and basis for these conclusions, particularly any relevant cost/benefit data; (3) a detailed outline of the amount and extent of the government assistance offered and the amount of assistance the government remains committed to extending

for both Bending Lake and Lake St. Joseph developments? (Tabled May 29, 1980.)

**203. Mr. Cassidy:** Will the Minister of National Resources table the studies referred to in his statement of February 11, 1980 (paid for by the government), designed to find alternative uses of existing plant at Marmora subsequent to the closure of the iron ore mine and mill there? (Tabled May 29, 1980.)

**204. Mr. Cassidy:** Will the Minister of National Resources table copies of the comprehensive analyses which his statement of February 11, 1980, referred to relating to the potential of the Lake St. Joseph deposits and the Bending Lake deposits? (Tabled May 29, 1980.)

**205. Mr. Cassidy:** Will the Minister of National Resources table each of the analyses referred to in his statement of February 11, 1980 on the four iron ore mines that have closed in Ontario since 1978? (Tabled May 29, 1980.)

**Hon. Mr. Auld:** These questions are essentially identical.

The study regarding Marmora was commissioned by the ministry and carried out by Canadian Bechtel Limited.

Other major studies and in-house reports and analyses that were drawn upon in preparing responses are:

Recovery and Treatment of Apatite and Titaniferous Magnetite by Concentrating and Smelting, by Scrivener Engineering Ltd., A. H. Ross and Associates, and Pennsylvania Engineering Corporation, 1974.

Future Demand/Supply Relationships for Iron Ore Pellets in the Great Lakes Area, by Battelle, 1977.

Report on Nakima Property, Skibi Lake, by Oglebay Norton Company, March 1975.

Steel Profits Inquiry, (Estey) 1974.

Bending Lake Study II—Capital and Operating Cost Estimate and Engineering Report, by Canadian Bechtel Ltd., November 1977.

Bending Lake Mining Estimate, by Steep Rock Iron Mine Limited, October 1977.

Lake St. Joseph Project, by Canadian Bechtel Limited, May 1977.

Internal Report on review of Steep Rock Situation, by G. Anders, January 1976.

"Review of the Pit Closure of Caland Ore Company Limited," by Rachamalla and Meyn, January 1980.

"Steel and Economic Outlook," by R. A. Bossong, March 1979.

"Pellet Quality for the Blast Furnace and the SL/RM Direct Reduction Process," by George and Meadowcroft, May 1975.

Metal Bulletin Limited, Iron Ore Symposium, March 1979, Amsterdam.



Report of Proceedings, IISI 13th Annual Conference, October 1979, Sydney, Australia.

Iron Ore in the 80s, by N. G. Thomas, Director of Research Dofasco; paper given at CIMM Convention, Toronto, April 1980.

E & M J, September, 1979, volume 180, number 9, featuring taconites in Michigan and Minnesota.

Iron and Manganese Ores, Metal Bulletin Limited, 1977.

Skills Mining Review, June 2, 1979, featuring Iron Ore Pellet Shipments in North America, 1955 and 1985.

World Commodity Outlook 1978-79, Industrial Raw Materials, The Economist, Intelligence Unit Limited.

In addition, constant recourse is taken to several periodicals specializing in iron ore, steel and related industry and to many statistical sources.

All such material, to the extent that it does not contain company confidential information protected against disclosure, is available on an open file basis in the mineral resources branch of this ministry. Every effort will be made to accommodate researchers, but to table all such material would involve prohibitive costs.

With special reference to the part of question 202 dealing with proposed government assistance to the Bending Lake and Lake St. Joseph developments, the minister released material on February 11, 1980, that support for pipeline studies and development and other infrastructure construction was offered by this government should the decision to proceed be made. These offers still stand. No decisions to go ahead have been made. As noted in responses to previous questions, there is as yet insufficient basis for detailed and specific economic feasibility discussions, so no concrete discussions regarding specifics as to scope and nature of such support can be entered.

It has been long recognized that a major inhibition to northern Ontario mineral development is the high cost of transportation. The government is willing to investigate requests for assistance and to offer, if justified, assistance or support for transportation infrastructure development in the case of both Lake St. Joseph and Bending Lake or in other major mineral development opportunities in the future.

#### IRON ORE PELLETS

208. Mr. Martel: Will the Minister of Natural Resources table a copy of the "technical" statement which the minister quoted from during his answer to my question on

iron ore pellets on Tuesday, May 27, 1980? (Tabled May 29, 1980.)

Hon. Mr. Auld: The technical statement reads as follows:

Problems of Nickel, Alkalis and Silica ( $\text{SiO}_2$ ) in Iron Ore Pellets:

Standard steelmaking practice is to produce pig iron containing three to four per cent carbon in the blast furnace. Pig iron is the basic iron used to feed the furnaces that refine the iron to steel. The pig iron is refined in open hearth furnaces, basic oxygen furnaces and some electric furnaces. A blast furnace will feed several refining furnaces and therefore must not contain alloys.

Alloy steels are made in the refining furnace and this is where any alloys are added, such as nickel. A pig iron containing nickel could not be used in most steel refining furnaces because the vast majority of steel contains no alloys, only carbon.

Inco's iron ore pellet contains 0.2 per cent or more nickel, which is too high for most steels made.

Inco's iron ore pellet is also high in alkalis which attack blast furnace refractory lining. To remove the alkalis you must increase the  $\text{SiO}_2$  in the slag in the blast furnace. However, where this is done, less sulphur is removed from the iron than desired and this must be done by more costly methods later in the refining furnace.

Inco's iron ore pellet is low in silica ( $\text{SiO}_2$ ), which is good because less slag is produced during the production of pig iron but the high alkali content of the Inco pellet counter balances the low silica and makes the Inco pellet unattractive especially when it also contains nickel.

Iron ore pellets contain about 30 per cent oxygen. This oxygen is removed during melting to pig iron in blast furnaces. Electric furnaces are not designed to reduce oxygen in the ore. It is energy inefficient compared to a blast furnace and too costly a method to remove oxygen.

Iron ore pellets can be reduced to sponge iron in gas and coal fired kilns but the process is costly and the final product, pre-reduced iron pellets, or sponge iron must compete with scrap steel. Scrap steel is in good supply and predicted to remain so for some years in North America. Scrap steel would have to sell for over US\$130 per long ton before pellets could compete.

Electric furnaces are used to produce steel, especially alloy steels by utilizing scrap steel. This is very energy efficient because the steel has already been refined to steel and it requires much less energy to just remelt a scrap

steel than to produce steel from iron ore. No. 1 heavy melt scrap prices have dropped from US\$123 per long ton March 1979 to US\$81 per long ton May 1980. Lower quality scrap is as low as US\$40 per long ton. Thus sponge iron pellets cannot compete with the low scrap prices and electric furnaces cannot use iron ore pellets.

**PUBLIC TRANSPORTATION  
AND FERRY SUBSIDIES**

226. Mr. Mancini: What were the amounts paid by the government of Ontario for public transportation subsidies for the fiscal year 1978-79 in the following cities: Toronto, London, Peterborough, Guelph, Hamilton, Kitchener-Waterloo, Kingston, Sarnia, Brampton, Oshawa, Belleville, Windsor, Ottawa? What is the policy of the government

for grants or subsidies for the operation of ferries? What are the ferry systems receiving such moneys, and in what amounts? What are the fares for each system per kilometre? What are the charges for bulk freight? Will the ministry table any memoranda of agreement or contracts for the operation of provincially subsidized ferry systems? What was the cost of the construction of the bridges to Walpole Island and St. Joseph Island? (Tabled June 4, 1980.)

Hon. Mr. Snow: Public transportation subsidies paid by the Ministry of Transportation and Communications for the fiscal year 1978-79 in the cities of Toronto, London, Peterborough, Guelph, Hamilton, Kitchener-Waterloo, Kingston, Sarnia, Brampton, Oshawa, Belleville, Windsor, and Ottawa are as follows:

City	Roads and Bridges	Transit	Total
Toronto	10,600,000	68,545,105	79,145,105
London	6,132,780	1,682,300	7,815,080
Peterborough	1,315,901	819,937	2,135,838
Guelph	1,451,021	386,848	1,837,869
Hamilton	3,564,616	4,607,908	8,172,524
Kitchener	2,050,483	1,869,931	3,920,414
Waterloo	631,982	335,078	967,060
Kingston	1,153,000	609,913	1,762,913
Sarnia	916,672	323,384	1,240,056
Brampton	2,659,943	1,362,807	4,022,750
Oshawa	2,014,000	1,143,155	3,157,155
Belleville	1,033,561	163,841	1,197,402
Windsor	4,318,196	1,921,180	6,239,376
Ottawa	5,637,954	13,650,871	19,288,825

It should be noted that the transit systems in Toronto and Ottawa serve metropolitan areas beyond the city limits. The road subsidy payments made to cities served by metropolitan or regional roads do not include funds paid to those authorities.

The ministry's policy for subsidy of ferry operations is currently under review. At present, some ferries have 100 per cent of the operating deficit subsidized; while others receive the lesser of either 100 per cent of the deficit or 80 per cent of the operating cost.

The ferry systems subsidized by the ministry are as shown on the attached table. The ferry operator, owner, the type of agreement, subsidy paid in 1979 and fares are shown. Due to the different policies on adult, child and vehicle fares, a per kilometre comparison

is inappropriate. It is the prerogative of the municipality to set fares.

Provincial ferries are operated where the service connects provincial highways. With the exception of the Tobermory to South Baymouth ferry, which is owned by the ONTC, these services are operated free of charge to the public by this ministry.

They are as follows: Kingston to Wolfe Island (Wolfe Islander II and III); Glenora to Adolphustown (Glenora Ferry); Abitibi River Crossing (Cassiopeia).

The cost of construction of the bridge to Walpole Island was \$1,485,300. The bridge was built in 1969.

The cost of construction of the bridge to St. Joseph Island was \$2,029,000. The bridge was built in 1972.

Ferry location	Operator	Owner of vessel(s)	Type of agreement	Subsidy paid in 1979	Fares
Pelee Island	Municipality	MTC	100% of Deficit	\$1,070,500	Adult: 2.25 Child: 1.00 Vehicle: 1.50
Amherst Island	Municipality	MTC	100% of Deficit	\$438,900	Adult: 0.25 Car: 1.00 Truck: 2.00 Family Pass: 100.00 p.a.
Howe Island (Cty.) and Bubble System	Municipality	MTC	100% of Deficit up to 80% operating cost (modified agreement)	\$234,900	Passengers: free Car: 1.00* Truck: 2.00* Family Pass: 100.00 p.a.
Simcoe Island	Municipality	Municipality	100% of Deficit up to 80% of operating cost	\$25,600	Adult: 0.25 Car: 0.50 Truck: 1.50
McKenzie Island	Municipality	Municipality	100% of Deficit	\$50,700	Adult: 0.50 Child: 0.25 Month pass: 12.00
Howe Island (Twp)	Municipality	Municipality	100% of Deficit up to 80% of operating cost	\$33,600	Adult: 0.25 Child: free Vehicle: 1.00
Hewitt Island	Municipality	Municipality	No agreement (MTC pays 80% of Deficit)	\$8,100	Free
Scott Island (Twp)	Municipality	Municipality	No agreement (MTC pays 80% of Deficit)	\$350	Free
Sombra (Twp)	Municipality	Municipality	No agreement (MTC paid 50% of Deficit)	\$500	Free
Tobermory to Manitoulin Island	Owen Sound Transp. Commission	ONTC	Special (Max) of \$150,000 per year	NIL, service is profitable	Adult: 5.50 Child: 2.75 Car: 12.50 Truck: 25.50 Trailer: 15.00
Moosonee to Moose Factory	Two Bay Enterprise	ONTC	Special (Max) of \$125,000 per year		Adult: 1.50 Car: 24.00
Lake Nipissing	ONTC	ONTC	No Agreement	NIL	Adult: 5.00 Child: 2.50
Christian Island	DIAND	DIAND	No Agreement (Fed. Gov't subsidizes)	NIL	Indians: free Others: 0.50 * return

#### PROPERTY TAXATION

229. Mr. Isaacs: Will the ministry table an estimate of the amount of additional revenue that would accrue to mining communities if underground plant and equipment were to become subject to municipal property taxes? Will the ministry also table the above estimate by community? (Tabled June 5, 1980.)

Hon. F. S. Miller: To estimate the additional revenue which would accrue from property taxation of underground plant and equipment requires an estimate of the amount of assessment which would be involved. Because of the exemption provided under section 3, paragraph 17 of the Assessment Act, no information is available on the assessment values of any plant and equipment used for

mining, manufacturing or farming. The Ministry of Revenue estimates that it would take at least a year to make an estimate of the amount of assessment that could be placed on underground plant and equipment, due to the specialized nature of such facilities and the particular skills required for their assessment.

In light of this, I am unable to supply the information requested. Moreover, the additional revenue which would accrue to mining communities from assessment and taxation of underground facilities would be offset to some degree by decreases in provincial grants to these municipalities and their school boards, since grants are inversely related to assessment. The additional revenue would also be offset by changes in the apportionment of shared costs between municipalities.

**230. Mr. Isaacs:** Will the ministry table the studies it has undertaken and any other information it has developed on property taxes as a percentage of income, across the entire province, in specific regions, and/or within specific communities? (Tabled June 5, 1980.)

**Hon. F. S. Miller:** The government of Ontario has information on property taxes for all

communities in Ontario on a detailed municipal basis.

Revenue Canada provides all information relating to income. Revenue Canada information generally follows census tracts and not municipal boundaries. This information can be further disaggregated by mailing address but still presents problems where rural route (RR) numbers are used. In summary, detailed municipal income statistics are not available as are property tax statistics.

The ministry, however, has made estimates of income levels in regional areas, and for composite groups of municipalities from the Revenue Canada data. These figures were used in the calculation of property tax burdens for groups of municipalities. In one form or another, the findings have been made available to all members and the general public. They can be found in the following documents: Ontario Budget 1977; Ontario Budget 1979; Regional Government in Perspective, A Financial Review, Ontario Tax Studies 11, 1976; Local Government Finance in Ontario 1975 and 1976; Local Government Finance in Ontario 1977; Local Government Finance in Ontario 1978.

For the convenience of members, overview tables are provided with this response.

**AVERAGE RESIDENTIAL PROPERTY TAX BURDENS**

	1970 (\$)	1975 (\$)	1979 (\$)	1980 (\$)	Percentage increase	
					1980/70 (%)	1980/79 (%)
Average residential property taxes/household						
Municipal .....	181	261	333	350	93.4	5.1
School .....	180	205	313	329	82.8	5.0
Total .....	361	466	646	679	88.1	5.1
Tax offsets .....	65	115	118	130	100.0	10.2
Net property taxes .....	296	351	528	549	85.5	4.0
Average income/household .....	11,100	18,000	24,800	27,200	145.0	9.7
Gross property taxes as a percentage of income .....	3.2	2.6	2.6	2.5	NA	NA
Net property taxes as a percentage of income .....	2.7	2.0	2.1	2.0	NA	NA

## RESIDENTIAL TAX BURDENS

	Estimated 1979 (\$)		Estimated 1979 (\$)
Metro Toronto		Rural south	
Property tax/household	833	Property tax/household	414
Income/household	28,200	Income/household	20,700
Property tax/income (%)	3.0	Property tax/income (%)	2.0
Regions		Rural north	
Property tax/household	711	Property tax/household	302
Income/household	25,400	Income/household	21,100
Property tax/income (%)	2.8	Property tax/income (%)	1.4
Cities south		Province	
Property tax/household	595	Property tax/household	646
Income/household	24,900	Income/household	24,800
Property tax/income (%)	2.4	Property tax/income (%)	2.6
Cities north			
Property tax/household	524		
Income/household	24,700		
Property tax/income (%)	2.1		

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No. 76

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Monday, June 16, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

MONDAY, JUNE 16, 1980

The House resumed at 8 p.m.  
House in committee of the whole.

### MUNICIPAL ELECTIONS AMENDMENT ACT (continued)

Resuming consideration of Bill 71, An Act to amend the Municipal Elections Act, 1977.

On section 2:

**Mr. Chairman:** Prior to the dinner recess the member for Waterloo North (Mr. Epp) placed an amendment. After that the member for Wilson Heights (Mr. Rotenberg) rose on a point of order stating that the amendment was out of order and the member for Waterloo North replied.

I am sure all the members who were present will remember the Chairman said that he would leave the chair and consider the matter during the dinner recess. This has been done. In reviewing the amendment, it certainly appears to me that the amendment deals with section 9, which is not under consideration. Section 2 deals with the administration of oaths not the term of councils. Therefore, according to section 86, as this matter is not relevant to the subject matter, I must rule the amendment out of order.

Section 2 agreed to.

On section 3:

**Mr. Chairman:** Mr. Epp moves that section 3 of the bill be deleted and the following substituted therefor:

"3. Section 12 of the said act is repealed and the following substituted therefor:

"12. A person is entitled to be an elector in a municipality if he is not disqualified under this or any other act or otherwise prohibited by law from voting in the election, and if at any time during the period commencing on the Tuesday following the first Monday in September in an election year and ending on the Wednesday in October that precedes polling day by 19 days, he (a) is a resident in such municipality; (b) is a Canadian citizen, and (c) has attained the age of 18 years or on or before polling day will attain the age of 18 years."

**Mr. Epp:** Mr. Chairman, I moved this amendment because I think it is very impor-

tant. I think it is a very relevant amendment, one that we have brought to the attention of the House on a number of occasions, Unfortunately, the members across the way and some to the left have not seen the wisdom of it. I hope tonight they have their glasses on and they can see clearly enough to support this particular amendment.

I certainly hope it will get the support of this House because it is a good amendment. It is reasonable amendment and progressive and I would think, if it is progressive, the members across the House should be able to support it. Of course, it is also a very much needed amendment.

It is needed because there is not obviously a good reason why anyone should want to vote against it. When people come to this province and want to vote in a municipal election, and we have people coming from a multitude of countries, there is no particular reason why people from Commonwealth countries should have any particular preference over those from the United States, which is a very close ally of ours, or over those who come from some other country.

**Mr. Mancini:** Or from Italy.

**Mr. Epp:** Or from Italy as my colleague from Essex South says. There is no one who should have a particular privilege, aside from Canadian citizens.

I want to emphasize that one should be a Canadian citizen in order to be able to vote in municipal elections in this province. The federal Parliament has seen the wisdom of this. Only a few years ago they amended their legislation to restrict people voting to those who had been in Canada for three years, as members recall. They amended the three years from five years. Also, they have to attain the age of 18 years.

It is my feeling that anyone who wants to stand for office, anyone who wants to vote someone to office should be an Ontario citizen and have been here for three years. As it is now, if one wants to become a regional chairman, if one wants to become an alderman in the great regional municipality of Niagara, or the great municipality of Muskoka, or if one wanted to become a mayor of Parry Sound, for instance, or Mississauga or Barrie,

or Shelburne, or any of those other great municipalities, one could be elected a member of those councils after one year. It is my feeling that one should have to be a Canadian citizen, be here three years and subject to qualifying under those other two conditions.

Mr. Chairman, I hope everyone will certainly find it possible to support this very important amendment which, I think, will set us on a new course so far as municipalities are concerned in this province.

Mr. Isaacs: Mr. Chairman, I was impressed by the member's arguments in favour of his amendment—that it is good, reasonable and delightful and something that no doubt everybody could agree with—except that unfortunately not everybody in this House can agree with that amendment.

We agree and accept that the way the act is worded at the present time is completely inappropriate. It is something that was appropriate 50 years ago, but today in Canada we should not be giving preference to one particular group of citizens, notably British citizens, British subjects, over all the others who make up this great country of ours.

8:10 p.m.

When we have disposed of this amendment, Mr. Chairman, as you are aware, I will be moving a counter-amendment because we believe very strongly that citizenship per se should not be a requirement for selecting electors in a municipal election. If we were to have strictly citizenship as a requirement, there would be taxation without representation at the municipal level, and that goes against the grain in free societies around this world.

Comparing it with the federal level, I believe, is comparing apples and oranges. Electing a federal Parliament is presenting to other countries an image of Canada, is managing national defence, is being involved in things that are very fundamental to the structure and society of this country as a whole. But when you are dealing with municipal governments, you are dealing with the provision of municipal services.

I was hoping the member for Waterloo North would give us a rationale this evening as to the purpose of his amendment. I hoped he would say why he believes that citizenship is a necessary qualification for voting in municipal elections any more than any one of a number of other characteristics of human beings might be a criterion for selecting electors in a municipal election. We suggest at the municipal level it is perfectly appropriate for everyone who has been resident in

the municipality and in this country for a reasonable length of time to be an elector and to have a say in the way the municipality is run.

I am amazed that the member for Essex South, who is so involved in this, of all people, would see it as appropriate to select individuals for voting qualifications in a municipal election based on the criterion of Canadian citizenship. It seems to be perfectly appropriate that those who pay municipal taxes should have a say in how the municipal government spends those taxes. Unless the member for Essex South is prepared to say that persons who are not Canadian citizens should not be required to pay taxes. If that is the approach he wishes to take, then I would challenge him to say that clearly. But if people are to pay taxes in this country to the municipal level of government, then they should be allowed to say how those tax dollars are to be spent.

We cannot accept the amendment that has been placed by the member for Waterloo North.

Mr. Breithaupt: Mr. Chairman, I was most interested to arrive on the scene and hear the comments by the member for Wentworth with respect to this amendment that is before the House.

Perhaps one of the happiest days I will ever have in this Legislature is when the term "or other British subject" is removed from every bill in Ontario. I believe the requirement of citizenship is the one that is the only appropriate circumstance in every item of Ontario legislation, whatever its background. For those who have not achieved that distinction, or do not choose to, they are allowed, I should think, to enjoy the government of the province, to pay their taxes and to abide by the laws as they are made by Canadian citizens.

It may surprise you, Mr. Chairman, or some of the members of this House, to learn that I am, without question, a complete monarchist. I believe in the crown in Canada, I believe in the whole circumstance of this form of government, but I believe even more so in the particulars of Canadian citizenship.

Some honourable members may recall a few years ago I brought forward a private bill that would have set out this circumstance and would have made it somewhat more precise even than the amendments that have come to legislation since then. I believe the payment of taxation can be allowed and indeed presumed on the basis of residency within a municipality and on the

basis of age. But I also believe the matter of Canadian citizenship, if we have any pride in this country at all, is one whose time has long since come.

Next year, Mr. Chairman, we will have the 50th anniversary of the statute of Westminster whereby this nation became a self-governing dominion under the crown and with the connections we have grown to cherish—and enjoyed cherishing—over these last 50 years. The whole idea of a commonwealth of nations is something new to the history of mankind. We have enjoyed this benefit, and we have also enjoyed the opportunities given by the traditions we all share.

I placed a question on the Order Paper some time ago with respect to the definition in Ontario of the term "British subject." I received an answer at some length from the ministry that set out the repetition of the Citizenship Act, 1974, which recognizes the expression "citizen of the Commonwealth." As a matter of general interest, in case anyone in the province wonders, there is no such thing as a British subject. The term no longer exists. It is meaningless; that is to say, it has no meaning. Whether it should have a relevance or an involvement or a tradition is all very interesting, but the term as such has no meaning.

Every person who is a citizen or national of a Commonwealth country under the federal statute is said to have the status of a citizen of the Commonwealth. I believe the term "British Commonwealth" is also passé because that does not exist either. But the Commonwealth of Nations exists and the citizenship in which we are all involved has a certain prominence and reflection on that theme.

The amendment my colleague from Waterloo North has moved is one I agree with entirely. I think it is time, if this nation is to mean anything, we stand up solely, responsibly and clearly on the basis of Canadian citizenship. I recognize the problem that there are those who say if persons have entered the nation and taken up residency, they should have some say in what goes on. Well, I am prepared to draw the line. I am prepared to say the benefit of government, the benefit of involvement in the community, the benefit of paying taxes, indeed, is a reflection of their residency here in Canada. If a line must be drawn, I am prepared to draw the line on the statement that I do not think a person who is not a Canadian citizen has achieved the responsibility and opportunity for voting in any level of government.

It is a difficult decision to make because, as we look around the city of Toronto, the

municipality of Metropolitan Toronto, indeed throughout the entire province, we find many thousands, tens of thousands, hundred of thousands of persons who are moving to the stage of taking up the opportunity of Canadian citizenship. I think it is perhaps satisfactory that it be a goal and a challenge for persons to achieve that distinction.

This is not to denigrate in any way the homeland from which any one of these persons may have come to join us in Canada. It is no denigration any more than it was for my great-grandfather to take a boat from Germany and spend 40 days or so at sea before he finally landed here. And so it is for all of us because, whatever our roots are, they go back to some connection with persons who have chosen to come to this community, to this province, to this nation because life was going to be better here.

8:20 p.m.

We have all had that relationship. We have had the relationship from almost every nation under the sun, as persons have chosen to come here, have had the opportunity to come here, have rejoiced in the fact that they could take on a lifestyle here in Ontario, in Canada, and would join the rest of us who really came only a bit earlier, in this whole task. I believe this amendment is a most worthy one. I believe the time has come and it is important, as I said some time ago, to set out Canadian citizenship.

We have seen in this last while through the referendum circumstance in Quebec, through the desire of various of our other provinces to have changes within our society, the bubbling up of a ferment which is going to involve us all, probably more than we wish, in this next several years. We have ways of dealing with the framework in which our society exists. One of those ways is to champion Canadian citizenship. In my respectful submission, nothing else is good enough.

Mr. Nixon: Mr. Chairman, I am delighted to speak briefly on this important amendment. It is not the first time it has been debated in this House, and I don't want to detract in any way by my comments from the excellent statements made by the honourable member who proposed the amendment and my colleague the member for Kitchener, who have stated our position very well and very clearly.

I believe we should offer every possible encouragement to those people who come to Canada to live here, to make their way here, to raise their families and take part in the life of our nation, to become Canadian citizens. If we were to accept the suggestion



made by the member for Wentworth and extend the municipal franchise to those people who are here for a period of time and may or may not stay, then I submit that in fact we take away not only the responsibilities of citizenship but those attributes that really make it worthwhile.

For many years, there was no such thing as a Canadian citizenship and I am very glad that the wisdom of Parliament some years ago established this very important designation. Those of you who have a Canadian passport in your possession might be surprised when you open it and read the small print, even in the most modern passports, that all of us are still designated as British subjects. I don't think it is any particular racial prejudice on my part when I say that I deeply and personally resent this.

I believe the Parliament of Canada, in its wisdom and power, should certainly have by now designated all of us, who are citizens of this nation, as Canadian citizens and nothing else. The allegiance we owe to the monarch is as Queen of Canada. My colleague the member for Kitchener has expressed his views and in so doing expressed mine better than I could have done so myself. Our allegiance to the monarch is without question. We don't perhaps parade it quite as prominently as some members of the Legislature do from time to time, but that is getting to be a bit of a political joke as far as that particular honourable member is concerned.

I do believe, however, that the present municipal election statute is extremely misleading. The member for Kitchener indicated that an answer officially given to him, when he questioned the significance of the present wording having to do with British subjects, was that the meaning was unclear. I, too have inquired of our newly expanded library staff, in preparation for the brief debate tonight—I believe it will be brief—and I am informed that residents and citizens of a very large number of countries have the right to vote if they are 18 years of age and have lived in a municipality for a year.

It includes 11 of Her Majesty's dominions. It includes 16 republics which are part of the Commonwealth. It includes four monarchies, including Western Samoa, Malaysia, the Kingdom of Lesotho and the Kingdom of Swaziland. It includes 25 of Her Majesty's dependent territories and the protectorate of the British Solomon Islands and the Anglo-French condominium of the New Hebrides. That means that these people, who are welcome to our shores, have the right to vote under the terms of the statute we are attempting to amend.

I would hope the House leader of the Progressive Conservative Party, who is even now reluctantly joining us, would give his support to this amendment whose time has come. Surely it is important for all of us as members of this House once and for all to commit ourselves to the importance of Canadian citizenship and see that the amendment put forward by my honourable friend is carried.

I have a good deal of interest in and some sympathy with the amendment that may or may not be proposed later in the evening by the member for Wentworth. But I simply say again that immigrants have been welcome in Canada since its inception and in many respects their talents are essential to us even yet, as we see the numbers that must be brought in, in spite of our levels of unemployment, in order to do certain professional jobs, technical jobs and even hard hand-labour jobs that we seem either unable or unwilling to do with our present work force. If we are going to give Canadian citizenship a value, at the very top of that list must be the right of citizens to vote and the inadmissibility of others to take part in the democratic process at any level in our country.

I would submit that the time for passage of this amendment is here, and we would certainly expect the support of all the right-thinking and progressive members of this House.

**Mr. McCaffrey:** Mr. Chairman, briefly, I support the amendment before us. I just want to take a moment to make the observation that while we are discussing an amendment to the Municipal Act, I do not think that anybody in this chamber—certainly I do not—sees this amendment and this whole discussion in isolation from those other matters that we have talked about at some length.

Very recently we spent what I thought was an important week in which 60 or 70 MPPs made a contribution to a specific resolution before us, with the background of the Quebec referendum about to come. During the course of those comments and contributions that other members made, there was at least a common strain throughout the speeches that we all had great pride in this country and a great hope for the future in this country.

It follows that we had great pride in Canadian citizenship. It seems to me it is important to carry forward that same attitude to this discussion on this particular bill and not to sever it off as something separate

and apart from the other matter that faces and confronts us all as concerned Canadians. I do think it is time to make this appropriate change. It is my intention to vote for it. By doing so, I think that there is absolutely no reflection upon the term British subject and what it has been in the past. I think that goes without saying for every member in this Legislature.

There are times when one approaches discussions like this by looking at one's own personal background. The fact that my wife's family, being European born, arrived in this country from the Netherlands and did not have precisely and identically the same opportunities to vote as an arrival from the British Commonwealth of Nations is a great concern. I could not justify that to myself. I think the common thread of citizenship is the one we should honour.

I compliment the member for bringing in this amendment and I intend to vote for it.

**Mr. Mancini:** Mr. Chairman, I will make my comments short as several members have also spoken on this very important amendment put forward by the member for Waterloo North.

I would like to echo the support that has been mentioned by many members of the House and say that I am very pleased this amendment has been brought forward. I, for one, am very proud I am a Canadian. I can recall that when our family came from Italy, at that particular time we had to wait five years in order to become Canadian citizens, a time which then was probably too long. The three-year time period is much better.

8:30 p.m.

I want to tell the member for Wentworth that we were honoured to go to the citizenship court and to become Canadian citizens. There should be no embarrassment for anyone to walk down to the citizenship court and to swear allegiance to his country. We came to Canada to become Canadians.

In closing, I would like to say it is just not fair that people who will not become Canadian citizens should have that ultimate right in our society—that is, to elect their governments.

**Mr. G. Taylor:** Mr. Speaker, I too am pleased to stand in support of this amendment. Although I am sure we have a feeling for this subject, had we known this amendment might have come earlier, we might have had a full-fledged caucus on it and spent some considerable time on it.

The words of the member for Kitchener were put eloquently, as only he can in this

chamber. They brought back to us that we do not have those many items that we get, and they are so simple to get, yet so cherished by so many people throughout the world.

It takes so very little to become a citizen of this country. One can have it by birth or one can earn it. I am sure if many people could see what we have in this great land, and particularly this great province, there would be a greater beating on our doors to become Canadian citizens.

Once here, whether he or she is a British subject, why not accept that challenge to become a Canadian citizen? It is so little trouble to do so.

The member for Essex South (Mr. Mancini) mentioned that he has attended citizenship court. This forthcoming Monday, I will again have the honour of attending, in my riding, a citizenship court where there will be some 100 people acquiring that thing we call Canadian citizenship.

I am sure when we attend the sports events of the world, when we watch our armies go forth, our politicians, our diplomats, we take great pride in being Canadian. We look to them and our hearts beat rather rapidly, the goosebumps come up and that shivering feeling goes through us. That is being a Canadian.

I think if one wants to become a Canadian and participate in the governing feature of this great land, one should be a Canadian. I do not want to say anything less of those people who are here who may have the label "British subject" upon them, but it takes so very little and yet means so much to change that from British subject to a Canadian—that which we are all proud to be.

We can also say to ourselves that being a Canadian is much more than a birthright, it is much more than being able to cast that vote, it is much more than being able to pay taxes here, it is much more than all of those things. It is difficult at times to measure it. Yet it is that feeling, that supreme greatness of being a Canadian, one which I have been proud to be when I have travelled on behalf of this government and on behalf of myself, travelling about the province and about the world.

Mr. Chairman, it is so very important that we do pay allegiance to this amendment and possibly that long-awaited amendment will come to the Ontario act. Although I am sure it was with some political reluctance, the federal government also took the step and made voting in the federal area contingent upon being a Canadian citizen. Possibly Ontario will be the next, even though we will possibly have that step in between. The

municipalities now are doing one thing, the federal government is doing another and the province is doing another. Possibly they will all get into line at some point.

I'm sure this side of the House hasn't done it, and the members opposite I'm sure haven't done it. When we look at the reverse situation, at those people who are pleased to be here from other countries, I'm sure if we were to look at those countries—and I've heard the member for Wentworth challenge that this is wrong—if we were to look at those countries, where many of those people were from that we welcome to our shore, and we were to do the reverse, I'm sure the same opportunities would certainly not be available to us, if we were to go to those countries without going through the stages of citizenship and maybe even more stages that we have here.

I think it's so very little to ask of those people who wish to participate in our governing operation, that we at least ask them to be Canadian citizens.

**Mr. Epp:** On a point of order: Mr. Chairman, I respect the remarks of the member for Simcoe Centre. He did point out that the caucus didn't have an opportunity to discuss the amendment. I just want to point out to the House that this amendment was shared with the other two parties two weeks ago, and both parties could have had an opportunity of discussing it in their caucus last Tuesday. It was shared with the parliamentary assistant and with the critic from the NDP.

**Mr. Rotenberg:** Mr. Chairman, we have an amendment and a notice of an amendment before us, both of which have been debated several times before in this Legislature. They were debated in May 1972, in May 1974, and in November and December of 1977. Most of us were present for those past debates and have somewhat of a feeling of *deja vu* because all the rhetoric before us this evening is basically the same we had from the same people several years ago.

The amendment proposed and the amendment before us are really diametrically opposed. The amendment proposed by the member for Waterloo North would restrict the number of people who would be able to vote in the forthcoming municipal election. The amendment that will be proposed by the member for Wentworth would allow more and more people to vote in the forthcoming municipal election.

**Mr. Bradley:** And where do you stand?

**Mr. Rotenberg:** I'm standing in my place at the moment.

Right now the act provides, and has for all the history of the province and the history of all the municipalities of this province, for Canadian citizens or other British subjects to be allowed to vote. As one of the members opposite has indicated, "British subject" is now and is still a legal designation within the country of Canada and within the province of Ontario. But I was impressed by some of the things the member for Kitchener had to say, that there are a number of acts in which the term "British subject" is used and he indicated they should all be done in a package.

As I say, we have these two amendments before us. I think I should indicate to the Legislature I will not support either of these amendments this evening. I would say to the House, however, that in my opinion the amendment put forward by the member for Waterloo North at least has some merit and is worth looking at, whereas I don't think there is any merit whatsoever in the amendment from the member for Wentworth.

Interjections.

**Mr. Rotenberg:** I must be getting to them because they're rambunctious this evening.

This has been the situation for years. There are people in this country and within this province, both provincial and municipal electors, who have been voting for years as British subjects. It would seem to me that to disfranchise all of these people, to deprive them of their vote some five months from now when the municipal election takes place really is not fair.

If the people who are British subjects did not now have a vote, I think there would be merit in saying, "Don't extend the vote to those who are not Canadian citizens." But because these people have had a vote for so many years, for over a century, I think it would be wrong to take it away from them at this time.

In the second last federal election there were so many complaints, as I'm sure all of those who worked for federal candidates found, and we on this side worked for our federal candidates. I am sure there were many complaints.

8:40 p.m.

**Mr. Breithaupt:** Are you bragging about that?

**Mr. Rotenberg:** Yes, there were many complaints.

**Mr. Nixon:** What a disappointment the member is, parroting the old line they feed him through the back door.

**Mr. Rotenberg:** There were many complaints from many people who had voted for years in this country, who have lived in this country for years who, from their point of view, without notice from the federal government, suddenly had their vote taken away from them. I do not think we should do it.

**Mr. Breithaupt:** That was done in 1970 to be in effect after 1975. The 1979 election was the first occasion.

**Mr. Mancini:** Let them become Canadians.

**Mr. Chairman:** Order. The member for Wilson Heights has the floor.

**Mr. Rotenberg:** Having said that, and I do not want to go into all the ramifications because anyone who wants to can read the Hansards from 1972, 1974 and 1977. As I say, I think there is a point that has been made by the member for Waterloo North and other members of the caucus that this matter should be reviewed. It is my personal opinion that we should be taking a look, not at this one section of the Municipal Elections Act—I am sure if the section carried the member for Waterloo North would move an amendment on the next section—but I think there is merit in having a look at the whole subject of British subjects within our general legislation.

I am not saying we should do it, but I am saying that we should at least have a look at the legislation and whether or not we should change it. Certainly, there is no way we can condone taking the municipal franchise away from British subjects unless we also do it for provincial elections. All this should be considered at once, and all this should be considered as a package.

Having heard the points raised by the members of the Liberal caucus this evening, I think we should at least have a look at this at some time in the future, but I do not think we should be amending the legislation this evening.

**Mr. Van Horne:** Mr. Chairman, I want to speak very briefly in support of the amendment put forward by my colleague from Waterloo North and, as a preface to these very few words, suggest that the member for Wilson Heights cannot have it both ways.

**Mr. Nixon:** On a point of order: Just before the honourable gentlemen leaves the gallery, I want to bring to your attention, Mr. Chairman, that our good friend, my favourite former Liberal, the member for Humber (Mr. MacBeth) and his wife are celebrating their 35th anniversary today and we want to wish them the best. What better

place to celebrate than here, the best show in town.

**Mr. Van Horne:** I was going to submit to you, Mr. Chairman, that the member for Wilson Heights could not have it both ways, but in deference to my colleague from Brant-Oxford-Norfolk who made reference to the member for Humber as being a former Liberal and, who also, is celebrating his 35th wedding anniversary here with his wife, it would seem that he is, in fact, having it both ways. I would also like to offer my congratulations to him.

Very briefly, Mr. Chairman, in reference to the remarks made by the member for Wilson Heights, I do not see how he can follow his argument through because in fact we either make the point or we do not. In my view we make the point very nicely because in essence this amendment says, "Look, in obtaining my Canadian citizenship I am prepared to prove some kind of desire or willingness to be a part of this community. I am prepared to do something for the privilege I am about to receive. I do not want to be a part of a handout society, a part of a society that can get something without any kind of effort in the getting."

What the amendment speaks to is that kind of willingness which the people coming into our country are prepared to present and that they should want to do something for the privilege they are to receive.

**Mr. Isaacs:** Mr. Chairman, it has been suggested to me that the orderly business of the committee of the whole House might best be served if the amendment I was intending to move in a moment be moved as an amendment to this amendment.

**Mr. Chairman:** Mr. Isaacs moves that the amendment be amended by striking out all the words after "therefor" and substituting therefor the following words:

"12. A person is entitled to be an elector in a municipality if he is not disqualified under this or any other act or otherwise prohibited by law from voting in the election, and if at any time during the period commencing on the Tuesday following the first Monday in September in an election year and ending on the Wednesday in October that precedes polling day by 19 days, he (a) is a resident in such municipality; (b) has been a permanent resident of Canada for a period of at least three years; and (c) has attained the age of 18 years on or before polling day.

**Mr. Isaacs:** Mr. Chairman, I think the debate this evening is an important debate. Given the comments from the other side of

the House, I was wondering whether it would be productive or useful to move this amendment at this time because I am gaining the impression that the amendment moved by the member for Waterloo North may carry this evening. We have discussed this matter in caucus and I have reviewed the past debates on this matter.

I think there are two important concepts that are worth taking into account. The first is the matter of who should be allowed to vote in a municipal election. I want to remind members that at the present time people who own residential property in a municipality, but are only temporary occupants of that property, are entitled to vote in municipal elections.

That is the thing we had to deal with last year when we were discussing the pattern of voting and the structure of local government in the Georgian Bay archipelago, which the member for Parry Sound (Mr. Maeck) is very familiar with. The key issue behind all that was, do we allow people who don't live in the area to carry the same weight as those who do? After some debate in this House and some discussion as to appropriate amendments, it was, in a sense, decided that all those who live within the municipality should be given the opportunity to vote, even if their residence in the municipality is for only a few days or weeks out of the 52 weeks in the year. We have accepted the concept that one doesn't have to have a commitment to the municipality as a permanent resident in order to be able to vote in that municipality. I may have some disagreement with that in the long term, but for the time being that has been the decision of this House.

The other matter that is being discussed is the concept we have of Canadian citizenship, the purpose of citizenship and the responsibility of people who come to this country to take out citizenship. I want to say I concur entirely with the comments of the member for Essex South in terms of encouraging people to take out citizenship and of doing everything we can to persuade those who come to this country to take upon themselves the responsibility that goes with Canadian citizenship.

I think one has to step back for one moment from that position and ask oneself what steps it is reasonable to take to encourage a person to take out Canadian citizenship. One could take much more extreme measures than denying an individual the right to vote. In the United States it is impossible to become President unless one is born in the

United States. We could have similar legislation here, but we do not. I am all the more proud to be a Canadian citizen because we do not go in for that kind of thing they have south of the border.

If we want to go that one step further and say to people, "You shall have no say in any government in this country until you become a Canadian citizen," then I think we are moving a little toward the American view of citizenship, which is not the view that is held universally around this world. There are countries where citizenship is desperately important to the people of that country. There are other countries where citizenship is something that is acquired almost in a casual kind of way and where it is not relevant for any material purpose as to whether one is a citizen or whether one is not a citizen.

8:50 p.m.

I think it is a worthwhile debate that we are having here tonight. I respect the view on the side of those who are saying we should apply that extra pressure to encourage people to become Canadian citizens. But I still feel very strongly that when we are dealing with municipal elections and the grass-roots level of government, that is not a criterion it is appropriate to apply.

The member for Armourdale said, "Why not accept the challenge?" There are people who have lived in this country for 10, 20, 30, 40, and some for more than 40 years who have chosen not to take up Canadian citizenship although their commitment to this country in every respect is as great as the commitment I know every single member of this House has. For their own reasons, those people feel there is something about their birthland, about the country from which they came to this country, that is important to them and that they would lose if they were to take up Canadian citizenship.

The unfortunate part about it, as the member for Kitchener just pointed out, is that some people in this world can have it both ways. There are people who are allowed to hold dual citizenship. I submit to the minister that for people who can hold dual citizenship, taking out Canadian citizenship is not nearly the experience it is for those who are not permitted to take out dual citizenship.

We have to have respect for the views of the people who have been long-term residents of this country, who do have a commitment to this country and who, for whatever reason, have decided they, at least at the present time, do not wish to become Canadian citi-

zens. I would join with everyone who would want to do everything possible to encourage them, except I would not deny them the franchise in municipal elections for the level of government closest to the people

I want to wind up with one final comment, Mr. Chairman. That is about the comment from the member for Wilson Heights who suggested my amendment has no merit in his view. In my view, the argument he put forward for the status quo is totally, utterly and completely without merit. I hope very sincerely that tonight this House deals with this matter one way or the other rather than maintaining the status quo as the member for Wilson Heights has requested.

**Mr. Rotenberg:** Mr. Chairman, the member for Wentworth has now placed his amendment of which he gave notice as an amendment to the amendment. I would simply repeat, as I indicated a few moments ago, I will not support the amendment to the amendment as put forward by the member for Wentworth, because I feel there should be, as someone said, a commitment to this country for those who vote.

One other point: The member for London North indicated something about us over here not being able to have it both ways. The members of the Liberal Party have been talking about people coming into the country who should make a commitment. I cannot disagree with that. But what worries me, and the point I was trying to make and possibly did not make all that well, is there are people who have been in this country for many years; who are quite loyal to this country; who came to this country at a time when there possibly was not even the availability of Canadian citizenship; who came under the rules of the time as British subjects and who have full complete rights within this country. I would submit those people who have voted in this country, some for 30, 40 or 50 years, should not be disfranchised.

Possibly one of the ways of solving this problem—I say just “possibly”—might be some form of grandfather clause that those who are in the country, who have been British subjects before, should be allowed to continue to vote, and those who come in from now on would have to be citizens. That is one possibility. There may be others. As I say there is merit at least in looking at those things.

To the member for London North, I am not trying to have it both ways. I am saying that people who have voted in this country for years should not be disfranchised. People who come into this country anew, I could

possibly agree, should have to make a different commitment because that commitment is available now.

Mr. Chairman, as I say, I will not support the amendment of the member for Wentworth, and I will not support the main amendment.

**Mr. Di Santo:** Mr. Chairman: I think perhaps it should be brought to the attention of the government that there are many other situations in the world where at the municipal level people are allowed to vote regardless of their citizenship. A prime example is Belgium where for the last 40 years people who have been a resident of a municipality have been allowed to vote. The concept is that when one votes at the municipal level one votes to elect representatives who look after one's immediate interests and deal with problems that do not become entangled with the security of the state, foreign policy or defence. They look after immediate problems—roads, sewers, garbage collection—which affect every resident regardless of his citizenship.

I think that in countries or in political settings that are different from Canada, such as the European Economic Community, this is becoming the rule. There is a very large movement of workers and their families from one country to another over there. While on one hand it is made clear that they cannot decide on the general political direction of the country, they are allowed to vote at the municipal level—for the school board, as a matter of fact.

In Canada we have a very special situation: we have people coming from all over the world, immigrants from the British Isles the Commonwealth and other countries, to make Canada their permanent residence. In some instances there are countries where the law does not allow citizens to acquire Canadian citizenship unless they give up their original rights in their homeland. Therefore there are situations that we should look at very carefully: where we have people who would like to become Canadian citizens but could only do so at the risk of losing their rights in their country of origin. They would lose not only their political or social rights but also their properties or houses. In many instances they lose their status and therefore their rights.

Canada has a very liberal citizenship law and I think it is the best in the world. In fact, it is the only country in the world where once one becomes a Canadian citizen he is always a Canadian citizen, unless he gives notice in writing that he no longer wants to be one.



I think that liberality should be expanded to elections at the local level—allowing all those people who are loyal to Canada, who come to this country and give their contribution, to living in this great country and in this great province—but who for political reasons in their country of origin cannot give up their citizenship.

We should allow them to vote. I think the government should look very seriously at this. It would be a very symbolic gesture on the part of the government. On the other hand it would allow many residents of Ontario to take part in the political process at the local level without endangering the integrity of the country or its foreign policy or its defence.

**Mr. M. N. Davison:** Mr. Chairman, I intend to support the amendment put forward by my colleague for Wentworth. Part of the reason for my support comes not because I only believe intrinsically and inherently in what is the purpose of the bill, but also because I represent one of those communities in our province that has large numbers of immigrants coming to it on a regular and frequent basis.

9 p.m.

My riding is the centre of immigration in that region of the province. These then are people who are my neighbours, people I deal with on a day-to-day basis. That is what is at the heart of this. People who have not yet become Canadian citizens, or for one reason or another may not become Canadian citizens, although they remain for long periods of time as residents in Canada, should have some say in the day-to-day life of our community.

I was rather struck by the argument put forward by the member for Downsview in speaking about the situation in Belgium. It was quite interesting. We are not asking that these people be voting on matters of national defence and such, but on matters such as neighbourhood and community planning and garbage collection. I think it is a useful addition to the laws in this country that our cities be communities, that they be communities of all their citizens, communities of all the people living there.

As long as we continue at the municipal level to draw distinctions, whether it is because one is or one is not a British subject or one is or is not a Canadian citizen, we hurt ourselves and we hurt our own cities and our own communities because we exclude from full participation in the communities a certain number of people. I think

that is an error that we can correct. If there is some sense in the Conservative Party that some change will be made tonight, I would suggest that change not be simply to limit voting at the municipal level to Canadian citizens, but to open it up and realize that our cities should be complete communities, communities of all their residents.

The member for Wentworth has put forward a good amendment. I think that at the municipal level people can become involved in the political experience in Canada. Perhaps that will lead to some more of them becoming Canadian citizens after they have had a chance to involve themselves in that process. It is a good amendment and I recommend it.

**Mr. M. Davidson:** Mr. Chairman, I too would like to rise and speak in favour of the amendment placed by the member for Wentworth. I do so because, like my colleague from Hamilton Centre, I have within my community 11 different ethnic communities, the largest of which is a Portuguese community that numbers approximately 12,000 people.

I would like to point out that within this amendment the member for Wentworth has taken into consideration the qualification period for attaining Canadian citizenship, that is, a period of three years. He has included in his amendment that one must be resident within that municipality and must have attained the eligible voting age.

For the life of me, living very close to the Kitchener-Waterloo area and knowing full well the number of ethnic people who live within that area, I find it very hard to understand the Liberal amendment, given the fact that they are saying in effect one must be a Canadian citizen before one has the right to vote. I would like to point out that within my community there are many of the people who, under the provisions of the bill presented by the government and under the amendment put forward by the Liberal Party, would be disfranchised from participating within their municipality—and I want to emphasize that—in terms of who would represent them, particularly in a ward system.

I would further point out that it is from these same people both the government and the Liberal Party apparently would like the municipalities to claim taxes. In many cases they are, and have been since their arrival in this country, home owners, and, like any other members of our community, they are required to pay income tax, municipal tax and whatever else there may be. In other words they pay the same shot as anyone else



living within a municipality. They pay it, they maintain their homes and in many cases they upgrade their homes. Through that upgrading, taxes on their homes are increased.

I do not know why the government side or the Liberals would want to disenfranchise these people from having a right to elect someone within the ward in which they live to represent them at the municipal level of government.

**Mr. Kerrio:** To pick up the garbage.

**Mr. M. Davidson:** Basically we are talking about—and the member for Niagara Falls is absolutely right—how and who and why we pick up the garbage, whether it is picked up, and various other things. We are not talking about their right to participate in provincial or federal elections. We are talking about their right to become full partners within the community in which they live, full partners in the sense that not only do they have to pay the same as everyone else living within that community, but also they have the right to choose who should represent them in the area in which they live.

Many of our ethnic groups within this province and within our municipalities already have far too much taken from them. I think it is time we in this Legislative Assembly started to give a little bit. By giving a little bit, maybe we can create a better community, not only for those who have newly arrived and taken residence within our communities. Perhaps we can create a better society for each of us, including myself and many others in this House, who were born and raised in Ontario. We are talking about human beings and their right to have representation. I would suggest, Mr. Chairman, if people are paying the portion of their dues to live in a community, they surely should have the right to choose who will represent them in that community.

**Mr. Kerrio:** Mr. Chairman, I rise to vote against the amendment for a very simple reason.

Interjections.

**Mr. Kerrio:** The members of the Socialist party have stood up one after the other and suggested the tasks performed within a municipality are very menial. They pointed to picking up garbage and other things they figure anyone should be able to vote about.

Interjections.

**Mr. Kerrio:** There is a very significant involvement at the municipal level that they have failed to bring to this table. That is the education of our children. If that group over there thinks that picking up the garbage and

educating our children are on the same plane, that tells us the kind of mentality that prevails.

Interjections.

**Mr. Deputy Chairman:** A little order, please, for the member for Niagara Falls.

**Mr. Kerrio:** Mr. Chairman, I hear that kind of noise in the front row every day at the works at my son's factory. It does not disturb me at all.

The members to the left talk about the fact people should be entitled to come into our country and not play the kind of role our people here, in the amendment we presented, are suggesting is a vital role. That is akin to having someone come as an invited guest to one's home and participate in everything that happens. At some juncture, if they are going to live there permanently, they should have a larger stake.

We have been very remiss in the federal and provincial governments in that we have not decided long before now if an immigrant comes to this country, he is very welcome, he is going to have everything this great country has to offer, but at some juncture he is asked to be a proud Canadian by applying for and getting Canadian citizenship. I do not think we would lose too many immigrants coming to this country by doing that.

9:10 p.m.

I happen to have had a unique experience as it relates to my own family. My father was an immigrant from Italy at the turn of the century. He married a lady from England before he acquired Canadian citizenship. She had to go and get a passport to go back to England to visit her motherland. I want to tell you that's the kind of involvement we have in citizenship that really has never been meaningful or set up in such a way that everyone understands it.

I would have to think they would be more than willing when they are asked to come to migrate to this country to take a very responsible position at the federal level and at the provincial level. I tell those people over there that there is more than garbage picked up at the municipal level. That is where our children become educated and it is a very important part of their life. I would like to see Canadian citizens making those determinations.

**Mr. Wildman:** Mr. Chairman, I wasn't going to participate in this debate but I was provoked by the member for Niagara Falls. It just seems to me very unfortunate and somewhat tragic that a party which at least

professes to follow the philosophy of John Stuart Mill would be now advocating dis-franchising a number of people in this country. They are actually trying to contract the franchise and to make it smaller. Surely a party that believes in democracy believes in giving the right to vote as widely as possible, especially in municipal affairs, which are not menial as the previous speaker said.

**Mr. Kerrio:** No they said it was menial.

**Mr. Wildman:** We did not. We said they were immediate.

**Mr. Kerrio:** You said it was menial. I didn't.

**Mr. Deputy Chairman:** The member for Algoma has the floor.

**Mr. Wildman:** The point we were making is a point that completely passed the member—

**Mr. Kerrio:** Those Socialists want world citizenship.

**Mr. Deputy Chairman:** Order.

**Mr. Wildman:** I believe in world citizenship. I don't believe in war. I agree with that. The point is that the member for Niagara Falls missed the point completely. He said himself that certain things that are done at the municipal level, such as education, are very important. We agree with that and they are very important to everyone who lives in that municipal jurisdiction. That is why the people who live within that municipal jurisdiction should have a say in what is done in things like education and should have a say on how their tax dollars are going to be spent in order to provide education for their children.

It is inconceivable to me that the member for Niagara Falls would mistake the word "immediate" for "menial," but he apparently has done that. It is exactly because it is important, and all of these matters are important, that we should be doing all we can to expand the franchise and to make our society and our municipal governments more democratic rather than less democratic.

**Mr. Samis:** Mr. Chairman, I have been similarly provoked by the member for Niagara Falls and I will tell him that while I reject his arguments, I share his conclusion.

**Mr. Deputy Chairman:** All those in favour of Mr. Isaacs' amendment to the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**Mr. Deputy Chairman:** All those in favour of Mr. Epp's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Amendment stacked.

Sections 4 to 12, inclusive, agreed to.

On section 13:

**Mr. Rotenberg:** Mr. Chairman, I have an amendment to section 13 which adds a few words to the end of the clause.

**Mr. Deputy Chairman:** Mr. Rotenberg moves that section 36(1)(a) of the act as set out in section 13(2) of the bill be amended by adding at the end thereof, "in the election to such office."

**Mr. Rotenberg:** Mr. Chairman, very briefly, the intent of the section is that a nominator must be eligible to vote for the office concerned. As I said, inadvertently those last few words were left off this clause. The way it is written now, in the city ward system, a person from any ward can nominate in any other ward. This is just to make it plain that to be a nominator one must be included on the list and entitled to vote for election of such office. That is, one must be able to vote for the office to which one nominates. This was the intention of the act but, as I say, the words were left out. I would ask for the support of the House for this amendment.

Motion agreed to.

Section 13, as amended, agreed to.

Sections 14 to 28, inclusive, agreed to.

On motion by Mr. Rotenberg, the committee of the whole House reported progress.  
9:20 p.m.

#### DISTRICT MUNICIPALITY OF MUSKOKA AMENDMENT ACT

**Mr. Rotenberg:** on behalf of Hon. Mr. Wells, moved second reading of Bill 69, An Act to amend the District Municipality of Muskoka Act.

**Mr. Rotenberg:** Mr. Speaker, I would like to provide a brief summary of the various provisions of this bill which are basically housekeeping amendments.

Section 1 seeks to make section 390b of the Municipal Act, which was enacted last fall, applicable to the district of Muskoka. This will permit the district council to provide benefits such as group life, accident, medical and hospital care insurance to members of council and to the district chairman.

Section 2 proposes to delete the requirement that the district council pass a road consolidation bylaw every five years. The

council will now be able to use its own good judgement as to when such consolidations are appropriate.

Section 3 proposes to delete one subsection of the Muskoka Act which is now redundant because it makes reference to provisions in the Homes for the Aged and Rest Home Act which no longer exist.

Section 4 seeks to make section 455 of the Municipal Act applicable to Muskoka which will permit district council to purchase or rent machinery in future. It will also validate all past purchases and rentals.

Mr. Speaker, all of these provisions have already been approved by this Legislature in various other acts. I want to ask the support of this Legislature for this bill.

Mr. Epp: Mr. Speaker, I just want to indicate that we will be supporting the various sections of this bill. These various items have been dealt with in similar form in other bills dealing with other municipal jurisdictions across the province and, obviously, we have supported them and we will also support them in this particular case.

Mr. Isaacs: My colleagues and I have reviewed this bill with our usual thoroughness and I want to concur with the comments made by my friend from Waterloo North that there has been adequate debate on these four provisions under other bills and we will be supporting this bill.

Motion agreed to.

Ordered for third reading.

#### REGIONAL MUNICIPALITIES AMENDMENT ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

Mr. Rotenberg: Mr. Speaker, I move for second reading today, An Act to amend certain Acts respecting Regional Municipalities. This bill proposes to confer on the regional council the legal authority to provide such benefits as group life, accident, medical and hospital care insurance to all members of council. Also, it seeks to eliminate the present requisite of regional councils to pass a road consolidation bylaw every five years.

With respect to the act for the regions of York and Niagara, it seeks to remove a provision that refers to a section of the Homes for the Aged and Rest Homes Act that is no longer in existence. These provisions are similar to those we just passed in the Muskoka bill.

There are several other amendments which are proposed to individual regional acts. One amendment would place the apportionment of general regional costs in the regional municipality of Niagara on the basis of weighted equalized assessment. This basis is at present used in most regions and in all counties in Ontario. A further amendment would provide the Sudbury regional council with the same flexibility in apportioning costs that counties have under section 507 of the Municipal Act. The bill also includes a provision conferring to the regional municipality of York responsibility for solid waste disposal in that region.

In addition, the regional municipality of Halton would be empowered to obtain land and construct or renovate buildings to be utilized by the Halton Children's Aid Society and to lease such property to the society.

The bill proposes two minor boundary adjustments, one between the region of Hamilton-Wentworth and Halton, and one between the regions of Hamilton-Wentworth and Waterloo. With respect to the regional municipality of Hamilton-Wentworth, the bill seeks to clarify that senior police officers who are taken into the regional police force from the former city of Hamilton police force may retire on completing 35 years' service or reaching 60 years of age, at their option, such provision being now available to all other members of that police force.

Mr. Speaker, I would like to indicate to you that if and when this bill receives second reading, I would ask that the bill go to committee of the whole House. I have one somewhat technical amendment with respect to the York regional waste section of the bill, which seeks to clarify how disagreements between various municipalities might be handled.

I would commend this bill to the House and ask for its support.

Mr. Epp: Mr. Speaker, I will be very brief. This bill, as did the previous bill, deals with a number of items that we've dealt with under different circumstances.

You will recall, Mr. Speaker, that last fall, in dealing with the bill concerning solid waste disposal in the region of York, there was some controversy because some of the municipalities in the region of York were not pleased with the amendment.

At that time it was suggested that the province deal with the region of York and try to iron out the difficulties associated with the bill. They have obviously done that. We congratulate the government on dealing with the region, as they should have done in the

first instance, and resolving the problem with the region and the area municipalities before they brought the bill before the Legislature. That has now been done, to the best of our knowledge, to the satisfaction of the various municipalities.

The other particular sections in this bill deal with the police retirement age for the regional municipality of Hamilton-Wentworth, where there are, I think, five police officers who wanted to retire, as they could have in their former positions with the Hamilton fire department but they couldn't under the new regional act. That is being corrected. As well, there are some items dealing with the children's aid society in Halton, and various other items.

We will be supporting the principle of the bill and we will be looking very closely at some of the amendments later on.

**Mr. Isaacs:** Mr. Speaker, I, too, rise to say only a few words on this bill. The majority of sections are similar to sections we have discussed in other regional bills. However, there are a couple of provisions in here that are a little different and which I think are very worthy of comment.

I was hoping that in his opening comments the parliamentary assistant might explain to us the rationale of permitting the region of Sudbury to apportion regional costs on a basis other than weighted equalized assessment. In other words, it will allow the regional council in Sudbury to decide how to divide up the responsibility for meeting regional costs. At the same time, in regional Niagara, we are switching from equalized assessment to weighted equalized assessment with no opportunity for the region to divide the costs on a basis which it may see as being more fair and equitable than weighted equalized assessment.

The matter of distribution of regional costs, as you probably realize, Mr. Speaker—though I know the regional government concept has not reached your area, and I'm sure you're very grateful for that—is one that is probably the most contentious issue within all 10 of our regional governments at the moment. I think the approach that is being taken in this bill for the regional municipality of Sudbury is a good approach and one which, at least on a short-term basis, may help to deal with some of the serious problems our regional governments are facing.

9:30 p.m.

I say on a short-term basis because I don't think this provision will survive. I think if we move towards allowing regions to use any basis that seems to them to be fair and

equitable for distribution of costs, if we allow that to continue, then in time we will see the dividing of the cost of regional services becoming the single issue that leads to the downfall of all regional governments. I think we have to face the fact that at the present time regional governments are facing a crisis. The approach that is being taken for Sudbury is a worthwhile approach, one that it will be very interesting to monitor and one that when we are looking at other regional acts seems to me to make sense to apply to those other areas, particularly when we look at the region of Niagara.

We have there a very large regional municipality with tremendous disparity of interests, disparity of service levels and disparity of desires of the residents of the various parts of the region of Niagara. We have an opportunity here to allow Niagara to follow the example which this same bill is giving to Sudbury. When we move to committee, I think it is very appropriate to discuss that aspect much further.

In addition, there is a provision in this bill for transferring the responsibility for solid waste disposal in the region of York from the lower-tier council to the regional council. I think that too gives us the opportunity to experiment in some rather innovative ways in terms of the provision of new garbage facilities in York as a model for the rest of the province. That is also an appropriate area for further discussion in committee.

In addition, there are some boundary changes involving my own regional municipality of Hamilton-Wentworth and two of its neighbours, the region of Halton and the region of Cambridge.

**Mr. M. Davidson:** Waterloo.

**Mr. Isaacs:** I am sorry, the region of Waterloo. I have to apologize to my colleague the member for Cambridge. It is of course the region of Waterloo. While those adjustments arise from particular problems that are affecting those two areas that are being transferred from one region to another, I do believe they are appropriate moves and something where we should be prepared to show some flexibility.

Of course other members might have argued that there are perhaps other channels for doing this kind of thing. In this instance, I feel it is quite appropriate that the Legislature itself be involved in moving municipal boundaries. I am sure there would be no objections from residents of the affected area or from residents of neighbouring areas to this boundary adjustment.

Finally, there is a provision in here which clarifies legislation for senior police officers in the Hamilton-Wentworth police force. That is obviously something which was an oversight when legislation was put in place setting up the regional police force in Hamilton-Wentworth. It is something we welcome because it is not fair for certain people, who have transferred from one jurisdiction that has now been abolished to a new jurisdiction, to suffer because of that transfer. The principle is one we fully support.

We will be supporting this bill on second reading. I was pleased to hear that the parliamentary assistant has already requested that the bill go to committee. Had he not done that, we would have done so in order to move three amendments we feel to be very important.

**Mr. Cunningham:** Very briefly, Mr. Speaker, I would like personally to thank the minister on this particular occasion for his understanding as it relates to part of part VI of this particular bill. It was at my request that some reconsideration was given to the boundary of Burlington and that part of Hamilton-Wentworth that we refer to as Flamborough. The bill has been amended to clarify the boundary in order to facilitate a rather small residential development that a constituent of mine is contemplating.

The amazing and interesting fact is that for many years people thought that a certain piece of land, the piece that is outlined in the bill, actually belonged to Burlington when it did not. The confusion that has been attendant as a result of this has held up a very legitimate development for a period of two or three years and has been a great expense to a constituent of mine. I appreciate the minister's considering it at this time.

**Mr. Haggerty:** Mr. Speaker, I want to address myself to Bill 81, An Act to amend certain Acts respecting Regional Municipalities. I thought perhaps we would have individual bills as they related to individual municipalities—for example, the regional municipality of Niagara.

I was interested in the explanatory note for sections 4 and 5. It was to the effect that these sections apply to the regional municipality of Niagara and to require the Ministry of Revenue not only to revise and equalize but to weigh the assessment rolls of the area municipalities and that part of the rolls relating to merged areas for apportionment purposes. The result of weighing is to discount residential farm assessment and thus moderate the burden of taxation on areas that have lower industrial-commercial assessment.

I can recall bringing to the attention of the Ministry of Revenue the problem that the township of Wainfleet had encountered a year ago, I guess it was. Equalization factors were weighed and applied to the regional municipality, and it had caused some severe difficulties with that municipality. Much of the increase in taxes was at this municipal level in Wainfield and it was a cost that perhaps they could not bear.

It was the purpose of regional government to share the industrial and commercial assessment with the municipalities that do not have what one might call a reasonable tax base—that is 60 per cent residential and 40 per cent commercial, or perhaps it could be reversed.

I think Wainfleet was going to make an amendment to its official plan so that they could open up the township for commercial and industrial purposes, and they would share in the prosperity in the community. Of course this would go against the principle of the preservation of farm lands.

So this is a good amendment and we can accept it.

I want to bring to the attention of the House another matter I thought the parliamentary assistant or even the Ministry of Intergovernmental Affairs would have given consideration to. That was a request from the municipality of Niagara to amend the Municipal Act as it related to representation on the police commission. There was a motion on August 2, 1979, endorsing a resolution from the city of Cambridge requesting that greater representation be given to elected representatives on police commissions, and that they form the majority of their membership. Commissioner Archer, in his report of March 1979 of the Niagara Regional Study Review Commission, recommended that the police consist of five people, two appointed by the province and three by the regional council, including the chairman of the council or his nominee. None of these was to be a member of the judiciary.

The report goes on to say: "Now therefore be it resolved that the council of the regional municipality of Niagara strongly affirm this position concerning representation on the Niagara regional board of commissioners of police and petition that the Regional Municipality of Niagara Act be amended to provide that the said board consist of seven members, four to be elected by members of council and three to be appointed by the Solicitor General."

I notice they have written another letter to the Premier (Mr. Davis) on June 13, 1980,

to bring it to their attention again that the cabinet had reviewed the question. Perhaps there had been no decision here to bring forward this amendment they are requesting.

Police costs in the Niagara region are one of the highest apportionment costs there. I think they outdistance many other areas, such as social and community services and health services. This is a costly item that is being borne by the ratepayers throughout the region and I see no reason why their resolution should not have been accepted and put forward in this amending bill. The police forces in the Niagara region are costly.

9:40 p.m.

I believe there was supposed to have been another study or report brought forward to members of the Legislature related to a study or a dialogue between the minister here and the federal minister about sharing police costs with the federal government. I suggested this on a number of occasions, but I see there has been no effort in this particular area to have the federal government share in the cost of policing.

Under the Niagara region bill, the police department does not now enforce municipal bylaws. They enforce federal and provincial legislation with the taxpayers carrying the biggest cost of providing this service.

**Mr. Speaker:** What section of the bill is the honourable member referring to?

**Mr. Haggerty:** I am coming to it, Mr. Speaker.

**Mr. Speaker:** I am having difficulty finding it.

**Mr. Haggerty:** I think you will find it on the last page where it relates to the cost of pensions to police departments in the regional municipality of Hamilton-Wentworth. That is what I am coming to. It relates to the cost of pensions for policemen who will be retiring at the age of 60 or 65. Under this Hamilton-Wentworth bill, they are given an option to retire at the age of 60 or 65 or after 35 years of service.

As I look at this particular thing, this is going to open a door that other police departments are not aware of, namely, that they can have that third option to retire after 35 years of service. This means policemen could retire at the age of 55. It is going to be pretty costly to the municipalities to carry those five or 10 years of additional pension for a number of years.

Sometimes it is unfair to those persons who have to take such a retirement because they do lose a good source of income for a period of five years. It does cause some

difficulties because of inflation. The cost of living has gone up. I do not know if their pensions are indexed or not. Coming back to what I said before, I think it is time for the federal and provincial governments to get into a cost-sharing scheme on policing for local municipalities. That should have been included in the bill.

**Mr. Rotenberg:** Mr. Speaker, I would like to thank all the honourable members who expressed support for the bill. I would like to take a moment to answer some of the points that were raised which were either questions or disagreements.

First, the member for Wentworth asked why we were treating Sudbury differently from Niagara. The answer is very simple. The minister announced as a matter of policy about a year ago that certain options would be available to various regional municipalities upon request. Sudbury has asked to be included in this option, which the region of the municipality of Ottawa-Carleton already has. Because Sudbury has asked for this we are granting it to it in the Sudbury section of the bill.

I would point out, however, to the member for Wentworth that it does not allow the region on its own to do this apportionment. Any disagreement between the region and local municipalities must go to the Ontario Municipal Board. However, the region of Niagara has not asked—I stress—for any change and it will be put on the same basis as other regions and the various counties.

The member for Erie has raised a number of interesting points about police commissions. I would point out to him that request has come to the government. That request regarding the make-up of the police commissions is not dealt with by the Ministry of Intergovernmental Affairs, but is dealt with by the Ministry of the Solicitor General. I suggest that at the appropriate time he might address the question to the Solicitor General (Mr. McMurtry) as to just where that request for legislation is at the moment.

With regards to pensions, I would point out that all the other members of the Hamilton-Wentworth regional police force have those pension arrangements. There are six members of the old Hamilton force before merger who did not get the same benefits in the merger that were negotiated for all the rest of the police officers. There is total agreement among the union, the police association and the regional municipality of Hamilton-Wentworth. This is simply to facilitate the agreement so that all police officers in that region will be treated the same.



As far as the feds paying part of the police costs is concerned, I am in agreement with that, but the feds are more friends of the members on that side of the House than ours, so if the member can talk them into it, good luck to them.

Motion agreed to.

Ordered for committee of the whole House.  
House in committee of the whole.

### REGIONAL MUNICIPALITIES AMENDMENT ACT

Consideration of Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

Sections 1 to 3, inclusive, agreed to.

On section 4:

Mr. Isaacs: I have just sent a copy of the amendment to you, Mr. Chairman, and it is rather a long amendment.

Mr. Chairman: Mr. Isaacs moves that subsection 9 be amended to read as follows:

"(9) Where the last revised assessment of the area municipality has been revised, equalized and weighted by the ministry and has been appealed, the regional council shall forthwith after the decision of the municipal board on such appeal, amend, if required, the bylaw passed under subsection 2 so as to make the apportionments among the area municipalities according to the assessments as revised by the municipal board upon such appeal, or notwithstanding subsection 3 in Ontario regulation 167-80 according to any basis that is just and equitable and,

"(a) where the moneys levied against an area municipality are thereby increased, the treasurer of the area municipality shall pay the amount of the increase to the financial officer of the regional corporation; and

"(b) where the moneys levied against an area municipality are thereby decreased, the treasurer of the area municipality shall be liable to pay the financial officer of the regional corporation only the reduced levy or, if the original levy has been paid by the area municipality, the financial officer of the regional corporation shall pay the amount of the decrease to the treasurer of the area municipality."

Mr. Isaacs moves that the following subsections be added:

"9(a) where the regional council makes an apportionment under subsection 9 that is just and equitable and that is not according to the assessments as revised by the municipal board, the clerk of the regional corporation shall within 10 days forward a copy of the bylaw to each area municipality.

"9(b) an area municipality that is not satisfied with an apportionment that is just and equitable and that is not, according to the assessments as revised by the municipal board may appeal to the municipal board within 30 days of the passing of the bylaw by giving notice in writing by registered mail to the municipal board, the clerk of the regional municipality and every other area municipality.

"9(c) upon receipt of the notice of appeal under subsection 9(b), the municipal board shall arrange a time and place for hearing the appeal and shall send a notice thereof by registered mail to all parties concerned in the appeal at least 14 days before the hearing and shall hear and dispose of the appeal.

"9(d) where as a result of a decision of the municipal board under subsection 9(c) there is an adjustment required to be made, the regional council shall forthwith amend the bylaws passed under subsection 2 so as to make the apportionment among the area municipalities according to the percentage shares as revised by the municipal board, and,

"(a) where the share levied against an area municipality is thereby increased, the treasurer of the area municipality shall pay the amount of the increase to the treasurer of the regional corporation and,

"(b) where the share levied against an area municipality is thereby decreased, the treasurer of the area municipality shall be liable to pay the treasurer of the regional corporation only the reduced levy, or if the original levy has been paid by the area municipality, the treasurer of the regional corporation shall pay the amount of the decrease to the treasurer of the area municipality."

9:50 p.m.

Mr. Isaacs: Mr. Chairman, the impact of this amendment is to extend to the region of Niagara the same provision that is being extended in this bill to the region of Sudbury, that is, where to the regional council it appears that it is more fair and equitable to use a mechanism for distribution of regional costs other than weighted equalized assessment, then the regional council is given the power to implement that system which is more fair and equitable.

The result of this for the taxpayers of the region is very clear. If regional council is able to come to the conclusion that the taxpayers of a certain municipality should pay more than they would pay under weighted equalized assessment because they receive greater benefits from a particular regional



undertaking than others in the region, then regional council is being given that discretion.

Conversely, if regional council comes to a determination that the taxpayers of a certain municipality, or of a certain number of municipalities in the region, should not pay as much as others because they do not receive as much benefit as others within the region who are being asked to contribute towards that regional undertaking, then regional council can make that determination. If the municipalities concerned at the lower tier are unhappy with regional council's determination of the matter, then an appeal to the Ontario Municipal Board is provided for, as is the case with the amendment that the minister is also moving for Sudbury.

It is consistent with the statements that have been made by the minister and, as the parliamentary assistant said earlier, or at least as I interpreted his remarks earlier, the only reason this provision is not in this bill is that regional Niagara has not asked for it. I would say to the parliamentary assistant that this is permissive legislation. They don't have to do it if they don't want to, but they can. It surely makes sense to turn around an argument we hear from the other side very frequently; it surely makes sense to give them this power so that they are able to make the determination that a particular distribution of costs would be more fair and more equitable than the use of weighted equalized assessment.

I would commend the amendment to the House, and I look forward to it receiving support.

**Mr. Rotenberg:** Mr. Chairman, I will not support the amendment for two reasons. First, on the principle of the amendment: Yes, in a way it is permissive, but the amendment, if brought forward, really opens up at the regional council certain matters which now would not be. In effect, it would allow certain arguments which the different municipalities in the regional council could bring forward.

If the total regional council requests this—and this is something the ministry has indicated—it would be forthcoming to the area. The Niagara regional council, in its wisdom, does not want to have this power and does not want to open up this kind of argument within their council. That is in the principle.

Second, had the member for Wentworth wanted to give Niagara what he wanted to give Sudbury, why did he not use the same wording as in the Sudbury bill and the same wording as in the Ottawa bill? I don't think it was intentional, but in the beginning he

says, "Where the revised assessment of the area municipalities has been revised, equalized and weighted by the ministry and has been appealed." There is a qualification in this section, I would submit to the member. Really, unless one of the area municipalities appeals, then this whole thing doesn't kick in; that is the way we read it as he has written it. I don't know if he intended it that way.

The point is, under the Sudbury act no one has to appeal it. The assessments may all be correct and the weightings may all be correct. It is simply a case that a municipality may not like the system of weightings as in Sudbury and, therefore, can look for a different system. The way the member for Wentworth has this drawn, a municipality has to really appeal the equalization factor before the thing kicks in. That is on the detail of the wording and I don't know if the member intended it that way or not.

However, as I say, on the principle, we have passed it for Sudbury and it means that an individual municipality in Sudbury is going to be able to raise points, as has already happened in the region of Sudbury. This is why they have asked for this. The region of Niagara, in its wisdom, doesn't want it, and frankly I do not think we should give a region legislation it does not want.

**Mr. Swart:** Mr. Chairman, I hadn't intended to speak on this amendment, but I question the statement made by the parliamentary assistant that the region of Niagara doesn't want this legislation. Does he have anything in writing they don't want it? Has he discussed it with the people of Niagara?

The fact that they have not requested it to this time does not necessarily mean they don't want it. They may not have been aware that this is available to them. If it is available to them I suggest there is real reason to believe they would want it. There has been no regional government where there have been more squabbles and differences of opinions about the levying of costs than in the region of Niagara. This is certainly true of the police force where there are a number of rural municipalities paying the full cost of the regional police force, and yet they have the service provided to them. The need for the service is not nearly as great as it is in the urban municipalities.

There has been tremendous conflict in the Niagara region with regard to the divisions of the costs for sewer and water. I would suggest the regional municipality of Niagara would very much welcome this. As my colleague for Wentworth has said, Mr. Chair-

man, it is only permissive legislation. If they do not want it, they will not use it. If this regional council wants it, or a regional council which may be elected in the coming elections this fall or two years from this fall wants it, then it will be there. It is not really accurate to state that Niagara regional council does not want this power, simply because they have not asked for it, simply because they may not have known it was there. That is no reason why anyone here should say they do not want this power.

**Mr. Rotenberg:** To reply, maybe my choice of words was not accurate. Certainly the regional council of Niagara has not requested this. The Niagara council, along with all the other regions in the province, was informed this option would be available to it on request. It was informed last fall. The regional councils of Sudbury and Ottawa took up the ministry's offer. I assume the regional council of Niagara was informed this was available. It has not requested it. I think I can safely assume it does not want it.

**Mr. Isaacs:** Mr. Chairman, perhaps I can respond very briefly to the previous comments of the parliamentary assistant. It concerns me, first of all, that he feels regional governments have to be held together by big brother in the provincial Tory government and that it is inappropriate to give them optional powers that may give cause for debate in the regional council chamber.

As my colleague for Welland-Thorold has so ably expressed, if the provision is there and they do not want to talk about it, then nobody is forcing them to talk about it. But if they do want to talk about it and if this amendment is passed, then the provision would be available to them.

**Mr. Haggerty:** What about Hamilton-Wentworth region?

**Mr. Isaacs:** Comments are being made about other regions. If this is the direction we are planning to go, then it would be perfectly appropriate to extend this same provision to Hamilton-Wentworth. I would be in support of that action. However, the member should be well aware that for me to attempt to amend the Regional Municipality of Hamilton-Wentworth Act in a section not opened up by this bill would lead the parliamentary assistant to suggest to the chairman my amendment was out of order. Deep down I would be forced to agree with the parliamentary assistant, even though the discussion with the chairman might take another tack.

In terms of the other point made by the parliamentary assistant, it is very deliberate that this is proposed as a mechanism follow-

ing appeal for the same reason I have just explained in answer to the interjection from my colleague from Erie.

Had I brought in an amendment to do exactly the same as that set up for Sudbury, the parliamentary assistant would have told this House it was out of order, and it would have been out of order because that section is not being opened up by the amendments before us. But we do have the section being opened up that deals with the mechanism following an appeal to the Ontario Municipal Board.

If this amendment is dealt with this evening, I am sure it would be perfectly appropriate for the legislative counsel assisting the Ministry of Intergovernmental Affairs to come forward with an amendment that opens up the right section and cleans up the mechanism, so that it is indeed exactly the same as Sudbury. But sometimes we have to use these mechanisms in order to debate in this chamber the things that are so important to the taxpayers of this province.

**Mr. Chairman:** All those in favour of Mr. Isaacs' amendment will please say "aye."

All those opposed will please say "nay."  
In my opinion the nays have it.

Motion negatived.

Section 4 agreed to.

10 p.m.

On section 5:

**Mr. Chairman:** Mr. Epp moved that the bill be amended by adding thereto the following section 5(a):

"1. Section 7(3) of the said act as re-enacted by the statutes of Ontario, 1978, chapter 33, section 15, is amended by inserting after 'person' in the fifth line 'who is an elected member of the council of an area municipality.'

"2. Section 7(4) is repealed."

**Mr. Rotenberg:** I still do not have a copy of that.

**Mr. Epp:** My apologies if you don't.

**Mr. Chairman:** The table does not have a copy either.

**Mr. Epp:** I just slipped up.

**Mr. Rotenberg:** I wonder if I could ask the indulgence of the member for Waterloo North that we stand this section down until I have had a chance to look at the amendment. Maybe we could go on to section 9 which will take a while and come back to section 5 if that would be in order.

Section 5 stood down.

Sections 6 to 8, inclusive, agreed to.

On section 9:

**Mr. Chairman:** Mr. Rotenberg moves that section 166(2) and (3) of the Regional Municipality of York Act, as set out in section 9 of the bill, be struck out and the following substituted therefor:

"(2) On or after the day this section comes into force, the regional corporation shall provide facilities for the purpose of receiving, dumping and disposing of waste and no such facilities shall be provided in the regional area by any person or any municipality, including a metropolitan or regional municipality or by any local board thereof without the consent of the regional council, which consent may be granted on such terms and conditions, including the payment of such compensation as may be agreed upon.

"(3) Where the regional council refuses consent under subsection 2 or the applicant therefor and the regional council fail to agree on the terms and conditions related to such consent, the applicant may appeal to the municipal board which shall hear and determine the matter and the board may impose such terms and conditions as the board considers appropriate and the decision of the board is final."

**Mr. Rotenberg:** Mr. Chairman, speaking briefly to the amendment, the way the bill is drawn now allows that where the regional council of York does not agree to enter into an agreement, such refusal is subject to appeal to the Ontario Municipal Board. However, the bill, as drawn, does not provide, where the region will consent to allowing waste to be dumped, that there cannot be an agreement as to the terms and conditions.

The way the bill is now drawn, that is not subject to appeal to the Ontario Municipal Board for adjudication. The simple case is that the region of York could agree to, say, Metropolitan Toronto using a dump and say they are going to charge them \$1 million a day and that would not be appealable. That of course was not the intention of the act. It was not the intention of the agreement as between the two municipalities.

When this bill, after it had first reading, was circulated, this was picked up by the Metropolitan Toronto solicitors or their staff. They consulted with the staff of the region of York and both regions, both their staffs and their chairmen, have indicated to me that they are in complete consent to the revised wording, which is really the original intent of the bill.

I would commend it to members of the House.

**Mr. Isaacs:** Mr. Chairman, the principle, as outlined by the parliamentary assistant in

his explanation, is one that we cannot quarrel with, although I must say I have some qualms about using the Ontario Municipal Board in this kind of situation to overrule what are likely to be the objections of the host municipality for the landfill site. However, in those circumstances where there is a dispute between two municipalities, that is the mechanism at the present time and we are prepared to go along with that.

However, the section, as worded, also deals with persons who wish to establish solid waste disposal sites. By the Interpretation Act, "person" also means company. The way the amendment has been presented to us, if I understand it correctly, if a corporation wishes to establish a solid waste disposal facility in the region of York, and if the corporation and the region of York are unable to come to agreement, then the Ontario Municipal Board would arbitrate that dispute.

I want to suggest to the parliamentary assistant that if my information on this is correct, then I cannot support the amendment because we should not have the Ontario Municipal Board able to overrule the wishes of a local municipality in terms of the establishment of garbage dumps by corporations within the municipality. Where you are dealing with corporations, the word of the municipality should be the final word, unless the corporation wishes to challenge it on legal grounds in the courts.

While I support the intent of the amendment as it deals with disputes between municipalities, if my interpretation of it is correct, I cannot support the amendment because it allows the OMB to overrule the wishes of regional council in a dispute regarding garbage dumps with a local contractor or industry.

Thank you, Mr. Chairman. I hope the parliamentary assistant will respond.

**Mr. Rotenberg:** Mr. Chairman, yes, that was the intention of the bill, because sometimes other municipalities apply to be able to have garbage dumps, and sometimes it is "persons." I would point out to the member for Wentworth, this is no different from a "person," being a corporation or person, who may apply for a change in zoning, a change in the official plan or certain other changes to a municipal council and who has a disagreement with municipal council and who also has the right to appeal to the Ontario Municipal Board. It is really the same principle of where an individual or a corporation makes an application to a municipality, in this case a regional municipality, for a matter which is in the municipality's discretion. The precedent

is set in so many other acts where one can appeal to the OMB. This is similar.

**Mr. Isaacs:** Mr. Chairman, I understand the argument that is being presented but I want to suggest to the parliamentary assistant that to liken a garbage disposal site or a landfill site to a rezoning application for development is not at all the same situation. We are dealing with something which is, in almost everybody's view, unpleasant and undesirable, but necessary. To allow the OMB to force upon a regional municipality the garbage that is coming from outside the region, perhaps even ultimately from way outside the region of York from other parts of Ontario, and perhaps from other parts of Canada and to allow the OMB to overrule the wishes of the local council regarding that kind of garbage disposal set up is something which I just cannot accept.

I feel and have expressed on many occasions before that solid waste disposal in that form is something the provincial government has got to come to grips with, and that we cannot get away with dumping it on to the hands of regional councils and saying it is their problem as the Tory government has consistently done in the last five years.

Until we change the approach that the government takes to solid waste disposal, which will probably only change by changing the government, then we certainly cannot allow the OMB to allow garbage to be dumped in the region of York simply because of the dispute between the region and a private hauler or a corporation which wants to bring garbage and dump it someplace in the region of York. If that is the explanation, we will be opposing the amendment, Mr. Chairman.

**Mr. Chairman:** All those in favour of the amendment will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

**Mr. Rotenberg:** Mr. Chairman, I would like to go back, although we are still on section 9, to the amendment placed by the member for Waterloo North on section 5, if that is acceptable.

**Mr. Chairman:** Do you wish to revert to section 5?

On section 5:

**Mr. Epp:** Mr. Chairman, the amendment in essence is that—

**Mr. Rotenberg:** Mr. Chairman, I would submit that the member for Waterloo North has put in section 5(a) a reference to section 7(3) of the said act which is nowhere else

referred to in the bill before the House. Similar to a ruling you made a little earlier in the evening, under section 86 of our standing orders, I would submit that this amendment is out of order.

10:10 p.m.

**Mr. Epp:** Mr. Chairman, you will respectfully appreciate the fact that we are dealing with section 5 and this is 5(a) of section 5. The chair might rule in favour of dealing with this particular amendment because it is an important amendment which I think this House should have an opportunity of discussing.

**Mr. Chairman:** I appreciate the member's point of order and the comments made by the member who placed the amendment. I appreciate we are dealing with section 5 of this bill. However, section 5 deals with section 120 of the act. It does not deal with section 7 of the act. Therefore, I have no other course but to rule it out of order.

**Mr. Epp:** I regret your decision very much.

**Mr. Chairman:** Do you wish to appeal that, yes or no?

Section 5 agreed to.

On section 9:

**Mr. Chairman:** Mr. Isaacs moves that sections 9(8)(a) and (8)(b) be amended as follows:

"8(a) No facility shall be operated under subsection 4 except under the authority of a certificate of approval issued pursuant to the Environmental Assessment Act, 1975.

"8(b) Subsection 8(a) does not apply to facilities which are in operation at the time of coming into force of this section."

**Mr. Rotenberg:** Again, this is another amendment which has been brought in from left field which has no relationship to clause (a) which is under discussion. There is nothing in the bill which in any way refers to the Environmental Assessment Act. I wonder whether this also would be in order.

**Mr. Isaacs:** I naturally do not accept the parliamentary assistant's remarks. The entire subsection 8 of this bill deals with the establishment of new and existing landfill sites by the regional municipality of York. The bill is full of conditions. We are suggesting that there should be one other condition that goes along with the setting up of landfill sites in the region of York. Surely that is appropriate and in order.

**Mr. Chairman:** Just looking at subsection 8, it appears to me that it would be an extension or condition under which an approval would be for acquisition of land and, therefore, it seems to me it would be in order.

**Mr. Isaacs:** Thank you, Mr. Chairman. I appreciate your ruling and obviously concur entirely.

We have heard on numerous occasions from the Minister of the Environment (Mr. Parrott) how the Environmental Assessment Act is the most progressive piece of legislation on environmental matters anywhere in the world. I am inclined to agree with him, though of course I would like to see it go a little further. But on a world standard it is a very good piece of legislation. The problem is that it is not being used and that new landfill sites are still being established under the Environmental Protection Act, 1971, which is not nearly as good a piece of legislation as the 1975 bill.

We have had promises and promises from the Minister of the Environment that the 1975 act will be brought into effect for municipal projects of the impact of landfill sites. Indeed we heard from the minister the other day that regulations to effect that are imminent. We have not yet moved into that phase, however, and we have an opportunity here in the region of York to ensure that any new landfill site established by the region of York is set up under this far-reaching legislation Ontario has in place, and has had in place since 1975, but which has not yet been used.

I realize the parliamentary assistant is going to suggest the region has not asked for this provision. The Environmental Assessment Act is provincial legislation, and we do now have a commitment from the Minister of the Environment that it will be imposed on municipal projects I do not believe it is relevant whether the region of York has or has not asked for this particular legislation.

However, we recognize it might not be appropriate to have to submit every existing landfill operation in the region of York to an Environmental Assessment Board hearing. Therefore, the proposed subsection 8(b) is a grandfather clause that allows all existing landfill operations to continue without having to go through the environmental approvals process. But we have the opportunity in the region of York to impose the Environmental Assessment Act, 1975, the wonderful act of the Minister of the Environment. We should put it in place here as a first step towards extending it to the rest of the province.

I commend the section to the House.

**Mr. Rotenberg:** Mr. Chairman, I would point out to the member for Wentworth and other honourable members that the Environmental Assessment Act, 1975, does now, and will apply to all new solid waste disposal

sites. It is not a certificate under this act. The Environmental Protection Act issues the certificate. Under the Environmental Assessment Act, it is simply an approval.

I would also point out that under the Environmental Assessment Act, 1975, as it is now written, as I have indicated, all solid waste disposal sites will need approval, except in those situations where the Lieutenant Governor in Council exempts them from the requirements under the act.

The effect of what the member for Wentworth would be doing is really to take away from the Lieutenant Governor in Council, that is from the cabinet, the power to make exemptions where deemed necessary for new sites. The act is in force and does cover these sites at the present time. The act now gives power to make exemptions, and we think that should continue. Therefore, I would ask that this amendment be defeated.

**Mr. Gaunt:** Essentially, Mr. Chairman, we happen to agree with the parliamentary assistant on this particular point. The parliamentary assistant has made the point that all solid waste sites will now come under the Environmental Assessment Act. I agree that the amendment should not pertain in this instance.

**Mr. Chairman:** All those in favour of Mr. Isaacs' amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**Mr. Chairman:** I would like to draw to the attention of the committee that previously it was agreed to hold a vote on another bill at this time. If there is considerable further discussion on this bill, maybe it should be stood down until a later time.

**Mr. Rotenberg:** I would request the consent of the House. The member for Wentworth has one more amendment, and that's the last one. I think we possibly can deal with it very quickly, and wink at the clock for a few moments.

**Mr. Isaacs:** Mr. Chairman, I do not know what winking at the clock entails, but I am certainly happy to move my amendment.

10:20 p.m.

**Mr. Chairman:** Mr. Isaacs moves that subsection 9(8)(a) be amended as follows:

"8(a) The regional council shall, by bylaw and upon request, provide financial assistance to objectors who intervene before the Environmental Assessment Board on any matter which comes before the board under the Environmental Protection Act, 1971, or the

Environmental Assessment Act, 1975, as a result of actions of the regional council under subsection 4 or subsection 5, and the total amount of such financial assistance shall be specified in the bylaw but shall be not less than 25 per cent of the gross cost to the regional municipality of the presentation which it is making to the board on its own behalf and in support of its own position on the matter."

Mr. Isaacs: The amendment seeks to implement something which has been discussed in this House time and time again and which, I must say, I was pleased to hear the leader of the Liberal Party advocating at a meeting in Ancaster just a few days ago. That is, that there should be financial assistance provided to people who object before the Environmental Assessment Board.

Naturally, it is not within the power of the opposition to move an amendment that the provincial government provide that money because, of course, it would be a money bill. But we are suggesting, through this mechanism, that the regional council be required to provide the money, and we would sincerely hope that the provincial government would see fit to provide the regional council with a grant to match the amount of their contribution to the objectors.

I want to suggest that it is very important that we get into a position where objectors before the Environmental Assessment Board have the same resources available to them as proponents of operations like solid waste disposal sites.

I look forward to the response from the parliamentary assistant. I hope that the government will see fit to accept this amendment as a first step and, perhaps, as a trial

in terms of providing assistance to objectors before the board. Given the comments of the leader of the Liberal Party, I feel certain that the Liberal Party will support this amendment.

Interjections.

Mr. Rotenberg: Mr. Chairman, very briefly, I will not support this amendment. I think it is somewhat unreasonable to expect a municipality to have to support financially every person who comes before a board.

Mr. Chairman: All those in favour of Mr. Isaacs' amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 9, as amended, agreed to.

Sections 10 to 32, inclusive, agreed to.

Bill 81, as amended, reported.

## MUNICIPAL ELECTIONS

### AMENDMENT ACT

(concluded)

Resuming consideration of Bill 71, An Act to amend the Municipal Elections Act, 1977.

Mr. Chairman: One vote has been stacked.

The committee divided on Mr. Epp's amendment to section 3, which was negatived on the following vote:

Ayes 21; nays 52.

Section 3 agreed to.

Bill 71, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported two bills with certain amendments.

The House adjourned at 10:37 p.m.

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No. 77

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# Legislature of Ontario Debates

Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, June 17, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, JUNE 17, 1980

The House met at 2:05 p.m.

Prayers.

## MEMBERS' EXPENSES

**Mr. Speaker:** I beg to inform the House that I have today laid upon the table the individual members' expenditures for the fiscal year 1979-80. Honourable members will find them in their postal boxes.

## STORY IN TORONTO SUN

**Mr. M. N. Davison:** Mr. Speaker, I rise to correct the record regarding a story that appeared in this morning's Toronto Sun. The article, entitled "Cops Blame Mafia in Bomb Wave," alleges that a Mafia extortion ring is operating in the city of Hamilton.

The article offers absolutely no evidence other than quotations from Staff Superintendent Keith Farraway of the Hamilton-Wentworth Regional Police suggesting that 18 people have been targets of violence in that city for failing to pay "protection money." The staff superintendent states, as is quoted in the article: "It's based on fear. (The victims) all immigrated from Italy and grew up with a fear of organized crime or the Mafia, whichever way you wish to express it." But the staff superintendent himself admits that there is no evidence. He is also quoted as saying: "We have strong suspicions about who has been doing it but we have no evidence."

This story, based on Staff Superintendent Farraway's comments, offers no evidence to support the allegation of an Italian criminal conspiracy in the city of Hamilton. I resent the unfounded allegations in that article. Hamilton's Italian community is a decent, hard-working, law-abiding and integral part of our society, and I feel that the record should be corrected in this matter.

## STATEMENTS BY THE MINISTRY

### ONTARIO BUSINESS BUY-BACK PROGRAM

**Hon. Mr. Grossman:** Mr. Speaker, this afternoon I would like to detail a new pro-

gram being undertaken by my ministry to assist Canadians in buying foreign branch plants that otherwise would close down or be sold to foreign investors. This program was initially indicated in the speech from the throne. This initiative is the key to increasing Canadian participation in the economy and to maintaining viable manufacturing operations in Ontario.

We continue to seek necessary new international investment in this province, provided that investment offers secure, high-quality jobs, increased technology or otherwise enhances our manufacturing base. At the same time, we are looking to help Canadians exercise increased control over their economic affairs by acquiring and owning a greater share of our manufacturing sector.

This government has always responded positively to requests for assistance in buying out foreign companies where we felt the operation was viable and that government involvement would be economically productive. We now want to establish an identifiable and regular, rather than ad hoc, program making it clear to all Ontarians that this kind of assistance is available. Our program will place high priority on proposed investments by employee and management groups.

Under the basic program, our government will make available up to \$1.5 million in loans and loan guarantees. This will consist of \$500,000 in direct loans and \$1 million in loan guarantees. Where circumstances warrant, however, these amounts can be increased or varied. Funds will be available through the Ontario Development Corporation, the Northern Ontario Development Corporation and the Eastern Ontario Development Corporation.

To qualify for assistance under the program, the buyer must be Canadian—a Canadian-owned or controlled company, a Canadian investment group or a Canadian employee-management group. Buyers must also be prepared to make a sizeable investment of their own—at least 10 per cent of the purchase price.

For a variety of reasons, there may be an increase in the number of foreign operations

available for Canadian acquisition. Some foreign companies are attempting to cut back their operations in Canada for reasons that have nothing to do with the viability of the Canadian plant. For example, a number of international firms may decide to withdraw from certain areas of production. Others may require to sell their Canadian plants in an effort to liquidate assets at a time of tight money markets. As trade barriers come down, additional foreign companies may no longer feel the need to operate branch plants in Canada.

2:10 p.m.

Our buy-back program will ensure that Canadians have every opportunity to see that these foreign branch plants become healthy Canadian companies. In doing so, we are offering a Canadian alternative to the current policy of the federal government's Foreign Investment Review Agency. We are offering a positive incentive to Canadian ownership rather than a negative impediment to responsible foreign investment.

As the members are aware, FIRA now reviews foreign purchase bids of companies operating in Canada, but FIRA does not yet become involved until a buyer and seller have agreed to terms, when it is often too late for a Canadian company to bid. Our buy-back program may provide potential sellers with an alternative buyer by making purchase funds available from institutions where security and creditworthiness may not be adequate for conventional lenders.

I want to specify that this program is not designed to assist Ontarians in purchasing outdated or uneconomic branch plants. It is not designed to "pick up the losers." It is designed to permit us to retain sound, economically viable plants which otherwise would be closed or resold to other foreign owners. We have not used and we will not use public funds to support unprofitable operations or provide foreign sellers with an easy way out of their financial problems.

The buy-back program will be highly selective and will apply tough commercial standards in assessing any potential applications. All applications for assistance will undergo extensive examination for market potential, long-term viability, technological competitiveness and management capabilities. Given these criteria, I am confident that this program will represent an important mechanism in providing Canadians with an opportunity to compete for viable companies and obtain more control over our manufacturing sector.

Ontario's nationalism in economic and other areas has always been a positive state-

ment of our belief in Canada and our confidence in Canadians. This nonrestrictive step stresses positive Canadian opportunity without impeding continued international commerce.

#### DISCUSSION PAPER ON INTEREST RATE POLICY

**Hon. F. S. Miller:** Mr. Speaker, I am tabling today the discussion paper on interest rate policy prepared by the government for the information of this House. This paper is an interministerial one, prepared through the co-operative efforts of the ministries of Treasury and Economics, Agriculture and Food, Industry and Tourism and Housing. The purpose of this discussion paper is to assist members to identify the sources and consequences of the recent unprecedented high interest rates and to examine policy issues raised by these events.

At the outset, I would like to emphasize that the responsibility for securing lower and stable interest rates in the future must lie with the federal government. Provincial jurisdictions have neither the fiscal nor monetary levers necessary for pursuing an independent Canadian interest rate policy.

In this paper, in order to examine the causes of the recent upsurge in interest rates and the historically high level of rates of recent months, an assessment is made of the requirements for capital financing in Canada and the availability and source of funds. The paper discusses Canada's current policy dilemma: that high interest rates induced by policy decisions of the Bank of Canada and the federal government treat the symptoms, not the disease. In particular, high interest rates help finance Canada's current account deficit, but they do nothing to help reduce it.

The paper indicates that control of domestic inflation is essential to achieve lower interest rates and to restore the strength of the Canadian dollar. An effective, national anti-inflation strategy could create the proper environment for a strengthened Canadian dollar. The paper discusses the relationship between nominal and real rates of interest and reviews the impact of high levels of inflation. The capacity of each sector of the economy to adjust to high inflation is discussed. Options and mechanisms available to the government to assist the most affected sectors are presented.

Included among the options available to assist home owners are support of private

sector initiatives, subsidies based on ability to pay, direct rate subsidization, mortgage interest tax credits and supply side measures, such as tax-exempt bonds and direct intervention in capital markets. The paper stresses that any action to offset the impact of rising rates carries with it costs which must be paid by taxpayers either immediately or in the future.

Because of the immediate needs of Ontario's farmers for capital to begin the spring planting and because of the lack of action on the part of the federal government, the government implemented the farm interest assistance plan in advance of the release of this paper.

It is hoped this paper will assist the members of the Ontario Legislature and other interested individuals to assess the scope available to borrowers and lenders to adapt their activities in a period of temporarily high interest rates. It is clear that there is no substitute for long-term economic policies aimed to stabilize interest rates at lower levels in the future. Temporary, Band-Aid measures are not viable in the long run. Lower inflation, enhanced productivity, more balanced industrial development and a resolution of the problem of growing fiscal imbalances in Canada are essential aspects of any lasting solution to Canada's economic problems.

#### TRIBUTE

**Mrs. Campbell:** If I might crave the indulgence of the House at this time, I want to pay tribute to a great Canadian and a fine Metro Toronto statesman. I am referring, of course, to Edwin J. Pivnick, QC, who was the reeve of Forest Hill. I served with him on Metro council, Mr. Speaker, and I found him to be a man of great character.

It is easy to judge a person in moments of triumph, but I served with him at the time when he had the difficult and, to him, very sad task of discussing the mechanics of the transfer of the political bureaucracy from Forest Hill to the city of Toronto during that amalgamation.

Mr. Pivnick was a man of great character. He was a man of concern and a gentle person. I would say of him that probably he was one of the last of those politicians of whom it could be said that he was indeed a courtly gentleman. I would ask the House to join with me in expressing to his wife and to his family our deep sympathy at this time.

#### ORAL QUESTIONS

##### REMOVAL OF PRODUCTION MACHINERY

**Mr. S. Smith:** Mr. Speaker, I would like to ask a question of the Treasurer that bears indirectly on some of this economic nationalism the Minister of Industry and Tourism is belatedly discovering.

Is the Treasurer aware of the situation at the Rockwell International of Canada Limited plant in Chatham where Local 127 of the United Automobile Workers of America has been on a legal strike for three months? In particular, is he aware that production machinery—bores and dies for producing stabilizers—has been removed from the plant and sent to Rockwell plants in the United States?

Given the experience in Windsor, where pieces of equipment were removed from plants there and sent to their American masters across the border, would the Treasurer answer the following question: Since most machinery of this kind would undoubtedly have been purchased using depreciation allowances, including rapid depreciation write-offs which are available in this province and this country, does Ontario make any effort to recover its share of those depreciation write-offs when the machinery is shipped across the border?

**Hon. F. S. Miller:** Mr. Speaker, the answer would be yes. If the transfer price of any machinery exceeded the book value, there would be a capital gain on the company's books, and therefore it would be taxable.

**Mr. S. Smith:** Will the Treasurer tell us exactly how many dollars and cents Ontario has ever recovered from companies that ship equipment to their masters across the border? Can we have a listing of those instances where Ontario has recovered as much as five cents in these circumstances from the depreciation?

Will the minister not agree that removing production machinery from Ontario to the United States, in the midst of a strike in this situation, could have the effect of prolonging the strike, or possibly even have a very devastating effect on Canadian workers on a permanent basis?

What is the minister going to do to ensure that companies set up in this country do not simply act as agents to ship machinery back to their home companies across the border whenever things get rough in Canada?

2:20 p.m.



**Hon. F. S. Miller:** I do not think any plant normally ships machinery back and forth just because of a strike. I do not like the removal of any production facilities from our country whenever the economics and the market justify their location here.

Most of the details of the member's question are best answered by my colleagues in either the Ministry of Industry and Tourism or the Ministry of Labour, because they relate to those ministries more than to mine. The tax question was quite properly mine.

**Mr. Laughren:** Mr. Speaker, I presume the Treasurer will be pursuing this question to some extent; will he check to see whether that company received a sales tax exemption on the purchase of that machinery in the first place as a result of the sales tax exemption passed by his government?

**Hon. F. S. Miller:** If that machinery was purchased since sales tax exemptions were permitted, I would assume they got the exemption. It happens that also becomes a part of the value of the machinery from a book point of view, whether one pays the tax or not. As the member knows, sales tax exemptions on machinery in Ontario equal roughly half the purchase price of machinery in Ontario. It depends on the particular type of machinery. If it is used directly in the change of the shape of the product, it is entitled to a sales tax exemption. If it simply transfers the product, it is not.

**Mr. S. Smith:** With regard to the tax matter, which the Treasurer accepts is within his purview, in the case of Rockwell and in the case of the automobile company in Windsor where this is alleged to have happened, will the Treasurer check to see whether rapid depreciation did take place and whether the company has obtained any benefit from the rapid depreciation?

In the case of Rockwell, I gather the actual owners of the equipment were the auto companies, but will the minister check into that and see to it that if that did happen, if they obtained the benefit of rapid depreciation in Ontario, the province would recover that amount of money immediately? Will he also introduce the kind of legislation necessary to make sure this kind of transfer of equipment does not further occur?

**Hon. F. S. Miller:** I am not sure I could agree to the latter part because, in fact, we often get equipment from the United States. I am sure the honourable member is aware of that. It is not always new equipment. Used equipment has to be transferable or saleable.

I will be quite pleased to check into the details of the transfer to see what the actual pricing mechanisms were.

#### AID TO PENSIONERS

**Mr. S. Smith:** A question for the Treasurer, Mr. Speaker: Since it now appears that the government will be implementing its new pensioner tax grants, even though there are thousands of people who will receive less the new way than they did the old way, will the Treasurer undertake to correspond with a Mr. J. Moreton, at 101 Humber Boulevard in Toronto, and explain it to this gentleman, whose total income is very small indeed? I can give it to the Treasurer in exact terms: his total income is \$388.52 per month.

Will the Treasurer please convey to Mr. Moreton his reasoning as to why Mr. Moreton must now receive \$113.90 less under this new system in order that the government can give \$550 more to someone like Harold Ballard, who apparently stands to make \$1 million just in dividends from his shareholdings in Maple Leaf Gardens? Will the Treasurer please undertake to tell Mr. Moreton what I cannot tell him, which is why he has to get \$114 less so that Harold Ballard can get \$550 more?

**Hon. F. S. Miller:** Mr. Speaker, the member is extrapolating the truth, as he always does. He is assuming that I did one for the other. That is not true. A great many Ontario senior citizens will show their appreciation this fall when we will see literally 700,000 people benefit from what is a very fine program.

The fact remains that \$388 a month is less than the minimum guaranteed income, as of July 1, for any citizen in the province: so, if the member will send me that piece of information, I will be glad to correspond with him. Like it or not, between the federal government and the Ontario government, we have raised the basic minimum incomes for all people by \$540 a year; so his minimum income must be at least \$5,200 a year as of July 1.

**Mr. Riddell:** Mr. Speaker, perhaps after the Premier has written to Mr. Moreton in Toronto, he can write to one of my constituents, Mr. Marsh, who currently resides in Huronview, a home for the aged, and explain to him why he will not receive either the \$110 pensioner tax credit or the property tax grant this year. This is a pensioner whose Ontario tax credits last year totalled \$371.51. This year, he will get the \$50 sales tax grant, period.

**Hon. F. S. Miller:** I do not know what the gentleman's income is, but obviously he has to be above \$5,200 a year in income, or else he would have received the \$120 a year through the guaranteed annual income system alone.

Mr. Speaker, you know Ontario has one of the highest availabilities of institutional space in the world for people over 65. Our average cost per person in those facilities, I think, is something like \$6,300 of taxpayers' money. My program was aimed at supporting people who are not subsidized in institutions and who, in fact, are faced with the cold, hard realities of living in the outer world where they want to be. That is the kind of people who deserve the support. Those are the ones who got the support.

**Mr. Laughren:** Mr. Speaker, does the Treasurer not understand that the real inequity in his pensioner tax credit system concerns those people who are on disability pensions, many of whom have children still at home, and who have very high expenses? That is where the inequity in his system really is. Will he make a commitment to this chamber to do something about that?

**Hon. F. S. Miller:** There certainly are very real problems for people under 65 in many categories, including the disabled. I have never tried to deny that. My program at this point was aimed specifically at the people over 65, and I know my colleague the Minister of Community and Social Services (Mr. Norton) has expressed that concern and is doing his best to make sure our programs reflect their needs.

**Mr. Sweeney:** Mr. Speaker, could the minister suggest to me how I can respond to 150 residents of the Sunnyside Home in Kitchener who have indicated to me that they have calculated they are going to lose in excess of \$100, which they would have used in the past to buy shoes and clothes that they cannot buy with the monthly comfort allowance? These people are going to be definitely disadvantaged under his program. How can I respond to them?

**Hon. F. S. Miller:** The monthly comfort allowance so far has been increased by \$120 a year.

#### MORTGAGE RATES

**Mr. Cassidy:** Mr. Speaker, I have a question for the Treasurer about the belated statement on interest rates which he has brought down today. Clearly the timing of the statement indicates that the government will not bring in legislation before the end

of this week. Could I ask the Treasurer what the government's intentions are on the proposal which the Minister of Housing (Mr. Bennett) has taken to the federal government, which would, in fact, provide mortgage rate relief for people who roll over mortgages and who have a gross debt service ratio exceeding 30 per cent of their income? Is it the government's intention to bring in that scheme, or to bring in a similar scheme proposed by the member for Nickel Belt (Mr. Laughren), two months ago, whether or not the federal government refuses to act?

**Hon. F. S. Miller:** Mr. Speaker, this is one of those cases in which we clearly said the interest rate policy is a federal issue and Ontario had a role to play. At the time we started this, the interest rates at the central bank were 16.2 per cent. They are 11.2 per cent now. They have dropped five full percentage points since this paper was introduced. That is good luck and to some degree an indication of the stability of the Canadian dollar in world markets in the interim, because our dollar has stayed up; in fact, it has increased in value, I believe, since the mid-March figures, when interest rates were at their historical high.

We have suggested a two-stage program in that paper. The federal government would be the first in, with a \$500 loan—and I believe it is interest-free, as proposed—to anybody who is paying more than 30 per cent of his gross family income; should that leave them still above 30 per cent, a second sum of up to \$500 a year would be granted by Ontario to those people. But we do feel it is essential that the federal government be willing to lend money; we, in turn, are willing then to grant money. I think there is a great difference.

2:30 p.m.

**Mr. Cassidy:** Since I have no particular confidence that the federal Liberals will do anything better than the provincial Conservatives, can the Treasurer restore my faith in the government—what little faith there is—with an assurance that, if there is a no from the federal government, this government will bring in a loan grant system or some other means of relief for home owners who were hit by the cost of excessive renewals? In particular, will the Treasurer assure the House that an Ontario provincial scheme will be backdated to the late winter and spring of this year when home owners were particularly hard hit by the cost of those rollovers and not be backdated only from June 1 this year?

**Hon. F. S. Miller:** I certainly think we need to encourage our federal government, which has stated it will act; it came out very early and said it would. In putting forward our paper, I intend to take that as a given; that their intention to help people in real need, as stated early by Mr. MacEachen, I believe, and Mr. Cosgrove, was genuine. I am beginning to worry about it.

I am beginning to think they are beginning to shuck a number of their promises made in the heat and the pressure of the winter. But Ontario stands ready to co-operate with them, as we should in a federated country.

**Mr. Peterson:** Could the minister enlighten me, please? What is the possible purpose of this discussion paper except as a sop to the New Democratic Party? What is he accomplishing by tabling an academic discussion paper of the possible options of this House? Why did he waste the taxpayers' time preparing it, and what is he going to do about the real problems that he has not faced yet?

**Hon. F. S. Miller:** The fact is it was suggested that a study be made. This government accepted that suggestion and we did it. We are always accused of being insensitive to suggestions from the opposition; we accepted one.

**Mr. Cassidy:** The member for London Centre was so exercised over this very question that he proposed a motion of no confidence in the government just seven weeks ago over an issue which he now says should not even have been studied in a paper. I do not know how inconsistent they can get.

**Mr. Speaker,** since neither the Treasurer nor myself has any confidence in the ability of the member for London Centre or the member for Hamilton West (Mr. S. Smith) to get the federal government to intervene to protect home owners, can we have an assurance before this House rises—can we have it today—that if the federal government will not co-operate in this venture, there will be a scheme from Ontario to protect those home owners who had to renegotiate their mortgages this spring and who were having to pay renegotiated mortgage rates of 16 or 17 per cent? Why should they be made victims?

**Hon. F. S. Miller:** I would hope, rather than trying to lay it on me, the member would co-operate with this government to get the federal government to do what it should do. The federal government is in control of monetary policy, and the federal government should act with us.

## HEALTH AND SAFETY LAWS IN URANIUM MINES

**Mr. Cassidy:** I have a new question for the Minister of Labour which also concerns this government's passing the buck to the federal Liberal government, in this case with relation to the protection of the health and safety of uranium miners in Elliot Lake.

Is the Minister of Labour aware that contrary to his statements in the House a few weeks ago, throughout negotiations with the federal authorities the steelworkers were told by lawyers from the federal Justice department that referencing Bill 70 to the Canada Labour Code will still mean that federal law will take precedence over Bill 70 whenever there is a conflict between the two statutes?

If so, would the minister not agree that the recent move by the federal Department of Labour in referencing Bill 70 under the Canada Labour Code is simply inadequate and that it will not afford the uranium miners the protection of Bill 70? What is this government going to do in order to get the uranium miners that protection?

**Hon. Mr. Elgie:** Mr. Speaker, I think this government has made its intentions very clear. It was those very intentions that initiated the Ham commission, which was brought about by the very issues the member is talking about—health and safety in relation to uranium mining.

I take some degree of concern with the statement the member made that we have done nothing. As he knows, I have reported to this House on many occasions that we have been taking the aggressive lead in trying to get the federal government to adjust its legislation so that it complied in some way with the legislation we have in Ontario. The most recent suggestion made to us is the one the member has reported—that they will incorporate by order in council Bill 70, the Occupational Health and Safety Act, and the mining health regulations.

I know there is some legal opinion that there still remains a conflict as to which legislation prevails and we are in the midst of discussions with them about it. Our position has been made clear all along. We prefer the legislation that we have and we will continue to pursue that avenue.

It is not easy for inspectors to make this differentiation, so the member is not pointing out problems of which I am not aware. Inspectors are up there acting as agents on behalf of the federal government and it is difficult for them to draw these distinctions. The clearer it can be made, the better. I do not argue with the member about that. We

have been involved in negotiations about those very matters now for several months.

**Mr. Cassidy:** Supplementary: Will the minister tell the House unequivocally that the federal Minister of State for Mines, Hon. Ms. Erola, is misleading the miners and misleading the people of Ontario when she says those miners are getting the protection under Bill 70? In fact, the miners are getting inadequate protection with particular regard to the right to refuse and the operation of the health and safety committees.

Will the minister also indicate clearly on the record that there are going to be severe problems with the proposals of the federal government, because it will take up to a year or more to get the right to prosecute under the Canada Labour Code, when under Bill 70 here in Ontario prosecutions can be decided upon and undertaken within a week or two?

Doesn't the minister agree that the miners of Elliot Lake should get the same protection as miners in every other mining operation in Ontario? Will Ontario ensure that those uranium miners get that protection?

**Hon. Mr. Elgie:** I have made very clear over the past months my position with regard to the health and safety of miners. It is expressed in the Occupational Health and Safety Act and in the regulations.

The facts of life are that there happens to be a jurisdictional dispute over authority in those areas. I have made our position very clear; I will continue to do so. The member knows very well that the federal government has claimed it believes its order in council gives those miners the same protection other Ontario miners have. We will continue to have discussions with them about that. I believe, if I am not mistaken, that there was an indication in one statement that if that did not seem to be so, they would take further steps. Certainly we are continuing to have discussions about it.

**Mr. Martel:** Supplementary, Mr. Speaker: Has Ontario put forth the position that the province is the authority that would prosecute rather than the federal authorities? If the federal authorities do not grant that, should we not simply opt out and tell the federal authorities they should look after that situation rather than have Ontario be the football in the game between the miners and the federal authorities, who seem to be getting away scot-free in this whole discussion?

**Hon. Mr. Elgie:** Mr. Speaker, I understand the point the member for Sudbury East makes. He knows very well it would be very difficult for one jurisdiction to grant its legal capa-

cities to another. Once they have made the declaration, as they have in the area of uranium, I do not think that constitutionally they can give away such things as that. It has to be incorporated in their own legislation and that is a matter that will have to be discussed with them.

#### ARGOSY RECEIVERSHIPS

**Mr. Peterson:** I have a question for the Minister of Consumer and Commercial Relations, Mr. Speaker. I would like to ask about the Argosy Investments Limited affair.

Is the minister aware that on December 10, 1973, under the hand of J. C. Horwitz, chairman of the Commercial Registration Appeal Tribunal, the following order was issued: "That the continued registration of Argosy Investments shall be subject to the condition that John David Carnie shall forthwith surrender and give up share or shares of Argosy Investments Limited"?

To the best of my knowledge, that was not done and he was still the president and involved at the time of the bankruptcy.

**Hon. Mr. Drea:** Mr. Speaker, there is no question that that order was issued on December 10, 1973, and there is no question that that order was complied with.

Has the honourable member read the order? I would suggest that he read the order because the order was applicable only until December 31, 1974. All those terms and conditions were complied with from 1973 through 1974. Indeed, it is my understanding that the firm was under monitorship right up until 1977.

2:40 p.m.

It would be helpful if I read a synopsis of that decision. The registrar of mortgage brokers proposed to revoke the registration of Argosy Investments Limited in 1973 as the result of a number of complaints. Argosy appealed to the Commercial Registration Appeal Tribunal. The tribunal ordered the registration renewed, subject to terms and conditions, for a period of one year.

These terms and conditions included a requirement that John David Carnie not be employed by the firm and that full disclosure be made to borrowers. The registrar monitored the operations of the firm and there was no indication after expiry of the terms and conditions that further administrative action was necessary.

**Mr. Breithaupt:** Supplementary, Mr. Speaker: Were any further comments or complaints made to the minister with respect to the operation of Argosy Finance Company

Limited that would have occasioned the requirements of supervision, or possibly the issuance of a new order that may have helped avoid the problem many investors became involved in?

**Hon. Mr. Drea:** Mr. Speaker, not to the best of my knowledge in that regard. I take it when the honourable member is talking about Argosy Finance Company Limited the question pertains to Argosy Investments Limited. It was another company.

In connection with a related company not involved in the present matter, there was a significant form of monitorship over London Loan Limited from approximately last fall until its sale to outside parties. That involved, in the view of the executive director of financial institutions, Mr. Thompson, a considerable amount in syndicated mortgages. The monitorship was to bring down—and it did—the amount in syndicated mortgages. But that is the only monitorship of a Carnie firm, or one that was related, until the time of the bankruptcy.

**Mr. Peterson:** Mr. Speaker, how could it transpire that in following the order of the Commercial Registration Appeal Tribunal—and obviously Mr. Carnie's personal relationship with this company was in some sort of question at the time the order was given—he could end up back as president and in fact be president at the time of the bankruptcy of that company? How could that transpire under the minister's direction?

**Hon. Mr. Drea:** Mr. Speaker, so far we are up to the third company involved in this. The particular application involved Mr. Carnie and Argosy Investments Limited, and Mr. David A. Walker, also known as Dawaca Holdings.

In 1977, Mr. Carnie came not before the registrar of mortgage brokers but before the Ontario Securities Commission. It is a matter of record at that time that the director refused him registration. A full hearing was held by the commission where Mr. Carnie was allowed registration.

#### CANADIAN SKI BOB ASSOCIATION

**Mr. Foulds:** Mr. Speaker, I have a question for the Minister of Culture and Recreation. I would like to ask him what steps his ministry is taking to rectify the situation involving a trail of debt and destruction left by the national Canadian Ski Bob Association as a result of its international meet in Thunder Bay after receiving a grant from the Ministry of Culture and Recreation of \$30,000. Why has the Ski Bob Association not

paid its outstanding bills of \$15,000 to the Alpine Inn, \$5,000 to various ski clubs and moneys to individuals?

Further, is he aware of a letter written by his colleague the Minister of Industry and Tourism (Mr. Grossman), on "We Treat You Royally" stationery, indicating that his officials in the Ministry of Industry and Tourism were fully aware of it and that along with the officials in the Ministry of Culture and Recreation they were going to rectify the situation? That was over six weeks ago. What is happening?

**Hon. Mr. Baetz:** Mr. Speaker, we are still looking into this. When I get a full account of it I will be prepared to report to the House.

**Mr. Foulds:** Supplementary, Mr. Speaker: Is the minister aware of the seriousness of this outstanding debt in that the government of Ontario, through the Northern Ontario Development Corporation, is the first-mortgage holder on the Alpine Inn in Thunder Bay? Is he aware that lack of payment of this outstanding bill has at least contributed to the temporary closing of the hotel and the temporary layoff of 35 of its employees? Can he explain why one of his own ministry officials who went up for the meeting has not yet paid his hotel bill?

**Hon. Mr. Baetz:** I do not know what happened to my own employee, but I do know that we are looking into this. I do not think it would serve any purpose at all to comment in a very fragmented way at this time. I will be getting a full report on the whole matter. When that is complete, I will be pleased to report to this House and any members here.

**Mr. Foulds:** Supplementary—

**Mr. Speaker:** The honourable minister has taken it as notice and he has committed himself to giving a detailed response at a later date.

#### SECURE TREATMENT UNITS

**Mr. Blundy:** Mr. Speaker, I have a question of the Minister of Community and Social Services. In view of the recommendations of the coroner's jury into the death of training school ward Paul Marling that there is an urgent need for more secure treatment units in Ontario; in view of last summer's sudden closing of the juvenile secure treatment unit at the Queen Street Mental Health Centre and in view of the loss of the Royal Ottawa Hospital adolescent service, which has been in chaos and I believe is now nonoperational, can the minister explain why he has let the

care of our more disturbed children lapse into this state of virtual nonexistence in the province? Can he tell me how many bona fide secure treatment beds for severely disturbed children currently are operational in the province?

**Hon. Mr. Norton:** Mr. Speaker, the honourable member ought to be very cautious about taking some of the statements made by certain individuals who have a vested interest in particular programs—I am thinking of places such as Ottawa—and accepting those at face value. There are some internal political situations within some of the healing professions in this province as well that may not be before this Legislature. That has been characteristic of some of these professional groups for some time.

We have been moving over the past couple of years, as I have indicated a number of times, from a primarily residential-based treatment model to more of an outreach program for supportive treatment for children in their homes or in community settings.

It is true that the coroner's jury in the case of Paul Marling did make recommendations which are quite consistent with what I announced to the Legislature some two or three weeks or so ago—I have forgotten the exact date. That is the announcement that during the course of this year we would be opening, the first as early as this summer, four additional secure treatment units for children or juveniles across the province. One of those will be in the Metropolitan Toronto area, another in London, and one is to be in Ottawa.

Some of the recent publicity in Ottawa generated by one of the doctors of the Royal Ottawa Hospital was mistaken. He was talking about an 18-year-old who was not a juvenile and who was referred to the service by the adult court. The doctor, mistakenly I think, had said it was through lack of juvenile services that he was unable to deal with that 18-year-old individual. That was incorrect, I believe. Furthermore, he did not happen to mention that he had recently received \$500,000 from the Minister of Health (Mr. Timbrell) for the provision of services to people such as that 18-year-old.

2:50 p.m.

There are, as I say, some very real, professional politics being played in that situation because we have had negotiations with the Royal Ottawa Hospital. They have been very difficult negotiations and I have indicated in my announcement that it would not necessarily be at the Royal Ottawa Hospital

where that service will be located in Ottawa, unless they indicate some willingness to comply to a degree that they have not done as yet. We are at present considering other agencies in that community as well.

**Mr. Blundy:** Supplementary, Mr. Speaker: The minister did not say how many beds are currently in use in the province for adolescents. In addition to obtaining that answer, I would like to ask the minister how many children or adolescents are now in adult psychiatric hospital secure treatment centres in the province?

**Hon. Mr. Norton:** Mr. Speaker, the specific figure in respect of either of those two questions I cannot give the honourable member off the top of my head, but I will certainly undertake to try to have those figures for him by Thursday of this week before the House rises.

The number of children who might be in what was described as adult psychiatric facilities would really be very small. There are some psychiatric units for juveniles that are still located within the same building as the adult psychiatric services. We have an arrangement with the Ministry of Health at the moment to maintain those under a common administration, but the program that is available to the juveniles is still under the direction and control of my ministry. I will try to get specific figures for the honourable member.

#### SURVEY OF PETROLEUM PRODUCTS

**Ms. Gigantes:** Mr. Speaker, I have a question for the Minister of Energy concerning the monthly survey of petroleum product supplies and projected demands. The minister informed the House on December 20 last that the National Energy Board had made a commitment at the federal-provincial energy officials' meeting on December 12 that this data would be publicly available on a regular monthly basis, starting January 1980. Is the minister aware that the survey was released for January 1980 but not since, and that the National Energy Board has once again retreated into secrecy as far as this important information is concerned?

**Hon. Mr. Welch:** Mr. Speaker, whatever the commitment was, I assumed it was being honoured on behalf of the board with respect to any request coming from members. I will be glad to check into that, of course. We have been in receipt of all this information and are attending meetings in Ottawa on a monthly basis. Now that the honourable



member has drawn that to my attention I will be glad to follow up on the matter.

**Ms. Gigantes:** Supplementary, Mr. Speaker: Considering the fact that it is absolutely ludicrous we enter this fall season without the public of Ontario having information available as we did last fall season, what will the minister do to ensure the public of Ontario will have access to this information as we start into the heating season?

**Hon. Mr. Welch:** Mr. Speaker, as I have already indicated, and as the honourable member will recall, last fall we had an exchange of questions and answers in this House and information was provided to the people of Ontario upon which they could base their decisions and come to their own conclusions with respect to that particular question. I have no reason to believe we will not have access to all the information we require in order to make our own judgements with respect to the upcoming heating season.

#### CARTIER SQUARE DEVELOPMENT

**Mr. Sterling:** Mr. Speaker, I have a question for the Minister of Government Services. For the past couple of months we have been talking about a very favourite project of mine, the Ottawa courthouse. I understand the minister had a meeting last week with the head of the National Capital Commission and the mayor of Ottawa. Before the House rises for the summer, I would like to know the state of this project and when we can expect it to be finally resolved.

**Hon. Mr. Wiseman:** Mr. Speaker, to answer the honourable member, last Thursday my deputy and I were asked by the chairman of the National Capital Commission, Bud Drury, to attend a meeting to look at the overall site plan. As the member knows, there is quite a large site plan for Cartier Square. Attending that meeting, as the honourable member has said, were the mayor of Ottawa, one or two councillors and a couple of planners, as well as three people representing the Cartier Square Citizens' Committee and I think the full slate of officers of the National Capital Commission.

At that meeting their planners showed us the overall plan for this large parcel of land and particularly how it would affect our new Ottawa courthouse. I believe we all came away from that meeting feeling it was a good site plan. However, the mayor wanted to take it back to her council, as did the citizens' committee, and there will be a meeting in two weeks' time at which time I am hopeful they will come back and say they approve of it

and we can get on with the drawings with their architect.

I am as interested as the member for Carleton-Grenville in seeing this courthouse completed and I am hopeful we will be able to meet the time frame of 1985.

#### EARTH BERM DIKE

**Mr. Ruston:** Mr. Speaker, I have a question for the Minister of Natural Resources with regard to a letter he sent to the Sandwich West township about an earth berm dike being constructed by Allied Chemical.

The Minister of the Environment (Mr. Parrott) also sent a letter saying that the Ministry of Natural Resources was responsible for any upstream flooding. The Minister of Transportation and Communications (Mr. Snow) sent a letter that said everything was in order. In the minister's letter, though, he says, "It is my understanding that plans for the project were reviewed and found acceptable by the Essex Region Conservation Authority, who have made a mandate to control river flooding." The Essex Region Conservation Authority, in its letter to the township, says, "The Essex Region Conservation Authority therefore have no existing legislative basis for regulating placement of fill, such as the reference to the above."

Can the minister tell me who has jurisdiction when the minister tells the township that the conservation authority has jurisdiction and the authority says it does not have jurisdiction? Has the minister approved it? Who has to approve it?

**Hon. Mr. Auld:** Mr. Speaker, I will have to look up the file on that because I recall the correspondence and I recall some fairly extensive coverage in the press. We were in touch with the conservation authority which indicated—as I recall without checking the file—that it did not feel the berm, which was being constructed, would have any effect on flooding. Consequently it had no objection to the work being done.

The most direct authority that the conservation authorities normally have is the so-called "dump and fill" regulation. I assume the authority has those regulations, although I could not quote them from memory. I will be delighted to find out.

**Mr. Ruston:** Supplementary, Mr. Speaker: Is the minister not aware that there must be a bylaw passed naming the flood plain area before the conservation authority has any authority to go in and put on its rules and regulations? Is the minister aware that it takes a bylaw by the municipality to give it the authority?



**Hon. Mr. Auld:** Mr. Speaker, my understanding is that on occasion, under the official plan, this may be designated. Where there is no official plan, the authority passes its own regulations.

#### FORD ENGINE PLANT

**Mr. Cooke:** Mr. Speaker, I have a question for the Minister of Industry and Tourism. It concerns the construction of the Ford Motor Company engine plant in Windsor. I would like the minister to confirm or deny a lead story on CBC in Windsor last night that the Ford engine plant will be retooled for four-cylinder engines before it is even opened and that the plant will not open for another three years. Could he confirm that?

If in fact that is true, could he tell us what talks he plans on having with Ford Motor Company in order to maintain some of the existing facilities in the interim, for which they have already announced closure?

**Hon. Mr. Grossman:** No, Mr. Speaker, I cannot confirm that story. I have heard about it and we checked it out with Ford. Ford does not confirm that to us at this time.

**Mr. Bounsall:** Mr. Speaker, if Ford cannot confirm that at this time, will the minister continue to have talks with Ford to ensure that delay, as a result of retooling, does not take place? If they are contemplating a different product there than planned, what employment programs or benefit programs will this government put in place for those 2,400 workers whose jobs will therefore be delayed by those production delays?

**Hon. Mr. Grossman:** Mr. Speaker, I can only assure the member that we will be monitoring the situation and having continuing discussions with Ford if we ascertain that they are reconsidering exactly what products should go into that plant. I would emphasize at this time we have no information that indicates they are going to change the product in that plant. If they are, we will deal with the matters the member has raised at that time.

3:00 p.m.

#### CANADIAN CAR DIVISION STRIKE

**Mr. Hennessy:** Mr. Speaker, my question is to the Minister of Labour in regard to the mediation meetings to be held between Hawker Siddeley Canadian Car division and the striking United Auto Workers of America, Local 1075 in Fort William and Thunder Bay. I understand there was no agreement. I would like to know if the minister has decided on what steps he will take now.

**Hon. Mr. Elgie:** Mr. Speaker, it is true that mediation efforts did not bring about a resolution. They were successful, however, in convincing both parties to change their position slightly. I am advised the mediator involved is keeping in touch with the parties and will continue to do so. If there is any indication of a willingness to resume negotiations, he will do so.

#### FRUIT AND VEGETABLE PROCESSING

**Mr. Riddell:** Mr. Speaker, I have a question of the Minister of Agriculture and Food. Could the minister inform us why the consultative task force on the processed fruit and vegetable industry of Ontario has never prepared a final report? This task force was formed through the Premier's advisory committee on the economic future. In view of the fact it issued a progress report to the minister on July 27, 1979, for him to assess and respond to prior to reconvening in the fall of 1979, where is that final report?

**Hon. Mr. Henderson:** Mr. Speaker, last Friday I responded to this honourable member on the work that went on and the amount that the different marketing boards have done to implement the recommendations of that particular task force.

**Mr. Riddell:** Supplementary, Mr. Speaker: With due respect, we did not receive the report. The minister simply tabled recommendations. In view of the fact that the recommendations of the progress report were identified for the purpose of preliminary action by the government to determine the extent to which the task force views and those of the government may coincide, does the absence of government action on this report indicate the government's disagreement with the task force or the belief that there is no problem in this most vital Ontario industry, which has seen the loss of more than 40 fruit-processing plants since 1960?

**Hon. Mr. Henderson:** Mr. Speaker, if it be your wish, I could read the answer I gave last Friday again.

**Mr. Speaker:** That is not necessary.

**Mr. Swart:** Supplementary, Mr. Speaker: In view of the critical state we have now reached with regard to the loss of the processing plants and the canning factories and the increased importation of processed foods, fruit and vegetables into this country, is the minister planning on tabling in this Legislature in the near future a plan for reversing this situation? Will the government take action to ensure we are going to replace many of these food imports?

**Hon. Mr. Henderson:** Mr. Speaker, again I could go to some statistics if it be your wish. But in regard to the imports the honourable members refer to, if my memory serves me correctly, last week the figure was \$800 million. Am I wrong in suggesting that? One item alone, bananas, oranges and other fresh, frozen and dried fruit came to \$192 million, one quarter of that \$800 million. They are products we do not grow here.

I have to apologize. On Sunday afternoon I saw a small orange tree from which I picked an orange. It was growing in a living-room. So we do grow some oranges here.

I could take up an hour on reading these. I am trying to pick out some of the larger items.

**Mr. Speaker:** Perhaps the honourable minister could just table them?

**Hon. Mr. Henderson:** Yes, I would be glad to table them if that be your wish, Mr. Speaker.

#### RESIDENTIAL TENANCY COMMISSION RULING

**Ms. Bryden:** Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations.

Interjections.

**Mr. Speaker:** Order. I can't hear the question.

**Ms. Bryden:** Three weeks ago in an open letter I drew to the minister's attention the fact that the Residential Tenancy Commission had ruled that the more than 1,000 apartment units in the Main Square complex in my riding are not covered by rent review. When will the minister respond to my letter which asked him to meet with representatives of the tenants to discuss the possibility of an amendment to the act in order to provide these tenants with the benefits of rent review which are enjoyed by other Ontario residents in privately owned buildings?

**Hon. Mr. Drea:** Mr. Speaker, that isn't exactly an accurate description of that particular project. The ruling by the rent review board was that it was exempt under the act because the Canada Mortgage and Housing Corporation was administering it.

The member knows very well that in the whole length of the very lengthy hearings which went on and on and on over the residential tenancies bill, which is now before the courts, one of the final determinations was that we weren't going to change any of the rules in the middle of the game. It is that simple.

**Ms. Bryden:** Supplementary: I understand the building is not administered by the Canada Mortgage and Housing Corporation but is administered on its behalf by Victoria Wood, a private development company that owns the building. I ask the minister why should a building, which is very similar to privately owned limited dividend buildings, be exempt from rent review when such limited dividend buildings are subject to rent review? It seems discriminatory against those tenants.

**Hon. Mr. Drea:** I draw the attention of the member to the fact that the present Residential Tenancies Act in its origins and with its exemptions was the will of this House away back in 1975.

#### HILL REPORT ON GROUPS, SECTS AND CULTS

**Mr. Sweeney:** I have a question for the Premier, Mr. Speaker. I am referring to the Hill report that was released yesterday. Given the specific examples of abuse that are listed in the report, given the Attorney General's (Mr. McMurtry) comment that some of his officials actively participated in gathering that evidence and, finally, given the Attorney General's comments that cabinet would make a decision as to what to do with this, can we be assured that charges will be laid where evidence of specific abuse has been identified?

**Hon. Mr. Davis:** Mr. Speaker, I don't like to give people assurances that charges will be laid before investigations have been made. I would say to the honourable member just what the Attorney General said yesterday. I haven't had an opportunity yet to read the report. The report will be assessed by the minister. It will be coming forward to cabinet with whatever recommendations he has and we will deal with it. I think it would be very premature to speculate on what might or might not happen as a result of Dr. Hill's report.

**Mr. Sweeney:** Supplementary: Is it reasonable for us to believe that if the existing legislation, which Dr. Hill says is sufficient, proves to be insufficient, new legislation will be brought forward?

**Hon. Mr. Davis:** I guess the honourable member is suggesting he disagrees with Dr. Hill's observations that new legislation is not required. I don't want to be repetitious, but I haven't yet read the report. I don't think the Attorney General is ready yet to bring it to cabinet with recommendations. To speculate on what might or might not happen is

really premature. I am not saying that to be difficult or provocative, but I think we should have an opportunity to read through and assess the report.

3:10 p.m.

### INDUSTRIAL HEARING LOSS

**Mr. Martel:** A question of the Minister of Labour, Mr. Speaker: The recent report of the Advisory Council on Occupational Health and Occupational Safety has a section concerning occupational hearing loss, prevention, compensation and rehabilitation. In part it states, "In simple terms, an 85-decibel exposure level protects about 92 per cent of those at risk, while a 90-decibel exposure level protects only 82 to 85 per cent." Is the government prepared to introduce changes that would reduce the exposure level to 85 decibels?

**Hon. Mr. Elgie:** Mr. Speaker, as I indicated to the member for Hamilton East. (Mr. Mackenzie) last week, those particular matters, including the loud noise levels, will soon be published and gazetted. Whatever the government's determination is with regard to an appropriate noise level will presumably be influenced greatly by the recommendation of the Advisory Council on Occupational Health and Occupational Safety.

**Mr. Laughren:** That is a terrible answer.

**Mr. Martel:** A supplementary: In view of the shortage of speech therapists—there are 375 and some 460 are required—and in view of the shortage of audiologists and particularly in view of the poor distribution of these services, what does the minister intend to do to guarantee that adequate aural rehabilitation services will be provided to those workers in the province who are suffering industrial hearing loss, and in particular to those 800 or more cases in Sudbury who do not have any services whatsoever?

**Hon. Mr. Elgie:** Mr. Speaker, in all fairness, the member and I have talked about this in the past. It was as a result of discussions he and I had that the very issue of occupational hearing loss was referred to the advisory council.

Interjections.

**Hon. Mr. Elgie:** There are some rowdies around, Mr. Speaker.

It was referred to the advisory council. The Minister of Education (Miss Stephenson) and I will be meeting with the chairman of the advisory council to discuss the need for technologists in the province, after carrying out an assessment of what our capacity is

now. The appropriate provision of rehabilitation services is clearly another matter that came out of that report, and to which we are going to be directing our attention. I agree with the honourable member. This is why I initiated that whole study.

### USE OF LIE DETECTORS

**Mr. Stong:** Mr. Speaker, I have a question of the Provincial Secretary for Justice. Does the minister endorse the use of lie detectors in the investigation of certain rape complainants, and for what use would he sanction them?

**Hon. Mr. Walker:** The matter relates to the newspaper story involving Peel region, and I understand in that particular case the permission of the individuals was garnered. In that case, I would find it very difficult to object to it.

**Mr. Stong:** Is it a policy of the ministry to endorse the use of lie detectors for rape victims across Ontario?

**Hon. Mr. Walker:** I think the member would have to re-read what I said to find I did not say that.

### CAPITAL ALLOCATIONS FOR SCHOOL BOARDS

**Mr. Philip:** Mr. Speaker, I have a question of the Minister of Education: As a follow-up to the statement made by the minister last Monday in this House that capital allocations for 1981 will be known within the next week by all the boards except those in Metropolitan Toronto, which still have some questions to be resolved before a final decision can be made, can the minister inform the House what these questions are that must be resolved, and when the boards of Toronto, such as the separate school board, can know when final decisions are to be made so that construction can be undertaken for September openings?

**Hon. Miss Stephenson:** No, Mr. Speaker. The allocations that are related specifically to September 1980 openings were made quite some time ago. We were talking about allocations for 1981, and I cannot give details at this point. I would hope that by the end of next week we will be able to be in touch with the metropolitan school boards of all kinds to provide them with information.

**Mr. Philip:** By way of supplementary: Can the minister explain to the House why it is that she has offered four deadlines and has broken each of them? I am concerned about the need for construction at Don Bosco

secondary school. Can the minister ensure the decision will come down so that they will know, because they still don't know that they cannot construct before September?

Can the minister confirm or deny the rumour that she is shopping around to try to make a deal for one of the public schools, which can be substituted for the construction of the new extension that they and the separate school board have been requesting for these people?

**Hon. Miss Stephenson:** Mr. Speaker, I would remind the honourable member that I do not think it is possible to construct a school at this time of the variety suggested by any of the boards in Metropolitan Toronto for September 1980 and, indeed, these allocations are not for that period of time, as I suggested to the honourable member.

#### SARNIA LIGHT INDUSTRIAL PARK

**Mr. Blundy:** Mr. Speaker, in the absence of the Minister of Energy (Mr. Welch), I would like to ask the Premier a question. In view of the fact that the Chippewas of Sarnia have been attempting for the past two years to get gas service to their light industrial park, and in view of the fact that for the last six months I have been corresponding with the president of Union Gas and more recently with the Minister of Energy, will the Premier look into the possibility of assisting the Chippewas of Sarnia in getting gas service to the light industrial park, which happens to be right across the road from two chemical plants that are served by Union Gas?

**Hon. Mr. Davis:** Mr. Speaker, I would assume that any industry locating in that industrial park would not be of a branch plant variety because the member's leader then would not agree to us helping in that sort of development—

**Mr. Laughren:** The Premier says there are no more branch plants.

**Hon. Mr. Davis:** Oh, they could all be branch plants. Why does the member not talk to him and suggest that there is really no consensus over there on just what might be done?

**Mr. Laughren:** I thought there were no more left.

**Hon. Mr. Davis:** Have I touched a sensitive nerve over there?

**Mr. Speaker:** I think the question had to do with electrical hookups.

**Hon. Mr. Davis:** No, I think it actually had to do with gas, Mr. Speaker, about which the

member for Rainy River (Mr. T. P. Reid) is an expert.

I will take it up with the Minister of Energy.

**Mr. Kerrio:** Supplementary, Mr. Speaker: If the Premier would recall the promise that he and the Minister of Energy made in response to a question that I raised about piping gas everywhere we could to displace imported oil, is he going to keep that promise and see if he cannot expand the pipelines and get natural gas wherever we can to displace oil brought from the Middle East?

**Hon. Mr. Davis:** Mr. Speaker, for the majority of consumers in the province, the source of crude oil happens to be the great provinces of Alberta and Saskatchewan, not the Middle East—that is the majority of consumers in Ontario including most of those who are resident in the great city of Niagara Falls. Their access is really—

**Mr. Kerrio:** Limited, because of inadequate pipelines.

Interjection.

**Mr. Kerrio:** We bring in 25 per cent with your help.

**Hon. Mr. Davis:** I have to tell the member that the 25 per cent we bring in primarily goes east of the mythical line in the Ottawa Valley. They are about—

**Mr. Kerrio:** To the east coast, I understand that—

**Hon. Mr. Davis:** No. With great respect there are 600,000 Ontarians east of that particular line who in fact use imported crude. If the member would just check his facts carefully, he will find that to be the case.

However, I really do not quite understand, Mr. Speaker, the relationship between the first question and the second question. I will get an answer to the first question from the Minister of Energy for the honourable member as long as it does not include branch plants. No, we would be delighted to have those included. For the member for Niagara Falls, yes, we are enthusiastically supporting the substitution of natural gas for crude in any way we can.

#### MOTION

##### SUBCOMMITTEE SITTING

**Hon. Mr. Gregory** moved that the subcommittee of the standing committee on public accounts be authorized to meet in camera today following routine proceedings.

Motion agreed to.

## INTRODUCTION OF BILLS

### PARKING FACILITIES FOR THE HANDICAPPED ACT

Mr. Kennedy moved first reading of Bill 130, An Act to provide Parking Facilities for Physically Handicapped Persons.

Motion agreed to.

3:20 p.m.

Mr. Kennedy: Mr. Speaker, this bill is designed to give both permanently and temporarily physically disabled persons greater and more convenient parking access not only to provincial and municipal buildings and facilities, but also to all public parking areas. Not only are designed spaces to be clearly marked, as can now be arranged by municipal bylaw, but also permits will be available to any handicapped whether they themselves drive or are transported by others. Permits will be valid anywhere in Ontario.

I would urge the government to adopt this bill without delay, and I invite comment on it over the summer.

Mr. Speaker: Order. That is superfluous comment.

### JUDICATURE AMENDMENT ACT

Mr. Breough moved first reading of Bill 131, An Act to amend the Judicature Act.

Motion agreed to.

Mr. Breough: Mr. Speaker, the purpose of the bill is to provide for full access by news reporters to court records.

### RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. Philip moved first reading of Bill 132, An Act to amend the Residential Tenancies Act, 1979.

Motion agreed to.

Mr. Philip: The purpose of the bill is to amend the exemption provision of part XI of the act, rent review, in order to eliminate the exemption for buildings occupied after January 1, 1976.

### RESIDENTIAL TENANCIES AMENDMENT ACT

Ms. Bryden moved first reading of Bill 133, An Act to amend the Residential Tenancies Act, 1979.

Motion agreed to.

Ms. Bryden: Mr. Speaker, the purpose of this bill is to amend the exemption provision in part XI of the act, rent review, in order

to eliminate the exemption for buildings operated or administered but not owned by the governments of Canada or Ontario or an agency thereof. It will bring under rent review buildings such as Main Square in Toronto which are privately owned but administered by or on behalf of Canada Mortgage and Housing Corporation or any other government agency.

### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON AMENDMENT ACT

Ms. Gigantes, on behalf of Mr. Cassidy, moved first reading of Bill 134, An Act to amend the Regional Municipality of Ottawa-Carleton Act.

Motion agreed to.

Ms. Gigantes: Mr. Speaker, the purpose of the bill is to amend the ward boundaries for election of public school trustees to the Ottawa Board of Education as requested by the board on March 26, 1980.

### RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. Philip moved first reading of Bill 135, An Act to amend the Residential Tenancies Act.

Motion agreed to.

Mr. Philip: Mr. Speaker, the purpose of this bill is to provide authority to the Residential Tenancy Commission to order a reduction in the rent charged by a landlord where the landlord's financial costs are reduced as a result of lower interest rates.

### ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Gregory: I would like to table the answer to question 219 standing on the Notice Paper. (See appendix, page 2964.)

### ORDERS OF THE DAY

#### THIRD READINGS

The following bills were given third reading on motion:

Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario;

Bill 50, An Act to provide Incentives for the Exploration of Mineral Resources in Ontario;

Bill 51, An Act to amend the Small Business Development Corporations Act, 1979;

Bill 55, An Act to amend the Income Tax Act;

Bill 60, An Act to require the Registration of Non-resident Interests in Agricultural Land in Ontario;

Bill 69, An Act to amend the District Municipality of Muskoka Act;

Bill 71, An Act to amend the Municipal Elections Act, 1977;

Bill 74, An Act to amend the County of Oxford Act, 1974;

Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

### FOREST FIRES

Hon. Mr. Bernier moved resolution 14:

That Mr. Speaker convey to the Speaker of the Legislative Assembly of Manitoba the sincere thanks of the members of this House and the people of Ontario for the warm and generous hospitality of the people of Manitoba to the residents of northwestern Ontario who were evacuated during the recent forest fires.

Hon. Mr. Bernier: Mr. Speaker, if I may, I would just elaborate with a few statistics. Most of the members realize that the forest fire situation this year has been the worst in Ontario. To date, there have been something like 934 fires this spring; more than 500 were in northwestern Ontario, and 43 are still active at this time.

About 811,000 acres have been burned to date, mostly in northwestern Ontario; 780,000 acres are still considered active but being held. Kenora 23 is the largest of the fires still burning and accounts for about 278,000 acres active right now but, again, being held. Red Lake 14 accounts for another 108,000 acres.

The total losses estimated for the forest fires, when we extend the timber loss over a period of 80 years and include some property damage and the estimated damage to the tourist industry—this is a Ministry of Natural Resources guesstimate only—are in excess of \$640 million. The exact amount of personal losses, including property damage, have yet to be determined.

About 2,000 men were used in fighting the fires in northwestern Ontario alone. As many as 10 water bombers were used at one time during the height of the firefighting exercise, and up to 79 helicopters. This is a record in the province's history. As many as 33 fixed-wing aircraft were also being used to fight the fires.

Nearly 5,000 people were evacuated in northwestern Ontario during the past few weeks. The evacuation from Red Lake, which saw 3,624 people evacuated to Winnipeg,

Gimli, Rivers and Brandon, Manitoba, constituted the largest air evacuation in Canada's history. Approximately 2,000 of these people were billeted in private homes right in the Winnipeg area.

It was interesting, during my visit to Gimli, Rivers and Brandon, to note the warmth that was being extended to those evacuees by the people of Manitoba. In fact, in Brandon I was warmly invited to join the evacuees at a barbecue that had been arranged for our evacuees by the Kinsmen Club of that particular community.

The city of Winnipeg truly opened its heart; I have to say that. The social activities that normally go on in the St. James Civic Centre were severely disrupted to look after the evacuees from the Red Lake area. Also in Winnipeg, emergency offices were set up right in the legislative building. I was heartened to meet the Premier of Manitoba and members of his cabinet who met every day during that fire crisis, including on the weekends, to deal with the evacuation and to plan for evacuation in case the 16,000 people from Kenora would need to be moved to Winnipeg. Even the Winnipeg pharmacists helped to fill prescriptions and supplied pills to those evacuees who had left their drugs behind. Many of the medical evacuees were extremely well looked after in the hospitals in Manitoba.

Truly, the people of Manitoba have lived up to their province's slogan when they refer to it as "Friendly Manitoba." I know that all members will join me in extending our very sincere thanks to the government and to the people of Manitoba.

Mr. T. P. Reid: Mr. Speaker, as a neighbour of the Minister of Northern Affairs, I am happy to stand in my place and support his resolution and to pass on my thanks to the government and people of Manitoba. In fact, what we have gone through—and we do not always realize these things at the time—is something extremely dramatic and certainly historic in the province.

We have been very fortunate in all these fires we have had this year that we have had no loss of life. I think it is because of the co-operation between all levels of government and provincial governments and the federal government that this has happened, and that the evacuation ran as smoothly as it did.

I have only third-hand information through my brother, who is a federal member. From the comments he has received from the people of Red Lake, they could not have been treated any better than if they had been taken into their own relatives' homes. The Manitoba people are to be congratulated and

thanked profusely and from the bottom of our hearts for the assistance they provided under very trying and very urgent timetables because of the possibility of Red Lake and other communities being burned.

I am extremely happy on behalf of my party and on behalf of myself, as a former resident of Manitoba when I went to university there, to support the resolution of the Minister of Northern Affairs.

**Mr. Foulds:** Mr. Speaker, I am pleased to rise and make support of the resolution unanimous. Those of us who live in northwestern Ontario are constantly aware of the threat of fire. We were made aware of it even more strongly than usual this year, very early in the fire season. I would like to take this opportunity to pay tribute to the fine work done by the ministry officials within this province and to the co-operation extended by other jurisdictions.

This was not an easy year because other jurisdictions, such as Alberta and Saskatchewan, had to use their equipment to fight their own forest fires. It is a mark of the awesomeness of a fire that it transcends political boundaries, whether they are political in a party sense, or in terms of provinces, and we have this exchange of equipment.

Surely the evacuation was one of the very finest peacetime evacuations. The hospitality shown by the people of Manitoba was touching for those who received it, but also it was touching for those of us who were not recipients directly, but only indirectly, because we are members of the area.

We should also pay a little tribute to the people in Geraldton, Nakina and Longlac who hosted the people from Fort Hope who had to be evacuated. Some of the special difficulties involving language were ironed out there.

All in all, I think the motion is appropriate. It is very appropriate that it be an expression from the Speaker of the House on behalf of all parties and all people in the province. It is also a fitting reminder to all of us that the fire season is not yet over. We would be glad to extend the hospitality we received to people in Manitoba should—we hope not—circumstances at some time in the future be reversed.

Resolution concurred in.

**Mr. Speaker:** I will be happy to convey those sentiments to my counterpart in Manitoba.

#### EDUCATION AMENDMENT ACT

**Hon. Miss Stephenson:** Mr. Speaker, since I made a relatively lengthy introduction

when this bill was introduced in the House, I shall not make a statement at this time, but will await the opportunity to respond to concerns expressed.

**Mr. Speaker:** Would you like to move second reading?

Hon. Miss Stephenson moved second reading of Bill 82, An Act to amend the Education Act, 1974.

**Mr. Sweeney:** Thank you, Mr. Speaker. That is the second time I almost got caught that way.

It is my understanding that there has been general agreement that this will go to committee and we will have an opportunity to deal with the specific elements of the legislation in greater detail. Therefore, other than mentioning a very few specific ideas, I will try to deal with the more general nature of the legislation.

3:40 p.m.

I would begin by pointing out to the minister that I, on behalf of my party, receive this legislation with very distinctly mixed feelings. In the first place we are very pleased to receive it. Second, we have some genuine concerns about what might flow from it and what perceptions we might be giving to people. Third, there are certain areas to which we will make some objections and request that amendments be accepted. With that general overview of mixed feelings, let me begin.

We are pleased because the legislation is finally before us. The minister will recall that the first intimation we had that such legislation would be coming—in an official way, that is—was in the February 1978 throne speech. Next we heard from the minister herself in December 1978, when she indicated she would be bringing forward special education legislation which would make some rather dramatic changes in the province. I believe that was the first time she used the term that it would become mandatory in the province. I understand that word has been somewhat softened in the intervening period.

Given the last three or four delays, we were beginning to wonder whether it was going to come through in this session. At least we have the opportunity to deal with it in second reading.

Speaking on behalf of my party, I am pleased at the two basic principles which this legislation enunciates. Those principles were very clearly spelled out in the minister's own remarks on May 23, 1980, to which she has already alluded. Those principles are that every child in this province now has the



automatic right to be admitted to a school and has the automatic right to expect that a program meeting his or her special needs will be prepared for him or her.

As an aside, my colleague the member for York Centre (Mr. Stong), back in 1976 and 1977, was the first one—at least as long as I have been in this Legislature—to bring forward a private member's bill specifically calling for those two principles. For that reason there can be no doubt in the minister's mind that the members of this party support the principle of this legislation; there is no question of that.

I am also pleased because for the first time specific provision will be made to allow separate school boards in this province to educate their own children who are mentally retarded or mentally handicapped.

For many years, and specifically going back to 1969 when the provision for responsibility for children who are mentally handicapped was given exclusively to the public school boards of this province, the trustees and the teachers of the separate school boards made it very clear they believed it was their responsibility to educate the children of their ratepayers who had this special need. I can assure the minister once again that we will give our wholehearted support to that principle.

I am pleased to note in the legislation that there is clear provision for the inclusion of parents on the advisory committee which will be set up as a result of this legislation—for the inclusion of parents who are members of local associations that are affiliated with provincial associations. At some later time, probably in committee, I will try to get some assurance from the minister that other groups of parents who somehow do not quite fit that description might either be assisted to better fit it or might come under it in some other way. But the general principle involved here, that parents—particularly the parents who have children who will be most affected by this legislation—will be represented on that advisory committee, is an important step forward.

The minister will realize that there are a number of school boards in the province which in an unofficial capacity, even though it is not required of them by legislation, already allow the parents of their students to participate in that kind of an advisory capacity.

I am pleased that the legislation makes very clear reference to the fact that special education will now be made available to all students who need it in their own language

of instruction. Once again I am cognizant of the fact that there are many boards that already make this provision, but I do not have to advise the minister that there are a number of areas in this province where, because of their geographical location, children of either of the two official languages of instruction groups in this province do not have that provision made available to them. This legislation will now do that.

Among the parts of the legislation of which we are very definite supportive and pleased with is the statement in the minister's opening statement of May 23 on the guaranteed long-term funding commitment. The minister and her predecessor (Mr. Wells) will recall that on numerous occasions I and other members of both opposition parties have frequently asked for some long-term funding commitment to programs like this. In each of those cases, we were advised that was extremely difficult for the government to do because it could never be sure of its own revenues.

I am pleased to note that the minister has heeded the requests of the teachers, trustees and administrative officials of the province who jointly approached her on this particular problem and has now made at least within her statement, a provision for a five-year funding commitment to carry this program out. I am sure the minister would expect there would be some objections as to the actual amounts of money involved. There might be some objections as to the procedures and the process by which it will be passed on to boards, but I can assure the minister there should be no objections as to the commitment itself over a long period of time.

Therefore, I would like to begin on the very supportive and positive note that there are many things in this legislation and in the minister's opening statement that we can support very strongly.

**Hon. Miss Stephenson:** So it is downhill all the way from here.

**Mr. Sweeney:** No, not at all. I think the minister is going to find, generally speaking, that even when I raise objections they are going to be in as positive and as constructive a manner as I can possibly do so. I do not want to do anything whatsoever that will endanger this legislation. The only purpose of the comments that are to follow is to make the legislation even a little bit better and to clear up areas where I think some of the definitions are not as good as they could be and where there are a couple of proposals in the legislation that I think they

can be phrased in ways that will make them more productive and more effective.

I want the minister to be very aware of the fact that I am not being destructively critical in the words that will follow. Rather, I hope that all three parties in this Legislature can jointly emerge with a piece of legislation that will truly be the finest piece of special education legislation that there will be anywhere on the continent of North America.

I would like to move now on to a slightly different point, namely, to share with the minister some few concerns I have. These are mainly concerns of perception that we as legislators have to be at least conscious of in terms of what we say and what we do in this assembly and how it is perceived outside of the assembly.

The first one I want to deal with is the raising of expectations, which I sense already are beginning to move out of this assembly and into the minds of many parents, particularly those parents of children with special needs. We have to be very careful to recognize—and this view was put forward perhaps more strongly than even I can do it by members of the provincial trustees' association—that in times past and in issues past the school boards of this province have been perceived to have been given a mandate and a level of responsibility which they could not under human terms possibly fulfil to the level that was expected of them.

3:50 p.m.

The decade of the 1970s is probably the clearest period of time when that became so very clear. As a result of that, the credibility of the school system of this province was seriously damaged. We were telling people: "If you give us enough money, if you give us enough people, if you give enough buildings, we can solve all the problems that exist in this province; we can solve the economic problems and we can solve the social problems and we can solve the morality problems." That was foolish. On and on it goes, and the minister and I both know that was a foolish level of expectation to have ever been suggested in the first place. It may not have even been suggested as clearly as that, but surely the minister is aware that was the perception out there.

I have the same concern with this kind of legislation. I think the minister, and everyone who speaks to this legislation, has to be very clear in pointing out that it does have limitations. Any legislation we will bring forward will have limitations, because

we are dealing in human terms; we are not dealing with robots, or computers, or machines.

One of the first concerns I have in this area is a perception that somehow we can identify all the problems. When we speak in terms of early identification, which becomes the responsibility of all boards under this legislation, let us be very sure that we understand that even though the very best possible job will be done that we are capable of doing, or that our teachers are capable of doing, or our administrators are capable of doing, we are not going to identify every single problem of every child. A couple of the parents' associations which have submitted briefs to the minister have made this very clear in particular: We will not always identify them early. With the best will in the world and the best techniques in the world and the best materials in the world, we are not going to be able to spot all the problems. Therefore, two or three years down the line, when we do find out that there is some child in this province who wasn't identified, or who wasn't identified early, we want to be very sure the people are aware of the fact that does not necessarily mean this legislation is inadequate or did not do its job.

We have to be very sure we understand that we simply do not have the human capabilities to do it. I do not know of anyone who has. If the minister can share with me some wonder woman or wonder man she knows about, I would certainly be pleased to know of them. It is not my perception or my experience that the teachers, the trustees and the administrators of this province have this wonderful magical skill that they can always find the problem that exists.

The second part of that expectation is that all the problems we have identified can be solved—and in the schools. I think that is another perception we have to clear out of the way. We are going to find that there are some problems; but we are going to find also that the nature of those problems, whether they be a matter of heredity, whether they be a matter of family concerns, whether they be a matter of social concerns, whatever they may be, will mean there will be certain aspects of those problems that the school by itself cannot solve. Here perhaps is my greatest concern, that the school will somehow be perceived as that place where all those problems get solved.

I am not suggesting, by the way, and I hope I did not indicate this at the beginning, that the minister is saying this. All I am saying is that I sense it is my responsibility, and

I rather feel that perhaps the minister shares this, that it is our responsibility to make very sure we understand these limitations.

Finally, there is considerable reference in the legislation to children who are retarded, who have a special kind of mental handicap. I think we have to be especially careful here, when we are talking to the parents of these children, that once again we do not unduly raise their expectations. I say that in the light of the recognition that we have been able to assist retarded children in this province to raise their level of performance far beyond what I, as one parent and as one legislator, would have thought possible 10 or 15 years ago.

We are beginning to learn that many of the retarded youngsters of this province who are in our schools and who are in various developmental centres in this province now have demonstrated to us that their capabilities are far greater than we thought they were. That is also being demonstrated when we look at what our retarded adults are doing. I am clearly cognizant of that, and I would be the last one to say that we should put any defined limits on what we expect our retarded people to be able to do. I recognize that. But, at the same time, we also have to be careful in what we say not to suggest to parents in particular that their retarded children are going to be able to go far beyond where they are going at the present time, or that somehow by the introduction of this legislation and by the processes that will be put into motion, we are going to solve problems we are incapable of solving. Therefore, that whole area is of concern to me. I repeat that I am not suggesting the minister has made these kinds of promises.

Secondly—this is something I have discussed with the minister a couple of times in the past—now that we specifically have in legislation the requirement that boards do early identification, I would want to have some protection built in. I was going to use the word “assurance,” but I know that is not possible. Some protection should be built in so that the danger of early labelling will be reduced to a minimum. Having spoken to a number of special education teachers in various parts of this province, they have advised me that simply to say it is not going to be done is not enough. Once again, with the best will in the world, these things just tend to happen.

I would hope we would be aware of the dangers of early labelling. From my own experience I can say that these labels tend to stick with young people long past the

time when they have any application whatever, if they ever had. Therefore, I would like some kind of provision built into the legislation. Quite frankly, at this time I do not know how, but at least in the discussion stage in committee we can explore that to some depth and see whether any kind of wording can be put in there. At this point all I am doing is raising it as a continuing issue of concern. Given that it is now going to be part of legislation rather than a memorandum coming out of the minister's office, it is more important we give it that kind of attention.

My concerns continue to the gifted of the province. Once again the minister will recall, as will her predecessor, every year we have a discussion about the provisions made for the particularly gifted in Ontario. I know it is the intention of the legislation, of the ministry and of the government, that the gifted will be included under the general headings of exceptionality, of special education and of children with special education needs. I understand that.

As I talk to many other people outside the Legislature, I cannot help but get the sense the more likely practice will be that they will continue to receive short shrift. Let me put it in very precise terms. It is my understanding that in the province right now there have already been identified, or are in the process of being identified, something in the neighbourhood of 80,000 to 100,000 children who have special learning needs above and beyond any who could be described as gifted. It is a sense I have, with the amount of time available to us, with the number of trained teachers we have, with the amount of money available, that it will simply all be used up in dealing with those children who have special learning needs or learning disabilities. Therefore, the gifted will simply be put at the end of the list once more.

It is also my understanding that, although we have a considerable number of trained teachers in Ontario with special skills to deal with those who have learning disabilities, we have very few teachers in the province who are trained in any way or who have the specific skills required to deal with the gifted. I do not need to tell the minister that she can go into almost any school in Ontario and hear from the teachers themselves: “There are children in the schools who are gifted, but we simply don't know what to do with them. We don't have the human resources on our staff to enable us to give those children what they really need.”

Like most other people in our society, I recognize the tremendous contribution these gifted young people in our schools today can make to our province. With the kinds of economic and social problems facing our society, we desperately need the intellectual and moral resources these gifted young people can bring to bear on possible solutions to those problems.

4 p.m.

I recognize that we are going to have to find some way to identify more clearly those young people in our province who are truly gifted. We are going to have to have a better definition of them. We are going to have to have identification models that are able to help us pick them out more precisely. We are going to have to have teachers in the province who truly do have the skills, and to have them in sufficient numbers, to help these gifted children. I can only say, as so many others have said before me, that the wastage, in human terms, caused by our not identifying and not meeting the needs of these gifted children is probably one of the greatest lacks of most educational systems in North America, not just this one in Ontario.

I would want somehow to find a way to find a place in this legislation to deal specifically with that, because I sense that we are going to say, "Yes, they are covered," and "Yes, their needs should be met," but five years from now we are going to discover that very little has been done.

I am a little concerned about the timing, or at least I was a little bit more concerned before I found out that we would be going to committee. I want to include a concern that was expressed to me by representatives of a number of school boards; I am sure the minister herself received these comments back in February 1979 when she sent out her proposed legislation and indicated to the members of the school boards that they had only two weeks in which to make a response. I noticed on the back page of the material which the minister provided to us a statement to the effect that many of the briefs came in after the deadline.

I put that in context only because I again sensed that there was this long wait to get the actual legislation but, once it arrived, there seemed to be almost an obscene rush, somehow to push it through. I am quite conscious of the fact that, besides the pilot boards which have been identified, there may be some school boards in this province which would want to take advantage of some of this legislation more quickly than others, and that

the minister would like to have something in place for September 1980.

It would appear now that it is not going to be possible. But I want to be very clear that I would consider myself as one of those who is quite prepared to hold up this legislation for a little while longer, given the long period of time we have waited for it and its dramatic importance. I believe the minister himself used the term "an historic occasion," and said that it is part of the evolutionary process that has gone on for more than 100 years.

Mr. Conway: If Bette said that "himself," it is indeed historic.

Mr. Sweeney: Oh, very well; I thank my colleague the member for Renfrew North.

I simply want to put it in that context. I think I have indicated to the minister on more than one occasion that I will not be a party to undue hastening of this legislation, because I agree with the minister; it is of historic significance, and it is going to make some major changes in this province. Using the minister's own figure, possibly up to 100,000 students, who are not receiving the kind of attention that they should be getting at the present time, could benefit from this legislation. Therefore, I think it is well worth our while to take that little bit of extra time and to do it right, or at least to do it to the best of our human ability at this particular time.

My next concern—and this again is not a new one—is the adequacy of the provision for teacher training. I recognize the fact that the minister has provided a five-year phase-in period. I recognize that there are quite a number of teachers in the province right now who hold at least some partial training, and I am as hopeful as the minister is that during the next five years we will be able to catch up to the need.

However, as I speak to various representatives from the teachers' and trustees' associations, I cannot help but sense that there will be a shortage of trained, properly skilled personnel to deal with this growing and, now, this more specific, mandated need. I would hope that in her remarks today, or if we get an opportunity to discuss this issue during the committee hearings, the minister will draw to our attention exactly what provisions are in place or are about to be put in place to meet this need.

I have to question the minister's statistics when she says there are X thousands of teachers in this province who hold a special education certificate. I happen to know that very many of those teachers hold certificates

which do not qualify them to deal with the kinds of needs and programs that are going to emerge from this legislation. They may have taken one or two courses in special education at one time or another, but I am too familiar with the content of many of those courses. I am also too familiar with a large number of teachers who have come back and said to me—even five or 10 years ago when they took these courses—that the material and the instruction they received, the skills they were supposed to acquire, simply were not sufficient even at that time.

Using those large statistical figures simply is not enough. We have to have much more precise data. I would hope, if it has not already been begun, the minister would very soon be getting somebody within her ministry to go back and look at those figures and to assure herself and the teachers and parents of this province that the need in that area will be met.

Finally, under concerns, I want to briefly touch on the whole funding mechanism. I complimented the minister for preparing, on behalf of the government, to make that five-year funding commitment. I was quite pleased to note that she even went a step further and said it would be in constant 1980 dollars. That is recognition of the growing inflationary factor that has to be built into the funding of education in this province.

I am not sure—and I would like the minister to explain it at this time or in the committee stage—about the extent of local school board involvement. For example, the minister is saying that over the next five years the provincial government is going to commit \$75 million to the increased special education programs. Given the roughly 50-50 split between provincial and local sharing of educational costs, does that also mean that over the next five years local school boards are going to have to find an additional \$75 million as well? Does it mean that? Or does it mean that the provincial ministry, for the next five years, is going to totally fund the needs as it sees them arising over the next five years? I would like that clarified.

Second, I recognized in the minister's speech of May 23 the reference that what will probably happen by 1985 is that the entire funding mechanism will be folded into the grant system. It will become part of the overall grant system rather than being a specifically labelled add-on to the grant system. I would like to have the minister explain to me—and I am sure there are many trustees in the province who would also like

to know—whether the local boards will be required at that point to take on additional funding responsibilities.

There have been situations in the past in which the school boards of the province have had the sense—whether the minister agrees or not—that they have been drawn into special programs of many different kinds, new initiatives by the provincial ministry, and then a few years down the road they were left holding the bag to fund themselves.

The minister knows as well as I do that is a concern the trustees have. If that is the perception they have, I think it is incumbent upon the minister and her government at least to recognize the concern and, to the best of her ability, to speak to it as early as possible. The willingness and the energy with which local school boards will move into this could be limited to a certain extent by the fact that they may have some hesitation with respect to future funding commitments. All I am asking at this time is that the minister recognize that perception and speak to it as far as she possibly can.

**4:10 p.m.**

That concludes the so-called concerns side of my comments. I want to move into another area now to discuss some very specific objections I have to the way in which the legislation is worded at the present time. First and foremost, I want to come to the heart of what I think this a major problem with this legislation, namely, the wording of section 34, which includes the exclusion principle. I would put the minister on notice that that is one area in which I fully intend to bring in an amendment. I do not believe there should be anywhere in this legislation an exclusion principle.

As we are speaking about the principle of the legislation, I feel it most incumbent upon me to say that as clearly and as early as I possibly can. What I believe that particular section should say is that it is the responsibility of the board to provide services, not to exclude children, from within its own jurisdiction or to purchase services from some other jurisdiction, wheter it be from a public board or an independent board in Canada or the United States or wherever.

When I look at the wording of section 34 in this bill and when I look at the wording of section 34 in the existing legislation, I find there is no fundamental change. There are two small changes I recognize. One of them is that exclusion can be done not solely for physical handicaps but for a combination of mental and physical handicaps. I also recognize the change which says that, if the board

excludes, it has the responsibility to assist the parent to locate. That is not much of a change, I can tell the minister.

At the very heart and soul of this legislation we are allowing the same kind of exclusion we already have in existing legislation. I will agree that the fact that the mental and physical are put together is an important step and that the minister is going to make it necessary for school boards to assist a parent to locate is also an important addition.

I would suspect, however, that if the minister were to examine the practices of many boards in this province, she would find they are already doing those things anyway. The fact that it is now going to be mandated strengthens it. That is true. But it does not get at the heart and the soul of the legislation.

As a matter of fact, one of the heads of one of the children's services put it best. She may have said it to the minister as well. If I can paraphrase what she said, she said if all we were given were the minister's remarks on May 23 we would have been much happier than we were when we got the bill itself. The minister's remarks very clearly said two things. First, they said that we are now going to make provision for all students; in other words, there will be no exceptions. Second, the minister's statement said that all taxpayers in this province have the right to have their children supported and funded when they have special needs.

Those were the two key ingredients of what we understood this legislation was going to do, but the legislation does not say that. The legislation does not say that all children in this province who have handicaps and who have special needs are going to be dealt with.

If this is the minister's intention and if the legislation can be reworded to make it very sure that is what will happen, then that is fine. I need not remind the minister of the number of times that legislation has been put forward by this assembly and has been shot down by the courts. As a matter of fact, a couple of years ago something like four pieces of legislation were shot down by the courts in about three or four months. What the courts said in each case was: "We cannot be concerned with your intentions. All we can deal with is the wording of your legislation." And those judges of the Supreme Court said: "The wording of the legislation means this. In law this is what it means. It does not mean what you say it is intended to be." That is what we are concerned about here.

The heart of my objection to this bill is that we cannot use, we should not use, and I would strongly urge through an amendment that we do not use that word "exclude"; that we say, "provide"—within their own jurisdiction or provide somewhere else, because I can well understand there are some school boards in this province which, because of geographical location or resources that are available in their general area, may not in their own area and of themselves be able to provide that need.

I accept that premise. I would like to hope there will be fewer and fewer boards all the time in that situation. Nevertheless, I accept the premise that they are not going to be able to provide it locally, and they may have to get it somewhere else. But I am not prepared and will not be prepared to allow them to exclude; to allow them, in turn, to hand the problem over to someone else so that, from then on, their only responsibility is to check once a year to see how it is going. Checking once a year to see how it is going does not mean that anything is going to happen.

I am quite sure it is the minister's intention that something will happen, but all I can say to her is that this is one professional educator who can see a loophole which you can drive a truck through. I do not think that is the minister's intention, which is why I think it is so vitally important that we must change it.

Let us go on to what the legislation actually says: "assist to locate." That does not say the board is responsible to ensure that a program is made available. That could just as easily be interpreted to mean that the board will say: "Okay, we happen to know these five schools that have a program which could meet your child's needs. We will give you the name of the headmaster or the principal, their phone number or address, and you go. We have assisted you to locate." The parent and the child may never actually get into the program. What does the word "assist" mean? I do not know what it means. It is open to numerous interpretations. What does "locate" mean?

The thing I find most surprising is that there are officials within the ministry who, from a practical implementation point of view, would have allowed this to get through. Second, I am quite surprised that the minister, as a politician, would not have immediately recognized the problems inherent in here.

For example, it is my understanding that the existing legislation, and I just checked



it again a couple of days ago, only permits a publicly funded school board to purchase services from another publicly funded school board. Yet through the many discussions we have had, the many questions that have been raised regarding the provision of educational opportunities for children with severe learning disabilities, we have found in many cases that they are not available in another publicly funded school board.

In a large number of those cases, and I would even go so far—and I am open to being corrected if I am wrong—as to suggest in the majority of cases we have discussed and of which the Minister of Community and Social Services (Mr. Norton) has spoken, and the cases that I took before the appeal board for vocational rehabilitation, in none of those cases was there a publicly funded school board in this province that could provide the program that child needed.

Therefore, if the local board is responsible to assist the parent to locate, does that also mean the board is responsible to fund it? It does not say that.

Hon. Miss Stephenson: There is an important phrase there that you have forgotten: "unable to profit by."

Mr. Sweeney: In that board. That is what it says. This is such an important principle that I am quite willing to hear the minister's comments on it, because I think I made it very clear that it is my major objection to the legislation as drafted at the present time. But certainly my interpretation, and the interpretation of everyone I have questioned on it, including professional educators, psychiatrists and psychologists, is that it is the availability of program in that board's jurisdiction by which that child is able to profit. That is the interpretation.

4:20 p.m.

As a matter of fact, I have asked two lawyers who deal almost exclusively in children's affairs, and they both said, "Yes, that is the way I would interpret it as well." The legislation, as I understand it, is not saying that child is not able to profit by any instruction anywhere. I do not see how one could possibly interpret it that way. I do not see how that could possibly be the interpretation.

If that is what the minister means, then she had better word it that way, because that is not the way it has been interpreted by most other people to whom I have spoken. As a matter of fact, I have not spoken to anyone else who has given me that kind of an interpretation. Therefore, perhaps the minister can understand my concern.

I have to come back to the question I asked last, which is: If the board cannot provide the needed program itself, and it has to assist a parent in locating a program some place, does that assisting to locate mean that the board actually has to be assured that the child is in another program? It may be that what we need is a definition for the word "locate." Does "locate" mean the board has to carry through its assistance to the point in time when that child is in another program, and not simply give somebody a name or an address and location? I hope it does not mean that, but that is one interpretation.

I do not think it is a good idea, quite frankly, to have the Ministry of Education fund it in this case. I think the local board should fund it, and I think they should be given sufficient funds to do it. That is their responsibility, and I agree with the minister when she would rather use the word "responsibility" than "mandatory." I think it is a more powerful word, a more morally binding word, but it says to me that they should also be responsible for the funding aspect of it and that the parents of children who have those kinds of needs should not be responsible.

I am trying to suggest to the minister that there is going to have to be a change in other parts of the Education Act which will allow a board to buy services from a board that is not publicly funded, whether that board be here in Ontario or outside Ontario. As the minister knows, that is not possible at the present time.

My second major objection is with respect to the provision for parental appeal. I would draw to the minister's attention that the legislation as worded is almost identical—in fact, I think it is identical—to the present act in terms of the provision for parental appeal. The legislation reads something to the effect that, if a principal determines that the child is not able to profit, he can make it known to the board. If the parent feels the child is not able to profit, the parent or guardian can make it known to the board. That is how the legislation now reads.

Need I tell the minister that there are many cases across this province right now where parents—again, I can use the specific ones, and they are chapter and verse—have had to come before the vocational rehabilitation board? In every case, the argument they have used was that the board was saying: "We have a program in place to meet that child's needs." The parents said: "No, you haven't. The needs of my child are not being met by that particular program. The needs of my



child are such that they have to be met someplace else."

I do not think I have to tell the minister that the evidence that the needs of those children were met in other locations now is fact. It is no longer a perception; it is fact. I can give the minister three or four cases from my own constituency alone, and I am sure she can get them from almost every other member in this House.

There is no provision in this legislation to give parents a more powerful, productive or effective appeal mechanism than what they have at the present time. The present system is not working. The minister does not have to take my word for that. She can ask those parents themselves, and they will tell her over and over again. So we have to build that in.

I would require in this legislation some descriptive adjective with respect to the adequacy or quality of the special education that is going to be offered. Simply to say we are going to offer special education is not enough.

I would remind the minister, if it is necessary to do so, that on October 25, 1979, over the signature of Dr. Bergen, a number of proposals in terms of wording legislation were prepared. On page six of appendix (a), with regard to a suggested change in paragraph 6a of section 146, the recommendation was that "adequate" special education programs and services be made available. That is not in the legislation. It would seem to me we need a word like that. I can appreciate there may have been reasons why the minister, the officials and the government did not like the word "adequate." I can accept that, but something else must be put in its place—some word or description that says it is not enough just to have special education; it must be of a particular quality. If the minister does not like the word "adequate," then she can put something else in. But there has to be something in there.

I want to come back to a point I was raising earlier in terms of a real concern. That is the minister's reference, in her opening statement, to the needs of all students in Ontario being met. Yet I notice she refers in her legislation to resident students. Basically the objection I want to raise—which I am sure has already been raised by a number of others—is that there are a number of potential students who would not necessarily fit under the definition or designation "resident."

For example, there are those students—whether the minister wants to call them children or students is a matter of semantics, and I have to put it that way—who do not come under the direct jurisdiction residency

requirements of a board; for example, students who are in various institutions around the province. To what extent—perhaps I am asking a question as well as making an objection—does this legislation speak to them at all? If it does not, how are their special needs going to be met? It was certainly my understanding—and the way anyone would interpret the words in the minister's opening statement—that the needs of all special kids in this province were going to be met regardless of where they were.

As was brought to my attention, what about the kids who have dropped out of school for any number of reasons or, if they did not drop out, who were eased out in some unofficial way? The minister knows, as well as I do, that is happening across this province. How many times it is happening, I do not know, but it is happening. Do they still come under the jurisdiction of resident students? There is a difference of opinion, legally as well as professionally, as to whether they do. I think the minister should speak to that.

Finally, under this general heading, I want to raise some concerns about secondary school students. I do not see anything in the legislation that in any way speaks specifically to secondary school students, and I think it is necessary. The minister is probably as aware as I am that at the present time the needs of nearly all special education students at the secondary level are being met in vocational schools. That is clearly not satisfactory.

I have talked to numerous secondary school people—principals, vice-principals, guidance people, special education people, vocational school people—and they all say to me that if, when we are finished, the secondary school students of this province are still going to continue to have their needs met only in the vocational schools, it is not good enough and there will be no significant change.

4:30 p.m.

Therefore, I would like to see somewhere in the legislation—and if the minister is not prepared to bring it forward, I can advise her that it is my intention to do so—a particular and very specific reference to the needs of secondary school students.

**Hon. Miss Stephenson:** It is inherent in it.

**Mr. Sweeney:** Okay. Let us talk to it in a more specific way rather than in just an inherent way. Once again, the feeling is that it is not good enough. In the present practice across this province, the needs of elementary school students are met in a much more

diverse, individual and specific way than those of secondary school students. That is what is happening in the province right now, and there is nothing to suggest under this legislation that things are going to change. Let us spend a little bit more time on that.

I want to move on to a couple of factors dealing with the wording in this legislation. It is not my intent to try to circumvent the clause-by-clause study of the bill at a later date, but if we are dealing with the principle of the legislation there are three or four references in here that I think clearly speak to that principle and I would hope that the minister might find some way to change them between now and when we discuss it again.

The very first one is on page one, section 20a, which deals with the definition of an exceptional pupil. I would draw the minister's attention to the proposed legislative wording that was sent out to the school boards of this province on February 14, 1978, in which the term "exceptional pupil" was defined. The distinctive difference between what the minister proposed and what is in the legislation are these words, "considered to be suited." I do not think I need point out to the minister that this leaves a very wide gap between what will be done and what may not be done. I would have to say to the minister that, if I have the choice between the wording in the legislation right now and the wording that she proposed on February 14, 1978, I will take the latter one. I think the wording in the proposal was a better wording. It was tighter and clearer and there was less opportunity for the needs of students not to be met. I am genuinely concerned about those particular words. Of course, that ties in with the whole question of the parental appeal which I raised before.

In the very next paragraph special education programs are mentioned. The words that concern me are, "or is designed to meet." I guess the fairly obvious question is, why do we need those words at all? It seems to me that the wording without that phrase means an instructional program that meets the needs of an exceptional child. That is what should be there if the minister is saying the board has to do it and is responsible. If she is saying that the board has to provide it, then surely a special education program is one that meets the needs. To suggest that it is designed to meet them but may not meet them is a very key, significant distinction. The minister may disagree with me, but I can tell her, in my judgement there is a key distinction there and I do not think we should have those words in there. I am talking to the

principle of the legislation when I say that; I am not talking to clause-by-clause consideration.

I am at a loss, quite frankly, to know why another section of the bill is in here at all. Perhaps the minister in responding to my remarks or at some later time can tell me, because I cannot see any need for it and I do not know why it is in. I am looking on page three at the reference to the Provincial Schools Authority. The wording is, "a demonstration school referred to . . . that is established by the minister before this section comes into force is deemed not to be a school . . ." The rest of the wording is there, and I am not going to read it, but I have to ask why. What is the purpose of that? Quite frankly, I do not understand it.

Let me make a point very clearly. I was not asked by anyone, including any member in the Provincial Schools Authority, to make mention of this. Maybe that says something. Maybe they are not worried about it; I do not know. It concerns me that would be in there, because I cannot see any need for it. Quite frankly, I would have to say to the minister if she cannot give me at least a valid and significant reason as to why it is in there, I am going to have to ask that it be taken out, because I cannot see why it is there.

I would ask one final question in this area. I appreciate there is no significant change between the existing legislation and the present one. There is a reference at the bottom of page three to the committee which the board sets up to review. It refers to the third party of that committee as being "a legally qualified psychiatrist." I would ask the minister why a psychiatrist only; and why not a psychologist? I make that observation primarily based upon my own experience that in many cases the kinds of needs that I understand we are talking about here, unless the minister has something else totally different in mind, are often better understood by a good child psychologist or a good educational psychologist than they are by a psychiatrist.

That is why I often wondered under the old legislation why that was there. Since this bill provides me with an opportunity specifically to put the point, perhaps the minister could tell me. It would certainly be my professional opinion that in many cases a psychologist could be even preferable to a psychiatrist, but I would like the words "or psychologist" in there. Perhaps the minister could address herself to that particular point.

I have taken considerable time. The minister will recognize, however, that the partic-

ular points to which I have addressed myself are those where I think the bill can be strengthened. I have tried, as I said in the beginning, to indicate the ways in which I think this new legislation can be improved. The opening remarks of the minister have been very positive and will be supported. I have tried to indicate that the changes which I am recommending, in my judgement, should not be considered by the minister to be destructive criticism, but rather constructive criticism. I have also attempted to put the minister on notice of those areas in the legislation where, if she chooses not to take some action prior to committee, I intend to bring forward amendments.

### ROYAL ASSENT

**Mr. Deputy Speaker:** Before I recognize the next speaker on Bill 82, 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.

**First Clerk Assistant:** The following are the titles of the bills to which Her Honour has assented:

Bill 42, An Act to amend the Legislative Assembly Act;

Bill 43, An Act to amend the Executive Council Act;

Bill 48, An Act to provide Property Tax Assistance for Pensioners in Ontario;

Bill 49, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund;

Bill 50, An Act to provide Incentives for the Exploration of Mineral Resources in Ontario;

Bill 51, An Act to amend the Small Business Development Corporations Act, 1979;

Bill 52, An Act to amend the Retail Sales Tax Act;

Bill 53, An Act to amend the Corporations Tax Act, 1972;

Bill 54, An Act to amend the Gasoline Tax Act, 1973;

Bill 55, An Act to amend the Income Tax Act;

Bill 60, An Act to require the Registration of Non-resident Interests in Agricultural Land in Ontario;

Bill 61, An Act to amend the Tobacco Tax Act;

Bill 62, An Act for the making of Additional Provisions for the Levy and Payment of Succession Duty by or in respect of Prop-

erty or Persons to whom the Succession Duty Act remains Applicable;

Bill 69, An Act to amend the District Municipality of Muskoka Act;

Bill 71, An Act to amend the Municipal Elections Act, 1977;

Bill 73, An Act to amend the Labour Relations Act;

Bill 74, An Act to amend the County of Oxford Act, 1974;

Bill 81, An Act to amend certain Acts respecting Regional Municipalities;

Bill 89, An Act to amend the Labour Relations Act;

Bill Pr4, An Act respecting the Midland Young Men's Christian Association;

Bill Pr7, An Act respecting Montreal Trust Company and Montreal Trust Company of Canada;

Bill Pr13, An Act to revive Can-Con Enterprises and Explorations Limited;

Bill Pr14, An Act respecting the City of Toronto;

Bill Pr19, An Act respecting the City of Stratford;

Bill Pr23, An Act to incorporate Knox Presbyterian Church, Ottawa;

Bill Pr27, An Act respecting the City of Hamilton;

Bill Pr29, An Act respecting the Town of Grimsby.

4:40 p.m.

### EDUCATION AMENDMENT ACT

(continued)

**Mr. Bounsall:** Mr. Speaker, I must say that my opening remark will be that this bill is long overdue. I was not here to witness it, but I am told the present chairman of the Ontario Arts Council, the former president of Ryerson and the former member for Peterborough in this House from 1967 to 1971, spoke from time to time of the need to have special education a full responsibility of the boards of education with programs developed and funded by the ministry.

When the Education Act, 1974, came in and debates took place and the clause-by-clause consideration occurred, I recall that the then Education critic for our party, the member for Thunder Bay (Mr. Foulds), spoke at some length on various occasions on this very topic: the need to have special education and in what form. He followed that up with the first private member's bill in this Legislature on special education. That bill,

in the old form of private members' bills that we had and the way we dealt with them, was not debated.

The Education critic who followed the member for Thunder Bay, the member for Carleton East (Ms. Gigantes), introduced a bill respecting special education programs in November 1977 which was debated in December 1978. We have a long history of support for the whole principle.

Throughout all the discussions I was party to, listening to those suggestions in 1974 and the debate on the private member's bill in 1978, it never occurred to us that this would not be fully funded by the ministry. We assumed special education for all pupils in Ontario who needed it would be provided as a routine matter through the boards of education and would be fully funded by the province. Only now do we realize that, although we may give the responsibility to the boards of education to achieve what we have been talking about for years, it may well come in such a form that boards might feel they must shirk their responsibility, keeping in mind their taxpayer base. I think they are wrong to do that, but that is a very recognizable occurrence across the province and we are very much concerned by the prospect.

In the discussions during the estimates of last year and this year, and in the minister's statement, one might have looked forward to a bill establishing special education programs as a responsibility of the boards to be a piece of legislation we could all applaud, apart from the funding. But when this legislation was tabled it came as an unpleasant surprise that the bill did not live up to the minister's statements. It does not even live up to the statement she made on introduction of the bill when she said the passage of the bill would ensure that all children who have a right to attend schools in the province would receive an educational program designed to meet their needs, interests and capabilities, and would guarantee the rights of all children, conditions notwithstanding, to be enrolled in the school. Those are very laudable statements.

But looking at the wording of the legislation, it does not come close to achieving that, in my opinion. This is one of the reasons we clearly must go to committee: to ensure the minister's recent statements are achieved in the wording of the bill. In many instances I feel very strongly it is not achieved.

This bill as written does not appear to be universal, or compulsory or mandatory on boards to ensure special education will be given to all those children who need it. In

summary, we could say this bill is totally discretionary on boards. There are enough loopholes in the legislation as written.

I am prepared at this point to say to the minister that I think her intent was quite clear from what she has been saying, and that she may well want to achieve the things she has been saying of late. I do not know who in her ministry is involved in the drafting of this, but when one gets to look at the legislation, one sees that it does fall short of what the minister is saying she is trying to achieve.

**Hon. Miss Stephenson:** Are you talking principle, or what?

**Mr. Bounsall:** For example, and I do not want to get into a clause-by-clause discussion of the bill—what was the comment?

**Hon. Miss Stephenson:** I said, "Are you talking principle or clause-by-clause?"

**Mr. Bounsall:** I do not want to get into a clause-by-clause discussion of the bill at this time, although there are various parts of it which it is almost inevitable one must mention. Although the minister has made herself clear on various occasions that this will not happen, it has been of recent concern to our party that the gifted child may be left out. The minister has indicated this will not be the case, but the wording of the bill does not particularly reassure us. I refer to the bill tabled and spoken to by my colleague the member for Carleton East, a section of which bill said: "establish special education programs to provide special education services to gifted pupils who require such services in order to realize their full learning potential."

A phrase of that sort does not appear in the government bill that is before us; I assume it is all covered in the definition section 1(1) 20a of the bill, under the word "intellectual." The use of that word is, I think, an unfortunate one.

We may well want to get a better definition when we get to the committee stage on this bill, but "intellectual" has the connotation of an IQ measurement, which does not take into account the gifted nature of many of the pupils in our province. One can be gifted in many ways other than those measurable by IQ tests, and the minister's bill therefore does not take into account the provision of services to those gifted pupils who should and could, under the terms of the bill from the member for Carleton East, be enabled to realize their full learning potential.

As I say, there are certain sections that almost cry out for comment, as if we were already entering a clause-by-clause stage, and I hope to avoid that as much as possible.

The definition of a special education program as "an instructional program that meets or is designed to meet the needs of an exceptional pupil" causes me the same concerns that were mentioned heretofore. "Designed to meet" to my way of thinking, provides an enormous loophole that could permit the ministry or the boards to get around the section and not provide the special education which they should be providing.

Again, in the same section on exceptional pupils, we have the words, "those considered to be suited for placement in a special education program by a committee of the board." The minister, by that actual working, as I see it, is qualifying the principle of universal access. The board can find a particular student who is not suited for placement in a special education program, as they do so frequently at present, and therefore fully escape the duty.

At this point in my remarks I will not get into the exclusion section and whether we should have exclusions, although I have very strong thoughts on that. That whole section of the bill should be reworded. You do not take a child into a system, find the child has a problem, decide to exclude the child and then go to a committee process. That child should continue to be dealt with, and not ever be thought of as being out of the normal educational system of that board.

4:50 p.m.

Here again, I speak to the drafting of the bill. I do not know why it is that the Ministry of Education, presumably having people who can put sentences and paragraphs together—I might expect that this expertise would lie within the Ministry of Education—comes through with some of the things it comes through with. I say that because the notes of explanation under that section contain the items which should actually be placed in the wording of the bill.

There is provision for a committee to be formed by a supervisory officer, a principal and a legally qualified psychiatrist. The comment I have about that part of the bill is that that locks it in through legislation, even though a psychologist may be more appropriate. But when I turn to the explanation section, I see that it goes on to say that they break it up into two parts: If there is not a psychological or psychiatric problem, "a legally qualified medical practitioner, where the pupil allegedly has a physical handicap," may be used. That is outlined clearly in the notes.

That should be part of the legislation so that it is made very clear what this commit-

tee may or may not do. One should not have to look to the explanatory notes to see how the committee must or can be composed; that must be put in the legislation, with at least those (a) and (b) clauses, and with further rewriting to allow other qualified persons, such as a psychologist instead of a psychiatrist, to be on the committee, where it is a case of a psychiatric, emotional problem or one that involves a multiple handicap.

In this case, it is the drafting of the wording of this section that causes me to wonder how it possibly could have come out in this way. That can be taken care of at the committee stage, and we must do that.

To turn to the matter of exclusion, which I just mentioned in passing: It concerns me that we would go through this mechanism, because when boards exclude entire groups of pupils, they may not have the facilities within the pupils' own board to meet that special need, and the pupils are excluded.

That section goes on to say that, after one has gone through this committee stage, the committee will assist the parents or guardian to locate services to suit the pupil's needs. All of that has to be changed; it has to be strengthened materially. That assistance can be as little as a phone call. There is no real mandate in this section that says to the board, "when a committee makes a determination"—the minister disagrees? I think the time to disagree is in the committee stage.

There does not seem to be an indication anywhere throughout this that, when a child is excluded, to use the present wording, and the committee makes a determination of the need, they are going to provide for that need. How complete is that assistance going to be? Will it be a phone call to the parents, saying: "Look, here are five places that you may look. We do not have it in our board. We do not know of any other boards that have it. We have heard that"—and they might mention a board 200 miles away—"has something"? Is that the extent of the assistance that is going to be tendered?

If I were an administrator on a board in our province and were not committed to seeing that the children in my school system received all the assistance they should be getting to realize their full potential, I could look at section 7 and do a minimal job of assisting the parents to see that the pupils receive that assistance. There is no mention in that section as to who pays the cost. It is hard to read the rest of the legislation and see where that tie-in comes.

It is well known that there are placements in the United States to which it would be

appropriate for pupils to go. Again, we can clear this up in committee, but I would assume that if those pupils are sent to the United States, the cost of transportation and the full cost of the pupils being in those placements will have to be paid for. But there is nothing in this legislation to indicate that is what will occur.

Although we have put the responsibility on boards to educate students according to their special needs, we in Ontario do not yet have those places. We are going to have to use those other places. Yet in my mind there is a very great concern as to the costs and payments to meet those programs.

There are some positive steps taken in this bill. For instance, the right for separate school boards and those in the French-language system to have their own facilities for the trainable retarded is something we have spoken in favour of over the years, and was the subject of a private member's bill from the member for Sudbury East (Mr. Martel) at one point. That is certainly a step forward. It is a positive step and is an area they have been wanting to get into for quite some time.

It is not without its drawbacks, though, their not having been able to do this in the past. Perhaps the only positive aspect one can see of it taking until 1985 before this legislation will fully cover all boards in Ontario is the fact that it will give a period of time during which the special education teachers in those other boards can be integrated into the separate school board system, if that is where they wish to go, and there will be no dislocation of those special education teachers in the system at present.

Here again, it should be made absolutely clear, either in the bill or in regulation, that teachers in this transfer situation—which is what we have—will not lose any benefits, and that they will take their full benefits with them. That is a concern of the teaching profession in the province, and it should be made very clear in this bill that the full benefits will go with all those teachers who may be affected by the trainable retarded people now being integrated in the French-language or separate school board.

Another positive step forward is that the age limit for people in our province who may receive special education has moved from 18 to 21. But that brings up the question, why are we starting as late as six years old? We have kindergartens in this province; we have junior kindergartens in a few places in this province. I am a firm believer that education in a formal sense should start

at a much earlier age in our province. Why do we leave it at age six in this bill? We have extended the age at the other end. Yet we have pupils within our school system whose identifiable problems can be catalogued at an earlier age than six.

I would suggest to the minister that we remove that lower limit, or I would like to understand clearly why we are not dealing with a child who has particular special educational needs before the age of six. We have many of those children in our educational system.

**5 p.m.**

I certainly do have a query on other parts of the bill as well.

If demonstration schools are developed within a faculty of education, or as an adjunct to a faculty of education, and the staff there is hired as full-time university professorial staff with whatever rank pertains to their education background, I can understand that staff would be part of the normal and, in many cases now across Ontario, organized work force of that particular university. When we do not have demonstration schools associated with a faculty of education, duly appointed by the senate of the university the faculty is concerned with, I cannot see why we have in the bill that the staff will be excluded from the Provincial Schools Negotiations Act.

It is very tempting in this bill, when we see the way various parts of it are written, to get into this very detailed analysis, which certainly should be left entirely to the committee.

Let me say that there are positive aspects of it. I am rather surprised at the seeming lack of strength in this bill in achieving the ends which I truly believe we all in this House would like to see. That relates to the matter of wording, and we are going to have to deal with that wording very carefully at the clause-by-clause stage. In terms of what needs to be added to the bill, which is a matter of principle that should be dealt with by the committee, the bill is seriously flawed until we have in it some appeal system that is made available to those parents or guardians who do not agree with either the decision made by the committees making the assessment or the speed with which, the need having been identified and the assessment having been made, the service is provided.

We need an appeal committee in the province. It may even be done regionally. We need an appeal committee for two very good reasons. The association of large school



boards has indicated its concern to me about having an appeal body to which appeals can be made rather than these school boards finding themselves being taken to court. There is that concern, and there is the concern from the parents' point of view. In many cases, they fear taking the school board to court.

We need an appeal committee to which those decisions can be appealed, reviewed and heard, other than the only recourse that is left in the bill, which is taking the matter to court. The school board does not want to be in court for obvious reasons. Parents are reluctant to take the school boards to court for equally obvious reasons; they may have other children in the school system who do not have a special educational need and, not that it will occur but in case there may be a spinoff effect upon their other children should they find themselves taking the school board to court, they will be very reluctant to do so, quite apart from the expenditure of funds and the expense that is entailed by taking any one to court, in this case, the school board. This is particularly true in relation to the delays that will occur in having a hearing when the hearing has to be before a formal court.

As I stand here, I am not sure what particular kind of an appeal committee should be formed to hear the decisions, about the lack of action taken by a particular school board with respect to the educational needs of a particular child, but it may well be an extension, for example, of the Education Relations Commission's function. That may be the group, or it could be an addition to that group, that will hear those appeals.

**Hon. Miss Stephenson:** You have to be kidding.

**Mr. Bounsall:** No, I am not kidding. The minister may want to have a separate one. I hesitate to say it should be something like the Social Assistance Review Board, knowing who gets appointed to that board to hear those appeals. I would think it should be a body that has some expertise. The Education Relations Commission could be expanded to include the expertise to have these hearings. That is a body that already exists and it has a reputation in the province for being able to deal with situations adequately and without seeming to take sides.

Whatever form of committee we devise for ourselves, it must be in this bill. The final recourse resulting from a lack of satisfaction, in terms of the provision of the service or delay in the provision of the service, cannot

be left with the courts, which is the only way under the present legislation.

Finally, my major concern is the funding. I have read very carefully the questions which took place at the estimates this year, when I queried in depth exactly how much additional moneys was being put in and so on. That differs rather greatly from the minister's statement, although as far as I can determine there were at least three contradictory answers over the course of that 15-minute exchange in estimates. I am quite in the dark as to exactly what year-by-year additional funding is being provided and the mechanism of that funding. I have read the minister's statement again and I have read what took place in estimates with respect to the funding. None of it adds up.

The school boards are quite interested in this whole procedure too, if one talks to any school trustee. I have not gone out of my way to phone trustees. I bumped into several, and several have phoned me; they are extremely interested in exactly how this funding is going to take place. There is concern in both the small school boards and the large school boards. The small school boards hope there is enough funding so that, when they have their arrangements with large school boards to provide the services they cannot afford to provide, they will be met with a positive reaction from the large school boards, because they are receiving sufficient funding to meet and provide that educational need.

The large school boards are saying if the funding is not adequate, if they have to go to their taxpayers for increasing amounts of money year by year, then not only are they not going to be able to provide the special education needs this bill would have them take responsibility for, but also they will have to consider severing those relationships some of them already have with other board jurisdictions.

There is real concern as to exactly what is going to happen this year, next year and by 1985. Let me tie that in with what should be taking place at the committee stage when we get to it in August. For whatever length and number of hours or days it will take, someone from the ministry should fully explain exactly where the funds are coming from and the mechanism of providing those funds in such a way that all the committee members fully understand where they are coming from, all of the groups interested in special education understand where the boards can get their money, and finally the boards



and the trustees understand exactly what kind of funding is coming to them and from where.

Whatever length of time it takes for that understanding to be reached, and it may involve an explanation of funding formulas, that should be taking place perhaps rather early on in the clause-by-clause committee discussion of this bill when we encounter it in August.

5:10 p.m.

Every school board I have talked to—several have phoned, and I have phoned a couple—and every trustee I have talked to has said, “If you know when that discussion is going to take place in committee, can you please let me know; that is one I want to listen to.”

I think the ministry owes the public a complete explanation of the funding mechanism, when there are so many people directly involved in the field who are wishing strongly to know the full details of it themselves.

We have until mid-August before we gather and enjoy each other's company in the committee stage. We probably have enough time between now and then to complete the writing of any regulations that are required to accompany these amendments. I think the regulations should be tabled at the time of the commencement of that committee, and there should be a full explanation at that time of the funding program and of the 19 pilot projects that will be administered this year by the school boards. Those should all be nearing completion by then, because they will be starting in September.

For the purposes of the committee and the public, the full details of the kind of special education and the information on those 19 boards and their projects should be fully provided to the committee. Then everyone in Ontario will know exactly what is happening in the special education field this year.

Our party has no intention of opposing this bill. We are not anticipating any opposition at third reading stage or anything else. I hesitate to say we can wholeheartedly support this bill as worded. However, we support the principle that special education should be given by the boards across Ontario to all those pupils in need and that the cost of that should be funded primarily by the Ministry of Education. The boards should not have to go to the local taxpayer base to meet those additional educational costs which are going to occur.

The number of students we are dealing with in the province is now slightly more

than some of the figures we have heard from time to time. One can define special education rather broadly. But following a very narrow definition, Colorado found that 5.8 per cent of their pupils qualified for special education. Applying that 5.8 per cent to the students in Ontario schools shows that we would have 140,000 pupils in need of special education either from learning disabilities or because they are gifted. That is a minimum figure, therefore, and does not include—again this is based on enrolments—all of those pupils who have been allowed to drop out at age 14 or 15 because the system has never met their particular learning needs.

In terms of the very strict definition applied in Colorado, and bearing in mind that it does not include the dropouts, we are talking of a learning-disabled need of an absolute minimum of 140,000 in the province.

Through our educational system, we have a duty to see that these children in Ontario are receiving education in the manner that they are entitled to according to their ability to take it and according to their disability. That is the minimum we can do for that tremendous resource which we have in the children of Ontario. We must provide that for them in the best possible way and in this legislation ensure that we leave no stone unturned, no “i” undotted in seeing that we fully mandate the boards of Ontario in seeing that educational need is met.

**Mr. Stong:** Mr. Speaker, my comments on this bill will be short because of the time constraints as the session ends. It is not only for that reason, but my colleague from Kitchener-Wilmot has covered many points and I do not intend to reiterate them.

However, as I rise to speak in support of the principle of this bill, I want it understood that I am in support of the vehicle created by this bill. We recognize that the bill needs to be overhauled in committee and perhaps very drastically in certain areas. That will be done during the summer, I understand, because both speakers before me have indicated that they want this bill to go to committee.

In speaking to second reading of this bill, I would like to say that any comments I will have to make specifically about the bill I will reserve until committee stage.

I might say that, in preparing myself to speak on this bill, I am very much indebted to organizations such as Justice For Children and more particularly to the Association for Children with Learning Disabilities. A constituent of mine who is present in the gallery this afternoon, Rosemary Underwood, has pre-

pared a very detailed document correlating the relationship between the learning disabled and juvenile delinquency. I am very much personally indebted for this document, because it formed the basis of the first bill which was introduced in this House, and which was done by this member in 1976, requiring mandatory special education. My bill, however, went one step farther. It dealt with requiring the Education Act to be amended to guarantee the right of education to children. However, the minister has not found it sufficiently within her power to guarantee that right to individual children within our system.

Let the minister suffer notions of superiority, I will refer to an answer she gave to the leader of the third party in this House on June 10. I quote from page 2682 of Hansard. She said, "Mr. Speaker, the government in this province has made a greater commitment to special education for every child in this province who requires it than any other government on this continent. We made that commitment earlier and more effectively than any other jurisdiction. That commitment will continue."

May I just remind the minister of the Education For All Handicapped Children Act of 1975? It is Public Law 94-142 of the United States of America, which is still on this continent. If I may refer to the preamble of that act, it says: "The term 'special education' means specifically designed instruction, at no cost to parents or guardians, to meet the unique needs of a handicapped child, including classroom instruction, instruction of physical education . . ."

**Mr. Speaker:** It is all very interesting, but it is not a principle in this bill.

**Mr. Stong:** That is absolutely true, Mr. Speaker. It is not a principle in this bill, and yet the minister has indicated that her bill is far-reaching and leads every other jurisdiction on the continent.

**Hon. Miss Stephenson:** No, I did not say that. Re-read what I said. The member is misquoting me.

**Mr. Stong:** I am not. It is on page 2682 of Hansard, June 10. I will read it again.

**Hon. Miss Stephenson:** It says this province made a greater commitment and a stronger commitment.

**Mr. Stong:** Mr. Speaker, I quoted Hansard quite accurately in that regard.

5:20 p.m.

This bill is not mandatory. It leaves a discretion to the minister. What happens in the areas where the minister elects not to exer-

cise her discretion? What happens in those areas? The bill also talks about resident pupils, which by implication leaves out such children as those in detention homes, those before the courts and those in mental hospitals.

The bill is deficient in many respects and must be amended in committee. The bill specifically leaves out and is silent with respect to the costs being borne by guardians or parents. The minister knows very well that is a very weighty and tremendously onerous burden on parents of children who suffer learning disabilities, particularly with respect to the assistance available to them in the present situation.

In my respectful submission the bill before us is a Band-Aid and conforms to a Band-Aid philosophy. It is welcome because there is nothing in the province to meet what it offers, but it is very deficient in many respects.

Not too long ago in this House, I asked the Minister of Health (Mr. Timbrell) about the remedial aspect of learning disabilities. The bill that is before the House now is five years too late, and it does not go far enough.

Over the past five years more has been learned about the learning disabled than had been accomplished up to 1975. One of the aspects of learning disability is that more people are becoming aware of it. More parents are prepared to accept that their children suffer from a learning disability and are prepared to help their children. That educational factor has taken a long time to get thought to parents. It is coming, but this bill does not meet the needs of those children.

If the minister would confer with the Minister of Health and if both ministers together would study facilities such as are offered by the Tomatis Centre in Scarborough, the surface of the remedial aspects of special education might be scratched.

**Hon. Miss Stephenson:** That is only one kind.

**Mr. Stong:** I am only using that as an example; I am not holding it out as the answer to all problems. But we know that for the learning disabled, or the mentally disturbed child, learning disabilities in that respect have very little or nothing to do with education. The learning disability is more than an educational problem. It is a physical, psychological problem, and that is a medical problem.

If this minister would confer with the Minister of Health and perhaps establish remedial programs in Ontario, instead of using

Band-Aid solutions—which are welcome because we do not have anything yet—then, in turn, maybe we would start to get to the root of this problem.

There is no reason why programs such as the program being offered at Tomatis cannot be included under the Ontario Health Insurance Plan so that parents will not be burdened further with the costs of remedying a learning disability in a child. They are remediable if this government would turn its attention to them.

I am not going to go through all the aspects of this bill in detail. We will go through the bill at great length in committee, and we will revise it there so that it will begin to reflect the needs in the community.

I urge this minister to confer with the Minister of Health, who does not accept the program at Tomatis, pursuant to his answer. I urge her to study it, and perhaps she will begin to realize that there is an answer to learning disabilities. The answer does not lie in the minister's bill. The answer lies in a combination of the Ministry of Education and the Ministry of Health. She will begin to realize that the burdens and their costs can be alleviated with the proper program.

It is my respectful submission to this House that the approach taken by the official critic for education, that the matter go to committee to be revised, is one that is desirable, and I support that proposition.

Mr. Martel: Mr. Speaker, let me begin by saying to the minister that I am delighted to see this legislation. A number of years ago I recall being engaged in debate with her predecessor, the present government House leader (Mr. Wells). I indicated at that time I thought special education was the Achilles heel of the Ministry of Education. My reservations are founded in my dealings with children with learning disabilities over the past three or four years and in confronting both the Ministry of Community and Social Services and the board of education in Sudbury, to no avail, with respect to these children.

I intend to document quickly, and to try to elicit from the minister, how we will overcome some of the reservations that I think school boards have and some of their reluctance to get serious about this problem.

Before I speak to section 7, I would say I am particularly pleased with the section concerning the separate school system being allowed to educate the mentally retarded. I recall, several weeks ago, discussing with the former Minister of Education when this bill

would be brought forward. At that time he indicated it had been a long battle trying to bring about this particular change in the act. I guess I wrote my first letter concerning the educable mentally retarded in the separate schools about 1972 as a result of a meeting with the separate school board in Sudbury, which has a predominance of bilingual children. Ever since, it has been a constant aggravation to me to watch various boards circumvent the provisions of the act dealing with the education of educable mentally retarded, particularly in the bilingual or franco-phone sections of those schools.

As the minister knows, I have presented a private member's bill for the past two years. I don't care who gets credit in terms of what prompted the change; I simply want to say I am absolutely delighted. It makes a lot of sense to have the youngsters able to go to school, in many instances, with their brothers and sisters. It makes a lot of sense to have French-speaking children who are already handicapped, and who have several strikes against them, being allowed to attend a school system where they will be able to communicate in their mother tongue. I am pleased that section is in the bill.

There have been objections. I recall putting in my newsletter that I had introduced a private member's bill a year and a half ago. I had some feedback. There were certain people in communities in the area I represent who were hostile to the private member's bill and made their views known, to which I respond, of course, in like kind. They did not write me a second time. I am always disappointed that they never write a follow-up letter.

5:30 p.m.

Having come from the teaching profession and having a wife who teaches now, I know that a number of teachers make referrals to the board even at this late date. I know of a referral that was made last September with respect to a youngster in about grade four, and it is now June. Despite that referral, the teacher is still waiting for some sort of assessment on that child—from September to June. The minister might wonder why I have some reservations about how wholeheartedly boards are going to accept this. When a teacher goes to a principal and indicates there is a child who needs some sort of testing and some eight or nine months later he is still waiting for the assessment to be done, it disturbs me to no end. For that child it is just another lost year.

I have reservations about the strength of the bill. When one looks on page two, for

example, it says the minister may "require elementary school boards to implement procedures for early identification of the learning abilities and needs of pupils and may provide guidelines . . ."

That should say "must."

**Hon. Miss Stephenson:** It will.

**Mr. Martel:** It will? I am delighted. I indicated my concern to the minister the other day. They must do it; I do not think boards should have any latitude in whether they provide services. I think it is a responsibility and, wherever we can, we must force them to the wall, if need be, to provide the services that are required. It may appear to be a minor amendment but when the word is changed from "may" to "must," it makes a vast difference to what the obligations of the board are.

I also want to deal briefly with defining exceptionalities or developing definitions. What happens after the identification occurs bothers me. We can spell out that a child is gifted but, from there on, what happens?

I recall about a year and a half ago getting involved with a youngster whose name was George. We identified the problem. I went to the board and asked what it was going to do for the youngster. We went to the Ministry of Community and Social Services and we got shot down. I was told they were providing special ed. I turned to a friend of mine who happened to be teaching in the Sudbury area and who had this youngster. He was in grade 11. He was getting 30 minutes a day of English in grade 11. He was at a grade one level. When a school board can mesmerize a person with that kind of nonsense, we have to make sure that after the identification there are no loopholes whatsoever.

I want to discuss one case in not too much length to show what happened as recently as within the last year. I and a lawyer represented a youngster who was 19 years of age and, fortunately, he had a super set of parents. The father was a geologist and the mother worked for the ministry—ironically, she worked for the Ministry of Community and Social Services—and those parents were outstanding.

They had identified, as the bill says, the problems. I have the assessment. It says:

"His records indicate, with the exception of a remedial reading course which he took in 1975-76, this boy has not received any remedial help. Discussing this fact with our Mr. Dewar, guidance department head, there does not seem to be any particular need or request for additional remedial assistance."

At this time he was in grade 12. He had not acquired a math credit anywhere. His math level was at grade two. At the end of the eighth month, he had successfully completed grade 12. I will send the minister a copy of his writing in a few moments to indicate what it is like.

What bothers me is that we are talking about 1979. The boards knew this was coming. The boards of education should have had the foresight to worry about it.

This is the assessment of the vice-principal. He says: "Earlier testing suggested that this boy possessed an average IQ."

Obviously he had a learning disability. His reading level was judged to be at grade five. I suspect that, but that is what the board says. He got one bit of remedial assistance from grade one to grade 12.

We then decided that was the assessment of the school and we were taking it to the Ministry of Community and Social Services. This is what the superintendent of special education said: "A program could be provided at one of our other schools; however, I believe that the family are looking to other resources. The community colleges have carefully structured courses meant to assist adults in the area of stated need."

That is the superintendent in 1979. He said the community college can do it and they can provide it. They gave the youngster a remedial course in grade five for a little while. He was at the grade two level in mathematics at the end of the eighth month. At the end of grade 12, he was perhaps at the end of the grade five level. It was about a year ago that this assessment came down.

We then took an appeal to the Ministry of Community and Social Services. I want the minister to hear the result of this appeal. It blew my mind, because the character who adjudicated this should have been ousted. Listen to what he says: "The vocational rehabilitation services branch has accepted the fact that Mr. B has learning disabilities but is of the opinion that the Sudbury Board of Education is able to provide him with programs which it feels will meet his academic requirements."

He goes on to say that we could send him to a community college. He had accepted the board of education's assessment. The board of education said, "We can do it." I do not know why they did not. The decision at the hearing was, "Well, we won't send him there." It goes on to say: "The position of the vocational rehabilitation services branch is that, although the young man may need some additional help in order to move into

the labour market, he does not have to go out to Gow School in New York to obtain it as there are certain remedies and solutions available to him in various schools in the system in Ontario."

Nobody told him where. My colleague said we must know where to direct people and the minister shook her head. She was not sure that we would adequately advise parents where they can take their children. We do not get it. It is not forthcoming. It is with such reluctance that boards deal with this problem that it boggles the mind.

This was lost. It goes on further to say: "I take judicial notice of the fact that, with the diploma, he is able to enter a community college program." I wrote to the community college because the board of education said he could go to the community college. The board that made the decision, the Social Assistance Review Board, said he could go to the community college.

I wrote Cambrian College in Sudbury and said, "What have you got to offer this young man?" This is final assessment from Cambrian College: "I would hasten to caution, however, on two points. First, while our faculty are readily accessible, increasing class sizes and their lack of specialized training in dealing with learning disabilities will limit and qualify their accessibility for special assistance. Secondly, where we might be able to offer a few programs that would prove suitable, the specialized training and excellent success record of the Gow school might greatly expand the options open to him and enhance his career opportunity."

5:40 p.m.

The community college says: "No, we do not have anyone trained. We cannot accept him. Send him to Gow." The school board says, "We have programs." We send him to the community college. The community college says, "No." We take it to the Social Assistance Review Board, and that board says, "Send him to the community college."

That is a 1979 case. When my colleague gets up and says, "Parents do not know," I wonder what in God's name is going on when we abuse youngsters in that fashion. That is why the act must be toughened up.

I will take it two steps further. I was working then with a group called the Activity Learning Centre at Laurentian University. I wrote to them and said, "Could you find out for me what the board of education has to offer kids with learning disabilities?" I got a letter from Gundi Sheppard, who is on staff there, and the director. I met with them and she said to me. "On calling the school

board trustees recently with regard to this question, Mrs. Payne was directed to make an inquiry to the board of education offices. There she met a dead end, because there seemed to be much uncertainty as to the definition of a qualified teacher for the learning disabled."

I thought I had better go to the board of education and I want to the board of education. I wrote; I did not get a reply. I wrote again; they called me. I told them I wanted to know the qualifications of the staff to deal with children with learning disabilities and special education, and I wanted to know the ratio of students to teacher.

I could provide to the minister, if she would like, the gobbledegook that was sent to me. I do not know how many times I have gone through it. I am still trying to figure out what it means. It has such little niceties in it with little blocks showing that this school has something there.

Listen to this. What does this mean? Name of the school, Adamsdale; special-ed teacher, one; special-ed self-contained students, 14; special-ed resource teachers, 0.5; resource withdrawal students, 21. Maybe I am obtuse, but I do not know what it means. If they are telling me there is one and a half teachers for some 35 students, I say it is too high; that is too many students for that number of teachers, in my opinion. But I do not know. That was more of the gobbledegook surrounding this one case.

I went to the Ministry of Community and Social Services, I went to the board and I went back to the board. I requested the assistance of everyone. I went to Cambrian College. Does the minister know what happened when all was said and done? This youngster is out in the cold. The ministry would not fund him. Cambrian College could not offer him a course and the education system which he was in for 12 years got him to the end of grade 12. He has a maths level of 2.8 and a reading level almost of nil.

I am going to send to the minister a copy of this young man's record. This was after he went to Gow. There was some improvement and some effort. These two parents really worked with their youngster. I give them total credit for what they did. But the obstruction in that case was unbelievable. How the Social Assistance Review Board and Peter Crichton of the Ministry of Community and Social Services who were involved in making a presentation, could shoot down getting that young fellow sent to the United States is unacceptable. Surely that is not what it is all about. Surely we are helping

people who need help. The Social Assistance Review Board said he could find a system in Ontario. I do not know where.

When I look at that section of the bill that gives me definitions and talks to me about such things as course offerings and so on, I have to say there must be a change in attitude by school boards. I do not know why they were protective. I do not know why they were defensive. My God, we were trying to help a young man, and there are thousands in the province. It is as though we need a sledge hammer or something to indicate we are not asking the boards to go on the defensive or anything. We are all here to try to do a job to help young people. That is what the bill is about. Why is there opposition in a case like that? It boggles the mind.

Let me tell you what else we have to do, Mr. Speaker, in respect to this bill. I liked the suggestion the minister has. I am hopeful that she can prevail upon, coerce, kick, beg, or whatever, the universities to put into place a system across this province, something like what Dr. Griff Morgan had in Guelph. There is another disgrace in this province. The dismantling of the system in Guelph was not nearly as neat and education-wise as people want to imply. I suggest it was one of the quietest blood-lettings that went on.

We first got involved with Dr. Griff Morgan in Sudbury three or four years ago when I was asked to speak to the parents of children who had learning disabilities. There was some ambivalence in the parents as to whether they should tread softly and approach the board in a genteel fashion. I am not one to tackle problems that way. I encouraged them as much as I could to go after the board with a vengeance.

It was strange; within a year and a half, eight students were sent to the United States, paid for by the Ministry of Community and Social Services. I would never make the suggestion they were hand-picked, but what it succeeded in doing was getting rid of those parents who were front and centre in the fight to get the kids special education. They neatly plucked them up and sent them off. I could not understand getting seven or eight funded by the ministry in one year. It boggles the mind.

**Mr. Foulds:** That the ministry could be so generous for a change.

**Mr. Martel:** Yes, that they were so generous. The parents of nearly every one of those kids who were accepted were heavily involved, front and centre, in demanding that the board provide services for all kids. Mrs.

Lefebvre, her son went off; Mrs. Conron, her son went off; the people I am speaking about, their son was sent down. It boggles the mind.

We called on the services of Griff Morgan then. We tried St. Michael's Hospital and a couple of other places. There was no place where the parents could get involved or get the type of assessment they wanted done and the type of program that would serve the needs of children.

I understand the Ministry of Education played some role in getting Dr. Morgan over to Canada—I might be wrong—and they suddenly soured on him. I find that strange. Certainly it was not in this minister's time, but there was a souring of what Griff Morgan was doing in the Ministry of Education. It almost came to blows, because at one time he was going to sue. That is how upset he became at some of the comments that came out of the Ministry of Education about four years ago. There was a dislike for what he was doing.

5:50 p.m.

I have never been able to understand it. He is a kind, dedicated person. Some people might disagree with me. He is tough; however, it is a tough field we are in. But the ministry did not like Griff Morgan. I recall talking to the wife of the Minister of Labour (Mr. Elgie). She is involved in this field rather heavily and she thought Dr. Morgan's program was absolutely superb. He took time. When the parents in Sudbury needed some help, he came. Youngsters were brought to Guelph and they were tested.

I hope that the minister, when she talks to the presidents of the various universities, will look to Dr. Morgan's program as it was before it was emasculated. I know the minister sent a letter off to the president as a result of a letter I wrote her. I received an assurance yesterday from the president that Dr. Morgan was not going to be heavily involved in anything. I must say that in my communications directly with Dr. Morgan, that is not quite cricket. I know what a blood-letting is at a university. I recall a number in my own community. I watched a president get the axe. We think politics around here is rough; that is the real politics. They could all teach us something when they get involved at the university level. That is genocide; I know no other word for it. But when they go after each other they do it with a subtlety to start with that is—

**Hon. Miss Stephenson:** You do not realize you are bleeding until it dribbles down your legs.

**Mr. Martel:** That's right; the minister is right on.

**Mr. Foulds:** The Ministry of Education is a bit like that, actually.

**Mr. Martel:** But she comes on pretty front and centre. I have never seen her go out the back door.

But a blood-letting is going on there. I would invite Griff Morgan to come to Sudbury tomorrow to institute the type of system he had in Guelph. I know of nothing that compares at the present time with the program that was dismantled. He took time with the parents, and it takes a lot of time.

I do not know how well boards are going to do when they are assessing. I hope they take the time to test the child—one or two of them if need be. I hope they take the time to have full consultation with the family, to find out the educational background, and the immediate presentation of provisional results to the parents with a final interview. I hope there will be follow-ups with the parents later on and consultation in some cases with the parents and the schools combined.

I just do not see the boards of education offering that. That is why I am dubious when I see this part of the bill that says the minister can pen up some schools, or the universities could do it and the province would fund it. I hope she takes a positive, strong lead.

**Hon. Miss Stephenson:** We have done it. Trillium and Leger are two current examples.

**Mr. Martel:** I know. But which model is the minister using?

**Hon. Miss Stephenson:** No model gives—

**Mr. Martel:** I know. But heaven forbid that I would want one single model. It has to be, either in a demonstration school or in a university, the type of system that would provide some of the testing. In fact, we could bring in some of the teachers who could have it as a learning experience.

**Hon. Miss Stephenson:** That is what we are doing.

**Mr. Martel:** I look at Laurentian University and I do not see an awful lot in place. I think there is going to be one course offered next winter at Laurentian.

**Mr. Foulds:** How many people go to Trillium?

**Hon. Miss Stephenson:** Teachers or students?

**Mr. Martel:** Teachers.

**Hon. Miss Stephenson:** They have been going weekly this year. It was booked until March.

**Mr. Deputy Speaker:** Order.

**Mr. Martel:** But one cannot bring teachers from all over the province to Trillium.

**Hon. Miss Stephenson:** Yes, we can.

**Mr. Martel:** One can get them there for a while, but I do not mean just a learning experience in the sense of a trip or a tour and spending a week. I am talking about educating the educators, who will then take it back to the classrooms.

**Hon. Miss Stephenson:** That is exactly what it is all about.

**Mr. Martel:** I suspect they will not learn it in a week.

**Hon. Miss Stephenson:** They are not people who are just starting from scratch.

**Mr. Martel:** Well, I happen to have spent a couple of days in the classroom—

**Mr. Foulds:** A lot of teachers are starting from scratch when it comes to the learning-disabled.

**Mr. Deputy Speaker:** Order.

**Mr. Martel:** Having spent the odd day in the classroom, I do not think I could learn all I would have to learn in order to—

**Hon. Miss Stephenson:** Of course not.

**Mr. Martel:** That is what I am saying. What I am saying is I would hope that the minister would see to it that she would—to quote the bill—"enter into an agreement with a university to provide for the establishment, maintenance and operation by the university, under such terms and conditions as the minister and the university may agree upon, of a demonstration school."

If the minister were wise, and she is—see, I am being flattering now—

**Mr. Foulds:** The member for Sudbury East will stoop to anything.

**Hon. Miss Stephenson:** To get one in Sudbury, he will.

**Mr. Martel:**—she would put one in Sudbury; would put one in Thunder Bay—in fact, she would put them across the province strategically located so they can get there in a hurry.

**Hon. Miss Stephenson:** We have to know we are doing the right thing first.

**Mr. Martel:** That might be the case, but this has been coming for a long time. Surely we can try to locate those demonstration schools in strategically located areas so teachers who come from Thunder Bay do



not have to take an airplane to fly to Toronto and over to Milton, and do not have to spend half their time in the air or be gone a month. We should locate them strategically, pick out the areas wanted, and provide them across the province so people can get there with a couple of hours of travel and spend some time there. In fact, they should be able to get there on a regular basis during the year for a course so one could get involved. In that way, a teacher in my community of Capreol could drive to Laurentian University and take that type of required course.

It might take three or four years to finalize it. That is fine. But they could implement what they were learning as they went along. That is my hope for that section of the bill. I hope that will occur, because I think to do what we have to do we are going to have to play catch-up ball. We are behind and, if we want to move ahead, one school in the province is not going to do enough for us. If we want to put all of this in place by 1985 we are going to have to do a lot more than we are doing.

As I said, I hope the minister is prepared to kick, scratch, enforce, coerce—I am not sure; any type of word one wants to use—to get the universities to go along. I know all about their autonomy. I hear it all the time except when they want a handout.

**Hon. Miss Stephenson:** The boards of education are autonomous.

**Mr. Deputy Speaker:** Order.

**Mr. Martel:** Let me say as strongly as I can, that is what I would like to see the ministry do with respect to that section of the bill. I want to say that without that we are going to have some difficulty in getting the type of qualified teachers we want into the classrooms starting now and gaining the experience and the knowledge necessary to implement this program in its entirety by 1985. If the minister does not do that, I suspect we will be in serious trouble. Although the bill will be in place, we will not have the personnel in place to do that. That is one of the concerns I have.

**Hon. Miss Stephenson:** You are telling me teachers aren't wise enough to see the handwriting on the wall?

**Mr. Martel:** Strangely enough, when I was in the teaching field I always felt that, as a teacher, I did not have a hell of a lot to say about education. Most teachers today will

still say they do not have a lot to say about what is going on in the field of education. They do not. Under the larger boards I think they feel more isolated than ever.

6 p.m.

My wife came home last year, so help me God, with a pile of directives so high. I mean, they spend their time writing directives. There is a directive for everything. What initiative is left for teachers? I do not know. I have friends who quit and said, "Look it is no longer fun educating kids."

The directives are mad. I say that with sincerity to the minister. I am not talking about one or two teachers; I am talking about teachers. As I say, my wife is in the field, and I was a principal in the system. The teachers I talk to tell me that it is absolutely nuts; they have no say.

The directives that come are stacked up. I know they do not come from the minister, but they come from the director of the board, and he passes them on. It is nuts. Teachers do not have much say. Over the weekend, I talked to a teacher I know well who was looking for—

**Mr. Deputy Speaker:** Perhaps the honourable member would refer to the directives which may pertain to this bill.

**Mr. Martel:** Right on, Mr. Speaker. I am talking about section 3 of the bill which deals with what the universities are offering.

Let me conclude by saying that I hope the minister will seriously review what Morgan was doing. I say that, because I know there has been some little disdain over the years by certain people in the ministry with respect to what he was doing. But I have never found a more sensitive, sensible, dedicated, quiet-spoken man in my life. My colleagues would agree, whether it be the member for Bellwoods (Mr. McClellan), the member for Hamilton East (Mr. Mackenzie), my colleague from Thunder Bay, the former leader of this party. Whenever we spoke to him, and we dealt with him extensively, we were terribly impressed by what he was trying to do. And, I tell the minister as I stand here, he has been axed.

With those few words, Mr. Speaker, I will take my place and let someone else adjourn the debate.

On motion by Mr. McClellan, the debate was adjourned.

The House recessed at 6:02 p.m.

## APPENDIX

(See page 2939)

ANSWER TO QUESTION  
ON NOTICE PAPER

## QUALIFICATIONS OF FIREFIGHTERS

219. **Mr. Isaacs:** What criteria are used by the fire marshal's office to determine the Ontario equivalency of out-of-province qualifications? On what basis are graduates of the Institute of Fire Engineers (England) denied standing equivalent to that of the Ontario Fire College? (Tabled May 30, 1980.)

**Hon. Mr. McMurtry:** (a) There are no fire colleges in North America comparable to the Ontario Fire College in Gravenhurst. Our college is government-operated and trains fire department officers to a high standard. It does not attempt to compete with the two or three universities in the United States that provide a course in fire protection engineer-

ing, nor does it provide the basic training for firefighters, as opposed to officers, supplied by certain other provinces and states. It should be noted that there is very little mobility in the fire service between provincial boundaries.

(b) The Institute of Fire Engineers of the United Kingdom provides an excellent technical course for the fire service. It does not, however, provide comparable instruction, particularly for the North American and Ontario scene. A diploma from this course would be a distinct asset to any officer in a fire department in this province, but it must be recognized that the courses at the Ontario Fire College are directed specifically at Ontario municipalities, which have made graduation from the Ontario Fire College a condition of promotion.

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No. 78

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# Legislature of Ontario Debates

Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, June 17, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, JUNE 17, 1980

The House resumed at 8 p.m.

## BRANTFORD-BRANT ANNEXATION ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells moved second reading of Bill 120, An Act respecting the City of Brantford, the Township of Brantford and the County of Brant.

Mr. Rotenberg: Mr. Speaker, last Thursday the Minister of Intergovernmental Affairs (Mr. Wells) presented this bill for first reading. In a sense, this bill represents both a beginning and an end. It is the end to many thousands of hours of work on the part of the elected and appointed representatives of the city of Brantford, the township of Brantford and the county of Brant. It is the beginning of what the government hopes will become a new process for resolving municipal boundary and related disputes in a spirit of conciliation, compromise and concern for the common good.

Ontario municipalities have been faced with unprecedented problems in relation to their boundaries over the last three decades. With urban growth, municipal boundary changes became more and more frequent. Some of these changes occurred harmoniously, with the cities and townships agreeing to the changes and co-existing co-operatively and peacefully. However, far too many became bitter, expensive and prolonged disputes, often ending up in the courts.

I need not remind the members that the Barrie annexation process has now dragged on for the better part of five years and shows no immediate promise of being resolved, even though it is now in the Supreme Court of Canada. There are boundary problems in every major urban centre in Ontario where municipal restructuring has not taken place. I believe all parties in this House have, at one point or another, agreed that legalistic, protracted and expensive Ontario Municipal Board hearings are not the way to set public policy concerning municipal boundaries.

On the other hand, it is obvious that the restructurings which resolved most of the boundary problems in the areas affected are not acceptable for most of the rest of the province. We have, therefore, set out to find

a better way. This bill represents the first step in finding the better way. We believe it is a landmark bill. It is an important bill and we hope it provides an example of what municipalities will be doing in the next few years to resolve their boundary disputes. The members are familiar with the process by which this bill came about.

The willingness of the city of Brantford, the township of Brantford and the county of Brant to participate in a pilot project to resolve their long-standing differences led to an agreement among the municipalities in April of this year. This agreement provided for a comprehensive settlement of many issues and disputes, and this bill simply implements that agreement.

It provides for the annexation of some 4,000 acres of land in Brantford township to the city of Brantford on January 1, 1981, and a further 600 acres later on. It would prevent the city of Brantford from applying to annex lands from the township without the township's agreement for a further period of 23 years, unless certain conditions of urban development on the fringe of the city exist.

This bill also provides for the development of a comprehensive new official plan for the township and parts of the city, which should sort out many of the conflicting priorities of the two municipalities. It allows the city and township to enter into a series of cost-sharing and servicing agreements which have long been the source of contention in the Brantford area. It provides for the establishment of a buffer area around the city that will be used for agriculture and related purposes and not be subject to urbanization. Finally, it provides that the parties may submit to arbitration any matters contemplated in the agreement upon which they have not yet reached complete settlement.

I would point out that there is one drafting problem in the bill and we will be proposing an amendment to section 4 to correct this. The Brantford-Brant agreement contemplates that the official plan provisions for the agricultural and related use areas surrounding the cities could be amended through a normal official plan process if, and only if, the city, the township and the county are all agreed. That particular aspect of the

agreement is not reflected in the present bill, and I will be introducing an amendment to accommodate this when the bill is before committee tomorrow.

The government's role in the development of this bill has been as an honest broker, mediator, fact-finder and facilitator, not as a policy-setter. The policies contained in the bill are the expression of the wishes of the councils of the municipalities involved. The government takes considerable pride in the fact that a process has been developed which has allowed these municipalities to come to an agreement on matters which have been the sources of friction for so many years.

It is our hope and expectation that a similar process can be used in many other areas where municipal boundary disputes exist. However, I must stress that the particular provisions of this bill may or may not be reflected in the settlement reached in other areas. The solution for Brantford is unique. The solutions to be found for Barrie, Sarnia, Chatham, Owen Sound or so many other areas facing major boundary disputes may be quite different. This flexibility is the key to the new process. The negotiation process should allow for local solutions to local problems.

This bill will be going to committee tomorrow for a clause-by-clause examination and, at that point, I expect that representatives from the three municipalities and other interested parties will be expressing their views.

I do not wish to dwell particularly on the details of the bill at this point. I do want to emphasize that all the parties involved have given very serious consideration to the provisions in this bill and have tried to meet the concern expressed by various ratepayers. Public meetings have been held and extended discussions in the media and in private have taken place.

I believe, therefore, the bill deserves the support of all parties in this House and I hope it will receive it. I should mention that all the municipalities in the Brantford area are anxious that the bill should receive the approval of this Legislature before the spring recess, in order to allow time for the arrangements required for the municipal elections this fall.

If we can make the boundary negotiation process work across Ontario, the bitter, divisive, expensive OMB battles between municipalities may be avoided in the future. I do not think I am exaggerating when I say this approach could bring a new era of compromise and common sense to inter-municipal relationships.

It is the view of the government that the kinds of solutions that can be negotiated locally through this process may remove the need for major restructuring in many areas of the province. We expect that local municipal leaders will help develop a system of local government that is far more responsive to local needs than any central body could be. It is with this faith in local government that we are proceeding on this course.

8:10 p.m.

I know the member for Brant-Oxford-Norfolk (Mr. Nixon) and the member for Brantford (Mr. Makarchuk) are keenly interested in this bill and have followed its germination with a great deal of interest. I am sure they will have much to say on the subject. I simply want to say to them that they have occasion to be very proud of the municipal leaders in their constituencies. Through them, I extend my congratulations to Bob Kennedy, the reeve of Brantford township, and his team of county and township negotiators, and to Dave Neumann, the alderman of the city of Brantford who led the city's delegation, and his team of negotiators for the fine job they have done.

I commend this bill to the House.

Mr. Nixon: I welcome the introduction of Bill 120, not as the first step, as the parliamentary assistant has referred to it, but really as the culmination of many steps and many hours of long and arduous negotiation by the representatives of the three municipalities concerned.

I suppose my second thought ought to be to express the concerns that some individuals in the areas being annexed have expressed to me as the elected representative of the area, the constituency of Brant-Oxford-Norfolk. I believe the objections expressed to the passage of the bill have come from individuals almost exclusively in the Brantford township and perhaps from the county of Brant area. I want to refer to these objections later in my remarks.

First, let me support the parliamentary assistant in the congratulations he extended to the municipal leaders. I know you will be glad to know, Mr. Speaker, that Mayor Charles Bowen of the city of Brantford has joined the various representatives of the township, the negotiating group from the city and those from the county. We are honoured to have him in the chamber this evening.

The negotiations have gone on a long time. Shortly after I was elected, I recall a visit to the Brant-Brantford area by the Minister of Municipal Affairs, as he was then known.

He expressed a view that in the long run we would look forward to establishing a single municipality, a one-tier region in the Brant-Brantford area. I can remember thinking that if that ever came about, it would be in the very distant future.

Frankly, I am glad this Bill 120 has come forward. Appended to it was the statement by the Minister of Intergovernmental Affairs on June 12. I would like to quote one sentence from that statement. It is as follows: "The bill would make unnecessary the consideration of any regional government proposals for the Brantford-Brant area."

I consider that a tremendous watershed in the policy of the Conservative government, which has been in office now for these long 37 years. We are soon going to change that, but I will hire a hall and make an appropriate speech in that connection on another occasion. The policy of the party, as the parliamentary assistant well knows, was to impose a regional form of government, one-tier or two-tier, on all of the urbanized areas and the rural areas surrounding them from Windsor pretty well through to Ottawa. I am very grateful indeed that that policy is now at an end.

While the bill is brought forward in the minister's absence, I note the minister's presence, at least under the gallery. I was very glad that as well as indicating that regional government was no longer an issue nor a threat in Brant-Brantford, in his additional comments he indicated that he as a minister was certainly not sorry to see the end of that approach.

Since I have the honour to represent a very large territory in the centre of rural southwestern Ontario, I do have constituents who live and pay taxes in the regional municipality of Haldimand-Norfolk. A number of them have expressed their regrets to me that they did not have the alternative of using this procedure to settle their own municipal difficulties rather than having regional government imposed on them. I believe the same to be true, in a large measure, in other areas at present regionalized.

Before you call me to order, Mr. Speaker, for not dealing with the principle of this bill, I want to leave the point by saying that I believe the policy of regionalization was a bad mistake, and an expensive mistake in the first instance and the government is well rid of that policy. I regret very deeply indeed that the government is not prepared to take the steps necessary to change and revoke, at least to some reasonable extent, the damage that has been done by that former policy.

At least this is an area of enlightenment where the government of the day has, with a good deal of excellent and professional assistance, given the power to the municipalities concerned to carve out their own municipal destiny and have brought the results of those negotiations to this House for implementation. This does not remove from the members of the chamber the responsibility to review it carefully and to listen to those who might object, and I understand there will be some of those before the committee tomorrow. The minister's representative has indicated there will be at least one amendment for correction purposes, and it may be that the bill will proceed to royal assent with only that one amendment.

The people familiar with the circumstances in Brantford know that the discussions and arguments, sometimes acrimonious, have gone on for a good long time. As a matter of fact, the annual event of the debate between the honourable member for Brantford and me got to be a bit of a classic among the cognoscenti in parliamentary procedure over two or three years. In some respects I rather regret that we are not going to have an opportunity to renew it.

Mr. Makarchuk: We will find something else.

Mr. Nixon: On that particular basis, the honourable member assures me we will find something else, and I feel sure that he is right.

I suppose the heat of those exchanges was reflected at the local level as well. My own first response when the Minister of Intergovernmental Affairs indicated he was going to use this new procedure was that perhaps it would simply be another delaying action, the thing would be on ice for a period of time and then we would return from the cold war to the hot war when that timetable had been run out. I was wrong in that regard. Although I wished them well, I would say I was very pleased indeed and mildly surprised that the results were as positive as they were. They are before the House today in Bill 120.

There are a number of regrets associated with this. The ministerial officials who were assisting and, in fact, directing the course of events, set out a very reasonable timetable in which the groups met regularly every Thursday night. They even gathered themselves together and left the municipalities entirely for a weekend of intense and concentrated negotiations at the very highest level, during which I feel certain breakthroughs on a per-

sonal as well as on a policy basis were achieved.

The timetable was lived up to almost exactly, even to the dates of the various municipalities approving the agreement. There was some delay but it was within the proper ranges. While it is not a terribly important point at this stage, the really disappointing delay came when the minister could not persuade his staff to go forward with the drafting of the bill so it could be before the House in ample time for public hearings, so it could be discussed in committee and in this House, and so it could be brought forward in the general procedures to royal assent and implementation without these pressures.

It was introduced last Thursday. We are having an opportunity to discuss it in principle tonight. Tomorrow, in a very long day, the general government committee will deal with bills on the city of Ottawa, the city of Toronto, certain changes in municipal elections and finally the city of Brantford bill. This is presuming the bill dealing with the village of St. George will not necessarily have to go to committee.

**Mr. Rotenberg:** Only if you send it there. I am happy with the bill as it is.

8:20 p.m.

**Mr. Nixon:** All right, but that is going to happen tomorrow. Then, the next day, we are expected to give it third reading, any committee changes necessary and royal assent.

I know I am getting through to the minister, but he is being very careful not to respond because it is all done in his absence in the ridiculous procedure that has been established in this House. Actually, everybody is absent, except the gentleman sitting in the back row there. I really regret we were not able to get this bill for the review of the local people and for debate here, except under these circumstances.

I know the minister is completely unflappable, I have never seen him excited, but I hope when this is finally all established, he will gather his staff around him and, just very mildly, indicate a small degree of displeasure. The staff has been excellent throughout, but somebody here—maybe it was the parliamentary assistant; that would be a popular scapegoat—let him down. Somebody did.

I personally am not sufficiently sanguine to believe the minister should pick up his quill pen and write the bill himself, but when I look at the public accounts and see the salaries paid and the numbers of people on the staff, I have a feeling that somebody could

have done a better job. In most of those offices it tends to get passed from official to official until it is finally the poor individual at the switchboard who is trying to write out the bill at the time he or she is also answering the telephone. Everybody else is too important and too busy actually to pick up a pen and write some words.

**Mr. Deputy Speaker:** And now, back to the principle of the bill.

**Mr. Nixon:** However, Mr. Speaker, the bill is here before us and I am very glad. I am particularly delighted that the negotiations have prompted an agreement on the selection of an industrial site for the city of Brantford that is located in the area of worked-out gravel pits. I have made speeches about this subject before and I will not gather your interest in this regard again, Mr. Speaker, at this time. I will say, though, this is what we should be doing. To continue to put our industrial plants, assuming we are going to have a few in the future, on prime farm land is absolutely ridiculous, in fact, criminal.

In our area we have some very large gravel deposits, many of them progressing towards the worked-out stage, which are well served by controlled access highways and railways and I think in the long run can be well served in other ways, and that is surely where industrial development should go. There is a large area for housing which the government of Ontario, in its wisdom, purchased at least in part many years ago. They purchased 1,000 acres on the border of the city and some of that at least is going to be available in this connection.

I really think it is not going to be needed for a good long time, but that is the purpose of this bill. Really, it puts any serious changes in boundaries on ice for 23 years. Obviously one side wanted 25 and the other side wanted 20, so we get the 23. I am not sure who gave way on the half year, but those are the kinds of negotiations that were so successfully achieved.

The citizens who are objecting are those living in a highly urbanized community known as Greenbrier, which is a beautiful place to live. I have knocked on every door there and I have never had any reason to regret the fact that the area was included within the boundaries of the constituency of Brant-Oxford-Norfolk. I may have some reason to regret it later because, while the provisions of this bill mean that if these good citizens, these fine people are, in fact, annexed to Brantford, they will have an opportunity to vote in Brantford. They will not even have an opportunity to express their



pleasure or otherwise with the candidates for the council of the township of Brantford in the election this year.

However, I will no doubt have the opportunity, even in 1980 or 1981, to knock on their doors again and to discuss these changes with them. I know many of them will want to discuss them because it is indicated by the statistics that they will lead to an increase in their municipal taxes of 44 per cent. That is without the regular inflationary increases. The only mitigating factor is that the government in its wisdom and the two negotiating groups have been able to work out a program where these increases will be phased in over a period of, at the most, eight years. At least that would be better than an Ontario Municipal Board change that might have the tax increases imposed in a single year—there is that small residual benefit associated with it.

There are other people in an area surrounding the enlarged city who are having their development rights somehow, and in some ways, reduced. This will be discussed at the committee tomorrow when some of the farmers who own these properties will be coming in, either by themselves or with their legal counsel, to indicate that they object to what they consider to be a down-zoning, which is detrimental to them economically and in other ways.

If the city of Brantford is going to say that with this enlargement it will not require a further annexation for 23 years, they feel they do need some protection so that there will be no further extensive urbanizing and commercial development just beyond their boundaries, as has taken place in the past.

The bill, however, does call for special hearing officers. I hope and believe there will be the kind of accommodation that will assist the individuals so that justice will be done across the board and no specific taxpayers are going to have to carry more than their fair share of the economic load for this accommodation.

I think the hearings tomorrow are quite important. I for one made some commitments to the public meetings where the local officials heard the objections and comments from local citizens. At that time I indicated that in the normal course of events these bills would go to a standing committee, giving citizens an opportunity to express their views. I am very glad that the parliamentary assistant has indicated the bill will go there. I know it is inconvenient but certainly the responsibility for any inconvenience must lie with the government and nowhere else.

I hope this will be an irrelevant and redundant comment, but I understand the actual deadline for the passage of the bill, to meet the planning requirements for the municipal election in the fall, is October 10. The House will return before that time and in the unlikely and unhoped for event that there is more delay than is now expected, there is that fall-back position.

It has been put to me quite clearly by representatives of the municipalities concerned that there is a good deal of planning and action that must take place. One would never for a moment think from the scant population of the House tonight that this bill is historic, but I believe it is. I believe it can be used to solve similar problems in many areas of this province. I am very proud that the Brantford experiment has been as successful, so far, as it is.

Naturally, I have to refer once again to the fact that individuals feel the bill is not in their best interests and that in some respects they have lost what they consider their proper opportunity to express their objections. I can simply rely on the provisions of the bill itself, with its special hearing officers and adjudicators, to see that justice is done for all. At the same time I hope the long-standing confrontation between the municipalities concerned will be laid to rest in an amicable way for the benefit of the whole community and in doing so set an example for the province.

**Mr. Makarchuk:** Mr. Speaker, I wish to take part in this debate and give the members a brief history of the situation regarding the matter of local government and annexation in Brantford.

The problems in Brantford originated before I was even a resident in the city. Ever since that time I have been continuously hearing about various plans, decisions, meetings, boards, committees, studies, et cetera, for some form of amalgamation and some form of resolving the boundary disputes.

The minister is well aware that is not a problem that is peculiar to Brantford. There were other cities that were present in the office with him and the Premier (Mr. Davis) and the Attorney General (Mr. McMurtry) and were pointing out that they have similar problems all through Ontario. That perhaps speaks to the nature of the province and the rigidity of the government. The way it is tied up in its own red tape, the cities have to come begging to the minister saying, "For God's sake do something."

8:30 p.m.

I want to say that in Brantford the situation is important because of the growth of the city. In general that growth is related to the health not only of Brantford, but also of Brantford township and all the other townships in Brant county and surrounding areas. If there is no growth and no possibility for growth for Brantford, which was the situation that was developing, then everybody suffers. It was not a matter of Brantford being the only one that would suffer; the whole area would have suffered. The matter of taxation was a problem and still is a problem to an extent. The fact is there is an urban community on the outskirts of the city that was not paying its share of taxes to the operation of the facilities that were being used in the city.

We have to recognize there are matters of planning. One can't plan on land one doesn't own, doesn't possess and over which one has no control. One can't live in a modern society these days without doing some planning.

There are a lot of problems that have to be resolved. We have to recognize there were talks going on all the time. It wasn't until the city took the club and said, "We are going to the OMB" and the handwriting was on the wall that the idea of some sort of reasonable compromise entered people's minds and they sat down and started solving the problem. The other choice was the OMB and the costly expenses for both the city and the township that would have been incurred by them and paid for by the taxpayers.

I must commend the minister for finding this way out or for arranging this means of resolving the situation. I think the stick-handler at mid-ice up there is stick-handling his way very nicely to the leadership when the big change happens on the front rows over there.

**Mr. Nixon:** All on the basis of the Brantford-Brant bill.

**Mr. Makarchuk:** All on the basis of the fact that one notices if there are any scapegoats tonight he is not here. It is the parliamentary assistant who is looking after it.

**Mr. Rotenberg:** I can look after the member with no problem.

**Mr. Makarchuk:** However, I must say he has recognized the problem and has arranged for a solution. It is through the efforts of the officials in his ministry as well as the people in Brantford township and Brantford that we do have a solution at this time.

It must be Tuesday today because the member for Ottawa East (Mr. Roy) is not

here. But I would point out to the members who get so concerned about the little people and the principle—

**Mr. Nixon:** Your party has only four members here.

**Mr. Makarchuk:** That is not what I am referring to. I was referring to his attendance in the House.

**Mr. Nixon:** People who wear glass shoes shouldn't kick rocks.

**Mr. Makarchuk:** With respect to the little people, the same principle applies here. We are bypassing the OMB. I want to point out as well that public meetings have been held in every conceivable place in the affected areas and people have had an opportunity to appear before those meetings and express their views. They certainly had an opportunity to talk to members of their respective councils.

**Mr. Haggerty:** Have you consulted with the member for Welland-Thornold (Mr. Swart)?

**Mr. Makarchuk:** I am very happy with him. He is supporting the bill. Is the member? I hope there is an understanding that the democratic process has been served.

We must recognize that the bill itself is a series of trade-offs. It is not the best deal for anybody. I don't think anybody is going to come out of it saying he got the best of anything. The fact that the citizens of Brantford will be carrying \$1.2 million in additional taxes for a period of time is not necessarily the best deal in the world. They have taken on that kind of a debt.

However, that was a decision of local members of council. If we are going to do something more than pay lip service to the idea of local autonomy, then we have to recognize that they have a right to make a decision. After all, they are elected in the same way as we are. People can affect them one way or the other. Queen's Park is not going to be the big brother who is going to decide everything for everybody all the time.

We must understand that the citizens' views will be presented in committee tomorrow. I want to caution the House that if there are significant amendments in committee, we may destroy the whole delicate balance of the bill and may jeopardize the whole understanding that exists between the two municipalities.

I find it rather difficult—slightly hypocritical, to put it mildly—that on the one hand we agree to pass the bill more or less with the single amendment as it is here on the other hand, we are going to listen to those people. But in effect we are telling them,

"Look, no matter what you say we are not going to change the bill anyway; it is going to go through this way."

Mr. Nixon: That is what you say.

Mr. Makarchuk: Are you saying you are going to change the bill?

Mr. Nixon: Do you want it to go to committee?

Mr. Makarchuk: Do you want to change the bill?

Mr. Deputy Speaker: Order. Would the honourable member address his remarks to the chair.

Mr. Makarchuk: Yes, I have the floor; that is right.

I want to caution the members that the whole idea, the concern for people, the so-called plans for the future, et cetera—the grand experiment, as was mentioned earlier by my colleague—are going to come to nothing if this bill does not continue through to the House on Thursday.

We should understand, as was pointed out earlier, that the whole democratic process in terms of the municipal elections will be jeopardized. There has been a considerable amount of planning; there have been thousands and thousands of dollars of staff time, consultants' time and everything else used up to try to arrive at an agreement. The people involved were also elected democratically. Therefore, we should at least try to go along with what they are trying to do.

We do not have too many choices. We have about three other choices. One choice is to have a status quo situation and not do anything about it. Another one, which is politically unpalatable right now, is that the minister can impose regional government which, after the experience of the last few elections, is highly unlikely. The third way out is this way. I want to tell the members here they have an opportunity to allow local people to make a decision, to permit something to happen, to try to resolve some of the problems facing urban areas in Ontario. I think we should continue this thing.

Our party is going to support the bill. I ask the other members of the House for their support, to ensure we do not have the same kind of fiasco with this bill as we had with the previous Brantford bill which had—

Mr. Nixon: I thought that was democracy too.

Mr. Makarchuk: The member says that was democracy. I should point out to him the bill was in committee; it had hearings; the committee recommended some amendments. In fact, the committee brought it to the House,

and then it was defeated. I am not sure if that was democracy.

Mr. Nixon: Does the member mean if it does not go his way it is undemocratic?

Mr. Makarchuk: It did not go the member's way, either.

I want to ask the members for their support on this bill. If I may appeal to some of the selfish motives over there, politically it is a very good deal in the sense that it gets the government off the regional government hook.

Mr. Epp: Mr. Speaker, I am pleased to join the other speakers in this debate in speaking to Bill 120, which I think is a very important bill. It is certainly a landmark as far as local government is concerned in the province in the last few years.

I want briefly to commend those people who have been responsible from the start for drawing up this particular bill. I was at the Association of Municipalities of Ontario meeting almost two years ago when the minister made his statement that he was going to have a new form of consultation as far as local government was concerned. Following that, we had the committee, the pilot project set up for the Brantford-Brant annexation problem.

I think it very much in order to join those who have already congratulated Reeve Robert Kennedy, Alderman Neumann, Gardner Church from the ministry, and all the others who participated. We should single out, of course, Mayor Bowen, the mayor of Brantford, who was very much involved in the whole negotiation process.

8:40 p.m.

We have to keep in mind that during the first 100 years or so in Ontario, after the Baldwin Act of 1849, we had very little growth in the province. We did not have much change as far as local government was concerned, with the exception of some of the metropolitan areas.

In the 1960s and 1970s, very rapid growth developed in this province and the government's attitude to this was that it should impose regional government. As a result, regional government was imposed on Ottawa-Carleton, Niagara, Hamilton, Waterloo, Halton, Haldimand-Norfolk and Muskoka. About 10 or 11 regional governments were imposed across the province.

The significance of those impositions of local government is borne out by the fact that the people weren't very happy with them. That's evidenced by the fact that from almost every regional government, there are

a lot of opposition members in this particular Legislature. The government in the late 1970s, after minority government came to the province in 1975, had to find some other kind of solution to the local government problem, to the growth problem, to the re-development problem.

They set up this pilot project in Brantford. The issues, as they saw them at the time, were that the land on the fringe of the city should be within the city limits and the development of projects, such as plazas and so forth, should not be in the township. They felt there should be some kind of security as far as the expansion was concerned. As far as the township was concerned, they felt this development should not go into the township areas. They felt the cost of services should be shared among the various taxpayers and should be shared equally and fairly among them. They felt there should be some kind of tax protection for the people who were coming into the city, and that the new costs should not be imposed upon them all of a sudden but there should be some kind of phase-in. They felt that for the areas where land was being taken away from the township, they should not experience a rapid increase in their taxes. These things had to be worked out and obviously they have been worked out.

As has been indicated, we are going to have to deal with some of the questions tomorrow. I agree with the other members who have spoken, and I would hope that this particular bill can be resolved tomorrow and be brought back to the House for third reading and royal assent on Thursday.

The greatest losers, I would think, with respect to the annexation discussions that have gone on in the last eight or 10 months, would be the lawyers and consultants in this province. We know that in Barrie alone, which has had a long discussion of annexation before the Ontario Municipal Board, between the various municipalities involved and the province there has been more than \$1 million spent on lawyers and consultants. We think the citizens should be the greatest benefactors of the discussions that have gone on in the Brantford area in the last eight or 10 months.

We note that in the guidelines that have been established for the legislation to be passed, we have until November 1, 1980, to pass the legislation. If it goes beyond that point, then the parties may withdraw from the agreement without prejudice. It is incumbent upon us to pass this legislation and I hope give it second reading today, so it

can go into committee tomorrow and receive royal assent on Thursday.

I think, however, Mr. Speaker, we should note one important thing, and that is that there has been a great deal of agreement and good feeling go on with respect to this bill in the last few months. I think the various parties are going to be hard pressed in the coming months and the coming years and I hope there is enough of that good feeling and spirit to tide them over into the coming years. I think that, as in other annexations and other forms of government that have come about in this province, there has been a lot of bad feeling develop because of some minor disputes. I hope and expect that the people in Brantford city and township and Brant county are strong enough and strong-willed enough to overcome this.

One note before I finish and that is that we note that in this particular bill the various important clauses are on about 11 pages, but in drawing up the boundaries of this bill, they are contained on 12 pages. If one counts the "thences" in the various pages, he will find there are at least 12 on each of the pages. Multiply that by 12 and it comes to at least 144 "thences." I think whoever draws up these bills should find some other word to replace it. I think it is the most overused word in this bill and many other bills where there are boundary alterations.

Mr. Isaacs: Mr. Speaker, I rise to participate in this debate on a bill that is very definitely a landmark bill in the history of municipal government in this province.

I was present at the Association of Municipalities of Ontario convention last summer when the Minister of Intergovernmental Affairs announced this new process to the municipalities of the province. I welcomed it at that time with less than total optimism. I thought the process was soundly based and that it had the possibility to be fair. But I was a little more, perhaps I will say, sceptical about the chances of success for the process that the minister was announcing.

I have to congratulate not only the minister but also his staff and all the people who were involved—in the county of Brant, in the city of Brantford and in Brantford township—who have ensured that this process has come to fruition and has led to the bill that is before us tonight. I will go further and say I do not share in any way the comments of the member for Brant-Oxford-Norfolk about the timing of this bill coming before us. I recall that the minister's announcement was in August of last year. I think for the issues that were standing in the way at that time to have

been resolved in the few months between then and now is a real tribute to the people who were involved in the process.

It is unfortunate that it is coming to us two days before the House rises. But that is the fault of this House and not the fault of the process and certainly not, in my view, the fault of the ministry staff nor of the local councillors and aldermen who have been involved in the process.

It is certainly a difficult problem that we face when we are dealing with annexation. It is something that has always been a problem and continues to be a problem in many other areas of the province. As other members have indicated, the regional government approach could have been followed and I share their dislike or even abhorrence of that approach. It was tried in a number of areas of this province and it has been far from a great success. I too welcome the statement of the minister that we will not be seeing new regional governments set up in Brant-Brantford or in any other area of the province, I hope, in the foreseeable future.

**Mr. Nixon:** I hear you want one tier in Hamilton-Wentworth.

**Mr. Isaacs:** That is a matter of dealing with an existing situation that was caused by something done by that government.

The second approach is the newest one and that is the approach that has led to this bill tonight, and I will come back to that in a few moments.

The third major approach is the traditional one through the Ontario Municipal Board. It involves a great deal of legal argument, incurring tremendous costs for the taxpayers and the municipalities, where councils, land owners, citizens and anyone else who can claim to have any kind of interest can make presentations before the OMB.

I am interested to hear some of the comments tonight. I hope this debate will continue and that there will be further discussion of the OMB process and of the approach that could have been taken if the traditional lines had been followed. It is only a couple of weeks since we were debating the other Brantford situation in this House and some members of the House were indicating their approval of the great mechanism that the OMB provides to the public of this province. I indicated that in my view the OMB mechanism was the second greatest problem in planning in Ontario, and one which I did not accept as being fundamental to planning or fundamental to local government.

8:50 p.m.

If I might, I would like to illustrate the feelings that were expressed that night. I think they are relevant to this bill before us tonight, in that they relate to the functions of the OMB and the functions of the OMB in hearing citizens' objections. After all, that is the comment that has been raised by all speakers tonight.

On June 3, the member for Ottawa East said: "We do not think the Legislature of Ontario, on the basis of expediency, should deny people rights that have been established by this Legislature. This is why we have reservations and this is why I, as one member, cannot support this legislation." Mr. Speaker, as you know, that was the legislation relating to development in downtown Brantford and the matter the member for Ottawa East was referring to was the matter of bypassing the OMB process.

Similarly, that same afternoon, the member for Kingston and the Islands, the Minister of Community and Social Services (Mr. Norton), said: "... I think we have to be very careful, whatever may be the pressures at a given point in time, of allowing ourselves as legislators to act, albeit at the request of a municipality, in such a way as to circumvent what would normally be the due process to which the citizens of a community had access at a time when the municipality was embarking upon a major scheme like this."

I see those comments as applying equally to this bill that is before us tonight and, to be honest, I am surprised that those kinds of comments, at least so far, have not been raised in this debate.

There are obviously people in this House who do have a love affair with the OMB and do not think that this House should be bypassing the OMB. I am not one of those people and I have remarkably little use for the OMB in the affairs of this province. I have some use for it but remarkably little use, Mr. Speaker.

I am very comfortable with the approach the Minister of Intergovernmental Affairs has taken on this matter and I hope we will see it refined a little. I hope we will see it applied in other areas of the province where there are problems, including areas where regional governments are in place and very serious problems continue to exist.

The problems of local government are not easy, Mr. Speaker, as I know you are aware. The real issues are not just the location of a boundary line. While the bill is dealing with annexation, with the moving of a boundary line, the fundamental issue has to do with development, has to do with property taxes

and has to do with who will pay for new services that will be required in the area.

Of course there are people who have loyalties to the city or township or town or community in which they live. Those people are people for whom I have a great deal of respect, but they are few and far between.

The issue that will be presented before us if this bill goes to committee is an issue that fundamentally relates to development and payment of costs. I want to suggest, Mr. Speaker, and I say this in all seriousness, that we should not be controlling development simply by controlling municipal boundaries. Of course, if there is an area that is served by common services but is split by a municipal boundary line, then it may make sense to have a single local government rather than having the jurisdiction split between two equal local governments. In that circumstance, moving the boundary line may make some sense, and moving a boundary line is, of course, annexation or amalgamation.

Similarly, if development is anticipated in an area, it may make sense to move the boundary line so that the services can be provided from a single existing urban service area rather than establishing a second or overlapping urban service area. This is, essentially, in very simple terms, the situation which exists in the Brantford area at the moment.

Having provided the parliamentary assistant with the praise that he so often seeks on municipal bills—

**Mr. Rotenberg:** The member is learning. It will be easier for him next time.

**Mr. Isaacs:** He should wait until the next bill—and which, I have to admit, does not always come quite as easily as it does on this bill, I do have one minor matter that relates to this issue of planning that I want to draw to the parliamentary assistant's attention and which I hope will be taken into account when we move into other areas with this kind of process. That is, in the bill, the boundary of the city of Brantford, the city limits across the annexed area is to become the development boundary.

In my view, that is a little backhanded. We are essentially using this new, exciting annexation process as a planning tool. I would have preferred to see the planning put first—the cart before the horse—then, having done the planning, deal with the boundary change later. I know in this particular situation the planning has been done. I know the parliamentary assistant can quite correctly respond that because this annexation matter has dragged out over so many years—

**Mr. Rotenberg:** You are making my speech for me. Keep going, you are doing fine.

**Mr. Isaacs:** Sometimes I wonder whether I should. I know the member is going to tell me the planning was done before the boundary was moved. I accept that in this particular instance. But the process itself has the potential to be used as a planning tool instead of something that comes after the planning, when everyone knows what the development area is to be.

The fact that there is the possibility of an annexation or the movement of the city or urban limit being used as a planning tool shows how hopeless and outdated the planning process in this province has become. That is what we were discussing a couple of weeks ago. I do not intend to rehash that, but I do say that when this bill goes to committee there is a very real danger that we will be, in essence, discussing not really where the boundary of the city of Brantford should be, but who should be and who should not be in the development area.

There are some very real dangers in a legislative committee trying to assume a role that it is essentially one for a quasi-judicial body such as the OMB or, perhaps even more appropriately, a role for the municipal council that is elected to deal with those kinds of decisions.

In my view it is almost impossible for a committee of this House to ensure that its procedures are fair if it is trying to play that OMB role. There are real difficulties in ensuring equity for all parties if a committee of this House decides to make changes to the boundaries. The evidence available to us, as members of the Legislature, may not be the complete evidence. Obviously, we could not gain, in the matter of half a day of hearings, or even in a week of hearings, the amount of knowledge of the issues an arbitrator has obtained in the period since last summer or the even greater knowledge members of the local council involved will have as a result of their work on these problems over the last 10 years or more.

So I have very real concerns about a committee of the Legislature trying to subsume the work of the OMB. I hope that does not happen, and I will be very interested when—

**Mr. Deputy Speaker:** Order. The honourable member is straying from the principle of the bill.

**Mr. Nixon:** He certainly is. We have the St. George bill to deal with.

**Mr. Isaacs:** Thank you, Mr. Speaker, I will get back to the principle of the bill by pointing out—



**An hon. member:** I thought you were on the principle all along.

**Mr. Isaacs:** Good. I have some support, Mr. Speaker. I will get back to the principle of the bill by saying that the bill deals with—

**Mr. Nixon:** Tell us about the one-tier government in Hamilton-Wentworth and how consistent you are.

**Mr. Isaacs:** —the location of a municipal boundary and that if we discuss planning matters under the auspices of this bill, as we may, then I believe we could get ourselves into very serious difficulties. I look forward to attending the committee tomorrow and following the debate that will arise as a result of the exciting process that has been introduced here by the government.

**Mr. Rotenberg:** Mr. Speaker, I want to thank all members opposite for their support of the bill and for indicating that they will support it in committee tomorrow.

As I mentioned, it is the first step in the total process but the member for Brant-Oxford-Norfolk said, "No, it is the last step." I am sorry if that was not clear to the honourable member. It is the last step in the process for Brant-Brantford but will be the first step, we hope, in a series of processes throughout the province which will be very satisfactory to all of our citizens.

**Mr. Nixon:** The Brant-Brantford people are interested but nobody else seems to be.

9 p.m.

**Mr. Rotenberg:** The member for Brant-Oxford-Norfolk also seemed to criticize the timing. Considering the total length of time this matter has been with Brant-Brantford and with our ministry, I think we have done very well. We have done very well to get the agreement and we have done very well to get the legislation here.

The member for Brant-Oxford-Norfolk was half-jokingly talking about somebody up in our ministry writing the bill with a quill pen while answering the phone. I know the last time his party was in the government, they did use quill pens.

**Mr. Makarchuk:** If they get back in, they will revert to quill pens as well.

**Mr. Rotenberg:** I can write my own script, thanks. I am sure also that some of those writings with quill pens were done on his kitchen table.

I think the member maybe inadvertently took a bit of a cheap shot at the staff of the Ministry of Intergovernmental Affairs in talking about some of the slacking of that staff. I would point out to that member and to all

members that our staff worked very hard, very diligently and for very long hours over the past number of months to bring this to fruition.

**Mr. Warner:** They had to in order to prop you up.

**Mr. Rotenberg:** As a matter of fact I was going to point out that the average staff member who worked on this worked 160 per cent of the time. In other words, they worked 60 per cent overtime over more than the past six months in order to bring this matter to fruition tonight. The director of the project, Mr. Church, whom I commend, worked 188 per cent of the time. All of this overtime was worked without any additional compensation because our people don't follow the dictates of the members opposite where everything has to be paid at rates of time and a half.

I must confess that one thing does sadden me about the bill. We won't get the annual shouting match every year between those two neighbours, the members for Brantford and Brant-Oxford-Norfolk, about the boundaries. I am going to miss it. I would offer the services of our ministry to both those members to find a new issue to argue about over the next number of years after this has gone to bed.

I was a little disturbed at the remarks of the member for Brantford who, in effect, said we shouldn't be having a hearing tomorrow because the bill is the bill is the bill and we shouldn't change it. He was almost saying we shouldn't be listening to the people. This has had full public hearings before the various municipal councils and so on, but the matter is before this Legislature and we should be holding a hearing because people in that area requested a hearing.

**Mr. Makarchuk:** But don't change the bill.

**Mr. Rotenberg:** I am not going to say in advance I would not support a change in the bill that makes sense, if one comes forward tomorrow at the hearings. The one thing I will say, as I said in the opening remarks, is that this bill is really not a reflection of government policy. This bill is a reflection of an agreement worked out by some very competent municipal councillors from the three sides.

If something comes forward tomorrow that makes sense, it will have not only to make sense to me and to the government, it will have to make sense to the representatives of the various municipal councils before I would consider putting an amendment forward and supporting it. It will not be just an amendment we will support. But if an amendment or a suggestion comes forward that has the blessing of the municipal councils that will be



there, then of course we should consider it. That is really what the whole process is all about.

The member for Wentworth also seems to have a distrust of a legislative committee, a committee that he serves on. He believes we should not be involved because we might stray from strictly legislative or planning matters. Good heavens, what are we here for if we are not here as legislators to look into all matters of the bill?

I have full confidence in that committee and in this Legislature to deal fairly with this bill, both in the Legislature and in our standing committees, to deal fairly with the people, and with the municipal councillors and to come up with the proper solution.

I thank all members for their support of this bill and I would ask for its adoption in second reading.

Motion agreed to.

Ordered for standing committee on general government.

#### POLICE VILLAGE OF ST. GEORGE ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 122, An Act respecting the Police Village of St. George.

Mr. Rotenberg: Mr. Speaker, as the Minister of Intergovernmental Affairs (Mr. Wells) mentioned in his introductory statement several weeks ago, the bill has been prepared in response to requests from the trustees of the police village and the council of the township of St. George. Following the expansion and subsequent dissolution of the police village, an appointed Hydro commission will supervise the provision of hydroelectric services in the affected area. An urban service area will be established with the provision of sewer and water services, sidewalks, street lighting and garbage collection.

This is a very simple bill. Tonight we are looking after all the problems of the member for Brant-Oxford-Norfolk. I am sure he will support the bill as well.

Mr. Nixon: Mr. Speaker, I also happen to have the honour of being a property owner in the police village of St. George. As far as I know, this is the first time in the history of the Legislature a bill dealing with that great community has been before us.

The parliamentary assistant indicated that the Minister of Intergovernmental Affairs made a statement many weeks ago when he introduced the bill. In fact, this bill was introduced on June 12, although the legislation

has been pending and in fact delayed for a good long time. I simply raise the matter since the parliamentary assistant is so sensitive about any criticism directed to him, the minister or the staff of the ministry.

I will tell him that the lack of this legislation—or even more preferable, of a reasonable solution at the administrative level by the Ministry of Energy with Ontario Hydro—has been a severe drawback to the work of the community, and it has cost us a good many dollars. I regret it very much and I think the ministry should do something about that in a rather generous and open-handed way. I know his representative will give it some consideration.

The police village of St. George is the most beautiful village in Ontario, if not Canada, nestled in the arable farming lands of Brant county. Without talking at length of its many attributes, I would simply say a decision has been made to expand its residential area. In the wisdom of the Ministry of the Environment as well as the councillors of the municipality, which is the township of South Dumfries, a sewage disposal system is being built.

We are not having any lagoons, thank you. This is a proper disposal plant, and naturally it has to be served electricity. When they went to hook it up Ontario Hydro said, "Fine, the rates you pay will be rural rates." In our area the rural rates are probably 50 per cent, at least, greater than those payable in the village. I would think it would be closer to 70 per cent greater. Of course, there was obviously objection to this.

Ontario Hydro indicated they were not prepared to let the village service either the sewage disposal system or the extension to the community, known as the Iezzi subdivision. The problem became practically insurmountable. Even the Minister of Intergovernmental Affairs himself, who sits four seats from the Minister of Energy (Mr. Welch), could not work out some sort of equitable compromise for this small community which had, in the eyes of the government, an insoluble problem. So the bill before us takes the Draconian action of dissolving the police village.

I regret that very much. It is a historic community as a village. It was there, in fact, before Brantford was anything but a little ford, where Joseph Brant and his Indian brethren went from one side of the Grand to the other. Now Brantford has progressed in more ways than one but the police village has retained all of its charm, at least up until this point.

I am not so sure that by the time we put sewers up and down all the streets and the new waterworks and add the addition, it might not become just another one of those grand communities with all the hamburger stands and various other franchises that make so many of our communities identical. We are not bothered by that, although we do have a Bank of Montreal, which in one sense I suppose is a pretty standard fixture in most of the communities of southwestern Ontario.

**9:10 p.m.**

I regret not only that the village is dissolved but that its replacement is something called an urban service area. My constituents won't live in the village of St. George but in the urban service area of St. George, or for short, USA St. George. We presume the bill will get royal assent on July 4. I owe that gem to a friend of mine who is visiting from Brantford who just threw that off the top of his head during dinner when he was advising me on the efficacy of the previous bill.

I do regret, as I say, that it is necessary to dissolve the village and to abolish the time-honoured, important and responsible position of village trustee. At least for a period of time the presently elected trustees will continue as a hydro commission and they will be able to administer the lower rates to the sewage disposal plant and the many good people who we expect in the near future to buy the lots in the new subdivision and form the expanding community of St. George.

It is interesting that it is not possible for that group to be given additional responsibilities for other services such as water and sewage, for example, but evidently that would be too large a jump for the government of the day to take, so we are going to have this duplication of government boards.

The objection has been expressed locally that in the long run the replacements to the presently elected trustees will not be elected but will be appointed by the township council of South Dumfries. The objection has come from the present trustees who feel their successors should be elected as well, but the decision has been taken by the government that they will not approve that sort of an alternative. In order to remove the problems that have been created by the government policy over the years, it is necessary to accept the bill as it is put forward.

Members will be glad to know that I have consulted personally with all of the trustees and while they object on the basis that I have already described, they regret that they will

not be succeeded by elected people, they do not object to the passage of the bill. The township of South Dumfries is very glad to have the legislation so that it can proceed with the servicing of the new community. It is even expected that some people probably from the Brant area, the Brantford area or the Brantford township, Brantford city area will look out to the village of St. George, which is one of the finest places that they could possibly move to in order to raise their families, with good schools, good services and excellent representation right across the board.

**Mr. Gaunt:** They are an outlawed breed in St. George.

**Mr. Nixon:** Well, we don't have Tories there, but there may be some in the future, who knows. If we allow people to move in, the whole community may be ruined, but I am prepared to take that risk.

**Interjections.**

**Mr. Nixon:** Mr. Speaker, in spite of the interjections from the other side of the House, I really do welcome this bill. Although it is an extremely cumbersome way to solve what should have been a minor problem, I am glad that the government at last has brought the bill in and the township of South Dumfries and the village of St. George can proceed with their planned development.

**Mr. Isaacs:** Mr. Speaker, I have only a few brief comments on this bill. The members of this party welcome the change that is being made because it is obviously to the benefit of the people of the police village of St. George and also to some extent to the benefit of the people of the township of South Dumfries.

Our one concern is that the bill is imposing the same tired old kind of municipal government on the people who are at present living in the police village of St. George. We would have hoped that we would have seen St. George used as a model for a new kind of municipal government that deals with the many problems we have presented to the minister and to his parliamentary assistant in many municipal debates in this House.

There are approaches that could have been taken that would have improved municipal government for the people of that area to a tremendous extent, but in fact we have set up the urban service area or will be setting up the urban service area to which the member for Brant-Oxford-Norfolk referred. That urban service area will carry with it many of the problems that local government else-

where in this province is facing, such as: financial problems; problems with environmental assessments and new municipal projects; problems in dealing with planning and making decisions that are subsequently overturned or amended by the Tory hacks on the Ontario Municipal Board.

Unfortunately, we are not able to bring forward amendments to this bill that would put in place the kind of municipal government we feel should be in place, not only in St. George, but also across the province. The reason we are not able to do that is primarily that from time to time, when we have attempted to make those kinds of changes and to indicate certain things that should be done either on a trial basis or on a permanent basis in other communities where the legislation has come before us, our amendments presented to this House to make those changes have received no support outside of the members of this caucus. Indeed, the Liberal Party in particular has been disappointing in its support for innovation in municipal government. So I have to say that we will accept the bill and we will not be presenting amendments.

Motion agreed to.

Ordered for third reading.

#### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON LAND ACQUISITION ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 121, An Act to vest Certain Lands in the Regional Municipality of Ottawa-Carleton.

**Mr. Rotenberg:** Mr. Speaker, the purpose of this bill is to transfer the ownership of certain lands from Algonquin College to the regional municipality of Ottawa-Carleton. The region and the college have been unable to come to an agreement about the land which the region requires for its transit system, and the province has therefore found it necessary to intervene.

I think we all know that the college is unexpropriatable, that the region cannot expropriate from the province, and this is why this bill is before us. The legislation makes the provision for the issue of compensation to come before the Land Compensation Board should that be necessary.

This bill has been requested by the regional municipality of Ottawa-Carleton, and I hope the members of the House will support it.

**Mr. Epp:** Mr. Speaker, we will support this bill on second reading. However, I regret very much that the government has had to resort to bringing in a bill to expropriate lands

from the college. It is unfortunate that we arrive at these junctures very late in the session and, all of a sudden, legislation has to be brought in to force the college to give up lands that they were not prepared to give up during the negotiations.

I would have hoped that the region could have sweetened their particular deal enough to get the college to give up this land. This, however, was not possible by the time the Legislature was going to close down for the summer.

Because this land is going to be used for a rapid transit route, which all of us obviously support—and I am sure you do too, Mr. Speaker—and the importance of rapid transit has been brought home to us on many occasions, I think no one in this Legislature would oppose the suggestion that a southwest rapid transit route should be extended in Ottawa-Carleton. So we will support this bill and hope it gets rapid passage and royal assent tomorrow.

**Mr. Isaacs:** Mr. Speaker, we too will be supporting this bill. However, I think a couple of very brief comments are in order. The member for Waterloo North made some remarks about the unfortunate fact that legislation of this kind had to come before us and about the fact that the government was bringing it in at the last moment.

I believe it is unfortunate that this kind of legislation is made necessary by the trustees of what amounts to a public institution. To me, it is very unfortunate that the idea is abroad in the minds of some of those who are responsible for the management of public property, such as a college of applied arts and technology, that they own an empire and they have the right to create problems of this kind when dealing with another elected government.

9:20 p.m.

I am not going to pick on individuals and I am not going to attack individuals but it seems to me that Algonquin College lands, along with the lands of every community college in this province, should be vested in the people of Ontario. Those lands should be available to the people of Ontario for use as they see fit. It concerns me very greatly that the structure for governing community colleges that this government has put in place is such that the trustees of those community colleges see themselves as owners of a piece of territory, including the buildings thereon, and they are going to have control over the uses to which that territory is put.

I just think that is a wrong-headed attitude and it is very unfortunate that it has come

about in this instance. I hope the government, instead of having to deal with other situations like this in the future, will make it very clear to the governments of community colleges that they hold that property in trust for the people of Ontario and not for some empire they are trying to build on their own behalf. In a sense we are bypassing procedures that would otherwise involve a great deal of legal expense and costs, all of which would be met by the taxpayers of Ontario and therefore I am very happy to bypass those procedures.

With those comments I will conclude my remarks and indicate that not only are we supporting the bill but we have no amendments.

**Mr. Warner:** Mr. Speaker, I rise because of a couple of comments that my colleague made. A while back, I had the delightful opportunity to be my party's critic for colleges and universities. During that time I had the good fortune to visit each of the colleges and universities in this province.

Unfortunately, on some occasions there is a tendency to treat the college and its property as some sort of private domain. We tend to lose sight of the fact that the land and the buildings, which the people of Ontario so proudly own, are held in trust by the board of directors and by the people who run the college. Part of it unfortunately is the fact that there is not a very broad representation of the community involved in the operation of the college.

Unfortunately, the government is forced tonight to bring forward a bill to resolve a dispute between two public bodies. I certainly detect in the comments made by the parliamentary assistant that the government did not particularly want to bring the bill forward. These kinds of problems are best resolved at the local level.

I would agree with that but there is also a greater good. In this instance the greater good is ensuring that a better transit system is available, particularly for those students who are attempting to go to Algonquin College. They would like a decent bus route so they can go to the college. I have not been a resident of the city of Ottawa or lived in Ottawa-Carleton but to my knowledge they have attempted to structure a very good transit system. They are to be commended for their efforts.

I certainly support the bill, but regret that the problem could not have been resolved in a way that precluded coming here to the Legislature for this kind of approval.

**Mr. Sterling:** Mr. Speaker, I just wanted to indicate my support for this move by the government at this time. The region has been trying for some time to acquire a rapid transit route and it was thought this route would have less of an impact on local residents than any other route that might have been chosen. It is unfortunate that the people who represent Algonquin College could not come to terms with the region and that it is therefore necessary to take this step.

In talking about autonomy and this issue, it is difficult to draw the line where local autonomy should stop and where it should start.

I tend to agree with some of the NDP speakers that the province might act with a stronger hand in terms of holding property. I also find it very ironic that the chairman of Algonquin College happens to be a former NDP candidate in this province, one who happened to lose. I do not think they could talk out of both sides of their mouths on this kind of an issue in terms of the responsible use of power and the responsible use of public land.

Our government is showing leadership in finally putting this issue to rest—and to rest where it should be. I, therefore, strongly support this endeavour.

**Mr. Rotenberg:** Mr. Speaker, I thank all the honourable members for their support of this bill.

I would point out to the member for Waterloo North that the bill was necessary. It was not a case of letting it sit for a little while longer to work out a better deal. It was simply a case of the trustees of Algonquin College more or less refusing to give up the land at any price. Therefore, we had to move in and have this bill brought forward.

I would not agree with the remarks, as I understood them, of the member for Wentworth that we should be changing our whole way of handling these things because of this case. This really is the exception that proves the rule. Most trustees of most public institutions act most responsibly, and this kind of bill is very seldom necessary. I would rather leave the total situation of the various colleges and trustees the way it is, and move in the odd time when it is necessary, than change the whole philosophy.

With those remarks, Mr. Speaker, I would ask for second reading of this bill.

Motion agreed to.

Ordered for third reading.

MUNICIPALITY OF METROPOLITAN  
TORONTO AMENDMENT ACT

Hon. Mr. Wells moved second reading of Bill 119, An Act to amend the Municipality of Metropolitan Toronto Act.

Hon. Mr. Wells: Mr. Speaker, I just have a few comments. This bill, of course, basically does only one thing. It adds an additional member from the board of education for the borough of Scarborough to the Metropolitan Toronto School Board.

In the spring of this year, the Scarborough Board of Education made a recommendation to the Metropolitan Toronto School Board that Scarborough be given one more member on the board, based mainly on the fact that Scarborough is one of the still-growing areas where schools are continuing to be built and the school population has at least remained static.

The Scarborough board pointed out it had made gains in all four categories of taxable assessment, enrolment, population and estimated growth in expenditures. In addition, on the basis of the 1980 projected enrolments, Scarborough will have the largest enrolment of all the area boards within Metropolitan Toronto.

An important thing also is that the Metropolitan Toronto School Board, having received this request from the Scarborough board, agreed to the request and wrote and asked the government to act accordingly. Therefore, we bring this bill before the House, as an amendment to the Municipality of Metropolitan Toronto Act, to change the composition of the Metropolitan Toronto School Board by adding one additional seat from the borough of Scarborough.

Mr. Epp: Mr. Speaker, I want to welcome the minister to the House. It is nice to see him speak on these important pieces of legislation. I noted he was absent during the other three important pieces of legislation, but we have him here for this extra member for Scarborough. I would not for a moment suggest he has a conflict of interest, but it is good to see him here anyway.

We obviously will support this. We regret the fact that the city of Toronto is losing its important position piece by piece through various pieces of legislation being introduced in this House regarding the education areas or the local government areas. However, we find that Scarborough, being a thriving metropolis with a growing population, from the standpoint of representation by population deserves this particular additional member. For the school board, I am sure this will

mean a greater amount of wisdom will come about as a result of Scarborough's being represented by three members now as opposed to two before and that the services, as far as the school board is concerned, will be more greatly favoured and better served.

We will support this particular bill. I will leave it at that.

9:30 p.m.

Mr. Warner: Mr. Speaker, I will support the bill, but as I was listening to the minister's opening remarks, I was wondering if this mysterious new member, whom we have not seen yet, will help to turn that board around on the heritage language program. I sure hope so. I must say, to the minister's credit, he has been very straightforward with that board about their intransigent position and has indicated to them how wrong they are. I appreciate that. It is not an easy task.

Scarborough is a growing area. Population-wise, it deserves the extra representation. It also has, unfortunately, a very peculiar problem with respect to the school board situation. I am not talking about Liberals tonight; I will leave that for another occasion. There are not too many out there. Scarborough has a peculiar problem in that while there is a fast-growing area, particularly in the north—in the minister's riding, as a matter of fact—where new schools are opening up, in the south part of the borough schools are being closed because there is an older population there and there are not as many children.

It presents a unique and difficult problem for the Scarborough board to come to grips with, namely, how to cope with the expensive operation of trying to open new schools and, at the same time, the very discouraging process of closing schools. Who wants to buy a school building? What does the board do with a school when it closes it? I have some suggestions, though this is perhaps not the occasion to go through and discuss all of those, but I do know there are some imaginative ways in which those school buildings could be put to use in the community.

I am also hopeful that there are some plans whereby those communities can be revived and we can have the school population that is needed so the local schools can function. I am pleased to see the extra representation, because it is a difficult situation, and not just in terms of numbers. The member for Waterloo North mentioned that numbers are important. But when one looks at a growing area, what that means is young families, children starting school for the first time, newcomers, new Canadians, who have

special problems and require special attention, and a very increased work load.

There will be a real challenge for this new mysterious member, whoever he or she will be. That challenge will be how to meet changing educational needs in Scarborough; they are many and they are varied. Part of it is the heritage language program. It is very discouraging to me and to other members, including the minister, that the board has not taken the initiative to join the other boroughs and the two cities in adopting the heritage language program.

Having said that, I welcome the bill allowing for an additional member and hope that he or she will apply himself or herself to the task at hand and give the leadership that is necessary so that they can meet a changing role for education in the borough of Scarborough.

**Mr. R. F. Johnston:** Mr. Speaker, I also rise to support the bill. I do so with no great enthusiasm, even as a Scarborough politician. I am pleased that the population growth is being recognized and that representation reflecting that population growth and the school growth in Scarborough is going to be put on the Metro board. But I simply have to say, "Here we go again with piecemeal changes in the metropolitan government levels when what is needed is a total revamping." More and more, I am of the opinion that we do not need a Metropolitan Toronto School Board; what we need is better local borough boards and city boards.

As was mentioned by two other members who have spoken to date, what this does again is to add to the imbalance in terms of the city of Toronto, on the Metro board, and again they will be defeated on item after item on the Metro board. What would have been wonderful to have seen, and what I would have loved to have supported tonight, would have been the abolition of that Metro board and the strengthening of the local boards.

But say no more. The rationale is in the background for it, the population figures make it all worthwhile and, as the member for Scarborough-Ellesmere (Mr. Warner) said, I urge the new member of the Scarborough board on the Metro board to look after the needs of Scarborough and perhaps bring in a few enlightened programs such as the heritage language program. But it is small pickings.

**Hon. Mr. Wells:** Mr. Speaker, I would like to say a few things, because some very basic issues have arisen on this bill even though it is a very simple and short bill.

First of all, I would like to say to my friend the member for Waterloo North that I have not been absent from the House tonight. I have been in the House, although I have not been sitting in my seat. My parliamentary assistant has been taking part in the debates in carrying the bills. I am sure my friend knows that in this ministry we operate as a team and we all share the responsibilities. I had to be in Ottawa most of today and was not exactly sure when I would arrive back.

**Mr. Roy:** Were you in court; is that it?

**Hon. Mr. Wells:** No, I was not in court in Ottawa. I was with a very distinguished group of ministers from across Canada, meeting with the honourable member's friend and mine, the federal Minister of Justice, and I was not sure when I would get back. But I have followed with very great interest the procedures and processes of the bills that were before this House, particularly the first one debated tonight, on Brant-Brantford.

I wanted to do this bill myself, not because there was any conflict of interest, because there is not, but because I once served as chairman of the finance committee and chairman of the salary negotiating committee of the Metropolitan Toronto School Board. I have a very deep and real feeling that the Metropolitan Toronto School Board is needed.

My friend the member for Scarborough West is sadly mistaken if he thinks we could do without the Metropolitan Toronto School Board. It has served and will serve a very useful purpose in Metropolitan Toronto. I would say to him that it has particularly served a very useful purpose for the borough of Scarborough. I know that my friend the member for Scarborough-Ellesmere knows deep down in his heart—and he must know, because he was once a teacher in Scarborough—that much of the good that has gone on in Scarborough and has been developed there was made possible because of the school system in Metro which involved the Metropolitan Toronto School Board.

As I said a couple of years ago in this House, if we did away with the Metropolitan Toronto School Board, within two years somebody would be back here asking us to re-establish it. That is exactly what the situation would be. It has been a very remarkable example of a system of educational administration and governance that has worked well in an expanding metropolitan area.

The real point that needs to be made to both my friends from Scarborough and to the other members of this House is that this is an

example of a body itself asking this House if we would change the composition slightly and add an additional member from one of the lower-tier boards. The government is very happy to accede to that request, and that is precisely and exactly what this bill does. I would urge the members to support the bill.

Motion agreed to.

Ordered for third reading.

9:40 p.m.

## EDUCATION AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 82, An Act to amend the Education Act, 1974.

Ms. Gigantes: Mr. Speaker, like my colleagues, I am pleased to see this bill finally before us, but also like my colleagues, I have some concerns about this bill.

If I could sum up, my concern is that it is a bill that is coming to us in what seems to be an imperfect form and is coming from a government that now is saying it will answer needs which for years it has refused to acknowledge. I wonder whether this bill is going to serve the purposes we hope it will serve, or whether it can serve those purposes under the administration and design of a government which in some way still does not seem to acknowledge the need for special education in Ontario.

Just to give you a little bit of understanding of why I have this feeling of unease about this bill, Mr. Speaker, I would like to take you back over a very brief part of the history of the subject of special education as it has been dealt with in this Legislature since the time I arrived here.

Back in the year 1977, when we raised the issue of the need for special education with this government—and it was a need that had been presented to this government forcefully and vocally by members of the opposition for some time before then—we were dealing with the member for Scarborough North (Mr. Wells) as the Minister of Education. We could not find out at that stage what kinds of programs existed in Ontario schools, and it was important to know the kinds of programs the minister was then claiming were meeting the special education needs of the children of Ontario.

The then minister was telling us back in 1977—I looked back over the debates today—that 12 per cent of Ontario school children were receiving special education. We could not get any information from him or from the officials of the ministry about what that

special education was exactly. We asked: “What kinds of programs are involved? How many minutes per day? In what kinds of programs and in classes of what size are you delivering special education to 12 per cent of Ontario school children?” He did not know; so we pestered him and pestered him and within the next few months he produced what he said was the information we were looking for.

What we got was a printout about a foot long, about eight inches wide and roughly two inches thick. It was a printout, from the Ministry of Education, of information provided by each and every school board, public and separate, elementary and secondary, within the school system of Ontario. It provided information about the categories of special education which were supposed to be serving the children of Ontario.

That was a fascinating document but I believe, when the then Minister of Education gave it to us, he was not familiar with it. We asked him during his estimates in May 1978 about the import and significance of the programs that were printed out for us. We asked him to tell us what these categories of programs meant; what a program, for example, for speech and language disorders at the elementary level meant; and what a program that was categorized as intellectual basic level at the secondary high school level meant. What we got was a recitation of the categories. It seemed impossible for the minister to define them for us other than by reading the names of the categories.

When we asked what kinds of programs children in Ontario were being placed in when they have special education needs, we discovered some very interesting things. In spite of the fact that secondary school enrolment at that time was half the enrolment of the primary level, there were many more students at the secondary level who were categorized as learning disabled than there were at the elementary level. This was a shocking indication of how far learning-disabled kids were getting in the school system before they got any programs.

We also discovered that there seemed to be two large areas of programs—at the elementary level for speech and language disorders and at the secondary level for the intellectual basic level program—which held the mass of the number of children. At least 12 per cent of Ontario school children who were enrolled in special education programs were in these programs. The minister and his deputy could not identify for us what was going on in those programs. I suggested to the minister then that he didn't wish to know.



I believe my judgement at that time is borne out by the fact that on May 23, 1980, when our current Minister of Education introduced this bill, I notice on page 2138 of Hansard—as I recollected and looked it up—she said that in order to be able to bring about a fully integrated program that would provide specialized education for the needs of kids with learning problems in Ontario, she was announcing and initiating a series of studies to be carried out by the Ministry of Education.

I will read: "I would also indicate that studies are currently under way which will further assist us to meet the needs as they exist in reality in various parts of the province." In 1980, we start having some interest in the reality of the needs. "A proposal for the provision of assessment and psychological services in northern Ontario is being completed"—that is under way—"a study is under way to pursue the development of closer ties between school boards and the ministry with respect to the operation of provincial schools . . ." This is a long-standing problem.

The one that really struck me reads: "A study of special education case loads and class sizes, special vocational and occupational classes has been contracted." That means that with the trumpeting of this legislation and the promise of fully integrated benefits to meet the full needs of Ontario school children in special education programs which are supposed to be totally, completely and satisfactorily in effect by 1985, we have our Minister of Education announcing in May 1980 that she will begin to find out what is going on in terms of the case loads and class sizes in the special vocational and occupational classes of this province. That means that for the last three years, this ministry—this government, through two ministers—has not found out that information. I wonder what kind of confidence we can have in a bill that has some major lacks which have already been spoken to by a couple of my colleagues and will be addressed by a couple more.

9:50 p.m.

There are some lacks in this bill. There are some elements that need toughening in this bill. But how does the government answer a need of school children in Ontario when it has not yet got the basic information about what is happening with them now? How does it expect a five-year program when it is starting from scratch, from a situation where the minister says she has to start now to do a study of case loads, class

sizes, special vocational and occupational classes?

I wonder about the efficacy of this legislation unless it is mightily tightened up. It is in the hands of a government which for three years, under intense pressure from members of the opposition, has not even bothered to assemble the basic facts about the reality of the need for special education in this province.

I will leave it at that, Mr. Speaker.

Hon. Mr. Norton: Keep it honest.

Mr. McClellan: Mr. Speaker, the Minister of Social Services asks me to keep it honest; so I will talk a little bit during my remarks of the harassment and obstruction that has characterized his ministry's treatment of children with learning disabilities. I had intended to be brief, but I can be provoked to extend my remarks.

Hon. Mr. Norton: I will leave it if it will allow you to be brief. I have no reason to stay to hear you.

Mr. Foulds: That is a shameful admission from the Minister of Community and Social Services.

Mr. McClellan: The bill before us could be characterized as the imminent now upon us. My colleague the member for Carleton East talked a bit about some of the confusion that has characterized past Ministers of Education with respect to some of the basic facts about learning disability in the province. I would like to spend a minute recalling to the members some of the broken promises made by this government over the course of the past few years.

Prior to the last election, in April 1977 the Provincial Secretary for Social Development (Mrs. Birch) promised during her estimates that the program would be in place by September 1977. That is on page S-38 of Hansard for April 26, 1977—three years ago. The provincial secretary said, "I'm very happy to relate to you that it is the intention of this government to release a statement very soon to take effect September 1977 which will provide further details regarding the expectations of school boards and the availability of support services . . ." Wonderful. That was three years ago. She went on to say that she expected the program to be in place by September 1977.

After the election in July 1977, there was also the then Minister of Education (Mr. Wells) promising a policy statement imminently and the program to follow so that the program would be in place—not in September 1977, but very soon; any day now.

Later on—the next year, as a matter of fact—the same Minister of Education repeated the promise. That was in May 1978. On that day he said on page S-481 during his estimates two years ago: “There will be a very large omnibus bill with a lot of amendments to the Education Act, and there could easily be some sections there on special education.”

The promises continued unabated over the past three years. During those three years, how many thousands of children in this province who had learning disabilities were deprived of an education because of the lack of services and because of the government's failure to honour its promises and its commitments? Somebody can perhaps give us a count. Perhaps the current Minister of Education can tell us the number of wasted lives during these last wasted three years. Does she not know or does she not care, Mr. Speaker?

In 1977, Project STEPS [Seeking To Educate People Sensitively], a very excellent program that provided services to teenagers with learning disabilities, was allowed to be killed by this government for lack of funds. The youngsters who were in that program were deprived of educational opportunities. All we had from the government were promises and promises. Even worse, we had a Ministry of Community and Social Services that was systematically harassing the families and the children of those families who were trying to receive assistance under that ministry's Vocational Rehabilitation Services Act.

That harassment continues up until this very day. The director of vocational rehabilitation services himself used to go into Social Assistance Review Board appeals and personally intervene and make sure his decisions were not overturned by the board. Despite that, the majority of appeals on denied applications for learning disability assistance were overturned by the Social Assistance Review Board. An absolute majority of applications were overturned by the board. That is simple evidence of the blatant kind of resistance and obstruction and harassment that characterized the Ministry of Community and Social Services in providing vocational rehabilitation services to learning-disabled children and their families.

That has changed in recent months. No longer does the minister send his civil servants in to argue with and harass and obstruct the Social Assistance Review Board. They now send in lawyers, who use every little legal and procedural dodge they can to

try to prevent the families appearing before the board from gaining a positive decision. The Minister of Community and Social Services also hauls the board into the Ontario divisional court on those occasions when the board overturns a denied application. He fights it all the way through the divisional court.

How vicious can a government be in its attempts to save money and to squeeze funds at the expense of children with learning disabilities? We are expected now to applaud the government for bringing in this legislation after so many years of promises and systematic harassment and so many years of thousands of children being denied learning opportunities.

The Acting Speaker (Mr. MacBeth): I might interrupt the member for Bellwoods for a moment while he is organizing his papers to take this opportunity of drawing attention to a few visitors we have in the gallery tonight. I think they are all former ministers of correctional services or associated with that ministry in some way: Irwin Haskett, Major John Foote, VC, Allan Grossman and Arthur Meen. We are delighted to have them with us here this evening to watch the proceedings. They will see things have not changed much over the years.

10 p.m.

Mr. McClellan: Mr. Speaker, we intend to try to improve this bill when it comes to committee. But let me say, first of all, I resent enormously the additional delay of another five years before the program becomes fully operational. I would like the Minister of Education or some spokesman—perhaps the Provincial Secretary for Social Development, who probably is a more caring person—to tell us how many children will be denied service during the five years it will take until the act becomes fully operational, because it does not take full effect until 1985.

How many children will be deprived because of the government's miserliness—and it is a matter of miserliness. The only reason the government is not doing it sooner is that it is too cheap to do it sooner. In fact, the Minister of Education's own request to Management Board of Cabinet for funding for a five-year phase-in has not fully been met, as I understand it. Perhaps the Minister of Education can prove I am wrong, but I understand she asked management board for \$17 million for the first year of the program.

I am reading from a document that came from the Ministry of Education and reads as follows: “The ministry requested financial

support for a five-year implementation with an estimated annual incremental cost of \$85 million at maturity and an initial 1980 cost of \$17 million."

What did management board do? It gave the magnificent allocation of just less than half of what the Ministry of Education asked for for an already inadequate program phased in over five years. Management board, according to this document, has allocated \$8 million for the first year of the phase-in. That is absurd.

There is nothing in the record of this government over the past 10 years, during which this has been one of the most burning issues in the House and outside, that would justify the slightest degree of trust that the government intends to institute a comprehensive program of educational services for children with learning disabilities. There is not a shred of evidence in its sleazy record over the last 10 years that leads us to have the slightest bit of confidence in its intentions—not one whit.

We intend to amend this legislation to take all of the loopholes out of it. When it gets to committee, we intend to amend this legislation to take all of the weasel words out of the bill, all of the ambiguities, all of the dodges, all of the devices that are built into this legislation which will perpetuate the denial of educational service to children with learning disabilities.

We hope that, once we have discussed the bill clause by clause and it is amended, we will be joined by our colleagues in the other opposition party to enshrine in the bill a statement of rights so that every child in this province has the right to an education to achieve his or her full potential and that that right will not be abrogated by arbitrary decisions of school boards or principals or committees or ministries or bureaucrats. It will be enshrined as an absolute right in the legislation. There will be mechanisms of appeal and redress to the courts enshrined in the legislation so that the bureaucrats who have been dragging their feet and playing their tawdry little games on this issue for the last 10 years will not have the opportunity to continue those games.

We have an opportunity, I say to my colleagues in the other opposition party, to do something meaningful with this bill, but that will require a determination to establish an aspect of children's rights in the legislation itself. We will have to look at the question when we get to committee and at ways and means of making it an ironclad, guaranteed statute so that the kind of gamesmanship that has characterized the treatment of children

with learning disabilities will forever be a thing of the past, and so that every child in Ontario will have an absolute guarantee, written and enshrined in law, that he or she is entitled to the full range of educational services to achieve his or her full potential.

Mr. Foulds: Mr. Speaker, I am not sure that I can trust myself in this debate.

Mr. Ashe: Sit down then.

Mr. Foulds: And it is just that kind of comment from a yahoo on the back benches of the Tory party who speaks with the voice that my colleague the member for Bellwoods was attacking that makes me not trust myself during this debate.

If I may be immodest, I may say that in the community and social services field, aside from my colleague the member for Bellwoods, I have probably talked and argued more in this House about the needs and the rights for special education for kids with learning disabilities than has any other member. I started that, taking over from my predecessor as education critic for the New Democratic Party, Walter Pitman, back in 1972.

I must say that I spoke in those days from my experience as a teacher and as a Socialist. I felt deeply about the issue, because we in the New Democratic Party feel deeply about educational issues in ways that neither the Liberals nor the Tories do. We see education as a fundamental right of all human beings, not merely to better themselves, as do Tories and Liberals but so that individuals can better themselves and, by bettering themselves, free themselves and contribute to the collective good of society and help their fellow men.

We feel very deeply when we see hundreds of thousands of children grow up in our society in Ontario with their potential not fully realized. We feel very deeply about it when we realize that those children are not foolish or misguided children, but are children who through some quirk of nature have to learn in a different way from other children.

I am proud of this Legislature on a night like this, and I am proud of my colleagues in the new Democratic Party. I am proud of my former leader, Stephen Lewis, who because of his position did more to bring it to the public attention than has any other man in Ontario. I am proud of my colleague, the member for Sudbury East, who has fought many individual cases for people in Sudbury, rubbed the noses of the bureaucracy, gained some real benefits for individual cases and fought in only the way he can fight, both publicly and privately.

I am proud of my colleague, the member for Bellwoods, who time after time has pointed out the injustice and the enormous, deliberate bureaucratic rigmarole between the Ministry of Education and the Ministry of Community and Social Services and, yea, even the Ministry of Correctional Services. It is a rigmarole that goes on so that we do not deal with the problem and so as to deliberately avoid dealing with the problem.

I am very thankful and grateful to my colleague the member for Carleton East, who sacrificed her place in the private members' ballot so the bill I first introduced in a modified form could be debated publicly in this House and passed, because the government at that time was not fully on its toes to block it.

10:10 p.m.

Somehow this evening should give me a great sense of personal achievement, but it does not. This bill is a grudging bill. It is a bill that does not yet enshrine in it the absolute right of a human being to an education in this province. Even in Ontario, which now is in a position of some economic vulnerability, surely we are rich enough to enshrine that in a piece of legislation.

This bill is a cautious bill. This bill is a bill drafted by bureaucrats. It is a timid bill. It does not have an affirmation which it should have and of which we could be proud.

We, in this party, have voted for many imperfect pieces of legislation in the past and we will vote, on second reading, for this bill. But, as my colleague, the member for Bellwoods said, we will be seeking amendments to toughen it up and to ensure that special education is mandatory and that we do not get a disappearance of students who require it.

Back in 1977, when I had an exchange in the estimates committee with the then minister and Dr. Bergman, we were told there were some 235,000 children receiving special education. The minister muttered from across the floor to me, just a few moments ago, "There are 170,000." What happened to the 70,00?

**Hon. Miss Stephenson:** There are 170,000 with learning disabilities. There are others.

**Mr. Foulds:** Now we get the accountant's view of education; that is, in fact, what we have in this bill. We have the accountant's view to give us the kind of bill we need to make some public statement that the Conservatives are small-p progressive on this, that they are concerned.

We did not get such a courageous bill that it will cost a lot of money. We did not get such a courageous bill that we will encourage people to use it and the provisions and to persuade their boards to use the provisions.

I started out by saying that, when I first started talking about special education in this House, I spoke as an education critic and as a former teacher. When I introduced the bill that was the viewpoint I had. I have been a high school teacher, and I have been the head of an English department in a high school. I ran into problems, as the head of an English department, of children in grades nine, 10 and 11 who could not read. I ran into the problem of talking to the guidance counsellors about that and finding, basically, that by that time it was too late.

**The Acting Speaker:** There is a fair amount of noise in the chamber. I wonder if it could be lessened so the Speaker can hear the member for Port Arthur.

**Mr. Foulds:** I am very proud that I was able to introduce a few of the original remedial reading courses in high school for children who had problems with it.

I must say I now view the problem in an entirely different light. I view the problem as a parent, because some two months ago I found out that my oldest child, who is seven, has a learning disability. Although one could understand this problem intellectually before that, when one experiences it at firsthand, if I may say so, it enriches the experience in a way that puts one on the knife's edge of life.

Because of the experience I have had, after the initial diagnosis by a very fine chap in Thunder Bay, I wanted to get a second opinion; so I contacted Dr. Griff Morgan, whom I have known for many years. Even though the politics of the University of Guelph have effectively closed the centre he built up, he was willing to see me and do the assessment. I have a sense of anger that I cannot express about the closing of that little centre, because Griff Morgan was a symbol, not merely for me, but for many parents across this province whose children suffered from learning disabilities. He was a symbol in a way that the ministry never was and never will be. He treated the problem with sensitivity, with generosity and with some understanding. He did not tackle it as an accountant. He tackled it as a psychologist, he tackled it as a humanitarian, and he did the counselling with the child and with the parents

I cannot understand how this government, which funds universities like the University of Guelph, and a university such as the University of Guelph, which prides itself on research and independence, could do what they have done to that beautiful little centre up there. I do not understand why this government and this ministry did not intervene more fully in the defence of that centre because, personalities aside—and Griff Morgan would be the last person in the world to say that he was a saint, for he surely is not—that little centre has done more for parents and for children who suffer from learning disabilities than this government has yet done. To let it go down the drain is shameful. It is absolutely shameful. I hope there are some people sitting under the gallery, and across the way, who are squirming about that.

**Mr. Swart:** Can we have some order, Mr. Speaker?

**The Acting Speaker:** May I ask the members to try to be a little quieter with their conversations? I think, in fairness to the member for Port Arthur, it is a reasonable request.

**Mr. Foulds:** Speaking on an important piece of legislation towards the close of the session is always an interesting experience. One is under enormous pressure to complete the debate because the bill is something that we have waited a long time for. Many members in the House are anxious only to get passed the particular pieces of legislation for which they are responsible.

Few of us translate our interests across various boundaries, but special education is a subject that we all should be concerned about. One of five children needs some sort of special education. If we have it in our classrooms as an integral part of our curriculum, if we have the teachers trained so that they can identify it, then that goes a long way. But I see a bill that is phasing it in slowly. I see a bill, and the minister's statement, that has it underfunded. I still see a ministry and a government speaking to the surface of the issue rather than to the fundamentals.

**10:20 p.m.**

I will not go on at length but, for example, I think of the catch-22 situation we have with regard to Trillium school. We have 20 places there. Not all the places are filled in Trillium school, supposedly the showpiece for the English-speaking people of Ontario, and we do not have one place filled by a pupil from northwestern Ontario. We have had a catch-22 situation where the regional

committee approved at least one application I am aware of. It was recommended by the board of the regional ministry and turned down here. The catch-22 is that the young man, the teenager, cannot get on any kind of waiting list. He has to reapply next year, and the year after probably, and the year after that, presumably. There is no waiting list, there are no priorities. It is not a provincial institution unless people from all across the province have access to it.

I think of the parents who have to fight all the time. If I read this legislation in the way it is worded, what worries me is that parents are going to have to continue to fight to get what should be a right for their children. After all, parents are required by the Education Act to send their children to school. That is an absolute requirement of the Education Act. Surely to God, the school system should have the responsibility to educate those children. If not, why should I have the responsibility of sending my child through the school system if the school system is only going to—pardon the vernacular—foul up that child? That has happened time and time again to kids with learning disabilities.

Time and time again, children with learning disabilities have above average intelligence recorded on their IQ tests. The teachers see that but, with some lack of training and some lack of sensitivity in the past, they say, "This is a lazy child." I have known far too many cases personally where that has happened. In terms of this legislation, I can see far too many of those kinds of cases happening in the future to make me entirely happy with this bill. It is not the bill we would have introduced had we been the government party, but it is a step. It actually has had some thought because of the enormous pressure exerted upon the ministry over the last eight to 10 years.

It was kind of ironic that, during a hiatus in the course of the remarks of my friend the member for Bellwoods, the acting Speaker introduced members in the gallery who had, at one time or another, represented the Ministry of Correctional Services. Time and time again we have had the experience and the knowledge that a very high percentage of people who wind up in the correction system in one way or another have been kids who have had some kind of emotional trauma arising out of a learning disability. When I think of the cost to our society and the waste to our society in not educating those children properly in the first place, in not identifying the disability and doing something about it, I have a sense that this is a bit marginal, this is not enough.

I have said basically what I want to say about the bill. We will be supporting it. We do not have the great sense of achievement we thought we would have when the government brought in this kind of legislation. I suppose that speaks to the lack of trust we have, because the children have been betrayed too often in the past. We in this party feel that it is our responsibility, and I hope the responsibility of all members of other parties, to ensure that they are not betrayed in future. Therefore, we will toughen up this legislation at every step we can. Over the years to come we will fight tooth and nail for the additional funding that is absolutely necessary to ensure that special education is mandatory and is the right of every child who grows up in this very rich province.

**Hon. Miss Stephenson:** Mr. Speaker, I am delighted to rise in response to the very positive statements that have been made about Bill 82, An Act to amend the Education Act, in order to develop specific responsibility on the part of school boards for the education of children with exceptionalities of a wide variety.

It has not been without a great deal of consultation that this bill has been introduced. Certain members of the Legislature have complained about the length of time required to introduce the bill. As most members know, in January 1979, the proposed legislation was submitted to a wide-ranging group of people with special interests in education and special education and responses were received that were collated. Thereafter, a committee was developed, which I rather affectionately call the troika, made up of representatives of the Ontario Municipal and Provincial Education Officers' Association, the Ontario School Trustees' Council and the Ontario Teachers' Federation, who came together regularly with staff of the ministry and with me to look at the proposed legislation, to develop the modifications which they perceived as a result of their examination of the problem with their constituencies and to develop legislation which they felt would be entirely appropriate and reasonable, could be introduced soon and would deal with the problems effectively, efficiently and well.

The specific program of phasing was a result of that consultation, because we recognized the concerns that were raised by the member for Kitchener-Wilmot (Mr. Sweeney), that although we had a significant number of teachers within the province with special education qualifications of certain qualities, we did not have a sufficient number to introduce a massive change in the educational program

overnight and accomplish what we hope to accomplish.

Therefore, the phasing program was developed with the concept that the first year would be spent in an examination of pilot boards in order to ensure that we had full knowledge of the needs of all of the children with exceptionalities within those boards and the resources available within the boards' jurisdiction, whether within the educational system or in other parts of the community, and to develop ways in which all of those circumstances could be co-ordinated in support of the children who are to be provided with special education programs.

It is on that planning base that this phasing program has been developed. It is a rational, logical, reasonable and, I think, an entirely achievable goal that we will have by the end of 1985 the real potential to have in place in this province an educational system which will be designed to meet the needs of all of the children within the province and to help them to reach their educational potential.

There were many other points raised by the honourable members, but in the interests of second reading of this bill I should like to mention only a couple of other items. The definitions that have been questioned by certain members have been very carefully selected, and we will have the opportunity for discussion of those definitions and the rationale during the committee's clause-by-clause examination of the bill. At that time, we will also give a definitive plan of the implementation program which we have designed and which I believe will be of interest and will help the members to understand precisely the format of the way in which this program is to be introduced.

**Mr. T. P. Reid:** Who's going to pay for it after five years?

**Hon. Miss Stephenson:** As I have suggested, special education should be a totally integrated and integral part of the education system of this province and should be funded in precisely the same way that any other part of the educational program is. During the introductory years it is obvious that additional funds will be necessary for implementation and for development, and we intend to provide that. At the end of the five-year period, at the time when special education is totally integrated, I would expect it would be completely integrated into the funding mechanism, whatever that is and as modified as it might be at that time, as a part of the educational system.

We recognize specific problems that have been faced by certain of the boards, and they

are a matter of very real concern to us. Even though we have been providing special education programs to many of the hundreds of thousands of children in the educational system in Ontario, there has been a nagging concern that certain boards, particularly in the north, had difficulty in attracting the appropriate kinds of special support staff.

I should like to inform the members of the House that there will be an announcement tomorrow about teams of specialists to assist northern Ontario school boards in implementing special education programs. The teams will be composed of educational psychologists, teacher diagnosticians and psychometrists. They will be based in the ministry's regional offices, funded by the ministry and will be there to serve the northern boards. The offices to be used are North Bay, Sudbury and Thunder Bay.

Beginning in September, these teams will work with teachers in the small school systems of the north providing necessary assessment services and assisting teachers in developing programs for students with special needs. The teams will provide services to French- and English-speaking students as well as to students of native ancestry.

That is just one step we have taken in addition to a number of other steps to begin the implementation of the comprehensive special education program.

With those few words, I should like to ask for second reading of Bill 82.

Motion agreed to.

Ordered for the standing committee on social development.

## BUSINESS OF THE HOUSE

**Mr. Speaker:** The government House leader has asked for leave to revert to "Motions." Agreed?

Agreed to.

## MOTION

**Mr. Speaker:** Hon. Mr. Wells moves that notwithstanding standing order 2(a), this House do meet at 10 o'clock a.m. on Thursday next, June 19, with routine proceedings at two o'clock.

**Mr. Martel:** Could I ask the government House leader what time he intends to go to?

**Hon. Mr. Wells:** The intention was that we would adjourn for lunch at one o'clock. I don't know whether that needs to be in the motion, but we assumed—

**Mr. Speaker:** It is in the motion, as I read it. Is that understood and agreed?

Motion agreed to.

**Hon. Mr. Wells:** Mr. Speaker, I wonder if I could announce that the order of business for tomorrow is Bill 92, followed by Bill 93 and Bill 65, second reading and committee of the whole as required, and Bill 1, the Libel and Slander Act, which will be in committee of the whole. Then we will follow with concurrences in the estimates of the Ministry of the Environment—without routine proceedings.

The House adjourned at 10:30 p.m.



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No. 79

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**  
Wednesday, June 18, 1980

Speaker: Honourable John E. Stokes  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

WEDNESDAY, JUNE 18, 1980

The House met at 2 p.m.

Prayers.

## ARGOSY RECEIVERSHIPS

**Mr. Peterson:** Before the orders of the day, I would like to rise on a point of privilege. Yesterday, as you will recall, Mr. Speaker, I asked the Minister of Consumer and Commercial Relations (Mr. Drea) a question. I would like to repeat that, if I may, and read it into the record.

I asked: "Is the minister aware that on December 10, 1973, under the hand of J. C. Horwitz, chairman of the Commercial Registration Appeal Tribunal, the following order was issued: "That the continuing registration of Argosy Investments Limited shall be subject to the condition that John David Carnie shall forthwith surrender and give up his share or shares of Argosy Investments Limited?"

I went on to say that to the best of my knowledge that had not been done. The minister in his response said this: "Mr. Speaker, there is no question but that the order was issued on December 10, 1973, and there is no question but that the order was complied with. Has the honourable member read the order? I would suggest that he reads the order because the order was only applicable until December 31, 1974. All those terms or conditions were complied with from 1973 and 1974."

**Mr. Speaker,** I would like to read that order into the record, because I think you will find after you deliberate that the minister has probably inadvertently or mistakenly misled the members of this House and will probably want to correct the record. I won't read the whole order of the Commercial Registration Appeal Tribunal, but it is that same order referred to of December 10, 1973. It says this in the order:

"That the continuing registration of Argosy Investments Limited shall be subject to the terms and conditions set forth in attached exhibit 3, subject also to the condition that John David Carnie shall forthwith surrender and give up his share or shares in the corporate stock of Argosy Investments Limited

to the treasury of said corporation or assign or transfer same to another person or corporation approved by the respondent. The breaching of the said terms and conditions shall immediately result in the revocation of the said registration at the time of the said breach."

There is no date. There is no term and condition. There is no end to those terms or conditions as the minister was under the impression. I repeat again, he said that those terms and conditions were only applicable until December 31, 1974. There is no mention of that whatsoever in this order. Because his response goes to the substance of this question, I think the record should be corrected. I would assume the minister would want to respond to the members of this House to clear up this matter.

**Mr. Speaker:** I am sure he will.

## ORDERS OF THE DAY

### OTTAWA-CARLETON MUNICIPAL HYDRO-ELECTRIC SERVICE ACT

**Mr. Ashe,** on behalf of Hon. Mr. Welch, moved second reading of Bill 92, An Act to provide for Municipal Hydro-Electric Service in certain area municipalities in the Regional Municipality of Ottawa-Carleton.

**Mr. Ashe:** Mr. Speaker, this is one of two bills we will be dealing with this afternoon. This particular piece of legislation establishes a new hydroelectric commission, principally in the city of Kanata. It also recognizes a change in the township of Goulbourn and allows for expansion in that particular municipality when the commission and, more particularly, the council sees fit. Because there are no other changes relative to the majority of the municipalities in the regional municipality of Ottawa-Carleton, they are not recognized in the legislation.

The bill also recognizes that the township of Cumberland at some future point in time will probably look favourably upon serving its own municipality with a hydroelectric service, so it does afford it that opportunity and recognizes that within the legislation. It also provides that they, along with the township of Goulbourn, must examine the viability

of expanding their service area at least once every three years.

The principles that have previously been incorporated in legislation relating to the principles in the Hogg committee report are recognized in this particular piece of legislation as well.

**Mr. J. Reed:** Mr. Speaker, we can endorse this kind of move on the restructuring bill that is being presented at the present time, but there is just one particular subject area that I think is worth while dealing with. This is perhaps in the nature of pointing out some things to the ministry and something in the nature of an appeal.

2:10 p.m.

As you know, Mr. Speaker, the restructuring of Halton took place not too many months ago. It was a bill that was passed in this House, and some of the regions came into existence as a restructured body in January and some in April.

I want to relate to the parliamentary assistant, and I hope he will relate this to the minister with dispatch, an experience that took place which caused a great deal of upheaval during that restructuring period. What happened in December was that Ontario Hydro, which had been the supplier of electric power to the rural areas in what is now the restructured area, took the meter readings between December 15 and December 17, 1979. When the final billings were sent out by Ontario Hydro they were dated December 31, 1979.

The new restructured municipality, and in this particular case I am referring to the town of Milton, came into existence on January 1, 1980, and the first bills that were sent out by the newly restructured hydro commission suggested that the billings and the readings had taken place from January 1, 1980.

**Mr. Speaker:** What part of Ottawa-Carleton is that?

**Mr. J. Reed:** With the Speaker's indulgence, I would like to appeal to the ministry not to allow the same experience to occur during this restructuring and future restructuring as occurred at that time. I would suggest it is relevant in that context, in that all of these restructurings have certain fundamental base lines and certain similarities.

**Mr. Speaker:** You have tied it in very nicely.

**Mr. J. Reed:** Thank you, Mr. Speaker.

Briefly, drawing the experience to a conclusion, what happened was that the people who received the billings found there were

two weeks they couldn't account for, and it resulted in a great deal of confusion for the new utility and a great deal of upheaval. There was a great deal of contact with this particular member's office and so on.

I would respectfully ask the parliamentary assistant to see to it that when final billings are made by Ontario Hydro on this restructuring they delineate that the readings were taken prior to the end of the billing period, or that they be taken at the end of the billing period so as not to cause confusion. I would respectfully ask for that assurance from the parliamentary assistant.

**Mr. Isaacs:** Mr. Speaker, it is a pleasure to rise and indicate our support for this bill, as we have done with the other restructuring bills that have come before this House. However, I think a number of comments are in order, not the least of which is the time that has been taken for the bills that are before us today on hydro restructuring and, more specifically, the bill that is under consideration at the moment, when we recognize that the hydro restructuring process has been going on for almost seven years and it has taken that long to reach the kind of agreement that has led to this bill; more importantly, to reduce the hassling between the various municipal representatives who were involved, when the municipal representatives themselves were involved in the discussions and not the people who are generally most affected by the restructuring process.

When we look at hydro restructuring I think we would all agree that its main purpose is to deal with the terrible inequity in hydro rates that exists in some of our regional municipalities and in many other parts of the province. Situations have arisen where essentially urban hydro customers are being charged Ontario Hydro so-called rural rates, and we have had discussion of Ontario Hydro rural rates on many previous occasions. We have indicated many times how high they are in comparison with the rural rates that exist in other parts of this country.

It is most unfortunate that during the very long-drawn-out process that has led to this bill, hydro customers in Ottawa-Carleton, who are presently served by Ontario Hydro, have had to pay these iniquitous Ontario Hydro rural rates for a supply that is essentially an urban hydro supply. As we know, Ontario Hydro does not have urban residential customers and hence, even though one lives in an urban area, one has to pay a rural rate as if one were an isolated residential dwelling at the end of a quarter mile or maybe even a couple of miles of hydro line.

The provisions of this bill are going to help solve this problem for Ottawa-Carleton. I know those who are affected by the new commissions and who are at least being taken into an urban hydro area will welcome it.

My only concern is that the people who, after this bill comes into effect, continue to be served by Ontario Hydro may have to wait a considerable length of time while their own municipal council continues to discuss and consider every three years the possibility of setting up new hydro commissions or of taking what will continue to be rural residential hydro customers into the new hydro commissions.

It is a problem that is not being addressed adequately by this government. It is not being addressed adequately by Ontario Hydro. We are continuing to face this problem of people having to pay hydro rates that are far too high in southern Ontario, in Ottawa-Carleton, in many of our other regions, simply because by definition they are Ontario Hydro rural customers.

I hope the parliamentary assistant and the minister will not see this bill as the be-all and end-all of the problem. The problem of high hydro rates for Ontario Hydro residential customers will continue. I very much hope the government will address that problem in very short order before hydro rates, with continued escalation, put the price of home heating and home utilities out of reach for many home owners.

**Mr. Sterling:** Mr. Speaker, as this bill affects two of the municipalities I represent, I want to indicate my support for the general principle of the bill, but also indicate some reservations about one portion of the legislation.

The new city of Kanata is most anxious to get on with the formation of its new hydro commission and has indicated support for this piece of legislation as it now stands. They have been working since their inception as a city to have this hydro commission in place for the beginning of next year.

**Mr. McClellan:** Which parliamentary assistant represents the government position?

**Mr. Sterling:** Mr. Speaker, I do represent the people of the city of Kanata and I do represent the people of the township of Goulbourn. At any rate, the other municipality, the township of Goulbourn, where a commission is created hereunder, has some reservations about the representation that is to make up the hydro commission.

Presently the hydro commission serves only the small hamlet or village of Richmond, which has approximately 2,500 people. The

present legislation, under section 2(6), provides for four appointed representatives during the first term, two from within the village and two from without, in addition to the mayor or, in this case, her appointee. I would like to bring to the attention of the Legislature that the township of Goulbourn passed a resolution two days ago asking that the commission be made up of just two members from within the old village boundaries that existed prior to amalgamation, which took place in 1974. So the commission would be made up of three people.

2:20 p.m.

I have some sympathy with their particular proposal, but I want to have an explanation as to why the desire of the townships cannot be met in terms of this legislation. I hope the parliamentary assistant will help me along on that, otherwise I would request that the bill go into a committee so that I might attempt to amend that particular section.

I understand from discussing this matter with one of the councillors of the township that the issue as to the ultimate responsibility of this commission was not really placed on the table when this resolution was brought forward. Since that time, I have had a talk with people in the Ministry of Energy and they indicate to me that the contract, for instance, to supply power to the commission is actually signed with the township of Goulbourn and not the hydro commission, so ultimately they are the responsible body for the liability on that contract if there should be a shortfall. In addition, if there was some liability incurred by the commission in carrying out its duties, there would be a liability which would eventually fall on the township as the principal obligee under that particular liability.

Having said that, and in recognition of the fact that the idea of having people appointed from outside the area would perhaps engender the possibility of expansion of the hydro commission to cover more people within the township, I do recognize that the practical situation in Richmond is that the hydro commission, being 100 per cent sure of the statement, will not expand in the next three years. With that particular knowledge, I would suggest that the board perhaps be made up with a majority or an assured majority from within the village, as most of the business of the commission will deal with the village people.

I conclude those remarks and I would ask the parliamentary assistant to answer my concerns on that matter. I would reserve the right to send this to committee if I am not satisfied.

Mr. Ashe: Mr. Speaker, I appreciate the limited comment that has been provided to help us to get along with the legislative program for this afternoon. I will try to respond in order to the points that have been raised.

The member for Halton-Burlington (Mr. J. Reed) did raise a very valid point and a very valid concern that took place within the restructured area that he partly represents. There is no doubt that the motivations were correct. In other words, what the readings that he referred to were trying to do was give a little leg up, shall we say, in a revenue sense to the new commissions. I suppose the time of the year added some impetus to that decision as well, but it provided the new municipality and the new commission with the opportunity to have a little extra revenue, albeit at the expense of Ontario Hydro, by reading the meters around the middle of the month, but quite correctly, I would think, by the jurisdiction and obligations we gave them by legislation, still being responsible for the area up to and including December 31 of the year in question.

There is no doubt as to what happened. People got a small bill and they were elated. It was their last one from Ontario Hydro. When they got the first bill from their new utility, they said, "Holy cats, they have put it to me again." Obviously it was higher because there was a longer time frame, a longer service period covered. There is no doubt that we do recognize it, the commission had problems with it, the commissioners had problems with it, the member had problems, the ministry had problems with it and I had some problems with it in terms of some of the calls that came forward. I can assure you we will not allow that to happen again.

Of course, there are the two ways of doing it. One is trying to rationalize a reading on virtually the last day of the year, which I suppose in a straight physical sense is impossible. More important is that it is properly identified in the last bill and I hope in the first bill and that they are not covering the exact same service period. I appreciate those views which were brought forward and that concern, which was very legitimate. We did learn from that experience. It will be in effect for any future similar situation.

The member for Wentworth (Mr. Isaacs) tries to bring in apples and oranges and that really is not what we are talking about. There are differences between the rate structure generally for those areas referred to as the rural system served by Ontario Hydro

and many of the utilities. That does not mean every local utility in the province has a cheaper rate than the Ottawa Hydro rural rate system would charge. That is not so, although there is no doubt the large majority are cheaper.

The inequities in the system are not rationalized by restructuring, Mr. Speaker. As a matter of fact, that compounds the problem. With various restructurings we generally take the cream of the service areas as they are generally identified—the higher populated areas—we take that revenue source out of the base for Ontario Hydro. Obviously that means the rest have to pay higher. There is no doubt, with the existing direction and existing policy, that differential would widen over the years.

It is a little unfair to suggest that the government and Ontario Hydro have not recognized the problem and the fact that the problem will only get worse. As a matter of fact, it is not that long ago that the Premier (Mr. Davis) and the Minister of Energy (Mr. Welch) did give a commitment to this Legislature and, in turn, direction to Ontario Hydro, to review the rate differential and come back with proposals that would better rationalize the rate differential.

That does not mean we will end up on January 1, 1981, with everybody in the province paying the same rate. I am not trying to get into that argument at this time. But the direction was to rationalize and hopefully reduce the rate differential and that is being done in another fashion.

There is a slight overlap in one of the other concerns brought forth by the member for Wentworth, along with my colleague from Carleton-Grenville (Mr. Sterling). Their reference was specific, relating to the area known as the township of Goulbourn and the makeup in the legislation of the commission to serve that municipality. I think at least part of the answer is when a commission and, in turn, when a council, should look at the opportunities to equate and expand a service area within their municipal boundaries.

There is no doubt we have, for the sake of a better description, imposed—and I use that very softly because it is not an imposition in my view—in restructuring legislation the obligation for a council to review the financial viability of expanding the commission's service area in three years, in the case of the legislation before us. In some earlier legislation, in certain situations, a five-year review was mandatory to make sure that the elected representatives are made aware. We



all know we get busy and things get pushed aside, time goes on and we may unconsciously—and I am sure it is not planned—forget about some of the constituents whom we also represent who are perhaps a little more removed from us.

What is happening here and the rationalization behind the representation pertaining to the Goulbourn commission is partly that fact. There is no doubt that at this point the service area that would be served by the township of Goulbourn commission which is being established is basically the old service area that was served by the former village of Richmond. Frankly, it no longer legally exists as a separate municipal entity, as the honourable member is aware.

As the member has already pointed out quite correctly, there is no doubt that the obligation, whether it be debt or otherwise, of a utility is the responsibility, in the end, of the total municipality and the ratepayers of that particular municipality, whether they be served or not.

The possible liability—and I am not making any insinuations about this particular commission, at all; as a matter of fact, in the case of the Goulbourn commission that is presently serving the former village of Richmond, it is, as we see it, in an excellent position, and in fact has little, if any, long-term debt obligations. I am making that statement as a general comment. There is no doubt that any decisions which that commission would make in the future, involving financial commitments or financial obligations, would be on behalf of the whole municipality.

2:30 p.m.

The second point, which is an extension of that one, is that although the service area for that commission is at this point only a relatively small and relatively contained geographical area, in fact that commission will represent the total municipality. It is just for economic reasons, at this time, that the rest of the township will continue to be served, as it has been served, by the Ontario Hydro system.

In this particular part of the legislation, an automatic review has to be made by the township council, at least within three years. In practical terms, I think we can assume that the actual putting forward of a report and, in turn, a recommendation to the council, would come by way of the commission. I think it only right to state that it is fair and equitable, when that is being reviewed—and forgetting all the other decisions

that will be coming in front of that commission on a regular basis and from time to time—that there be input. There is an over-seeing responsibility on the part of those who represent an area of the municipality outside the area presently served by the local utility. I think that is a very important reason for the representation.

I think it could be correctly argued that if there were an imbalance of representation by the area not being served, that undoubtedly would not be fair. But the representation being put forward—that is, the mayor of the municipality, two representatives from the area presently served by the utility, and two representatives from outside that area—makes for fair and equitable input without imposing an imbalance upon the area not being served at this time.

I hope I have been able to address the various concerns that have been raised. I am quite aware of the strong feelings which have been expressed by the council of the township of Goulbourn, particularly by the mayor. I hope the legislation will go forward on the basis on which it now is. I think it is fair and equitable and consistent with other legislation.

I might say that in my own experience I have not had any feedback from other municipalities which have started out in this exact situation to suggest that they have had any difficulties with it, or that it has proved to be inoperable. In other words, I don't think it is unfair to enable somebody who is not presently being served to participate, with an open mind, and to be called upon to make equitable decisions on something that may not directly affect them at that time, as long as we recognize that things may change in the future.

Motion agreed to.

Ordered for committee of the whole House.

#### HAMILTON-WENTWORTH MUNICIPAL HYDRO-ELECTRIC SERVICE ACT

Mr. Ashe, on behalf of Hon. Mr. Welch, moved second reading of Bill 93, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of Hamilton-Wentworth.

Mr. Ashe: Mr. Speaker, as with the bill relating to the area of Ottawa-Carleton, this piece of legislation relating to the regional municipality of Hamilton-Wentworth creates some new utilities. Here again, those area municipalities that are not affected have not been included in the bill. Principally what we are doing is creating new commissions in An-

caster, Dundas, Flamborough and Stoney Creek, with only Dundas and Stoney Creek supplying to their total municipal boundary at this time. It also unfreezes the status of the commission in the city of Hamilton which was previously frozen by the legislation that created the regional municipality of Hamilton-Wentworth. But there are no other boundary changes or service area changes to the city of Hamilton per se.

Mr. J. Reed: Mr. Speaker, I would like to use the medium of the debate on this bill to comment for a moment on the intent of the legislation and the reasons why it is being brought into existence, and on the practical irrelevance of this bill, when it gets down to the nuts and bolts or the working situation, in the light of the kinds of hydroelectric power rates we are now paying in the province.

The intent of restructuring is fine. It is excellent, because it allows for the expansion of a utility to include a larger infrastructure and help rural customers to escape the incredible burden—the roughly 30 per cent premium burden—that has been traditionally placed on them in this province.

My colleague the member for Brant-Oxford-Norfolk (Mr. Nixon) has pointed out many times in this House that rural Ontario has the most expensive electric power rates west of New Brunswick. That seems rather a strong indictment of the policies the government endorses in the sale of electric power in this province, considering the fact we have one of the lower-priced electric power utilities in North America, and we should have the lowest price of electric power utilities in North America.

It is by no magic of great management, either on the part of the government or on the part of Ontario Hydro, that our rates are a little above those of Quebec but lower than those of some other utilities. In fact, if we were managing our utility properly, we should have the lowest electric power rates in North America simply because more than one-third of the power in this province is still generated by hydraulic power through plants that were capitalized many years ago.

The great contributor to the increases in electric power rates in the province has been the gross overcapitalization of the system. I think the parliamentary assistant, if he were being truly honest and perhaps did not have to shore up the visions of this government, would agree with me on that one. We have overbuilt our system now to the tune of 4,000 megawatts.

It is interesting to observe that we have more than 10,000 megawatts of fossil fuel capacity in our electric power system in Ontario, we have about 6,100 megawatts of hydraulic capacity in Ontario and the rest, which consists of about 5,000 megawatts, is nuclear power. Yet it is still the cheap hydraulic system that shores up the electric power production in Ontario. It is still the most reliable; it is still the lowest in cost; it still gives us the best bang for the buck.

Years ago the province made a decision to go nuclear knowing full well there are still 10,800 megawatts of hydraulic power available in Ontario, at least half of which could be economically developed either by the utility or, if not by the utility, by private enterprise. This is something I have admonished the government for over the last four years.

2:40 p.m.

It is these choices that have been made in capitalization, in the incredible cost per installed kilowatt, that have led to the rates which have increased to the extent that they have almost made the presentation of these bills and the restructuring irrelevant because, in spite of the fact that the rural people should and will gain—theoretically, if you like—when they are included in restructuring, in actual fact the gain is obliterated as the years go by.

I think the announcement has been made that the application will be made for another increase of more than nine per cent in bulk power rates in Ontario next year. It is unnecessary, it is unconscionable and it is a reflection of incredibly bad management, bad forecasting and lack of foresight. All of this has been condoned by a government that has allowed a utility to be out of control since 1973, through the introduction of the Power Corporation Act, which has not been amended, and which has allowed it to proceed since; it has recognized its weaknesses, but has done nothing about them.

It has to be said that we can manipulate the structuring, and it is advisable and desirable to take as much of rural Ontario into this restructuring as possible but, in all fairness, unless we come to grips with these incredible increases in electric power rates, this restructuring will quickly become meaningless in the eyes of the electric power consumers, and rightly so, because they should not have to be paying these rates. They should not have to be paying these increases, nor should they have to be carrying the burden of 4,000 extra megawatts of investment in our

system which was a bad choice, or a badly timed choice, if you like.

I can only hope that after another election in Ontario, when there will be a change of government, there will be some kind of energy policy in the province which the electric power utility will have to address and accept. Then we can go on to rationalizing electric power rates.

**Mr. Isaacs:** Mr. Speaker, in rising to participate in this debate I welcome this bill, because it is something the citizens of several parts of the area of Hamilton-Wentworth have been awaiting for a very long time.

However, I want to make some comments, not only along the lines of those I made on the last bill, but also in terms of the procedures and the lack of information that has been provided with regard to the way this bill will affect hydro service in Hamilton-Wentworth.

With regard to the township of Glanbrook, which is in my riding, that will continue to be served by Ontario Hydro. I understand the reason for that and I have to say, without repeating the arguments, that I still feel there is a very serious problem with Ontario Hydro rural rates. The parliamentary assistant's assurance that this is being investigated by Ontario Hydro on the direction of the Premier and the Minister of Energy is not good enough. We need action to transfer the burden of these hydro rates from residential customers to the large users.

With regard to the municipality in which I live, Stoney Creek, and the impact of this bill upon it, I want to share with the House and with the parliamentary assistant, and through him, I would hope, the minister, some of the concerns I have about the approach that was taken and the results which appear to be coming from this bill.

We are setting up a hydroelectric commission for the town of Stoney Creek that is separate from the Hamilton Hydro-Electric Commission. Informed rumour in Hamilton-Wentworth has it that the citizens of Stoney Creek could have enjoyed lower hydro rates if there had been one hydro commission covering both Stoney Creek and the city of Hamilton, and possibly including Dundas as well. But that system was scuttled because of disputes among the local politicians who saw that as a foot in the door for a system of local government that some of them opposed.

Unfortunately, the bill is not amendable in that regard, because it would totally destroy the purpose of this bill and would require essentially a whole new bill. I must say it is tempting to ask for that information

in committee and to review whether the residential power users in Hamilton-Wentworth might not be better served if there were a single hydro utility for the contiguous area of hydro service in Hamilton-Wentworth.

I recognize that in Flamborough, and possibly in Ancaster, that might not be the appropriate way to go. But at least in Stoney Creek, and perhaps in Dundas, according to the rumours I have heard, those residential power consumers can look forward to paying higher hydro rates than they would have done if there had been a single power utility. If that is true, then I have some concerns about that. I hope the local politicians who are responsible for making that decision will be happy to justify it to the electorate when they go before the electorate this fall.

Second, I want to talk about the timing of the bill and some of the things that appear to have been going on, or may not have been going on, but which have been hidden by a smokescreen. I have had some extensive conversations with one of the representatives on the local hydro utility restructuring committee, Councillor Jack Norris of the town of Stoney Creek. I want to pay tribute to Councillor Norris, because I think he has done an excellent job of representing the town on that commission.

The people who were involved in restructuring at the local level went through the entire process. Unfortunately, it took a long time because of the local disputes I have just referred to but, finally, they came up with a proposal that was approved by all the local councils and went to the ministry. Those people apparently met with staff of the ministry and, I believe, with the parliamentary assistant some time back in March, at the same time that the local members were invited to meet with the parliamentary assistant and his staff. They were not allowed to take away a copy of the bill at that time. Until the bill was tabled in this House, the local councils that are so intimately involved in this issue had nothing to review.

As we know, the bill was tabled on June 5 and is being debated here today. If nothing else, but out of courtesy to the local councils, I suggest they should have been provided with a copy of the bill or with a copy of the draft bill if there were minor wording changes that needed to be dealt with, so that they could have reviewed it in a little more depth than has been possible in the last barely two weeks since this bill was introduced.

I think there is a communication problem, and I have to say that it has given the impression of there being a smokescreen and that there must be something in this bill that the government wants to get through without creating too much of a local uproar. I have to say that as soon as the bill was tabled in this House I took responsibility for distributing it the following day to members of the local council and to people in Hydro, because they had not got one from the minister yet. I have since talked to some of those people to satisfy myself that there is not something in this bill that the government is trying to sneak through.

I must say that no one has yet found that. Therefore, I am prepared to say on the best information I have to date that it is probably only an appearance of trying to speak something through. I somehow resent that appearance being given. I think it is pretty bad form to deal with local councils in that way. The parliamentary assistant is probably aware that he has been pretty heavily criticized by the local council in Stoney Creek for handling it in this way and not giving them the opportunity to discuss the bill fully before it is discussed by us here today. There is something strange and something wrong about the timing.

2:50 p.m.

The next item I want to discuss is the matter of hydro rates. I want to repeat what I said on the last bill. Surely the major purpose of restructuring is to ensure that the people who are not now in a hydro utility but who will be in a local hydro utility as a result of this bill can enjoy lower hydro rates. That is surely the main purpose. There are secondary purposes, of course, in terms of better local planning, better communication, direct accountability to the customer and those kinds of things which are terribly important. But surely the major purpose is to provide lower urban hydro rates for people who live in the area affected by the new local utilities.

In the town of Stoney Creek there has been a tremendous inequity ever since regional government came in, and indeed before that, because hydro rates have nothing to do with regional government. People in the former town of Stoney Creek are paying almost half the hydro rates that the people in the former township of Saltfleet are paying. This is because the people in the former township of Saltfleet, even those who are in a fully urbanized area of the former township of Saltfleet, are direct customers of

Ontario Hydro and are paying these exorbitant Ontario Hydro rural residential rates to which we have previously referred.

That inequity cannot continue if one believes in a unified municipality. The purpose of this bill, as I understand it, will be to set in place a uniform hydro rate across the entire town of Stoney Creek. If that is not the purpose, I hope there will be a response from the parliamentary assistant later on. It is certainly thought by everyone I have consulted, and by all members of the public in Stoney Creek, that the purpose is to put in one single residential hydro rate for the entire town of Stoney Creek, which is the area to be covered by the new hydro utility. I assume that is what we will see.

That leads to a problem, because the people in the former town of Stoney Creek are paying rates so much lower than those paid by people in the former township of Saltfleet that either the rates of those who are Ontario Hydro direct customers will have to drop very substantially or the people in the former town of Stoney Creek are going to see a dramatic increase in their hydro rates to something close to the Ontario Hydro rural rate level. This, of course, would be terribly unfair, and I hope it is not what is intended.

It had been understood by everyone involved, including myself and, I am sure, my former colleagues on Stoney Creek council, that the effect of this bill would be to introduce to Stoney Creek a new residential hydro rate that would be a tiny bit higher for residential customers in the old town of Stoney Creek but quite a lot lower for residential customers in the former township of Saltfleet. Thus, some overall economies would be realized, and there would be a bit of a balancing.

The mayor of Stoney Creek recently has made some comments which give the impression that this is not what is going to happen, and that people in the former township of Saltfleet will not be able to look forward to lower hydro rates as a result of this bill. The impression given me by a reporter from the Stoney Creek News is that the mayor has been telling people that the rates in the former township of Saltfleet probably will not drop at present, at least to any significant extent, but that there will be long-term gains because the rate of increase will not be as great as the rate of increase would have been if they had continued to be Ontario Hydro customers.

I have no way of knowing where the mayor's information comes from, or how he

comes to that conclusion about future changes, because none of us can predict future Ontario Hydro rural residential rates, especially if there is a change of government.

The problem is, if people in the former township of Saltfleet are not going to see a substantial drop in their hydro rates, does that mean that people in the former town of Stoney Creek will see a dramatic increase in their present hydro rates to something close to the Ontario Hydro rural rate? If they do, I can tell the parliamentary assistant very directly that they do not want this bill; they do not want any part of it. That is surely not the intent.

I hope the parliamentary assistant can provide a reasonable amount of detail as to the residential rates that will be charged to hydro customers in both parts of the existing town of Stoney Creek, the old town of Stoney Creek and the old township of Saltfleet, and that he can put to rest the fears that are being raised by the mayor's comments.

As part of the background information to this bill, there should have been a compilation of the rate structures that can be expected in each of the new hydro commissions, on the assumption that the new commissions will follow the kind of procedures a new commission is likely to follow. I do not want the government to tell them what to do, but surely the government knows what kind of rates will be in place when the new commissions come into effect next year. I do not understand why that information has been kept secret, and I hope that the fears I have mentioned are unjustified. I hope that, as a result of this bill, hydro users in the former township of Saltfleet can expect next year a substantial decrease in their hydro rates, because that is what they deserve.

Further, on the rate issue, I am aware that the whole matter is going to have to go to the Ontario Energy Board, and there is one aspect of that to which I want to refer. At present within the town of Stoney Creek there is a provision offered—not offered, but extorted by that hydro commission—whereby a new customer in a home that is electrically heated has to pay a deposit of \$200 before that hydro commission is prepared to offer that customer any hydro service at all.

I want to suggest to the parliamentary assistant that that kind of thing has recently been abolished by Bell Canada. We have finally convinced Bell Canada and the Canadian Radio-television and Telecommunications Commission to get away from that kind of usurious deposit arrangement. I hope that something can be done to ensure that, when

the new hydro commission comes into effect, customers who live in electrically heated homes in the former township of Saltfleet are not suddenly hit with a request for a \$200 deposit before the new hydro commission is prepared to serve them.

I further hope that when the new commission comes into effect those who have had to pay this usurious deposit to the old Stoney Creek Hydro-Electric Commission will immediately get it back and deposits will no longer be required of customers for hydro service. Those deposits are very often an absolutely unreasonable amount of money compared to the amount of hydro the customer is going to use and compared to the ability of a tenant in an apartment to pay. If you move into an apartment at \$200 a month and find it is an electrically heated apartment, and the hydro utility wants another \$200 before it will provide you with hydro, that is going way too far, in my view. That kind of thing should not be allowed by any hydro commission in this province.

Those are my concerns on this bill. I look forward to hearing the response, because some real concerns have been generated out there in Stoney Creek in the last three or four months simply because of the way this bill has been handled and simply because of a lack of information that is being provided to the public about the bill.

I hope it is a good bill, because the intent is good. But if the parliamentary assistant cannot assure us that it is a good bill, then it may be appropriate to take a look at it in a committee to find out exactly what is going on behind this bill, which has been clouded in a smokescreen, so that the customers of the new hydro service in Stoney Creek can be assured they will get the best possible hydro rates, which is surely what this House should be providing to them.

**Mr. Cunningham:** Mr. Speaker, I would like to indicate my support for the legislation. As I see it, the object of the exercise is to restructure a number of small utilities within the Hamilton-Wentworth area, and I endorse that activity.

Unlike my colleague the member for Wentworth, I have a great deal of confidence in the administrative ability of our smaller utilities, and I welcome their existence, especially as they are now going to be restructured in the current context of municipalities through Bill 155.

**3 p.m.**

The Waterdown utility, which services the one square mile of the village of Waterdown, coincidentally happens to be run by my

next-door neighbour, and I believe extremely well. After the restructuring takes place, I would hazard a guess that probably it would be her responsibility, again in administrative fashion, to oversee the activities of the amended and slightly larger utility.

I, too, am concerned about the problem of rates. I share the concerns expressed by both the previous speakers about the possibility of an excessive rate increase and the implementation of this bill at the same time as the Ontario Hydro rate will increase. With that rate increase—and I am not necessarily suspicious about the motive for the bill—I see some problems that can occur in an administrative fashion relating to the dispensing of the bill and the assumption on the part of the public that they are getting an excessive rate increase that would be unfair.

The primary problem in the delivery of hydro service, as I see it, is not the administration of the smaller utilities. The parliamentary assistant might recall the difficulties we had with the Dundas Public Utilities Commission some time ago, although I believe those problems have been straightened out by some personnel realignment. Our primary problem with regard to Ontario Hydro rates is the mismanagement of Hydro itself.

Ironically, as I was contemplating some brief remarks here today on the occasion of this bill late last night, I read today's Globe and Mail as I often do. I think the Globe and Mail refers to it as the bulldog edition. In the Report on Business, which I never fail to miss, they have an advertisement for three rather extensive positions, one for a motion picture photographer, one for a motion picture assistant producer and one for a motion picture editor.

This is not a casual, passing advertisement in the classified section. This is about half a page by three columns, and that ain't cheap either, sir, with respect. I would hazard a guess that an advertisement in the Report on Business might cost \$1,000 in itself, which I regard as excessive. The bad news is they will probably run it for three or four days and in a couple of dozen other papers. I am at a loss to know why Ontario Hydro would require a motion picture photographer, a motion picture assistant producer—

**Mr. Deputy Speaker:** Perhaps the honourable member would return to Bill 93.

**Mr. Cunningham:** I was just getting there, Mr. Speaker, with your indulgence. My concern, and I will conclude very briefly, is that things are running wild in that operation. It is incredible to me the amount of money that

is spent there on a daily basis without a great deal of accountability, if I may say so. We are going to have a problem when I have to explain to my constituents why they are experiencing rate increases and why in the rural areas the Ontario rural rate is what I would call usurious. I can only refer them to advertisements such as this, when they are hiring people. I never knew Ontario Hydro was now in the motion picture business. God knows what we are going to have next.

I support the legislation with the caveat that I, too, hope we are not in a situation a year or 16 months from now where we have to provide explanations to our people, especially in the rural areas, who are already over-taxed from other areas of government. I hope the parliamentary assistant, in his day-to-day activities, will attempt to see there is a little more than a cursory, casual examination of the activities of Ontario Hydro.

**Mr. Ashe:** Mr. Speaker, general support seems to have been indicated for the legislation although, having listened to the member for Wentworth, I am not quite sure. It is too bad that members have tried to use the opportunity of this legislation to spend most of their remarks rationalizing or otherwise the rate structure in Ontario, whether Ontario Hydro's or otherwise. It was an excellent opportunity for Hydro blasting, but that is par for the course.

Let me touch upon a few of the points that were made. First of all there was the reference by the member for Halton-Burlington to the overbuilt system, the rates being highest and whatever. Of course, that is not true, to start with. We all know, if one takes the highest low-density rate structure, it is higher. I will not even dispute that it is highest in the area west of New Brunswick, if I recall correctly what he said. But there is only a relatively small percentage of our population served by that rate. Again, that is taking a number out of perspective and using it as the blanket approach. That is completely inaccurate and conveys an incorrect message.

He also talked about overbuilding. We will not get into this in any great detail because we have gone through it before. There is no doubt that the Ontario Hydro system—the retail system or the wholesale system—has world recognition in terms of its technology, its administrative abilities, its security of supply, its forward thinking and its forward planning. It is not recognized as such only in North America, but also throughout the world—including the Hamilton-Wentworth area that we are speaking to in this legislation.



An overabundance of supply does have an effect upon rates. Many members—a few opposite and the odd one in the third party—take a capitalization cost and say that is the only cost of the overabundance of supply. They fail to recognize many other important considerations. They do not talk about the net revenues that accrue to the hydro users in the province because of export sales. They do not talk about the very positive benefits of being able to shut down some of the higher-cost generating capacity in this province.

**Ms. Gigantes:** Mr. Speaker, on a point of order—

**Mr. Speaker:** There is really nothing out of order.

**Ms. Gigantes:** I do not understand how it can be taken that he is speaking to the principle of the bill. He is launching into an enormous, long-winded defence of Hydro overcapacity.

**Mr. Speaker:** I am listening very carefully and, when there is something out of order, I will draw it to the members' attention.

**Mr. Ashe:** I am glad to hear that, Mr. Speaker. Thank you very much.

I made specific notes relative to the honourable members opposite who spoke to the so-called principle of the bill, and I am trying to respond to them in the order that I noted them. I think the record will show exactly that.

There was reference made to overbuilding and 4,000 megawatts, and I am responding to that point. We all know that much of the system is not utilized because we do have the supply of hydraulic and we do have the supply of nuclear. It is those stations, using nonrenewable resources, that we are reducing at a time when we are trying throughout the world to cut down on our use of coal, oil and natural gas. These are the systems that are not operating because we have the opportunity to substitute with other forms of generation.

There was also reference made to the additional availability of 10,800 megawatts of hydraulic generation. In a straight number, yes, that is quite true. But, believe it or not, Ontario Hydro and others do look upon what is acceptable in this day and age environmentally and financially, and there is no doubt at all that 10,800 megawatts is not practical at all; about 2,000 megawatts is, and it is being examined in much more detail.

**Mr. J. Reed:** They never studied it.

**Mr. Ashe:** The member for Halton-Burlington is going off on a tangent, and I would love to respond, but respecting you, Mr. Speaker, and what we are trying to accomplish, I will pass at this point.

I am not quite sure whether the member for Wentworth is now supporting one-tier government in the Hamilton-Wentworth area. If he is, I wish he would get up and say so to this Legislature or to his constituents. If what he wants is a one-tier utility, I do not see how he can rationalize that position and at the same time say he does not want a one-tier regional government. He is talking out of both sides of his mouth at the same time, which is somewhat incompatible, to put it very bluntly.

3:10 p.m.

**Mr. Isaacs:** It is unrelated.

**Mr. Ashe:** It is completely related. I will give the member for Wentworth the benefit of the doubt, recognizing he was part of the municipal system and has not been around here too long. But it is too bad that, when he was in the municipal system, he did not know what was going on around him in the restructuring process. If he did, he would not have mentioned many of the time frames he did.

If he had been aware of the system, he would know there was a local study group, which had representation from all areas, that made up the committee that looked into restructuring. They, in turn, had a technical committee—a resource group, as they called it—which looked into all the items that were referred to: one-tier rates and combination rates, if one puts this municipality with that one or puts these three together. They looked at the projected rates for 1979 as well as the revenue requirements. They projected that same revenue requirement and anticipated rate to 1982.

This has been public information since May 1979, not May 1980. He seems to imply that these figures have been hidden from himself and the people he purports to represent. This has been available since May 1979. Nothing is being hidden by this government, by the members of that study team or the resource group behind it. I am quite sure, if the member had a better line of communication with the council in his area, he would be aware that they are aware of the numbers that are in here. Regardless of what the rumours are, they are there.

In terms of who makes the ultimate decision as to service areas and whether they charge all of their users the same rate or not,



it is quite rightly the decision of the local utility, in this government's view. If they want to have a different rate for the present service area from that for the new service area, that is their decision. We do not impose that decision on them. I would suggest to the member that most utilities will not go that route including, among others, the one that will be serving Stoney Creek. One of the reasons was to rationalize the rate over a total area.

The member was correct in two things. There is no doubt if there was a one-tier utility in the regional municipality of Hamilton-Wentworth or if the areas he described, Dundas and Stoney Creek, went together with Hamilton, then his area municipality would benefit. This was a well-known fact.

The member's elected representatives at the municipal level made the conscious decision that they were quite prepared to suffer, if that is the right word, the consequences of paying the higher rate for having a local utility but also having local autonomy. At least they were being consistent, because they have carried forth the same view vis-à-vis representation and regional government as a whole, whether it be one-tier or two-tier government. At least they are being consistent. The honourable member is not, I must say. In any event, they are aware of this.

There is also no doubt it is true in Stoney Creek as well as in pretty well all other areas that have taken a present rural area and added it to a present urban area—in many cases it is only the urban area that has been served in the past—that generally what happens is that the rural area comes down and the urban area in the short term goes up. It varies from municipality to municipality.

Also in the projections, they tried to see the advantages of that kind of amalgamation and the economy of service they could provide. They do not have to double everything by doubling the service area and so on. In the long run, it was felt they could give a better service at a more responsible level rate to all of the people they serve rather than just in the localized, urban area.

They key point I want to make in responding to the member for Wentworth is that there is nothing out of order and nothing untoward in the process. In terms of who should get the bill first, I can just imagine that one of the first members who would stand up in his place on a point of order if the government started distributing legislation before we tabled it in here would be the member for Wentworth, among others, and quite rightly so. Yes, we talked about the principles of the

bill. Yes, the legislation has generally been based up the study team's report. We do not always agree 100 per cent, but they are aware of the principles and, as members know, we have had dialogue with the members that represent each area.

When the bill is finally printed, in each and every case of restructuring in this province, we have had copies of the bills delivered by courier in the quantities needed as soon as they were available from the presses. That is not the day they are introduced in this Legislature, I can assure the honourable member. They are just not available that quickly. It takes a day or two to print them. On the same day as we get them they are distributed by courier to the areas affected. Nothing was handled differently in the Hamilton-Wentworth area from the way it was done in Ottawa-Carleton or in all others that preceded it.

I appreciate the support of the member for Wentworth North for the bill. He got into the rate question, which I will not go over again, as to whether Hydro is running wild. That is a point of view that, needless to say, I do not support, for the reasons I have expressed previously.

Generally, I think it is safe to say that for this piece of legislation, as with the previous bill, there is general support in this Legislature. There is also general support in the area and in the municipalities this legislation is designed to serve.

Motion agreed to.

Ordered for third reading.

House in committee of the whole.

#### OTTAWA-CARLETON MUNICIPAL HYDRO-ELECTRIC SERVICE ACT

Consideration of Bill 92, An Act to provide for Municipal Hydro-Electric Service in certain area municipalities in the Regional Municipality of Ottawa-Carleton.

Section 1 agreed to.

On section 2:

Mr. Chairman: Mr. Sterling moves that section 2(6)1 be amended by deleting "two" and substituting therefor "three," and that section 2(6)2 be amended by deleting "two" and substituting therefor "one."

Mr. Sterling: Mr. Chairman, this board, as outlined in the present section, would have a membership of five: the mayor, two members from within the village of Richmond, and two members from without the village of Richmond. My proposal is that the membership would be composed of the

mayor, three members within and one without the village of Richmond.

The reason I am proposing this change is that the majority of the business of the hydro commission relates only to the village of Richmond, which is a community of 2,500 people, whereas there are 9,000 people in the township of Goulbourn. Their business is of little interest to the rest of the township of Goulbourn at this time.

There are no present plans to widen the scope of the area that is covered by the hydro commission, as most of the area surrounding the village of Richmond is agricultural land, and therefore there are no densely populated areas in the immediate area of the village of Richmond.

3:20 p.m.

As mentioned in my earlier remarks, the township of Goulbourn asked that all representation from outside the village of Richmond be eliminated; in other words, that the board should be composed of three; two representatives from the village, and the mayor.

Unfortunately, I cannot support their particular proposal because of the arguments put forward by the parliamentary assistant to the Minister of Energy (Mr. Welch), in that there is some interest in the township's having an outside representative on that board. That is because the eventual liability could fall on the township's shoulders. That, in general, is related to the fact that the contract to supply bulk power is made between the township and Ontario Hydro, and the commission is an agent of the township.

I feel that, with one person from outside, any proposals for expansion would be brought forward by that person to the council, which makes the ultimate decision in terms of expansion of the hydro area, and that there would be someone there who would be concerned, with the rest of the ratepayers in the township of Goulbourn, as to the ultimate liability of the township. Therefore, I am proposing this amendment and urge the members to support it.

Mr. Ashe: Mr. Chairman, I am not going to go through all of the discussion I went through before as to the rationalization behind it. Frankly, I think the amendment still recognizes the spirit of having the input from those areas of the municipality not being served by the utility. That part, I think, covers most of the concerns that I did have.

Having said that, there is no doubt that I could argue equally vehemently that it should also be a balanced view, with the mayor holding what we may call, for lack of a better

description, the balance of power, if there were ever a conflict or opposing views concerning the two-and-two philosophy.

That is the only concern I have about the three-one setup. Effectively, the liaison is there, but any meaningful voting power is removed with the three-one split; this again assumes that the mayor is always there with an unbiased, overview position representing the whole municipality. That is not there any longer, because we already have three-one, which could become three-two if the mayor sided with the one vote.

That still does cause me some concern, and I think two-two, overall, is fairer; but if, in the opinion of this committee, three-one-one is in order, I think at least part of the concerns about ongoing input and review capabilities are also there. So I think it is better than total removal.

What I am saying is, I think the section as amended is best. The amendment as put forward is second best, but I do not have strong feelings against it.

Ms. Gigantes: Mr. Chairman, I would like to say a word on this. I am somewhat bemused, having sat through the morning with both the member for Durham West (Mr. Ashe) and the member for Carleton-Grenville (Mr. Sterling), and having discussed the representation on the regional municipality of Ottawa-Carleton.

An incredible amount of philosophy was put forward in support of the idea that the city of Ottawa, although it has the bulk of the population of the regional municipality of Ottawa-Carleton, has no right to come forward with the request that would have assured that it was close to being represented, in terms of representation by population, on the regional council of Ottawa-Carleton.

We heard arguments from the member for Carleton-Grenville at that meeting this morning about how it would do so much for harmony in the Ottawa-Carleton regional municipality if we could just get Ottawa to sacrifice its vote so that everybody who lived outside Ottawa would feel that it was not trying to overpower the rest of the municipalities within Ottawa-Carleton.

We have before us an amendment which seems to me to conflict with the very philosophy he enunciated this morning. I just wish he could explain the idea he has put forward here now, which the parliamentary assistant seems to accept. I can understand some reason for it, although I think one has to think in terms of the relative populations of the two service areas that are being combined here and wonder whether, under the growth

conditions that will be occurring in the area, it is enough to have one vote from the township of Goulbourn. That vote is not going to carry much weight. It will be a liaison, as the parliamentary assistant says.

I can certainly see more reason for the proposition of spreading the votes around in this case than perhaps I could this morning, yet this very same member who this morning called upon the city of Ottawa to show its generosity of spirit and commitment to the regional municipal theory of government in Ontario is now saying to us it is going to be the village of Richmond which will end up with the liability. My goodness, if the village of Richmond eventually has to face up to liabilities—and we are not predicting that is going to happen; the honourable member is worrying about the final analysis I presume—there are three votes on that commission as it is proposed in the bill that would provide protection.

The mayor of the township of Goulbourn is surely going to have a concern about that. What is the great fear? I don't understand it and I don't understand how this principle comes forward this afternoon when it was rejected by the very same member this morning. Perhaps he can explain, and if he can explain, he can convince me.

**Mr. Sterling:** Mr. Chairman, maybe it is a lack of understanding of exactly where this commission serves or what it does serve. It serves only the village of Richmond. They don't serve anybody else in the township as far as that goes, so therefore, in terms of the day-to-day operation, what is happening with the commission generally never comes before anybody else in that township at this time. There is no planning going on, there are no services outside of the Richmond area, and I really think it is stretching the point to compare it to the city of Ottawa and the regional municipality of Ottawa-Carleton.

When we talk about the impact the regional municipality has on the rural areas it is very significant. They hold the overall planning powers for the areas outside of the city of Ottawa, and that is the major objection to not having an equal representation, as between the city of Ottawa and the other municipalities.

In this particular case, the only people who are really interested in the commission are the people within Richmond. The ultimate financial responsibility doesn't lie with the commission, it lies with the council. The commission will go to the council when it wants to borrow money, and the council will ultimately deal with it, and deal with the

problem of expansion, if that is going to take place, if it wants that to take place.

Therefore, in proposing this amendment I have tried to balance the interest of the other township residents outside, who have very little to do with the business of the commission, with those people who in fact are using it on a day-to-day basis. I think the balance in terms of three to one to one is more equitable in this situation, and it is as simple as that.

**Ms. Gigantes:** The advantage in terms of rates under this proposal is going to go to those people who are served by the new commission. It will be going to the people in Richmond. It is those very people in the township of Goulbourn outside the town of Richmond who will be paying the Ontario Hydro rates and he says they have no interest in the ongoing everyday business of what that commission will be doing over the next few years.

3:30 p.m.

I suggest that they will indeed have an interest. For the member to say that the city of Ottawa has ultimate planning control over the outlying area municipalities of the Ottawa-Carleton region and, therefore, the cases are totally dissimilar is just not the case.

The city of Ottawa has participated in planning decisions that affected the outlying municipalities, but it has never voted as a bloc as it has done so in planning terms. Secondly, the outlying municipalities under the Regional Municipality of Ottawa-Carleton Act have exerted planning decisions which affected the downtown core of the city of Ottawa. That is the way life is and that is the way it has worked. This member this morning was lecturing the city of Ottawa about how it should continue to work that way and more so.

I think he is going to have to make up his mind on the principle involved here. I think the principle is very much the same indeed. I wonder how those several thousand people in the township of Goulbourn are going to feel when we go back to them and say: "Instead of having two votes in this new reorganized area, you who will be paying the higher rate in the reorganized area will only have one vote. You are going to have one vote because it is the township of Richmond which eventually has to pay the bill."

Of course, this was an argument he rejected when it was presented in terms of the city of Ottawa within the Ottawa-Carleton regional municipality this morning. One did not discuss the fact that the city of Ottawa

pays 65 per cent of the Ottawa-Carleton regional municipality taxes.

**Mr. Sterling:** How much did they spend?

**Ms. Gigantes:** Sixty-five per cent. And the minister would not even give them an extra seat. The city of Ottawa raises 65 per cent. The minister did not take that into account this morning.

Just what is the principle here and what are people going to say in the township of Goulbourn? They are not being advantaged by this situation except in that they get representation in the reorganized commission. Unless they get that representation, how are they being advantaged? Perhaps the member could explain that.

**Mr. Sterling:** Mr. Chairman, I do not want to prolong this. The fact of the matter is that if the township of Goulbourn and its municipal council had asked this Legislature to give representation on the hydro commission to residents of Richmond alone, I would take that as some point of leadership as to what that township wants.

Only one councillor comes from the village of Richmond, as well as the mayor. But there are three other councillors who do not come from the village of Richmond. If this was their concern, then they would have expressed that in terms of wanting it maintained the same way as it is now. The parallels are just a little bit ridiculous, I have to say to the member for Carleton East. The similarities are so wide apart that for the member to draw any parallel is just a little bit beyond belief in this case.

**Mr. Isaacs:** If I can comment, Mr. Chairman, I certainly support the remarks made by my colleague from Carleton East. I think there is one other factor that is being forgotten in this debate. There was a study committee set up in Ottawa-Carleton, the same as in Hamilton-Wentworth, which I was very well aware of and which the parliamentary assistant described before.

The procedures that have led to this bill were presumably discussed by all the municipal councils and presumably the draft bill at some stage was presented to those municipal councils. Though if it worked in Ottawa-Carleton the way it worked in Hamilton-Wentworth, I do not know whether they were really satisfied with what they got. But there were representatives of Goulbourn on the steering committee and they were involved in setting up this procedure.

At the last minute, the member for the area comes rushing in with an amendment that they suddenly discovered they needed. I have to ask why this has arisen at the last

minute and why that council did not have its input when it should have done back in the smooth flow of the procedure?

**Mr. Ashe:** Being fair to the member referred to, this is not a new concern as expressed particularly by the mayor of that municipality. I will acknowledge that. That has been her position particularly. I cannot say it has been until recently the position of the council particularly, but there is no doubt it was the position of the mayor for some time. Again, I repeat, I support the bill the way it is. I think the balance is fair overall and, therefore, I have to be opposed to the amendment, Mr. Chairman.

**Mr. Chairman:** All those in favour of Mr. Sterling's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 2 agreed to.

Sections 3 to 16, inclusive, agreed to.

Bill 93 reported.

On motion by Hon. Mr. Snow, the committee of the whole House reported one bill without amendment.

#### HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. Snow moved second reading of Bill 65, An Act to amend the Highway Traffic Act.

**Hon. Mr. Snow:** Mr. Speaker, I do not have any remarks on this bill, which includes various amendments. I commented on them at the introduction of the bill. I would like to say I will be asking that this bill go into committee. I would ask for consent of the House to add a section to Bill 65 which was not within the scope of the bill as introduced on May 1. The proposed additional section was distributed to opposition critics a considerable time ago.

Subsequent to first reading we became aware of an appeal which is currently before the Supreme Court of Ontario and which puts the effectiveness of section 147 in question. This is a section that permits the owner of a vehicle to be charged instead of the driver for most offences committed under the act except moving offences. This concept has been a basic provision of the act since 1905.

As an example, if the intent of the section were not upheld by the courts, we would have no choice but to charge individual truck drivers with weight offences and vehicle defects rather than the carriers for whom they work. This would in many cases,

I think in most cases, be unfair to the drivers and would largely nullify the registrar's disciplinary powers under section 27 with respect to vehicle permits.

In view of the impact of an unfavourable court decision while the House is in recess, I feel that corrective action should be taken today. I ask for consent to re-enact section 147 in a clearer form.

**The Acting Speaker (Mr. MacBeth):** The minister is asking for that consent now, and I gather the House has agreed.

**Mr. Cunningham:** Mr. Speaker, it is unlikely we would have an unfavourable decision while we are in recess because, while we are, usually the courts are in recess as well. I do not know if that is a good thing or a bad thing.

We support the legislation, and I am going to restrict my comments in the hope that will move this debate a little faster. I welcome the series of amendments in this particular bill. I am not going to go through them item by item because I believe they are self-explanatory. But I am particularly attracted to several items and I want to commend the minister for bringing them in, specifically, the changes as they relate to vehicles themselves.

I am appreciative of the amendments that will more clearly define the safety problems inherent in cars that have been tampered with.

3:40 p.m.

Those of us who do any kind of driving on the highways see all sorts of—I guess I would refer to it as creativity on the parts of owners of certain vehicles. Cars are jacked up sometimes to an almost absurd height. With some of these cars one can almost actually feel the aggression of the owner by taking a look at it. I am not necessarily making a comment with regard to an offensive looking Woody Woodpecker on the rear fender. But we see them all the time, and one almost wishes sometimes he were an officer of the law, or that an officer of the law were close by to apprehend some of these people.

I am not saying everybody who has a jacked-up car and excessively wide tires is an irresponsible driver, but I would certainly like to see the accident statistics as they relate to these types of vehicles.

I can recall visiting in Saskatchewan with the select committee on company law and looking at one of the accident claims centres there. Because of their government insurance system they have government claims

centres. They even have government body shops, I think. I do not necessarily subscribe to that point of view, but I do recall—

**Mr. Bradley:** Were they on strike when you were there?

**Mr. Cunningham:** I didn't know they were were on strike at that time.

I do recall looking with interest at the vehicles that were coming in. It was generally the habit of the driver of the vehicle to bring his or her car in when repairs or body work were required. Invariably, a lot of the drivers were younger males, and I think our insurance rates reflect that; certainly theirs do.

I saw a lot of cars that I would refer to as having been tampered with. They were jacked up. They had funny things done to their suspensions that I am not technically qualified to comment on. But I think if Ford or GM or anybody else wanted cars to be made that way they would have made them that way in the first place—wide tires, noisy mufflers and a series of all sorts of other inventions that I don't think are in keeping with safe driving and safety on the highways. So I support that aspect of the legislation and I welcome its adoption, especially the provisions as they relate to tires. I think it is a common-sense provision.

The minister has had meetings, I believe, with a constituent of his with regard to the product called Reflecto which they put on car windows now. This is becoming a bit of a problem, and I suppose that is why we are seeing it in the legislation today. I welcome that move as well. The only caveat I would offer is that we do not interpret this provision with a great deal of licence. I would prefer that we tread lightly on that. I think it is all right as long as one can see through a window from a certain distance—and I would hope that some consideration is given to people who have tinted windshields—as long as the police can see in them. I think that is the principle behind the amendment as I understand it.

I have discussed it with the minister. I have his assurance that the regulations will be fair and equitable. I don't want to see somebody in a situation where they have to have the windows in their car replaced or they have to incur a great deal of expense when one actually can see into the car. But I find it disturbing to drive on the highways and see a car beside me and it almost seems as if one is looking into a state trooper's sunglasses. One can't see what is going on in that car and one often wonders what is

going on in those cars. I know the member for—

**Mr. Nixon:** I wonder about your car sometimes.

**Mr. Cunningham:** My car is just fine. When the member passes my car, though, he goes so fast he can't see it.

I hope when the minister brings in those regulations that fairness is considered and a lot of people will not have to go to a great deal of expense. I'm also concerned about the people who are in the legitimate business of promoting a form of tinting, which I suppose helps people with sun glare and helps reduce the heat from the sun. I hope they are not put in a position of disadvantage.

I welcome the amendments, and I think most of them are excellent.

**Mr. Philip:** Mr. Speaker, we are in support of the bill. We see a number of safety measures in this bill which we certainly welcome and I am sure they will be welcomed by the public.

The safety measure concerning the proper use of tires is one that is particularly attractive and I think if we look at the kinds of accidents that have occurred, this will certainly add to the safety of vehicles.

The alternative of handing in your plates if, in fact, you are not prepared at a particular time to drive a vehicle which has been found to be unsafe is also attractive. Some people are going to be put in a particularly difficult situation at times and this solves that particular problem and gives them some options.

I was talking to the minister about section 7 just before this bill came on for debate and received some assurances which I gather from what the Liberal critic has said he has also received. I do have a memo from Mr. J. E. Mundy, from Ener-Gard, who expresses some concern that this proposed amendment is terribly vague and that in fact companies such as his, which shouldn't be disadvantaged, may in fact be disadvantaged. I recognize there is a study going on in the US and the minister has said once that study is completed and regulations come out there, he in turn will try and follow suit. With that kind of safeguard, I do not see any reason to delete this section, as I might have earlier had some inclination to do. Certainly, as the minister pointed out to me, one never knows when a certain new fad may come on the market and we may suddenly be flooded with a whole bunch of people putting up these kinds of view obstructions and making enforcement so much more difficult.

Section 9, which is the provision to stop some of the various manifestations of what we shall call art work—some of it is art; some of it, it seems to me, more to be ego tripping—is certainly going to be extremely welcome. I only wish that at the same time we could have done something about some of the noisy mufflers, which certainly are as much of a nuisance as some of these fellows running around in these jacked-up cars in my area.

I have no objection to section 10(2), but why has the minister introduced it at this time? Has he had any complaints? What was the reason behind it? I am sure the minister has had some submissions on this and I would like to know why there is a need for the change at this time.

Certainly section 19 will be welcomed by a number of municipalities. I guess it overcomes a number of enforcement problems, but there is a problem that we are going to hear about from the trucking industry and more particularly from the drivers. It is a problem which I brought to the minister and suggested that he and the Solicitor General (Mr. McMurtry) should do something about. That problem is that if you stop trucks from going in the outside lane then you have to do something about those people who drive at snail's pace in the centre passing lane.

Otherwise, there is another safety problem, namely that the trucker, even though he shouldn't, will tailgate. He can't pass on the inside lane because the fellow driving there is doing 30 miles below the speed limit and the fellow in the middle lane is doing 20 miles below the speed limit and we have passed a law that says he can't use the outside lane. I recognize, as does the industry, that it makes sense not to have large vehicles in the third lane, but at the same time we simply must do more in terms of driver education, enforcement and penalizing those who drive and obstruct traffic in the middle lane.

Those are the only comments I have on this bill. I welcome it and it has our full support.

3:50 p.m.

**Mr. Nixon:** I want to participate just briefly. As some of the members are aware, some of my views on the Highway Traffic Act are somewhat unorthodox, but I want to put them anyway on section 9, forbidding jacking up the rear ends and modifying the suspension.

One of the greatest things for a young man is to fiddle around with a car. The minister well knows there are certain people who are very interested in that. I am not one; actually I am not very handy. I can turn the

key and make it go, but when it comes to any modifications, it is game over. When the ashtray gets full I trade the car, but that is another matter.

I always have a great deal of respect for young people, usually young men, often those who have very little interest in school work or really anything else, but who get really entranced with fooling around and modifying cars. I suppose it is dangerous. My friend from Essex North (Mr. Ruston) from his own experience tells me that one cannot control those jacked-up cars in a skid.

I feel we are getting pretty conservative in our controls. Pretty soon everybody is going to be so uniform that any opportunity actually to put on a few extra lights and modify a car so that it is a little different from one's neighbour's is all going to be illegal. I want to sound that little warning.

The other thing I want to bring to the minister's attention is a matter of urgent importance. It can be related to section 11(2), Mr. Speaker, though I know you do not want us to discuss sections specifically. That is where the bill deals with school buses.

We have a rule that if one owns a bus it cannot be painted yellow and black. Some of my constituents are big farmers who have acres of strawberries. They have bought school buses that are fully inspected, properly licensed and everything else. They come under all the regulations appropriately. They use these to drive into the city—the city of Brantford usually—to get young people and take them out to the strawberry fields to do the work. They have been informed by the minister's officials that the bus must not be yellow because there is liable to be some confusion and people are perhaps going to get into accidents. There is going to be some additional danger, so they must paint it.

My constituents object to this. They say if they are not going to be able to use the yellow bus the alternative is to phone up a chartered bus operator locally, pay \$100 a day minimum and then the bus that arrives is a yellow and black bus. That is a proper school bus that is used during the school season as a school bus.

This is a place where we in the Legislature have sort of overregulated ourselves. I have asked the minister's officials and the minister himself finally to find a proper solution so that my constituents can use these buses that are inspected for safety for the use for which they were intended, that is, transporting young people, in this instance in agricultural pursuits.

So far I have not been informed that any solution is available except to paint the bus. Maybe that is what they will have to do, but I am sure the minister with his well-known intelligence and his independence—he is one of the few ministers who actually runs his ministry—can cut through the baloney of all the people who say there is no solution and find a solution. I really think the present situation is inappropriate. Otherwise, this is a great bill.

Hon. Mr. Snow: Mr. Speaker, I thank the honourable members for their comments regarding this bill.

The members for Wentworth North (Mr. Cunningham) and Etobicoke (Mr. Philip) made reference to section 7 of the bill relating to the coloured coating obscuring the glass. I appreciate their concerns and their comments. It is not our intention to prohibit the tinting or darkening of the glass for the normal purposes that one has tinted glass in an automobile. The wording in the bill says "any coloured spray or other coloured or reflective material that substantially obscures the interior of the motor vehicle when viewed from outside the motor vehicle."

I realize we have to rely at this moment on the wording "substantially obscures." I think the reflective coatings that totally obscure the view are the ones I am really after, and they obviously would meet the requirements of the term, "substantially obscures." I think, Mr. Speaker, that as a lawyer you would agree with me on that legal point. Would you?

Mr. Acting Speaker: The chair has no comment.

Hon. Mr. Snow: In any case, we are very concerned about problems that have been brought to me, in which people are starting, not in a big way, to put reflectorized film on the windshield and side windows of the driver's compartment of a vehicle, thus totally obscuring the driver. In cases of accident, witnesses are unable to identify the driver of the vehicle, and things of this type. This has been recommended to me by the Ontario Traffic Conference, by the Ontario Safety League, and by others.

The member for Etobicoke mentioned section 10(2) of the bill. That is a change in which we are deleting the requirement for road building machinery on a highway construction project to bear the name and address of the owner. Most contractors who own their own equipment would obviously have their names on the machines. But, given today's economy, many operate leased equipment; they lease equipment from another contractor



or from an equipment leasing company, and they do not particularly want to display the name of another contractor or a leasing company on equipment which is on their project. When there is a sign up on the project that says ABC Contracting, they don't want XYZ's name on the equipment. That is the reason for that minor modification.

Section 19 was the next one mentioned. That is the provision to allow a municipality to designate that the inside lane of a three-lane highway not be used by the larger trucks. That is the same provision we have for our provincial highways, and would apply to the Don Valley Parkway or the Gardiner Expressway. I was surprised that they did not have that kind of authority now but apparently it has never been in the act. We are bringing the municipal authority into line to enable it to do exactly what we do on our provincial three-lane-or-more and one-direction highways.

I recognize the honourable member's comments regarding people who get into that centre lane and drive at a slow speed. We discussed this at great length during our estimates. There is a provision in the Highway Traffic Act that a person must not drive at such a slow speed as to impede or block the normal or reasonable movement of traffic. I know how hard that is to enforce, and probably it is not enforced to a great degree by my colleague, the Solicitor General and his police forces across the province. On the other hand, I have not had very many complaints about that particular problem myself. I drive about as much as most people on those highways, and I really have not found too many people holding me back in the centre lane or any other.

In speaking to the remarks of my colleague the member for Brant-Oxford-Norfolk (Mr. Nixon), I did not know he was such a hot rod fan as his interest would indicate. We really do feel that these situations in which people put major modifications on automobiles, in particular, jacking up the rear end to an abnormally high position, are dangerous. I realize people are not supposed to rear-end any vehicles, but when it does happen in such a case it is very dangerous. The car can run underneath, rupture the gas tank and, if it is done at a high speed, the car in front can end up on top of the car that hit it. This is an amendment that has been recommended by the Ontario Safety League and the Traffic Council.

4 p.m.

With regard to the yellow buses for the farmer and his strawberry pickers, the legis-

lation states that the yellow and black colouring is reserved for school buses, so they can be readily identified. I do not have a total explanation, but we do allow those buses to do charter trips. I presume it is provided in the legislation that they can use their school bus, with the school bus sign covered up, for charter for other purposes. I think that is part of the economy of the whole business, that they have the right to use those buses for charters.

We do not allow buses for other purposes to use the yellow and black colours, I think for obvious reasons. Contractors, construction companies and many industries have buses for carrying employees to and from places of work, and church organizations have their own buses—

Mr. Cunningham: Election buses?

Hon. Mr. Snow: Election buses, yes—none of them are yellow and black.

Mr. Cunningham: I hear they're really well equipped.

Hon. Mr. Snow: Never having been in one, I wouldn't know.

I understand—the honourable member brought this to my attention before—that the farmer in this particular case bought a used but mechanically fit and certified school bus in order to carry employees to and from his farm operation, and he is not allowed to leave it yellow and black.

The honourable member and I have some disagreement, but not of a major nature. I think if we are going to have an act that reserves the yellow and black colouring for the use of school vehicles, we have to apply that legislation to everybody.

I do not have an answer for the honourable member's constituent, other than to advise him to do a paint job on his bus.

I think that answers the comments that were made by the members.

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

## HIGHWAY TRAFFIC AMENDMENT ACT

Consideration of Bill 65, An Act to amend the Highway Traffic Act.

Sections 1 to 18, inclusive, agreed to.

On section 19:

Mr. Philip: Regarding section 19, and the minister's comments, that he had not had very many complaints about the problem of the middle lane, I would point out to him that I did give him a petition, with I forget how many thousands of signatures—6,000 or 7,000—complaining about that. Most of those

were from truckers driving in his area, and from his riding and the surrounding ridings between his area and the Hamilton, Rexdale and Toronto areas. He has had that many complaints. It does not relate directly to this bill, and therefore I am not going to expect an answer, but I would just make the point.

Section 19 agreed to.

On section 20:

Mr. Chairman: Hon. Mr. Snow moves that the bill be amended by adding thereto the following section:

"(20) Section 147 of the said act as amended by the Statutes of Ontario, 1975, second session, chapter 14, section 2, and 1976, chapter 37, section 18, is repealed, and the following substituted therefor:

"147(1). Subject to subsection 2, the owner of a vehicle may be charged with and convicted of an offence under this act or the regulations or any municipal bylaw regulating traffic for which the driver of the vehicle is subject to be charged unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent and on conviction the owner is liable to the penalty prescribed for the offence.

"(2) The owner of a vehicle, except when he is also the driver, shall not be convicted for the contravention of any of the provisions of subsection 3 or 6 of section 63a or of sections 82 to 114, 117, 120, 125 or 139 or any regulation or bylaw made or passed thereunder or under subsection 8 of section 63a or of any of the provisions of any bylaw passed under any act regulating or prohibiting turns on a highway."

Hon. Mr. Snow further moves that sections 20, 21 and 22 of the bill be renumbered as sections 21, 22, and 23 respectively.

Mr. Warner: Mr. Chairman, I know this particular item is found in the Motorized Snow Vehicles Act. It is the same as where the owner can be charged even if the owner is not the driver. Am I correct?

Hon. Mr. Snow: May I explain it? Perhaps the honourable member was not in the House when I explained this amendment at the beginning of the bill.

This amendment has nothing to do with the Motorized Snow Vehicles Act. It is the Highway Traffic Act. We are making an amendment because of a case that is before the Supreme Court of Ontario right now. We do not know what the outcome of that case will be, but if the court were to rule against the act, then we would not be able to charge a trucker, for instance, for overloading his truck. We would have to charge the driver rather than the owner. We would have to

charge the driver of a car for a parking ticket rather than the owner of the car. Because of this case that is before the courts, and because a decision may come down during the summer, we are rewording this clause to clarify that situation.

Mr. Warner: I understand that, Mr. Chairman, and I appreciate it. I understand the problem the minister faces. Certainly if a trucking company is involved in deliberate overloading and so on, and we want to get at the owner, that is fine. But it seems to me there is another side to it.

We came up against this in the Petty Trespass Act. There was a similar situation, and a similar kind of clause was put into that bill. In that instance, it meant that if a person who owned a car lent it to someone else, and the person to whom he lent it committed some kind of minor offence, such as trespassing, a third party could then lay a charge. If they could not identify the driver of the vehicle, they could lay a charge against the owner. I do not agree with that. It seems to me it is not a very good part of a fair system of justice. The person who commits the offence is the person who should be charged, and not a third party who is innocent. He did not do anything wrong; he did not commit an offence. Maybe the minister should ferret out the part that applies to the trucking industry and deal with it separately.

4:10 p.m.

As I read this amendment, it seems to me that the minister is dealing with all vehicles, with all drivers and with all owners. There is no differentiation. Am I correct in that? If I am not, then that is fine; we can end it here. But as I read over the amendment, it deals with all vehicles, all drivers and all owners. It does not make a differentiation between certain classes of vehicles.

Hon. Mr. Snow: I think the honourable member is correct on that. But it does not apply to moving offences, for instance; it applies to offences unrelated to the driver. It does not only apply to trucks; it also applies to cars. One would not be able to issue a parking ticket for a car parked in front of a fire hydrant on University Avenue unless the policeman happened to be right there and identified the driver and then charged the driver with illegal parking. The police would not be able to go up and down the street finding illegally parked vehicles and ticket them. So basically we would do away with parking fines without this provision.

Mr. Warner: Mr. Chairman, just to clarify this: It does not apply to moving violations; that is what the minister was just saying.

That is a little better. We certainly encountered the concept in the Petty Trespass Act which I objected to—and, fortunately, my colleagues in this party objected to it; no one else did—of charging someone with an offence when the person did not commit the offence. That seems to me to be the wrong thing to do. We should be charging people who commit offences. However, if it does not apply to moving offences, then I think there is sufficient safeguard in there, and I will agree with the amendment.

**Hon. Mr. Snow:** It applies to equipment defects. If a vehicle is stopped on the highway for being unsafe—for example, if a truck going through one of the truck inspection stations is found to have poor brakes—we would not be able to lay a charge against the transport company that owns the vehicle. We would have to lay the charge against the driver without this provision if the court case goes against us. It is before the courts now; we recognize there is some uncertainty in the act and we want to correct it regardless of which way the court case goes.

**Mr. Philip:** Mr. Chairman, we have had representations from the unions, who have said this kind of thing is necessary. There are employees who have been intimidated by their employers into either driving unsafe vehicles or overloading. It should not be the driver, the employee, who is taking that responsibility. The real culprit is the person who has the authority of that company, and he is the one who should be found guilty of that offence.

That is what I believe the minister is trying to accomplish in this. That is clearly supportable. I think we will find that the drivers and the unions that represent them are supportive of this kind of amendment.

Motion agreed to.

Section 20 agreed to.

Sections 21 to 23, inclusive, as renumbered, agreed to.

Bill 65, as amended, reported.

#### LIBEL AND SLANDER ACT

Consideration of Bill 1, An Act to amend The Libel and Slander Act.

On section 1:

**Mr. Ruston:** Mr. Chairman, I am speaking on section 1 which was amended in the committee and I don't have any objection to that. My objection would be to section 2.

Section 1 agreed to.

On section 2:

**Mr. Ruston:** Mr. Chairman, I think most people would agree that the wording in section 2 is a little conflicting, although there was a minor change made in it in the committee. There was a recommendation made by the Ontario Press Council through its solicitor, Mr. J. J. Robinette; however, that recommendation was not accepted by the committee.

The problem I have is that the section is too broad and leaves anyone putting something in the paper or news media or whatever almost free to comment in any way he wishes. One of the submissions we had made to the committee was from Moreland A. Lynn from Midland, Ontario. I just want to mention one or two items with regard to his objection to it:

"The adoption of the proposed amendment would allow a defence of fair comment if a person could honestly hold the opinion expressed in the material published. On the surface this amendment may appear to be simple and easily applied. There is no question in this writer's opinion that the majority of letter writers would state that they honestly held the opinion they expressed if they were challenged in a court of law.

"What constitutes an honest opinion? How does one judge whether an opinion is honestly held? Is ignorance of fact or failure to determine the facts grounds for holding an honest opinion? This writer is also confident that editors and publishers would defend their letters to the editor policy by simply stating that people believe the writer to hold the opinion as an honest one.

"While the editor or publisher might not be correct in making this assumption because of the difficulty, cost, personal risk, loss of grace with the media and the general pain, anguish and other suffering, the vast majority of individuals maligned would not or could not seek recourse through the proper legal process. One cannot separate the practical matter of cost to the individual from the argument considering this amendment."

The letter does go on, and comments are made with regard to the Cherneskey case, which has brought about this amendment. I have great reservations about this amendment; I realize that it has not been passed and that the committee brought it back to be passed here. The majority of those in the committee passed it. I think there is a great reservation on the part of those people who may be maligned by the comments made.

I have a copy of an article which was published recently in the Windsor Star. This letter was sent to the member for Windsor-

Sandwich and to the mayor of Windsor, who sent it on to the Windsor Star. It is very damning of their comments in general over the past couple of months.

I do not want to take a lot of time, Mr. Chairman, but he winds up his article in this way: "Would you be so kind as to assist me and the people of this church in bringing this matter to the attention of those who may help put some controls on the licence of the Star under the guise of freedom of press." It is signed by Mr. R. N. Gouliano of Glenwood United Church in Windsor. He has written a very good article which covers his concerns with regard to sensationalism and reporting without grounds, making reports with regard to rumours and so forth.

It is a matter of the greatest concern to many members of the Ontario Press Council. They appeared before the committee and discussed this particular section. There were reservations with regard to some people in that area. I have the article from pages 38 and 39 of chapter 1, the chairman's foreword, with regard to some of the comments they received from the press.

They wind up the last two paragraphs in this way: "The Cherneskey decision has not changed our policy. We would no more publish defamatory material in a letter to the editor than we would in our own news column. Both require the same vigilance. I do not believe publishers should try to escape the responsibility, and I do not believe the Cherneskey decision will inhibit letters to the editor. Therefore, I do not support the proposed amendment to the Ontario Libel and Slander Act."

4:20 p.m.

There are great reservations about this. It says, "Where the defendant published defamatory matter that is an opinion expressed by another person, defence of fair comment by the defendant shall not fail for the reason only that the defendant or the person who expressed the opinion, or both, did not hold the opinion, if a person could honestly hold the opinion."

That might be fine for the parliamentary assistant to diagnose, but my opinion is that whether one held the opinion or not, as long as one thought it was fair comment the judge would say one was not guilty and one could print almost anything one wanted. I see the parliamentary assistant is shaking his head that that was not what it meant, but I think it does mean that. I want to stress as strongly as I can that I oppose the reporting of this bill in its present form, especially section 2.

**Mr. Lawlor:** Mr. Chairman, we give accord to the legislation as it has been thrashed out, winnowed through and shredded in committee, and has emerged in this way.

There still may be an ongoing, I might say, misunderstanding. The question has been asked, what constitutes an honest opinion? That is exactly why we have juries, honest people on juries, et cetera, objectively assessing the evidence, hearing and seeing and empathizing with, if one will, the witnesses, and able to decide, we think better than anyone else. It is not an arbitrary opinion of the judge or anyone else; it is a jury of peers that makes that decision.

The legislation does not come to all that much, having worked it all through. It comes precisely to that, that the whole problem has been shifted over, as it always was in any event, but it is made clear now that the problem reposes in the jury to determine whether it is fair or unfair comment.

Let us take a couple of instances. A writer writes a letter into a newspaper which is defamatory and brings some individual into disrepute in his community. The individual who is writing that letter does not believe or himself does not honestly hold that opinion. There are many instances in which he ought not to hold the opinion, and this is an element we have never discussed, and there are plenty of cases in which there is no reason why he should honestly hold it.

A neighbourhood may be riddled with rumours about something or somebody, usually about an elected official pulling off some stunt or ripping off the treasury or something, and no one speaks up. Wherever the potential letter-writer goes, he hears these words. He does not have a clue as to the truth or falsity. He does not believe them one way or the other. He writes a letter to the newspaper and says, "It has come to my attention that Mr. X is purloining the crown jewels, pearl by pearl." There it is; it is not his opinion, nor ought it to be his opinion.

In the way of press freedom it is better that these things do get public exposure and be aired. Where the previous law seemed to say that the individual who did the writing or perpetrated the initial expression of the thing had to hold an honest opinion about it, the legislation goes further and says that is not necessary.

Secondly, when a letter comes into the hands of the publisher and goes to the editor's desk, is there any reason in the world why the editor, in terms of freedom of speech, ought to hold the same opinion or an identical opinion or an honest opinion in line with

the other honest opinion? It seems to me not, et cetera.

In no way in this legislation is he off the hook. Neither is the person who wrote the letter in the first instance, nor is the person who made the comment on TV off the hook if on all the evidence, cross-examination and the whole thing, digging out what his motives were and what was operating there, the jury comes to the conclusion that he could not possibly have held an honest opinion in this particular regard, but it was actuated. I am afraid we get into the grey zone and into the black zone of malice itself at that particular stage.

If it is done deliberately with malice aforethought and with intent to injure or irresponsibly, regardless of its consequences, then the results will follow, but they flow through the jury. So it comes out at the end that I have very considerable faith in juries, particularly in this particular kind of matter, where there is a shrewd assessment of human characteristics, motivations and what circumstances surround a situation. That is exactly why they exist and why we put faith in them. I think the legislation is fine now.

**Mr. Sterling:** Mr. Chairman, I guess to say libel and slander law is difficult is to say the very least. It is less understood by the public and by lawyers of all the areas of law. This is probably one of the areas which we least encounter as practising lawyers.

The member for Essex North (Mr. Ruston) was not able to be in committee because he was tied up with another committee. He did not have his chance at that time to express his concerns, and that is why he is expressing them today in the Legislature. There was presented at that time, however, a very clear and concise statement as to the law relating this particular amendment to the Libel and Slander Act.

It should be remembered that this law does not prevent a person from suing another person for a defamatory statement. All it does is give a defence to the publishers. It does not give a defence to the person who has actually made the statement. Secondly, the fair comment must be based on facts which are true. If the comment is not based on true facts, then it is not a fair comment. The change in the law in this area actually was what everybody thought the law was before the Cherneskey decision. Some people interpret that Cherneskey decision one way and other people interpret it another way. This change in the Libel and Slander Act is to delineate clearly what the law is and what defence the publishers are entitled to.

I think the committee, in general, felt that on balance it was important for publishers, especially publishers of small weekly newspapers who do not have a legal staff, to have this protection in order to maintain the right of freedom of expression through letters to the editor. That is really the payoff and that is the balance. That is the decision the committee took and that this Legislature has taken on second reading. That is what the bill is all about.

**Mr. Chairman:** All those in favour of section 2 standing as part of the bill will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Section 2 agreed to.

Sections 3 and 4 agreed to.

Bill 1 reported.

4:30 p.m.

On motion by Hon. Miss Stephenson, the committee of the whole House reported one bill with amendment and one bill without amendment.

#### CONCURRENCE IN SUPPLY

#### MINISTRY OF THE ENVIRONMENT

**Mr. S. Smith:** Mr. Speaker, our party, during the years I have had the honour to be the leader, has become more and more alarmed about the way in which environmental matters have been going from bad to worse in Ontario.

Some years ago, at the beginning of the 1970s, when the then Minister of the Environment (Mr. Kerr) stated it was industry's responsibility to clean up its waste, the polluter must pay and made other such ringing declarations that the people of Ontario believed action was around the corner.

When the Environmental Assessment Act was brought in, it looked as though Ontario was going to lead all other jurisdictions in terms of the quality of its environmental protection legislation. Sadly, what has happened, during the four or five years that I have had the opportunity to be a witness to these proceedings, is that the legislation has been more honoured by the avoidance of it than in its application. I suspect it has become the best-known, virtually unused legislation anywhere in the western world.

Instead of having the polluter pay, we have had a situation where the public has had to pay. The public has paid for the cleanup of lead in the Toronto area. The public has paid by means of grants for paper companies to do some cleanup when they

were polluting water in various parts of Ontario. The public has to pay to have its point of view presented at various hearings in the environmental assessment process.

We have seen a situation where the environment has enjoyed a very low priority in the government of the present Premier (Mr. Davis). Time after time, he has appointed ministers who have not been given the resources with which to conduct an effective ministry. They have been trying to cope, as best they can, with a ministry that has been one of the most notoriously weak in the government of Ontario. They have been hampered by a lack of genuine policy on the part of this government.

The Premier has appointed a succession of ministers who, despite being well-meaning individuals—as far as the present incumbent goes, he is one of the most pleasant gentlemen in the House; he is a well-meaning, sincere and principled individual—none the less, have been unequal to the task of turning that ministry around and making it a truly effective protector of the heritage which is its responsibility.

In this particular debate, I do not want to engage in the usual kind of interpersonal rancour which seems to have marked a good many of our clashes in recent times. Believe it or not, on a personal level, I actually have a lot of respect and admiration for the minister and the way in which he conducts his personal life. I think he is sincere and well-meaning; I have come to that conclusion. But I honestly believe he is unequal to the task. It may be that nobody would be equal to the task of taking that ministry and making it an effective ministry.

Given the low priority that ministry enjoys in terms of the amount of money, the amount of effort and the amount of attention given to it by the Premier, it may be that nobody could run that ministry effectively. For sure, the present incumbent, despite the best of his intentions, has not been able to do so. Again, to give him credit, he has to bear not only the difficulties he has today, but a legacy of distrust, a legacy of bungling, a legacy of ignoring the real problems in Ontario.

This legacy was not of his creation. It is not his fault that is the reputation the ministry has had. But it is, unfortunately for him and for the people of Ontario, a genuine problem which he has inherited and which he has not been able to turn around, despite his sincere efforts to do so.

I would like to review with the House the dreadful lack of policy and to cite individual

examples to indicate the way in which our environment has been mistreated in Ontario. As I have said before in this House, so many of the arguments in which we engage on matters dealing with taxation, with health, with education, with culture and recreation and so on, so many of these debates, important as they are, will be forgotten 20 years from now, when my children will have grown into their 30s, when they will have their own children at an age able to understand and ask questions about the lakes, the rain, the trees, the grass and the chemicals in our environment. They will be able to understand the kinds of illnesses which will be coming to light then, the kinds of blights which people will start to recognize then and the kinds of difficulties our streams and lakes will be in then.

It seems to me that 20 years from now, when they have forgotten our other arguments in this House, people will know that somehow or other we failed to protect the really sacred trust we have, which is the beautiful, the magnificent and the healthful natural environment that is Ontario's heritage. They will know that somehow the people who lived at this time failed to take the steps to protect what really was not ours to consume, not ours to waste and not ours to despoil, but was ours only to conserve and protect for future generations. They will see that we did not do so.

Long after any possible contribution I might make to politics or to speeches or the record of this House will have been forgotten, I would hope that someone would recall, and that I, at least in my old age, should the good Lord allow me to live to that, will be able to look back and recall, that I did what I could and said what I could about the environment, an issue that means more to me than any other single issue.

In many ways it is the issue that brought me into politics. It is with considerable disappointment that I have to recite for this House and for you, Mr. Speaker, a litany of failure, a litany of hesitation, a litany of weakness, a litany of poor and inadequate responses due to a lack of genuine policy direction.

Let us look at the question of acid rain. No one believes that acid rain is primarily an Ontario problem. We all recognize it as an international problem. We all recognize that the experts differ among themselves on what percentage of the rain that originates here falls there, or that originates there falls here, and how it gets mixed up and so on.

Yet what we know for a fact is that 140 lakes in the Sudbury area are now considered biologically sterile. We know that we have the largest single polluter in that business of sulphur dioxide here on the soil of Ontario. We know that Inco is the largest polluter; we know that our own Hydro plants are significant polluters as well.

4:40 p.m.

The minister argues that the Americans are in some ways even worse and that the American plans for the future are in some ways even worse. They are, and that alarms me. It is a fact, and when I see that fact I am filled with terror, I am filled with loathing, I am filled with great fear about the future. It does not fill me with pleasure to be able to say, "Look at the Americans, they are worse than we are." I don't get any feeling of enjoyment out of that.

But we in Canada have to clean up our own act. If we have the largest polluter in North America and that polluter can clean up, that polluter should clean up. There are no ifs, ands or buts about it. Yet we know the story of Inco. We know that all Inco has been asked to do by this minister is to continue to pollute at its present rate for another couple of years and then to make a modest reduction of 20 or 25 per cent. This is well within their capability without any extensive change except for a certain new process which they have already said they are prepared to do.

After that, there is going to be a study. We are going to see another of this government's famous series of studies. Long after I have gone and forgotten this place, I will remember that this was the government which had a study for every occasion. There are some doctors I know who have a pill for every occasion. Whoever walks into the office gets a pill whether he needs it or not. Here, it seems to me, we have a government with a study for every occasion. It does not matter what the occasion is. Whether it has to do with the environment or anything else, they have a study for it.

A study is not what is needed. Enough studies have been done to show that Inco could clean up, that Inco could introduce a new type of furnace that would cost about \$400 million but would recover close to \$300 million from energy savings alone. It would incur a price hike in terms of the price of nickel which is very modest and not a real problem commercially speaking, and it would cut slightly into the profits of Inco in the short run.

What do we get instead from the ministry? We get an unwillingness to go to Inco and force the company to do that. We get the old blackmail, the old nonsense that it will cost jobs to clean up at Inco, when the truth is that it will create jobs to clean up at Inco. The union at Inco, to give it credit, had the courage to stand up and say it knew it would create jobs to clean up at Inco. But somehow or other, the minister is going to protect the union's jobs better than the union itself. He is prepared to stand up and buy the old blackmail that Inco likes to throw around and suggest to us that there will be fewer jobs. The truth is there will be a greater number of jobs with the cleanup and the minister should know that.

It is interesting, by way of an aside here—and this will interest the members on all sides of the House—that Inco has, as one of its growth areas, a subsidiary that makes pollution control equipment. Brokers are suggesting that people buy shares in Inco, pointing out that this is a real growth area for Inco—the production, via its subsidiary, of pollution abatement equipment. What a company this is! They are prepared to make money on everybody else's cleanups but they are somewhat hesitant to do their own. And they pull out the old chestnut of telling us that it is going to cost jobs.

The sulphur dioxide and the sulphuric acid from Inco can be used in a process which would produce fertilizer when combining the acid with phosphate rock. That would create hundreds of jobs in northern Ontario. But we do not hear about that from the minister. There is not a single study by his ministry looking into the possibility of creating a fertilizer manufacturing industry that would make use of Inco's pollutant by-products.

Basically, we believe Inco should be forced to clean up, that it should be forced within five years to come below 1,000 tons a day of sulphur dioxide, that it can do so, that it should be made to do so, and that future generations require a government with the courage to do so. That government, clearly, is not the one presently governing Ontario, but may well be the next one to govern Ontario.

To continue the litany: look at the matter of industrial waste. For years the previous minister, the member for Burlington South (Mr. Kerr), would say, "This is a matter for industry, to clean up its own act, and if they don't clean up then we will have to do it for them. We will force them to do it." He even went out to swim in Burlington Bay,



if members recall, in Hamilton Harbour. He even took the time to tell the people that the polluter must pay, using Dow Chemical as the great example. We remember Dow Chemical. Yes, the polluter must pay, indeed.

They did not pay enough to buy fishing tackle for the fishermen whose livelihoods were seriously damaged. They paid virtually nothing, as the ministry went about its usual ham-handed methods, by which it seems to lose every case it ever undertakes. It is rare to see them win anything and, if they do, the settlements are pathetically small.

**Hon. Miss Stephenson:** At which church are you going to preach on Sunday?

**Mr. S. Smith:** I would have hoped that the parishioner who just asked me at which church I am going to preach would actually have done better and listened to the sermon, and maybe taken it seriously. She might also have done well to go to confession afterwards.

Indeed, this is a case where the sins of the parents will be visited upon the children unto succeeding generations. This is one of the real worries that we have.

Interjections.

**Mr. S. Smith:** Mr. Speaker, I am being interrupted by members of the New Democratic Party. At one time they did oppose the environmental policy of this government, yet today they seem determined to prevent me from stating the opposition which we have. We are going to give these honourable ladies and gentlemen in the NDP the opportunity of demonstrating their dislike for the environmental policy of this government. We are even going to give them an opportunity, instead of sitting here barracking and interrupting me, to vote against the environmental policy of this government. We will see whether they are as full of life, as full of energy and as full of commentary at that point in the day's proceedings.

In the case of industrial waste, it is quite fascinating to see—

**Mr. Laughren:** Sock it to 'em. Do it again, Elmer Gantry.

**Mr. Speaker:** Order. The member for Nickel Belt does not have the floor.

Interjections.

**Mr. Speaker:** Order. The members for Nickel Belt and Sudbury East do not have the floor.

**Mr. S. Smith:** Let us look at the problem of industrial waste, Mr. Speaker. As I say, for years they said it was industry's problem. Now they have to deal with a legacy which

is of their own creation: a failure to control adequately the shipment of waste.

4:50 p.m.

They have finally brought in a so-called waybill system, which replaces one that was so pathetic as to be laughable. Even now, there are plenty of loopholes in the waybill system. Even now, if something is going for recycling, it does not have to be accounted for. Even now the penalties for false waybills are very few indeed. In the instances where false waybills were alleged and, it would appear, admitted to, we find the ministry managed to lose the cases somehow or other. They managed somehow to go to court and be defeated on what looked like open-and-shut cases on waybills. They failed to lay charges when incidents of wrongdoing had been brought to the attention of the minister.

Look at the situation in Hamilton, where a dump that should have been closed long ago was kept open to receive liquid industrial waste. The people were assured, on a certificate of approval, that it would be only for liquid industrial waste generated in the Hamilton area. Lo and behold, it turned out that hundreds of thousands, even millions, of gallons of liquid industrial waste were dumped in that place, the origin of the waste being outside the Hamilton area in 90 to 99 per cent of instances. That is the kind of record the ministry has, and it is the reason no one trusts its ability to monitor a situation any more.

I have been waiting for more than a year and a half for site inspection reports from the Upper Ottawa Street dump. I have asked for these reports for a year and a half. I still have not seen a single site inspection report from the Upper Ottawa Street dump. All I can say is they must have a lot to hide because, otherwise, what possible explanation is there, when they are repeatedly asked for a year and a half for these reports, which should be public documents, for refusing them.

We have a ministry that has lost track of its own old dump sites. They were unaware of a report listing locations of many of these dump sites. We have a ministry that has shown total disregard for local communities and local councils when issuing certificates of approval on waste facilities. I look at Smithville, which ended up with a PCB storage facility when approval was never given for such a facility. They ended up in Mississauga burning the PCBs when the people there were kept in the dark about it. Now they do not trust the ministry to come

within five miles of that town. The people, generally speaking, are fed up with that kind of ministry.

I look at Harwich township council which suddenly learned, because the ministry wants to go in and put a solidification project there, the kinds of chemicals that have been piled into their area with the people not knowing over the years.

**Mr. Kerr:** What is the Leader of the Opposition's solution?

**Mr. Bolan:** Get rid of the Tories.

Interjections.

**Mr. S. Smith:** I was asked what we would do. I will tell the member for Burlington South (Mr. Kerr) what we would do. We would adopt a policy of complete and utter honesty with the municipalities of Ontario, and we would be rewarded for so doing. That is something the members opposite have not done.

**Mr. Kerr:** That won't furnish the sites, and the member knows it.

**Mr. Bolan:** The member opposite blew it a long time ago.

**Mr. Speaker:** Order. The member for Burlington South (Mr. Kerr) does not have the floor. I will recognize him later on in the debate.

**Mr. S. Smith:** Mr. Speaker, the former minister is suggesting that a policy of honesty will not work.

**Mr. Kerr:** I did not say that.

**Mr. S. Smith:** His words in Hansard will show it. His words were, "That will not provide the sites"—a policy of honesty with municipalities will not provide the sites. If that is what one believes, then one adopts the policy the government has decided to adopt.

**Mr. Kerr:** On a point of order, Mr. Speaker: As the member jibber-jabbers along, I would like to interrupt to say that I did not say a policy of honesty would not work. I did not say any such thing. What I said was that he would still oppose it regardless of what the solution would be and how we handle that solution.

**Mr. S. Smith:** On a point of order, Mr. Speaker: Hansard will show the comments of the minister.

Until very recently, the ministry did not even know PCBs were being imported into Ontario, until we told them that in this House. The ministry could have put hundreds of thousands of dollars into a crash program to develop the PCB destruction technology proposed by the Royal Military College. Nowa-

days they are considering putting some of that money in. Instead of doing that when the money was needed, they waited until now to start putting money in and have committed \$5 million to build a storage facility for PCBs, when a fraction of that amount could be used to bring about the destruction of these PCBs.

Let us look at their record with regard to the Niagara River. I understand that this problem may not be as acute for some living in that area as for others. I recognize that for some families in the Niagara-on-the-Lake area, bottled water is drunk in the house. I understand that is true for some and apparently happens in the household of the minister who represents that area. But for some it is a real problem.

For some who drink water from the tap, it is of genuine concern when there is a chemical waste facility on the other side of the Niagara River to which objection was taken by the Attorney General of New York but to which no objection is taken by the Ministry of the Environment of Ontario. When we see the record of Ontario with regard to the Niagara River, we can understand why.

In fact, it is interesting that they are spending millions of dollars to bring water to Niagara-on-the-Lake from an inland site. But when—

**Hon. Mr. Gregory:** You suck and blow at the same time.

**Mr. S. Smith:** I'm sorry. Was there some further comment from this marvellous government over there? From the minister without—what is he without? He is without a number of things, I am sure, but he is certainly without portfolio, as I recall. The Minister without Portfolio wishes to demonstrate that he is without most everything else, as far as I can make out.

**Hon. Mr. Gregory:** All I said was, "You suck and blow at the same time."

**Mr. S. Smith:** He continues to demonstrate it. He really will not be put down, will he? He wants us to understand.

It is interesting that along the Niagara River, 16 Ontario industries have their waste finding its way into that river, and 11 of those 16 have exceeded provincial standards. Maybe that is the reason that the Ministry of the Environment, knowing that its own house is in such a mess and knowing that its own standards have not been implemented on our side of the Niagara River, would be embarrassed to appear at the hearings with regard to SCA on the other side of the Niagara River. In my view, the people of Ontario were not well served in that situation.

Then we had the pathetic spectacle of 2,4,5-T, a spectacle in which the ministry stated that this chemical was so dangerous that, left in storage, it might at some point leak, and the leakage might find its way into the environment of this province and do great damage. They thought up the brilliant solution of making sure it would not leak by taking it out and spraying it all over Ontario. What a brilliant solution!

Finally, when we showed that the ministry had failed to look into the proper destruction of those wastes, had failed in fact to look at alternatives such as high temperature incineration at sea, they finally decided that on second thought it really was not too dangerous to store, on second thought it could be stored in various settings, and in fact they have gone about storing it.

They wonder why they lack credibility with the people of Ontario. In the pulp and paper industry they have basically decided to throw money at the polluter, to reward pollution, to give prizes for pollution rather than to take the tough stand and demand that the rivers and the air be cleaned up. Then we had the minister stand up on the matter of the dredging of Toronto harbour and make a truly incredible display in this House by stating that because there were chemicals at the bottom of Toronto harbour and because those chemicals are there now, no harm could possibly come from dredging them all up again and having them all leach back into the water. What a total lack of understanding that represents.

5 p.m.

If, in fact, the chemicals had settled to the bottom, admittedly they were in the body of water; admittedly the minister has a point when he says they are already there. But they do much less harm in getting into the food chain or in getting into the biological chain when they are settled at the bottom than when they are stirred up, with all the biological consequences that then occur. For the minister not to understand that is truly incredible. We request an immediate halt to this activity until such time as the matter can be reviewed and the facts heard.

We can see that time after time the ministry has been the subject of ridicule throughout Ontario. It is not just the member for Hamilton West, the Leader of the Opposition who says this; it is not just the environment critics of the two opposition parties who say this. There is hardly a newspaper in Ontario that has not ridiculed the Ministry of the Environment, from Ottawa to Windsor, from Toronto to Thunder Bay and to

Kenora. It is hard to find a paper that has not ridiculed the Ministry of the Environment.

There is the Windsor Star in June ridiculing the ministry: "The ministry can easily be blamed for the mess because of the secrecy involved in the affair." The paper was talking about the Harwich township council. The Hamilton Spectator, a paper whose editorials usually favour that party across the way, points out that the ministry lacks trust and openness. "If the residents," it says, "could believe that the ministry was dealing honestly and openly with them, they might be more likely to feel that the ministry's assurances are reliable."

The Globe and Mail, a paper that has traditionally supported the government party in this province, has gone on to say, "Ontario has offered a little more of nothing," and it lists a whole range of oversights. It simply says: "It is offensive nonsense to suggest that the province has lived by the rules for it has done nothing of the sort. It has systematically flouted, suspended and abused those rules." The Globe and Mail refers to the minister's comments as "nonsensical."

Every newspaper across this province has commented. The London Free Press talks about "the weak attempts to deal with Inco." It says, "Perhaps from afar the Americans will not see the inconsistency between Parrott's expressions of concern over acid rain and his timid attempts to do something about it, but don't bet on it." Hardly a newspaper has avoided some form of discussion of the pathetic situation in which we now find ourselves as a consequence of this ministry.

Look at the papers in Kingston. Look at the papers in Toronto. The ministry has become a laughing-stock in Ontario. That is all very well and fine, politically speaking, but my concern and the concern of my party is for the environment in Ontario. We believe the government, of which the minister is a member, has failed to provide the resources for the minister to do his job and the minister is not equal to the job.

We believe he is a well-meaning individual but we believe that ministry needs a good house-cleaning, that it has been from time immemorial a ministry of weakness, a ministry that yields in front of the large companies, a ministry that has nothing by way of policy that prefers to operate by keeping people in the dark and by keeping people from knowing the facts. It acts in secrecy; it pretends it knows nothing about what happened at the Upper Ottawa Street dump and so many other places.

It has lost the trust of the municipalities. It has lost the trust of the people. It refuses to deal with the big polluters in Ontario. It refuses to bring in a policy that is clear for everyone to see. Finally, when I offered an environmental bill of rights, the ministry and its allies in the back benches of that caucus, across the way blocked it from even going forward so that residents of Ontario could have come forward and at least expressed their views on the matter. It was a shameful misuse of the power the government has.

Mr. Speaker, I want to say with the utmost concern and sincerity that this ministry has been to me the biggest disappointment in the government of Ontario. Whether the public opinion polls that the government is so fond of show the environment as the number one issue or not, for us it is the number one issue, for us it is an important issue, for my children it is an important issue.

The only way we have of demonstrating our disappointment or lack of approval in this government is to vote against the concurrence in the estimates of this ministry. We recognize that in so doing it is, in a way, a crude weapon that can be used. It would be nice to be able to use the old method of saying that the minister's salary should be reduced to \$1, or something of this kind, but we don't have that ability in this House. It is not part of our traditions, as the minister knows.

The only method we have for demonstrating our lack of confidence in the government's ability to handle environmental matters, and our feeling that this ministry lacks the ability under its present leader to do that job, is to vote against the concurrences in the estimates of the Ministry of the Environment. That we shall do, after considerable thought and with considerable pride in the constructive suggestions we have made over the years. These constructive suggestions are on the record of this House and on the record in Ontario long before the minister even dreamed of some of his policies.

We are pleased with our record and we are most displeased with the lack of action on the part of the government. We are prepared to put our record in front of the people at any time. But the ministry has become a laughing-stock in Ontario and the time has come to make serious changes therein.

Mr. Laughren: Mr. Speaker, I am pleased to be able to take part in this debate on the concurrence in supply for the Ministry of

the Environment. This government needs a very serious environmental jolt. Perhaps this debate will provide it.

I agree with the Leader of the Opposition that this government does not have a proud record on the matter of liquid industrial waste, on the matter of matalcil spraying, the matter of SO<sub>2</sub> emissions or any number of other environmental matters. This government indeed has nothing to brag about.

I would like to spend a couple of moments talking about the problem that we in the Sudbury basin have been trying to cope with for many years, long before it became a popular political issue in Ontario. The member in the Sudbury area, the people in the Sudbury basin, have been trying to say to this government, "You have to do something about the emissions from Inco and Falconbridge." Suddenly in the last few years when the superstack gets built and the problem is removed from the immediacy of the Sudbury basin and transported all across Ontario, then it becomes a political issue all across Ontario.

We in this party understand very well what has happened. As long as occupational health problems remain inside the plant, nobody in the Liberal or Conservative parties seems to get excited. But as soon as that occupational problem seeps out into the communities—such as asbestos dust in the community, or radiation in the community from a nuclear plant—suddenly it is a popular political issue with these two parties.

Perhaps it is time it was put on the record that one starts with an occupational or environmental problem with the people it affects and deals with it directly. One does not wait until it affects people all over the province. One deals with it when the source of the problem is there and is identifiable, not when suddenly it becomes popular because it is seeping into the cottage community of the residents of the city of Toronto. That is when the other two parties got excited about SO<sub>2</sub> emissions; that is when the other parties got excited about asbestos—not when it was affecting the workers in those asbestos plants but when it started to affect the schools, the subway systems, the community in which the plants were located. That is when it became a popular issue in Ontario.

5:10 p.m.

We are tired of that. We are saying you should attack a problem when it is identified, when it affects the workers. This government turns environmental and occupational health problems into a class issue. As long as it is a working class problem, they don't

worry about it. When it starts seeping out into the community, that is when the other parties get excited about it.

People in the Sudbury basin are very familiar with what we would call the "solution to pollution is dilution" argument. That is really what caused the whole problem for the people in Muskoka, for the people in North Bay. The former Liberal MPP for Sudbury was on his feet in this chamber defending Inco; the government, through one Minister of the Environment after another, was on its feet saying nothing could be done about pollution in the Sudbury basin, but as soon as that problem got beyond the Sudbury basin it became a problem for all Ontario.

It is a problem for all Ontario, for other parts of this country and for the United States and around the world, so we do have to address ourselves to the problem. I hope the House will excuse my cynicism, but so help me, we in the Sudbury basin have seen it happen again and again. We see it in every occupational and environmental problem, which is why we feel so bitterly about the inaction of this government on matters of environmental control.

I was in Sudbury a couple of weeks ago when the Ministry of the Environment held a public hearing on the Inco control order. It was interesting that this party presented a brief to that hearing. I sat there all evening and thought, "I wonder when the Liberal brief is going to be presented." After all, their leader has been braying constantly in the chamber about the problems of the SO<sub>2</sub> emissions. I sat there all evening and all I could get my hands on was a press release. Isn't that typical? A press release. Not a brief of substance to the Ministry of the Environment indicating what they thought should be done to control the emissions. Oh, no; a press release.

That is really all that matters to them; get the message out to the press to show that the Liberal Party cares about pollution in Sudbury, now that they don't have a member representing the city of Sudbury, now that the people of Sudbury have a representative of all the people, not just of Inco. The Inco MPP no longer represents Sudbury.

We are disappointed in the behaviour of the minister. I can just picture the scenario. The minister says to his senior people, "We have a problem with this control order with Inco." His senior people would say to him, "Oh, yes we do, Mr. Minister. What are we going to do?" The minister would say, "Let's start from where we are at now. What is Inco emitting in tons of sulphur dioxide a day

now?" "Well," his senior people say, "about 2,500 tons a day." "Aha," says the minister, "that's where we will start. We will impose a control order at whatever level they are emitting now." And that is precisely what he did.

I know the argument that Inco is operating at only between 70 and 80 per cent of capacity. So the minister says to his people, "Let me see, they are operating at 70 to 80 per cent capacity. If they want to expand their operation, that order will mean they can't hire more people and expand and get their output up to 100 per cent."

His people say: "Oh, don't you worry about that, Mr. Minister, the nickel industry is going to go into a decline anyway. Everybody knows the automobile industry is having its problems, there is going to be a decline in housing starts and there is a recession in the United States. Don't worry, the 70 to 80 per cent won't bother Inco at all. Don't worry about it. Impose the control order at 2,500 tons a day and then we will get on with setting a date in the future."

I can just imagine the scenario, and so another Minister of the Environment is bluffed by Inco. It's really hard to accept, but I guess that's the nature of environmental controls in Ontario.

Mr. Speaker, because I know you are interested in a very sincere way in the problems of SO<sub>2</sub> emissions, I would like to give you a little background on what's happened in the Sudbury basin and the kind of action we think should take place in order to solve the problem. There's no better place to talk about this than in concurrence in supply because, after all, that supposedly legitimizes the expenditures of the Ministry of the Environment. I don't know how one can legitimize any expenditures by this Ministry of the Environment. I guess it is the minister's job to stand up and speak and justify that in a few moments.

The original control order imposed on Inco in 1970, when the Sudbury operations were emitting approximately 6,000 tons of SO<sub>2</sub> a day, called for a reduction in emission levels as follows: 5,200 tons a day by July 1, 1970; 4,400 tons a day by December 31, 1974; 3,600 tons a day by December 31, 1976, and 750 tons a day by December 31, 1978. It was a year and a half ago that they were to get down to 750 tons a day.

It also called for construction of the 1,250-foot superstack, which was completed in 1972 to reduce concentrations of SO<sub>2</sub> in the Sudbury area. By the end of 1973, Inco had reduced emissions to 3,600 to 3,800 tons a

day. Inco repeatedly informed the Ministry of the Environment that it would not meet the target of 750 tons per day by the end of 1978. In July 1978 the ministry issued a new control order that simply extended the limit of 3,600 tons per day to June 30, 1982, and set no date for further reduction of emissions. Members may recall that we were very critical of the minister at that point.

In May 1975 Inco made a presentation to the ministry involving a program of abatement measures that would have reduced emissions in the Copper Cliff smelter from the 3,800 tons per day it was then emitting to 1,500 tons per day at the end of 1979. The project involved installation of a flash furnace for nickel smelting, associated equipment and three sulphuric acid plants. The flash furnace was necessary to provide a stream of concentrated  $\text{SO}_2$  suitable for conversion to sulphuric acid. At that time Inco was estimating the cost of the project at \$200 million. By September of that same year, 1975, the cost estimate had risen to \$300 million based on the detailed cost study which members have seen.

I might add that about a year or so ago I received a copy of that study in a brown paper envelope. It was never made public and we can be sure this ministry never let on to anybody that Inco even had such a proposal. That is what I find so unbelievably outrageous. In 1975 the Ministry of the Environment had a copy of an Inco presentation in which Inco said it could get down to 1,500 tons per day when at that time it was putting out 3,600 to 3,800 tons per day. The ministry had that document and did not tell anybody about it.

Talk about the need for freedom of information in this chamber; that is outrageous. I could use words such as "deceit," "deception" and "dishonesty" to describe the ministry's position at that time because it was sitting on this document that said Inco could get down to 1,500 tons per day and it told no one, absolutely no one, about it. It was a nice little deal between the ministry and Inco—\$300 million.

Citing the rising cost estimates, Mr. Don McCready, who died this year, said in a letter to the ministry, "A program which is not economically and commercially feasible is in fact not technologically feasible." One must look at Inco's contention that the pollution abatement expenditures contemplated in 1975 were not economically feasible in the context of some other investment decisions undertaken around the same time.

5:20 p.m.

In August 1974 Inco acquired control of ESB Incorporated, the battery company in the United States, for \$233.8 million. Also in 1974, Inco embarked on a program of major capital expenditures in connection with the development of lateritic ore deposits in Indonesia and Guatemala, a program that involved more than \$720 million in expenditures in the period 1974-77. Thus these two projects alone accounted for more than \$950 million of expenditure outside Canada over the period 1974-77.

The company, at the same time it is saying it cannot spend \$300 million on environmental control in the Sudbury basin, is spending almost \$1 billion on developments in the Third World. Those are multinational corporate priorities.

These were, moreover, extremely healthy profit years for Inco in view of the net earnings for that 10-year period. Inco's net earnings totalled more than \$1.6 billion over the period 1970-79, and during that period Inco paid out more than \$900 million in common share dividends. They claimed they could not afford to make the improvements at the same time they are spending almost \$1 billion in the Third World and almost \$1 billion in common share dividends. Those are again multinational corporate priorities.

The point being made here is simply that the decision at Inco that pollution control was not economically feasible in 1974-75, like any other corporate decision, was made in the context of setting overall investment priorities. Pollution control came out at the bottom, or at any rate low enough on the list to be crossed off in terms of major expenditures.

As a senior Ministry of the Environment economist has put it: "It is just that from the company's view there are always better and more productive uses for available cash than pollution abatement."

That was a Ministry of the Environment official who said that. He understands. Maybe he does not understand the politics of pollution control in the province. Surely the purpose of government regulation is precisely to provide the necessary incentive to undertake the nonproductive investments that industry would otherwise not make to improve environmental quality.

Since the completion of the superstack in 1972 and the reduction of emissions by 3,600 to 3,800 tons a day in 1973, the Ontario Minister of the Environment has been singularly unsuccessful in getting Inco to do very much. The 1970 control order was designed specifically to reduce local concentra-



tions of SO<sub>2</sub> which had been linked to environmental damage, most particularly damage to vegetation in the Sudbury area. Since then the problems of acid precipitation and the long-range transportation of air pollution have emerged. It has become abundantly clear that measures which reduce local concentration of SO<sub>2</sub>, like the superstack, the effect of which is simply to disperse the same pollutant much more widely, may be totally inadequate to prevent significant environmental damage of long-range transport.

The debate over how much Inco contributes to acid precipitation and lake acidification in Ontario is now turning into a battle of the studies.

The resources development committee of this Legislature, an all-party committee, undertook an exhaustive review of the evidence pertaining to acid precipitation and Inco's contribution to it in 1979. The committee was far from convinced by arguments advanced by Inco and the Ministry of the Environment that Inco's contribution to acid precipitation in Ontario is low or negligible.

Perhaps even more significantly, a recent Ministry of the Environment study concludes that less than one per cent of Inco's SO<sub>2</sub> emissions is scavenged by precipitation within a 50-kilometre radius of Sudbury. The other 99-plus per cent is clearly going somewhere else. Inco's SO<sub>2</sub> plume has been tracked as far as the outskirts of Metropolitan Toronto.

About four or five years ago, I wrote a letter to the ministry asking them about the trajectory of the plume and where it was doing all the damage. The response I got was that it was hard to be precise because one cannot always predict the behaviour of a looping plume. I tried to treat the matter seriously, but I could not resist responding to the minister at the time that living rurally, as I do beside a creek, many is the occasion I have seen a pooping loon, but never had I seen a looping plume.

Anyway so we go on; the story unravels.

The simple magnitude of Inco's SO<sub>2</sub> emissions argues a significant role for Inco in the long-range transport problem.

Perhaps we could talk about the proposed control order. I know the minister is interested. The control order now proposed by the Ministry of the Environment will not require any immediate reduction in Inco's current emissions of approximately 2,500 tons per day of SO<sub>2</sub>. It does involve a reduction in the allowable emissions from the current level, and a further reduction by June 30, 1983.

Because the Copper Cliff smelter is now operating at only 70 to 80 per cent capacity,

Inco might not be able to increase production substantially from the Copper Cliff smelter in the short term, in the absence of effective but rapidly introduced abatement measures.

It should be pointed out, however, that this fact is the result of (a) specific decisions by the corporation to make investments in areas unrelated to pollution abatement, and (b) specific decisions by the Ministry of the Environment to allow the corporation to do so.

Surely the course which the ministry should now direct Inco to follow is the most rapid possible introduction of the best available abatement technology. Future increases in production, if they are desired, should take place not only without violating the emission limits in the proposed control order but also, given time for the introduction of additional abatement measures, in compliance with considerably stricter emission requirements.

There are some abatement options. Sulphur dioxide emissions can be reduced either by reducing the amount of sulphur entering the smelting process or by making the sulphur produced easier to control and then controlling emissions.

The Inco proposal of 1975 falls into the second category, and pyrrhotite separation into the first. Inco has been performing some pyrrhotite separation for many years, and has recently developed a new process for which a 25 per cent reduction in SO<sub>2</sub> emissions is claimed.

The flash furnace, gas collection and acid production technology on which Inco based the 1975 proposal would have reduced emissions over a period of 50 months from 3,800 tons a day in 1975 to 1,500 tons a day in 1979, a reduction of 60 per cent. A combination of improved pyrrhotite separation and the 1975 technology, or one of equivalent effectiveness, would reduce emissions from Inco's Copper Cliff smelter from 3,000 tons a day at full capacity—I know they are only at 2,500 now—to about 900 or 1,000 tons a day when those were completed. That is a significant figure and a significant period of time. I think the minister understands that.

A pyrrhotite separation plant on the necessary scale would require approximately two years for design and construction. Therefore—and this may even surprise the minister—we support the ministry's proposal to require emission reductions to 1,950 tons a day by mid-1983, by which point such a plant should be fully operational. We support that part of his proposed control order.

We recommend as well that the ministry include in the control order a requirement that, within 60 months, Inco install either the



set of process modifications that was proposed in 1975 with subsequent refinements as applicable, or a technology with comparable performance, and that this requirement be reinforced with a requirement for emission reductions to a level of 1,000 tons a day by a date of 60 months after the date of the order.

Let me be precisely clear on that. We support the 1,950 ton control order for mid-1983, roughly three years from now. But we do not stop there. The minister stops there.

Hon. Mr. Parrott: No.

Mr. Laughren: In terms of precise requirements, it does stop there.

What we say is, after that we will give the company 60 months to get down to 900 to 1,000 tons a day. We started talking about 3,600 tons, 3,800 tons and 2,500 tons. It sounds like a dramatic drop to 1,000 tons. It is a big drop. But that is 1,000 tons. There are 2,000 pounds in a ton. That is an incredible amount of  $\text{SO}_2$ .

As I noted earlier, Inco's earlier proposal allowed 50 months for complete installation. We would allow an additional 10 months based on the possibility of construction delays and the financing difficulties which could result from Inco's heavy debt commitment to its foreign operations.

That is why we are saying that we are not going to be unreasonable about this. Even though Inco admitted they could do it in about four years—that is, 50 months—we are saying: "Okay, but there could be problems. Take the 60 months and get down to that 1,000 tons." We think that is a very reasonable and very positive recommendation.

5:30 p.m.

Major process changes, such as the one proposed in 1975, require long lead times for design, engineering and construction. Put another way, the decisions to proceed have been made several years before completion of the modifications is required. Additionally, Inco's past compliance record suggests that firm and specific deadlines are going to have to be set now if major emission reductions are desired by the mid-1980s.

I just drool when I think of what we could have done if in 1975 the minister of the day had released the document that Inco had presented, and had a public debate over it. We now would be down to 1,500 tons a day. Yet here we are at 2,500 tons a day. The proposed control order fails to do this. Simply requiring the completion of technical studies or new smelting technologies to cut emissions, as the proposed order would do,

strongly suggests that it could well be 1990 by the time an emission level of 900 to 1,000 tons a day is reached.

Given the grave nature of the acid precipitation problem and the fact that we are now just beginning to find out about many of its damaging effects, this is unacceptable to us. An ongoing problem with abatement options involving production of sulphuric acid is finding a market for the acid, which is about 700,000 tons a year. It has been repeatedly suggested that one market could be created by the development of a fertilizer industry in northern Ontario, based on phosphate deposits and Inco-produced sulphuric acid.

We are informed that the federal government is currently reviewing a study on sulphuric acid marketing, in which this option appears the most viable one. The favourable implications of such an industrial development project to the economy of northern Ontario are obvious. Yet it appears that there has been woefully little investigation or promotion of this option, either by Inco or by the government of Ontario. As a matter of fact, it was stated in the federal government's study that no serious study had been done to look into that possibility.

Neither Inco nor the government of Ontario has produced any evidence to show that they have been exploring even the possibility. Such inaction obviously makes the prediction of the lack of markets for additional sulphuric acid a self-fulfilling prophecy. That is not good enough. Here we are faced with the possibility of it being 1990 before we have any serious reduction below the 1950 level.

I would like to speak for a moment about economics and jobs. We always get the argument from Inco and from the ministry that it would be nice to clean up the environment, but do we want to shut the place down and cost everybody those jobs. That is the specious argument used by the minister occasionally. I have said it before, and I mean it very seriously, that we will not accept the argument that environmental control means laying people off. It seems to me that, in a time of high unemployment, job creation becomes the last refuge of the scoundrel. That is the impossible situation in which we find ourselves placed. When the minister uses those kinds of arguments, it is simply not fair.

The cost of the necessary pollution abatement measures has been estimated by Environment Canada, largely on the basis of Inco's own figures, at \$430 million over several years. Inco's profit picture has re-

mained remarkably healthy of late, despite the prolonged strike and slumping world nickel prices. In fact, Inco appears headed for a record year, with in excess of \$300 million in earnings for 1980. As a matter of fact, its first-quarter earnings were almost \$100 million. It is not hard to project in excess of \$300 million for this year.

The federal Minister of the Environment is starting to push the Ontario Ministry of the Environment around a bit. The federal Minister of the Environment is causing some red faces over there.

**Hon. Mr. Parrott:** Read the record.

**Mr. Laughren:** The minister does not like it. It is very easy for the federal Minister of the Environment to criticize the Ontario minister when he is out of his own jurisdiction. I understand that. The Minister of the Environment's face gets red every time one mentions the federal Minister of the Environment.

This is what Environment Canada had to say: "Today the Canadian nickel mines are the lowest-cost nickel producers in the world. At current \$3.50-a-pound nickel prices, Canadian mines are making record profits, whereas lateritic mines are barely breaking even. Additionally, lateritic projects are particularly vulnerable to high startup and infrastructure costs and to rising world energy prices."

As a matter of fact, as I am sure the minister knows, if it were not for the quadrupling—or whatever the ratio is—in the price of world oil, the lateritic ore bodies would have been on stream before now. That was a strange, perverse blessing in disguise for Canadian nickel operations.

In this context, the cap-on-production argument that has been made by Inco and bought by the Minister of the Environment is something of a red herring. According to Environment Canada preliminary estimates, the abatement measures would involve a cost equal to only six to eight per cent of current world nickel price. Given the clear economic superiority of Canadian nickel mines, strict environmental requirements should not be seen as a ceiling on production but, rather, as an effective incentive to reduce emission by investment in new technology as opposed to cutting production in Canadian reserves.

A lot of people do not understand that Inco itself makes money on pollution control equipment. A lot of stainless steel is used in pollution control equipment. Inco's profits in the United States go up as they invest in pollution control equipment. It is not that

it is all one-sided and that it is all cost for Inco. That is not true.

Inco's chairman, Charles Baird, at his news conference on May 1, 1980, threatened reductions in production in Ontario in favour of production from other sources. He also noted possible adverse effects on the competitive position of the Sudbury operation. This is straight environmental blackmail, jobs versus the environment, and it should not be tolerated for one minute.

Inco is an old hand at this game. What is more depressing is that the Minister of the Environment appears to have bought the argument and has used it to defend the current order's failure to impose more rigorous, long-term emission requirements. Let there be no mistake: We in this party are absolutely adamant that the protection of workers' jobs has to be given every bit as high a priority as environmental protection. But the evidence is overwhelming that the conventional job-creation tradeoff is a myth. Pollution abatement in Sudbury could create employment in construction, in the installation of the necessary facilities, in the sulphuric-acid-based fertilizer industry, which a more imaginative provincial government would long ago have insisted on developing. The reduction of SO<sub>2</sub> emissions in acid precipitation may soon become a desperate necessity for the preservation of the jobs of thousands of other Ontarians who depend for their employment and their livelihood on the tourism industry in areas threatened by lake acidification.

During the 1970s, Inco invested vast amounts of capital in the United States, Guatemala and Indonesia when it laid off members of its Canadian work force and pleaded that it could not afford a satisfactory level of environmental control. That set of priorities was the broader political issue behind the current control order proposal. If the proposed order is to have any real environmental value, it will have to include tough, long-term emission deadlines of the type we have recommended. But the order will have to be backed up as well by a firm exercise of political will and resolve that, whatever the priorities of corporate profit, environmental quality is and will continue to be a priority in Ontario.

I hope I have put before the members and the minister what we feel about the proposed control order and the necessity of making sure there are long-term emission control requirements placed on Inco in this particular control order. I hope the minister, once and for all, will reject the idea that

putting on pollution controls costs jobs and is a danger to the economic health of the Sudbury Basin. The opposite is the truth.

To those people who are always saying the image of the Sudbury Basin is no good let me say that the image will improve when the reality improves. What we need to do is to improve the emission controls as they are being applied to Inco and to Falconbridge Nickel Mines Limited, I might add. Then the reality will improve, the image will improve, the economic health of the community and of all northern Ontario will improve. That is what motivates us in this party.

5:40 p.m.

**Mr. Foulds:** On a point of order, Mr. Speaker. Is it your understanding that the minister speaking at this time concludes the debate?

**Mr. Deputy Speaker:** Are there any more speakers?

**Mr. Gaunt:** Yes, Mr. Speaker.

**Mr. Laughren:** But we do not mind if the minister speaks in rotation.

**Hon. Mr. Parrott:** Mr. Speaker, if I have the opportunity to put a few remarks on the record now, it does not preclude some other members of our party also speaking. I am sure we have members who are more than prepared to do so. There is a lot I would like to say in the next 20 minutes because I think there is a great deal that must be said to put on the record what is really and truly a good record in this province by the Ministry of the Environment, not during my term of office, as a good deal was done prior to my term of office.

It is kind of interesting to note that the Leader of the Opposition should choose the environment as his pet issue. I can understand that. He made a couple of comments about me personally, and perhaps I can give him some credits. I think it is an issue that is ideal for his particular style of politics. I may not be too complimentary on what that style is. I think the environment and the issues surrounding the environment just play right into his hands. His strengths, in my opinion, are to distort the issue, to exaggerate a possibility and to use scare-mongering whenever possible. Above all, he uses those issues and demonstrates, sometimes to a degree that worries me a great deal, a lack of political morality.

This is not something we should let go unnoticed. I think in the next few minutes I can give pretty good evidence as to why that is true. I am assuming he will return to the House. Here he comes now. That is good. I thought maybe he would want to

leave because he frequently likes to make his own comments and leave. I am going to try to take up some of the comments and respond and talk about the support of this government on budgetary matters.

There is no question that the Ministry of the Environment has had a very significant portion of the budget. More particularly, our budget is increasing by higher percentages than some of the other ministries. It does not necessarily make them happy, but it does me. There is just no validity in the point that we aren't getting our fair share of the budget. Indeed, I think we have done better than many other ministries in this regard.

When we start to talk about the legacy that this government, this ministry or myself have left to this province, let me say it is a legacy we can be proud of. It is not one, as the leader of that party would suggest, that we should be ashamed of, but the very definite contrary.

Sometimes one has to step back and make a few observations on what is happening in other jurisdictions, in other provinces. Yesterday I was in Ottawa to open a Rideau River study for storm water. What is significant about that? In the last 20 years that city has come on to full sewage treatment and 98 per cent of the urban population of Ontario are on sewage treatment. I stood in that city, that beautiful capital, Ottawa, and looked across the river and knew that there is yet to be one drop of sewage treatment to be processed in the city across the river; yet it is going into the same river.

It is an interesting comparison that 98 per cent of the people of this province in urban municipalities are serviced by sewage treatment plants. That is a record to be proud of. It is not one that gives any credence to what the member opposite has said.

Let me look at a couple of other areas that might not do too bad. The member opposite talks about our deplorable record on waybills. Let us compare that to any jurisdiction in Canada. I have here something that was issued today by the federal minister which I would like to read: It says: "Environment Minister John Roberts wants tightly controlled shipping regulations for hazardous waste inserted into proposed legislation on the transportation of hazardous goods." What this is saying—it is a very long release so I will not read it all—really boils down to this: Ontario has a waybill system and has had a waybill system for some time. No other jurisdiction in Canada has one, and when they talk about us being behind the rest of

Canada, nothing could be further from the truth.

We are the leaders in almost every single environmental issue that I can think of, and here is a case in point where the waybill system was used to somehow or other supposedly illustrate that we were not abreast of the times. We are ahead of every other jurisdiction; there is no question about that. The feds will look to our bylaw and will likely ask to use it as a model. That is how far we are, and that is the kind of legacy we are leaving the people of this province.

I met with the Canadian Council of Resource and Environment Ministers some two or three months ago and found there is not a province which has any policy at all on liquid waste treatment. Alberta may now have developed the plan that it might think will happen in the future. Our plan is not only here, although there is yet much to be done, but it is a plan that will give the people of this province the best treatment of liquid waste in the world. There is no doubt about that and that plan is very definitely in place.

The leader of the Liberal Party would go around this province to any place he can find a bandwagon on which to ride to decry any single possible solution to his political advantage. He says we do not have a plan. That is not so. A year and a half ago we put forward a seven-point program. Part of it is already in place and the balance of it is on schedule. I have given you only three easy illustrations of where Ontario leads the way in environmental control and treatment of our pollutants here in this province.

The thing that perhaps bothers me most—and this was very evident in the discussions we had under estimates—is when the leader of the Liberal Party somehow or other claims that he had a monopoly on the feeling for his children. There are approximately 2,000 people in the Ministry of the Environment who are mothers and fathers and grandfathers and who care every bit as much as the Leader of the Opposition does for his family. We are all in this together and we should not and cannot gain by pretending we have a greater monopoly on the concerns of the people of this province. Nothing could be further from the truth.

As a matter of fact, when you get right down to it, Mr. Speaker, I think by pure action this government has demonstrated consistently for 37 or 38 years that it has a greater concern. That is why we are in power; that is why we will stay in power.

I am pleased that I do not have to go around this province sowing seeds of doom

and gloom and mistrust. If that is the legacy that we are speaking about that can come from the party opposite, I am glad I am on this side of the House.

Let me talk about some of the things that were supposedly policy issues. Over and over again, I hear only those things that were not done; not what has been accomplished. The favourite whipping boy of every person who wants to speak on the environment is Inco. No one seems to recognize the fact of life—it is not a defence of Inco, it is a fact of life—that in a decade emissions from Inco have gone down from 7,000 to 2,500 tons a day. That is an accomplishment. It is a huge reduction. I am not satisfied that is the final reduction, nor will it be, but once in a while I think we do have to give at least acknowledgement, if not credit, to the facts as they are.

5:50 p.m.

It is said, Mr. Speaker, that people within our province, those who would pretend to govern, do not recognize what is so often recognized outside. Let me read a news release from the state of Vermont. It is headed, New Ontario Air Pollution Orders Should Benefit Vermont. I will read only one paragraph. "Environment secretary Brendan Whittaker today described recent province of Ontario efforts on air pollution as a very helpful indication that one of Canada's most serious air quality problems was on its way to solution." He saw we took the first step. We took this first step.

That is the kind of perspective I hope the people of Ontario will see and will know, then I am sure they will judge us as having cared and done something about the problems we face. I have never said, contrary to what is so often put on the record, that somehow environmental controls will cost jobs. I have never said that; never.

That brings me back to the very first point. It is easy for the member opposite to distort those statements. There has never been a time when I have said that jobs and the environment are in conflict. To the contrary, I think they go hand in glove. I have to respond and respond rather forcefully to those kinds of distortions which are so easily put on the record and are sometimes so difficult to erase.

There was another interesting point in the testimony we heard. There was a great cry against doing more studies. "Here we go again; another study." Within two minutes of making the statement that the last thing this province needed was another study, he then said in effect that what we need is a

good study on how to have more fertilizing plants and use the Inco facilities. On one hand he says no, and in the next minute, "Why don't you do another study?" That is the kind of inconsistency I have seen far too often in the policy of the Liberal opposition. We could go on and on. I am going to be pressed to conclude by six o'clock.

Another comment was that Harwich didn't know, there was an element of secrecy there. I say it was the local officer of health who asked for that site to be opened. It was the local people who drove in there day in and day out. They knew what was going on there and they could get that information from us. The certificate is on file with that office. There is nothing to hide in Harwich. To the contrary; we made every effort to go down there with as much information as it was humanly possible to do.

On that issue alone the Liberal Party says it agrees with solidification. They agree with the environmental assessment hearing process and then do everything they can to stop it. What do they think is a solution? What do they think? Could I read one suggestion? I think the member for Nickel Belt (Mr. Laughren) might be interested in this suggestion from the Liberal Party. It was in debates. I said: "You haven't identified one single place. Even though you have said solidification is good, the Environmental Assessment Act is good, you haven't identified one single place." What was the response? I quote directly. "Mr. Haggerty: I suggest perhaps if you can't find it here then let us go up to Algonquin Park or some place like that." Is that a place to put liquid wastes? I don't think the leader of the party wants—

**Mr. Nixon:** A point of order, Mr. Speaker.

**Mr. Speaker:** What is the member's point of order?

**Mr. Nixon:** Mr. Speaker, I draw to your attention standing order 49 which governs the conduct of a debate of this type. As we understand it, the debate is to be completed in one sitting. Since we are approaching the end of the sitting, sir, we would like to know your intention so that the debate can be concluded, as has been expected, with a vote. Surely it would be for you, sir, to interpret the standing order in such a way that we would have an opportunity to express our views in this matter by our vote?

**Mr. Warner:** Mr. Speaker, on the point of order: While you are considering that, I also note that the orders define "sitting" as two and one half hours. My understanding

is we began at roughly 4:30. By six o'clock we will have used an hour and a half. There should then be at least one hour remaining.

In the past, on at least one occasion we have carried over a concurrence from one day to another. I refer specifically to December 17, 1979, when we carried over the concurrence for the Attorney General's estimates.

**Mr. Breithaupt:** Speaking to the point of order, Mr. Speaker, I would recall for your interest the precise wording of Rule 49(a), which says "the debate shall be confined to one sitting." I would suggest, sir, that whether there happened to be two hours or 10 minutes available within a sitting, those are the brackets that are around the time which is otherwise available. As a result, I would say that this debate, being confined to one sitting, must be completed at six o'clock.

**Mr. Speaker:** I think you have to look at standing orders 49(c) and 16 jointly. The debate will be confined to one sitting. If I may refer you to standing order 16: "The term 'sitting' means a period of two and one half hours." So it would be my understanding and my ruling that since the debate started at 4:30 and the clock has been running, and assuming that we adjourn for the day at six, there would still be one hour left.

**Mr. S. Smith:** A day is 24 hours.

**Mr. Speaker:** I am defining what a sitting means, and according to standing order 16 the term "sitting" means a period of two and one half hours.

**Mr. S. Smith:** If I may speak to the point, Mr. Speaker, a day is 24 hours; but to say that something shall be confined to a day does not mean it has to carry on for 24 hours. To say that something is confined to a day obviously, in our interpretation, means that within a period known as a day you have to have the debate come to an end. A sitting is indeed a period of two and one half hours; but to say that something shall be confined to a sitting does not mean it must last the full two and one half hours. It must be confined and dealt with within that period of time known as a sitting. It seems to me very clear that this is a sitting and it ends at six o'clock.

**Hon. Mr. Wells:** Mr. Speaker, I want to say that I looked again very carefully at standing order 49, and I think my friend would realize in the spirit of this House it is accepted that concurrences normally can take up to two and one half hours. The term "sitting" is there to indicate that two and one half hours can be taken on a concurrence for a maximum.

I think a very limited interpretation of that—to suggest that because we got going a little late we could not take the full two and one half hours—is depriving members of this House of their opportunity to take part in this debate. I do not think it is something that the Leader of the Opposition would want to argue. He had a chance to make a very good presentation on it. I think there are other members who wish to reply. I would submit he is going to have to abide by a provision that would allow two and one half hours. When that two and one half hours is completed, he and his party are quite free to vote against the estimates of the ministry.

**Mr. S. Smith:** Tomorrow?

**Hon. Mr. Wells:** It may be tomorrow; it may be at some later time.

Interjections.

**Mr. Speaker:** Order. I have been asked by the member for Brant-Oxford-Norfolk to interpret the provisions for a concurrence debate. It would be my decision that—

Interjections.

**Mr. Speaker:** Order. It would be my decision that a sitting can constitute up to two and one half hours. We will have consumed only one and one half hours; so it would be my ruling that if other members wish to speak on the concurrence motion we will allocate another hour after six o'clock.

6 p.m.

**Mr. Speaker:** I know that all members would want me to draw to their attention the presence in the gallery of the Honourable Nicholas Ridley, who is Minister of State at

the Foreign Office of Great Britain. Would you please welcome him.

**Hon. Mr. Parrott:** Mr. Speaker, I would like to return to two or three of the things that were said. One thing that I do want to get on the record very quickly has to do with the comments made by the leader of the Liberal Party about SCA and what we had not done. I want to put this on the record very clearly. Here is a copy of a telegram from Pierre Elliott Trudeau, sent before the election. It says, "A new Liberal government will strongly urge the government of the United States to cancel the permits which allow SCA Waste Services to dump a million gallons of pollutants into the Niagara River."

That was used to great political advantage; that was before the election. But what occurred after the election was a complete absence of action. I suggest to the members of this House that if the leader of the Liberal Party were elected Premier of this province, heaven forbid, his promises before the election would be as empty as were Pierre Elliott Trudeau's before the election, and he would do nothing he promised—nothing.

**Mr. Speaker:** The motion upon which we are operating today indicated that we would meet from two until six and, until I hear a motion to the contrary and something that will give us the authority to sit, I will have to ask the Minister of the Environment to move the adjournment of the debate.

The House divided on Hon. Mr. Parrott's motion to adjourn the debate which was agreed to on the following vote:

Ayes 63; nays 30.

The House adjourned at 6:13 p.m.

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No. 80

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, June 19, 1980

Morning Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, JUNE 19, 1980

The House met at 10 a.m.

Prayers.

Mr. Speaker: Orders of the day.

Hon. Mr. Wells: Mr. Speaker, I wonder if I could ask the House for consent to revert to the order of business of "presenting reports" for the purpose of receiving reports from the standing committee on general government.

Mr. Speaker: Do we have unanimous consent?

Agreed to.

## REPORT

### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Ashe, on behalf of Mr. Cureatz, from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill 46, An Act to amend the Municipal Act;

Bill 76, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 120, An Act respecting the City of Brantford, the Township of Brantford and the County of Brant.

Your committee begs to report the following bills without amendment:

Bill 75, An Act to amend the Regional Municipality of Ottawa-Carleton Act.

Report adopted.

[Later]

Mr. Speaker: Before we go on to the next order of business, I neglected to ask the House whether it wanted the bills reported from the standing committee on general government to be ordered for third reading. Is that the wish of the House?

Ordered for third reading.

## ORDERS OF THE DAY

### THIRD READINGS

The following bills were given third reading on motion:

Bill 1, An Act to amend the Libel and Slander Act;

Bill 65, An Act to amend the Highway Traffic Act;

Bill 92, An Act to provide for Municipal Hydro-Electric Services in certain area municipalities in the Regional Municipality of Ottawa-Carleton;

Bill 93, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of Hamilton-Wentworth;

Bill 119, An Act to amend the Municipality of Metropolitan Toronto Act.

### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON LAND ACQUISITION ACT

Hon. Mr. Wells moved third reading of Bill 121, An Act to vest Certain Lands in the Regional Municipality of Ottawa-Carleton.

Mr. Roy: I think it is important, Mr. Speaker, that I make a few comments for the record on this bill. As I understand this legislation, and the minister can assist me, its purpose is to resolve the dispute between Algonquin College and the regional municipality of Ottawa-Carleton over a strip of land that the region feels is necessary to complete a bus expressway. Am I correct on that?

Generally speaking, I would have some strong reservations about the nature of this legislation because what it does basically is vest lands that are within the jurisdiction of Algonquin College to the region, and it does so without proceeding through the normal practice of the Expropriations Act. This means, of course, that we are avoiding in these circumstances hearings of necessity and the normal guidelines and hearings that are granted when expropriation proceedings are taking place.

I must say this is a highly unusual situation in the sense that the position taken by Algonquin College is very difficult to understand. They have been at loggerheads, have refused to compromise at all or to make some concession to the region. The elected officials of the region of Ottawa-Carleton

have pretty nearly unanimously agreed, and certainly the citizens of that area have agreed, that the land is the most useful, the most expedient and, as far as the citizens are concerned, the best route possible for the buses. Yet Algonquin has refused to co-operate and, for some reason which I have some difficulty understanding, Algonquin College has consistently refused to agree to the transfer of the land. This legislation, in view of the intransigence of Algonquin College in these circumstances, becomes necessary.

Generally speaking, I think my colleagues and I are in agreement that we have strong reservations about taking away the right of citizens or individuals to have a proper hearing under the Expropriations Act—and it is avoided by this legislation—but the circumstances here involve public lands. These are lands that belong to the public. They are public lands being transferred from Algonquin College or vested from Algonquin College to the regional municipality; so individuals are not involved. That is important to put on the record.

10:10 a.m.

Had individuals been involved in this transfer of land or the vesting, I think my colleagues and I would have had serious reservations about supporting this type of legislation. But the lands are basically public lands, and Algonquin College in these circumstances has taken an approach which we do not understand. Certainly the elected officials of Ottawa-Carleton feel this is necessary. We do not understand why the college is opposing this bus route through the campus.

Just as a matter of interest, one of the objections was to noise and volume of traffic, yet Algonquin College is just a few hundred feet from the Queensway. That argument really does not make much sense; it does not have much validity. In fact, the region has made concessions in lowering the expressway to reduce noise, fumes and so on.

The minister has explained the legislation to me. I understand it involves public lands and individuals are not involved, and we are taking lands belonging to the crown from one entity. We are vesting it from Algonquin College to the region. Under these circumstances, we take no objection to the legislation.

Motion agreed to.

### THIRD READING

The following bill was given third reading on motion:

Bill 122, An Act respecting the Police Village of St. George.

### GOTHIC MINES AND OILS LIMITED ACT

Mr. Rowe, on behalf of Mr. Kennedy, moved second reading of Bill Pr12, An Act to revive Gothic Mines and Oils Limited.

Motion agreed to.

Third reading also agreed to on motion.

### CITY OF WINDSOR ACT

Mr. B. Newman moved second reading of Bill Pr17, An Act respecting the City of Windsor.

Motion agreed to.

Third reading also agreed to on motion.

### HAMILTON FOUNDATION ACT

Mr. Nixon, on behalf of Mr. S. Smith, moved second reading of Bill Pr25, An Act respecting the Hamilton Foundation.

Motion agreed to.

Third reading also agreed to on motion.

### THIRD READINGS

The following bills were given third reading on motion:

Bill 46, An Act to amend that Municipal Act.

Bill 76, An Act to amend the Municipality of Metropolitan Toronto Act.

### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON ACT

Hon. Mr. Wells moved third reading of Bill 75, An Act to amend the Regional Municipality of Ottawa-Carleton Act.

Mr. Roy: Mr. Speaker, I thought I should make a few comments on this legislation. I do not know if the minister was present but certainly the parliamentary assistant was present in committee and saw there was obviously great division in the area of Ottawa-Carleton about approaches to be taken vis-à-vis regional government. The members in committee made a very difficult decision in regard to the split as to regional representation.

I would like to mention to the minister that, if nothing else, he should have observed or certainly heard from the parliamentary assistant that all is not well in the regional municipality of Ottawa-Carleton. We have a situation where the city of Ottawa is at



loggerheads with all the neighbouring municipalities in the region. I point this out to the minister as one sign of some difficulty in the region of Ottawa-Carleton.

Having decided in Bill 75 that the representation will be the same from the other area municipalities as it is for Ottawa, the split now is going to be 16 seats each on regional council. It is going to be very important that the ministry monitor this situation very closely. I hope what we witnessed yesterday in committee is not a sign of what is going to happen in the future, when we are going to get a situation where the city of Ottawa members are pitted continually against the members of the region. I point this out to the minister as some evidence that everything is not right in the region of Ottawa-Carleton and that he should follow that situation fairly closely. If some people assume after 10 years that regional government is working, and working efficiently, they had better look at Ottawa-Carleton again and at other areas of the province.

Bill 75 deals with Ottawa-Carleton, and we clearly had evidence before the committee yesterday of a situation where each area municipality comes to the committee and makes representations. They are all on one side and the city of Ottawa is on the other. That will make for difficult planning, and difficult administration of the regional area if constantly there are 16 for and 16 against and the chairman has to split that vote. I hope the ministry and the government will monitor the situation, and I trust in the long term the interests of both these areas are not constantly at loggerheads.

I see my colleague from Carleton East (Ms. Gigantes) smiling cynically about my comments. I would say to that member that she talks a lot in this House but yesterday she did not have the guts to take a position in committee as her other members did.

**Mr. Speaker:** Order. That is pretty strong.

**Mr. Roy:** Yes, pretty strong.

**Mr. Speaker:** Maybe you should choose your words a little more carefully.

**Mr. Roy:** Mr. Speaker, I do not see where I said anything wrong. I just said to the member she should have the guts to take—

**Mr. Speaker:** That is a particularly indelicate comment, and I ask you to reflect upon it.

**Mr. Sweeney:** Intestinal fortitude.

**Mr. Roy:** Yes, Mr. Speaker. A colleague mentioned she should have the intestinal

fortitude. Those may be better words. All I say to the member is that—

10:20 a.m.

**Mr. Makarchuk:** You should have had the intestinal fortitude to be in committee when we were discussing the Brantford bill.

**Mr. Roy:** When all members from Ottawa-Carleton are trying to make decisions in the best interests of Ottawa-Carleton, some members should not sit by idly on the sidelines and wait to pick up the pieces; they should and up and be counted.

**Mr. Makarchuk:** If you had been in committee on the Brantford bill—

**Mr. Roy:** Mr. Speaker, I stood up in the House and I was counted here.

**Mr. Makarchuk:** Were you there, Albert?

**Mr. Roy:** I hope the minister will monitor that situation closely. What we witnessed yesterday, I trust, will not be evidence of how the council in the regional municipality of Ottawa-Carleton will function in the future.

**Ms. Gigantes:** Mr. Speaker, I'd like to add a few words, if I might. I very much appreciate your concern that I be protected from indelicacies, but one is used to indelicacies from that member.

I am surprised he does not know my position on this bill, because I spoke on it during second reading. I know he was in the House when I spoke. He may not have been listening, which would not be unusual. But if he wishes, I will give him a copy of my statement in the House, which he could look up for himself if I thought he were capable and if he were really interested in my position.

I will restate my position. It was my position and the position of my colleagues in the NDP that the best proposal for changes in representation on the Ottawa-Carleton regional council was that proposal which came from the council itself and which this government turned down.

The member for Ottawa East (Mr. Roy) did not support that proposal, nor did his colleagues, claiming that people in Ottawa-Carleton were somehow incapable of making half-votes work. I have full confidence that members of the regional council in Ottawa-Carleton would know how to deal with half-votes were they given the opportunity.

I think it unfortunate that the bill has gone forward in its present state. The member, if he is interested in my comments, can find them on second reading.

Motion agreed to.

## FISH LADDER

Hon. Mr. Auld moved resolution 16:

That the crown, as represented by the Minister of Natural Resources, be empowered to enter into an agreement with Mr. Julian Reed, member for the electoral district of Halton-Burlington, with respect to the installation of a fish ladder to be located on his land, being lot 11, concession 11, Esquesing, town of Halton Hills, regional municipality of Halton, under which, in the interests of conservation, Mr. Reed will assume certain responsibilities for the safekeeping and management, but for which, and for the use of his land, Mr. Reed will receive no compensation.

Hon. Mr. Auld: I would just add, Mr. Speaker, that the honourable member has agreed to a ceremony; so we will have an official commissioning of the Julian Reed Fishway some time later in the year.

Mr. Speaker: Does the member for Port Arthur want to talk about weirs?

Mr. Foulds: Mr. Speaker, anything that does something to memorialize the member for Halton-Burlington by means of a fish ladder, we in this party are undoubtedly in favour of.

Resolution concurred in.

## PUBLIC VEHICLES ACT

Hon. Mr. Snow moved second reading of Bill 129, An Act to amend the Public Vehicles Act.

Hon. Mr. Snow: Very briefly, Mr. Speaker, I would like to explain that about a year ago I appointed a committee, known within the ministry as the Public Vehicles Act review committee, to review the Public Vehicles Act. This committee was chaired by Mr. Robert Humphries, the former assistant deputy minister of the drivers and vehicles branch. On the committee were a number of representatives from the motor coach industry, including representatives of the larger bus companies, representatives of some of the smaller bus companies and representatives of the Ontario School Bus Association.

That committee has been reviewing the Public Vehicles Act for the past year or better and has made a number of recommendations to me. Some of those recommendations were able to be implemented by changes to regulations; other required changes to the Public Vehicles Act.

Also, in Bill 129 there are a number of housekeeping amendments and a number of amendments to bring the provisions of the Public Vehicles Act into line with new pro-

visions we put in the Public Commercial Vehicles Act last year.

I will be pleased to answer any questions that any members may have on this bill.

Mr. Cunningham: We will support the legislation, Mr. Speaker. As I see it, it is primarily designed to tighten and to reinforce our regulated system of transportation within the province. Some of the earlier sections of the bill will specifically tighten loopholes that have existed or are in existence with regard to the abuse of our regulatory system by buses.

Specifically, it has come to our attention that there is an operation in London that is circumventing at least the theory of a regulated transportation system within the province and, unfortunately, creating a number of problems for the regulated carriers. That is not to say that the individual involved could not make an application and have a hearing before the Ontario Highway Transport Board and possibly receive favourable consideration for a licence so that the individual might operate in a regulated fashion.

The problem right now as we have seen it in the trucking industry is that the non-regulated carrier operating under the guise of a buy-sell arrangement or under the guise of a leasing operation is involved in a creaming type of situation. Such carriers take the more lucrative runs; they take full loads in the case of the trucking industry, and leave the less desirable loads. In the case of bus operations, they leave the regulated carrier with the more-costly runs and the less lucrative business propositions.

This provides a problem for the regulated carriers in that they are required by our Ontario statutes to serve the communities, many of which, as outlined and described within the confines of their licence, are by no means lucrative. It has been possibly an unwritten rule in the province, but there has been a process of cross-subsidization, that the more lucrative runs would look after the less lucrative runs.

When we have individuals who are circumventing the law either in the regulated trucking industry by way of a buy-sell arrangement or by way of a leasing arrangement, or in the bus industry by way of a lease arrangement, it undermines the ability of the regulated carriers to make a profit and to serve those areas they are required to serve.

In the case of the bus operators, the act is circumvented by the vehicles being owned by one company and the operators of the

buses being provided by another company. While they are separate companies, the argument has been made in the courts, sometimes successfully and sometimes unsuccessfully, that a relationship exists between the two companies.

10:30 a.m.

That specifically is the situation that exists with regard to a particular operator in London who unfortunately has taken it upon himself to attempt to circumvent the act. After the passage of this legislation he may find himself in some difficulty. That is not to say the individual could not make an application before the Ontario Highway Transport Board. If it meets the criteria set out in the act he may, in fact, be able to obtain a licence and compete and participate in the province.

The balance of the provisions in the amendment to this act are complementary to previous sections in the act and of a house-keeping nature. We are in total support. I should say that the matter originally was brought to the minister's attention by my colleague the member for Huron-Bruce (Mr. Gaunt), who drew to the attention of the minister—and very correctly so—the existing abuse as it relates to carriers in his area.

The problem for the smaller carriers is a severe one, in so far as many of them are operating on a year to year basis with marginal profits. It becomes a problem when the more lucrative tours and charter business is taken away from them. It's quite unfair for carriers who have operated in accordance with Ontario law for a number of years and who live up to the laws, pay their taxes, live within a regulated system, to find out that their business opportunities are being undermined by an individual or individuals who do not have benefit of a licence.

The problem remains in the trucking industry with the operation of Quinn Truck Lines, which has flouted the Ontario law for years and to this point, to the best of my knowledge, has been successful in getting away with it. That is a particularly unfortunate thing. I know my colleague may have some further comments on this during the course of this debate.

**Mr. Philip:** Mr. Speaker, it will come as no surprise to the minister to know that we are in complete agreement with this legislation. We are pleased he has moved expeditiously and that the House leaders were able to get this particular bill before us today.

We believe in the balances and counter-balances that come with a regulated industry. We fought for that in the trucking industry, and we're glad to see this brought in to give in the Public Vehicles Act some of the safeguards that are found in the Public Commercial Vehicles Act.

Our party has certainly been most vocal in our encouragement of any steps the government can take to assist the regulated law-abiding industry from unfair competition, from those who would cream off the profits, running gipsy operations, some of them worth not just a few thousand dollars, not small operators, but rather some multi-million dollar operations that would rather flout our law than obey it and follow the rules and regulations set down by this government.

We recognize that the system of regulated industry we have here in Ontario has done nothing to increase the cost to the consumer but, rather, that it has protected his service, while giving him that service at costs comparable to or better than unregulated areas. Therefore, we welcome this bill. I'm sure it will be welcomed not only by the larger carriers but more particularly by the smaller carriers who are seriously jeopardized by certain gipsy operations. We will support the bill.

**Mr. Gaunt:** Mr. Speaker, I want to make a few comments with respect to this bill. I welcome it, I support it and I congratulate the minister for acting in a very expeditious way in bringing this legislation forward.

We talked about a problem related to certain bus operators circumventing the Public Vehicles Act. We talked about that matter in committee at some length and we had some discussion on it during committee consideration of the estimates. The minister understood the problem and the ministry people had been studying the matter long before that.

I and many carriers in my area appreciate the fact that the minister has acted with such dispatch in coping with a problem that was going to seriously jeopardize quite a number of smaller carriers in my part of the country.

The member for Etobicoke mentioned not only the smaller carriers but also some of the larger carriers. I know that is true. But the people who came to me and expressed serious concern were, by and large, smaller carriers who were suffering considerable competition, to use the phrase referred to before, from gipsy operators who were com-

ing in and who were not licensed to do so but were circumventing the act. They were taking charter trips all over the place, without having the proper insurance to do so or having too much regard for the quality of care in terms of the actual vehicle itself. The drivers were supplied by the company and one was never sure whether they were properly licensed drivers or not. I presume they were, but I do not think anyone really pursued that point with any vigour.

The long and short of it was that it was creating havoc to the licensed bus carriers who wanted to engage in some charter business as a supplement to their other runs. A lot of them were school bus operators; some of them were other operators, but all of them were licensed under the Public Vehicles Act. They had come to the board, made application, been granted that licence and were faced with a situation where an unlicensed operator was coming in and cutting their grass so to speak. I know it was of great concern and this bill does tighten up the whole matter. It is an endeavour to tighten up and to regulate to a greater extent.

I am confident that the operations to which I make reference here and to which I made reference in committee will be brought under the act. That is not to say they will not be able to make application like everybody else. That is what they should do. If they are really interested in this type of business they should make application and come before the board. If a need is shown, fine. They are granted the licence. If the need is not shown then the licence is turned down. In that way they are dealt with in exactly the same way as everyone else.

In short I welcome the legislation and I congratulate the minister for bringing it in at this time.

**Mr. McGuigan:** Mr. Speaker I also wish to support this bill and congratulate the minister. I might just put on the record that I had a call from Chatham Coach Lines in Chatham which is very much in support of this bill. They do point out that in south-western Ontario during the corn detasselling season the bus companies lease their buses for a period of time to the corn companies to transport students out to the fields.

Perhaps under some circumstances in some years, 22 days might pose a bit of a problem, but I do not raise this as a serious matter. I wish only to mention it to the minister. It might at some time require some revision or a somewhat slightly shorter period of time in that particular instance. Otherwise, we

have nothing but compliments for the bill and we support it.

**Hon. Mr. Snow:** Really, Mr. Speaker, I do not have too much response to all that support that I have been receiving. I am overwhelmed. I guess it must be the spirit of the day or something to have all that support to a piece of legislation I have brought forward. I do thank the honourable members for their support. This is the particular matter of the end running, I guess one would call it.

10:40 a.m.

The Public Vehicles Act, through the leasing procedure, has been a problem for the ministry for a considerable period, but it is becoming more serious. That was one of the reasons I appointed the Public Vehicles Act review committee and have awaited its recommendations. Those recommendations are included in the legislation.

I thank the honourable members for their co-operation in getting this bill through the House during this session. I know there are a great many operators throughout the province who will appreciate that support.

The member for Kent-Elgin mentioned the 22-day period. This is a period of time that was arrived at after a great deal of consideration with the industry. There is also a provision in the bill—I am not just sure what section it is—which exempts buses which carry fewer than 35 passengers from this 22-day period. In many cases it is those smaller buses that are used for transporting employees to tobacco farms and the corn detasselling people and things of that type.

There is very little more than I can add. If there is a problem with the 22-day period, of course, as with all other legislation, we are prepared to work with the industry to review it. The Public Vehicles Act review committee is still meeting. I have asked Mr. Humphries, who has chaired that committee for the last couple of years, to continue on as chairman even though he has retired. He has agreed to do that to complete the review of the act and give me final recommendations as time goes on.

**Mr. Gaunt:** Run that one through again.

**Mr. Cunningham:** Just keep talking.

**Hon. Mr. Snow:** I was just trying to figure out if I had another couple of bills I could slip in here at the moment. Do we have any more bills in our back pocket? Mr. Speaker, I guess it is somewhat of a surprise to people that things have gone so smoothly this morning.

**Hon. Mr. Maeck:** Explain that bill again.

**Hon. Mr. Snow:** I don't really know what else I can say about this very important piece of legislation. If the member for Ottawa East (Mr. Roy) were here we could get into a lengthy debate on the definition of a bicycle, as I believe we did one night during the debate of the Highway Traffic Act. We used up a couple of hours deciding on the definition of a bicycle, but there is nothing in Bill 129 that relates to bicycles so I can't really get into that. There is nothing about tricycles or mopeds or anything, so I thank the honourable members for their support.

Motion agreed to.

Third reading also agreed to on motion.

## MOTION

### EXTENSION OF INTERIM SUPPLY

**Hon. Mr. Snow,** on behalf of **Hon. F. S. Miller,** moved resolution 14:

That the authority of the Treasurer of Ontario granted on March 27, 1980, to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing April 1, 1980, be extended to October 31, 1980, such payments to be charged to the proper appropriation following the voting of supply.

Resolution concurred in.

### REGISTERED INSURANCE BROKERS ACT

**Hon. Mr. Drea** moved second reading of Bill 118, An Act respecting the Registered Insurance Brokers of Ontario.

**Hon. Mr. Drea:** Mr. Speaker, I would hope that the critic of the Liberal Party, who is very much in support of this bill, will shortly be joining us. I understand he is en route.

**Mr. Nixon:** On a point of order Mr. Speaker: The bill is not listed for consideration this morning and it is very difficult to have 124 members sitting here with bated breath waiting to see what the government is going to do. I am sure the member for Kit-chener (Mr. Breithaupt) will be here as soon as it is possible.

**Hon. Mr. Drea:** I know that.

**Mr. Nixon:** I just wanted to be sure the minister did not get carried away with his own verbosity.

**Hon. Mr. Drea:** All I am going to do is talk until my colleague arrives.

**Mr. Nixon:** Want to step outside?

**Hon. Mr. Drea:** Are you threatening me?

**Mr. Deputy Speaker:** Order.

**Hon. Mr. Drea:** Mr. Speaker, the House will recall that this bill was introduced on June 6. I would like to draw to the attention of the House that one of the most important aspects of this bill is that it is really the model for deregulation in the 1980s.

I said at that time that the Registered Insurance Brokers Act is a model for self-regulating legislation in that it represents a direct response to the desire for fulfilment by a group of energetic and enterprising Ontario businessmen and women.

Obviously, there may be some questions that I would like to reply to at the conclusion of second reading, but for a moment I would like to trace the background of this particular legislation, because it involves, quite frankly, a tremendous effort in terms of time and talent and, indeed, of communication by two organizations. The first is the insurance agents association and the second is the insurance brokers group.

10:50 a.m.

As members will recall, in the speech from the throne in 1979, there was a statement of intent by the government that agreement in principle had been reached with both of those groups, and that they felt the consumer, the marketplace, the public, and their professional standards and professional careers could be best served by a formal move into self-regulation with, of course, the umbrella of protection that is available through the use of the impartial appeal procedure to both the aggrieved insurance vendor and the aggrieved consumer.

Shortly thereafter those two organizations came together to form the Registered Insurance Brokers of Ontario, which now embraces both the broker and the agent. As a matter of fact, with this legislation the old concept of the sponsored agent will disappear. I think that is very important, because now the independent agent will in reality be an independent agent not attached by a very vital umbilical cord to one or more sponsoring insurance companies.

Since that time, throughout the length and breadth of the province, the new organization has worked to draft a great deal of this statute, particularly the parts that will deal with the day-to-day operations and standards of the professional men and women in this industry. I will say that unravelling government regulation is not quite as easy as it looks. In fact, it was even more difficult than I had anticipated. On the basis of their work this spring, the RIBO organization, as well as representatives of the still existing insurance agents association and the

brokers association travelled the length and breadth of this province. They held seminars and discussion meetings which were widely advertised and extremely well attended, where there was not just a reading of a proposed draft bill but a very significant degree of dialogue and discussion and certain amounts of controversy which were settled by compromise.

Bill 118, which is the result of that province-wide input by the people who were going to be affected, has been changed substantially, and I think for the better, from the original draft proposal that was the focus of the discussion. What I want to impress upon the House is that the people who are in the day-to-day activities of that business, service industry or profession, whichever one wants to call it, have worked very hard in preparation, not just for this legislation but indeed for the most meaningful part of it, which is the implementation following passage.

They have been gradually assuming under fee for service agreements monitored by the provincial auditor many of the more routine functions that previously were handled by the superintendent of insurance or by the financial institutions division. They have been doing their work well. They have demonstrated in the initial stages that the confidence I am sure the members of this assembly have in their ability to move into this mature and responsible stage is well placed.

I would also like to comment that this bill is unique in North America. It is the first time there has been a totally regulated profession. Bear in mind that we even designed the examination paper, as well as marked the examination paper and set up the rules by which they went into the business. Indeed we had a number of disciplinary measures whereby if they could not function properly for any reason within the profession they had to leave it. We did the audits. We did virtually everything in that particular profession. It was totally regulated.

Now coming down from that, the people who are in it want to upgrade it. They want higher standards. One of the difficulties with total regulation is that when government regulates it very seldom attempts to raise the standard, because government is big and the person we are raising the standard on is small. Invariably every piece of legislation, be it statute or be it regulation, when it comes to raising standards or trying to improve the quality, has a grandfather clause.

In this case, the people who are out in the marketplace—who know the complexities of the product they are selling, who are interested in the consumer getting the best possible insurance coverage at the best possible price, who are profoundly concerned that when there is a need to call upon insurance by virtue of a claim that it be settled efficiently and promptly—are the people who want to assume this function and are willing to put up their professional standards and, indeed, their money.

It is a small point, but it is going to cost them far more to assume this function in terms of their contributions into the Registered Insurance Brokers of Ontario organization than the licensing fee of the province. They are even willing to put their annual licence fee up as a demonstration that they intend, as the first in North America in this particular field, to set standards that will continue to be the envy of this continent.

Mr. Breithaupt: Mr. Speaker, I am quite pleased to rise in support of the second reading of this bill. The persons who have been involved over the years in reaching this stage of legislation are to be commended. They have considered thoroughly the aspects of self-regulation as it will now be available for the first of a series of groups which have been otherwise reporting to and responsible to the Ministry of Consumer and Commercial Relations.

11 a.m.

In 1979, the commitment had been made initially to follow through with self-governing statutes for the independent general insurance agents and for those persons who were involved as insurance brokers. Looking back to the first report of the select committee on company law that dealt with insurance matters, there were a variety of comments made in chapter 28 of that report with respect to the distribution system of agents, brokers and sales personnel, particularly as it affected the automobile insurance theme being discussed in that chapter. The committee was quite clear in its review of the differences among the four types of persons dealing with automobile insurance and the other general insurance lines in Ontario.

There were independent agents, so-called, independent not of the company to which they had a relationship but independent as operating business persons. There were, second, exclusive agents; third, salaried sales personnel; and finally, the group of brokers. At that point it was apparent that the Independent Insurance Agents and Brokers of Ontario organization had about 30 per cent



of the licensed agents in the province on their organizational rolls. It was clear, therefore, that the organization alone could not be the responsible group that would set all the terms and conditions for self-regulation, should that develop.

On page 213, the select committee said: "The trend in Ontario tends to be gradually in the direction of an increased use of exclusive agents and salaried, full-time sales personnel as methods of selling automobile insurance and other forms of general insurance. In the first place, it appears that the larger insurers, the companies that are currently expanding most rapidly, consider that they can operate more efficiently through more fully trained and better supervised personnel. Secondly, they consider that their sales costs are minimized in this way. In the third place, the economies of scale that are available to larger business units—computerization, record-keeping systems, specialization and the like—are simply beyond the capacity of smaller business units such as the 'independent' agent. And yet it seems clear that there will always be a need for smaller business units such as the traditional small insurance agency to serve the public, particularly in smaller communities."

That was the basis in 1977 on which our first report was written at a time when the former member for Wilson Heights, Mr. Vernon Singer, was the chairman of the committee.

The committee made a number of recommendations and it may be interesting to the members of the House to review just what those recommendations were in some instances. I refer particularly to recommendation four: "The committee has considered representations as to the establishment of a self-regulating council made up of licensed agents, brokers and their licensed sales people for the purpose of regulating their affairs and exercising disciplinary powers. The committee has considered this proposal and does not agree with it." That was in 1977. When that report was tabled on March 28, 1977, it did not appear that the organizations were working together and being prepared to organize themselves so they would be placed in a position to take on the co-ordination of the operations of insurance agents and brokers within Ontario.

I am pleased to say that during the past three years that system has changed substantially. The circumstances have certainly changed as a result of the commitment and action, not only by the Independent Insurance Agents and Brokers of Ontario, but also by the Toronto Insurance Conference and other

individuals representing the selling side of insurance in the general lines within Ontario.

Last August we saw the formation of the Registered Insurance Brokers of Ontario with the prospect that self-regulation would occur for this group. We awaited with some interest the legislation that had been promised and it was unfortunately not until June 6 that Bill 118, which we have before us today, was introduced. There was a great desire, not only on the part of the superintendent of insurance and his staff, but also on the part of the other members involved in the preparation of that draft bill to make sure it was as complete as possible.

There were two reasons for this. First of all, this bill was going to form the basic framework within which the other groups, such as real estate agents and probably the travel industry eventually, might well be involved in their own terms of self-regulation. The bill had to be carefully prepared. It had to be thoroughly considered and the regulations as well had to be developed to an almost complete stage so that on passage of the bill it could be implemented as thoroughly and as promptly as possible.

A second reason was that the licensing year for insurance agents within Ontario is as of October 1. It is, therefore, most important to have the legislation fully in place before that time so that the Registered Insurance Brokers of Ontario can be in a position to collect the licence fees, to organize the roles of those who should be members and to take over the supervision and responsibility for its own organization.

At first glance, it is difficult to bring a bill of this complexity into the House on the last day of the session. But I would remind members that it has been carefully reviewed, that a number of groups have been involved for up to two years and that we have before us legislation which is going to be a framework upon which further deregulation occurs, under responsibility.

The licensing year, as I said, begins on October 1. Accordingly, if the bill is not accepted by the House, there will obviously be a further and substantial financial commitment for the Ministry of Consumer and Commercial Relations for this next year that could otherwise be avoided by the raising of fees and self-regulation costs that will occur if the bill is in place.

There have been some concerns, and I will mention those in a moment, from three specific groups and individuals. They are the only ones of which I have heard. With the involvement that some of us had in the in-



insurance business for the last four years with the ongoing work of the select committee on company law, it would likely be that persons with particular concerns would bring them to our attention if those concerns went to the principle of the legislation with which we are dealing this morning.

The bill, as such, sets out a framework by which the insurance operations within this province are going to be regulated from the new brokers' view. The term "independent," which we had referred to in our select committee report, will no longer be available. The individuals will be known as registered insurance brokers or RIB for short. As a result, they will set out particularly their relationship, not only being responsible to the client they are serving, but also clearly showing that they have a peer group which is controlling their operations and that they have a clear relationship as well with one or more sponsoring companies.

The difficulty with the word "independent" is that the idea of an independent agent is a contradiction in terms. An agent must have a relationship with a principal and in this case it has been the insurance company. However, the word "independent" showed that there was a separate business operation of a person's own office. I suppose some might say it is no more contradictory than the phrase "Progressive Conservative" at times. We have before us a new opportunity to clear the air and to have under the term of "registered insurance broker" a separate organization, a separate responsibility and a much more clearly defined relationship between the insurance broker, one or more insurance companies and the third and most important group, the client-consumer group that agent is serving.

11:10 a.m.

It was interesting in looking at the bill in its draft form that at the same time there appeared before us the annual report of the superintendent of insurance. The interesting thing is that this is the 100th annual report of that office.

We often talk about government involvement, government regulation and government supervision, but it will be interesting to the members of the House to remind themselves that since 1877 we have had a superintendent of insurance in Ontario. The importance of that post has been based particularly upon the desire of the Legislature to ensure that there were always resources available to meet the unexpected claims of contracts that would mature some years in the future.

The end result has been, through the operations of the superintendent of insurance—the present occupant of that post, Mr. Murray Thompson, QC, is with us—and it is important to us to remind ourselves of this, that the ongoing obligations that are entered into between a company through an agent with a client are things that have a place for the government of Ontario to oversee.

We are dealing with a variety of unknowns when we talk about insurance. We are dealing with assets that may be called upon at any time to take care of an accident or some sort of a disaster. We are talking about the life insurance circumstances where premiums are paid, investments occur and payments are expected upon death or disability or, indeed, through some other provision of a life insurance contract, perhaps 20, 30 or 40 years down the road.

There have been a number of particular themes which this bill has undertaken, and I would refer particularly to two of them. The first is the exceptions which are under the act and they appear in section 2. Those exceptions have incurred the interest of a number of parties who have contacted me during this last week. There are three of them particularly.

One deals with the Ontario Risk and Insurance Management Society, which had concerns with respect to its inclusion or its exemption under the act. I understand from discussions I have had that the concerns which they had, dealing with some items of definition and some concerns on the representation of the public on the council, have been addressed and I believe they will be attended to as the act progresses through the organizational stage once it is in place.

The second concern that I had received was with respect to Park Lane Insurance Agencies, a company operating out of Manitoba, I believe. They were concerned with respect to certain reporting and auditing of trust accounts and there were other details that I believe have also been communicated to the superintendent of insurance.

It is my understanding that there will be a variety of perhaps unforeseen problems that may require further detailing in regulation or possibly even an amendment or two to this act as it progresses a few months down the line, but neither of those concerns in any way goes to the principle of self-regulation and that is the debate in which we are engaged at the present time.

The third concern that was brought to me was done so by Mr. John Hackett of the Hackett Insurance Agency of Etobicoke. Mr.

Hackett has been involved in insurance organizations over some years and he was concerned, in a variety of detailed questions that he has prepared, with respect to the operations and the future organization and commitments of the Registered Insurance Brokers of Ontario organization.

I have asked Mr. Hackett to provide me with further detailed information, some of which has been forthcoming. He is concerned, as are we all, with detailed questions on the public interest and on the brokers' interest. However, I think that with the points he has raised and with the understanding I have concerning the conversations that have been held with him, not only by the superintendent of insurance but also by other members of the organizational board of RIBO, many of his detailed concerns have been answered. Of course, there are others with respect to the cost of licensing or the requirement of bonding and certain of those details.

The three groups—the one group, the one company and the one individual—I have heard from have raised a variety of concerns that I think will be paramount in the mind of the superintendent of insurance as this legislation is put into place. As I have said, though, I have seen no complaint with respect to the principle of this legislation and, as a result, I believe the legislation should be approved and put into place before the House rises later today.

The difficulty has been particularly the date of October 1 with respect to licensing. If the Legislature is not to return until October 6 or, as some of our colleagues think, if at all, then it is important for us to have this legislation in place in order that this organization can be under way.

I would close my remarks with a brief comment with respect to an individual whom I have known quite well and who has been appointed as the manager of this new organization. This is Mr. J. R. Coghill of Kitchener, who for some years operated an insurance agency in the Kitchener-Waterloo area and has been an important and active participant in the variety of organizations of insurance across Ontario and Canada.

The operations of Mr. Coghill in the insurance business go back to the mid-1940s when he started selling life insurance for an agency of Dominion Life at the home office where my grandfather happened to be involved, also an insurance agent. I have known him for many long years and I have found his activities and the principles under which he operates to be of the highest quality. He has

had many industry association posts, including the presidency of the Independent Insurance Agents and Brokers of Ontario, and I believe the commitment which he now makes, having retired from his other business relationships, is one that is going to give mature and balanced guidance to the development of this organization for the next several years.

It is much more than just tracking down where the insurance agents are and sending out a bill to get in their licence fee. Indeed, the computerization of lists and the involvement of a variety of individuals in the on-going functions of this organization are going to be rather heavy. If we look at section 12 of the bill, we find there are at least three committees to be set up—first, a qualification and registration committee; second, one or more complaints committees; third, a discipline committee.

This is the framework by which deregulation is going to come to a variety of other areas reporting at present to the Ministry of Consumer and Commercial Relations. Under a council, an organizational structure of this type is going to take care of the detailed operations of these groups and I think that is going to be done on a serious and mature basis.

11:20 a.m.

We are most involved with and dependent upon how this council will relate to the public. When one talks about deregulation and the whole idea of less government within the province, whatever area it may be, there always seems to be a good reason or another as to why one shouldn't change. I think one has to take a more separate and independent view and to say to groups who are involved that now is the time when we expect that their own judgement and maturity can best serve the public interest, if they are sitting in judgement on their peer group and are responsible for handling the complaints and discipline matters that may result from individuals who have not been satisfactorily dealt with by their peer group.

It is, I suppose, a step towards the development of a type of professional approach. Historically, law and medicine were the two basic self-governing professions. We have seen accounting and a variety of other groups, such as engineering, achieve this position. We are also getting to the stage where we are going to see many more of what used to be the presumed trade kind of groups attempting to increase their own responsibility and to approach their relationship with the public on a serious and mature basis.

I have spent some time over these past years involved in insurance matters as the chairman of the select committee on company law. I hope later today during routine proceedings, to table the fourth report of the committee dealing with life insurance matters. I think the bill that is before us sets out in detail the prospects of self-regulation. It is a task which the responsible leaders of the insurance sales organization in Ontario are prepared to take upon themselves. I believe the interest of the people of Ontario, of all of us as consumers, will be well served if this organization is allowed to develop, proceed and deal with its own responsibilities.

I hope that when members of the House have had the opportunity to review the bill they will accept the approach that has been taken as a good start for this organization. There may be questions that will come up as the organization gets under way. It could be that one of the themes will be the membership of council. As this organization matures, it may well be necessary to consider an expanded council, a variety of other individuals who might be appointed to it and what public interest individuals might be there.

In looking at the organization of the council, we may find it likely that of those three persons who are not members of the corporation, possibly an accountant or a lawyer or another individual may be the kinds of persons who are going to be appointed. It may be that that number should be somewhat larger. Only time will tell, as we look at the number of people who are involved.

The council could well be expanded to 10 and four, as one looks at the relationship between individuals who are members of RIBO and certain persons who are appointed. But that can be attended to if one simply looks at the next subsection of section 6. There is the opportunity to vary the size of the council, which I would presume would only be to increase it. The proportion of non-member individuals who are on the council, compared with public individuals, is maintained at at least one-quarter of those members for the public interest individuals.

I am pleased that this bill has come before us. It did come to us somewhat late in the session, I think for good reason. It has been difficult to put together this form of legislation. We have seen many changes in the insurance operations in Ontario over these past three years, not only in the matter of compulsory automobile insurance but also in a variety of details, at least some of which

were suggested by the select committee on company law.

Most of the recommendations of that committee, as they have dealt with the first two volumes of our reports on automobile insurance particularly, have been accepted by the government. It has moved quite promptly to deal with a variety of the concerns that the public had expressed at that time. There are some other general concerns that were occasioned in our third report dealing with other operations of the general insurance industry and, no doubt, there may be some concerns that come from today's report on life insurance.

I have the hope, indeed I have the expectation, that those recommendations as they are presented by the committee to the House, will also be well received by the government. I hope they will be implemented, not only where amendments to the law are concerned but also where suggestions are made to the insurance industry as to improvements that we have been able to see, from our point of vantage, as the operations have been looked at.

I am therefore quite pleased to support this bill on second reading. I hope it can be dealt with completely today and that we will have the opportunity to have this organization in place and operating before the licence year begins on October 1. We will also then have the opportunity to see whether further amendments are needed to this bill, which another session might occasion, as some of the details have to be worked out only through the experience which active operation can bring.

I commend the bill to the members of the House and I hope for its speedy passage.

**Mr. M. N. Davison:** Mr. Speaker, the New Democratic Party will also be supporting the bill on second reading although we will not be cheering and demanding a speedy passage of this bill through the legislative process. Neither I nor my party in this field of legislation has the love affair the Liberals and the Conservatives have for deregulation in these industries.

**Mr. Kerrio:** What do you call yours?

**Mr. M. N. Davison:** I do not think deregulation necessarily leads to less government. Rather it leads to less effective government.

**Mr. T. P. Reid:** That certainly sums up the philosophy over there.

**Mr. M. N. Davison:** The Liberal Party is championing the cause of less effective gov-

ernment once again, is it? There is nothing unusual in that.

The Order Paper for today is rather interesting in that while many items appear on it—seven to be precise for this morning's business—this bill is not one of them. The first I heard that this bill would come up this morning was about 30 minutes ago. This leads me to wonder about the government's ability to order the business of the House. It is simply one more case of the government showing that it just cannot run the store. Yet, with deregulation we move to even less effective government.

**Mr. T. P. Reid:** Are you going to support the bill?

**Mr. M. N. Davison:** If the member listens he will find out why we are supporting the bill.

**Mr. T. P. Reid:** With the flip-flops you guys have done lately—

**Mr. M. N. Davison:** The reason we are supporting the bill has to do with the fact that it should go to committee outside the House so people can come and tell members of the assembly what they think of it and what kind of changes they think should be made in it. I think that is a fairly good reason for supporting it on second reading so we can move to that kind of committee.

The minister feels some incredible need to rush this matter through the House in the dying hours of the sitting.

**Hon. Mr. Drea:** Oh, nonsense.

11:30 a.m.

**Mr. M. N. Davison:** It is not nonsense. The government has had almost a year to move ahead with this kind of legislation and it has sat on its hands. Then it brings it in at the end of the session, on the last day.

**Hon. Mr. Drea:** Why don't you have the integrity to say you want to block the bill, and get it done with?

**Mr. M. N. Davison:** We don't want to block the bill. We want some kind of reasonable discussion. But if you are asking this party to accept your interpretation of what people out there think about this bill or any other bill, then you have another think coming. Every time we listen to your interpretation of what people think of what the facts are, we find out later on that the facts are different. We find out that people don't agree with what you tell them.

**Hon. Mr. Drea:** You are blocking the bill and you know it. You will rue the day that you did.

**Mr. Speaker:** Order. Order. The minister will have an opportunity to reply and to conclude the debate on second reading. If the honourable member would address his remarks to the chair, I think we would have a more orderly House.

**Mr. M. N. Davison:** I was trying to explain that one of the reasons we wanted this bill to go to committee, Mr. Speaker, is because we are not satisfied with the minister's interpretation of how people feel about the bill. I believe there are a number of people who are not feeling the same as the minister about there being some great need to rush it through. Some feel there should be some considered and thoughtful discussion of it beforehand.

**Hon. Mr. Drea:** Name one.

**Mr. M. N. Davison:** I will name one for the minister a bit later in my comments. If that incited the minister, I apologize. I did not realize he was such a sensitive fellow. It is a quality he has never displayed before.

The industry concerned is not in full support of the bill, as the minister has tried to imply. He challenged me a moment ago to name somebody in the industry. If the minister would like the name of somebody, I could read to him a letter dated June 12, 1980, on the stationery of William A. Bennett Insurance Agency:

"Before the Ontario Legislature, there is the Registered Insurance Brokers of Ontario Act proposed legislation. There are many sections in the legislation which require revision and improvement. It appears that passage of this legislation is being rushed without thorough study and input.

"I am a one-man agency who is very worried about this legislation and its implications. Without changes, I shall surely lose business by having to tell customers of long standing that they will have to take their business elsewhere.

"I request that you voice your objection to the legislation in its present form and vote that it be deferred for further study. Thank you. Yours sincerely, Joseph D. Bennett."

The minister brought this bill into the House only recently, and he is trying to put it through on the very last sitting day of the House without any proper time set aside for committee study. Perhaps the minister thinks the Legislature should put its faith in the member for Cochrane South (Mr. Pope)—I am not sure if he still is or if he ever was the parliamentary assistant

to the Minister of Consumer and Commercial Relations; he was and is, I suspect, the PA to somebody. If he is suggesting we should take his word or if he is suggesting we should take the minister's word as to what the industry feels, I think he is wrong. I think that is one of the reasons he is wrong. The minister asked for a name; there is a name.

The other people involved, of course, are the public. There is an issue here of the public interest as opposed to the interests of the other parties involved. I want to come to that point a bit later when we discuss the makeup of the council. The reason we want it to go to committee, preferably to the justice committee outside the assembly, is so that people within the industry and members of the public can come before the committee. The Legislature then can thoughtfully take a look at the legislation and move the necessary amendments, so that we come out with a better bill.

I want to speak to the issue of deregulation, which is an important issue. The member for Kitchener spoke to that for some time. The minister has a particular passion for deregulation. While the minister does come in with these little wonders of legislation every once in a while to move in this direction, he is not happy with the business community. Actually, the minister thinks the business community is not moving fast enough towards deregulation, towards self-regulation, and has said so publicly on a number of occasions. The minister also has a rather peculiar idea about how deregulation can be in the public interest.

I am not terribly good at percentages and higher mathematics, but obviously the minister is. The minister has done a very careful and, I assume, scientific study, at God knows what cost to the taxpayers, and has arrived at the conclusion that the benefits to the public of deregulation can be measured in a scientific fashion. As a result of this massive scientific study, he has said that, for the protection of the consumer, self-regulation by business will be 1,000 times better than the government's being involved.

Rather than that, it perhaps says it would be a lot better for consumer protection if the minister and his government were not involved in drafting and writing the legislation, and in carrying it through from day to day. The fault may lie with the sheer inability of the minister to protect consumers, and with the philosophical position of his government. We have seen countless cases over the last two or three years in which, time after time,

the minister and the government refused to move to protect consumers. Frankly, I am not sure that consumers will be any better protected by business than they have been by a Tory government which had no interest in doing anything in their interest.

The question of deregulation is an important one for us in Ontario at this time, not simply because it is something that the minister is pushing so aggressively, but because of the economic realities, the structural changes we see in the corporate world. We live in a time of ever greater integration and conglomeration in the corporate world. Our companies are getting bigger and bigger. The idea that the small businessman is the underpinning of the free enterprise system is becoming more and more of a myth. The large companies play, on a daily basis, a bigger role in the economic life of our community. At such a time in our economic history, one does not move to self-regulation.

Take a look at these businesses. Take a look at the real estate business. I remember all kinds of little companies that used to sell houses in my riding. Now I see a sign reading, "Century 21." This company has replaced so many of these independent, small companies; that is an example.

**Mr. Breithaupt:** That is a franchise.

**Hon. Mr. Pope:** He does not understand what a franchise is.

**Mr. M. N. Davison:** I understand exactly what a franchise is. Perhaps that is another good topic for a debate at another time: Why has this government not moved to protect people who have been involved in all of the franchise ripoffs we have seen? It is another clear case of inattention and lack of desire to do much.

At a time, though, when we have to deal with giant corporations, the government has to accept responsibility on the public's behalf. The government has to operate as a defender of the public interest, as an advocate of consumer protection and consumer interest, not as some sort of cheerleader or impartial referee for the corporations. There are enough agencies and ministries of this Conservative government involved in protecting the corporations and in giving away public money to them, that it would be nice if we had at least one ministry working in the consumers' interest rather than in the corporate interest.

11:40 a.m.

When one looks at this bill in a detailed fashion, as we will do when we go into committee, one can see some of the serious flaws. The legislation will give the Minister of Con-

sumer and Commercial Relations a new board to play around with. We have seen what the minister can do with boards. I am disturbed by the fact that he will have another one to muck about with.

The board being set up by this is the council of the corporation. What did the minister say? Speak up.

**Hon. Mr. Drea:** In view of their talents, it's no wonder the member's party is going down.

**Mr. M. N. Davison:** What is that? I am sorry, Mr. Speaker, the minister is mumbling. I can't hear him.

**Mr. Speaker:** I can't hear him either. Just make your own speech.

**Mr. M. N. Davison:** The council that will be established is clearly a council that will be dominated once again by the industry. This is the pattern in deregulation. These boards are set up and a big press release is issued about how there is going to be some public input on this board. It usually turns out that there is one person from the public and the rest of the board is totally dominated by the industry. This is another one of these cases. This is a case where eight persons will be from the industry through the corporation and three persons who are not members of the corporation will be appointed by the Lieutenant Governor in Council.

Who are these three people? The last update I had was they were most likely to be a lawyer, an accountant and maybe somebody from an organization like the Consumers' Association of Canada. I think the Consumers' Association of Canada is a fine organization, but I don't know how it could possibly be twisted to represent that a lawyer and an accountant on such a board would somehow be working as members representing the public, and the public interest.

That is the kind of place where we need some definition about what a public representative is. Part of the problem may be the way we appoint these people. The route of appointing people through the Lieutenant Governor in Council, aside from leading to some of the things we have seen on occasion, is ineffective in terms of getting public input on these boards.

There may be some reasonable argument that what could happen is that in the legislation we could write down the name of an umbrella organization that would be asked to offer an appointment to the board. It may be possible that some members of the board, rather than being appointed by the Lieutenant Governor in Council, could be ap-

pointed by a motion of the Legislative Assembly. There are a number of other options.

Frankly, I do not trust the government, the cabinet, to operate in the public interest when appointing people to these kinds of boards. They operate in their own world. That is how it always has been and as I suspect it always will be with the Conservative Party. We have seen numerous examples where the government has used boards, agencies or commissions as last resting places for the party faithful. A lot of the boards get turned into burial grounds for Tory hacks and Tory bagmen.

**Mr. Speaker:** That is really going a little far afield of the principle of this bill.

**Mr. M. N. Davison:** You are right, Mr. Speaker, but it forms part of the patronage network in Ontario, and I have concerns about that.

When one goes through the bill clause by clause, section by section, there are a number of areas where there are real questions to be raised by way of amendment in terms of the public interest involved, as there are real questions to be raised about the industry concerns. There are a number of possible amendments. Therefore, I think it is important that this bill go out to committee, preferably the standing committee on the administration of justice, where there can be a full and thorough airing of discussion.

I reject the phoney argument put forward by the government that there is some need to rush this through. This, as the member for Cochrane South (Mr. Pope) has said, has been kicking about for two years. They could have brought it in earlier, or the bill can go on for a while. It is important that the bill go to committee outside of the assembly, where we can have some proper input. Therefore, I will support it on second reading and request that it go out to committee.

**Mr. T. P. Reid:** Mr. Speaker, I support the principle of the bill. There is no point in my going on at great length to try to correct the misconceptions and misinformation we had from the last speaker. That is, without doubt, one of the strangest speeches I have heard—that would be a nice way of putting it—and one of the ones most filled with misinformation and with absolutely no appreciation for what the principle of the bill is about.

It is unfortunate, and perhaps it is because of the timing of the bill being brought in, that a member of the Socialist hordes who was on the select committee would not be



here to speak about it. However, as I understand the bill, which we went through at great length and on which we spent a great deal of time in the select committee on company law, I would have thought it embodied the principle that even the Socialists would have liked. We are giving the insurance agents some freedom and independence from being tied and nailed down very tightly to various insurance companies where they were not independent agents but were captive agents of the companies for whom they were doing business. That is the first principle.

The second principle, when we get to talk about the consumers, is simply that now it gives the independent broker—and he or she will be independent—the opportunity to go to any company and get the very best deal for the client who comes through the door. He or she will not be restricted to two or three companies and have to provide a policy within or from those two or three.

I find the words of the previous speaker, the member for Hamilton Centre (Mr. M. N. Davison), incomprehensible. Obviously he has not read the bill or he has not understood it; but, as we have seen lately, that is not an unknown occurrence in regard to that particular party these days.

I have some concerns with self-regulating bodies, but as my colleague from Kitchener (Mr. Breithaupt) pointed out, the insurance business has been around a long time in Ontario and, I would say, has conducted itself with a great deal of integrity and has done a very reasonable job of policing its industry over the years. What this will do, of course, is to provide that self-discipline which we in the Liberal Party believe in. We believe that individuals should be given the responsibility to run their own business, to run their own lives, so they should have that responsibility, and for disciplining anyone within their particular field who might step out of line or kick over the traces.

Surely we are not the only party left in Ontario that believes in the right of individuals to look after their own needs and their own requirements. Obviously, the government feels that way, and I would think there are even some in the New Democratic Party who do not want to have Big Brother in the government looking over each and every action of each and every person in Ontario. Let us try to keep 1984 from becoming a reality by not listening to our friends on the left.

11:50 a.m.

I hope that one of my friends on the left, who probably has a better understanding of the bill, will say that we went through this at

great length, we heard from all those concerned and we heard from the Consumers' Association of Canada. It is interesting to me how the NDP picks and chooses. If that group had agreed with the NDP, the party would have used this as the argument for being against the bill. But because that particular group did not agree with that particular speaker, he wondered what they were all about. I completely disagree with those kinds of tactics.

I will support the bill. I think it is a good bill. I think it is overdue. It gives me some personal satisfaction, having served on the select committee, to see some of our recommendations find their way into legislation. I am glad to see it here. I do support it and hope it will become legislation very quickly.

**Mr. Germa:** Mr. Speaker, I am happy to put a few words on the record relating to Bill 118. The principle of self-governing, self-disciplining, self-policing organizations in Ontario should not be passed by lightly. I believe that the bill is seriously flawed and that we should not try to rush it without giving the public an opportunity to make their views and concerns known.

Some people in the Legislature do understand the background and the reason which motivated the minister to bring this bill before the Legislature. There was certainly a problem, in that the insurance companies had captive agents: in order for an insurance agent to function, he had to be sponsored by an insurance company. We all understand that, and we knew it was not a good situation that allowed these companies to dictate to what was known as an independent agent.

The select committee came to the conclusion that the word "independent" did not apply in this case, and recommended that terminology be removed. It was the thrust of the committee to free these agents so that they could function in the marketplace in the best interests of the consumer. That is all well and good. But now, if we follow the route of self-regulation, we will have forgotten all about the public interest. There is no protection for the public by going this other route. The self-regulating, self-governing and self-disciplining bodies that are out there right now are not functioning to the satisfaction of the Ontario public.

I am thinking now of the Law Society of Upper Canada and the College of Physicians and Surgeons of Ontario. Any member of this Legislature who has tried to process a complaint with those two bodies knows it is almost impossible, and probably the most



frustrating operation and exercise in which one can ever get involved.

**Mr. Makarchuk:** Look at the Housing and Urban Development Association of Canada. That is another one. It is another self-governing agency—the worst fiasco going.

**Mr. Germa:** HUDAC is another good example. Here we are blindly going down the road in the same direction. We should not assume this deregulation is going to solve all of our problems unless we take a serious look at the legislation and make sure there is some public input into the governing body.

The majority of the members of this governing council must be from the public. They should not be hand-picked, lap-dog, Tory hacks picked to be put in there and massaged by the insurance agents and brokers. That will not work. There has to be a more democratic way to find people who will be critical of the council, and who will make sure these agents are operating in the best interests of the consumer. Until such time as that happens, I cannot recommend the bill to the people of Ontario.

The complaints committee also must have a majority of the public and the discipline committee must have a majority from the public and not the people participating in the sale of insurance. The select committee did consider that, and I want to put that report on the record.

I do not know where the former speaker got the impression that the committee had recommended self-regulation. I quote from page 238 of the first report on automobile insurance of the select committee on company law, in the summary number three: "The committee has considered a proposal for the establishment of a self-regulating council for insurance agents and does not agree with it."

What can be plainer than that? We came to that conclusion after hearing from a wide variety of people, knowledgeable in the insurance field.

I do not know where these people get the impression that we on the committee are in full agreement with it. We realized that something had to be done, but in this case the minister is using a sledgehammer to kill a fly. I think that is what is happening. It is over-reacting to solve what I see to be a minor problem. All the minister had to do to give these agents their independence to operate in the best interests of the public was to declare that they did not have to be sponsored by an insurance company. That is where the tie was. That is where the insurance industry had the agent by his throat. It is this sponsorship. The insurance company could take this businessman out of the marketplace simply by lifting his sponsorship with the superintendent. The superintendent has done a reasonable job in the past 100 years in Ontario in regulating insurance agents and brokers, and we should not accept this as the panacea to solve all our problems without further input.

**Mr. Speaker,** I understand that the government wishes the debate to be adjourned at this point.

On motion by Mr. Germa, the debate was adjourned.

### THIRD READING

The following bill was given third reading on motion:

Bill 120, An Act respecting the City of Brantford, the Township of Brantford and the County of Brant.

The House recessed at 11:58 a.m.

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No. 81

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, June 19, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, JUNE 19, 1980

The House resumed at 2:03 p.m.

## BIRTHDAY TRIBUTES TO QUEEN MOTHER

**Hon. Mr. Davis:** Mr. Speaker, I would just like to inform the House and seek the endorsement of all members for a letter that I have written and which I expect is in the process of being delivered. It is dated July 15, but is being sent somewhat in advance of her birthday to the Queen Mother. I would like to read the letter to the members of the House and I am sure the members opposite might wish to put one or two observations officially on the record.

"Madam:

"I have the honour of informing Your Majesty of the continuing deep respect and warm affection in which you are held by the people of the province of Ontario.

"We join with all Canadians, with citizens of the Commonwealth and with your countless friends and admirers at home and abroad in wishing you well as you mark a very special milestone in your rich and full life.

"For well over four decades, Your Majesty has had a special place in the hearts of those you have served with so much dedication. Many recall the example in courage, grace, fortitude and commitment with which you and His Majesty King George VI inspired your people in the dark days of World War II.

"As the years have passed, you have continued to exemplify those traditional virtues which have enabled families and nations to survive against great odds and which have enabled our forefathers and those who have followed to carve Canada out of a wilderness.

"Time has failed to diminish the charm and graciousness with which you walk amongst us. It is our fervent wish and prayer that you will be granted many more happy years and that you will continue to enjoy a generous measure of life's blessings.

"I have the honour to remain, Madam, Your Majesty's faithful and devoted servant."  
Signed by the Premier of the province.

**Mr. S. Smith:** Mr. Speaker, it is a privilege and an honour, as Leader of Her Majesty's

Loyal Opposition, to stand and associate ourselves with the words and sentiments included in the letter by the honourable Premier. It is an excellent letter and reflects very well the affection and esteem in which Her Majesty the Queen Mother is held by all citizens in Ontario, throughout the province, throughout the country and, as the Premier said, throughout the Commonwealth.

It was our privilege to meet Her Majesty the Queen Mother not long ago and it was surely heartwarming and in some ways amazing to see how that wonderful lady was able to review a regiment of troops, go to innumerable social and religious undertakings, meet with countless hundreds of people and, at the end of what must have been a long day for anyone at any age, still be full of vim, enthusiasm and sincere and genuine interest in every person to whom she spoke at a banquet that evening.

As a person, she is an example for everyone to emulate and as a royal person, in considering her life and her attitude towards life and towards the work which she undertakes, we realize just how fortunate we are to have the monarchy and to have the monarchy in such persons as Her Majesty the Queen Mother and, of course, Her Gracious Majesty Queen Elizabeth.

**Mr. Cassidy:** Mr. Speaker, on this occasion of the 80th birthday of Her Majesty the Queen Mother, I too would like to join in the sentiments that have been expressed by the Premier.

I thought about this when I was coming into the House. I asked myself why it is that democratic Socialists in most parts of the world are republicans but democratic Socialists in the parliamentary countries, in Great Britain and in Canada in particular, are monarchists. Clearly, one of the differences is that we have had the Queen Mother as an example of monarchy and as a person who, after all the political battles are over, if the Queen Mother is coming to town, my goodness, they go out of the Labour Party halls in London to camp at 6 a.m. to watch the Queen Mother go by. Very much the same thing happens when she comes to make her visits to Canada.

I think there is a recognition that, amidst all of the pomp and the ceremony which royalty engages in, the Queen Mother maintains and has always maintained the ability to keep in touch and to communicate with ordinary people and working people, whether it is in Great Britain, here or anywhere else in the world.

2:10 p.m.

She is a great horsewoman. She likes horses and I think she likes to have the occasional flutter, even if she does not talk about it publicly. She is gracious at every level.

I know from the time that I lived in England there wasn't a Cockney who did not think that if the Queen Mum came by that she would not be happy to come and sit down and have a cup of tea. She was able to do that and yet maintain the dignity that adheres to royalty and the dignity which in a parliamentary system is important to have, since royalty is an impartial symbol of parliamentary democracy. I contend it has brought many constructive values not just to this country but the world around.

I am proud of her. I've been delighted to meet the Queen Mother and have the chance to share, along with several thousand others, the chance of meeting with her and hearing her speak. It is always an honour to have her visit us in Canada. Would that we could be served in future as wisely, as soundly, as graciously as we have been in the past by Her Majesty.

**Mr. Nixon:** I hope you will permit me, Mr. Speaker, now that all three party leaders have expressed the views of their parties, to reminisce for one moment. Forty-one years ago almost to the day in this chamber Her Majesty, then Queen Elizabeth, and King George VI were ushered into this room and occupied the dais, including perhaps the very chair you are sitting in.

We didn't have the luxury of a protocol officer at that time. The then provincial secretary, who was my predecessor as member for Brant, was in charge of arrangements. It might have been why I and my sisters were sitting in the front row, right under the clock, and had an opportunity to observe the then Prime Minister in his striped trousers and claw-hammer coat welcome Their Majesties to Ontario.

The other special guests that day were the five Dionne quintuplets, who were beautifully dressed in long, southern belle gowns. They were just about my age, so I was particularly interested. I was 10; they might have been a little older. I can remember them coming

in and making their curtsies before Their Majesties. It was a very exciting time indeed.

I suppose if there is any point to my interjection, it is that she was just as charming and charismatic in those days, 41 years ago, a few weeks before the Second World War started, as she is now. Of course, we wish her well.

## DOMINION DAY CELEBRATIONS

**Hon. Mr. Wells:** Mr. Speaker, the government this year has expanded its public observations of Dominion Day—or Canada Day, as some of us prefer to call it—which is July 1, to include activities at Queen's Park and at three other locations in Ontario—Old Fort William in Thunder Bay, Upper Canada Village in Morrisburg and at Ontario Place. I hope all members of this House will have the opportunity to attend one of these celebrations, and would urge them to do so.

We believe these expanded events planned for the 113th anniversary of the birthday of Canada will allow even more of our citizens to share in this day of happy commemoration of our nationhood.

In particular I would point out to the honourable members that the comments made by many of us during last month's constitutional and Confederation debate in this chamber, comments which to some degree showed respect for the substantial degree of multiculturalism which now enriches Ontario, will be reflected in the events here at Queen's Park. There will be performances by Scottish dancers and by a Franco-Ontarian group, to represent and to reflect our two founding peoples; but there will also be performances by groups whose backgrounds are from the Ukraine, Germany and the West Indies, representing the third force that has joined us so substantially since Confederation and which contributes so much to our society in this province.

Other entertainments are planned featuring jazz, country music, the Ontario Provincial Police pipes and drums and, for children, circus-style acts.

**Hon. Mr. Davis:** That's entertainment!

**Hon. Mr. Wells:** Of course, Mr. Speaker, I know it will be of great interest to the members of this House that we will have the traditional nickel hot dogs and nickel glasses of pop.

Another very fitting and particular highlight of the celebrations here at Queen's Park will be the ceremonial arrival of our gracious Lieutenant Governor, who is retir-

ing in a few months. This will be her last official representation at a July 1 ceremony here. Her ceremonial arrival will in itself make it worth attending the ceremonies at Queen's Park.

Following her arrival and during the program, the Premier will be introducing to all of those present the recipients of the Ontario Medal for Good Citizenship for 1980.

**Hon. Mr. Davis:** After hot dogs.

**Hon. Mr. Wells:** Mr. Speaker, I would also like to say a word of appreciation to you because you are allowing the Legislative Buildings to be opened during that day, July 1, for public tours until 3 p.m. That means that all the guests here in front of the buildings will be able to come in, learn and appreciate more about the ongoing reality of our parliamentary system here in this province, which is a very integral part of Canadian life.

At the other locations that I mentioned there will be unique events. In eastern Ontario, at Upper Canada Village, the celebrations have been arranged through the Ministry of Natural Resources. They will follow the same program that was held on July 1 113 years ago in the town of Perth. Those ceremonies will feature a parade which will be led by my colleague the Minister of Natural Resources (Mr. Auld).

**Mr. Foulds:** Was he there 113 years ago?

**Hon. Mr. Wells:** No, but I believe he will be suitably attired as a citizen of the town of Perth 113 years ago. There will be a display of antique fire engines, a band concert by the Governor General's Foot Guards, a baseball game and, very importantly, homemade baking.

Mr. Speaker, we are now coming to your area, the north. In Old Fort William at Thunder Bay there will be a re-creation of the so-called "Rendezvous" that was held for voyageurs of the old North West Company who received food and cider when they arrived by canoe to exchange their cargoes at that fort. My colleague the Minister of Northern Affairs (Mr. Bernier) will be there to dispense the food and cider.

**Mr. Makarchuk:** Instead of fire-water, he will be giving them acid rain water.

**Hon. Mr. Wells:** Let me say I am sure my friend the Minister of Northern Affairs will be happy to see all the members from the north there to exchange food, cider and goods.

**Hon. Mr. Davis:** All the Liberal members of the north—all one of them.

**Hon. Mr. Wells:** Finally, at Ontario Place there will be a day-long entertainment program, concluding at night with a huge and very magnificent fireworks display, which I am sure all will want to see.

Quite apart from these specific celebrations, I want to acknowledge, as I know all the members of this House would want to acknowledge, the contribution that many thousands of citizens of this province will make in events in hundreds of like ceremonies in communities and cities all across this province. They will be taking part in July 1 celebrations to show their profound and continuing faith in a single, united Canada under one flag and one central government which exercises leadership, with 10 provincial governments and their assemblies playing their rightful roles and parts.

2:20 p.m.

This year, we in this House can all say that our people have considered and reassessed their love, their devotion and their support for their united country, Canada, just as much as they did back in 1967, which was our centennial year. As we said during that debate, all of us are committed to keep Canada whole, and on July 1 this year we will be showing our faith in many ways to this objective.

**Mr. Roy:** Mr. Speaker, in the spirit of the statement by the Minister of Intergovernmental Affairs and in the spirit of Canada Day celebrations, we in eastern Ontario are prepared to host a very special event: a car race between Mo Carter's Camaro and Mike Cassidy's Peugeot.

**Hon. Mr. Davis:** Mr. Speaker, quite obviously the prize for that race will be the member for Ottawa East (Mr. Roy). That means no one wants to win.

Mr. Speaker, there is an agreement whereby, at this time, we would bring Her Honour into the House for what may be her last occasion to give royal assent to certain bills. Before the government House leader and I go to bring Her Honour into the assembly, I would just say that I listened very carefully to the anecdote given by the member for, oh, so many counties in southwestern Ontario. I listened to him with some degree of envy, because I did not attend that occasion; then, when he gave me the date, I understood it was because I was far too young—and probably had not been born on that particular date.

I would also add, as I listened to the Leader of the Opposition (Mr. S. Smith) and his reference to Her Majesty's enjoyment at



the dinner a number of us attended, I think that if Her Majesty had an opportunity to reply in advance to my letter, she would have recalled for all of us her great enjoyment of that domestically produced liquid refreshment that was served at that dinner. As I was sitting next to her, I can say with real knowledge that she thoroughly enjoyed it and said it compared favourably to any wine she had consumed anywhere else in the world. I think those were her exact words.

**Mr. Breithaupt:** She said, "I never tasted anything like it in all me life."

The Honourable the Lieutenant Governor of Ontario entered the Chamber of the Legislative Assembly and took her seat upon the throne.

#### ROYAL ASSENT

**Hon. Mrs. McGibbon:** 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 of the House:** The following are the titles of the bills to which your Honour's assent is prayed:

Bill 1, An Act to amend the Libel and Slander Act;

Bill 46, An Act to amend the Municipal Act;

Bill 65, An Act to amend the Highway Traffic Act;

Bill 75, An Act to amend the Regional Municipality of Ottawa-Carleton Act;

Bill 76, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 92, An Act to provide for Municipal Hydro-Electric Service in certain area municipalities in the Regional Municipality of Ottawa-Carleton;

Bill 93, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of Hamilton-Wentworth;

Bill 119, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 120, An Act respecting the City of Brantford, the Township of Brantford and the County of Brant;

Bill 121, An Act to vest Certain Lands in the Regional Municipality of Ottawa-Carleton;

Bill 122, An Act respecting the Police Village of St. George;

Bill 129, An Act to amend the Public Vehicles Act;

Bill Pr12, An Act to revive Gothic Mines and Oils Limited;

Bill Pr17, An Act respecting the City of Windsor;

Bill Pr25, An Act respecting the Hamilton Foundation.

**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.

2:30 p.m.

#### STATEMENTS BY THE MINISTRY

##### WORK INCENTIVES PROGRAM

**Hon. Mr. Norton:** Mr. Speaker, in January of this year we implemented Ontario's new Work Incentives Program. This program was designed to assist those persons in receipt of social assistance in Ontario who wished to go back to work. It particularly aimed to assist them to overcome the triple barriers they faced in some instances of low wages, the lack of fringe benefits and jobs which were less secure than the welfare they had been receiving. We have been monitoring the results of the program, and I would like to inform the members of the preliminary findings to date.

As of the end of May, 913 clients had entered this new program, 782 of whom are still on the case load. Each one of these clients is required to submit a monthly income statement to establish their entitlement to the Win allowance. At the time we prepared the report, 182 clients had not yet submitted their financial statements for the previous month. But in view of our experience of previous months that is not surprising. We will of course determine the benefits for those recipients once their statements have been processed. Consequently, our report at this point is based on the complete data we have on the 600 recipients as of the end of May.

First, I would like to provide some general statistics on the 600 cases. Their average earnings are \$590 a month. Their average income from other sources is \$36 a month. They are receiving an average allowance under our new program of \$83 a month. Their total average monthly income is \$709 a month. Five hundred and two of the persons in the program, or 84 per cent, are sole-support mothers with dependent children. Forty seven, or eight per cent, are disabled persons and

45, also some eight per cent of the case load, had previously been classified as permanently unemployable.

I would like to give some indication of the income levels of some groups within the program. Of the 502 single mothers with dependent children currently on the program, 410, or 82 per cent, are earning in excess of \$500 a month. The average earnings of this group are some \$630 a month. If the allowances and other sources of income are taken into account, their average total income increases to some \$740 a month. While 18 per cent of the single mothers on the program are earning less than \$500 a month, their total income averages \$602 a month, substantially in excess of social assistance levels.

There are 39 single disabled persons currently on the program. More than 50 per cent of this group earn more than \$500 per month. Their total income averages \$700 a month, or twice as much as their social assistance entitlement would have been. There are currently 45 clients previously classed as permanently unemployable on the program, 26 of whom are single persons. They are currently earning \$577 per month on average, and if one includes the allowances under the Win program and other income, their average income is some \$708 per month.

Another interesting aspect of the program is that the response has been province-wide. In fact, two thirds of current recipients reside outside of Metropolitan Toronto. Clients also appear to be relatively successful in maintaining full-time employment. For example, of the 47 recipients who entered the program in January, the first month of its operation, a full 83 per cent were still employed as of the reporting date in May. Of the 297 recipients who entered the program in February, 73 per cent are still employed.

In addition, one out of every eight clients entering the program has returned to social assistance to date. This is considerably below our initial expectations. However, I recognize the difficulties involved in the transition from social assistance to independence. Indeed, some recipients may attempt this transition several times before they are ultimately successful in maintaining full employment. While our initial results are promising, I believe it is still too early to determine whether this rate is representative in the longer term.

Finally, I would like to provide some specific data in regard to day care. Members may recall that some concern was expressed over the difficulties that single mothers entering the program might have in obtaining day care. Consequently, we designed our appli-

cation forms to provide data on day-care requirements. Thirty six per cent of single mothers indicate that they did not require day care. Forty per cent reported that they made private arrangements. The remaining 24 per cent indicated their children were placed in day-care centres and of that group 83 per cent reported they were receiving some form of subsidy. It might also be of interest to the members that 54 per cent of the mothers on the program did not have a pre-school-age child.

It is still early to judge the success of the program or to make long-term projections. However, I have indicated to the House in the past that I am optimistic about the initial response—

**Mr. McClellan:** I thought the minister was cautiously ecstatic.

**Hon. Mr. Norton:** I used that expression once in responding to a question in the House, and some people in my ministry have seized upon that expression as perhaps a constant state in which I live: cautious ecstasy.

However, I intend to continue to monitor this program and to introduce either design or administrative improvements, as required.

One particular area which we will continue to pursue is that of cost sharing. As the members will recall, the program was launched entirely on our own initiative as a provincial government. Although all the other provinces have accepted the need for positive work incentives and have supported our request to Ottawa, we have not yet been able to obtain cost sharing for this program. We hope that the federal government will be able to find a way to cost share these initiatives with us in the future.

Obviously we cannot judge the success of any program on the basis of the first five months. However, if there is one thing the program has demonstrated it is the fact that we cannot simply provide social assistance to those who are in need; we must also focus upon initiatives that encourage and reward self-sufficiency. In effect, we need to redesign our programs to provide incentives that help people to help themselves.

I acknowledge that the program will not eliminate all the difficulties which might stand in the way of employment for all family benefits recipients. However, I regard this program as a positive first step in developing a new system to help people attain independence. Given the encouraging initial results, I think it is clear we are proceeding in the right direction.

COMMERCIAL REGISTRATION  
APPEAL TRIBUNAL

Hon. Mr. Drea: Mr. Speaker, yesterday, the member for London Centre (Mr. Peterson) rose on a point of privilege. He suggested that I had probably inadvertently or mistakenly misled the members of the House and would want to correct the record.

The honourable member, referring to the decision and order of the Commercial Registration Appeal Tribunal of December 10, 1973, in respect of Argosy Investments Limited, said: "There is no date. There is no term or condition. There is no end to those terms or conditions, as the minister was under the impression . . ."

I said that those terms and conditions were only applicable until December 31, 1974. I stand by what I said on Tuesday. I was advised on this matter by the ministry counsel, who pursued this matter with the tribunal as counsel to the then registrar. This same counsel appears frequently before the tribunal and is well informed as to the manner and meaning of tribunal orders.

The member for London Centre should, when reading the tribunal order, also make reference to exhibit 3 of the document, which contains 12 consented terms and conditions. Term number 11 reads as follows: "Subject to the terms and conditions herein, the registration of Argosy Investments Limited shall be renewed during a probationary period ending December 31, 1974."

The tribunal decided to impose an additional term, and that term appears on page two of the tribunal order as item 2. That term, relating to shareholdings, was obviously the one which the member for London Centre believes had no time limitations.

Ministry counsel believes and has advised that the additional term imposed by the tribunal ought to be read and construed in the context of exhibit 3, which was attached to the tribunal order. In addition, the final sentence in the order reads as follows: "The breaching of said terms and conditions shall immediately result in the revocation of said registration at the time of said breach."

To sum it all up, the tribunal in item 2 of its order first referred to the terms and conditions in exhibit 3, then went on in the same paragraph to add a term relating to shareholding and wrapped the paragraph up by the sentence which I just read referring to the consequences of breaching the said terms and conditions. Counsel has reiterated that all terms and conditions were subject to the same time limitation, namely, December 31, 1974.

I hope I have now cleared up the matter.  
2:40 p.m.

Mr. Peterson: Mr. Speaker, was the minister speaking on a point of privilege?

Mr. Speaker: No. It is a ministerial statement, and you will be given an opportunity during question period.

Mr. Peterson: May I rise on a point of privilege, Mr. Speaker?

Mr. Speaker: If you have one.

Mr. Peterson: In response thereto, Mr. Speaker: I certainly understand the minister's point of view, but there is very serious legal interpretation the other way. Exhibit 3 applies to the first sentence of the second clause in the order, and that says: "The continuing registration of Argosy Investments Limited shall be subject to the terms and conditions set forth in attached exhibit 3." Then it goes on to say, "and subject also to the condition that John David Carnie shall forthwith surrender and give up his shares."

I would respectfully submit, legally and every other way, that this order has to stand on its own. Exhibit 3 does not refer to the clause about John David Carnie and, in fact, there is a very serious misinterpretation. It is not my intention to read motives into why or how this is being done, but it is a very serious misinterpretation of this legal order. It speaks in a broader sense to the follow-up by the Commercial Registration Appeal Tribunal and the scrutiny they make over their own judgements.

To that end it is a very serious matter which has been brought before this House. I respectfully submit the minister's interpretation is incorrect in these circumstances for the reasons I have outlined.

Hon. Mr. Drea: Mr. Speaker, I want to reiterate that the counsel mentioned in here advised me what was contained in the consent order, and that is the interpretation I have placed on it.

Mr. Peterson: All the minister has to do is read it.

Hon. Mr. Drea: The member says all I have to do is read it. I went to the counsel who was before that tribunal. That was the interpretation the registrar at the time and the counsel for the registrar took from the tribunal order.

Mr. Speaker: Order. Obviously there is a difference of opinion, a difference in legal interpretation, and it is not within the purview of this House or myself as a presiding officer to adjudicate that. There is

obviously a difference of opinion and the honourable member can pursue it in the normal channels outside this House. It is not within my purview to interpret legal documents. You obviously have a divergence of views and it is nothing this House can resolve.

#### LAND REGISTRATION REVISIONS

**Hon. Mr. Drea:** Mr. Speaker, today I am introducing a bill to revise the Boundaries Act and two bills to amend the Land Titles Act and the Registry Act. This is the first significant revision of the Boundaries Act since it was introduced in 1959.

**Mr. M. N. Davison:** Why has the minister got so many statements?

**Hon. Mr. Drea:** Because I gave a commitment to the member that the next one is the Business Corporations Act.

**Mr. M. N. Davison:** Why is the member trying to weasel out of the justice committee? Send it out as a press release.

**Hon. Mr. Drea:** Mr. Speaker, the member blocked one bill this morning. Perhaps he does not want these introduced.

**Mr. M. N. Davison:** I want the minister in the justice committee.

**Mr. Speaker:** Order.

**Hon. Mr. Drea:** Mr. Speaker, this is the first significant revision of the Boundaries Act since it was introduced in 1959. Since then the passage of bills such as the Statutory Powers Procedure Act of 1971 has changed many terms of reference, and these revisions to the Boundaries Act are designed to reflect those changes.

Two aspects in particular are worthy of note. First, it will no longer be necessary to convene a public hearing if an application for confirmation of a boundary is unopposed. Second, the new act will allow applications for confirmation of public highway boundaries even where the true location of the boundary is not necessarily in doubt.

The amendments to the Land Titles Act and the Registry Act are basically housekeeping in nature and are generally intended to clarify wording and remove obsolete provisions. One amendment common to both acts modifies the common-law restriction that applies to the creation of easements for staged condominium developments. It allows a builder owning two or more adjoining parcels of land to grant a right of way to an adjoining property to be developed at a later time and assures the legal status of that easement.

May I say before closing that these revisions and amendments are in keeping with the government's commitment to improve the efficiency of the land registration system in Ontario.

#### SUPERMARKET PRICING SYSTEMS

**Hon. Mr. Drea:** Mr. Speaker, I have a statement concerning computerized checkout systems, on which I made a commitment to the House.

Today, I would like to table the Interim Report on Computerized Checkout Systems in Food Supermarkets in Ontario. The members will recall that in my statement on computerized checkouts last December, I said that we would review very carefully the use of computerized checkouts in Ontario and report on our research before the session ended. I also indicated in that statement that the ultimate decision on the operation of computerized checkouts lies with the consumer, not with the industry or government.

The interim report on computerized checkout systems in Ontario is the result of a survey in London, Ottawa and Stoney Creek, and of input from consumer organizations, labour and industry.

A little background explanation may be in order. The use of computerized checkout systems in some Ontario supermarkets has made it technologically possible to eliminate marketing prices on individual food items. Instead, the price can be determined at the checkout counter by using electronic scanning equipment, the universal product code markings on food products and the store's computer price file. Under this arrangement, shoppers have to rely on shelf price markers in the store and itemized tape receipts for price information. This has resulted in some concern regarding possible abuses of the computerized prices-off system, such as more frequent changes in food prices and price increases on old stock to match prices on new shipments. The food industry, on the other hand, is convinced of the benefits of larger shelf labels and expanded tape receipts. They maintain that these will compensate for lack of item price marketing.

I need not describe the universal product code again but, by way of background, I should explain that, under the auspices of the Retail Council of Canada, three committees were set up to study the issue in 1975. One of them, the public advisory committee, created a set of guidelines under which the companies could test computerized checkouts. These were revised and presented to food chains and the public by the Retail

Council of Canada in July 1977. The supermarkets involved never did commit themselves to these guidelines or comment on them publicly, after the Retail Council of Canada committees became inactive after the summer of 1977.

This brings us to November 1979, when Loblaws informed my ministry that it had discontinued the practice of item price marking in the three new Ontario stores equipped with computerized checkouts, to test consumer reaction to this policy. The other food chains then indicated their desire to eliminate item price marking, and two of these chains designated some locations as prices-off test stores.

My ministry endeavours to ensure that consumers have access to full, accurate and up-to-date information essential to making informed purchasing decisions. As a result of technological developments, many interested groups have come out strongly against the removal of prices from individual food items. The position of the Consumers' Association of Canada is that consumers want and need item prices to compare and to detect errors in the store and at home. They feel the item price is a consumer right and favour a legislative solution.

To determine how consumers actually feel about item pricing, we surveyed 900 consumers. The major results of this survey are as follows:

Consumers have a strong preference for keeping item prices on. Although computerized checkouts and the elimination of item price markings are not significant factors in consumers' overall evaluation of test stores, almost 90 per cent (87.9 per cent) of respondents, when asked the question directly, said it is important to keep prices on.

Mr. Cassidy: The consumer is right and you are wrong.

Hon. Mr. Drea: No, I am not. Let me finish. Don't interrupt.

Interjections.

Hon. Mr. Drea: Only six per cent of the respondents favoured a computerized prices-off system. The remainder were equally divided between the computerized and manual systems, so long as the prices remained on the items.

Although the respondents recognized the benefits of the new technology, such as greater efficiency, more accurate pricing and expanded information on the tape receipts, they questioned whether this increased efficiency would translate into lower food prices.

2:50 p.m.

Most respondents found that comparative shopping and price verification are more difficult in those stores which do not have item pricing. In other words, what consumers have told us is they are not now in favour of removing prices from individual items.

Before everyone begins asking me what I intend to do about the electronic checkouts, let me ask the real question: What is the supermarket industry going to do about it? Bear in mind that this was introduced for the benefit of the consumer. I want to know what they are going to do about it by August 1.

Mr. S. Smith: Oh, big deal. They will be trembling between now and August 1.

Hon. Mr. Drea: Are you in favour of it all?

Mr. Speaker: Order.

Mr. S. Smith: I wanted to know what the minister was going to do to stop them.

Hon. Mr. Drea: You will find out August 2.

Mr. Speaker: Do you have another statement?

Hon. Mr. Drea: Mr. Speaker, I wanted to table these. I was going to make another statement concerning the Business Corporations Act, but in the light of the extended time for statements today, I will do that in another manner.

Mr. Speaker: Does the member for Simcoe Centre have something bothering him?

#### THE TIN DRUM

Mr. G. Taylor: Yes, Mr. Speaker, on a point of privilege or clarification, or to correct the record: In the media reports of the justice committee yesterday, certain statements were attributed to me. In an article in the Globe and Mail dated June 18, under the heading "Felt Intimidated on Drum Cuts, Two Censor Board Members Say," by Sylvia Stead, the last paragraph—of what I will describe as the censored version says: "This is wasting this government's time. We've got more important things to do than this . . ."—the four dots indicate a four-letter word—"said George Taylor (PC, Simcoe Centre)."

Mr. Speaker, I would like to inform the House of the four-letter word I said. I will spell the word so as not to offend the ears of those in this place. It is c-r-a-p. I have canvassed numerous dictionaries, including Funk and Wagnalls, Oxford English and Webster's Third, and it is described as statements that lie, mislead or exaggerate; bull, things that are worthless, inferior or junk; nonsense; rubbish. That is the context with-

in which I used that word to describe what was taking place in the standing administration of justice committee yesterday. So I correct the record on that, Mr. Speaker.

Second, in the same newspaper of the same date, in a column I seldom read—and if I were to use all the privileges of this House, I would naturally describe to that writer my full thoughts on the subject; however, I will not—in a column by Hugh Winsor, there is a comment attributed to the member for Peterborough (Mr. Turner). “John Turner, a particularly bucolic member from Peterborough, actually tried to defend the practice . . .” It goes on to state what he said. The honourable member was not in that committee meeting. He did not make those statements. The tried and true publication, with its great reputation for accuracy, is again inaccurate, as is that writer. If it is attributed to me that I am bucolic, I will accept that. The member for Peterborough may not.

In describing the controversial film we are discussing, *The Tin Drum*, a Canadian Press report stated: “Controversial aspects of the film include a 12-year-old boy watching a couple have sexual intercourse and a boy presumably engaged in oral sex with a young woman.”

If I am supportive of that, I am wrong. If they feel that is bucolic, then they are totally wrong. The people I represent would be disgusted to see such a film passed by any operation in this province. The Ontario Board of Censors was right and my feelings and my position are right. That should be stopped. If that is what the *Globe and Mail* considers as good reading and has its editorial and columnists' support, then that is not the paper for families of this province.

#### TRENTON CELEBRATIONS

Mr. O'Neil: Mr. Speaker, I have information I would like to present to the members. In the riding of Quinte, which I am very proud to represent, is located the town of Trenton. This year, Trenton has two very special causes for celebration. First, the community is 100 years old and, second, on July 1, Trenton will be proclaimed a city, the 44th city of Ontario.

Throughout the year there have been many wonderful celebrations of Trenton's centennial. These will, of course, reach their climax on July 1 with a proclamation of Trenton as a city.

Trenton is located on the beautiful Bay of Quinte at the head of the renowned Trent

Canal system. It is a picturesque and historic community which originated as a centre for the lumber industry. In recent years, the town has become an active and vital focus for diversified industry. Trenton, in my view, is typical of all that is fine and worthwhile in our Canadian communities.

As the member representing Trenton in this Legislature, I am delighted to extend an invitation to the members, their families and friends to visit Trenton during this exciting and historic year which celebrates a colourful past and marks the beginning of an even more challenging future.

#### NORTHERN ONTARIO AIR SERVICE

Hon. Mr. Brunelle: Mr. Speaker, on behalf of my colleague the Minister of Northern Affairs (Mr. Bernier), who is in Sudbury today attending the funeral of the late chairman of the regional municipality of Sudbury, I would like to inform the House of the results of a study dealing with continuing development of local air services in northern Ontario. The study, conducted by representatives of the Ministry of Northern Affairs, the Ministry of Transportation and Communications and staff from the Ontario Northland Transportation Commission, dealt with a number of policy issues currently affecting norOntair.

Since its inception in 1971, norOntair has enjoyed wide public acceptance throughout all of northern Ontario. The service, operating with eight Twin Otters, now serves 20 communities and this year is forecast to carry 125,000 passengers.

The growth of norOntair has always been paced by a blending of community requirements and the interests of northern Ontario's local air carrier industry. The government's approach to the extension of norOntair services to a particular community has been, and will continue to be, guided by the principle that the private sector should be encouraged to offer those services it feels can be commercially viable. The option of subsidizing services directly through norOntair will only be considered if demand warrants and if the private sector is not prepared to provide the necessary service.

In the recent past, a number of communities have approached the government with respect to having norOntair provide services to each of those communities. The study has considered all of these, as well as others, and has found sufficient demand to warrant the consideration of some form of scheduled air service to the following very important points:



Cochrane, Hearst, Manitouwadge, Marathon, Ignace and Sioux Lookout.

In the case of Cochrane and Sioux Lookout, where scheduled services are currently available, the private sector will be encouraged to work in association with norOntair so as to offer improved services.

I would also add that the community of Armstrong has recently asked that it be considered for inclusion in the norOntair system for a weekend-only service in order to attract workers into the community. That is the initial stage. My colleague the Minister of Northern Affairs has therefore asked the Ontario Northland Transportation Commission, the agency responsible for norOntair, to review the feasibility of providing this service as part of the service now operated between Thunder Bay and Pickle Lake.

With respect to the provision of scheduled services to all of these points, the Ontario Northland Transportation Commission will be considering ways by which the commission could extend its corporate services to those carriers wishing to operate scheduled services to communities such as those I have identified. This assistance could include increased carrier identity through the publication of a joint northern Ontario air service schedule, extension of norOntair's reservation system, plus ground and passenger handling provisions at common terminals. It is anticipated that the participating or hosted carriers would be charged a rate commensurate with ONTC costs. Under such an arrangement, I am confident that the carriers will find themselves in a strong position to more effectively offer services with their own resources.

With regard to the role that norOntair itself has played in the development of northern Ontario, I can assure members that every effort will be taken to maintain current levels of service. The norOntair standard has always been to provide class 2 regularly scheduled air services with aircraft of at least the calibre of the de Havilland Twin Otter. This standard will not be compromised; however, aircraft of similar size and seating configuration as the Twin Otter, or larger, will continue to be considered on an as-required basis. In 1984, as has been announced, norOntair will inaugurate services over its high density routes with two de Havilland Dash 8 aircraft.

3 p.m.

The function of norOntair has always been to ensure mobility between points in the north and to facilitate air service connections with southern Ontario. The air-

line currently enjoys a very positive working relationship with Air Canada and Nordair with respect to interline requirements of Ontario's northern regional air service hubs. In this regard, norOntair will continue to provide feeder services to northern Ontario's regional hub airports of Dryden, Thunder Bay, Sault Ste. Marie, Timmins, Sudbury and North Bay. The government will also encourage the use of these airports by other local carriers to strengthen the viability of regional air services at these points.

In conclusion, I would like to reaffirm the government's intention of having norOntair remain as an intra-Ontario air service. It is felt that regularly scheduled air services across provincial boundaries should be offered by the private sector where considered appropriate.

Mr. Sargent: On a point of privilege, Mr. Speaker: For 17 years, the minister has been ignoring the airport at Owen Sound. We have a Department of Transport airport there but this minister cannot give us any service. That is a point of privilege, as far as I am concerned.

Mr. Foulds: Mr. Speaker, I have a point of order, if you could call the House to order. It is so seldom that the Provincial Secretary for Resources Development makes a statement that when a major one such as this is made it would be appreciated if he would supply the opposition parties with copies. That was not done according to the standing orders, and we would like an opportunity to read the statement in detail. We found what we were able to hear encouraging.

Hon. Mr. Brunelle: Mr. Speaker, I had asked to make sure that was done. I am sorry if it has not been done, and I have copies now.

#### CIVIL PROCEDURE REVISION COMMITTEE REPORT

Hon. Mr. McMurtry: Mr. Speaker, I am pleased to table today the report of the Civil Procedure Revision Committee prepared under the very distinguished chairmanship of Walter B. Williston, QC, whom I am delighted to see in the Speaker's gallery with some of his committee members.

I think we can take some pride in the improvements that have been made in the administration of justice in the field of procedures during the past five years. We have seen the creation of a Unified Family Court project in Hamilton and the adoption of a new set of procedures for use in the provin-



cial court, family division, across the province. We will shortly be embarking on a new provincial court (civil division) project here in the city of Toronto. These measures have all been aimed at making the court system more accessible and responsive to the needs of the people of Ontario.

We have also seen the introduction of a new system for the adjudication of provincial offences aimed at simplifying and expediting the legal process. The report of the Williston committee is another example of the importance which we attach to the modernization and rationalization of the procedures in use in our courts.

The Civil Procedure Revision Committee report represents the achievement of a monumental task over the course of the past four years. The report is the result of many months of research by the committee into the rules of civil procedure governing actions in the county and Supreme Courts of this province.

In the course of their study, the committee members had occasion to consider reforms recently undertaken in many other jurisdictions. The result is a report which takes the form of a proposed new Judicature Act, County Courts Act and amendments to other pieces of legislation, as well as a completely new set of rules of practice and procedure to govern actions in the county and Supreme Courts. The committee engaged in extensive consultation with members of the practising bar and judiciary in the course of the preparation of its report.

I intend to send copies of the report to the judiciary and to representative groups of the bar having a particular interest in litigation, in order to give them one last opportunity for comment before we proceed to implement the recommendations of the committee. My ministry is already working on the necessary legislation to accomplish the very desirable reforms recommended by the committee, although we realize there is still some additional work to be done before we can have a new set of procedures for civil actions in our courts.

We propose as well to take advantage of the opportunity to make other improvements in our legislation in areas which did not fall within the purview of the Williston committee.

I would like to express my appreciation to the chairman and the members of the Williston committee and their staff, who devoted a great deal of time, energy and scholarship to the production of a report that will have a tremendous impact on the future admin-

istration of justice in Ontario by rationalizing and modernizing the rules and procedures by which civil litigation is conducted in this province.

#### HUMAN RIGHTS CODE AMENDMENT

**Hon. Mr. Elgie:** Mr. Speaker, the government recognizes the importance of comprehensive human rights legislation which effectively addresses the problems of the minorities and disadvantaged groups in society. In fact, as members know, Ontario pioneered human rights legislation in Canada in the early 1960s, and has been in the forefront in the fight against discrimination ever since.

Despite our record, no one suggests that discrimination has been eradicated or that improvements ought not to be made to the existing Ontario Human Rights Code. Recognizing this, we have been working conscientiously for some time to assemble a package of amendments to respond to important issues raised by various concerned groups. The process, which has included intensive consultations with a number of organizations, has been complex and time-consuming but none the less essential in ensuring that all points of view are known and carefully weighed.

It had been our hope to introduce the amending legislation before the summer recess. However, because of the magnitude and complexity of the task, this will not be possible. At this point, I see no reason why we will not be able to proceed with the legislation when the session resumes in the fall.

In the meantime, I wish to share with honourable members our intentions concerning those amendments to the code which will provide protection for our handicapped citizens.

Discrimination on the grounds of handicap will be prohibited in all sections of the code, including employment, accommodation, contracts, services, and membership in vocational associations. In response to representations from groups representing the handicapped, the definition of handicapped will be expanded to include not only past, present and perceived physical disability in its broadest interpretation, but also mental illness, mental retardation and learning disability. Exceptions will apply to those situations in which a particular handicap renders the person incapable of carrying out essential functions associated with the particular activity in question.

In addition to the general prohibition against discrimination in employment, the amendments will prohibit an employer from

refusing to employ a handicapped person on the grounds that he or she cannot enrol in an employee benefit plan or pension fund.

**Mr. S. Smith:** How does the minister know that? Show us—

**Hon. Mr. Elgie:** I know the Leader of the Opposition knows everything, but he should just be quiet and learn something else.

**Mr. S. Smith:** Don't tell us how. Do it.

**Hon. Mr. Elgie:** Oh, keep quiet over there. Just keep quiet and listen to something for a change.

The amendments will also provide that where a bona fide ground is established excluding the handicapped person from such a plan, the employer must pay to the handicapped employee an amount equivalent to the contribution the employer would otherwise have paid to the plan on the employee's behalf. Handicapped persons will have the right, as well, to equal treatment in insurance, subject to certain limited exceptions.

In addition, where discrimination against a handicapped person is established in relation to employment, accommodation or services, a board of inquiry will be entitled to address the question of access to premises, equipment or facilities as the case may be and, subject to reasonable cost considerations, may make access orders. I might also say that the amended act will have primacy over other legislation except legislation establishing programs designed to assist disadvantaged persons.

Interjections.

**Mr. Speaker:** Order. Will the Leader of the Opposition please be quiet?

**Hon. Mr. Elgie:** I am convinced that, as a result of our intensive and productive meetings, we have arrived at provisions that will afford protection to our handicapped citizens. While the revised act will deal with a number of other important issues, both substantive and procedural, many of which have already been approved by cabinet, I did want to emphasize the priority that this government attaches to protection for the handicapped as one of the most important elements in a broad package of amendments to the code, and to assure the House of our resolve to provide that protection, in very specific and comprehensive terms, at the earliest possible date. In addition, I shall be having meetings with the handicapped to discuss the proposed legislation with them.

3:10 p.m.

## TORONTO ISLAND HOMES

**Hon. Mr. Wells:** Mr. Speaker, for the information of the House, I would like to tell the members that we are not going to proceed today with Bill 5, which concerns the Toronto Islands and which is sitting waiting for second reading. I am profoundly sorry that the opposition parties have not seen fit to support this bill. It sat here for quite a considerable time, and I think I can say this bill presents a fair compromise. It is a compromise bill, particularly with the amendment that I had suggested. It is a bill that would have prevented the eviction of the present occupants and would have guaranteed life tenure to those people. However, this bill will remain on the Order Paper and it can be considered during the fall session.

With the summer before us, I hope we can use it fruitfully to overcome some of the impasses that have been reached. I am therefore proposing that we do two things over the summer recess. First of all, I am going to ask Metropolitan Toronto not to proceed with the writs of possession at this time. I have asked them several times on behalf of the members of this House not to proceed with those writs and, in fairness, they have not proceeded with the writs when we have asked them. The reason I am going to ask them not to proceed with the writs is that I am going to see whether we cannot find some way over the summer to find a solution to this impasse. My bill is a logical solution. The only thing holding up resolution of this problem is the two parties sitting over there.

I am going to propose, therefore, at our next cabinet meeting that the Lieutenant Governor in Council establish a commission under section 249 of the Municipality of Metropolitan Toronto Act to inquire into the future uses of those lands on Wards and Algonquin Islands, which were occupied on October 19, 1979, and used for residential purposes.

In addition to the chairman of the commission, four other commissioners will be appointed. This is very similar to the amendment I suggested to the bill which the members opposite did not accept. This commission will have two people appointed on the advice of the city of Toronto and two on the advice of Metropolitan Toronto. I am asking this commission to report to me as soon as possible, and I am happy to tell the House that the chairman of the commission will be Barry Swadron, QC, a lawyer of Toronto.

## GRANT TO RACING CAR DRIVER

**Mr. S. Smith:** Mr. Speaker, just before I ask a question, I want to raise a matter of privilege. The House was assured by the Minister of Industry and Tourism (Mr. Grossman) that he would table immediately—this was last Monday, I believe—the letter upon which he based his contention that he could recover \$15,000 from one Maurice Carter. In fact, I have asked the minister again for that in person twice since then, but the letter has not been tabled and we are about to leave for the summer.

It seems to me the House has been given a promise, and that promise has not been kept. I am not sure what the Speaker feels he can do in the circumstances, but it is difficult for us to understand or accept the credibility of statements if the basis upon which they are made is being refused to us in the House.

**Hon. Mr. Davis:** Mr. Speaker, in reply to the Leader of the Opposition's point of order, which I think he could have asked a question about, it would have been very simple—

**Mr. Breithaupt:** The Minister for Industry and Tourism is not here.

**Hon. Mr. Davis:** I have to say to the member for Kitchener that neither he nor his leader have ever been reluctant to ask other people, when ministers have not been here, questions that may or may not—

**Mr. S. Smith:** Why should I waste a question, because he does not keep a promise?

**Hon. Mr. Davis:** Listen, some of the Leader of the Opposition's colleagues are trying to advise him to keep his cool as he is getting a little touchy these days. They may even suggest he get a little psychiatric help. I do not know whether it is possible.

Interjection.

**Hon. Mr. Davis:** Actually, the member for Brant-Oxford-Norfolk will be delighted to know the minister was in Brantford dealing with some very serious matters. I know the member prefers he not go to Brantford to try to deal with serious matters, but anyway that is where he was. Knowing that the member was going to make these accusations about this very distinguished member of the government, he is here to reply. I think the Leader of the Opposition should make that the subject of his first question. Why does he not make that a question?

**Mr. S. Smith:** When you become Leader of the Opposition, that is how you can do it.

**Mr. Speaker:** In terms of the question period, the duration of the question period

in this House is one hour, including time spent on points of order and points of privilege. While we have still not had a question we have already expended three minutes of the question period time. Does the Minister of Industry and Tourism have a response to the point of privilege?

**Hon. Mr. Grossman:** I have not heard the point of privilege; however, I have a response. I was just kidding when I said I had a response. I have not heard it.

Interjections.

**Mr. S. Smith:** Mr. Speaker, on a point of privilege: If I may repeat it, it is simply that the minister promised to table the letter—which I asked him for twice, as he knows, as well as in the House—upon which he based his statement that he can recover the money from Mr. Carter. He promised to table that letter or that agreement, either one, and it is just not there. We believe the promise has not been kept.

**Hon. Mr. Grossman:** Mr. Speaker, I can report to the House that my staff has been in contact with everyone involved. During the day today I was trying to deal with matters relating to Massey Ferguson and the city of Brantford, which I thought took priority.

The simple answer is that I have not been in touch with my staff on the matter today. I will get on the phone to them and as soon as the letters are brought here the Leader of the Opposition can have them. He may even have the cheque today; one can never tell.

## ORAL QUESTIONS

## HOSPITAL INTERNS

**Mr. S. Smith:** I have a question, Mr. Speaker, for the Minister of Labour. In view of the fact that the assessor—I believe his name is Mr. Teplitsky—appointed by the minister to inquire into the matter of remuneration for hospital house staff positions has made his report, and since the minister has seven days to respond to this particular report, can the minister tell us whether he will go ahead, and will he give an undertaking to this House that the recommendations of the assessor will be accepted?

The minister is aware of the very thorny nature of this matter, which has gone on now for several years—it goes back decades in fact—in terms of trying to define the role of house staff. Finally there is what looks to be a reasonable report; a recommendation has been made and the minister has seven days to respond. Can the minister tell us now that he will, in fact, accept that report?

**Hon. Mr. Elgie:** Mr. Speaker, having been an intern and a resident myself, along with the Leader of the Opposition, I am sure he and I both have a certain amount of—

**Hon. Mr. Davis:** Along with him?

**Hon. Mr. Elgie:** At different times, I did not want to get into that kind of problem, Mr. Premier, but we always had a certain deal of some kind of respect for those in psychiatry. I am sure we share a common concern for the work and the hours spent by interns serving the public, but I think there is some misunderstanding about the process.

For several years now the Minister of Labour has, on a voluntary ad hoc basis, without any statutory basis for it, co-operated in trying to resolve disputes between the Professional Association of Interns and Residents of Ontario and the Ontario Council of Administrators of Teaching Hospitals. We have done it very diligently with a great deal of interest in spite of the absence of a statutory base. I am sure the Leader of the Opposition understands that.

In 1978, I believe it was, PAIRO and OCATH came to an agreement between themselves which outlined the steps that could be taken and should be taken to resolve a dispute. One of those steps involved the appointment of an assessor who may make recommendations which he shall forward to the Minister of Labour, who was not a party to the agreement between the two parties, as I am sure the member understands.  
3:20 p.m.

Following the forwarding of that recommendation the intern staff then have seven days before they may do certain things—during that period of seven days after the Minister of Labour has received the assessor's report. It is true, we do have a report. I don't want to comment on it. Surely comments should first of all come from the parties.

We have heard from PAIRO. I understand their views, and I understand the anxiety of having had a year and a half go by in which nothing happened, but I am sure they would also agree that one should take the opportunity to receive a response from OCATH to see what its view is of the report, before one gives consideration to what steps might be taken by the Minister of Labour who, I might add again, has no statutory responsibility.

However, we will continue to offer every reasonable service we can and will continue to be involved. I am simply awaiting a response from OCATH to determine what their feelings are about this recommendation.

**Mr. S. Smith:** A supplementary, Mr. Speaker: Given the number of obstacles that seem to have been set in the path of the interns and residents as they have attempted to get the raise they have not had in two and a half years, given the number of difficulties they have encountered in trying to get compulsory, binding arbitration, something which in my view they should have, and given the fact that finally there is an assessor who has spent an exhaustive amount of time and energy and has come up with a report, how long is the matter going to be left in abeyance while the teaching hospitals talk among themselves and perhaps agree or disagree, leaving the interns in a situation in which they either have to work to rule, go on strike or take some other kind of measure if they are ever going to get an increase, having waited this unconscionably long period of time?

This happened before. This is a chronic problem. Why does the minister not move now to resolve the issue, get a clear definition, binding arbitration, something with which we can live from now on, and not have to repeat this exercise every year ad infinitum?

**Hon. Mr. Elgie:** Mr. Speaker, first of all, I did not hear what the member felt about whether OCATH should have an opportunity to review the assessor's report and comment on it. I would have thought he and I would have understood that that was sort of part of the natural-justice concept of life that we all understand in negotiations. That is what I indicated we were awaiting, that is, the viewpoints of OCATH.

For instance, they may well have some comments on the statement in the Teplitsky report that only 10 per cent of an intern's time is devoted to teaching. The member may have some views on that and I may have some views on that, but surely we should hear from the parties on the substance of the report before making any decisions about where one goes from here.

**Mr. Cassidy:** Supplementary, Mr. Speaker: I would remind members that it is now 17 months since the date on which this contract between the interns and the hospitals across the province should have gone into force.

Is the minister at least prepared to say whether he considers the financial recommendations of the assessor's report to be a fair and equitable settlement for the interns and house staff across the province? Will the minister also say what steps the Ministry of Labour intends to take in order to prevent

these unconscionable delays in negotiations between interns and residents and the hospitals across the province? Does he think it fair for any group of workers in the province to have to go through 17 months without a contract because of the intransigence of its employers?

**Hon. Mr. Elgie:** Mr. Speaker, again, as I mentioned to the Leader of the Opposition, it would be most inappropriate for the minister to comment on the substance of the Teplitzky report. I don't really think the member for Ottawa Centre expected me to comment on it.

**Mr. Cassidy:** Sure, I do.

**Hon. Mr. Elgie:** Well then, that is another problem he has in life: he does not appreciate the role that the Minister of Labour plays in situations like this.

But I may say that the steps we will recommend to our cabinet colleagues and to our caucus will follow upon the receipt of information with regard to OCATH's response to the Teplitzky report. Surely that is a pretty logical way to approach life.

On the other matter: I have to agree that I have a great deal of sympathy with the fact that there has been since 1974, to my knowledge, a long series of protracted negotiations, and I think we have to give fairly serious consideration to some better means of resolving them.

**Mr. Van Horne:** The minister still has not answered the question. We understand that PAIRO is very much accepting the recommendations of the report, but we do not know what OCATH is going to do. We want to know what the minister can do, what power he has or what recommendations he would have if in fact OCATH did not accept that report. That is what the interns also want to know. He should tell them what he is going to do.

**Hon. Mr. Elgie:** Mr. Speaker, I think I understand the interns pretty well. I think their teaching has taught them to understand and deal with problems logically, and one goes at problems step by step. When one receives the OCATH response, then one will decide what path to follow.

### THE TIN DRUM

**Mr. S. Smith:** I have a question for the Minister of Consumer and Commercial Relations, Mr. Speaker, relating to the procedure by which the Ontario Board of Censors has dealt with The Tin Drum. Would the minister care to correct any of the statements

he has made in the House in which he indicated that correct procedure had been followed and that there were no votes taken between the two so-called official votes that were taken on The Tin Drum? Sworn testimony yesterday would indicate that both intimidation and manipulation of board members by the administrators may have occurred. Would the minister now wish to correct his view of how many votes were taken on this matter and say whether he believes the procedures being followed by the board of censors in this province are adequate in his regard?

**Hon. Mr. Drea:** Mr. Speaker, I said in the estimates committee yesterday when I was asked that question—or when it was referred to—that I am. At no time did I ever attempt to confuse the Leader of the Opposition, or anybody else. I answered his questions.

I read a chronology. We went through this at great length yesterday in the committee. There was a vote and a decision. There was a decision reached in the beginning. Everybody initialled the sheet. That is the decision.

I have that chronology here—the same one I used before. On April 22—and this is what I told the Leader of the Opposition in response to his question—there was a consensus reached by the board, and the decision came about because it was an issue. On May 15, there was a decision reached on the review because the people signed the document. Either here, or in my estimates previous to yesterday, we went through all of the various—some people call them straw—votes. I refer to the procedure as something akin to a jury system in the way they make a decision.

I have constantly said there were a number of ponderings, there were a number of samplings, a number of anything. If the Leader of the Opposition wants to call them votes, that is fine, but the important thing is there was a decision April 22 and a decision May 15.

I am satisfied with the procedures of the board.

**Mr. S. Smith:** The minister may well be in a minority of one in this regard.

Does the minister find it acceptable that votes are taken of a straw nature, or any other kind, repeatedly, over and over again, until finally—possibly as a result of people feeling manipulated, possibly as a result of their feeling intimidated—they get a result that is acceptable to the head of the board, at which point the matter is then put to them for initialling? Is he satisfied with that kind

of procedure? Does it bother the minister at all that it would appear that the people of Ontario are not going to see this film when it would appear that the majority of the board of censors at various times favoured showing that film with one cut?

Does it bother him that it was only because of the continued demands on the part of the chairman and his assistant that eventually they were worn down—or whatever word they used; manipulated, intimidated—to come up with a decision that they particularly wanted? It must have been a very difficult and arduous procedure for the chairman, given the problems he has and so on. I would simply say to the minister it would appear that the board was polled and repolled until it came up with the results the chairman wanted. How can the minister be satisfied with that?

3:30 p.m.

**Hon. Mr. Drea:** Mr. Speaker, that is as much nonsense as saying that a jury polled and repolled among its members until they agreed upon a verdict. The reason the board took these votes or discussed and it came back again is, by their own admission, that they had reached no consensus; by their own admission, not by the minister's, not by anybody else's.

**Mr. S. Smith:** They were intimidated.

**Hon. Mr. Drea:** Who intimidated them? Who? Is the member saying that I did? If not, he should say it into his microphone that I did not.

**Mr. S. Smith:** The minister did not intimidate anyone.

**Hon. Mr. Drea:** Thank you.

**Hon. Mr. Pope:** Poor, shy people.

**Hon. Mr. Drea:** Mr. Speaker, on the basis of the evidence yesterday, and I do not want to evaluate evidence, one person testified under oath that he "felt intimidated." The answer to who was intimidating him was "management." I hope this afternoon that that witness or anybody else—

**Mr. M. N. Davison:** You have pretty well stopped that, haven't you?

**Hon. Mr. Drea:** The honourable member filibustered it all day long yesterday. He got himself in a jackpot. Now, let him live with it.

Interjections.

**Hon. Mr. Drea:** Mr. Speaker, I will look at the Hansard when it is available. I will look at today's Hansard when it is available. If there is any reason to believe that somebody was intimidated, then I will do something about it. But I remind the Leader of the Opposition that the person who said, "I

felt intimidated," never changed his vote, and that is a matter of record.

**Mr. M. N. Davison:** Mr. Speaker, in view of the fact that the minister put information before both the House and its standing committee on the administration of justice which was totally inaccurate in this regard, and since he refuses either to correct the record or to apologize to the members of this assembly for breaching their privileges in such a fashion, which means either that the minister was a dupe or was involved in the entire unsavoury process, either of which is unacceptable behaviour in a minister of the crown, will he not at least have the decency to resign his portfolio so we can get a minister who will be committed to cleaning up the procedures at that board?

**Hon. Mr. Drea:** Since it is the last day of the session, I take a lot of things into account. The member bungled very badly on a bill this morning, and I suppose he feels a bit uncertain.

I want to tell you something, Mr. Speaker. I am going to tell you something, and I am going to tell this assembly something. The sun has never yet risen on a day and it never will rise on a day when this minister is a dupe or when this minister is part of any unsavoury practice.

I am going to treat the rest of the question with the contempt that it deserves.

**Mr. Roy:** Given that the minister does not warrant the adjectives which have been directed to him from the New Democratic Party, does it not bother him nevertheless that a board that is supposed to be making decisions independently is still coming to the public—one member at least, and we will hear more probably—or coming to a legislative committee and making statements that they feel they are intimidated—at least one feels he is being intimidated? How can the minister compare the process that takes place in the board with the jury system when he knows very well that in the jury system, if there were such evidence about intimidation, the verdict would be overturned?

**Hon. Mr. Drea:** Mr. Speaker, I talked about the procedure as being identical to a jury system without discussing the merits of the particular event. The member should keep that very clearly in mind.

All the evidence is not in. A person said he felt intimidated. I made some statements to the press yesterday about how seriously I regarded that, if indeed it was true.

**Mr. Roy:** You should be concerned about it.

**Hon. Mr. Drea:** I just said that.

Interjections.

**Hon. Mr. Drea:** I just said it. I don't understand what's the matter with the member.

All the Hansards are not here. I told the Leader of the Opposition I will look at the Hansard. You see what happens to me when I am a nice guy and I am friendly, Mr. Speaker. Harold Ballard is right; I get in trouble when I am a nice guy.

### WILD RICE

**Mr. Cassidy:** Mr. Speaker, I would like to ask the House to treat a serious issue in northwestern Ontario, the question of the moratorium on wild rice licences that was declared a couple of years ago. I do so in the presence of Chief Robin Greene, chief of the Grand Council of Treaty No. 3, who is in the gallery today.

The Premier will recall having committed the government two years ago to provide assistance to Indian wild rice licensees, and I quote, "with the primary objective of establishing an economic base for the Indian communities in northwestern Ontario."

Given that commitment to assistance, which was made two years ago, could the Premier explain why it is that in the first and second years of the moratorium, the only material assistance that has been offered to the Indian communities has been the provision of two mechanical harvesters on loan from the Ministry of Natural Resources?

**Hon. Mr. Davis:** Mr. Speaker, there have been a number of discussions with the native people in that part of the northwestern part of Ontario. I think the discussions really have gone beyond the offering of two mechanical harvesters.

I have not been involved in the discussions in the past two or three months, but I believe the minister has, and I think there are some further recommendations coming forward some time this coming month. When I say "month," I think that will be in July. The Minister of Natural Resources (Mr. Auld) may have further information for the honourable member if he wishes to redirect a supplementary to him.

**Mr. Cassidy:** I would like to continue to talk to the Premier about this particular issue, particularly in view of the fact that neither has there been assistance forthcoming from the government nor, in view of the disastrous harvests of wild rice of the last couple of years which were due to high water, has there been the means or the

wherewithal for the Indian communities to embark on the technological and other changes that might have been required to ensure the economic base the Premier spoke of two years ago.

Since programs of financial assistance to the non-native community normally have a budget and specific criteria for the way one may apply, could the Premier give a commitment that a specific amount of money will be set aside to assist native communities in the wild rice harvest beginning this summer, and will the Premier also make a commitment that there will be specific means by which those native communities can apply for assistance in such areas as seeding, the acquisition of boats and equipment, marketing, and processing facilities?

**Hon. Mr. Davis:** Once again I am going a little bit by memory. The amount of money, I guess, is always subject to some negotiation or debate on occasion, but my recollection is that it has not been a question of money or the amount of money in determining in exactly what ways we as a government can be helpful.

3:40 p.m.

I would not want, Mr. Speaker, to give the honourable member a commitment on any specifics. In this situation, I do not think we want a program where hard and fast guidelines are laid down, because it is not that type of situation. I would think the honourable member should be urging us to exercise as much flexibility as possible in terms of dealing with this situation, because that is the approach we believe is correct and the one we will be taking. .

**Mr. Cassidy:** I would point out to the Premier that is the case of the Employment Development Fund and other programs like that, there is a specific budget and it does give people an idea of the degree of commitment that exists by the government, something that has not been done in this particular case.

Since the wild rice crop in northwestern Ontario has been virtually wiped out in the last couple of years because of the high water levels and since, despite instructions from the minister, the government's representative on the Lake of the Woods control board has consistently continued to oppose the appointment of an Indian wild rice adviser to that control board, which determines the water levels in the water system up there, could the Premier tell the House exactly what steps the government intends to take to ensure that the control board has the bene-



fit of the expertise possessed by Treaty No. 3 Indians concerning the effect of water levels on the rice crop?

**Hon. Mr. Davis:** Once again, my recollection was that in discussions with some of the members of the native band in that area, and I do not know whether it is the present chief or the former chief, I personally made it very clear in all of the discussions on wild rice that the advice of the native people would be sought and this would include the question of water levels.

I cannot inform the honourable member whether there is some disagreement with respect to the water levels; I personally am not aware of it. But I did give the assurance of the government as it related to these issues that the native people would be consulted.

**Mr. Cassidy:** In view of the Premier's statement about consultation with the native peoples, is he not aware that the Lake of the Woods control board, which regulates the water levels in the Lake of the Woods and all of the other major waterways where the wild rice is grown, has consistently refused to have a nonvoting adviser from Treaty No. 3 Indians who would be able to advise on the water levels?

Is the Premier also not aware that, unless that adviser is present and able to bring the case for wild rice before the control board whenever they are making decisions about water levels, we will continue to have the case of the problems which have existed over the last couple of years where the control board maintains the water levels so high that the wild rice harvest is effectively wiped out year after year.

If the government has made a commitment to making wild rice an economic base for Indians in northwestern Ontario, why will the government not ensure that there is that adviser who can consult, not when somebody chooses to talk to them, but on a consistent basis with the most important governmental agency that determines water levels which affect the wild rice harvest?

**Hon. Mr. Davis:** I am not attempting to draw a distinction between being a member of a board and being in a position to offer one's point of view. I cannot guarantee the honourable member that advice that is offered is necessarily accepted.

I believe, and the minister can correct me if I am wrong, that the ministry actually made a suggestion that the question the honourable member has raised be accommodated. I gather that there was not any

agreement on this, but the ministry personnel—

**Mr. Cassidy:** The government's representative voted against what the minister said.

**Hon. Mr. Davis:** Let me finish, I am trying to be as helpful as I can. If the member does not want to listen to me, then let him go ahead and interrupt. Does he want to listen? In other words, is he going to be quiet for a moment or two? That is a tremendous sacrifice on his part; I know that.

My understanding is that the Ministry of Natural Resources people are not under instructions, those who are members of the board but have been asked to do it. I do not know the makeup of the board and this is why I say, with great respect, that the member might have asked the Minister of Natural Resources, but he seems reluctant to do so. They are instructed or requested to consult or speak to the members of the native community when these matters are being discussed.

If my impression is erroneous, I suggest that the member ask a supplementary to the minister, who I know is always most agreeable in trying to get information for the member, and he will be prepared to do it.

#### ONTARIO BUSINESS BUY-BACK PROGRAM

**Mr. Cassidy:** Mr. Speaker, I have a question to the Premier about the buy-back proposals announced earlier this week by the Minister of Industry and Tourism and which the minister called "the key to increasing Canadian participation in the economy..."

Given the fact that takeovers by foreign corporations in Ontario amounted to \$2.5 billion worth of assets last year, can the Premier explain why the government has apparently allotted only about \$10 million to the buy-back program announced this week? Can he explain how the government expects to ensure that Canadians regain control of our industry when the government is putting up only \$1 for buy-backs for every \$250 being spent by foreign corporations on takeovers in Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I think there may be some misunderstanding as to the limits. I quite seriously suggest that the member ask the Minister of Industry and Tourism, who is very familiar with it and who will give him the answers.

**Mr. Cassidy:** Mr. Speaker, I would redirect the question to the Minister of Industry and Tourism, in that case.

**Hon. Mr. Grossman:** In essence, Mr. Speaker, we have developed a program that

can be used by as many companies as present viable business proposals to us. There is no \$10-million cap on it. In fact this government would be delighted if it found there were enough good investment opportunities for Canadians to buy back foreign branch plants so as to require more than \$10 million. We would be delighted to go over the figure the member is talking about.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Is the minister not aware that his own media representatives are estimating that perhaps five or six of these buy-backs might take place every year? That is a maximum of about \$9 million, if the maximum of \$1.5 million were spent each time. Is he also not aware that the Globe and Mail has reported, presumably on the basis of information from the ministry, that about \$10 million will be spent every year?

I repeat the question. How does the government expect Ontarians to regain control of their economy if the government is prepared to put up only \$1 for every \$250 being spent by foreign corporations on acquisitions in Ontario?

**Hon. Mr. Grossman:** Again I can only say that the figures quoted were based on the amount of business we have traditionally done year after year. As I said in my statement the other day, this government has always made money available for those instances, particularly in employee purchasing situations, where Canadians can buy out foreign subsidiaries.

On the basis of the activities in which we have been involved in the last few years—I think of the situation with Pioneer Chainsaw corporation, I think of the Prestolite Company plant, I think of Lockwood Manufacturing Inc. in Brantford—in looking at our track record, one sees we have done about five or six a year. On that basis, if the level did not increase, the payment every year would be close to the figures you are talking about.

Quite simply, one thing this government is not going to do—and perhaps the member might advocate it—is to go out with a wad of money to try to buy out plants; this inevitably would force up the price of some of those plants that are currently not for sale. In fact, it would lead to the very thing we would be sensitive about; that is, the bailing out of foreign entrepreneurs involved in bad projects.

What we are saying is that where there is a branch plant, a good viable one, available for purchase, we will help that purchase occur. If it is \$10 million—

**Mr. S. Smith:** So will any bank.

**Hon. Mr. Grossman:** That is not true. The Leader of the Opposition says “any bank.” That is patently not true. The fact is that if it were \$10 million, \$30 million, \$50 million, or if we were to double the amount, we would find the amount of money available.

I would point out one other thing to the leader of the third party. When he acknowledges that there are not enough opportunities for Canadians to buy out branch plants that are becoming available, he is, of course, acknowledging that a lot of those branch plants are still in business here, are still employing people, are still creating employment for Ontarians and therefore are operating to the benefit of our economy while they are in business. If they were not, they might be for sale.

**Mr. Cassidy:** Mr. Speaker, could the minister explain why it is that the government has so categorically rejected the recommendations of the select committee on economic and cultural nationalism, in which my friend the member for Sudbury East (Mr. Martel) was involved six years ago? It was a report that was endorsed by the members of the Conservative caucus who were present, as well as by the Liberals and the NDP at the time.

Why is it that the government was not prepared to go along with the recommendation that there not only be a buy-back program, but that the Ontario Development Corporation be empowered to buy a Canadian presence in selected industries, to buy enterprises coming up for sale from foreign owners for which no Canadian buyers could be found, and to acquire assets on a temporary basis until a Canadian owner could be found?

Why is it that the select committee, six years ago, put forward proposals that this government is not prepared to adopt even today?

3:50 p.m.

**Hon. Mr. Grossman:** Mr. Speaker, with respect, if I heard all three of those questions accurately, I want to emphasize that the Ontario development corporations are currently authorized to do all of those things and if a good business proposition was brought to us ODC would do any of those things.

#### NUCLEAR WASTE DISPOSAL

**Mr. Kerrio:** Mr. Speaker, I have a question of the Minister of the Environment. I see him behind the seats over there. I would

like to ask him if he is aware of the existence of a concrete water tower which stores nuclear waste left over from the Manhattan Project, a project that developed the first atomic bomb that was dropped on Japan? Is he aware of the fact that the waste from that project is buried along the Niagara River, on the United States side immediately adjacent to the river?

Also, has he ever asked for and received information from our American friends in the Department of Environmental Conservation, and is he satisfied that we are not facing a real disaster in the event of some lightning or other catastrophe striking that structure, which seems to be makeshift, to say the very least, in an area of extreme danger as it relates to nuclear waste?

**Hon. Mr. Parrott:** No, I am not aware of it, Mr. Speaker. I am prepared, on the member's behalf, to ask and get the information and forward it to him.

**Mr. Kerrio:** I would appreciate that very much. The reason I posed the question is that there was a report following the Three Mile Island incident and there was some concern that it may have affected the infant mortality rate in the areas of Kingston and that area upwind. The reason I am hoping the minister would come back with a report is that Atomic Energy of Canada Limited is very concerned about the tornado resistance to our nuclear plants. Are our American friends aware that this poses a great threat to the people in the area?

**Hon. Mr. Parrott:** Yes, I will get that information in that light. I do not really think it is wise to compare those two. I think we should dissociate Three Mile Island, the Kingston report and that possibility. But given that preamble, I will get the information.

**Mr. Sargent:** A supplementary, Mr. Speaker, in the same vein, regarding the pollution of our fresh water system in the Love Canal area: In view of the fact that two thirds of the world is covered by water and only 2.5 per cent of that is fresh water and 90 per cent of the world's supply of fresh water is our Great Lakes system here, why will he not establish an institute of technology that would give us a marine geology and engineering institute, say in the Owen Sound area, where we have the freshest, purest water in the world? Why could he not establish an institution to go after fresh water right now at a time when it is so precious to us?

**Hon. Mr. Parrott:** I think the honourable member for Halton-Burlington (Mr. J. Reed)

says we do have that kind of facility here in Ontario. It is under the federal jurisdiction. I would remind the member that not that many years ago the Premier (Mr. Davis), along with the government of Michigan, signed some agreements that eventually led to the international agreement. I would think it is pretty well known in the international scene that Ontario is not only always co-operative, but frequently leads the way in establishing these commissions that will look into it.

**Hon. Mr. Davis:** Always leads the way.

**Hon. Mr. Parrott:** Always leads the way, Mr. Premier, I accept that correction. But we do, frequently, by our own negotiations on an individual state, prompt the international agreements. We have always been a party to that and frequently have given resources. I believe I can honestly say, in the matter of protecting the Great Lakes and the agreements that have been necessary to do so, we have been leaders..

#### SUGAR PRICES

**Mr. Swart:** My question is to the Minister of Consumer and Commercial Relations. Is the minister aware that the main supermarket chains today raised the price for two kilograms of white granular sugar by 30 cents, even though no corresponding increase took place in the raw sugar price or even in the wholesale price? In view of the minister's pseudo conversion to concern about consumer prices, as he indicated last night in speaking to the Consumers' Association of Canada, why has he not intervened in sugar prices when the supermarket price on this—

Interjections.

**Mr. Swart:** It is no joke when the price on this two-kilogram package has risen from \$1.25 less than a year ago to \$3.09 now.

**Hon. Mr. Drea:** Mr. Speaker, I am not aware of any speech I made last night. I was at a boxing club and then I was at a dinner with the member for Mississauga South (Mr. Kennedy). I presume the honourable member is referring to remarks I made on Tuesday night.

I have been watching the price of sugar for some time. I could not hear the honourable member's question, but I would be very glad to take the five pounds or whatever it is—what is it? The honourable member is not offering it to me? He gives me a pair of chintzy oranges when he knows I do not eat them, but he will not give me sugar. I will

look into the details of the member's question and I will reply to him as soon as possible.

**Mr. Swart:** By way of supplementary, Mr. Speaker: Because of the long delay while the minister says he has been looking into it, will he explain now why the markup from the price of raw sugar in this package to the retail price, which was only 45 cents last summer, is now three times that much? Will he also explain why this five-pound bag of sugar, 12 per cent more than the two-kilogram bag, sells currently for an average price in New York State of \$2.25? This means our retail price is 50 per cent above theirs, when the raw sugar price difference, because of the dollar value, can account for only 10 per cent of it?

**Hon. Mr. Drea:** Mr. Speaker, as I said to the honourable member in answer to his previous question, I will look into it and respond to him forthwith. It would be helpful, perhaps, in the future, if instead of sending me things like chintzy weather-beaten oranges, he might give me those. They are worth something.

**Mr. Riddell:** Supplementary, Mr. Speaker: While the minister is looking into food prices, would he check to ascertain why there was a 175 per cent markup on such products as asparagus, hothouse cucumbers and field rhubarb. It is my understanding the asparagus was even broken down into packages that amounted to a 350 per cent markup. I wonder if the minister would look into that.

**Hon. Mr. Drea:** Mr. Speaker, that was on the basis of allegations made on a radio program, I think. I do not have the exact details with me today, but I will supply them to the member. We did check into that, particularly through the Asparagus Growers' Marketing Board, and we found that some of that was incorrect. Some of the things were based upon some specialty store items. But I will be very glad to provide the member with that detail.

4 p.m.

I am glad he asked that, because we had some interesting conversations with the asparagus marketing board. One of the problems they brought to my attention—and I am certainly bringing it forcibly to the attention of my colleague the Minister of Agriculture and Food (Mr. Henderson)—is that they feel they could supply a much larger market in Ontario if there were some prodding given to the supermarkets and the big buyers. Rather than them giving preference

in the early spring to long-term contracts from the United States, the producers could supply them on the basis of expanded acreage and expanded production if they had this commitment so that they could increase the acreage.

I want to pursue that very quickly with the Minister of Agriculture and Food. Together, we may be able to use our good offices to see if that can be accomplished to increase the sales potential and acreage potential for asparagus growers in particular.

#### GAS SALES TO AMERICANS

**Mr. Haggerty:** Mr. Speaker, I would like to direct a question to the Premier. Is he aware that a large number of American motorists, averaging 75,000 additional entries per month into Canada at Fort Erie, are using available means to obtain additional sources of Canadian gasoline? What steps, if any, has this government taken to provide measures to stop the hoarding of highly subsidized Canadian gasoline to certain American motorists who are abusing their privileges?

**Hon. Mr. Davis:** Mr. Speaker, I understand the government of Canada, where the jurisdiction properly lies, is looking into it. I would question that one should use the phrase "highly subsidized."

**Mr. Haggerty:** It is about \$8 per tankful of gas.

**Hon. Mr. Davis:** I do not know who is subsidizing it. The member is not, I am not; we are not as taxpayers. I just do not want the member to create an erroneous impression. The Premier of Alberta might argue that it is being subsidized by the taxpayers of Alberta. That might be closer to reality than the suggestion the member is making that they are buying gasoline subsidized by ourselves, because we are not. It is a difficult problem.

**Mr. Haggerty:** We could take sugar for gasoline.

**Hon. Mr. Davis:** I understand, Mr. Speaker, but I think the member also comes from an area that is relatively sensitive in terms of the tourist industry. I know the member can differentiate in his own mind between an American tourist who is coming here and is going to drive from his community perhaps to Brampton, spend a few dollars, go on up into the riding of the member for Muskoka (Mr. F. S. Miller) and so on. I think one has to be very careful in terms of how one deals with it. I really do

think it is a matter for the government of Canada in terms of their policies related to the United States.

We are quite aware of it, we are concerned about it; but I think it has to be handled very carefully in the context of our relationships with our neighbours to the south.

#### EXTRADITION OF JULIUS NAGY

**Mr. Warner:** Mr. Speaker, I have a question for the Attorney General. I would like to know why the Attorney General is stalling on the extradition of Mr. Julius Nagy of the Apico fraud situation. As the Attorney General knows, Mr. Nagy is in the United States—I believe in New Jersey. He should be here to face RCMP charges of fraud involving \$350,000 that has been taken from a number of our ordinary citizens living in this province. I would like to know why he is stalling and when he can make sure that the extradition proceedings begin.

**Hon. Mr. McMurtry:** Mr. Speaker, it is nonsense—but not surprising given the source of the question—to say we are stalling. I am not sure where the matter stands, but I will look into it and advise the honourable member accordingly.

**Mr. Warner:** The answer is not surprising based on the source from which it comes.

I would like to know if the minister, while he may be in such a sanguine mood about this, is aware that those crooks are still alive and well and operating back here again in our good province, only this time under the name of Waco.

In fact, they had a nice ad in the Toronto Daily Star of last Saturday, June 14, in which they offered a booming \$94-billion inflation/depression-proof automotive parts aftermarket. To sign up for the opportunity to throw in \$11,000, people should phone Miami, Florida. The crooks are alive and well and back here. When is the minister going to begin the extradition of Mr. Nagy so we can stop the ripoff of our citizens here in Ontario?

**Hon. Mr. McMurtry:** I have nothing further to add to that.

#### ST. CATHARINES GENERAL HOSPITAL

**Mr. Bradley:** Mr. Speaker, I have a question of the Minister of Health. As the minister is aware, yesterday the Ontario Nurses' Association took what is probably an unusual step by providing to the public a report of the nursing assessment committee, which is an independent committee, on the

safety of patient care at the St. Catharines General Hospital amongst other things.

Will the minister indicate to the House what action he intends to take as a result of the great concern that has been expressed by the ONA about patient safety at night and on the weekends, particularly in the cardiac care and intensive care units of the St. Catharines General Hospital? This situation involves, I understand from news reports and this report, only three nurses being on duty in the intensive care unit on weekends and on holidays and at nights.

**Hon. Mr. Timbrell:** Mr. Speaker, I am pleased the member raised the question, because yesterday I received two letters. One was from Miss Gribben of the Ontario Nurses' Association giving me some of the background to this, an exchange of correspondence and the report. I am sure she sent this to all members in the Niagara region. I also received yesterday a four-page letter from the administrator of the hospital alerting me to the fact that this other letter was coming. Of course, as with all things, there are two sides.

One of the more interesting parts of the letter from the hospital administrator was this on page three: "At the time the assessment committee studied the area, prior to renovations, it consisted of 37 beds, including 11 ICU-CCU [that is, intensive care unit, coronary care unit], wards with a staff of 44.6." The 0.6 is part-time or its equivalent. "After renovating, the same area now consists of 24 beds, including 12 ICU-CCU beds, whereas the staff has been increased to 53.6. We feel that 13 less beds and 19 more staff members, comprised of one ward secretary and eight nurses, certainly shows a willingness to adjust."

I think what we have here is obviously a labour-management dispute. This is one of the few hospitals that has a provision for an assessment committee process. In this letter from the hospital it asks our assistance in appointing a "high-quality assessment and evaluation team." I will be responding to both the parties indicating that we are prepared to assist them in resolving their dispute.

#### CARLETON PLACE OBSTETRICAL UNIT

**Ms. Gigantes:** Mr. Speaker, my question is to the Minister of Health. It concerns the petition that was tabled in this Legislature a few days back by my leader in which more than 50 per cent of the community of Carleton Place lodged their objection to the

decision by the Smiths Falls, Lanark, Leeds and Grenville District Health Council to close the maternity ward at the Carleton Place and District Memorial Hospital. Can the minister give us a report on his review of that petition and tell us his intent?

**Hon. Mr. Timbrell:** Mr. Speaker, first of all, the Smiths Falls, Lanark, Leeds and Grenville District Health Council did not decide to close the obstetrics unit. The decision was made by the board of the hospital in Carleton Place on the advice of their medical advisory committee. What we have here is a very interesting but nevertheless difficult situation whereby the medical staff of that hospital, looking at the number of live births in any given year, have concluded that, in their opinion as physicians, it is not safe. It would not be safe, particularly in cases of high-risk pregnancies, premature babies and pregnancies with other complications, to continue to deliver babies at that hospital.

If I remember correctly, the volume of deliveries was something of the order on average of one a week, or maybe two a week, but it is not very many. What we have here is a situation where doctors are saying: "It is not safe and we do not think we should be delivering babies here any more. Therefore, we recommend that we get out of obstetrics."

4:10 p.m.

Putting aside this petition for the moment, I have to tell the member that if there were a headline in the Ottawa Citizen saying "Doctors Say Deliveries Unsafe," members on both sides would be on their feet saying, "When are you going to close it?" We have here a situation where the doctors have said it should be closed. The board, which is elected in the community and is responsible to the community, has accepted their advice and so advised the health council.

I am not entirely satisfied that the public relations was all that great in terms of taking the community through the steps and letting the community know earlier about this advice, but I think the decision is a sound one.

**Ms. Gigantes:** The minister seems to treat this problem as a public relations problem and seems to accept a very vague generalization by a group of doctors and their rationalization for wishing to get out of the maternity business in Carleton Place.

Will the minister make a commitment that he will not permit the closure of any maternity wards in Ontario hospitals until at

least the time when he has made public his policy concerning the future of maternity services in the province? Second, will he also make a commitment that his to-be-announced policy will not lead to totally mechanized and centralized child-birth services in Ontario, because that is where we are heading?

**Hon. Mr. Timbrell:** That may be where the honourable member is heading, I don't know. Of the reports I have had on high-risk pregnancy, neither has recommended the closing out of small obstetrics units as a uniform policy. What we have here is a situation where, within 20 or 25 minutes, and this has obviously been a factor in the consideration of the medical staff, there are much larger, much better equipped and much more highly skilled obstetrics units, particularly to deal with the high-risk pregnancies.

It is ironic that the day I was asked about this was the day after I had come back from looking at the obstetrics units at the Jewish General, the Montreal Children's and the Royal Victoria hospitals in Montreal, in particular, their neonatal and perinatal units. There they told us that with high-risk pregnancies, the chances of a baby surviving, when delivered anywhere but in a hospital with a perinatal or neonatal unit, were very, very slim.

What we have here is that they said, "We are here to provide the best possible medical care for this community, and we the doctors think it is not in the interests of our patients to continue to deliver here when there is a better alternative readily available." To go on from there, they have made it clear that emergencies will, of course, be looked after but that, in their opinion, which I think we have to respect, it is more in the interests of their patients to make use of the better equipped, better qualified, larger obstetrics units available in Ottawa.

#### LIAISON COMMITTEE ON BATTERED WIVES

**Mrs. Campbell:** My question is to the Attorney General, Mr. Speaker. It relates to the liaison committee on battered wives. Could the Attorney General advise whether all of the members have now been selected for that committee and, if so, why he has not made a public statement concerning the committee so those concerned about this problem could bring their concerns forward?

**Hon. Mr. McMurtry:** Mr. Speaker, I was of the view, having met with the member for St. George and some of the practitioners

in the area of family law from this community, that the liaison committee was largely a matter between the ministry and practitioners in the family law field. I am not just sure what she means by an announcement to the public generally. I think the fact of this liaison committee is quite well known to the practising profession in this area, and I thought that was the principal purpose of the committee.

My understanding is that the committee has been constituted, but I will certainly verify that and report back to the honourable member.

### LEGISLATIVE PAGES

**Mr. Speaker:** In keeping with past practice and in recognition of the service that our pages have given us, I am going to read their names and their ridings into the record: Christopher Albinson, Frontenac-Addington; Susie Boyles, Riverdale; Alison Brown, Wentworth North; Paul Brown, Mississauga South; Donald Cole, Brampton; Gavin Cramer, Carleton-Grenville; Katie Fisher, York East; John Gilhuly, Cambridge; Kevin Goldthorp, Muskoka; Krista Goodman, Kenora; Stephen Howe, Quinte; Christopher Kemp, Dufferin-Simcoe; Lynda Kirk, Erie; Jennifer Kirkham, Waterloo North; Carolyn Lawless, Durham West; Molly Machamer, Oakville; Stephen McInerney, Simcoe East; Brian Misiaszek, Simcoe Centre; Laura Myers, Haldimand-Norfolk; Suzanne Scotland, Scarborough West; Gregory Southgate, Chatham-Kent; and Nancy Spring, Burlington South.

Would you please thank them for their services?

### LIMITATIONS LEGISLATION

**Mr. Roy:** Mr. Speaker, on May 20, 1980, I asked the Attorney General—and I am reading from Hansard at page 2008—about the possible introduction of amendments to the Limitations Act for which we have been waiting for 10 years. The Attorney General said: "I think it was announced earlier, Mr. Speaker, that the new limitations legislation will be introduced this spring." I have waited—and I understand this is the last day—and I think, given that answer, that my privileges have been affected. The legislation, as I read the Order Paper, has not been introduced and I would comment that the Attorney General should not make promises, which obviously, unless he is going to introduce it this afternoon, he is not keeping.

**Hon. Mr. McMurtry:** Mr. Speaker, it certainly had been my intention to introduce amendments to the Limitations Act. At the last minute the Minister of Health (Mr. Timbrell) communicated to me a request from a patients' rights group that wanted to make some representations with respect to some of the limitations periods which are very complex matters. They apply to the medical profession and, given the importance we give to their request, we are going to meet with the group. It will be introduced certainly during the session and I am disappointed, personally very disappointed, not to have introduced it, because an enormous amount of work has gone into it. But this particular group, I was told, felt it had not had an adequate opportunity even though it would have had the opportunity prior to second reading. So it is not being introduced, and I regret that fact.

### LEGISLATIVE INTERNS

**Mr. Gaunt:** Mr. Speaker, while we are on this point, I thought I would mention the fact that we have had Michigan interns assisting us here in the Legislature for the past five weeks. I thought it was only appropriate that we thank them and pay tribute to them. I would like to do so at this time and thank in a particular way my own legislative intern from Michigan, Larry Kehoe. These young people are very helpful, very pleasant and intelligent and they have been of great assistance to us as we conduct our business from day to day.

**Mr. Speaker:** I agree wholeheartedly with the comments of the member for Huron-Bruce. I have met with them on a couple of occasions, but how does one get one assigned to one's office?

### PETITIONS

#### MEMBERS OF PAIRO

**Mr. Foulds:** Mr. Speaker, in the absence of the member for Ottawa Centre (Mr. Cassidy), I present a petition signed by 628 members of the Professional Association of Interns and Residents of Ontario.

4:20 p.m.

#### ST. NORBERT SEPARATE SCHOOL

**Mr. Di Santo:** Mr. Speaker, I would like to table a petition with 520 signatures collected in the community of 1,200 people in my riding, which says: "The Parent-Teachers' Association of St. Norbert's Catholic School



feels the building of an addition to St. Norbert's has become an urgent matter that requires immediate attention. As a result we approached Mr. Odouardo Di Santo, MPP, who has consented to present the proposal to the minister responsible. The proposed additions were: two classrooms, two kindergartens, boys' and girls' change rooms, shower room, and the conversion of existing classrooms to provide a larger library."

## REPORTS

### SELECT COMMITTEE ON COMPANY LAW

Mr. Breithaupt presented the fourth report of the select committee on company law on the insurance industry of Ontario.

Mr. Breithaupt: Mr. Speaker, this report deals with the operations of life insurance companies in our province. At this time, I have three unbound copies of the report for the Clerk. The bound copies of the report will be available next week and will be delivered to all members then. Copies of our chapter on recommendations are available today to any member who wishes one, and to the public and the press. They are available from the clerk of the committee in room 110.

There are many representatives of the Ontario insurance industry with us today, and I am certain they will be interested in reviewing our recommendations.

There are four persons whom I should particularly thank for the work they have done on this committee. First of all, our clerk, Mrs. Fran Nokes, who has been with the committee since it was first formed in 1965, and secondly, our two consultants, Paul Boddy, CA, and Ludmila Jagiellicz, MBA, who are in the gallery and who have been of exceptional help. Also I should comment on the fact that the member for Riverdale (Mr. Renwick) has served on this committee since it was formed in 1965; however, he is now moving on to the select committee on constitutional reform which, no doubt, will last almost as long as this committee has done.

The public sessions of hearings on this part of our report were held last summer, and the report was written in the early part of this year. There were some 36 days of sessions. There have been more than 140 witnesses who have come before us with their opinions on various aspects of life insurance. We received more than 50 separate exhibits and more than 100 additional reference materials.

In the report there are 135 recommendations which the committee makes in 10 specific areas. First, we have 21 recommendations on the matter of individual life insurance providing death benefits. We also refer at length to annuities and individual retirement plans and to group insurance. The underwriting process in individual life insurance and the price of life insurance are also considered. We have a series of recommendations on disclosure, which is, in my view, the most important series of all of our conclusions. We then turn to recommendations that concern the marketing of life insurance and the agency system.

The other major series of our recommendations concerns the licensing, qualification, training and conduct of life insurance agents. The 25 recommendations here would make substantial changes to the present system. The last two areas of our report concern, first, remuneration methods for life insurance agents and, finally, the subject of profit emergence and profit distribution in the companies.

This summer the members of the select committee will review the area of accident and sickness insurance. Our fifth report will then complete the entire review of the insurance industry in Ontario that was referred to this committee on May 25, 1976.

### SELECT COMMITTEE ON ONTARIO HYDRO AFFAIRS

Mr. MacDonald from the select committee on Ontario Hydro affairs presented the final report on the safety of Ontario's nuclear reactors and moved its adoption.

Mr. MacDonald: Mr. Speaker, the members will recall that an interim report was submitted to the Legislature last December. There were five or six areas in which testimony was completed. This is a final report, but it does not yet include the appendices. Shortly, within a matter of weeks, when the copy has gone to the printer, the total report, the final report including appendices, will be available—including dissents to it, as has been indicated to me.

On motion by Mr. MacDonald, the debate was adjourned.

Mr. MacDonald presented the final report of the select committee on Ontario Hydro affairs on the management of nuclear fuel wastes and moved its adoption.

Mr. MacDonald: Mr. Speaker, may I say with regard to this report that it is the second in a trinity of reports which will ultimately provide a comprehensive review of safety in

the nuclear field. We have had the report on nuclear safety, that is the report on waste management, and this summer the committee hopes to take a look at the front end of the fuel cycle, the safety problems in relation to mine tailings and processing.

With that report, we hope that by the end of the year we will have total coverage of safety in the nuclear field.

On motion by Mr. MacDonald, the debate was adjourned.

#### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Gaunt from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Provincial Secretary for Social Development be granted to Her Majesty for the fiscal year ending March 31, 1981:

Social Development policy program,  
\$2,353,000.

#### MOTIONS

##### COMMITTEE SITTINGS

Hon. Mr. Wells moved that the following standing committees be authorized to sit during the summer recess of the House in accordance with the schedule of meetings agreed to by the three party whips to consider matters referred to them by the House.

The standing committee on social development, to consider Bill 82, An Act to amend the Education Act, 1974;

The standing committee on resources development, to consider Bill 127, An Act to revise the Pits and Quarries Control Act, 1971, and to resume consideration of the annual report of the Minister of Natural Resources for the fiscal year ending March 31, 1979, upon receipt of the decision of the Supreme Court of Ontario with respect to the question of possible bias at the inquest into the Nakina fire;

The standing committee on procedural affairs;

The standing committee on public accounts, to consider the land assembly development project of the government;

The standing committee on the administration of justice, to consider the annual report of the Minister of Housing (Mr. Bennett) for the fiscal year ending March 31, 1979, and that on the request of a standing committee, the committee while sitting during the recess may, if necessary, ask Mr. Speaker, through

the offices of the Clerk to issue his warrant or warrants for the attendance of a witness or for the production of papers and things deemed necessary by the committee.

Motion agreed to.

Mr. Gaunt: Mr. Speaker, would it be appropriate to ask, and perhaps I should have checked with my own House leader, if it is expected that the standing committee on social development deal with Bill Pr31 prior to the House resuming in the fall? That is the Canadian School of Management bill.

Hon. Mr. Wells: I do not have any knowledge of that, Mr. Speaker.

#### COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the following substitutions be made:

On the select committee on company law: Mr. Sterling for Mr. MacBeth, Mr. Watson for Mr. G. Taylor, Mr. Lawlor for Mr. Renwick;

On the select committee on Hydro affairs: Mr. Havrot for Mr. Leluk, Mr. Bounsall for Ms. Gigantes, Mr. Bradley for Mr. J. Reed, Mr. McGuigan for Mr. Conway;

On the select committee on the Ombudsman: Mr. Eaton for Mr. Havrot, Mr. Kerr for Mr. J. A. Taylor, Mrs. Scrivener for Mr. Villeneuve;

On the standing committee on the administration of justice: Mr. Eaton for Mr. Havrot, Mr. J. Johnson for Mr. McCaffrey, Mr. Lane for Mr. Rotenberg, Mr. W. Newman for Mr. Sterling, Mrs. Scrivener for Mr. G. Taylor, Mr. Turner for Mr. Williams, Mr. Young for Mr. Renwick, Mr. Cooke for Mr. Ziemba;

On the standing committee on procedural affairs: Mr. Kennedy for Mr. Rotenberg;

On the standing committee on public accounts: Mr. Hennessy for Mr. Leluk, Mr. Kerr for Mr. MacBeth, Mr. Lane for Mr. Ramsey, Mr. W. Newman for Mr. G. Taylor, Mrs. Scrivener for Mr. Turner;

4:30 p.m.

On the standing committee on resources development: Mr. Jones for Mr. J. A. Taylor, Mr. Kennedy for Mr. Yakabuski, Mr. Turner for Mr. Villeneuve, Mr. Swart for Mr. Mackenzie, Mr. Makarchuk for Mr. Di Santo, Mr. Lupusella for Ms. Gigantes;

On the standing committee on social development, Mr. Eaton for Mr. Belanger, Mr. J. Johnson for Mr. Leluk, Mr. McNeil for Mr. Ramsay, Mr. Rollins for Mr. Rowe and Mr. Martel for Mr. R. F. Johnston.

Mr. Foulds: Those of us who have enjoyed her company on the select committee

on Hydro affairs will regret the absence of the member for Carleton East (Ms. Gigantes) this summer. We note that she will be engaged in probably far more productive and profitable activities than will the committee, and we wish her well.

Motion agreed to.

**Hon. Mr. Wells:** Mr. Speaker, I note a small problem. I understand that the substitutions for the justice committee were to be effective as of today. I move that the substitutions for the justice committee be effective as of tomorrow, which will allow today's committee hearing, which will begin shortly, to go ahead without those substitutions.

**Mr. Nixon:** Of course it is understood that there are substitutions permitted during the summer on standing committees.

**Hon. Mr. Wells:** Oh yes.

#### COMMITTEE TRAVEL SCHEDULES

**Hon. Mr. Wells** moved that the chairman of the standing committee on regulations and other statutory instruments be authorized to travel on behalf of the committee to the delegated legislation conference in Canberra, Australia; that the standing committee on the administration of justice be authorized to adjourn from place to place in Ontario during its consideration of the annual report of the Ministry of Housing for the fiscal year ending March 31, 1979; that members of the standing committee on procedural affairs be authorized to travel to Ottawa and the United Kingdom in considering their review of the committee system of this Legislature; that the select committee on Hydro affairs be authorized to travel to Elliot Lake and such other locations in Ontario as the committee may determine for the purposes of studying environmental impact and health considerations related to nuclear power, as set forth in the committee's terms of reference from the House on November 24, 1977, and that the standing committee on public accounts be authorized to travel on August 19, 1980, to Townsend and South Cayuga.

Motion agreed to.

#### COMMITTEE SITTING

**Hon. Mr. Wells** moved that notwithstanding any adjournment of the House, the standing committee on the administration of justice be authorized to continue to meet until 6 p.m. today.

#### RESUMPTION OF HOUSE

**Hon. Mr. Wells** moved that when the House adjourns today it stand adjourned until Monday, October 6, provided that if it appears to Mr. Speaker, on the advice of the government, that the public interest requires the House to meet at an earlier time during the adjournment, Mr. Speaker may give notice and thereupon the House shall meet at the time stated in such notice; and that should Mr. Speaker be unable to act, owing to illness or other cause, the Deputy Speaker or the Deputy Chairman of committees of the whole House shall act in his stead for the purposes of this order.

**Hon. Mr. Wells:** Mr. Speaker, just before we vote on that motion I thought it might be of interest to the House to know that between the time Her Honour delivered the throne speech until today we've passed 46 government bills and 30 private bills; we've had an historic Confederation debate, which lasted a week; we've spent 144 hours on estimates, at which time we have considered about \$11 billion—and we've considered 22 items of private government business, only two of which were vetoed.

It is also interesting that as we adjourn for what we are calling the summer recess there are already scheduled 135 meetings of the committees of this House over the summer recess period.

Motion agreed to.

#### INTRODUCTION OF BILLS

##### LAND TITLES AMENDMENT ACT

**Hon. Mr. Drea** moved first reading of Bill 136, An Act to amend the Land Titles Act.

Motion agreed to.

##### REGISTRY AMENDMENT ACT

**Hon. Mr. Drea** moved first reading of Bill 137, An Act to amend the Registry Act.

Motion agreed to.

##### BOUNDARIES ACT

**Hon. Mr. Drea** moved first reading of Bill 138, An Act to revise the Boundaries Act.

Motion agreed to.

**Hon. Mr. Drea:** Mr. Speaker, I want to point out that with those three bills of today, my colleague the member for Kitchener (Mr. Breithaupt) obviously provided the new legislation for this ministry for the 1980s with the introduction of the report of the select committee on company law. I would like to raise

a flag, because we will be doing things in the future as we have in the past, based on that.

#### SHORELINE PROPERTY ASSISTANCE AMENDMENT ACT

Hon. Mr. Wells moved first reading of Bill 139, An Act to amend the Shoreline Property Assistance Act, 1973.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, this bill proposes to correct errors made by a number of municipalities where bylaws have been passed and loans and debentures have been issued without the prior approval of the Ontario Municipal Board. The bill will validate all these bylaws, loans and debentures with the exception of four specific loans relating to lands which were acquired without proper notice of the existence of the loans.

The bill will also eliminate the problem of improper notice in future by requiring municipalities to register the bylaws imposing annual rates on land for which loans have been issued. In addition to dealing with these past difficulties, the bill proposes to make some minor changes affecting the administration of the act.

#### CHILDREN'S LAW REFORM AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of Bill 140, An Act to amend the Children's Law Reform Act, 1977.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, this bill today is essentially the same as Bill 205 which I brought before the Legislature last December and therefore represents a comprehensive reform and consolidation of child custody law and procedures.

4:40 p.m.

Although Bill 205 died on the Order Paper when the session ended, we were interested in receiving public comments and arranged to have it distributed to more than 2,000 lawyers who are practising family law in Ontario. The bill was also distributed to other interested groups and individuals.

We have been very pleased by the favourable reaction that Bill 205 generated, and accordingly, the principles contained in the bill I have just introduced remain the same in all substantial respects. The bill continues to focus on the best interests of the child as a governing factor in private custody disputes. In furthering this principle, the bill

sets out guidelines to assist the court in determining the best interests of the child and strengthens the right of the child to have his needs and views taken into consideration.

A major concern of the bill is the problem of child abduction. The bill contains a number of provisions for more effective enforcement of custody orders in Ontario, including provisions to deter kidnapping of children from Ontario. The bill also contains provisions for recognition and the enforcement of custody orders outside Ontario, so that Ontario does not become a haven for kidnapers from other jurisdictions.

Although there are no major policy changes between the previous bill and today's bill, I should point out that this bill has been given quite a new look. In preparing the bill for introduction this session, we have taken the opportunity to reorganize the bill and to make our intentions clearer and more explicit in quite a number of sections. As we benefited from the public comments we received on the previous bill, I expect we will similarly benefit from comments we will receive over the summer before this bill proceeds in the fall.

Thank you, Mr. Speaker.

#### FIRE MARSHALS ACT

Hon. Mr. McMurtry moved first reading of Bill 141, An Act to amend the Fire Marshals Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, the proposed legislation provides for the establishment of a code governing fire safety standards in existing buildings. In November 1976, the Ontario Fire Code Advisory Committee was established to develop a draft Ontario fire code for public comment by the end of 1978. Members of the committee included representatives of the fire services, architects, engineers, the building and insurance industries, and the provincial ministries of the Solicitor General, Consumer and Commercial Relations, Housing, Community and Social Services, and Industry and Tourism.

The draft code was published in the Ontario Gazette of January 13, 1979. Public comment has been received. The ministries of the Solicitor General and Consumer and Commercial Relations are continuing with their work of codifying fire safety standards in full consultation with the public and private sectors. It is hoped a consensus will be

reached and the fire code can be promulgated as soon as possible.

The Fire Marshals Act, RSO 1970, chapter 172, as amended, is appended hereto, together with the draft fire code.

#### FOODLANDS PROTECTION ACT

Mr. Swart moved first reading of Bill 142, An Act to provide for the Designation and Retention of Foodlands.

Motion agreed to.

Mr. Swart: Mr. Speaker, this bill provides for the classifications of Ontario agricultural food lands into classifications one to four of the Agricultural and Rural Development Act, Canada, and for the surveying, designation and preservation of such food lands.

#### WEDDING ANNIVERSARY OF FORMER MEMBER

Mr. McKessock: Mr. Speaker, a point of information to the House: I would like to inform the House that a former member of this Legislature, Farquhar Oliver, who was here for 41 years, is continuing to show his goodwill and co-operation by celebrating his 50th wedding anniversary, which is coming up on August 2.

#### CONDOMINIUM AMENDMENT ACT

Mr. R. F. Johnston, on behalf of Mr. Philip, moved first reading of Bill 143, An Act to amend the Condominium Act, 1978.

Motion agreed to.

Mr. R. F. Johnston: Mr. Speaker, I will waive the right to read the explanatory note.

#### MUNICIPAL AMENDMENT ACT

Mr. R. F. Johnston, on behalf of Mr. Philip, moved first reading of Bill 144, An Act to amend the Municipal Amendment Act.

Motion agreed to.

#### FOREST RESOURCE MANAGEMENT ACT

Mr. Foulds moved first reading of Bill 145, An Act to ensure the Regeneration and Re-forestation of Forests in Ontario.

Motion agreed to.

Mr. Foulds: Mr. Speaker, this bill does for all of the crown lands of Ontario what the famous Martel-Davis amendment did for those lands under the jurisdiction of the forest management agreement.

The bill requires the minister to make a complete inventory of present forest timber, to describe the location and extent of forest land in Ontario which has been "denuded and not been restocked," or which is producing below its potential. It requires the minister to analyse and forecast international demand for forest resources and forest products. It requires the minister to indicate the relationship between forests grown in Ontario and manufactured forest products produced in Ontario, and it requires the minister to outline a five-year plan as well as a 10-year plan for restocking forest lands, increasing productivity of forest lands and improving forest resources, and the cost of such a program in Ontario.

#### RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. R. F. Johnston, on behalf of Mr. Philip, moved first reading of Bill 146, An Act to amend the Residential Tenancies Act, 1979.

Motion agreed to.

Mr. R. F. Johnston: Mr. Speaker, the purpose of the bill is to require that the appeal commissioners on the Residential Tenancies Act, 1979, consist of an equal number of representatives of landlords and tenants.

#### RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. R. F. Johnston, on behalf of Mr. Philip, moved first reading of Bill 147, An Act to amend the Residential Tenancies Act, 1979.

Motion agreed to.

4:50 p.m.

#### JURIES AMENDMENT ACT

Mr. McGuigan moved first reading of Bill 148, An Act to amend the Juries Act, 1974.

Motion agreed to.

Mr. McGuigan: Mr. Speaker, the purpose of this bill is to remove the prohibition against blind persons serving as jurors under the Juries Act, 1974.

#### HEALTH DISCIPLINES AMENDMENT ACT

Mr. McGuigan moved first reading of Bill 149, An Act to amend the Health Disciplines Act, 1974.

Motion agreed to.

Mr. McGuigan: Mr. Speaker, the purpose of this bill is to constitute a podiatrist as a

self-governing profession under the Health Disciplines Act, 1974.

#### ROAD ACCESS AMENDMENT ACT

Mr. Foulds moved first reading of Bill 150, An Act to amend the Road Access Act, 1978.

Motion agreed to.

Mr. Foulds: Mr. Speaker, the purpose of this bill is to clarify that the Road Access Act, 1978, applies to public and private forest roads, so that the ministry cannot arbitrarily close them as it does now.

#### CITY OF HAMILTON ACT

Mr. Mackenzie moved first reading of Bill Pr30, An Act respecting the city of Hamilton.

Motion agreed to.

#### ONTARIO HOUSING CORPORATION AMENDMENT ACT

Mr. Warner moved first reading of Bill 151, An Act to amend the Ontario Housing Corporation Act.

Motion agreed to.

Mr. Warner: Mr. Speaker, the purpose of this excellent bill is to clarify the authority of the Ontario Housing Corporation to fix rents for units in residential complexes owned or operated by the corporation.

#### RESPONSE TO PETITION

Hon. Mr. Wells: Mr. Speaker, I wish to table the response to a petition presented to the House as sessional paper 138. (See appendix A, page 3091.)

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 8, 102, 148, 233 and 234, and the interim answers to 155, 224, 225, 236 to 238, 240 to 248 and 255 to 258 standing on the Notice Paper. (See appendix A, page 3091.)

Mr. Speaker: I want to extend thanks to all honourable members for their co-operation during the past session and to wish them a very healthy, happy and contented summer.

On motion by Hon. Mr. Wells, the House adjourned until Monday, October 6, 1980.

The House adjourned at 4:56 p.m.

APPENDIX A  
(See page 3090.)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

PUBLIC OPINION POLLS

8. Mr. T. P. Reid: Will the ministry table all of the public opinion polls taken by the government since January 1, 1970, including the name of the company who did the poll and the cost of the poll? Would the ministry indicate how long the government has been taking public opinion polls? (Tabled March 11, 1980. Interim Answer March 27, 1980. Approximate date information available June 9, 1980.)

Hon. Mr. McCague: The information regarding public opinion polls taken by the

government ministries since January 1, 1970, is shown below.

The listing includes all polls not previously reported in answers to question 29, tabled June 23, 1978; question 113, tabled May 31, 1979, and question 7, tabled April 25, 1980.

In some cases, because of the period of time which has transpired since the poll was originally commissioned, cost figures are no longer available. No polls commissioned prior to 1970 were discovered during the investigation undertaken to provide a response to this question.

The actual survey documents will be tabled individually by the ministers responsible.

Cabinet Office

Evaluation—Visual Identity—Trillium Symbol (1978-79) .....	\$ 900	Canadian Gallup Poll Ltd.
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Education/Colleges and Universities

Quality of Education in Ontario — Parents' Perspective (1971-72) .....	\$18,000	Environics Research Group
Quality of Education in Ontario — Teachers' Perspective (1972-73) .....	\$42,500	Environics Research Group
Quality of Education in Ontario — Students' Perspective (1972-73) .....	\$22,250	Environics Research Group
The Principle is Right — Attitudes on Educational Issues (1973) .....	\$14,000	Goldfarb Consultants Ltd.
The First Crack — Effectiveness of Ministry Communication Program (1973-74) .....	\$ 6,000	Goldfarb Consultants Ltd.
Public Acceptance of Driver Education in Ontario .....	\$12,690	Environics Research Group

Industry and Tourism

Algoma Area Visitor Survey (1970)	Not available	Opinion Research Corporation
Algoma Visitor Survey (1972)	Not available	Institute of Opinion and Market Research Limited

Natural Resources

Crown Cottage Demand Study (1978-79) ....	\$ 1,000	Recreation Department Lakehead University
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Treasury and Economics

Perceived Social Values and Attitudes Toward Large Public Land Assemblies (1973) .....	\$ 4,000	Goldfarb Consultants Limited
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Transportation and Communications

Evaluation of a Community-Based Campaign Against Drinking and Driving (1974) .....	\$24,000	Information Results Ltd. & CPM Research
Gallup Ontario Omnibus—Public funding of TV (1975) .....	\$ 4,900	Canadian Gallup Poll Limited
Gallup Ontario Omnibus—Home use of TV, et cetera (1976) .....	\$ 4,000	Canadian Gallup Poll Limited



Gallup Ontario Omnibus—Attitudes to increased TV choice et cetera (1976) .....	\$ 5,700	Canadian Gallup Poll Limited
Gallup Ontario Omnibus—TV Network Preference et cetera (1977) .....	\$ 3,535	Canadian Gallup Poll Limited
Gallup Ontario Omnibus—Use of Cable TV et cetera (1977) .....	\$ 3,130	Canadian Gallup Poll Limited
Gallup Ontario Omnibus—Use of TV et cetera (1978) .....	\$ 7,580	Canadian Gallup Poll Limited

#### MINISTRY ADVERTISING

102. Mr. Nixon: What public information and/or advertising programs have been initiated by ministries, agencies or boards responsible to the government since January

1, 1980? What are the projected costs of the programs and what advertising agencies are handling the accounts? What fees are charged by the agencies? (Tabled April 8, 1980. Interim answer April 21, 1980. Approximate date information available May 28, 1980.)

Hon. Mr. Grossman:

Ministry	Program	Projected Cost	Agency	Fees
Attorney General	Provincial Offences .....	\$ 341,110	Camp Associates Advertising Ltd.	Standard*
	Occupiers' Liability and Trespass to Property .....	\$ 251,000	Willhurst Communications Ltd.	Standard
Community and Social Services	Foster Care Awareness .....	\$ 600,000	Russell T. Kelley, Inc.	Standard
	Recruitment of Foster Parents .....	\$ 450,000	Russell T. Kelley, Inc.	Standard
	Child Abuse Prevention .....	\$ 56,320	Foster Advertising Ltd.	Standard
	Consumer Skills ....	\$ 320,000	F. H. Hayhurst Co. Ltd.	Standard
Consumer and Commercial Relations				
Energy	Energy Conservation .....	\$4,700,000	Foster Advertising Ltd.	Standard
Environment	Pitch-in (Anti-litter) .....	\$ 170,000	Case Associates Advertising Ltd.	Standard
Health	Health Skills .....	\$ 465,100	Russell T. Kelley, Inc.	Standard
	Health Services .....	\$ 230,000	Russell T. Kelley, Inc.	Standard
Housing	Townsend New Community ....	\$ 52,500	Foster Advertising Ltd.	Standard
Industry and Tourism	Industrial Promotion—U.S. ....	\$ 65,000	Foster Advertising Ltd.	Standard
	Tourism—"Ontario—Yours to Discover!" .....	\$1,982,320	Camp Associates Advertising Ltd.	Standard
	Labour	Equal Pay for Equal Work .....	\$ 434,000	Foster Advertising Ltd.
Revenue	Temporary Retail Sales Tax Rebate ....	\$ 7,600	Case Associates Advertising Ltd.	Standard
Secretariat for Social Development	Job Search Techniques .....	\$ 90,000	Foster Advertising Ltd.	Standard

Ministry	Program	Projected Cost	Agency	Fees
Transportation and Communications	Energy Conservation .....	\$ 46,525	Case Associates Advertising Ltd.	Standard
Youth Secretariat	Career Week (Nov. 1980) .....	\$ 40,000	Program Design Group	Hourly Rate

\*Standard compensation is the normal agency remuneration system consisting of 15 per cent agency commission allowed by the media, and 17.65 per cent added to net production charges.

**LIQUID INDUSTRIAL WASTE**

148. Mr. Isaacs: Will the minister table the waybills for all shipments of liquid industrial waste that have been delivered to the Upper Ottawa Street landfill site for solidification since January 1979? Will the minister table a compendium of the chemical analyses of all liquids that have been input to that solidification process since January 1979? Will the minister allow public access to all waybills and chemical analyses of substances which may be delivered to that site in the future? (Tabled May 1, 1980. Interim answer May 16, 1980, Approximate date information available May 20, 1980.)

See sessional paper 158.

**PROVINCIAL COURT JUDGES**

233. Mr. Breithaupt: How many provincial court judges are there? What are their annual salary amounts by categories and how many judges are there in each such category? (Tabled June 5, 1980.)

Hon. Mr. McMurtry:

Category	Number	Annual Salary
		\$
Chief judge of the provincial courts	2	57,876
Associate chief judge of the provincial courts	2	54,600
Senior judge of the provincial courts	20	52,139
Provincial judge	177	51,000

**MEDICAL SCIENCE RESEARCH**

234. Mr. Van Horne: Will the Premier elaborate on his statement, regarding medical science research, that it is Ontario's responsibility to assess its own priorities and needs? Will he also provide a list of requests for medical science research grants and the amount of each which were given in the years 1977, 1978, 1979? Will he provide a similar list of those which were denied? (Tabled June 5, 1980.)

See sessional paper 159.

**INTERIM ANSWERS**

155. Mr. T. P. Reid: Will the Chairman of the Management Board advise the House how many consulting contracts were renegotiated and subsequently higher payments made than the original tendered prices by consulting firms doing work for government ministries in the last fiscal year? How many payments were made of any kind over and above the negotiated contract price? How much money was paid and what were the names of the firms? (Tabled May 8, 1980. Interim answer May 20, 1980. Approximate date information available, week of June 16, 1980.)

Hon. Mr. McCague: It will not be possible to provide the information requested by the date previously indicated. The final response will be tabled on or about October 30, 1980.

224. Mr. Breithaupt: Would the Minister of Consumer and Commercial Relations advise this House what action has been taken with respect to each of the recommendations of the Wilson commission report on aluminum wiring, whether by his ministry, or any other ministry or party named in the recommendations of the commission? (Tabled June 3, 1980.)

Hon. Mr. Drea: Since the 43 recommendations of the Wilson commission report on aluminum wiring were wide-ranging, and involved action by a number of areas beyond this ministry, it is not possible to furnish the full information required by June 17. A final reply will be tabled by October 30, approximately.

225. Mr. Cassidy: Will the ministry provide for every program or project to encourage French-language education or usage mentioned by the Minister of Education in her legislative address on May 8, and for each year since 1974: (1) the amount of funding provided by the province, the amount provided by the federal government, the amount provided from other sources, and the total cost of the program; (2) the number of students enrolled in each program; (3) the

number of school boards participating in each program? (Tabled June 3, 1980.)

**Hon. Miss Stephenson:** We require additional time to prepare our response to the above question. The answer will be ready for tabling on or about Thursday, October 30, 1980.

**236. Mr. Blundy:** Would the Minister of Community and Social Services outline the rationale for developing adequacy levels for family benefits recipients? Does the ministry have any intention to change this rationale in the future to reflect the shopping-basket approach to measuring support levels? (Tabled June 10, 1980.)

**Hon. Mr. Norton:** A final response to the above question will be available on or about October 30, 1980.

**237. Mr. Blundy:** Would the Minister of Community and Social Services make available curriculum vitae of all present members of the Social Assistance Review Board including details relating to political party affiliation in cases where members have freely claimed such affiliation? (Tabled June 10, 1980.)

**Hon. Mr. Norton:** A final response to the above question will be available on or about October 30, 1980.

**238. Mr. Blundy:** What is the status of a review on client access to the Director's report in appeal cases to the SARB? Has a final decision been made on the issue of formally recording proceedings at appeal hearings of the SARB, and if so, what is it? (Tabled June 10, 1980.)

**Hon. Mr. Norton:** A final response to the above question will be available on or about October 30, 1980.

**240. Mr. McClellan:** Will the Minister of Education provide the numbers and percentages of students in English as a second language/dialect classes, grade-by-grade and level-by-level, in all the school boards across the province? (Tabled June 12, 1980.)

**241. Mr. McClellan:** Will the Minister of Education provide the statistics of actual class size in English as a second language/dialect classes across the province, school board by school board, each year since 1974? (Tabled June 12, 1980.)

**242. Mr. McClellan:** Will the Minister of Education table the standards and guidelines developed by the Ministry of Education for admissions and programming in English as a second language/dialect classes? (Tabled June 12, 1980.)

**243. Mr. McClellan:** Will the Minister of Education advise how many teachers have been allotted to English as a second language/dialect classes at each level, grade-by-grade, by school boards across the province? (Tabled June 12, 1980.)

**244. Mr. McClellan:** Will the Minister of Education table the policy standards recommended by the Ministry of Education for the use of psychological or intellectual assessments on children from non-English-speaking backgrounds? Is there any policy requiring assessment of English-language competence before psychological or intellectual assessments are done on school children? (Tabled June 12, 1980.)

**245. Mr. McClellan:** Will the Minister of Education advise what educational assessments are now done on immigrant children initially entering Ontario schools, to determine grade placement? Is there a standardized table of equivalent certification used in Ontario? If so, will the minister table examples of the equivalent certification documents used by major boards of education in Ontario? (Tabled June 12, 1980.)

**246. Mr. McClellan:** Will the Minister of Education provide the statistics on the number of children in Ontario who are on early school leaving programs, by age and by ethnic origin? (Tabled June 12, 1980.)

**247. Mr. McClellan:** Will the Minister of Education table the policies, standards and forms if any, which have been developed at the provincial level with respect to early school leaving programs? (Tabled June 12, 1980.)

**Hon. Miss Stephenson:** We require additional time to prepare our responses to the above questions. The answers will be ready for tabling on or about Thursday, October 30, 1980.

**248. Mr. Swart:** Will the Minister of Consumer and Commercial Relations provide figures on the overall cost to the government, including the publication of all reports, for the food price monitoring program since its inception more than 18 months ago? Will the minister also indicate the total amount of news coverage which the "food price monitoring program" reports have received since January 1, 1980, and table all Ontario daily newspaper coverage of which he is aware pertaining to the reports? (Tabled June 12, 1980.)

**Hon. Mr. Drea:** It will take some time to gather the information. I anticipate tabling the response by October 30, approximately.

**255. Mr. Bounsall:** Will the ministry table the number, and type, of programs or courses dropped and initiated by the boards of education at the secondary school level, for each year commencing with 1976-77 when funding from the ministry started to decline, through to 1979-80? (Tabled June 13, 1980.)

**Hon. Miss Stephenson:** We require additional time to prepare our response to the above question. The answer will be ready for tabling on or about Thursday, October 30, 1980.

**256. Mr. T. P. Reid:** In regard to the recent forest fire situation in northern Ontario, would the Minister of Natural Resources reply to the following questions: (1) How many acres of marketable timber were burned as a result of the recent forest fires? (2) What was the total cost of fighting these forest fires? (3) Were there any paybacks either to the federal government, other provinces, or states of the United States? (4) What was the total cost for nonministry airplanes and nonministry helicopters? (5) Were the large cut-over areas and the slash left in the bush a contributing factor to the size and intensity of some of the fires? (6) What plans does the ministry have to regenerate the burned over areas that have resulted from the spring 1980 fires? (Tabled June 17, 1980.)

**Hon. Mr. Auld:** The reply to question 256 will be available on or about October 30, 1980.

**257. Mr. Stong:** (1) Will the Minister of Health provide data on the distribution of marks in the emergency medical care assistant examinations of the summer of 1979 and winter of 1979-80, separated in the theory component and the practical component, under the following headings: (a) the total number of candidates challenging each examination component; (b) the number of candidates with marks between 60 per cent and 70 per cent; (c) the number of candidates with marks between 50 per cent and 60 per cent? (2) If the ministry has graphical illustrations of the mark distribution for all EMCA examinations to date, will the minister provide a reproduction of those graphs? (3) Does the ministry make use of mark distribution patterns to aid in the evaluation of the appropriateness and validity of the ECMA examinations? (4) Will the minister describe the checks presently undertaken on the (a) validity and (b) reliability of each component of the EMCA examinations? (Tabled June 17, 1980.)

**Hon. Mr. Timbrell:** Due to the large amount of information requested in the above question, it will not be possible to provide answers at this time. A complete response will be tabled on or about October 30, 1980.

**258. Mr. Di Santo:** Will the Ministry of Industry and Tourism provide the following information: (1) Why was the tour of north-western Ontario reinstated this year, after being suspended subsequent to the 1975 election year? (2) What was the total cost of the tour from June 2 to June 7? (3) Was the EPAO the only association of ethnic media contacted and/or in charge of the organization and/or co-ordination of the tour as per the ministry's form letter dated May 20, 1980? (4) Which other ethnic media association or individual editors were informed and given the same role and responsibility as the EPAO? (5) Is Mr. Vladimir Mauko a civil servant employed by the Ministry of Transportation and Communications? (6) Did Mr. Mauko take part in the organization of the tour and in the tour or was he released by the Ministry of Transportation and Communications? (7) The names of the participants in the tour and the newspapers represented. (Tabled June 17, 1980.)

**Hon. Mr. Grossman:** Additional time will be required to answer this question. A response will be available on October 30, 1980, approximately.

## RESPONSE TO PETITION

### MARKHAM SCHOOL

**Mr. Stong:** Mr. Speaker, arising out of the question I had asked the Minister of Education (Miss Stephenson) during the week with respect to busing and financial allocations for a new school in German Mills, I have a petition signed by almost 600 people protesting the busing on that particular issue, which I would like to present at this time. (Tabled June 13, 1980. Sessional paper 138.)

**Hon. Miss Stephenson:** The petition is quite properly addressed to the York County Board of Education, as the transportation of school children is a matter which lies entirely within the jurisdiction and at the discretion of the local school board.

The ministry's capital program for 1981 has just been released to school boards. It includes an allocation of \$250,000 for a relocatable facility at the Flowervale site. The completion of this project, probably some-

time prior to September 1981, should ameliorate any potential transportation problem in the German Mills area. In the interim, the

school board will be faced with the necessity of making appropriate temporary arrangements to accommodate the affected pupils.

## APPENDIX B\*

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(124 members)

Fourth Session of the 31st Parliament

Lieutenant Governor: Hon. Pauline M. McGibbon

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
Brethaupt, 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
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 and Chairman) .....	Perth .....	L
Elgie, Hon. 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, Hon. M. E. C. ....	Mississauga East .....	PC
Grossman, Hon. L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L

\*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

Member	Constituency	Party
Havrot, E. ....	Timiskaming .....	PC
Henderson, Hon. L. C. ....	Lambton .....	PC
Hennessy, M. ....	Fort William .....	PC
Hodgson, W. ....	York North .....	PC
Isaacs, C. ....	Wentworth .....	NDP
Johnson, J. ....	Wellington-Dufferin-Peel .....	PC
Johnston, R. F. ....	Scarborough West .....	NDP
Jones, T. ....	Mississauga North .....	PC
Kennedy, R. D. ....	Mississauga South .....	PC
Kerr, 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
Lupusella, A. ....	Dovercourt .....	NDP
MacBeth, J. P. (Deputy Chairman and Acting Speaker) .....	Humber .....	PC
MacDonald, D. C. ....	York South .....	NDP
Mackenzie, R. ....	Hamilton East .....	NDP
Maeck, 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
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 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, Hon. A. ....	Cochrane South .....	PC
Ramsay, R. ....	Sault Ste. Marie .....	PC
Reed, J. ....	Halton-Burlington .....	L
Reid, T. P. ....	Rainy River .....	L. LAB.
Renwick, J. A. ....	Riverdale .....	NDP
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



Member	Constituency	Party
Samis, G.	Cornwall	NDP
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. M.	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, J.	Peterborough	PC
Van Horne, R.	London North	L
Villeneuve, O. F.	Stormont-Dundas-Glengarry	PC
Walker, Hon. G.	London South	PC
Warner, D.	Scarborough-Ellesmere	NDP
Watson, A. N.	Chatham-Kent	PC
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 Energy and Deputy Premier
Hon. J. A. C. Auld .....	Minister of Natural Resources
Hon. R. Brunelle .....	Provincial Secretary for Resources Development
Hon. T. L. Wells .....	Minister of Intergovernmental Affairs
Hon. L. Bernier .....	Minister of Northern Affairs
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Housing
Hon. F. S. Miller .....	Treasurer of Ontario and Minister of Economics
Hon. D. R. Timbrell .....	Minister of Health
Hon. H. C. Parrott .....	Minister of the Environment
Hon. B. M. Stephenson .....	Minister of Education and Minister of Colleges and Universities
Hon. R. McMurtry .....	Attorney General and Solicitor General
Hon. L. C. Henderson .....	Minister of Agriculture and Food
Hon. K. C. Norton .....	Minister of Community and Social Services
Hon. F. Drea .....	Minister of Consumer and Commercial Relations
Hon. L. Grossman .....	Minister of Industry and Tourism
Hon. G. McCague .....	Chairman of Management Board of Cabinet and Chairman of Cabinet
Hon. L. Maeck .....	Minister of Revenue
Hon. R. C. Baetz .....	Minister of Culture and Recreation
Hon. D. J. Wiseman .....	Minister of Government Services
Hon. R. Elgie .....	Minister of Labour
Hon. G. Walker .....	Provincial Secretary for Justice and Minister of Correctional Services
Hon. M. E. C. Gregory .....	Minister without Portfolio
Hon. A. Pope .....	Minister without Portfolio

## PARLIAMENTARY ASSISTANTS

Ashe, G. (Durham West) .....	Assistant to the Minister of Energy
Eaton, R. G. (Middlesex) .....	Assistant to the Minister of Transportation and Communications
Hodgson, W. (York North) .....	Assistant to the Minister of Housing
Jones, T. (Mississauga North) .....	Assistant to the Provincial Secretary for Social Development
Kennedy, R. D. (Mississauga South) .....	Assistant to the Minister of Education
Lane, J. (Algoma-Manitoulin) .....	Assistant to the Minister of Northern Affairs
McCaffrey, B. (Armourdale) .....	Assistant to the Minister of Culture and Recreation
McNeil, R. K. (Elgin) .....	Assistant to the Minister of Agriculture and Food
Ramsay, R. H. (Sault Ste. Marie) .....	Assistant to the Minister of Labour
Rotenberg, D. (Wilson Heights) .....	Assistant to the Minister of Intergovernmental Affairs
Smith, G. E. (Simcoe East) .....	Assistant to the Minister of Industry and Tourism
Sterling, N. W. (Carleton-Grenville) .....	Assistant to the Attorney General
Turner, J. (Peterborough) .....	Assistant to the Minister of Health
Yakabuski, P. J. (Renfrew South) .....	Assistant to the Minister of Natural Resources

## STANDING COMMITTEES OF THE LEGISLATURE

**Administration of Justice:** Chairman, Philip, E. (Etobicoke NDP); Bradley, J. (St. Catharines L), Campbell, M. (St. George L), Cooke, D. (Windsor-Riverside NDP), Eaton, R. (Middlesex PC), Johnson, J. (Wellington-Dufferin-Peel PC), Kerr, G. A. (Burlington South PC), Lane, J. (Algoma-Manitoulin PC), Lupusella, A. (Dovercourt NDP), Newman, W. (Durham-York PC), Renwick, J. A. (Riverview NDP), Roy, A. J. (Ottawa East L), Scrivener, M. (St. David PC), Stong, A. (York Centre L), Swart, M. (Welland-Thorold NDP), Turner, J. (Peterborough PC), Young, F. (Yorkview NDP); Clerk, S. Forsyth.

**General Government:** Chairman, Cureatz, S. (Durham East PC); Vice-Chairman, Hodgson, W. (York North PC); Ashe, G. (Durham West PC), Charlton, B. (Hamilton Mountain NDP), Duksza, J. (Parkdale NDP), Epp, H. (Waterloo North L), Hennessy, M. (Fort William PC), Laughren, F. (Nickel Belt NDP), Mancini, R. (Essex South L), McEwen, J. E. (Frontenac-Addington L), McGuigan, J. (Kent-Elgin L), Samis, G. (Cornwall NDP), Scrivener, M. (St. David PC), Smith, G. E. (Simcoe East PC), Watson, A. N. (Chatham-Kent PC); Clerk, Mrs. F. Nokes.

**Members' Services:** Chairman, Campbell, M. (St. George L); Vice-Chairman, Newman, B. (Windsor-Walkerville L); Bounsall, E. J. (Windsor-Sandwich NDP), Jones T. (Mississauga North PC), Smith, G. E. (Simcoe East PC), Watson, A. N. (Chatham-Kent PC), Worton, H. (Wellington South L), Young, F. (Yorkview NDP); Clerk, D. Arnott.

**Procedural Affairs:** Chairman, Breaugh, M. (Oshawa NDP); Vice-Chairman, Davidson, M. (Cambridge NDP); Charlton, B. (Hamilton Mountain NDP), Kennedy, R. D. (Mississauga South PC), Mancini, R. (Essex South L), Rowe, R. D. (Northumberland PC), Ruston, R. (Essex North L), Sterling, N. W. (Carleton-Grenville PC); Clerk, G. White.

**Public Accounts:** Chairman, Reid, T. P. (Rainy River L); Vice-Chairman, Hall, R. (Lincoln L); Germa, M. C. (Sudbury NDP), Hennessy, M. (Fort William PC), Isaacs, C. (Wentworth NDP), Kerr, G. A. (Burlington South PC), Lane, J. (Algoma-Manitoulin PC), Mackenzie, R. (Hamilton East NDP), Makarchuk, M. (Brantford NDP), Newman, W. (Durham-York PC), Peterson, D. (London Centre L), Sargent, E. (Grey-Bruce L), Scrivener, M. (St. David PC); Clerk, A. Richardson.

**Regulations and other Statutory Instruments:** Chairman, Williams, J. (Oriole PC);

Vice-Chairman, McKessock, R. (Grey L); Cureatz, S. (Durham East PC); Davison, M. N. (Hamilton Centre NDP), Eakins, J. (Victoria-Haliburton L), MacDonald, D. C. (York South NDP), McCaffrey, B. (Armourdale PC), Rollins, C. T. (Hastings-Peterborough PC); Clerk, S. Forsyth.

**Resources Development:** Vice-Chairman, Lane, J. (Algoma-Manitoulin PC); Eaton, R. G. (Middlesex PC), Johnson, J. (Wellington-Dufferin-Peel PC), Jones, T. (Mississauga North PC), Kennedy, R. D. (Mississauga South PC), Lupusella A. (Dovercourt NDP), Makarchuk, M. (Brantford NDP), McNeil, R. K. (Elgin PC), Miller, G. I. (Haldimand-Norfolk L), Newman, W. (Durham-York PC), Reed, J. (Halton-Burlington L), Riddell, J. K. (Huron-Middlesex L), Swart, M. (Welland-Thorold NDP), Turner, J. (Peterborough PC), Van Horne, R. (London North L), Wildman, B. (Algoma NDP); Clerk, A. Richardson.

**Social Development:** Chairman, Gaunt, M. (Huron-Bruce L); Vice-Chairman, Kerrio, V. (Niagara Falls L), Blundy, P. (Sarnia L), Cooke, D. (Windsor-Riverside NDP), Eaton, R. (Middlesex PC), Grande, A. (Oakwood NDP), Johnson, J. (Wellington-Dufferin-Peel PC), Jones, T. (Mississauga North PC), Kennedy, R. D. (Mississauga South PC), Martel, E. W. (Sudbury East NDP), McClellan, R. (Bellwoods NDP), McNeil, R. (Elgin PC), O'Neil, H. (Quinte L), Rollins, C. T. (Hastings-Peterborough PC), Sweeney, J. (Kitchener-Wilmot L), Turner, J. (Peterborough PC); Clerk, D. Arnott.

## SELECT COMMITTEES OF THE LEGISLATURE

**Hydro affairs:** Chairman, MacDonald, D. C. (York South NDP); Ashe, G. (Durham West PC), Belanger, J. A. (Prescott and Russell PC), Bounsall, E. J. (Windsor-Sandwich NDP), Bradley, J. (St. Catharines L), Cureatz, S. (Durham East PC), Foulds, J. F. (Port Arthur NDP), Haggerty, R. (Erie L), Havrot, E. (Timiskaming PC), Hennessy, M. (Fort William PC), Kerrio, V. (Niagara Falls L), Mackenzie, R. (Hamilton East NDP), McGuigan, J. (Kent-Elgin L), Williams, J. (Oriole PC); Clerk, A. Richardson.

**Company law:** Chairman, Breithaupt, J. R. (Kitchener L); Blundy, P. (Sarnia L), Cunningham, E. (Wentworth North L), Germa, M. C. (Sudbury NDP), Hodgson, W. (York North PC), Laughren, F. (Nickel Belt NDP), Lawlor, P. D. (Lakeshore NDP), Reid, T. P. (Rainy River L), Rotenberg, D. (Wilson Heights PC), Smith, G. E. (Simcoe East PC),

Sterling, N. (Carleton-Grenville PC), Van Horne, R. (London North L), Watson, A. (Chatham-Kent PC), Yakabuski, P. J. (Renfrew South PC); Clerk, Mrs. F. Nokes.

**Ombudsman:** Chairman, Lawlor, P. D. (Lakeshore NDP); Campbell, M. (St. George L), Eakins, J. (Victoria-Haliburton L), Eaton, R. (Middlesex PC), Isaacs, C. (Wentworth NDP), Kerr, G. A. (Burlington South PC), Lane, J. (Algoma-Manitoulin PC), McClellan, R. (Bellwoods NDP), Miller, G. I. (Haldimand-Norfolk L), Scrivener, M. (St. David PC); Clerk, A. McFedries.

**Constitutional reform:** Chairman: MacBeth, J. P. (Humber PC); Campbell, M. (St. George L), Conway, S. (Renfrew North L), Di Santo, O. (Downsview NDP), Johnston, R. F. (Scarborough West NDP), Leluk, N. G. (York West PC), McCaffrey, B. (Armourdale PC), Ramsay, R. H. (Sault Ste. Marie PC), Renwick, J. A. (Riverdale NDP), Roy, A. J. (Ottawa East L), Samis, G. (Cornwall NDP), Sweeney, J. (Kitchener-Wilmot L), Taylor, J. A. (Prince Edward-Lennox PC), Taylor, G. (Simcoe Centre PC), Villeneuve, O. F. (Stormont-Dundas-Glengarry PC); Clerk, S. Forsyth.

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Campbell, M. (St. George L)  
Cassidy, M. (Ottawa Centre NDP)  
Davis, Hon. W. G.; Premier (Brampton PC)  
Davison, M. N. (Hamilton Centre NDP)  
Di Santo, O. (Downsview NDP)  
Drea, Hon. F.; Minister of Consumer and Commercial Relations (Scarborough Centre PC)  
Elgie, Hon. R.; Minister of Labour (York East PC)  
Foulds, J. F. (Port Arthur NDP)  
Gaunt, M. (Huron-Bruce L)  
Gigantes, E. (Carleton East NDP)  
Grossman, Hon. L.; Minister of Industry and Tourism (St. Andrew-St. Patrick PC)  
Haggerty, R. (Erie L)  
Johnston, R. F. (Scarborough West NDP)  
Kerrio, V. (Niagara Falls L)  
MacDonald, D. C. (York South NDP)  
Makarchuk, M. (Brantford NDP)  
McCague, Hon. G.; Chairman of Management Board;  
McClellan, R. (Bellwoods NDP)  
McGuigan, J. (Kent-Elgin L)  
McKessock, R. (Grey L)  
McMurtry, Hon. R.; Attorney General and Solicitor General (Eglinton 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. R. C.; Minister of the Environment (Oxford PC)  
Peterson, D. (London Centre L)  
Pope, Hon. A.; Minister without Portfolio (Cochrane South PC)  
Riddell, J. K. (Huron-Middlesex L)  
Roy, A. J. (Ottawa East L)  
Sargent, E. (Grey-Bruce L)  
Smith, S.; Leader of the Opposition (Hamilton West L)  
Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)  
Swart, M. (Welland-Thorold NDP)  
Taylor, G. (Simcoe Centre PC)  
Timbrell, Hon. D. R.; Minister of Health (Don Mills PC)  
Van Horne, R. (London North L)  
Warner, D. (Scarborough-Ellesmere NDP)  
Wells, Hon. T. L.; Minister of Intergovernmental Affairs (Scarborough North PC)  
McGibbon, Hon. P. M.; Lieutenant Governor













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