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of Debates
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(Hansard)**

Monday 12 May 2008

Lundi 12 mai 2008

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 12 May 2008

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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*The House met at 0900.
Prayers.*

ORDERS OF THE DAY

TIME ALLOCATION

Mr. Michael Prue: On the last occasion, I had given almost all of my speech, so I just want to reiterate today that, after much deliberation, I will be supporting the bill, although I wish—I wish—the government had done what was necessary to make two minor amendments, one of which was proposed by the Conservative Party, which would have protected victims of incest and rape from having their names disclosed. The second minor amendment which could or should be made some time in the future is to allow people who have been adopted to make application to determine whether or not their biological parent or parents have died, because there are some difficulties if someone dies outside the jurisdiction. I trust that at some future time both of these will see the light of day. But notwithstanding that, I will be supporting the bill, because it has taken far too long for it to get to this stage.

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

Ms. Sylvia Jones: There is a short amount of time left to discuss Bill 12. I guess what I have to say, as a new member to this House, is that Bill 12 has been an education for me. We had an opportunity collectively, as legislators, to make some positive changes with Bill 12. The amendment that was brought forward by my PC colleague from Carleton–Mississippi Mills, while it was a PC amendment, to be sure, was actually in the original bill that we are amending. How unfortunate: I guess it is a bit of an education for me that we can never get rid of our partisan stripes, even when it means protecting Ontario's most vulnerable. As we all know, the amendment would have ensured that children who are abused, removed from the home and subsequently adopted would be automatically protected from having their personal information disclosed to the abuser without their consent. I underline "without their consent," because ultimately this is about protecting victims of abuse, and the Liberal government has chosen to ignore that amendment. I think it's an unfortunate day and an unfortunate way to end the debate on Bill 12.

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

There being none, Mr. Milloy has moved time allocation on Bill 12. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 0906 to 0907.

The Deputy Speaker (Mr. Bruce Crozier): The vote is deferred until deferred votes today.

Vote deferred.

PROVINCIAL ANIMAL
WELFARE ACT, 2008

LOI ONTARIENNE DE 2008
SUR LE BIEN-ÊTRE DES ANIMAUX

Resuming the debate adjourned on May 6, 2008, on the motion for second reading of Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 50, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

Ms. Cheri DiNovo: It's a pleasure to speak about animal welfare. It's in part, at least, a pleasure to speak to this bill. I wish, in fact, it was a greater pleasure, because there are some problems. I'll go into the problems.

First I wanted to share with the House my introduction to the Toronto Humane Society, that venerable Ontario and Toronto institution—because they don't just handle animals from the Toronto region. This is an institution that's threatened by a very strange section in this bill, which is section 6. In section 6, this Bill 50 takes a swipe at the Toronto Humane Society—in fact, about 235 animal welfare societies across the province. Anyone who uses the word "humane" will cease to be able to use the word "humane" because of section 6. I rise in part in defence of the Toronto Humane Society, and here's why.

The why's name was Chuffy. Chuffy was my first dog. We grew up on Bedford Road in Toronto, and Chuffy was one of those venerable Toronto dogs. Chuffy came from the humane society, although Chuffy was a pure-bred cocker spaniel. There was a lot of the street in Chuffy. Chuffy would not be contained by four walls, ever. We tried to keep him in the yard, but he'd always find a way out, either burrowing under or around, or somehow. So one would often see Chuffy walking around the streets of Toronto. In fact, as Chuffy aged—Chuffy

lived to be 16 years old—Chuffy was noted for crossing all four lanes of Bloor Street at the corner of Bedford and Bloor, in front of the Varsity Stadium, at a very, very slow pace. One could see all four lanes of traffic screeching to a halt just to let Chuffy by.

Chuffy would find himself all over the GTA at various times, and at various times we, as Chuffy's family, would get a call from the humane society saying, "Please come and pick up your dog," which we would. So the Toronto Humane Society, in my family, came to be known as Chuffy's hotel, and we would say, "Chuffy's at the hotel again," and there we would be, going to pick up this venerable old dog. So it's in honour of Chuffy's hotel that I stand today.

Chuffy's hotel, the humane society—which serves so well and so frequently, and has served, I might add, for over 120 years in the city of Toronto—is under threat because of this silly section 6. One wonders why this section is even in this bill.

I'm going to read a letter from the president of the Toronto Humane Society, Tim Trow, to Minister Bartolucci.

"We write to ask you to remove section 6 from Bill 50. Section 6 provides that community-built shelters that either don't want to be affiliates of the Ontario SPCA, or shelters that the Ontario SPCA itself does not want as affiliates, will be stripped automatically of their names by the Legislature.

"Historically in Ontario, the many voices of the province's animal welfare movement have been its strength. If the result of Bill 50 is but one voice, Bill 50 will have stifled debate and diversity and will have weakened what has been built up in communities over generations.

"Bill 50's role for the Ontario SPCA appears to be one of insurmountable conflict of interest, because the Ontario SPCA will become both regulator and fundraising competitor to its 32 affiliates.

"In addition, Ontario's animal welfare movement is wider than the Ontario SPCA or its affiliates. Bill 50 will instantly, upon enactment, strip the names and identities of other charities amongst the 235 Ontario animal protection charities registered with the Canada Revenue Agency.

"Bill 50 provides for no decision-making process and no appeal to the courts. It provides no explanation as to why it is necessary for the Legislature to take away the identities of any charities.

"Sanctions against holding out or infringing a corporate name already exist in Ontario law. In the case of the Toronto Humane Society, there could be no confusion because there is no similarity between 'the Toronto Humane Society' and the 'Ontario SPCA.'"

One might make a note at this point—I'll continue reading the whole text of this letter—that the Toronto Humane Society has a 6% kill rate. It's a kind of grim term, but a term that has meaning; it means that only 6% of the animals that are taken in to the humane society are actually put down, whereas the Ontario SPCA has a kill rate of 51%. I think that any citizens out there concerned

about animal welfare would be shocked by the difference. The fact that this legislation is giving the nod to the OSPCA over the Toronto Humane Society seems to indicate that they think a 51% kill rate is all right.

"The Toronto Humane Society is a well-known Ontario landmark, a hospital and shelter, caring for both wild and domestic animals. We employ 150 caregivers, and, at any time, 500 volunteers provide recuperative or palliative care as foster parents, feed orphan kittens in the nursery, groom cats, or walk dogs."

"We serve province-wide, one-third of our clients coming to us from beyond our Toronto area.

"The Toronto Humane Society has grown and prospered since 1887 because of the generous support of financial contributors and members. We do not receive, and have never received, government funding or funding from the Ontario SPCA"—important, particularly for taxpayers in this province.

"Our name is how we have been identified for 121 years. It has been entrusted to us by successive provincial governments and it represents the goodwill and trust of generations.

"Our name is how we speak to supporters and donors, and it is how they identify us in their wills or in other giving. It is how volunteers and animal caregivers find us and it is how clients access our services—rescuing animals, reuniting lost animals, saving injured wildlife, providing veterinary care, extending shelter and providing homes."

"Take away our name and identity and you jeopardize our ability to provide essential animal care to citizens when they are desperate and in need.

"Please remove section 6 from Bill 50.

"Yours truly,

"Tim Trow, president."

I want to say as well that the writers of some of the e-mails I've received on Bill 50 seem to think that this has something in common with a previous private member's bill, Bill 154, which had to do with the licensing and the oversight of private zoos, of roadside zoos, as they're called.

What is somewhat shameful on this government's behalf is that what was a wonderful bill by the member from Willowdale protecting exotic animals has not only not morphed into Bill 50 and has not been taken on by the cabinet and Dalton McGuinty but has been left aside at the roadside, so to speak. In fact, in this new bill there is no protection for exotic animals or roadside zoo animals unless they're domestic animals. They are not covered or protected by this bill at all. So what animal welfare activists have thought in this province, that Bill 154 was going to be a component part of Bill 50, has not only not been realized but has been completely and utterly ignored.

What is quite frightening here is a general trend by this government, and in particular the cabinet—because we know that all power issues from the Premier here, Dalton McGuinty—to override private members' bills, to ignore private members' bills, even from their own back-

benchers. Even when their own backbenchers put forward bills that have phenomenal merit, this government overrides them, overlooks them and ignores them.

Here we have a very substantive private member's bill, Bill 154, that was purporting to look after exotic animals and licensed roadside zoos, and instead, what do we find in Bill 50? None of the above. There is no protection for exotic animals and no protection for roadside zoo denizens, none whatsoever, despite the fact Bill 154 had support from the president of the Canadian Association of Zoos and Aquariums, who was enthusiastic about the promise to regulate roadside zoos.

One definitely feels for the member from Willowdale here and for any other backbencher in the Liberal caucus who decides they want to bring forward a bill of merit. The hope is, of course, that it comes and issues directly from the cabinet, but in these instances where members come up with excellent ideas and excellent legislation and are not only ignored, but in fact, one would say, insulted by the government bringing forward a bill that doesn't even acknowledge what their bill purported to do—this is the case with 154, that has morphed into Bill 50.

Other animals that are not looked after by this bill are animals that are on farms, or wild animals or research animals or any other animals that are so deemed by the cabinet. That seems like a great many animals indeed for an animal welfare bill. Let me talk about farm animals for a minute.

Farmers whose livelihood depends on their animals tend to look after their animals. But there's a particular classification of farm animals that aren't really owned by farmers. They're owned by what is certainly not well-named: gentlemen farmers. In one instance—and this was just a few years back—we had a case of 50 horses starved to death by one of these so-called gentlemen farmers. There was nothing gentlemanly about this individual, and there certainly wasn't anything farmer about him either: He was a lawyer. I suggested when I first made comments about this bill that if there were more farmers in this Legislature and fewer lawyers, maybe we would get a bill that looked after animals better than Bill 50 does. Here's an individual whose animals—the 50 horses—would not be covered by Bill 50. In fact, he would not be prosecuted by the terms of this bill. He would not be held to account by the terms of this bill. Again, there is a huge gap, a gaping hole in the provisions for animal welfare that this bill purports to do.

0920

I've already mentioned roadside zoos. Again, the ideology of this bill came out of that. I also want to say that there is another member here who really should be credited with some of the early work on animal welfare. The member from Eglinton-Lawrence brought in, away back in 2001, a private member's bill about puppy and cat mills. At that point, interestingly enough, the then Progressive Conservative government, and in particular Julia Munro from York-Simcoe, brought forward a bill as government that mirrored the bill brought forward by

an opposition member at that time. One would hope that the McGuinty cabinet would do as much for their own members. In this instance, we did get a step forward, albeit a small step, for animal rights that looked at puppy and kitten mills across the province. So we've seen how it can work that an animal welfare bill by a private member, even an opposition member, can be taken up by a cabinet and can be made law in very short order and can do something to protect, in this case, the rights and welfare of animals and animal owners in this province.

I wanted to talk about three trends in short that I've noticed—since I've been a member in the House for only two years now—about private members' bills generally. That is this trend to give them no credence whatsoever by the McGuinty cabinet and by Dalton McGuinty himself. Over and over, we see in this House the good, solid legislative research work of private members being ignored. There is a long litany of the ignoring of private members' bills and private members' efforts.

In this case, as I've said already, the member from Willowdale had brought in an extremely valuable piece of legislation, one that I know we all received e-mails about. Stacks of petitions were read in this House to support this bill. Everybody agreed, including those in the industry, that roadside zoos and exotic animals needed protection, yet this bill was just allowed to die. In fact, when the new animal welfare bill came forward that could have included it, it did not.

That's only one example. There are many examples here. I know that the member from Niagara Falls brought in a bill on grandparents' rights. Again, for the third time, his bill was ignored by the McGuinty cabinet. Again, for the third time, a backbencher within his own caucus clearly did not have his voice heard by the cabinet, and clearly was not given the time of day. So many, many instances abound.

I certainly hope that in the future—I know that there are probably only a few weeks left of this legislative session—the McGuinty cabinet starts to look to their own backbenchers and starts to use their talents. I do remember Dalton McGuinty saying that he wanted to uphold the strengths of the individual MPP and give the individual MPP—the backbencher—more voice. Instead, we see what's happened is the individual MPP backbenchers being given even less voice than they were under the previous administration here.

The other tendency—and there are three tendencies of private members' bills in this House—is that the bill is spun one way to the press, and then when you actually read the bill, it says something quite different. The spin on Bill 50, of course, is that this is a huge step forward for animal welfare in this province, that this is going to make all the difference to animals. I've already outlined that there are many various categories of animals that are not even covered by this bill. In particular, Bill 154 is not reflected in this bill.

Even more to the point, in the middle of this bill, this egregious section 6 does something that no animal welfare activist in this province would ever want to see

happen: to strip the venerable institution of the Toronto Humane Society of its very existence and its very title, and another 235 animal welfare societies across the province. That is the purport of section 6. One wonders why it's stuck in the middle of an animal welfare bill. Why is it so important to the OSPCA and the Liberal cabinet that Toronto Humane Society lose "Humane" from its title? One wonders.

In my earlier comments on this bill, I suggested that one look at the political affiliations of the board of the OSPCA, because I can't imagine any other reason that this turf warfare would be carried on in the middle of an animal welfare bill that absolutely will not help animals; in fact, will hurt animals. Again, I cite the difference in the kill rate: 6% at the Toronto Humane Society, 51% at the OSPCA. Does OSPCA really want to dominate animal welfare in this province to this degree, and does the Liberal cabinet really want to help them?

We saw this in Bill 35, the infamous slush fund bill, purported to be a bill to help cities, municipalities and infrastructure; in fact, neither of those words, "infrastructure" and "municipalities," are mentioned in the bill. What Bill 35 does is justify slush funds, the ability of the government to give to non-profits as much money as it wants left over, over the subtotal of \$600 million, to whoever it wants. We know what that looks like; we know why they didn't want the Auditor General speaking on that particular bill. We know why it flies in the face of accounting procedures, and yet they rammed that bill through. One wonders, when you look at Bill 50, if some of that slush fund money won't be flowing to the OSPCA. Clearly, there's a section in this bill that seems to indicate that they have the nod of the Liberal cabinet, and certainly the Toronto Humane Society does not—I must say, much to the chagrin and much to the horror of hundreds of people in this city. I've lost count of the number of e-mails I've received on that.

Finally—this is important—we have three tendencies of private members' bills in particular embodied in Bill 50: (1) a general trend to discount their own backbenchers' private members' bills, to disregard them, to ignore them, to ignore what's best and brightest in their own caucus; (2) to spin bills one way and then deliver a bill that says something very different entirely; and (3)—this is critical—that the bills don't have money backing them anyway. How in the world is Bill 50 going to be enforced if there isn't a line item in the budget for it, if there's no money to back these increased inspections and these increased enforcement? Is this just another instance—and I suspect and state that it probably is—of downloading yet more costs to municipalities, saddling them with more legislation that they have to enforce and not giving the money to enforce it? We can see the ramifications of that: blaming them when they're not enforced and shoving the blame away from where it definitely should reside, and that is in the sanctum sanctorum of the McGuinty government.

Just to summarize Bill 50: Will we support it? Absolutely, we'll support it, because an inch forward is still an

inch, where animal welfare is concerned. Does this bill have major problems? Absolutely, it does. It deserves a good deal of committee time. There are gaping holes in this bill. There's that absolutely unwarranted, unwanted section 6, which, as I say, is a direct slap in the face of 235 welfare organizations across Ontario, particularly the Toronto Humane Society—Chuffy's hotel.

I'll end where I began, with just an homage to my dog, Chuffy, and to all the dogs and cats across this province who, if Bill 50 were to pass as written, would not have the home that they have now, the hotel that they have now, the Toronto Humane Society, but would be stripped of that right. If section 6 continues in Bill 50 and is not stricken at the committee level, you can bet that animal welfare will be set back and not put forward by Bill 50 in this province. I suggest that this bill go to committee, go there quickly and be given a very thorough reading, and that a very thorough consultation happen with, in particular, those members who have been left out of this discussion.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Monte Kwinter: I want to just take the two minutes that I have to respond to the member from Parkdale–High Park.

I have a history with the Ontario Humane Society. You may know or may not know that in 1984 I was appointed the interim chair of the Toronto Humane Society. The reason for that is that there was a huge discussion between the Toronto Humane Society and the city of Toronto, because the Toronto Humane Society had a contract to provide animal control. They had a direct conflict. You can't be in the welfare business and in the control business, because in the control business you bring in a very large number of animals and you ultimately have no choice but to dispose of them. When you use the figure of 6% for the humane society and 51% for the SPCA, the reason is that the Toronto Humane Society is no longer in the animal control business, and that is being run by a separate agency of the city of Toronto. The Toronto Humane Society does a wonderful job, but historically they've always had this internal conflict. The reason I was asked to go in and try to resolve it was because they literally had physical confrontations with each other, because there were those on the animal welfare side who felt, "How can we possibly be in the welfare business when in fact we are taking in animals that are strays that come to us and, because there such a huge number, we have to dispose of them?" So that's how that happened, and now, of course, the Toronto Humane Society does its welfare—and does it very well. I have nothing but praise for them. They do a wonderful job and are a wonderful facility, but they have had to resolve that particular conflict, and that is the result of what has happened.

0930

Mr. Norm Miller: I'm pleased to add some comments to the speech from the member from Parkdale—

High Park on Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act.

First of all, I'll speak a bit about section 6, which seems to be bringing a lot of attention. I've certainly received some e-mails from people concerned with that section. It seems to be dealing with a bit of a turf war going on. What section 6 does is prevent anyone other than the OSPCA from using the name "humane society." Obviously, if you're the Toronto Humane Society, losing your name is something that is pretty important to you. So I certainly have some sympathy for that, and I don't support this section 6.

Speaking just a bit from the perspective of my own riding, I would like to see standards of care for zoos across the province. We have had a situation in the riding of Parry Sound–Muskoka where there have been roadside zoos, I guess is the terminology used, and there doesn't seem to be much in the way of rules to do with those roadside zoos. I would support province-wide rules that bring in standards of care for the animals so that you have proper-sized pens, for example, and their safety concerns are taken into effect.

We did have one case in the not-too-distant past in the riding of Parry Sound–Muskoka where a large exotic cat got out of its cage and killed a dog. Obviously that's not a good thing to be happening, and obviously that's a danger to the general public who might be visiting a facility like that, not to mention the situation for the animals that are being cared for there. I think we have a gap. We have some fairly tight rules for native animals in Ontario, but the exotic animals are missed. So there is a need for some rules.

Mr. Michael Prue: I rise to give a two-minute comment on my colleague from Parkdale–High Park. I listened intently to what she had to say. I think there were three or four very important things, but time will limit me to only two comments.

The first was about the number of private members' bills that have been before this House that could have and should have been incorporated into this bill but were not. I remember the raw emotion of the day, going back a number of years, when the present member from Eglinton–Lawrence spoke about puppy mills. There were two competing bills at that time, one by the member from York–Simcoe and one by the member from Eglinton–Lawrence. I remember thinking and listening to the bill and the sheer force of what was being said. I remember coming down on the side of the member from Eglinton–Lawrence because I felt that his bill was stronger and would have done a great deal more to ban puppy mills in the province. I looked forward to this bill, to see whether any of those very good ideas that he put before this Legislature all those years ago were contained, and sadly they were not.

I'm also reminded of the member from Willowdale and his groundbreaking work on roadside zoos. That too has not been contained within the body of the bill. The member from Parkdale–High Park was right to point out that this government all too often fails to utilize the private members' bills that are good.

On the subject of section 6, I can only concur. Having grown up in Toronto and having known about the Toronto Humane Society and its 121-year history, it seems an awful shame to me that we turn around at this point and simply change the name. They have done a wonderful job for the people of this city. I even got my own dog from there—more about that later.

Mr. Mike Colle: I'd like to comment on the member from Beaches–East York and his comments here. I just want to point out to him section 11.4. I don't think the member from Parkdale–High Park read this section either. It's "Protection of Animals by Societies." It gives this bill the power to inspect wherever there are animals for exhibit, entertainment or boarding: "An inspector or an agent of the society may, without a warrant, enter and inspect any building or place used for animal exhibit, entertainment, boarding, hire or sale...." This is important in terms of roadside zoos and people who are in the business of displaying animals. That's in is this bill; it has never been in any bill before. It's very powerful legislation.

It also, for the first time, ensures that you are now not allowed to train animals to fight and kill each other in this province. That's allowed now in Ontario. All kinds of animals are being trained right now to kill each other—that's allowed. This bill, if passed, will make it not allowed. That's long overdue.

It also allows animal welfare inspectors to enter places of business to ensure that there is a standard of care. Right now there is zero standard of care. You can breed 10,000 puppies, kittens or whatever—no inspection allowed. Thousands of people, right now, are in the business of breeding animals for big profits with no inspections; you can't enter. These animals are in incredibly horrendous conditions. This bill would finally give animal welfare officers the power to inspect places of business to make sure there's a standard of care. Right now you can't do it.

Finally, veterinarians would have to report abuse. They don't do that right now because of the fact that they are not compelled to. Now they would be.

The Deputy Speaker (Mr. Bruce Crozier): Member for Parkdale–High Park, you have two minutes to respond.

Ms. Cheri DiNovo: Thanks for all the comments.

First of all, to the member from Eglinton–Lawrence: It's native animals, not exotic animals, that are covered by this bill, whether they are penned, exhibited or whatever.

Absolutely, this bill is a step forward; it's a yard when we want a mile. "Why," one asks, and this is what our comments really circled around, "is section 6 there at all?" Why is this done at the expense of the Toronto Humane Society? This bill would take away "humane" from the Toronto Humane Society's name after 121 years. Why is that in the bill at all?

Also, my point still stands: It's one thing to have veterinarians report abuse; it's another to have the money to pay for the inspectors to go and find the abuse,

prosecute it and carry it to trial. That takes money. There's no money attached to this bill.

Absolutely, we in the New Democratic Party would like to see this bill go ahead to committee, would like to strengthen it, would like to plug the holes in it and would like to take section 6 out of it. We would like to make Bill 50, the animal welfare bill, an actual animal welfare bill for as many animals as could be included in it, and take out this turf warfare aspect, so aptly described by the member for Parry Sound–Muskoka. Take that piece out. It doesn't need to be there; it shouldn't be there.

I heard the comments of the member from York Centre. Notwithstanding the history he may have with the Toronto Humane Society, we had the president of the Toronto Humane Society, Tim Trow, here, as well as thousands of e-mails to show you that the Toronto Humane Society and all its supporters want section 6 out, and they should get it out.

This needs to go to committee. It needs to be supported, yes, but it also needs to be strengthened so that animal welfare in this province will be strengthened.

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

Ms. Sylvia Jones: I'm pleased to speak to Bill 50 this morning. As the member from Parkdale–High Park has already highlighted, I do have some questions as to why we need to specifically remove or, let's say, micro-manage the use of the name "humane society" when we talk about animal welfare agencies. I can't think of very many examples where we legislate what should or should not be in an organization's name when it's not offensive, and I don't think anyone would suggest that the words "humane society" are going to offend anyone. I would support the removal of section 6, where they must not use the words "humane society." Obviously that will assist the Toronto Humane Society, which I believe has been in existence longer than the bill we're modifying—120 years. This animal welfare legislation hasn't been reviewed in 90 years. I would support the removal of section 6 as well.

0940

There are a few things I would like to highlight, primarily because there have been a few opportunities for me to speak to people from my riding of Dufferin–Caledon who have had a chance to review Bill 50. I'll just start with Gord Grant, who happens to be the Ontario Federation of Agriculture representative for Waterloo, Wellington and Dufferin. He talks about Bill 50. I think what I'm reading about in his letter is the desire to have more information, more details. His first request is, "OFA requests that Bill 50 be sent to a legislative committee for public hearings following second reading."

I think I know where Gord is coming from, because when I start to read through the specific sections of the proposed legislation, there's some great stuff in it: "No person shall cause an animal to be in distress. No owner or custodian of an animal shall permit the animal to be in distress."

Nobody can train an animal to fight another animal or allow an animal owned or cared for to fight other animals; nobody can own equipment or structures used in animal fights or training animals to fight; nobody can harm a dog, a horse or any other animal that works with peace officers, whether or not the animal is performing those duties at the time of the harm.

There are some excellent things in Bill 50. What isn't in it is some of the detail. There is reference made to an obligation on behalf of veterinarians to report abuse. Again, a great idea, but if I was a veterinarian practising in Ontario today, I would want very specific feedback and details on what we're looking at. A benign example: There are those who will brush their cat's teeth. They say it keeps the cat healthier, it keeps it longer; there are many who would not brush their cat's teeth. If a vet is looking at an animal and seeing a buildup of plaque and a buildup of issues in their mouth, does that entail abuse? You can laugh, but in fact I have had vets in Dufferin–Caledon ask, "Where does it begin? Where does it end?" They would like to have clear limitations, clear expectations of what they are to look for and what they are to report. Those are the guidelines.

I guess that's where we come back to the regulations. The bill has some wonderful concepts in it, but I would like more of the regulations to be put in the actual legislation so that during committee, during debate, the people who are going to be affected by it—owners of animals, veterinarians, rural Ontario farmers—know specifically what their expectations are and, quite frankly, so that the people who have a very serious concern about animal welfare in Ontario know what to look for.

I grew up in rural Ontario, and I think of things that you do on the farm that are part of your standard operating procedure, for lack of a better word. When you tag cattle's ears it's kind of noisy. You get kind of busy. If someone was driving in rural Ontario, would they look at that operation from afar and say, "Hey, they're abusing animals in there. Those cows aren't enjoying themselves. I see people pushing the animals around"? Are they going to call the OSPCA on that? There's a huge education component that must occur whenever you empower people to call authority and initiate reviews without that third party review of either standing in front of a justice of the peace or getting the warrant.

Another example is when we wean cows from calves. It gets pretty noisy for a week or so. The calves get very agitated because they can't access their mother's milk whenever they want it anymore. If I was a new resident to rural Ontario living across the street from that farm operation, would I be concerned, call the OSPCA and say, "I don't know what's going on. Last week it was quiet and this week I'm hearing cows like crazy. What's going on? I think you should inspect. I think you should go in and pull the animals away"?

There was a very pointed letter from residents in my riding specifically related to the Ontario SPCA. Basically, the gist of their argument was that animals need to be protected in Ontario, without a doubt. But when you empower an organization with the kinds of powers that

we are giving to the OSPCA with Bill 50, there is an understanding that there should be a regulation, a review—an overseer, if I may.

They've actually gone to the point where they've put a petition together, and I'll just read the pertinent points:

"Whereas the Provincial Animal Welfare Act calls forth the Ontario SPCA, a private charity, whose 'object' is to facilitate and provide for the prevention of cruelty to animals and their protection and relief therefrom;

"Whereas every inspector and agent hired and trained by this private charity has and may exercise any of the powers of a police officer;

"Whereas this private charity does not answer to the Ombudsman or the Ministry of Community Safety and Correctional Services; the Ontario SPCA is not subject to the Freedom of Information and Protection of Privacy Act and no external mechanism of accountability exists;

"Whereas the McGuinty government refused to investigate the desperate plea of 29 resigned directors demanding that the Ontario SPCA be stripped of police powers (May 2006);

"Whereas the McGuinty government proposes sweeping reforms to the Provincial Animal Welfare Act granting further extraordinary powers to the Ontario SPCA, including the power of warrantless entry;

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

"(1) ... direct the provincial government to investigate allegations of abuse of police powers and charter violations by the Ontario SPCA investigators;

"(2) ... explore the need for an external mechanism of accountability for the Ontario SPCA;

"(3) ... ensure that proposed changes to the Provincial Animal Welfare Act do not violate the Canadian Charter of Rights and Freedoms."

There are clearly individuals who have concerns that we are giving the power without giving the controls. I would hope that during committee and during the discussion that we would have at the committee level on Bill 50, some of those oversight agencies are considered as well.

I've already referenced section 6, and I think that has been covered very well by the member for Parkdale—High Park as well as our own critic from Simcoe—North, so I will just add my name supporting it.

The other thing—and again, this is from a farmer in my riding of Dufferin—Caledon. He talks about the fact that he firmly believes that no one should be cruel to animals and we need to have this legislation updated and brought forward. "From a farm perspective," he believes "it is unnecessary, unproductive, unethical and anti-social." He is concerned as a taxpayer that, because of the powers that we are giving, it's going to lead to a need for more inspections. I will add my comment there in terms of how I have no issue with the inspectors as long as the inspectors have that oversight and proper training they will need.

I think all of us understand the need to protect animals. I don't want someone who is overzealous and

forgets that there are controls that go with power. You can't have absolute power and then not have anyone saying, "These are the things you look for. These are the things that you should be reviewing."

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He goes on to talk about the many pieces of legislation that have been enforced on the agricultural industry in Ontario. Most recently, he talks about the federal gun registry, but also nutrient management, the greenbelt legislation, source water protection, the Oak Ridges moraine, land rights. He makes an argument that every time you bring forward a new piece of legislation, a new regulation, there is implementation, or there are changes that have to occur on the ground level, so to speak. We have to decide as a society where our rights as land-owners and our rights trying to earn a living balance against the rights of the animals in our care—and how much we can afford as a provincial government.

He talks about farmers. Farmers understand that their production levels go up when their animals are treated well. Their production and, therefore, the returns, increase when they are treating their animals—feeding, watering, bedding them—properly. He questions whether we have enough oversight from the agencies that are ultimately going to be enforcing Bill 50.

Bill 50 provides that animal abusers can be fined up to \$60,000, end up in jail, or be banned from owning pets—perfect. These are all justifiable and necessary punishments for individuals responsible for animals under their care that are mistreated or abused. However, these punishments, particularly the jail time, cause concern, given the criteria under which alleged abusers can be investigated. If enacted, Bill 50 does not require animal protection officers to prove intent in case of cruelty, but only evidence of ownership and that the animal was mistreated. OSPCA agents have the right to inspect places other than a residence where animals can be kept for entertainment, exhibition, sale or hire, without a warrant.

I am concerned about the erosion of rights, that if passed these sections would be made law. If ever there was a slippery slope, entry into private premises without a warrant, possibly leading to jail time, would definitely be an example.

A warrant is issued by an independent third party after it has been demonstrated that there is a reason to believe that a crime has been committed. The purpose of the warrant is to safeguard individuals against arbitrary intrusion by law enforcers in the pursuit of a person suspected of committing actions worthy of crimes, or people committing them.

There are five scenarios in which the phrase "without a warrant" appears in Bill 50. One of these scenarios refers to the current act, while the remaining four are included in the proposed legislation. As legislators, we must always stop to ensure that our legislation complies with the guidelines laid out in the Constitution. These guidelines include a division of powers, but more importantly they include a Charter of Rights and Freedoms. Section 8 of the Canadian Charter of Rights and Free-

doms provides that, “Everyone has the right to be secure against unreasonable search or seizure.”

With respect to the five instances in which the phrase “without a warrant” appears, the word “reasonable” only appears twice: once in the current act and once in scenarios referring to the current act. This leaves a majority of times in which this legislation provides that no warrant is necessary, without any provisions that the search or seizure be reasonable. In light of the requirements of our constitution, this is troubling to me.

One need only look at decisions of the Supreme Court of Canada to see that legislation or policy that provides for warrantless search or seizures does not stand the test of the Constitution, not to mention warrantless seizures or searches that are intentionally not based on reasonable evidence. In *Hunter v. Southam*, the Supreme Court of Canada struck down the search and seizure provisions in the Combines Investigation Act on the grounds that there was no provision for a prior independent review by a judicial officer of the appropriateness of the search. Writing for a unanimous court, Justice Brian Dickson provided the following comments with regard to section 8 of the charter: The Canadian Charter of Rights and Freedoms “is to guarantee and to protect, within the limits of reason, the enjoyments of the rights and freedoms it enshrines. It is intended to constrain governmental action inconsistent with those rights and freedoms; it is not in itself an authorization for governmental action....

“The guarantee of security from unreasonable search and seizure only protects reasonable expectation. This limitation on the right guaranteed by s[ection] 8, whether it is expressed negatively as freedom from ‘unreasonable’ search and seizure, or positively as an entitlement to a ‘reasonable’ expectation of privacy, indicates that an assessment must be made as to whether in a particular situation the public’s interest in being left alone by government must give way to the government’s interest in intruding on the individual’s privacy in order to advance its goals, notably those of law enforcement.”

In striking down the legislation which allows the authorization to search, the court provided guidelines for search and seizure which have become an integral component of search law in Canada. Where it is feasible, a search must be approved by prior authorization. Although it may not always be reasonable to insist on prior authorization, there will be a presumption that a warrantless search is unreasonable. And I would hope that in Bill 50 that particular comment is very much part of the education and process as we train our officers.

The person authorizing the search must act in a judicial manner. Although the person need not be a judge, he or she must be in a position to assess in a neutral and impartial fashion whether a search is appropriate on the evidence available.

The standard for issuance of the warrant is similar to American probable cause. There must be reasonable and probable grounds, established upon oath, to believe that an offence has been committed and that evidence of that

offence is to be found at the place to be searched. So it comes back to, if I’m a disgruntled neighbour and I’ve been listening to my neighbour’s dog bark or whine for the last two weeks, I hope that is not sufficient for me to pick up the phone, call the OSPCA and initiate an investigation. I would hope that we give the OSPCA the ability to review those vexatious comments and sort them out, and that we give the inspectors the ability to make those calls—but we train them for it.

I will finish by saying that while I very much support the updating to the animal welfare act, I am disappointed that so much of the detail and the specifics are going to be left to regulation, where they will not be open to the public scrutiny and the public input that, quite frankly, I think we need when we are talking about rights of the property owner and rights of animal welfare in Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Cheri DiNovo: I listened with interest to the member from Dufferin–Caledon. She gave a very extensive and well-researched discussion about Bill 50 and its problems. In my 20 minutes I tried to highlight some of those problems as well. I just want to comment on a couple of issues she raised that I thought were fascinating. One was the concern of veterinarians about the definition of abuse and the impact on veterinarians’ practice. Again, one wouldn’t be too worried for the veterinarians, I would think, but more worried for the animals perhaps, in that this bill doesn’t have a lot of teeth—doesn’t have any money behind it anyway. But certainly, it shows the lack of consultation that went into the drafting of this bill, that they didn’t think to ask veterinarians, or certainly not enough veterinarians, what they thought to hear that obvious point of view.

The second aspect of this is about the warrantless search-and-seizure aspect of Bill 50. Again, I found that a fascinating discussion about rights. I’m a little concerned. Animals are somewhat different, and one can imagine an instance where an animal is left to suffocate in a car, where the right of the animal, one would hope, would overcome the necessity to serve somebody with a warrant before breaking the window and saving the dog or cat. I can see some problem areas here.

The member from Dufferin–Caledon highlighted the fact that these are areas that need to be looked at before the lawyers get at it and completely take away any possible impact for animals’ welfare. The onus is on us, as legislators, to really make sure that this bill is tight, that the holes are plugged, that the ends are tied and that as this moves forward, it does what it’s supposed to do; that is, look after animal welfare without being a detriment to humans.

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Mr. Mike Colle: I’d like to speak on the comments of the member from Dufferin–Caledon. I found it a bit far-fetched that she would talk about whether or not the owner of an animal brushes its teeth might be subject to some kind of procedure under this act. I can imagine using some examples, but it’s certainly too far-fetched to say that that might be a case of abuse. That is what

causes this sometimes irrational reaction to animal welfare protection.

I'd also like to mention that this bill is not about farm animals; it exempts agricultural communities under their regular practices. This is not about fish and wildlife and anglers and hunters, because they are not the problem. The problem is that right now, there are people making money breeding animals and you can't inspect their premises. Therefore, they breed animals in cramped conditions, they don't feed them, they keep them in the dark for weeks at a time and they can't be inspected. What this bill does is say that you can inspect.

We have the power to inspect restaurants to make sure the food is in hygienic conditions. Right now, you, as an individual, need a licence for dog ownership, yet you need no licence and you're not subject to inspection if you're in the business of breeding animals to kill each other.

There are two extremes: The NDP is saying, "Well, there are no teeth," yet the Tories are saying, "This is an unprecedented charter of rights violation." This is a reasonable attempt. People have been trying to do this for 90 years, and now you know why it has taken 90 years: When it comes down to it, there isn't the political will to stand up and say, "We've got to stop the abuse of animals in this province."

Mr. Jerry J. Ouellette: I very much appreciate the member from Eglinton–Lawrence's comments. I don't think anybody is opposed to shutting down puppy mills or inappropriate operations that cause a lot of distress in the quality of life for animals. That's not becoming to Canadians or to those of us in Ontario. I think the problem, when you cast that net, is what you take in. We hear a lot of things about roadside zoos. I'd like to know which roadside zoos they're referring to. Having had the privilege and honour in a previous government, I certainly gained the perspective that there was somewhat of a movement toward having two zoos, potentially, meet the standard they're looking at in these roadside zoos. Those would be the Toronto zoo and, with some adjustments, the African Lion Safari. Everything else would shut down, depending on who came forward and how the regulations came forward for the rest of the province. So there's a lot of concern out there, and there should be. Quite frankly, I have no problem shutting down some of these places. I can't walk into a place to see an animal, in some cases now, that a lot of people go to, but it gives some exposure to a lot of the public at large.

One of the other areas, when we cast this net, is the training apparatus. What happens with shock collars? Maybe you can tell us. For those who don't know, shock collars are used for invisible fencing, as a typical term. They put this wire around an area, and when the animal goes near it, the shock collar goes off and sends a signal: "You don't want to go there." It keeps dogs or animals protected in an area. It's the same thing with electric fences that are commonly used in rural Ontario to keep animals in. This is a way to train animals.

What would happen, specifically, with those sorts of apparatuses? Is it going to affect those? Is there going to be control? Quite frankly, I'd rather see a dog—to my knowledge, most of the time it's for dogs—contained in an area, rather than running free and a lot of times getting hit by vehicles or gone and in distress on its own from a different aspect in life.

Lastly, there's the enforcement aspect. Are conservation officers going to be given the opportunity to enforce this? If so, where is their direction going to come from?

Mr. Michael Prue: I rise to comment on the statements by the member from Dufferin–Caledon. I must admit, as a city boy who has spent all of one week of his life on a farm, and that only in the last couple of years, I listened intently to what she had to say. She gave me a perspective which, upon reading this bill, I had not had. She talked about the perspective from the agricultural community.

I listened to the member for Eglinton–Lawrence, who tried to dissuade me from thinking that they may or may not be involved, but I would be assured that if the act exists, people in all communities, not necessarily in urban ones, will be subject to the act.

I listened to what the member for Dufferin–Caledon had to say in terms of the reasonable search-and-seizure provisions of the act and the fact that "reasonable" had only been used on two occasions within the body of the act and how that may impact upon the Constitution.

Although I am generally in support of this bill, I do understand that it is going to have to be looked at very carefully by the Legislature. I would ask the government to be open to any amendments that may strengthen the bill or to make it perhaps lawyer-proof in terms of the actual provisions of the act so that when the bill becomes subject to third reading and is passed, we can assure ourselves and the people of Ontario that everything has been done properly in order to better protect animals and to safeguard the provisions that are there. The last thing we will need is to have some of these provisions challenged in court. I commend the member for Dufferin–Caledon for her statement here today and her contribution to the debate.

The Deputy Speaker (Mr. Bruce Crozier): Member for Dufferin–Caledon, you have two minutes to respond.

Ms. Sylvia Jones: I would like to finish by talking more specifically about Dufferin–Caledon. In our riding, we have the Orangeville branch of the OSPCA. They have done an incredible job, but I think even they would acknowledge that direction and specific outcomes are the key to having a successful piece of legislation and moving forward. I would hope that we stop this practice that seems to be occurring in government where more regulations are hidden from view and hidden from input, and in fact put it in the bill so that we can have that public debate and public input. It's critical that everyone in Ontario knows what the expectations are when we are talking about the protection of animals and the protection of society in general. I had some good comments from

the executive director. She talked about how people who abuse animals have a tendency to transfer or change that abuse into spousal and family abuse.

It would never be my intent to say that Bill 50 shouldn't go forward. I would just like more of Bill 50 to be in Bill 50 and less of it to be in the regulations, which can be changed without public input and public consultation. If I could leave with that comment, I would appreciate it.

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

Mr. Michael Prue: I rise today to speak on one very narrow part of the bill, and that is section 6. I have lived my whole life in the city, save and except for one year when I was a university student in Ottawa, so I think I know the city fairly well. One of the hallmarks of the city, one of the things that the people of Toronto hold very dear, is the Toronto Humane Society. As a mayor, as a councillor and as a person who was part of the whole municipal process for a great number of years, I can tell you that the most heated debates that we would have at East York council or the most heated debates that we would have at Toronto city council usually involved the subject of animals, usually involved the Toronto Humane Society and how the city or the staff was dealing with animals.

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In East York we had our own pound. We collected animals, as every municipality would do. We collected stray animals, animals in distress, animals that had attacked humans or other animals. We would have some dog enforcement people who would go out and bring the dogs—usually dogs, but sometimes cats—back to the little shelter that we had in East York. It was a fairly small shelter; we only had two employees. They would bring them back, and we would hold them for a number of days. Unfortunately, because it was not the Toronto Humane Society, if we could not locate the owners or if there were difficulties or if the animal was in distress, we would send them over to the city of York where they would be euthanized. We did not euthanize the animals in East York; we sent them to the city of York, because they had a facility and it was on a cost basis.

Whenever that happened and the animal's owner subsequently became aware that the animal was in East York, because the border would not be relatively well known to the dog or cat if they strayed from Toronto into East York—

Mr. Ernie Hardeman: Educate them.

Mr. Michael Prue: —Yes—we ended up with the animal. I remember on a couple of occasions where no one came forward to get a dog in these particular cases and the dog ended up being euthanized. You can imagine the sorrow and the anger of the family. Because the dog had been found in East York, we used our process. The family had gone down to the Toronto Humane Society and searched day after day, looking for their beloved dog, only to find out that our process allowed the animal to be euthanized. It was pretty sad.

I remember the debates around whether or not we should be doing that. The people who came to our council suggested we should adopt a policy similar to the city of Toronto to ensure that no dog, cat or household pet was euthanized, save and except in those circumstances where the animal was in distress.

I know there is huge support around for the Toronto Humane Society. I think that support exists not only because it is a venerable institution, having existed now for some 121 years, but also because they have made decisions in the past that the public tends to accept and to believe in. First of all is their decision not to euthanize pets when they come into their care. As has been stated, and I think correctly so, by former Minister Kwinter — I'm trying to remember his riding—

Ms. Sylvia Jones: York Centre.

Mr. Michael Prue: York Centre; thank you very much. As the member from York Centre stated, there is a difference between the Ontario Society for the Prevention of Cruelty to Animals and the humane society in terms of the numbers of animals that are euthanized. It is because the OSPCA is also an enforcement wing and not necessarily just an adoption agency, or in large part an adoption agency, that we see that dichotomy.

The people of Toronto believe in their humane society. They believe in the society's goal not to euthanize animals unless it's absolutely necessary. They also believe in the society's goal to educate. They go out, they have brochures, they have posters and they do whatever they can to educate people so that they will respect the pets they have, will understand how to properly care for them and will not leave them in distress, without either food or water. They do a tremendous job in terms of education.

They also do a tremendous job in terms of fundraising. Now, I know that the OSPCA does fundraising. They never seem to have enough money. Sitting as I do on the finance committee every year, as we travel the province, we have people from the OSPCA coming forward to talk not only about the bill that is before us today but also the fact that they do not have sufficient monies for inspectors, for training, for vehicles or for the care of animals. They make quite a compelling case each and every year to the finance committee, at least in the last six years that I have served on that committee, and they come, year in and year out, without fail, to talk about how they need more.

I don't remember the humane society asking for money all that much in the city of Toronto, although they would from time to time, because they have been extremely successful over their long period of time in collecting monies. They have been extremely successful in garnering public support, to donate when they need it, to build an institution of great care for animal welfare at River and Queen. And the public seems very content in terms of how they treat them, in terms of the donations and everything else. So it would be a shame for section 6 to take the authority of the Toronto Humane Society to call itself the name that has been identified with Toronto

for 121 years. I don't see the rationale behind this. If a government member can stand up and say why there is a rationale for this, it may make sense to me. I'm willing to listen. I'm willing to learn what the government rationale is. To date, I have not heard that. When this goes to committee, perhaps the parliamentary assistant or whoever else has carriage of the bill can explain why the government thinks section 6 is necessary. It seems to me that the bill will survive without section 6. It seems to me that the bill will do everything else it's supposed to do without section 6.

I would be remiss if I did not talk about my own personal experience with the Toronto Humane Society. I grew up, as I've said so many times in this House before, in Regent Park. People were not allowed in those days to have dogs, although the odd person would have a cat in some of the apartments there—cats that always seemed to escape and run around in the place. But dogs were a rarity. As a boy growing up, I did not have a dog. I got my first dog from the Toronto Humane Society after I had purchased a house. My wife, in her wisdom—and she is in most things very, very smart—said, “We need to have a dog.” We went down to the Toronto Humane Society, looked around in the cages and came home with the dog whom I promptly named Artemis after the Greek goddess of the hunt. The reason I did that is because the dog was whining at the door. I didn't know much about dogs and I figured maybe the dog had to do its business. So I opened up the door and, to my shock and horror, I saw my dog, in four or five leaps and bounds, go to the end of the yard and chase a raccoon up the tree. Wow! At that point, I'd only had the dog a few hours, and I decided that her name should be Artemis because she really was a dog that loved to do that kind of stuff. I have to tell you that over the years my garden and my backyard were almost always raccoon-free. The raccoons learned that there was one place you didn't go if Artemis was out, or, if Artemis might be at the door or might get out in some way, you don't go in that backyard.

My experience with the Humane Society and the adoption of a dog was a profound one. When I went there, it was a whole adoption procedure. I had to sit down with an official and I had to talk to them about why I wanted the dog, what I intended to do with the dog. Was I going to use the dog for any purpose? They asked me all kinds of things. Was the dog going to be a working dog? Was I going to try to use it to assist the blind? There was all kinds of stuff. It seemed to me—I just wanted to take a dog home. At first, it was a little vexing, but I began to understand what they were doing: It was because they wanted to ensure the absolute welfare of that animal. They wanted to make sure that I wasn't some guy who was going to take it home and train it to fight. They wanted to make sure I wasn't going to cause it any abuse or harm, either from because I would be that way inclined or just from total neglect because I had no idea what to do. Of course, I had no idea what to do, but my wife had had a number of dogs in her life and she was able to show me in pretty short order all the things that needed to be done.

The Humane Society had my total support from that time on. Over the years, my wife and I would donate money to the Humane Society in appreciation for the wonderful dog that we had in our house. I will tell you that to this day, when people tell me they're thinking about getting a dog or getting a cat, I always tell them not to go out and buy one. I always tell them to go down to the Humane Society and to look in the cages of the animals that desperately need to be adopted and need to have a home. If they don't find what they want on one weekend, I'm sure they'll find it the next weekend or the weekend after that; to just be vigilant to find exactly the type of animal that they want, and to not go out and purchase animals that have been produced in puppy mills. I know that you can get purebreds and all those things, but if you just want a dog or cat to love, to bring home to your house, I can think of no finer place to get it.

So I'm asking the members opposite to think about this, to think about an institution that is 121 years old, to think about the thousands upon thousands—and probably hundreds of thousands—of animals that have been adopted into good homes in Toronto over all of those years, and to allow them to keep their name, to allow them to keep doing what they have done so successfully and to remain a part of the fabric of the city of Toronto. That is not too much to ask, and I think what they are asking is not too much to ask.

So, members opposite, if you're listening, when this goes to committee, find some way to remove section 6, to vote down section 6, to amend section 6. Do whatever is necessary in order that Toronto keeps an institution of which it is justifiably proud.

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The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Carol Mitchell: I just want to set the record straight on a couple of things. I do thank the member from Beaches–East York for his comments. I rise in support of Bill 50.

One of the things that I wanted to clarify was that the Ontario Veterinary Association, because I am a rural member, has lobbied me for four years to bring in specific language that this speaks to about mandatory reporting. This is something that they have wanted for many years, and quite frankly, they're very pleased that this is coming forward at this time.

The other thing that I wanted to clarify was that the removal of the word “Humane” will not be a result of this legislation.

Another thing that I wanted to clarify as well is that coming from a rural area, how we conduct ourselves with protecting the animals is much different than in an urban area. We rely solely on volunteers. The municipalities will get someone who will pick up the dogs, and there is licensing and that type of thing. But primarily, what we rely on in rural areas is volunteers.

The SPCA in one of my counties, Huron, holds a large event once a year, and it raises enough—about \$45,000—that it's able to provide some types of services. So I can tell you, quite frankly, coming from a rural area, that we

need pieces of legislation that clearly lays things out. This, in fact, does. It starts to establish a procedure and a process which we all know going forward.

So for me to be able to stand and support Bill 50, which a number of my constituents are saying they want to see come forward, certainly is my pleasure and my privilege. I just want to share with the Speaker what we call society animals.

Mr. Ernie Hardeman: I want to commend the member from Beaches–East York for his presentation. One of the things that I found out as he was speaking about his first dog, and the fact that the dog was let out of the house very impatiently to chase a raccoon—

Mr. Michael Prue: She wasn't let out for that.

Mr. Ernie Hardeman: Well, that may be the case, but the reason I bring that up is that I did receive a concern expressed by some of the representatives from the farm community. They had concerns about the definition of the animals trained to fight. Obviously, this dog and a lot of farm dogs would be trained to protect livestock and to fight other predators. So does the bill exempt that, or would they then be called an animal that was trained for fighting purposes? I think that needs to be clarified.

The other thing I wanted to say was that there was a letter sent to the minister concerning this bill, and it was from the Ontario Farm Animal Council. That's an organization that represents some 45,000 farmers and farm-related agri-industries. There's some interesting parts in it. The letter states, first of all:

“Our concern is that Bill 50, which is now in second reading, is a set of very extensive and legally complex amendments that appear to be moving very quickly through the legislative process. These amendments would fundamentally change the powers and authority of the OSPCA as well as the legal obligations and requirements of all animal owners and handlers in Ontario.”

It goes on to say:

“Due to the wide, sweeping changes proposed by the bill and the lack of consultation with the farming community”—and I think it's important, “lack of consultation”—“prior to its introduction, OFAC is strongly requesting the Ontario government take a more measured approach.

“We ask that Bill 50 be sent to a legislative committee for public hearings following second reading and that public hearings be held across Ontario, to allow farmers, anglers, hunters and other affected parties the opportunity to be heard and to ensure”—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Parkdale–High Park.

Ms. Cheri DiNovo: Just in reaction to the member from Huron–Bruce, I want to read section 6. It says, “No corporation or other entity, other than the society or an affiliated society,” meaning the OSPCA, “shall ... use the name ‘humane society’, ‘society for the prevention of cruelty to animals’....” It's right in the act. This, in essence, is what the Toronto Humane Society is reacting to. It would take away their name, a name they've used for 121 years.

I second the member for Beaches–East York in asking the government side—and we haven't heard this from any of the speakers on the government side—to speak to section 6, to explain why section 6 is in an animal welfare bill and to explain the impact, of course, and why they feel that not only the Toronto Humane Society but another 234 societies that are concerned with the welfare of animals should be impacted by a so-called animal welfare bill, Bill 50. I've heard all sorts of things this morning from the government side and nothing about this, except for the comments from the member for Huron–Bruce, to whom I hold out the actual text of the bill. Sometimes we talk about bills and we don't actually read them. So, read it. It's right there in section 6. What we're asking for on this side with one unified voice is that section 6 be removed from Bill 50. It doesn't need to be there; it shouldn't be there; it needs to come out of there.

Just in the few remaining seconds, I want to say I was delighted to hear about the member for Beaches–East York's dog, Artemis. I think any of the amendments that come forward should have the names of animals attached to them, and Artemis is a very good one.

Let's hear from the government side some rationale for the existence of section 6, and with that I'll cease.

Mr. Mike Colle: I was just reflecting on a funny story that shows that animal protection crosses party lines. I remember that I was walking near Bathurst and St. Clair one day and there was this beautiful brown pointer that was running loose in traffic. I went over and I grabbed him and took him home. Then I phoned the Toronto Humane Society and said, “Listen, I've got this beautiful brown pointer at my house.” You know what happened? A day later the humane society came to get him, and he was actually the dog of former Tory cabinet minister Dianne Cunningham's daughter; it ended up in my house. Anyway, a little anecdote. It was a beautiful dog, too; I hope it's doing well.

I think the member for Beaches–East York made a good point. When you're purchasing or trying to get a pet for your family, do not get one from the newspaper ads; they're probably from pet mills. Do not go to these flea markets. You saw what happened recently this year: There were dogs at the flea market that had rabies. Even many of the pet stores have dogs that come from pet mills too. The best place to get a pet for your family is to go to one of the rescue societies, and there are rescue societies for almost every breed of animal. These are rescued greyhounds or huskies—they're all over the province. These kind people have these dogs available for adoption. That's where to get them.

In rural Ontario, the big problem for many of the OSPCAs is that there are these humongous puppy mills, and all of a sudden, overnight, there will be 100 animals that have to be taken care by the OSPCA. They have enormous pressures because the illicit breeding that this bill would hopefully put a stop to—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Member for Beaches–East York, you have two minutes to respond.

Mr. Michael Prue: I'd like to thank the members for Huron–Bruce, Oxford, Parkdale–High Park and Eglinton–Lawrence.

In the two minutes that I have, I first of all want to make sure the record is absolutely clear, to my colleague from Oxford. The dog was not let out to chase the raccoon; that was an unintended consequence. She was let out because I thought she needed to do her business, and her business was not what I thought. In any event, that is how she ended up getting her name. I just want the record to be clear: I wasn't trying to harm any raccoons in my backyard.

1030

The member for Parkdale–High Park spoke about section 6. Section 6 is very clear in its intent, and that's why I think it needs to be either taken out or amended in its entirety. There is no rational reason that I can think of that you would take away, by legislation, the name of a venerable institution like the Toronto Humane Society. It just is illogical to me that they would have to reinvent themselves with a new name after people of this city for generations have known them and known about them by that name.

The member for Eglinton–Lawrence makes a good point, and I thank him for his comments. Perhaps I should have said on my own that, when you get a dog or cat from the Toronto Humane Society and, I'm sure, all of the societies across Ontario, the animal is always spayed, so you don't have to worry about more animals being born. The animal always has all of its shots, is in remarkably good health and has been under veterinary care for at least a week or 10 days before the animal is put up for adoption. I think you're doing a whole lot for your family and for everyone else by adopting in a place like that rather than a flea market or a puppy mill.

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

Mr. John Yakabuski: It's my pleasure to join the debate this morning on Bill 50.

My friend from Beaches–East York talked about the release of the dog and the raccoon, and he mentioned the term "unintended consequences." That's exactly what we're dealing with here in this bill. There are a lot of possible unintended consequences that could happen as a result of this bill if it is not sent out to committee for hearings and input so that those people not only affected but those who have a broad knowledge of animals and animal rights issues in this province have a chance to have their input so that the legislation that we come up with at the end is, in fact, the best piece of legislation that we could have under the circumstances.

There are some real concerns about this bill, and they've been articulated by others, but I think it bears repeating by more members of this assembly. Hopefully it builds strength to the argument that the government has been perhaps nearsighted or short-sighted in introducing this legislation without dealing with some of these

possible problems and unintended consequences so that we have the opportunity to let them know that this is what we are hearing out there, this is how we feel and this is how we believe the legislation could be improved.

There's no question that we have been without updated animal rights legislation in this province for far too long. We all agree. There is not a member of this assembly who would not state unequivocally that mistreatment of or cruelty to animals is not accepted anywhere in this province and should be not accepted anywhere in the world. We're all on the same page on that.

But we have some problems with some of the things that this bill speaks to, and everybody has spoken directly to section 6. I know that my colleague from Parkdale–High Park talked about the 121-year history of the Toronto Humane Society. For all intents and purposes, as we understand this bill, if it is enacted as it is written today, that society will cease to exist. It could not call itself the Toronto Humane Society under this legislation. What is the reasoning behind that? We need to know those kinds of things, we need to hear from the government, and we need to hear the counter-arguments. My colleague from Simcoe North said repeatedly in his leadoff speech that this bill very much requires that we take this to the people and get it out in a broad consultation throughout the province so that we can have input on those issues.

We talk about the concerns in agriculture and how this bill could impact agriculture and how people who don't understand agriculture might view the practices in agriculture as being unfair or inhumane or in fact being cruel to animals. One thing we do understand about agriculture is that even though these days it's pretty difficult, people are in agriculture for the purpose of running a profitable business. It would do them no good whatsoever not to treat their animals in the best possible way. Those animals, if they're mistreated, are going to expire before the farmer has the opportunity to harvest them for gain, in which case that's a huge expense to the farmer, because they would have purchased and or raised this livestock for the purpose of eventually slaughtering it. That's what we do in agriculture; it's for food. If they mistreat them, the mortality rate is certainly going to go up. In fact, if they not only don't mistreat them but treat them very well with regard to inoculations and all of those kinds of things, the mortality rate goes down. That's all been proven.

The onus on the farmer to be very careful and very circumspect with regard to the treatment of his or her animals is well documented, common sense and good business practice. If you're going to be a successful business person, you're going to try to run that business under good business practices. There's no incentive for farmers to mistreat their animals, because it's going to hurt them—very much so. It's certainly going to hurt the animals, but it's going to hurt the farmer in the pocketbook, on the bottom line, and no farmer is going to be intentionally doing that.

I think we have to be wary of people who do not understand agriculture, who might see a practice on a farm and say, "Hey, that's cruelty. We need inspectors. We need the animal police, the OSPCA, to get in here and get in here quick and raid this farm," because there's a lack of information and a lack of understanding as to what actually happens in the agriculture business.

My colleague from Dufferin-Caledon raised an interesting issue under the standards of care. We need to be very defined about those standards of care, because for some people, they're different. I see some people here in Toronto walking their dogs in the wintertime and they have a coat on the dog, little booties and a toque. I don't even wear one myself, although I probably should; some people say there's been some severe freezing going on up there. But if I'm walking my dog—I don't have a dog here in Toronto; I wouldn't have a dog here in Toronto—and I don't have booties, a coat and a toque on the dog, am I mistreating that dog? In the view of some people, maybe I will be.

The member from Dufferin-Caledon talked about how some veterinarians actually believe that if you're not brushing your pet's teeth, whether it's a cat or a dog, you're not giving them the standards of care they should be entitled to.

Mr. Peter Kormos: For Pete's sake.

Mr. John Yakabuski: Mr. Kormos invokes his own name by saying "For Pete's sake." He's questioning the logic of that kind of thing, but that's actually how some people see these issues. So we need some real clarification on standards of care.

One of the problems we have here is with regard to warrantless entry. My friend from Dufferin-Caledon also cited the charter argument, in section 8 of the charter, with regard to warrantless entry. We have the situation here where the advocate is also the police. That's something we should always be concerned about: when the advocate is also the one responsible for enforcement. With all due respect—and I am very proud of the work that the OSPCA does here in Ontario—is it acceptable that those who are the advocates are also the ones who decide when someone is in breach? Are they truly the most objective party to be making those kinds of assessments? That's why we have various arms of the justice system, where those who enforce the law are not those who decide whether the person who was, in their opinion, guilty of an infraction is in fact guilty. We have to pass that on to another branch.

There's where I think there could be some separation that would give some people at least reason to believe that the advocates are not the ones who are also out there laying the charges or being the ones who say, "You are in breach of the act." Those are always things that I think people in a society such as ours have concerns about, if we give too much power to one group, because with that power comes great responsibility. Actually, it's a responsibility that most people don't want to have. They want to ensure that some who are less partial or less subjective are actually the group that enforces the law.

1040

It was interesting, what my colleague from Oshawa mentioned about these dog-shock collars or this invisible fencing stuff, where people have a fence around the perimeter of their property because they don't want that pet to get into a dangerous situation. I live right on the highway, for example, so if I had a dog—and we don't have a dog; we had one for 17 years, but we don't have one now—if that dog didn't understand the parameters and the boundaries of the property, it would be very susceptible to getting run over by a car because we live right on Highway 60, where the traffic is going by. So will some people view the fact that a dog has a collar around it so that when it gets close to that perimeter of the property, where they've got the invisible fencing installed, it receives a shock—will some people say that that's inhumane treatment of the animal? That's a fair question. We don't know what's going to happen with these regulations, and that's why we do need this bill to get out there to the people in the province, so that they can have their input on this very, very important issue.

My colleague from Oxford raised a very interesting scenario, where the dog may encounter another animal. Part of a farm dog's job is to protect the livestock; it's a working dog. Can the farmer or the operator of the farm be held responsible if that dog in fact does go out to challenge an intruder, another animal that's intruding onto the farm that may be a threat to some of the livestock that cannot defend themselves? It's a very interesting point.

I don't have the answers to those things. They're questions, they're not answers, and that's why it's extremely important that we get this bill out to hearings, not just here in Toronto. I think you're going to need some hearings in Toronto, because there are going to be some people who are understandably upset that what you're doing in this bill is saying that the Toronto Humane Society, which has been in business for 121 years, is now out of business. You're saying, "You're going to have to come up with a new name. You're not going to be able to call yourselves the Toronto Humane Society."

Hon. Rick Bartolucci: Wrong, wrong, wrong. That's wrong.

Mr. John Yakabuski: The Minister of Community Safety and Correctional Services is in his seat saying, "Wrong, wrong." Well, tell us what the facts are; we'd love to hear them. But this is what the humane society is saying; this is what advocates of the humane society are saying. It's easy for the minister to sit in his seat and say, "That's wrong," but we're asking for those answers. If you can give comfort to those humane societies that this is in fact not the case—

Mr. Dave Levac: Just read Hansard.

Mr. John Yakabuski: Just his words in Hansard—I'm sorry, I say to the member from Brant. The minister's words in Hansard are no more comforting than his interjection saying, "Wrong." We need to back that with some legal opinions. Let's get some people who are actually willing to say from a legal perspective that this

does not threaten the existence of the Toronto Humane Society in its present form, using the name that it goes by today. That's the kind of clarification we're looking for, I say to the member for Brant and to the minister, not an interjection from your seat saying, "Wrong, wrong." I've got interjections from my seat saying, "Right, right."

Mr. Robert Bailey: Right, right.

Mr. John Yakabuski: Yes. The member from Sarnia-Lambton says, "Right."

Hon. Rick Bartolucci: Wrong.

Mr. John Yakabuski: And the minister again says, "Wrong." Obviously, we have a debate. That's a very, very good justification for getting this bill—as the member from Simcoe North, our critic, says, "Let's get this out to the province. Let's get this out to the people as soon as possible." As soon as we can finish with the second reading debate, have the people who are entrusted with writing the regulations get out to the various stakeholders, including the Ontario Federation of Anglers and Hunters, the Ontario Federation of Agriculture and all these groups, to get a proper reading on how other people in the province of Ontario see this piece of legislation. We have concerns, they have concerns, and I think it's in everybody's best interests to allay those concerns as much as possible by taking this bill to the people.

I want to touch lastly, if I have any time—Speaker, I know you're going to interrupt me at some point, I know I'm not going to get my full five minutes and 55 seconds left. I don't believe that. Am I? The Speaker is changing; he may not see the clock.

I do want to touch on the comments of the member from Dufferin-Caledon, who's very concerned about the section 8 issue in the charter with regard to warrantless entry. In a society such as ours, when you grant any party, regardless of your motives—and as I say, I know that when the government brought in this bill, it was fully with good intentions because the legislation did in fact need to be updated after 90 years—as the member from Beaches-East York said, "What about the unintended consequences?" He was talking about something else, but the phrase applies. What about the unintended consequences?

When you attach and grant any party the rights to warrantless entry, boy, that crosses some pretty strong lines here with respect to people's rights and the right not to be unnecessarily detained—

The Speaker (Hon. Steve Peters): Order. The time being 10:45, I'm going to have to adjourn this debate.

Second reading debate deemed adjourned.

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): I'd like to take this opportunity to introduce some guests visiting Queen's Park today:

In the west gallery, on behalf of the member from Timmins-James Bay: Wayne Campbell, vice president of Truck Training Schools Association of Ontario;

On behalf of the leader of the third party: representatives from Campaign 2000, Toronto and York Region Labour Council and Canadian Labour Congress in the west public gallery and in the members' gallery as well;

On behalf of the member from York South-Weston: students from St. John the Evangelist Catholic School and Peter Scully from St. John the Evangelist school in both the east and the west galleries;

On behalf of page Emily Philp-Tsujiuchi: her mother, Ellen Philp, and her father, Wayne Tsujiuchi, in the east members' gallery; and

On behalf of page Bilaal Rajan: his father, Aman Rajan, his mother, Shamin Rajan, a friend, Justin Ford and his mother, Sharon Ford, in the west members' gallery.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr. Robert W. Runciman: My question is for the Premier. On Friday we learned that Ontario lost 15,000 well-paying manufacturing jobs in April. That brings the total from 204,000 to a little over 207,000 jobs lost. Our unemployment rate in this province remains above the national average.

I think that this can fairly be described as a crisis that demands the government's immediate attention—not a pesticide ban, if the Premier isn't familiar with the details, and not a fishing expedition to Italy.

When is the Premier going to buckle down and focus on this crisis? Some 207,000 Ontario families need his government's attention now.

Hon. Dalton McGuinty: It's always a concern when any family is affected by job loss. We are working hard, and the member opposite knows that we're working hard, whether it's in our recent budget, whether we reduced and effectively eliminated capital taxes for our manufacturers and resource-based sectors, or the \$1.5 billion in our recent budget, again, that was devoted to skills and post-secondary education opportunities for Ontarians.

But I would ask my colleague to keep some perspective on this. According to Stats Canada, there are 69,500 more jobs today in Ontario than there were in December 2007. In April, we created 60% of all new Canadian jobs right here in the province of Ontario. Of those new jobs, 91% are in the private sector. Yes, we are losing jobs, but the good news is that we keep creating more than we're losing.

1050

Mr. Robert W. Runciman: I will get to those Stats Canada numbers later. But last month, a TD report was released that indicated that, in terms of displaced manufacturing workers who were lucky enough to find a job,

they earned 25% less than they had received in the manufacturing sector. That represents about \$10,000 a year.

We've heard this rhetoric from the Premier. There are many measures the Premier could take to address unemployment in this province, and I'm just going to give you one example: Lower the apprenticeship ratio. The Ontario Chamber of Commerce is calling for it. It's simple. There's no cost involved and no new program to eat up and be administered. It can be done immediately and, more importantly, it gets unemployed people working now. I ask the Premier: Why aren't you doing it?

Hon. Dalton McGuinty: I want to say directly to my colleague that we are taking a very close look at that recommendation on his part. It's not the kind of thing that the government can do on its own. There's an independent body that makes these decisions. But I think he's raising—and I give him credit on this score—a legitimate issue.

Let me just say this. It's interesting: The leader of the official opposition says that he's concerned about wages, but for eight years on their watch they froze the minimum wage in Ontario. You would think that if they had a concern for the plight of working people, they would have done something to lift that freeze and increase the minimum wage on a regular basis. We're proud of the fact that we've increased the minimum wage four times, and we're also proud of the fact that we continue to invest in educational and skills upgrading opportunities for all Ontario workers.

Mr. Robert W. Runciman: Under the Progressive Conservative watch, there were over a million new private sector jobs created in the province.

The Stats Canada figures the Premier referenced earlier indicate that the bulk of new jobs created in this province are in the public sector. Since taking office, you've added 102,000 more people to the provincial payroll. These are paid for by tax revenues from private sector jobs, of which there are fewer and fewer.

The Premier could choose to lead on this crisis. He could choose to cut business taxes now, he could choose to reduce red tape now, and he could choose to lower the apprenticeship ratio now, all of which the Canadian Federation of Independent Business is calling for.

Premier, why are you sticking to protecting unions, in that one example for sure? Why have you abandoned small business and unemployed workers and made them orphans of this government?

Hon. Dalton McGuinty: Again, I want to remind the leader of the official opposition that of the 69,500 more jobs found in Ontario today in comparison to December 2007, 91% of those are in the private sector.

It is true that we have, during the course of the past four and a half years, increased the number of people working in our public services. But I'll ask the member opposite who he feels we should not have hired. Does he feel that we should not have hired nurses; MRI technologists; long-term-care workers; home care workers; public health unit inspectors; water inspectors; meat inspectors; labour inspectors; teachers; vice-principals;

librarians; guidance counsellors; autism therapists; children's aid society social workers; child care staff; teaching assistants; crown attorneys; police officers—I could go on and on. Which ones should we not have hired?

AGENCY SPENDING

Mr. Tim Hudak: A question to the Premier: Last Monday, the chair of one of your provincial government agencies hosted a high-end soiree aimed at federal members of Parliament at one of Ontario's swankiest bars and most expensive steakhouses. Premier, as a rule, do you think it is appropriate for a provincial crown agency to spend public funds to wine and dine lobbyists and federal MPs with whom they have no direct dealings?

Hon. Dalton McGuinty: I look forward to receiving a little bit more information in the supplementary.

Mr. Tim Hudak: Apparently the Premier has no rule whatsoever.

Last Monday, Steve Mahoney, the head of WSIB, threw a swanky soiree at the Martini Ranch at Hy's Steakhouse in Ottawa for federal members of Parliament and other Ottawa insiders and lobbyists. The Yellow Pages, www.ottawaplus.ca, describes Hy's as "A place to be: Hy's is where Ottawa's movers and shakers come to dine. Lunch is wall-to-wall power lunches with the power suits of Parliament Hill, and night time brings an atmosphere of luxury and celebration." Escargots begin at \$11.95; cocktails can hit \$20 plus.

Premier, what does sipping single-malt scotches with Chrétien-era cabinet minister Wayne Easter from Prince Edward Island have to do with helping injured workers in Ontario?

Hon. Dalton McGuinty: To the Minister of Labour.

Hon. Brad Duguid: I'm not aware of the issue that the member's discussing, but I would say this: When we came into office four and a half years ago, one of the first things we did was conduct an audit of the WSIB. We did that because, frankly, it was in a mess because of the management of that particular government. We have been able to bring sense back to the WSIB when it comes to fiscal management. The result has been better services for workers, and at a rate that businesses have found acceptable.

Mr. Tim Hudak: The minister says he doesn't know this occurred. Well, he'd better darn well get to the bottom of it and report back to the House right away. Mr. Mahoney, I remind him—a good friend of the minister's—is a former Liberal member of provincial Parliament—until 1995. He served as a Liberal member of Parliament from 1997 to 2004. He was a cabinet minister under the Chrétien government.

Those enjoying expensive drinks and high-end finger foods at the Martini Ranch with Mr. Mahoney included a former Liberal colleague, Speaker Milliken; a former Liberal cabinet minister, MP Judy Sgro; and of course, from Prince Edward Island, MP Wayne Easter.

The need to have a high-end reception with federal members is dubious at best; to have it at the famous and

swanky Martini Ranch is just plain wrong. Clearly, Mr. Mahoney is trying to show off what a big man on campus he has become. Minister, will you report back to the House on the expenses and tell me what the repercussions for your friend Mr. Mahoney are going to be?

Hon. Brad Duguid: As I'm sure the member is aware, the WSIB is an arm's-length agency of this government. I know the member's aware of that. But I can tell you that all expenditures of the WSIB are reported back. Unlike in the days when his government was in office, the WSIB has to be accountable for everything they're doing. They'll be held accountable for everything they're doing, by us and by the public. It's something that we make sure is a priority, not only in the WSIB but all of our crown corporations. Frankly, the work that we're doing in working with our crown corporations and fixing up the mess that we inherited from those guys has been a lot of work, but we're getting the job done. We're getting much better value for taxpayers' money than ever was done under the previous government.

MANUFACTURING JOBS

Mr. Howard Hampton: To the Premier: Statistics Canada's most recent jobs report shows that Ontario lost another 15,000 good manufacturing jobs in April. This brings the total number of manufacturing jobs lost to well over 200,000—one fifth of all the manufacturing jobs in the province. As the job losses mount, can the Premier tell us why the McGuinty government has failed to sustain good manufacturing jobs in Ontario, and failed those workers and their communities too?

Hon. Dalton McGuinty: As I said earlier in response to a question from the leader of the official opposition, every time an Ontario family is affected by job loss, that is something we all feel and we wish we could do more to prevent. I know that the leader of the NDP understands that manufacturing job losses are something that is affecting North America as a whole.

But there are other sides to this economic picture as well. He made reference to the number of manufacturing job losses. I'd ask him to keep in mind that since 2003, we are now ahead by 467,200 net new jobs, and 80% of those are full-time positions. As he mentioned a moment ago as well, in terms of job growth in January, February, March and April of this year, we're ahead by 167,500 more jobs in comparison to December 2007.

1100

Mr. Howard Hampton: The Premier says that manufacturing jobs are being lost everywhere. This is a headline from the Winnipeg Free Press this Saturday: "Manitoba an Oasis of Job Creation." More than half of the new jobs in Canada are being created in that province, many of them in manufacturing. It would seem that there's quite a difference between Ontario and our neighbour to the west.

Here's the reality for Ontario: In Windsor, good jobs are being replaced by low-paid jobs, which is why average family income in Windsor has dropped 10%

under the McGuinty government. In Hamilton, good jobs are being replaced by low-paying jobs, which is why the average family income in Hamilton has dropped 4% under the McGuinty government. How many more good jobs have to be lost in Ontario before the McGuinty government takes this issue seriously and responds with something other than photo ops?

Hon. Dalton McGuinty: I note that last month both Alberta and BC lost manufacturing jobs. I also note that last month 60% of all new Canadian jobs were created right here in Ontario.

The leader of the NDP just refuses to recognize some of the efforts that we make, some of the investments that we continue to make when it comes to dealing with job losses in Ontario. He doesn't agree with our plan to put \$190 million directly into the hands of our manufacturing sector so that it can begin to grow stronger. We did that by making our elimination of capital taxes retroactive to January of last year. He doesn't recognize the \$1.5 billion we're putting into training for our workers. We think that one of the most important things we can do in a global economy is to enhance the employability of our workers. While we can't guarantee them a job, we can guarantee enhanced employability, which is why we continue to create all kinds of new long-term training opportunities for Ontario workers.

Mr. Howard Hampton: The Premier can talk about job training. The reality is that only 10% of the workers who've lost their jobs are going to get job training under the McGuinty government, the reality is that Ontario's unemployment rate is now above the national average, and the reality is that a province like Manitoba now has an unemployment rate of 3.8%, the lowest in the country. Manitoba's doing some things right; Ontario's doing some things wrong.

What has Manitoba done? They have had a sustained policy of maintaining reasonable industrial hydro rates so manufacturers can operate there. They've brought in a manufacturing investment tax credit which is refundable, so even companies that aren't making a profit can continue to operate. When is the McGuinty government going to adopt some of these policies to sustain good manufacturing jobs, since they obviously work in Manitoba?

Hon. Dalton McGuinty: I think it is important to look at what's happening in other provinces, other states and other parts of the world to see how they're grappling with a US-induced global economic slowdown, but there are some limits to the comparisons. My friend talks about how it's important for us to have the same kinds of electricity policies as Manitoba. They're running on hydroelectric capacity. We have an entirely different foundation here when it comes to our generation in the province of Ontario.

But I can tell you, when I talk to my colleagues around the province, nobody else can say this: In the last four years we've put \$4 billion more into our public schools. We have a learning-to-18 program now in Ontario, the first of its kind. We've put \$6.2 billion into our post-secondary education system and skills training. In our

recent budget we put \$1.5 billion into skills training opportunities for our workers. We've also increased the minimum wage four times. Many of my colleagues look to these kinds of policies with a certain amount of admiration and perhaps even a little bit of envy.

MANUFACTURING JOBS

Mr. Howard Hampton: To the Premier: Today, Campaign 2000 and the Toronto District Labour Council released their report, which shows the harm done when good manufacturing jobs are destroyed. According to this report, the average manufacturing worker in Ontario who loses his or her job experiences a 25% decline in their income. For too many of these workers, that 25% decline means they end up below the poverty line.

Will the Premier admit that the McGuinty government's real economic story is to allow good manufacturing jobs to be lost and that, in fact, they're being replaced with low-paying jobs that don't provide adequate income or adequate job security for working families?

Hon. Dalton McGuinty: We're all very concerned about what's happened to the economy and, in particular, the kinds of high-paying jobs that we're losing, but I don't think it's helpful to harken back to some nostalgic view of the past and say that we can somehow recreate that. I think our responsibility is to make people hopeful so that they can embrace the future.

I think one of the most important things that we can do, and this informs our policy, is to enhance the employability of our workers. We continue to invest in our human resources, to develop our human capital. That's why we've established such a high priority on the investments that we make in education. That's why we've made learning-to-18 the law in Ontario. That's why we've got 100,000 more young people in our colleges and universities. We've got 50,000 more people in apprenticeships. We're graduating 10,000 more young people from our high schools every year—people who used to drop out. That's why our recent budget speaks, through \$1.5 billion, to the need to continue to invest in our people. If our people have the skills they need, I'm confident that they will do well in this new competitive economy.

Mr. Howard Hampton: Premier, you talk as if government doesn't have any tools to influence good jobs. This is the title of the Campaign 2000 and labour council report: *The Role of Good Jobs in Ontario's Poverty Reduction Strategy*. And they make some recommendations to ensure that we have better jobs and better-paying jobs: the reinstatement of card certification so that lower-paid workers, especially women and new Canadians, can form a union to fight for better-paying jobs, and the implementation of a Buy Ontario transit program of at least 50% Canadian content with final manufacture in Ontario.

These are two initiatives that the McGuinty government has already turned down. I've already suggested two initiatives that Manitoba has implemented which have resulted in more manufacturing jobs. Why won't the

McGuinty government use these tools when good organizations are offering them as ideas to maintain good jobs?

Hon. Dalton McGuinty: Again, just to put this into some perspective, the Ontario average hourly wage rate is up 12.7% from 2003. Contrast that with the consumer price index, which has gone up 7.9% since 2003, which means there is some good news to be found here. I want to take the opportunity to commend Campaign 2000 for the work that they continue to do to put the poverty issue on the public agenda.

I want to thank them for their support as well for our Next Generation of Jobs Fund. It is really a remarkable investment on the part of government on behalf of the public. It is not something that is seen anywhere else in North America. It is designed specifically to promote the kinds of jobs and the green economy that Campaign 2000 and the labour community are now supporting.

Mr. Howard Hampton: I can't believe that the Premier would boast about the growing income gap as well, because what Campaign 2000 and other income studies show is that, yes, there are some people who are doing incredibly well in this economy. The banks and insurance companies love your reduction of the capital tax. That means they can take home hundreds, millions more in profits. But that doesn't help low-paid workers. That doesn't help manufacturing workers who have lost their jobs.

One of the other suggestions from Campaign 2000 and the labour council is to move towards green jobs. One of the other solutions New Democrats offered you was a refundable manufacturing tax credit that would reward green manufacturing jobs, but the McGuinty government has turned that down as well.

My question again: Why has the McGuinty government turned away from almost every positive, progressive solution to maintain good manufacturing jobs in Ontario?

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Hon. Dalton McGuinty: It's not that we've turned away from every positive, progressive solution; it's just that the positive, progressive solutions that we continue to put forward are not supported by the NDP, including eliminating capital taxes. I think that's really important for our manufacturing sector. We did that retroactively to January 2007. Effective immediately, that puts \$190 million into the hands of our manufacturers, who need the help right now. That's what we're doing. We continue to invest in our people. Our strength fundamentally lies not in the stuff that we can pump out of the ground here in Ontario; it lies in those who walk on the ground—that's our people. So we continue to invest in their skills, in their education.

As I said a moment ago, we have 100,000 more young people in our colleges and universities; we have 50,000 more people in apprenticeships; 10,000 more young people graduating from high school instead of dropping out. We now have the highest rate of post-secondary education in the western world. I think that's worthy of celebration, but we're not going to stop there. We con-

tinue to make investments, and we look forward to counting on the support of my colleague opposite.

AGENCY SPENDING

Mr. Robert Bailey: My question is for the Minister of Labour. Minister, we on this side of the House were shocked—shocked—to learn that the WSIB, an agency designed to protect injured workers, would hire expensive lobbyists to send out invitations and host a party on behalf of the WSIB. Will the minister at this time tell us how much the WSIB paid these lobbyists to send out these invitations. How much does the WSIB spend on lobbying annually?

Hon. Brad Duguid: This is exactly the same as the first question. I guess the opposition is running out of material here today. I'm happy to respond. The WSIB is an arm's-length agency of this Legislature and of this government. The members know that full well. They report their expenses every year and they have to be accountable for what they do, unlike under the previous government. When we inherited the WSIB, it was in very difficult financial shape. We've done an audit on that. The WSIB has fixed its operations up, and the bottom line is, the service level is better. In point of fact, we're accomplishing what we're trying to accomplish, and that's to reduce workplace injuries. That's what they should be talking about in this Legislature, Mr. Speaker—the progress we're making in reducing workplace injuries.

Mr. Robert Bailey: Obviously we didn't get the answer the first time, so that's why I had to come back and ask a second time.

Interjection: They haven't answered you yet.

Mr. Robert Bailey: Yes, they haven't answered me yet.

Hy's Steakhouse is one of the premier restaurants in Ottawa, so I'm told, and I can see why the WSIB would want to have a nice reception there. I'm just not sure that it is an appropriate use of funds that are provided by employers to take care of injured workers. Would the minister commit to report back by the end of the day on the cost of this rendezvous, and while he is at it, would the minister tell us if he agrees with the chair that this soiree was an appropriate use of injured workers' money?

Hon. Brad Duguid: Again, I'd say that the WSIB is an arm's-length agency of this government, and its expenses are published. They do have to be accountable for the money they spend—to us, to this Legislature and to the people of Ontario. This is the second-largest insurance company on the entire continent. I'm not aware of the issue that the member is talking about in terms of what was being done or the purposes behind it, but I thank the member for bringing it to my attention.

MINIMUM WAGE

Ms. Cheri DiNovo: My question is for the Premier. The new Campaign 2000 report found that median wages in the food and accommodation sectors were only about

\$9.50 an hour and that the average salary is only \$15,000, well below the Statistics Canada low-income cut-off for a single person living in a large city. Why won't your government acknowledge that the current minimum wage of \$8.75 an hour is below the poverty line and that it needs to be raised to \$10.25 an hour now?

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: This government has moved to raise the minimum wage four times and is moving in what I would call a prudent and balanced way to continue to raise the minimum wage between now and 2010. This, added to a number of investments we have made in infrastructure, innovation and skills training, is designed to help those people who are affected by the challenging times in our economy today.

We welcome advice from Campaign 2000 and others. This government and this Premier have appointed a cabinet committee to look at ways to reduce poverty here in Ontario. The minimum wage increases we've made to date are part of that strategy, and there's more to do. This government remains committed to bringing about greater fairness in Ontario's economy to help all the people share in the great bounty that is Ontario.

Ms. Cheri DiNovo: Consulting about poverty won't change poverty, but raising the minimum wage will change poverty lines.

It's not just Campaign 2000 and the NDP that recognizes that the minimum wage is too low—

Interjections.

Ms. Cheri DiNovo: The United Nations has stated that current minimum wage and social assistance rates in Ontario contravene people's "right to an adequate standard of living." When will your government implement a minimum wage that doesn't violate the basic rights of Ontarians?

Hon. Dwight Duncan: I do need to correct the record. In fact, we have already raised the minimum wage five times, not four times as I said. And we have done it in what I would call a prudent and responsible fashion, because we are working diligently to address the issues of poverty in our midst.

But let me tell you what that member has done recently. She voted against paying for 15,000 child care spaces. She voted against insulin pumps for children in Ontario. She voted against 120,000 grants for university and college students—120,000 she voted against. She voted against doubling support for children with autism, and she voted against the Ontario child benefit.

This government is answering the challenges in Ontario's economy. It's answering the challenges confronting people of more modest means. We invite the member opposite to—

The Speaker (Hon. Steve Peters): Thank you. New question.

WORKPLACE SAFETY

Mr. Kevin Daniel Flynn: My question today is also for the Minister of Labour. Various media reports in and around Ontario have outlined concerns with the operation

and outcomes related to the Workplace Safety and Insurance Board and specifically its experience rating programs.

My community of Oakville and all of Ontario has a very strong and a very diverse economy, but I think we'd all agree that nothing is more important than all the working mothers and fathers, sons and daughters, returning home safely to their families each and every day.

Minister, I understand the WSIB is conducting a review of its experience rating program. Would the minister please update the House on the review?

Hon. Brad Duguid: I want to begin by thanking the member from Oakville for his work on this file and others with regard to helping and advocating for injured workers in Oakville and across this province.

The member is correct. The WSIB announced on March 10 that it would begin conducting a review of the experience rating program. The review will take place over the next little while. We expect them to report back by, at the latest, March 2009. The chair has indicated that if they could report back sooner than that, that would be even better, but at the outset, the worst-case scenario will be a report back in March 2009.

We acknowledge that the experience rating program can be improved. That's why we encouraged the WSIB to continue this review. We think it's very important that we use every tool at our disposal to get workplace injuries down across this province. We've made very significant progress so far, with a 20% reduction in workplace injuries.

Mr. Kevin Daniel Flynn: I know that our government has made the health and safety of Ontario workers a major priority. As I said earlier, every day, hundreds of thousands of workers head off to work in a number of hazardous sectors. We want to see them return home safely every day, and I know that nothing is more important to all members here than workers' safety.

What my constituents want to see is the progress that is being made, not only to prevent workplace accidents, but also ensure that those who are injured receive the proper care. I would ask the minister to tell this House what this government and what the Workplace Safety and Insurance Board are doing currently for injured workers.

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Hon. Brad Duguid: As I said before, our top priority when it comes to the WSIB is reducing workplace injuries across this province. Four years ago, this government set a goal of a 20% reduction in workplace injuries. Over the last four years, we've been able to achieve that. That's 50,000 workers who did not go home from work injured. That saves this economy about \$5 billion in all. That's a pretty significant savings to the economy. We've done that through a combination of approaches. We've done that through the "road to zero" initiative taken by the WSIB, which is working very hard, through promotion and awareness, to bring down workplace injuries. We've done that by hiring 200 additional occupational health and safety inspectors. These inspectors are going out to workplaces right across this province, working

with employers, working on worksites to try to make them safer and healthier for our workers.

DISCLOSURE OF INFORMATION

Mr. Frank Klees: My question is to the Minister of Labour and it relates to a disturbing practice by the Workplace Safety and Insurance Board. It seems that businesses in this province are now being asked to hand over their customer lists in order for them to become registered with the agency. The minister must know that a customer list is one of the most valuable assets of any business in this province and has always been held in the strictest of confidence. Is the minister aware that this practice is taking place? Second, when was the practice initiated and how can it possibly be justified?

Hon. Brad Duguid: I appreciate the question from the member opposite. In answer to your question, no, I'm not aware that this is a practice of the WSIB, so I can't answer the question of when it was initially brought into place. But I'd be more than happy to contact the chair, Mr. Steve Mahoney, to find out what this particular program is about and whether in fact there's a need to ask for this information. I'd be more than happy to check with the WSIB further to determine if indeed this is a practice, and if it is a practice, why they would ask for that kind of information.

Mr. Frank Klees: I appreciate that the minister will follow up. I can tell the minister now that when my constituent asked the WSIB why they would possibly want that information, the response was because it helps them in auditing other businesses. I trust that the minister will agree that that's unconscionable.

I have a memo here from my client and it says this: "Will you please help to defend the right of an employer like myself to protect the right to keep my customer list confidential?" I think that we all want to ensure that the WSIB can do its work appropriately and that they can do their audits, but surely they won't blackmail businesses in this province into disclosing their customer lists in order to give them information that they should be able to find some other way. Will the minister undertake to protect the confidentiality of customer lists of businesses in this province?

Hon. Brad Duguid: As I said, this matter has just been brought to my attention today, and I'd be more than happy to check with the chair of the WSIB to determine what this practice is about and if indeed there is a reason for making this request, what it is for. That's certainly an undertaking that I'd be more than pleased to embark upon.

Another thing that I have talked to the chair about—I think this entire government is very, very committed to doing all that we can to reducing the regulatory burden for businesses across our economy. The WSIB, of course, has a lot of dealings with businesses here, and I have spoken to the chair about ways the WSIB can work as effectively as possible with our business partners to reduce that regulatory burden as much as possible. I'm

more than happy to talk to the chair about that particular matter, and I thank the member for raising it today.

MANUFACTURING JOBS

Mr. Howard Hampton: My question is to the Premier. General Motors has just announced that they are closing the last General Motors plant in Windsor, the Windsor transmission plant, putting over 1,200 workers out of work. My question again: How many more manufacturing workers in Ontario have to lose their jobs before the McGuinty government starts to take the loss of manufacturing jobs seriously and puts forward some thoughtful, practical strategies to sustain good manufacturing jobs in Windsor and in Ontario?

Hon. Dalton McGuinty: I spent some of my weekend devoted to this bad news for Windsor and for the families affected by this. I know that our heart goes out to them.

GM has made a decision, at their headquarters in the US, that they're no longer going to produce the inefficient four-speed transmissions. They're going to move to a new product, a six-speed transmission, because of the new drive for greater energy efficiency. I spoke with Arturo Elias and I spoke with Buzz Hargrove, and I asked if there's anything at all that we might do here in Ontario to stave off this job loss and the elimination of this product. To make a long story short, the answer came back, "No."

My heart goes out to those people. We will continue to work with GM, with all of our auto manufacturers, to find out how we can continue to work together to expand that sector in our province.

Mr. Howard Hampton: Premier, one of the policies of the McGuinty government that you boast about is that you've made investments in General Motors of over \$200 million. Is this your so-called successful strategy: General Motors gets over \$250 million of Ontario taxpayers' money and then tells over 1,200 manufacturing workers in Windsor, "See ya. We're not going to reinvest in you. We're not going to reinvest in Windsor. We're not going to reinvest in Ontario"? Is this your idea of a successful strategy to maintain manufacturing jobs, when you give GM \$250 million and they send 1,200 workers out the door?

Hon. Dalton McGuinty: As we've worked with our manufacturers, we have in each and every case exacted concessions on the part of the auto manufacturer that are specific to our investment. This was not covered by one of those agreements. We did land a significant new investment in Oshawa. There is a new flex plant there which will sustain workers in that community for the foreseeable future. We will find ways to continue.

I'm sure the leader of the NDP is not saying that we should not sit down with the union and with the manufacturers to see how we can work together. I'm sure he's not saying that we should just give up, because I can tell you that our competition south of the border is not just giving up. We will continue to find ways to work with our manufacturers, to work with the CAW, to bring both sides together, to ensure that our government comes to

the table. We continue to hold out an invitation to the federal government to come to the table as well. We will find a bright—

The Speaker (Hon. Steve Peters): Thank you, Premier. New question.

PUBLIC HEALTH

Mr. Bill Mauro: My question is for the Minister of Health and Long-Term Care. Constituents in Thunder Bay–Atikokan and, I'm sure, all across most of Ontario, were very concerned on Friday when they learned that a woman had died on a VIA Rail train and, in fact, six other people were reported to be quite ill. Many of us, I'm sure, were worried that this was perhaps potentially the start of something very serious and remembered back to what we went through in Ontario with the SARS crisis in 2003.

While the minister has discussed often our preparation for another potential SARS or other pandemic, my constituents would like to know what our government has learned from SARS in 2003.

Hon. George Smitherman: I think, as many of us had an opportunity to bear witness to in circumstances emerging on that train in northern Ontario, we could see in a certain sense that the behavioural reflexes changed substantially. This is the best example of the lessons learned from SARS being well applied. We have to thank those health professionals but, more broadly, those who were operating the train, those involved in emergency management and emergency services, and the police service. We have to be grateful for a reaction which, at the heart of it, demonstrates an abundance of caution on behalf of the broad public.

We're very, very saddened by the unfortunate death and for the inconvenience, more broadly, that was caused, but at the heart of it we really must see that this is the new normal in the province of Ontario shaped by SARS. People responded in a fashion that was designed to protect us all, and we should be very grateful for their actions.

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Mr. Bill Mauro: I'd also like to thank all the emergency personnel, local public health units and hospitals for their quick actions. It's always difficult to put yourself on the front lines, not knowing what every emergency might bring. I know these people are on the front lines of our health care system, and they deserve all the credit for their hard work and dedication and for keeping Ontarians healthy and safe.

However, Minister, many of our constituents are very concerned that Ontario may not be prepared for a pandemic or another SARS. My constituents want to know what we have done to prepare Ontario for the possibility of another pandemic.

Hon. George Smitherman: I think that the behaviour, the vigilance, of the public is really the strongest defence in these circumstances. But further, we've been working to enhance public health: We've doubled the spending;

we've made Ontario a leader in pandemic preparedness—other jurisdictions are seeking to follow some of our advice; we've substantially stockpiled anti-viral supplies and equipment; we're in the midst of purchasing 55 million N95 respirators/masks to protect our health care workers; we've distributed 15,000 infection control kits to front-line health care providers; we've created Ontario's stand-alone public health agency; and we've established PIDAC, the Provincial Infectious Diseases Advisory Committee. These are all evidence of enforcing our capacity to address these public health challenges.

I want to thank the honourable member for his question and, one more time, thank all of those professionals and those dedicated individuals who responded so well in what seemed like very trying circumstances.

RED TAPE REDUCTION

Mr. Norm Miller: I have a question for the Minister of Small Business and Entrepreneurship. The high cost of doing business in Ontario continues to be a significant factor contributing to the province's economic slowdown, yet this government seems indifferent to the financial burden placed on Ontario businesses by the increasing amount of red tape. The current regulatory burden costs businesses some \$13 billion every year in Ontario. During the election campaign, the McGuinty government promised to remove one regulation for every new regulation it introduced. Minister, my question is very simple: How many regulations has this government eliminated since making this promise?

Hon. Harinder S. Takhar: To the Minister of Labour, please.

Hon. Brad Duguid: I'm pleased to respond to that question. The Premier has indeed given myself, as Minister of Labour, the responsibility to look at the regulatory burden across the gambit of our government, and I'm looking forward to undertaking that challenge.

The member is quite right: This is an issue that is important to our business community. This government and our Premier are very committed to reducing the regulations on businesses. In our recent finance statement, we put forward a suggestion—in fact, a plan—to bring in what we call a cap-and-trade program, so that every regulation that the government passes will have to be followed by a regulation that's taken out. I can tell you that that particular plan will be in place very soon.

Mr. Norm Miller: I asked a very simple question: How many regulations have been removed? There was no answer to that question.

At a time when the province is experiencing a serious economic slowdown, the red tape burden on Ontario business is out of control. Some 63% of small businesses in this province say that the current regulatory burden significantly reduces their business productivity; 64% say that their regulatory burden has increased since 2003, when this government took office.

Red tape is a hidden tax on business, yet there is no attempt by this government to control it and no action to

manage the size of the regulatory workload. The government said it would stop the increase of Liberal red tape. Will the government publish a regulatory account showing that it has kept this commitment? I might point out that British Columbia has done that and has reduced red tape by some 42% since 2001. Will you publish a regulatory account showing that you have kept this—

The Speaker (Hon. Steve Peters): Thank you. Minister of Labour?

Hon. Brad Duguid: Over the last four years, we've made a great deal of progress when it comes to reducing the regulatory burden. For instance—and the Minister of Small Business was very directly responsible for this—we've eliminated 24% of government forms in a number of ministries for small businesses that deal directly with government. We've brought in a BizPal program with a one-stop shop for business licences and permits. We've brought in a 45-day processing period for our Next Generation of Jobs Fund. There are a number of other things that we've done to reduce that regulatory burden.

But we feel—as I'm sure the member opposite does, as I'm sure all members of this Legislature and our business community in general feel—that there's more we need to do. That's why the Premier has asked us, as a cabinet, to look at all the ways that we can reduce the regulatory burden on business. I'm quite confident that, while we are at best practice in many areas, by the time we're done, we'll be one of the premier practices in—

The Speaker (Hon. Steve Peters): Thank you. New question.

PUBLIC HEALTH

M^{me} France Gélinas: My question is for the Premier. I'm proud of the work the Sudbury and District Health Unit and the Porcupine Health Unit, as well as all of the emergency personnel, did on Friday morning in Foleyet, in the northern part of my riding.

However, one aspect still troubles me. At a Friday afternoon press conference here at Queen's Park, when asked who ordered the train to be quarantined, the chief medical officer of health said, "We're still trying to ascertain where that decision was made." Can the Premier tell us who made the decision to quarantine the VIA Rail train in Foleyet?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. George Smitherman: I appreciate the question from the honourable member. It's nice to see that others are acknowledging the good work that was done. I don't have the direct answer to the honourable member's question.

But in response to all events like this that occur, given that there are different organizations and hundreds of individuals involved, what we do is do a trace-back on the way the event unfolded, seeking at all times to apprise ourselves of areas where information would have been more helpfully made available, and to be able to update our plans as we go forward. I think I would look

forward to an opportunity to provide the member with a greater degree of information as it's forthcoming.

M^{me} France Gélinas: That does nothing to make me feel more reassured. We are in post-SARS. We've just heard about all the compliments that came from this side of the House and that side of the House.

The people at the scene responded really quickly, and responded well, to a quarantine order. Nobody knows who ordered it and why. Shouldn't we have a clear line of command, when we have an outbreak, as to who has the power to order those things, how they should be done and how they should be communicated? Can the Premier or the minister tell us who should have been in charge of that chain of command?

Hon. George Smitherman: The honourable member asks a very detailed question, and a very good question indeed. I have already told the honourable member that I'll be seeking to get that information and all that much more.

But at the heart of it, the question is not, "Was that decision made?"; the question is, "Did dozens and dozens of different people, working together for a variety of organizations, make decisions that were appropriate in the context? Did they make the decisions without checking with head office, or what have you, in a way that sought to protect the people in the province of Ontario?" All of the evidence that's in is that they did, and we should be grateful for it.

In each of these, there are individual details to learn and to better apply as we go forward. That's exactly the circumstance. You don't know much.

VETERANS

Mrs. Carol Mitchell: My question is for the minister responsible for seniors. Sixty-three years ago, the allied forces declared victory in Europe, ending World War II. Canada's contribution to the allied war effort was significant. As a nation of only 11 million people, one million Canadian men, women and aboriginals served in the war. Almost half were from Ontario. Many did not return, but all served with duty and honour so that we could live in peace and freedom today.

Victory in Europe Day was recently observed, on May 7. Would the minister tell us how our government is honouring and remembering our military heroes who proudly served our country and our province in World War II?

Hon. M. Aileen Carroll: I thank my colleague for the question. It was an opportunity to join with students, residents and veterans at the cenotaph in Barrie as we commemorated the 63rd anniversary of VE day, Victory in Europe Day.

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Honouring veterans is very important, and it is the conviction of all of us that, while we do so on November 11—certainly something we will always continue to do—there is a need to broaden that perspective and to honour our veterans on more than just that one day. That's why

the government has partnered with the Dominion Institute to honour veterans by sponsoring what they're calling Veteran Appreciation Days across Ontario.

Mrs. Carol Mitchell: Ontarians made significant contributions in not just the Second World War but also in World War I and the Korean War. Indeed, more than 1.5 million Canadians served in the three wars. Sadly, more than 110,000 did not come home.

I'm pleased to hear that residents in 10 different communities across Ontario will be expressing their appreciation to our veterans outside of remembrance week. Can the minister please inform the House which communities will host Veteran Appreciation Days?

Hon. M. Aileen Carroll: Thank you for this very good supplementary. We began in Barrie last week, but the communities across Ontario who will be commemorating Veteran Appreciation Day are Brampton, Cornwall, Dryden, Elliot Lake, Markham, St. Catharines, Sarnia, Timmins, Waterloo and, of course, as I said, Barrie.

What this does, in addition to expressing gratitude to our veterans, is it gives the veterans the opportunities to tell their stories—stories that need to be told to our young people, who are so anxious to learn them, stories that will disappear, as our veterans inevitably will.

This is an opportunity that the Dominion Institute, receiving government funds of \$100,000, has taken. They've done a wonderful job in the past and they did a tremendous job there in the city. We had a wonderful reception, an opportunity to hear some of those stories.

MANUFACTURING JOBS

Mr. Robert W. Runciman: My question is to the Premier, and it has to do with the distressing news coming out of Windsor today with respect to the GM plant: 1,400 jobs will be lost in that company, according to the release I have here. This is another kick in the stomach to a city that's already under stress.

In my earlier question to you today, talking about 207,000 manufacturing jobs lost under your watch, I had described the situation in manufacturing as a crisis. It's a crisis that you don't want to acknowledge is occurring in this province.

I am once again asking you: What is your plan to deal with this crisis? What are you planning to do to deal with what is an immediate crisis, impacting not just Windsor but many other communities in this province?

Hon. Dalton McGuinty: There is a real challenge before us; I don't think anybody's denying that. I think where there is some debate is on what is the best way to address that. We're doing that in a way that I think is in keeping with the values of the people of Ontario. That's why we have put forward a five-point plan. I remind my colleague opposite about our five-point plan.

They embrace a one-point plan. They think the only thing that we can do to help people who are losing their jobs is to cut business taxes. We see it differently. In addition to reducing business taxes, we are investing in

innovation and in infrastructure, we are investing in business partnerships, and we continue to invest in the skills and education of our people. We think that's a comprehensive plan that, as I say, is in keeping with our values, and it's continuing to have some real impact as we continue to create more jobs than we lose in the province of Ontario.

Mr. Robert W. Runciman: The impact, as we heard today, is 1,400 jobs. Two weeks ago, it was 1,000 jobs in Oshawa. Under our watch, when people worked in the auto sector, the question was, "Do I have to work overtime?" Today the question is, "Will I have a job?"

I spoke a few months ago to the president of a company that has six manufacturing operations in this province. He told me quite clearly that if they had to make location decisions today, they would not locate those operations in the province of Ontario. This has to do with competitiveness; we know that. You're getting that kind of advice from Dr. Roger Martin. Again, you're ignoring that. It has to do with the increasing burden of regulation in this province. We know what's happening with the WSIB. We also know, with respect to tax rates, that we are one of the highest-taxed business jurisdictions in North America, clearly. We also see the growth of government under your watch. These are sending out all of the wrong messages in terms of investment and job growth in this province. When are you going to have a meaningful plan—

The Speaker (Hon. Steve Peters): Thank you. Premier.

Hon. Dalton McGuinty: Just to inform my colleague, when it comes to private investment, for example, in R & D, 52% of all Canadian business R & D investment is made by Ontario businesses. We continue to lead all provinces in Canada in new businesses created. When it comes to venture capital investment, nearly one half of Canadian venture capital comes to Ontario. When it comes to foreign venture capital, 58% comes to Ontario.

I referenced a moment ago our five-point plan, including our continuing investments in infrastructure, and there is some good news for the people of Windsor. We're making an investment there, together with our federal partners, of \$1.6 billion in our new Windsor-Essex Parkway; that's going to create 12,000 construction jobs in that community. We think this is exactly what the doctor ordered. We need it right now, and that's why we're going to move ahead with that as quickly as we possibly can.

DRIVER EDUCATION

Mr. Gilles Bisson: My question is to the Premier. Premier, you'll know that a number of non-accredited truck driving schools are promoting themselves as a quick and easy way to get an AZ driver's licence. In fact, I've got some ads here from last week's paper where they're saying that for 500 bucks you can get an AZ licence, get into an 18-wheeler, a fully loaded 18-speed, and drive the highways of Ontario. I would presume that

that is not done very safely. This is all being allowed because under the Private Career Colleges Act there's a whole bunch of loopholes. In fact, your own ministry points out these loopholes to anybody who wants to use them.

My question is, are you prepared to give a commitment to this House today that we close the loopholes and make sure that driver training is something that is taken seriously and that we don't put the motoring public at risk?

Hon. Dalton McGuinty: To the Minister of Transportation.

Hon. James J. Bradley: Good question. He has some good questions that he asks in the House from time to time.

When we found this to be a challenge, we actually addressed this challenge. I'm working with the Minister of Training, Colleges and Universities. Their role in this is to update all of the curriculum and deal with the schools themselves from the curriculum point of view. He is certainly working on that at the present time. My ministry officials and his ministry officials are having some interesting discussions about that with the hope of improving the system.

Although I could wait for the supplementary to say this, we as well have changed. For instance, at one time you could get a licence but not while driving an 18-wheeler when taking your test, and eventually you could get an 18-wheeler licence.

Hon. Michael Bryant: What about now?

Hon. James J. Bradley: You won't be able to do that now because we've made the necessary changes to ensure that doesn't happen.

But I know he has an excellent supplementary, so I won't say everything now.

Mr. Gilles Bisson: Frankly, the problem is not with your ministry. In fact, your ministry has done some of the things that needed to be done in order to address this issue. The problem, however, is with the Ministry of Training, Colleges and Universities. The Ministry of Training, Colleges and Universities is responsible for the regime that gives these schools their licensing. The problem is that the act is full of loopholes. Anybody who wants to set up a driving school and promise somebody an AZ licence for 200 bucks or 700 bucks can do so, get around all of the loopholes and hence put people on the roads who shouldn't be there. I know you have a challenge because I know from a meeting that happened last week that it was said by ministry staff at training, colleges and universities, "There was no political mood to clean up bad training in the province." My question to you, Premier, is the same: Will you get your Ministry of Training, Colleges and Universities to do what needs to be done to plug up these loopholes?

Hon. James J. Bradley: The answer is yes, we're working on it. I know you like to hear good news, and this is good news. The former minister who sits across from me has asked questions about this as well and has a

great interest in it. You have a great interest, I have a great interest and so does the Minister of Training, Colleges and Universities. We're working on it. This will surprise you. Not all the wisdom resides in only one of the political parties. Therefore, I accept your advice. I accept Frank's advice. I accept the advice of all members of the House. We're working on the challenge that's out there, and I will ensure that I'm in communication directly with the Minister of Training, Colleges and Universities to solve these particular matters.

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CORRECTION OF RECORD

Mr. Frank Klees: On a point of order, Mr. Speaker: I would just clarify the record. In my supplementary, I made reference to "client"; I wanted to say "constituent." Let the record be clarified. Thank you.

PETITIONS

LORD'S PRAYER

Mr. Jim Wilson: I want to thank the Clearview Community Church in Stayner for sending this petition to me:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition, and I have signed it.

ALMA COLLEGE

Mr. Peter Tabuns: "To the Legislative Assembly of Ontario:

"Whereas historic Alma College, designed in the High Victorian Gothic style, chartered by an act of Ontario passed March 2, 1877, opened in October 1881, located in the city of St. Thomas, county of Elgin, province of Ontario, has fallen into a dire state of disrepair; and

"Whereas Alma College continues to be threatened with demolition by its current owners despite the efforts of many concerned citizens, alumni and various officials; and

"Whereas a historical plaque commemorating Alma College was unveiled at the college on Thursday, October 28, 1976, by the Ontario Heritage Trust, an

agency within the Ministry of Culture and Recreation; and

"Whereas the city of St. Thomas designated Alma College under part IV of the Ontario Heritage Act ... in 1994; and

"Whereas recent amendments ... to the Ontario Heritage Act allow the Minister of Culture to designate property as being provincially significant;

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

"The Minister of Culture immediately designate Alma College as a building of provincial significance and, in the event of a demolition order being issued for Alma, to immediately intervene by issue of a stop order, and to further identify provincial partnerships and possible funding to protect the existing buildings from further deterioration while financial resources are generated to restore the property to its former glory."

I agree with this petition and affix my signature and pass this petition to page Jack.

FIREARMS CONTROL

Mr. Mike Colle: "To the Legislative Assembly of Ontario:

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities;

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms;

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles;

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56 ... into law, so that we can reduce the number of crimes involving firearms in our communities."

I support this petition, and I affix my name to it and give it to Cali.

LORD'S PRAYER

Mr. Ernie Hardeman: I have here a petition signed by a great number of my constituents. The names were gathered by Irene Gagnon.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human

condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I thank you very much for the opportunity to present this petition.

MARY FIX PARK

Mr. Charles Sousa: My petition is to the Ontario Legislative Assembly. It’s about the rehabilitation of Mary Fix Park.

“To the Legislative Assembly of Ontario:

“Whereas the province of Ontario has acquired public and private lands for the reconstruction and upgrading of the QEW/Hurontario interchange; and ...

“Whereas the Ministry of Transportation and highways has stated that excess lands from this project will be conveyed to the city of Mississauga for parkland; and ...

“Whereas this development has caused the loss of century-old trees, natural woodland and wildlife habitat from Mary Fix Park, and has substantially increased noise and traffic to local residences; and

“Whereas the lands on the south and west side of Pinetree Way are no longer the subject of further construction;

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

“That the government of Ontario, through the Ministry of Transportation and highways, remediate the lands surrounding the south and west areas of Pinetree Way between Hurontario Street and Glenburnie Road by planting trees and constructing berms within this year, and convey all excess lands from the QEW interchange to the city of Mississauga upon completion of the project.”

I affix my signature and pass it on to Sheilagh.

LORD’S PRAYER

Mr. Norman W. Sterling: I have a petition signed by 241 of my constituents.

“To the Legislative Assembly of Ontario:

“Whereas Premier Dalton McGuinty is proposing to eliminate the Lord’s Prayer from its place at the beginning of daily proceedings in this Legislature; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer recognizes the principles on which our province was founded and developed; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature” each day.

COMMUNITY SAFETY

Mr. Yasir Naqvi: “To the Legislative Assembly of Ontario:

“Whereas crack houses, brothels and other persistent problem properties undermine a neighbourhood by generating public disorder, fear and insecurity; and

“Whereas current solutions—enforcement measures based on current criminal, civil and bylaws—are slow, expensive, cumbersome and not always successful; and

“Whereas safer communities and neighbourhoods (SCAN) legislation is provincial, civil law which counters the negative impact on neighbourhoods of entrenched drug, prostitution or illegal liquor sales based out of homes and businesses and is being successfully utilized in Manitoba, Saskatchewan, Nova Scotia and the Yukon; and

“Whereas the following have endorsed SCAN legislation: city of Ottawa, city of Kingston, city of Hamilton, federation of Ontario municipalities, Ottawa Police Service, Ottawa Police Services Board, Ottawa Centre MPP Yasir Naqvi, Ottawa Neighbourhood Watch executive committee, Concerned Citizens for Safer Neighbourhoods, Eastern Ontario Landlord Organization, Friends and Tenants of Ottawa Community Housing, Hintonburg Community Association, Somerset Street Chinatown BIA, Boys and Girls Club of Ottawa and the Dalhousie Community Association;

“Be it resolved that we, the undersigned, urge the province of Ontario to enact safer communities and neighbourhood (SCAN) legislation in Ontario for the benefit of our neighbourhoods and communities.”

I agree with the petition. I affix my signature and send it to you by way of page Emily.

WYE MARSH WILDLIFE CENTRE

Mr. Garfield Dunlop: “To the Legislative Assembly of Ontario:

“Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

“Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

“Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

“Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

“We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding

formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future.”

I appreciate and am happy to sign that.

HIGHWAY 138

Mr. Jim Brownell: I have a petition signed by many residents of my constituency of Stormont–Dundas–South Glengarry. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas provincial Highway 138 is one of the province’s only two-lane roadways within the region that provides the main connection from the international bridge at Cornwall through Stormont, Dundas and Glengarry to Highway 401 and Highway 417. Speed and traffic volumes are of particular concern and may have been contributing factors in numerous collisions and fatalities;

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

“To urgently consider measures that will address the serious public safety and traffic hazard concerns on provincial Highway 138.”

I’ll sign this and send it to the clerks’ table with Hannah.

HOSPITAL FUNDING

Mrs. Christine Elliott: A petition to the Legislative Assembly of Ontario:

“Whereas we, the undersigned, believe that Ajax-Pickering hospital should have full funding for mental health, including beds;

“Whereas this would affect the mental health programs and mental health beds at the Ajax-Pickering hospital;

“Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to:

“Fully fund the mental health beds and programs at Ajax-Pickering hospital.”

I’m pleased to sign in support.

HOSPITAL FUNDING

Mr. Joe Dickson: I have a petition:

“Whereas the Central East Local Health Integration Network (CE-LHIN) board of directors has approved the Rouge Valley Health System’s deficit elimination plan, subject to public meetings; and

“Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

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“Whereas one of the factors for the successful treatment of patients in the mental health unit is support from

family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

“Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

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

“That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

“That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit.”

I will affix my signature to that and pass it to Evelyn.

WYE MARSH WILDLIFE CENTRE

Mr. Garfield Dunlop: This is another petition with about 800 names from residents on the Wye Marsh Wildlife Centre.

“To the Legislative Assembly of Ontario:

“Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

“Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

“Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

“Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

“We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future.”

I’m pleased to sign that and give it to Dario to present to the table.

HOSPITAL FUNDING

Mr. Joe Dickson: I have a second petition to the Legislative Assembly of Ontario.

“To the Legislative Assembly of Ontario:

“Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System’s deficit elimination plan, subject to public meetings; and

“Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

“Whereas, the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a

project that could reach \$100 million, of which 90% is funded by the Ontario government—it is important to continue to have a complete maternity unit at the Ajax hospital; and

“Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

“Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

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

“That the Rouge Valley Health System continue to provide the current level of service; and

“That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

“That the Ajax-Pickering hospital retain its full maternity unit.”

I will affix my signature to that and pass it to Sheilagh.

ADOPTION DISCLOSURE

Mrs. Christine Elliott: “To the Legislative Assembly of Ontario:

“Whereas sections 48.9 and 48.10 of the Vital Statistics Act currently protect the privacy of adopted survivors of child abuse who are put up for adoption after being taken from severely abusive birth parents; and

“Whereas the McGuinty government’s Bill 12 will take away this protection and mandate the Registrar General to hand over the adoptive identity of these victims to their abusive parents once the child turns 19; and

“Whereas the Ontario Association of Children’s Aid Societies has said, ‘The provincial government should not legally mandate the release of identifying information of victims of violence to the perpetrators of those violent acts’; and

“Whereas the Ontario Victims’ Bill of Rights declares that the victim should be treated with respect for their personal dignity and privacy; and

“Whereas these victims are often adopted in family groups, so that when one sibling reaches 19, there may be younger siblings who could also be affected by contact with the abusive birth parents; and

“Whereas no-contact notices have not been in existence in other provinces for long enough to be truly tested;

“We, the undersigned, demand that the McGuinty government and the Minister of Community and Social Services stand up for the safety and well-being of these severely abused individuals and reinstate a one-way disclosure veto to be filed by the children’s aid society so that their abusive birth parents cannot find out the victim’s adopted name without their permission.”

I’m pleased to sign this in support.

ANTI-SMOKING LEGISLATION

Mr. Mike Colle: “To the Legislative Assembly of Ontario:

“Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

“Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present...; and

“Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support” this legislation; and

Whereas other parts of the world like California and Puerto Rico have already joined jurisdictions in banning smoking;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under.”

I support this petition and give it to page Bilaal.

The Speaker (Hon. Steve Peters): This House is recessed until 1 o’clock.

The House recessed from 1205 to 1300.

MEMBERS’ STATEMENTS

FIBROMYALGIA AND CHRONIC FATIGUE SYNDROME AWARENESS DAY

Mr. Frank Klees: It’s my privilege to declare May 12 Fibromyalgia and Chronic Fatigue Syndrome Awareness Day. May 12 was chosen to memorialize the birthday of Florence Nightingale, the English nurse who inspired the founding of the International Red Cross. Nightingale herself contracted a paralyzing illness in her mid-thirties and spent the last 50 years of her life bedridden. Despite her illness, she founded the first-ever school of nursing. It is fitting that this determined woman now shines as a ray of inspiration and hope to victims of fibromyalgia and chronic fatigue stress syndrome.

These illnesses are characterized by cognitive problems, chronic muscle and joint pain, poor stamina and many other symptoms. They have been afflicting people in alarming numbers, and today, over a million Canadians have been diagnosed with fibromyalgia and CFS. Many victims are left in such a weak state that they cannot even feed or bathe themselves.

To find a cure for this illness, the public must work in tandem with the government, and especially with the medical establishment, to remove remaining misunderstandings about fibromyalgia and CFS.

Today, a number of victims of fibromyalgia join us in this chamber to send a clear public message that it is time to move forward to find a cure. That time is now.

I extend a special welcome to Giselle Imbrogno and the York region fibromyalgia and CFS wellness support group, and Dr. Allison Bested, who will be available in the media studio at 2 p.m. to provide information on this important issue.

MOTHER'S DAY

Mrs. Laura Albanese: Yesterday, people in many countries of the world celebrated Mother's Day. Although this modern tradition dates back to 100 years ago, when it was formalized in the United States, I can safely say that mothers have been cherished for their capacity to love unconditionally and for their loyalty and nurturing since the dawn of time. Mothers are the lynchpin of society. It is fitting to recognize mothers' contributions to our lives.

On this day, we also think of mothers who have lost their children, whether in war or due to a senseless act of violence. Our thoughts go out to them. We also think about single mothers, who courageously face often daunting challenges in raising their children. Their commitment to their children knows no boundary, and our society is richer for it.

It is important to honour and cherish our mothers each and every day. Their effort is undiminished throughout our lives. Mothers are role models for a kinder and gentler humanity. As Katherine Nelson Davis says in her poem *What Is a Mother?*, "In each human heart is that one special corner / Which only a mother can fill."

We are grateful to all mothers for their unwavering love and support. It is this love and support which makes us truly compassionate human beings.

FALUN GONG

Mr. Randy Hillier: Tomorrow marks the 16th anniversary of Falun Gong, an exercise of truthfulness, compassion and forbearance. I invite government members to join with me; that is, if they're not too busy banning the Lord's Prayer or creating new nanny-state policies. Unlike those across the aisle, I am against the Chinese oppression of Falun Gong and Tibet.

Last week, the Ottawa tulip festival, in partnership with the embassy of China, banned Falun Gong. That is what the McGuinty government's China junket has brought to Ontario: state-funded censorship. This government gave the tulip festival \$300,000, and with it they became the latest voice of silence.

I have watched this government embrace the godless Communists and mock our values with that farce of a trade mission during the Olympic torch relay. While Communist thugs march a flame of silence through China, I will welcome the human rights torch relay in the city of Kingston this weekend.

While this government freely chose to import censorship and export jobs, I choose to export the values of freedom, justice and democracy.

POVERTY

Ms. Cheri DiNovo: I rise on behalf of the 41% of children of working families that live in poverty, and in honour of Campaign 2000 and their *Work Isn't Working* for Ontario Families campaign. I also rise for the millions that have been shut out of the so-called consultations on poverty by the McGuinty government, and have come up with my own five-point plan that wouldn't cost taxpayers a dime. Here we go:

—First of all, raise the minimum wage to \$10.25 an hour and to \$11 in 2011.

—Pass our bill for card-check certification. Make it easy to unionize. Again, this is a Campaign 2000 call.

—Ensure that severance pay is given to those workers who are laid off. This is simple justice. Again, this is a Campaign 2000 call.

—Spend the federal dollars that we have been given in this province on housing. We're going to lose that money, at least \$185 million of it, by next year if we don't.

—Stop clawing back the national child supplement. Instead of this bogus new Ontario child supplement, why not give the money directly to the children that the fed sends us?

The time to talk about poverty is over. The time to act to reduce poverty is absolutely right now.

WORLD PARTNERSHIP WALK

Mr. Reza Moridi: This spring, tens of thousands of Canadians in cities across the country will join the 24th annual World Partnership Walk, Canada's largest annual event dedicated to increasing awareness and raising funds to help fight global poverty.

The walk is an initiative of Aga Khan Foundation Canada, a not-for-profit, non-denominational development agency. All proceeds of the walk go directly to international development programs that seek to improve health care, education and rural livelihoods while strengthening community-based organizations in some of the poorest parts of Asia and Africa.

The walk will take place in nine cities. Overall, some 70,000 walkers and sponsors are expected to get involved, along with 900 corporate supporters. Over the last 23 years, the walk has raised over \$40 million. In Toronto, the walk will take place starting at Metro Hall on May 25 at 11 a.m.

Our page Bilaal Rajan has been participating in the walk annually over the past seven years, and he has sincerely invited all my fellow members to join him in support of eliminating global poverty at the World Partnership Walk.

C. DIFFICILE

Mrs. Joyce Savoline: I rise in the House today to remind this government that the taxpayers forced to pay your health tax will not sit idly by as the Minister of

Health refuses necessary support and funding to Ontario hospitals battling C. difficile.

Minister Smitherman, your words continue to ring hollow to the families who have lost loved ones on your watch. May I remind you that time after time, in this very chamber, you tell the people of Ontario that you have a pandemic plan, that funding is increased and the SARS recommendations are being implemented? Minister, hospitals are completely on their own as they struggle to manage this outbreak, and yet you have the gall to continue to blame front-line staff while withholding the funding and support that they need to manage and contain this outbreak.

We support Ontario Ombudsman André Marin as he calls for a province-wide public inquiry. Mr. Marin has called the 62 deaths “an absolute human tragedy of the worst kind,” and that the province’s reaction has been inexcusably lax.

Today, Minister, you had the gall to stand in your place and list all of the supplies and stockpiles that your ministry has in readiness for a pandemic. That is cold comfort to families who have lost loved ones.

Everyone knows that there’s an outbreak now. Why don’t you, Mr. Minister, know that there’s an outbreak now?

ÉCOLE SECONDAIRE CATHOLIQUE DE PLANTAGENET

Mr. Jean-Marc Lalonde: Today, I wish to share with you how proud I am of our high school pupils. Let me tell you, we should hear about the wonderful things they do at Plantagenet high school.

En effet, samedi dernier, le 11 mai, j’ai assisté au spectacle l’E.S.P.rit d’Show Musique, présenté par l’École secondaire catholique de Plantagenet. C’était un spectacle de musique et de danse d’une durée de deux heures. Laissez-moi vous dire que ça bougeait. Plus de 1 600 personnes ont assisté aux trois représentations de ce spectacle, et je tiens à les remercier pour leur encouragement.

L’École secondaire catholique de Plantagenet en est à son huitième spectacle annuel du genre, et le thème de cette année était « Amalgame ». Chaque année donc, depuis 2001, les élèves de la neuvième à la douzième année, la plupart inscrits dans le programme de musique de l’école, passent des auditions, et cette année plus de 50 se sont exécutés sur scène.

Je tiens à souligner les efforts de trois personnes clés dans ce spectacle : le coordonnateur de l’événement, Martin Villeneuve, le professeur de musique de l’école, Jocelyn Godin, et M^{me} Anik Lalonde, professeure de français et responsable du volet de danse du spectacle. Il est à noter que M. Godin est un joueur de violon très réputé au sein du groupe Trans Akadi, et un ancien membre du groupe célèbre franco-ontarien Deux Saisons. Je tiens à souligner les efforts de tous ces gens, en incluant M^{me} Sylvie Labrèche, directrice de l’École secondaire catholique de Plantagenet.

Félicitations à tous les participants et au Conseil scolaire de district catholique de l’Est ontarien pour leur appui continu de cette belle initiative.

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NURSING WEEK

Mr. Charles Sousa: This week is Nursing Week in Ontario, and it provides a great opportunity to celebrate those who take up this very important vocation.

Every day we look to nurses to provide help and hope to Ontarians who need it at times in their lives when they’re most vulnerable. Nurses provide invaluable advice to new mothers; they help our elderly live with dignity; they are especially sensitive to those in their final years; and they provide us with incredible insight into issues such as wait times, access and quality of care.

It is because of these reasons that over the past four years our government has invested more than \$700 million in new nursing initiatives. For example, Ontario is among the few jurisdictions in the world that offers the nursing graduate guarantee—guaranteeing a full-time job opportunity for every new nursing graduate. Because of this program, more than 3,200 new nursing graduates have been hired into seven-and-a-half-month full-time work placements; 86% of these graduates who have completed the program have gained full-time employment.

We have also developed, and continue to expand, the Grow Your Own Nurse Practitioner program, which supports registered nurses who are in training to become nurse practitioners with additional education and skills.

We are extremely proud of Ontario’s nurses. Unlike the Conservatives, you won’t catch this government saying that nurses have gone the way of the hula hoop. We respect our nurses and the work they do to help the people of Ontario.

ONTARIO ECONOMY

Mrs. Carol Mitchell: According to a StatsCan release late last week, the Ontario economy generated over 12,000 net new jobs in April, with the vast majority of these being full-time. The release went on to say that Ontario employment is up by a solid 123,700 jobs over the first four months of this year, compared to the same period last year. The Globe and Mail also pointed out, “Ontario’s employment has risen 2.2% over the past year, slightly above the national average of 2.1%.” This is positive news for Ontario, and can only propel the province forward with more confidence in its economy. It will also propel our government forward as we continue to invest in Ontarians.

We recognize the need for investment in growing areas of the economy with the Next Generation of Jobs Fund, in which the government will partner with businesses to create green jobs through green technology.

But we also appreciate that Ontarians are looking to their government to continue to invest in our health care system, skills training programs, our publicly funded education system, our social programs and our environ-

ment. We will not follow in the Conservatives' footsteps and make devastating cuts to the programs and services that Ontarians depend on. Ontarians deserve better than that. This government will continue to work for them and continue to make Ontario a great place to live.

STATEMENTS BY THE MINISTRY AND RESPONSES

POLICE WEEK

Hon. Rick Bartolucci: This week, May 11 to 17, Ontario celebrates Police Week. It is a week during which police services across the province engage with their communities to highlight the work that police do and focuses on a particular aspect of enhancing community safety.

It is also an opportunity for us in the Legislature to show our appreciation to the police for all they do to keep our communities safe. So I am delighted today to rise to pay tribute to police services all over the province for the work they do on behalf of all Ontarians. Ontario's communities are safer and our province is stronger because of our excellent police services and a government that's committed to supporting them in the challenging job that they do.

We were reminded of how challenging that job can be and the risks that police officers are often exposed to as we commemorated our fallen police officers at the ceremony of remembrance last week. Sadly, we mourned the passing of Detective Constable Robert James Plunkett of the York Regional Police Service, who paid the ultimate sacrifice last August in the line of duty. We honour those who, like Detective Constable Plunkett, face great risks to protect us. As we honour their memory, we salute their families and express our gratitude for their sacrifice.

Community safety has always been a priority for the McGuinty government. That's why we funded the Safer Communities-1,000 Officers Partnership program, putting 1,000 additional officers on the streets of Ontario since we came to office, and that's why we made the community policing partnerships program permanent, with annualized funding. Together, these programs add up to an annual investment of \$68 million by our government and support more than 2,000 additional police officers across Ontario.

As you know, the federal government has similarly promised more police officers for Canada, but our government is disappointed with its follow-through so far. Ottawa has announced \$400 million to help recruit 2,500 new front-line officers, with Ontario's share being \$156 million over five years. We believe that that program is inadequate. Ontario is advocating for full funding for our fair share of the total number of available officers. We are also insisting that the funding be made permanent so that communities can count on having these additional

officers beyond the five years that the federal government is proposing to fund them. We will continue to lobby for these changes. It's what our policing partners want and what the people of Ontario expect us to do.

The theme for Police Week 2008 is Working with Today's Youth to Build Safer Communities. It highlights the efforts by police officers to engage young people in working to enhance community safety. This is an important outreach activity and is wholly supported by the McGuinty government.

Half of the 1,000 new police officers hired under the Safer Communities-1,000 Officers Partnership program are assigned to community policing, including school visits, street patrols and increased traffic enforcement. The remaining 500 new officers are assigned duties related to six priority areas, including youth crime and protecting children from Internet luring and pornography.

There are 103 police officers dedicated to addressing youth crime. These officers respond to incidents of youth crime and violence, and work with students in schools. They participate in outreach programs that focus on prevention, early detection and intervention for youth at risk or in conflict with the law.

In addition, our Safe Schools pilot project target is an investment in safer schools. The project fosters positive interaction between police and students in grades 6 to 8 in Toronto, Hamilton and London. Reaching youth in these formative years will assist them in making the right choices when faced with negative peer influence and violence.

We continue to work with police in a number of ways to ensure they have the tools to do the job. The McGuinty government maintains ongoing dialogue with the representatives of police organizations through our police services advisory committee and other contacts, such as Queen's Park Day, observed here recently.

The partnership between the McGuinty government and Ontario's police services is a positive one, and it's highly effective. Together, we make important progress. Ontario's overall crime rate is now the lowest it's been in 30 years. Since 2003, Ontario has had the lowest crime rate of all of Canada's provinces and territories. Support for Ontario's police services has never been higher. According to a recent public survey, police officers enjoy a trust rating of 84%—the highest since 2002. That's a tribute to the work of the dedicated professional police officers serving communities throughout Ontario.

1320

In celebrating Police Week, we recognize and applaud the contributions of our provincial, municipal and First Nations police officers. I invite my colleagues in the House to join me in this expression of gratitude and appreciation to police officers in every community of Ontario.

The Speaker (Hon. Steve Peters): Responses?

POLICE WEEK

Mr. Garfield Dunlop: I'm pleased to respond today to the comments made by the Minister of Community Safety and Correctional Services on the observance of Police Week here in our province. I too would like to congratulate and thank the 31,000 front-line police officers who protect our streets, roads, waterways and communities across our great province.

The minister mentioned police memorial week last week, and I wanted again to pay my respects to the family of Constable Plunkett, whose name was added to the wall last week. He was a resident of Simcoe county. He lived in the small community of Midhurst. I got an opportunity to meet his family, and I just want to pass on that we are with them in these very difficult times.

Another person I wanted to congratulate today is Mr. Ron Midell. Ron has been the vice-president of the Ontario Provincial Police Association for the last few years, and just last week, he was chosen as the new CEO of the Police Association of Ontario. He'll be replacing Bruce Miller, a good friend of all Ontarians who represents the 31,000 front-line officers. Bruce is retiring later on in the summer, and I'm sure there will be a tribute for Bruce a little later on in the year. Ron is worthy of this job and will do an excellent job representing police officers in our province.

Because I have the OPP general headquarters in my riding, I attend a lot of OPP events. In fact, last weekend I was at three different retirements for OPP officers. On top of that, this coming weekend we'll be dedicating a 32-foot boat, the leading OPP boat out of the southern Georgian Bay detachment. It will be called the Thomas P. Coffin in memory of an officer with the OPP who was brutally murdered a few years ago.

I want to mention that in our riding, we're joining with a lot of other ridings across the country—I believe 20—and we're going to have a barbecue and reception on May 25 to support our protective services. That includes police, fire, paramedics and, of course, military. Myself and the federal member will be hosting that at the Coldwater Curling Club coming up on May 25.

The minister spoke for a few moments about the 1,000 cops program, and he talked about full funding. That's where I've got a disagreement with the minister. To begin with, this government has never fully funded one officer. The most they put in is 35%, which is \$35,000 towards an officer who costs \$100,000 for the taxpayers. Our government put in 1,000 new police officers, and, quite frankly, we on this side of the House take credit for adding the 1,000 officers the Liberal government put in because we put the pressure to them, over and over again, with press releases and statements in this House. Finally, they caved in and added the 1,000 officers. Then they have the gall, Mr. Speaker—if you can actually believe it—to stand in this House today and blame the federal government for not contributing full and sustainable funding to the 2,500 officers program. The federal government does not have the responsibility to fund police

officers in Ontario. It was a kick-start program to help you, and you stand there and slap them in the face every time you get a chance. There's \$156 million on the table, and this minister has not yet decided how he'll spend one penny of that.

He should be adding new police officers—200 this year. When you start having 600 OPP officers on a weekend spent between Caledonia and Deseronto, you need new officers because you're taking those officers out of the other communities in the province.

Don't stand and blame the federal government anymore. Stand with the federal government; help them provide those 1,000 new cops for the province of Ontario. Do it this year; get 200 this year. Over five years, you'll have another 1,000 officers, and half of those officers can be fully funded and go to the Ontario Provincial Police.

POLICE WEEK

Mr. Peter Kormos: I am pleased and proud, on behalf of New Democrats here at Queen's Park, to participate in this tribute to Ontario's police officers, as we commence the first working day of Police Week in Ontario.

New Democrats know full well the important role that police officers play in keeping us, our families and our communities safe and secure, and the great sacrifices of police officers in the course of doing that.

Before I go any further, I want to make sure that I make special note of the extraordinary difficulties faced in northern Ontario by native policing services. I have had occasion, like so many of you, to visit communities like Kashechewan, Peawanuck and Attawapiskat. Gilles Bisson, our member from Timmins—James Bay, represents those communities. Howard Hampton, the member for Kenora—Rainy River, represents similar communities in northwestern Ontario. I've witnessed, firsthand, committed police officers working with the most serious and dangerous levels of understaffing, with equipment that is either non-existent or broken: boats without motors; snowmobiles without tracks; jail cells without doors. So we've got police officers in those remote northern communities putting themselves at as much risk in the course of the performance of their duties on a day-by-day basis, and with as much commitment and professionalism, as any other police officer in this province who doesn't have the most fundamental of tools in terms of doing effective and, more importantly, safe policing.

Kashechewan, of course, is noteworthy because there, there was the tremendous tragedy of the jail fire—I'm hard-pressed to call that a jail; it was a shack, if you will—two deaths and one serious injury of a correctional police officer.

New Democrats agree with police in Ontario, and police note that crime is indeed becoming more sophisticated, more organized and more complex. Criminals are

using cutting-edge technology and, quite frankly, the police tell us that they're hard-pressed to keep pace.

We can't call upon police officers to perform this incredibly difficult, challenging role unless and until we commit ourselves to giving those same police officers the tools and resources that they need to do those jobs. We remain sadly, sorely and dangerously understaffed in terms of police forces across Ontario—big-city Toronto, smaller-town Sudbury, small-town Ontario like Welland and Thorold. It's not only the police staffing; it's the tools that are being made available to them. Police officers have to comply with greater and greater standards, in terms of charter compliance, to ensure that prosecutions are effective, and in the course of doing that, they expend an incredible number of person hours, staff hours. So this government has to commit itself not just to making announcements of one-time-only funding or two-year or three-year funding; communities have to be assured of ongoing, stable funding for the enhanced needs of police services.

It's also incredibly frustrating for police officers to work hard doing an investigation, complying with all of the Criminal Code expectations and the charter expectations, arranging evidence so that it can be prosecuted in a full way and so the course of justice can run its path. So we must reflect on the police corruption charges here in Toronto that were stayed by Judge Nordheimer and the judge's serious criticism of the Ministry of the Attorney General's failure to comply with disclosure requirements. Police officers worked incredibly hard, at great expense to the public, on that investigation, the most serious police corruption investigation in the history of this country. I tell you, police officers aren't pleased when they see their hard work squandered in the course of a stay because the Attorney General didn't do his job.

Gun laws, handguns and the ongoing plague, epidemic, of young people shooting each other with handguns in Toronto—and this government says it takes a tough stand when it comes to handguns. Well, this government didn't take a tough stand when it came to John Snobelen, who pled guilty to possession of an illegal handgun, a Colt revolver, and, more sadly and tragically, its dangerous storage in a bedside table. It's a gun that had been illegally brought into Canada. Does the Attorney General stand up and call for jail time for that offence? No. Indeed, John Snobelen, a friend of former Premiers, gets an absolute discharge, not even a conviction. He doesn't get a slap on the wrist; he got a pat on the back. The Attorney General of this government won't stand up and announce that he intends to appeal that outrageously unacceptable sentence.

VISITORS

The Speaker (Hon. Steve Peters): I'd just like to welcome a couple of visitors from Germany. This is their first visit to Canada and their very first day in Toronto.

Welcome to Sophie Stroebel and Johannes Helms. Welcome to Queen's Park today.

DEFERRED VOTES

INVESTING IN ONTARIO ACT, 2008

LOI DE 2008 PERMETTANT D'INVESTIR DANS L'ONTARIO

Deferred vote on the motion for third reading of Bill 35, An Act to authorize the Minister of Finance to make payments to eligible recipients out of money appropriated by the Legislature and to amend the Fiscal Transparency and Accountability Act, 2004, the Ministry of Treasury and Economics Act and the Treasury Board Act, 1991 / Projet de loi 35, Loi autorisant le ministre des Finances à faire des versements aux bénéficiaires admissibles sur les crédits affectés par la Législature et modifiant la Loi de 2004 sur la transparence et la responsabilité financières, la Loi sur le ministère du Trésor et de l'Économie et la Loi de 1991 sur le Conseil du Trésor.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1331 to 1336.

The Speaker (Hon. Steve Peters): All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Dombrowsky, Leona	Mitchell, Carol
Arthurs, Wayne	Duguid, Brad	Moridi, Reza
Balkissoon, Bas	Duncan, Dwight	Naqvi, Yasir
Bartolucci, Rick	Flynn, Kevin Daniel	Oraziotti, David
Bentley, Christopher	Gerretsen, John	Phillips, Gerry
Best, Margaret	Gravelle, Michael	Ramsay, David
Broten, Laurel C.	Hoy, Pat	Sergio, Mario
Brown, Michael A.	Jeffrey, Linda	Smith, Monique
Brownell, Jim	Kular, Kuldip	Smitherman, George
Bryant, Michael	Kwintar, Monte	Sousa, Charles
Chan, Michael	Lalonde, Jean-Marc	Takhar, Harinder S.
Colle, Mike	Leal, Jeff	Van Bommel, Maria
Craitor, Kim	Levac, Dave	Wilkinson, John
Crozier, Bruce	Mangat, Amrit	Wynne, Kathleen O.
Delaney, Bob	Mauro, Bill	Zimmer, David
Dickson, Joe	McNeely, Phil	

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Bailey, Robert	Horwath, Andrea	Munro, Julia
Bisson, Gilles	Hudak, Tim	Murdoch, Bill
Dunlop, Garfield	Jones, Sylvia	Ouellette, Jerry J.
Elliott, Christine	Klees, Frank	Prue, Michael
Gélinas, France	Kormos, Peter	Sterling, Norman W.
Hampton, Howard	MacLeod, Lisa	Tabuns, Peter
Hardeman, Ernie	Marchese, Rosario	Witmer, Elizabeth
Hillier, Randy	Miller, Norm	Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 47; the nays are 24.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Third reading agreed to.

The Speaker (Hon. Steve Peters): Be it resolved that the bill do now pass and be entitled as in the motion.

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We now have a deferred vote on government order number 6, a motion moved by Mr. Milloy, allocating time for proceedings on Bill 12, An Act to amend the Vital Statistics Act in relation to adoption information and to make consequential amendments to the Child and Family Services Act.

Interjection: Same vote.

The Speaker (Hon. Steve Peters): Same vote? Agreed? I heard a no, and some more members have arrived.

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

The division bells rang from 1340 to 1345.

The Speaker (Hon. Steve Peters): Mr. Milloy has moved a motion allocating time for proceedings on Bill 12, An Act to amend the Vital Statistics Act in relation to adoption information and to make consequential amendments to the Child and Family Services Act. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Dombrowsky, Leona	Moridi, Reza
Arthurs, Wayne	Duguid, Brad	Naqvi, Yasir
Balkissoon, Bas	Duncan, Dwight	Oraziotti, David
Bartolucci, Rick	Flynn, Kevin Daniel	Phillips, Gerry
Bentley, Christopher	Gerretsen, John	Ramsay, David
Best, Margaret	Gravelle, Michael	Rinaldi, Lou
Broten, Laurel C.	Hoy, Pat	Sergio, Mario
Brown, Michael A.	Jeffrey, Linda	Smith, Monique
Brownell, Jim	Kular, Kuldip	Smitherman, George
Bryant, Michael	Kwinter, Monte	Sousa, Charles
Carroll, Aileen	Lalonde, Jean-Marc	Takhar, Harinder S.
Chan, Michael	Leal, Jeff	Van Bommel, Maria
Colle, Mike	Levac, Dave	Watson, Jim
Crozier, Bruce	Mangat, Amrit	Wilkinson, John
Delaney, Bob	Mauro, Bill	Wynne, Kathleen O.
Dhillon, Vic	McNeely, Phil	Zimmer, David
Dickson, Joe	Mitchell, Carol	

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Bailey, Robert	Hudak, Tim	Ouellette, Jerry J.
Bisson, Gilles	Jones, Sylvia	Prue, Michael
Dunlop, Garfield	Klees, Frank	Savoline, Joyce
Elliott, Christine	Kormos, Peter	Sterling, Norman W.
Gélinas, France	MacLeod, Lisa	Tabuns, Peter
Hampton, Howard	Marchese, Rosario	Witmer, Elizabeth
Hardeman, Ernie	Miller, Norm	Yakabuski, John
Hillier, Randy	Munro, Julia	
Horwath, Andrea	Murdoch, Bill	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 50; the nays are 25.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Agreed to.

VISITORS

The Speaker (Hon. Steve Peters): I'd like to welcome a few guests in the east and west members' galleries from the York Region Fibromyalgia and Chronic Fatigue Syndrome Wellness Support Group: Mrs. Giselle Imbrogno, Dr. Allison Bested, Dorothy Askew, Lisa Suddard, J.L. Kelley, Mira DiLouya, Cindy Patella, Dino DiCarlo, Bigorch and Associates, Vicky Sterling and others guests associated with them. Welcome.

ORDERS OF THE DAY

COSMETIC PESTICIDES BAN ACT, 2008

LOI DE 2008 SUR L'INTERDICTION DES PESTICIDES UTILISÉS À DES FINS ESTHÉTIQUES

Mr. Gerretsen moved second reading of the following bill:

Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes / Projet de loi 64, Loi modifiant la Loi sur les pesticides en vue d'interdire l'usage et la vente de pesticides pouvant être utilisés à des fins esthétiques.

The Speaker (Hon. Steve Peters): Further debate? Minister of the Environment.

1350

Hon. John Gerretsen: Today, I rise to speak about Bill 64, our government's proposed Cosmetic Pesticides Ban Act. If passed, it would help lead to a safer, healthier environment for the children and families of Ontario.

I would like to take this opportunity to remind the House of the principal goal of our government's proposed legislation.

Interjection.

Hon. John Gerretsen: Yes. Speaker, I will be sharing my time with my parliamentary assistant, the member from Oakville.

I would like to remind the opposition members that, if passed, this bill would lead to a safer, healthier environment for the children and families of Ontario.

Interjection: What studies?

Hon. John Gerretsen: We will get to the studies momentarily.

It is to ban the sale and use of pesticides for cosmetic purposes, and by that I mean non-essential purposes on lawns, gardens, parks and schoolyards across Ontario.

We propose this ban for several reasons. First and foremost, it's a matter of health. We all know that children like to run outdoors, particularly in the summer. They play and explore, and may simply be too young to

read signs that a lawn has just been sprayed. This makes them more likely to come in direct contact with pesticides that may harm vulnerable young bodies that are still in the process of developing, and potentially impact their health over the long term.

Interjection.

Hon. John Gerretsen: It's very interesting to hear the interjections from the members opposite. I only have one question for them: Are they going to support this bill or are they not going to support this bill? That is the real issue here.

As the Ontario College of Family Physicians has stated—listen to this: “The cumulative effects of being exposed to many different pesticides over a lifetime represent an unquantified and unacceptable risk to all Canadian children.” It is all about an unacceptable risk to Canadian children. Our government simply will not take this risk.

We propose this legislation as part of our broader commitment to reduce Ontarians' exposure to toxic chemicals, whether they are in our air, water, land or consumer products.

Interjections.

Hon. John Gerretsen: I wish they would let the member from Trinity–Spadina ask a question occasionally, so he could actually ask some of the questions he undoubtedly has on his mind, rather than having to resort to this kind of heckling.

This legislation has been developed in consultation with stakeholders, the public and many groups, which I shall mention shortly. Pesticide Free Ontario is a coalition of citizen groups supporting the elimination of urban pesticides. It has called for a province-wide ban on the cosmetic use of pesticides. This has been supported by health and environmental organizations such as the Canadian Association of Physicians for the Environment, the Canadian Cancer Society, the Canadian Environmental Law Association, the David Suzuki Foundation, Ecojustice, the Ontario College of Family Physicians, the Ontario Public Health Association, the Organic Landscape Alliance and the Registered Nurses' Association of Ontario, as well as Toronto public health and many other public health organizations and agencies. We are taking the appropriate action.

At the same time, we want the approach to be balanced and fair. If passed, this bill would ban the cosmetic use of pesticides—that is, the non-essential use of pesticides—in favour of more natural methods of lawn and garden care, yet, it also proposes certain exceptions.

The agricultural sector would not be impacted by this ban, because we know that farmers already adhere to strict rules on the use, handling, storage and application of pesticides that are necessary to protect and enhance food production. Forestry would also be exempted. Again—I'd like the opposition members to listen to this—rules already exist for pesticide use, which is essential both to protect trees from pests and to control competing vegetation, particularly where conifer regeneration is affected.

Our proposed legislation also provides an exemption for golf courses. However, golf courses may only utilize this exemption if they meet tough new conditions and set out management plans that will be further detailed in regulation. Our intention would be to require golf courses to develop and implement strong, integrated pest management plans that would see reductions in pesticide use over time and reduce the impact of pesticides on our environment.

This bill is all about taking unnecessary risks away from our children. They are much more likely to play in their front yards, their backyards, their playgrounds at schools, than either on golf courses or within the agricultural sector of our society.

Just as banning cosmetic pesticide use is a prudent step forward in improving human health and well-being, it would also improve the health of our environment.

Let's look in particular at water. Safe, clean water is a priority for this government. It is essential for building and supporting a strong, healthy and prosperous province with a high quality of life for one and all. From the Clean Water Act to the Safeguarding and Sustaining Ontario's Water Act to proposing strong protections for Lake Simcoe and the Great Lakes, we are making historic improvements to water protection throughout this province. Yet there is still more work to be done. There's always more work to be done. Pesticides are a potential threat to our rivers and lakes. Pesticides can run off after rainfall and wind up going through our lakes and rivers. If we could stop cosmetic-use pesticides from being applied in the first place, we could better protect the water resources that are so vital to life and health, for the benefit of our children and for future generations.

A recent Statistics Canada report showed that 34% of households in Ontario report pesticide use; that is one in three. That's 34% of all Ontarian households that, with a switch to green gardening methods, could have a positive effect on their own health and on the health of their neighbours and of the children in their neighbourhoods.

This change will also benefit the health and sustainability of our environment.

If passed, our legislation would encourage this switch. It would help promote a shift toward healthier people and a cleaner, more sustainable environment all across this province.

More and more, people everywhere better understand the links between our everyday actions and the overall health of our environment. We see how what we do in our daily lives can have far-ranging effects on the kind of future we want for our children and our grandchildren. As a direct result of that growing environmental awareness, many Ontarians are already choosing greener alternatives for lawn and garden care.

Our proposed ban is the responsible next step. If passed, it'll be the strongest ban on the use and sale in all of North America.

This move is widely supported by parents, medical experts, businesses, retailers, landscapers and many others.

Indeed, over the past few years, a number of Ontario communities have already acted. The cosmetic use of pesticides is already being phased out. They are banned or restricted in some 33 municipalities across this province, including Toronto, covering 46% of the province. In other words, the 33 municipalities that have banned the use of pesticides represent almost half of the people in Ontario.

Yet our law will go much further than just banning the use of pesticides; it will also ban the sale of pesticides.

We will build on the leadership shown by those forward-thinking municipalities that introduced bans or imposed restrictions on cosmetic-use pesticides over the past number of years.

If passed, our legislation would provide one consistent, comprehensive provincial law to help ensure that all children and families, no matter where they live in Ontario, are equally protected.

As I stated before, we are going further than municipal bylaws currently permit, as we would also be banning the sale of pesticides that may be used for cosmetic or non-essential reasons. It would support the growth of green products and services, encouraging more of the innovation, jobs and business opportunities that this booming sector already brings to our economy.

People want access to products that will protect and sustain the environment. All across this province, entrepreneurs are starting up businesses to develop and supply natural products and lawn care services.

1400

We know—and I'd really like the members to pay attention to this—that Ontario's environmental industry now contributes almost \$8 billion a year to our economy. As a matter of fact, our province is nearing the \$1-billion mark in environmental exports, a market that can only grow and gain in importance. Our province is now responsible for almost half of Canada's environment industry revenue. Almost 60,000 highly skilled and dedicated professionals are working here in Ontario to help shape the green economy of the future. Established businesses are innovating and adapting to the wishes of an environmentally conscious public.

Some of our largest companies are already taking action. Loblaws pulled pesticides from their shelves nearly five years ago. Canadian Tire has a plan in place to sell eco-friendly lawn care products and green alternatives. Home Depot has announced that it will voluntarily stop selling traditional pesticides across Ontario by the end of this year. Wal-Mart Canada intends to have high-risk cosmetic-use pesticides off their shelves as well by the end of this year. Ontario's retailers report that customers are making greener, healthier choices for lawn and garden care. We welcome these partnerships in support of a healthier Ontario.

Our proposed ban has acted as a catalyst for progressive corporate leadership, not just here but across the country. Together, we have a strong message to share: A healthy and beautiful lawn and garden is in no way dependent on pesticides. There are thousands of house-

holds and businesses across this province that maintain green yards and fine gardens using nothing but organic or green methods: from using preventive strategies that help stop pest problems before they start, to choosing plants that are most appropriate for each garden environment, to composting, mulching and simply letting nature do its job through biological control. There are plenty of ways to ensure a healthy yard. I've also heard it said that there is nothing wrong with the occasional dandelion.

There is an abundance of information available, on the Internet and elsewhere, on green gardening. The Royal Botanical Gardens, as well as dozens of organizations, gardeners and municipalities, all provide tips on environmentally and people-friendly alternatives to pesticides. My own ministry, the Ministry of the Environment, has just launched a website that provides a wealth of ideas, and I would encourage members of this House and all of those people who may be watching or listening to visit www.ontario.ca/pesticides for information on how to grow pesticide-free grass and gardens. Help ensure that our children and families are not exposed to chemicals that may cause them illness or harm.

Our government will work closely with our partners to educate Ontarians about the ban and to promote healthy, environmentally friendly alternatives to lawn and garden care, with the addition of fines to ensure compliance issued as a last resort.

We will be working and collaborating with key stakeholders and all those interested, whether they're schools and colleges, municipalities, gardening retailers, service providers, health units and health associations, to deliver a comprehensive education and outreach program to Ontarians on alternative methods of lawn and garden care.

We've also heard from groups who are already stepping forward and stating their interest in partnering with us on education and outreach. They include the Canadian Cancer Society, the Ontario Public Health Association, Landscape Ontario and, as I mentioned before, the Royal Botanical Gardens in Burlington.

All Ontarians should feel confident, wherever they go in the province, that their environment is clean and as free as possible from unnecessary contaminants that can impact our health and particularly our children's health. That's why our government has introduced this proposed legislation that would ban the sale and the cosmetic, non-essential use of pesticides, with the intention that, if this is passed, we anticipate having the ban take effect in the spring of 2009.

We are taking the strongest possible approach when it comes to the protection of Ontario's most vulnerable population. That's why we are recommending the immediate implementation of the proposed ban. I realize that the actual timing will depend on the passing of the legislation by the Legislature. Any bill that's presented here, of course, is always subject to the will of the Legislature.

Let me just say that we did consider a three-year phase-in period for the proposed ban, which is supported

by several stakeholders and conforms to the experience of several other jurisdictions that have implemented bans or restrictions on the use of pesticides. While we fully recognize the concerns of the retail and landscape sectors, the proposed approach does not include a phase-in over several years in order to reduce the potential risk to human health as soon as possible. If there's an unnecessary risk to children, we should deal with it as soon as possible. Three years simply isn't good enough.

The government is taking prudent measures to reduce any potential risk associated with the use of pesticides for cosmetic purposes. If Bill 64 is passed, a draft regulation would be developed and posted for public consultation on the Environmental Bill of Rights registry. As a matter of fact, the proposed bill is currently posted on the Environmental Bill of Rights registry and we are getting solid feedback.

I should tell you that when we posted our intent to bring this bill forward earlier this year, we received over 6,000 replies, with more than the 90% of the responses in favour of the bill. These were not form responses; these were individual responses from individuals and organizations. So 90% of the people that we heard from when we put out the policy document earlier this year were totally in favour of this ban.

Again, if the bill is passed, we will consult with all sectors in drafting the regulations. These regulations will list the pesticides and ingredients that would be banned. Our preliminary pesticide product list has over 300 products that may be used currently for cosmetic purposes on lawns and gardens. It also contains over 80 active ingredients that are contained on the preliminary active ingredient list. Obviously, we're going to consult to see whether or not those lists, from both an ingredient and product viewpoint, are the correct lists. As well, a draft list of products and ingredients is available for discussion on our website as of today.

The amendments to the regulation would also define the exceptions that would be made for agriculture and forestry. It would also prescribe other accepted uses for health or safety issues; for example, to control mosquitoes that might carry the West Nile virus, to control stinging insects such as wasps or to control poison ivy.

The amendments would also set out the prescribed conditions for a golf course to be excepted. Let me stress that again: A golf course could only be excepted once it has filed with us an acceptable management plan as to how they will reduce the use of pesticides over the next number of years.

Let me just read to you some of the positive responses that we've already received.

Connie Uetrecht, the executive director of the Ontario Public Health Association, says the following: "The Ontario Public Health Association is pleased to see a ban on the use and sale of pesticides for cosmetic purposes. This enabling legislation is another positive step the McGuinty government has taken to protect the health of our children and our environment."

1410

Gideon Forman, the executive director of the Canadian Association of Physicians for the Environment, states, "We're delighted the government has listened to our doctors and nurses and introduced a ban on lawn and garden pesticides. We still need to ensure the regulations are good and strong, but Ontario is now positioning itself to be a North American leader in this area."

Peter Robinson, the chief executive officer of the David Suzuki Foundation, says the following: "Ontario is demonstrating leadership by banning the use and sale of lawn and garden pesticides. The measures announced today will help to minimize a needless source of chemical exposures. I'm confident that Ontarians are ready to make the switch to non-toxic gardening techniques to protect their health and the environment."

Sari Merson, of Pesticide Free Ontario, states, "Pesticides Free Ontario is delighted with the swift and decisive action Premier McGuinty's government is taking to protect public health and our environment, by introducing legislation to ban the sale and use of lawn and garden pesticides."

The chief executive officer of the Ontario College of Family Physicians, Jan Kasperski, says, "The Ontario College of Family Physicians solidly supports a province-wide ban on the use of cosmetic pesticides. Our research demonstrates the many health effects associated with pesticides. On behalf of our most vulnerable patients, the children of this province, we are pleased to hear that government has moved so quickly to develop this important legislation."

Doris Grinspun, the executive director of the Registered Nurses' Association of Ontario, says, "Ontario children will be better off thanks to this legislation. We're also delighted that the government is moving quickly to implement these laws."

Peter Goodhand, chief executive officer of the Canadian Cancer Society, Ontario division, states, "We're very pleased the government is not only banning the use but also the sale of cosmetic pesticides in Ontario. We're especially proud of the tremendous effort of our volunteers and staff who played a significant role advocating for municipal pesticide bylaws. Now with this provincial legislation, all Ontarians will be protected from cancers associated with exposure to certain pesticides. We look forward to more details on the legislation and the development of strong regulations."

The medical officer of health for the city of Toronto, Dr. David McKeown, states, "Since 2004 when the city of Toronto passed its pesticide bylaw, the public and business community has significantly reduced their use of toxic pesticides and embraced more natural methods of lawn and garden care. The provincial plan to ban both pesticide sales and use will ensure the most comprehensive health protection for the public."

David Miller, mayor of the city of Toronto, states, "I applaud the provincial government's new aggressive action to ban the sale and use of cosmetic pesticides. It goes farther than we were able to go in 2004 when we

banned pesticides in the city of Toronto and it makes the job of delivering a cleaner, safer and more healthy environment for Torontonians, and all municipalities in Ontario, easier.”

Doug Reycraft, the president of the Association of Municipalities of Ontario, says, “Legislation addressing the cosmetic use of pesticides is consistent with the advice of Ontario’s municipalities and AMO. The proposed ban will provide a uniform and province-wide response to an important public policy issue.”

I’ve already talked to you about the retailers who have come onside.

The chair of the Lawncare Commodity Group, Landscape Ontario, Gavin Dawson, says, “The McGuinty government has delivered on its promise with a bill that ensures consistent standards everywhere, which apply equally to professionals servicing our green infrastructure and the do-it-yourself market.”

The president of the Organic Landscape Alliance, Mark MacKenzie, states, “The Organic Landscape Alliance is pleased that all Ontarians will now be protected by legislation that was previously only protecting those in select municipalities. OLA looks forward to strong regulations and an effective education program that will empower Ontarians to create healthy and sustainable landscapes with truly organic products.”

Anne Mitchell, the executive director of the Canadian Institute for Environmental Law and Policy, on the day when the legislation was introduced, said, “Congratulations on today’s announcement of the provincial ban on the use of pesticides on gardens and lawns. This is an important step. I am pleased that the Ontario government is stepping up its efforts to protect the environment and our health—and particularly our children’s health. We are beginning to understand more and more how environmental problems affect our health. We at CIELAP look forward to working with you on our common goal of protecting Ontario’s environment—and ultimately the health of its people.”

An e-mail that I received on the day the bill was introduced, which I find particularly noteworthy, is one that reads as follows:

“Dear Minister Gerretsen:

“Thank you for sending me the information about the legislation to ban cosmetic use and sale of pesticides in Ontario. Congratulations and thank you on behalf of all Canadians. I can imagine the pressure you received from lobbyists for the pesticide industries but from an ecological and health standpoint, you made the right decision and as the largest province in Canada, you set a standard that I hope will induce the rest of the country to follow. Well done.” That was signed by David Suzuki.

You can see that we have heard from people involved in just about every organization that has an interest in this issue in Ontario.

I know that some of the opponents will say that these products have been approved by Health Canada. But of course what Health Canada does when it looks at an individual product is determine whether or not it’s an un-

necessary risk to children or to individuals. But the word “risk” is still there. It doesn’t say the products are safe; it just states that it is not an unnecessary risk.

Very little work has been done on the cumulative effects of all of these different products together. I think that’s what this speaks to more than anything else. We simply cannot allow our young children who play on our lawns, backyards, playgrounds and parks to be subjected to unnecessary risks. That’s why we’re putting this legislation forward.

Finally, with this legislation our government is listening to Ontarians. It would set the framework for a ban that would be among the most rigorous in North America. We are taking action that will help support our people’s health and well-being. We are working for a healthier province with clean air, sustainable water and safe water. In doing so, we know that through this bill, this government, on behalf of the people of Ontario, is helping to restore the health of our planet.

Thank you very much. I will now turn it over to my parliamentary secretary, the member for Oakville.

Mr. Kevin Daniel Flynn: It certainly is a pleasure to join the debate today, second reading on a bill that, if passed, would ban the use of cosmetic pesticides in the province of Ontario. Certainly, as parliamentary assistant to Environment Minister Gerretsen, I’m proud to have this opportunity to stand before the Legislature and speak in support of the proposed ban that would ban the sale and the use of cosmetic pesticides in Ontario.

I think it’s a timely piece of legislation. The debate we’re having today really has the potential to make an important contribution to the kind of future that I think we all want in Ontario. I am sure that I could probably speak for all members of the House when I say that no matter what party we belong to or where we come from, we basically all want the same things for our families and communities. We want an Ontario that’s strong and healthy, with a prosperous economy, a province where our children and grandchildren can grow and succeed in clean and healthy communities.

Ontario’s environment minister, the Honourable John Gerretsen, has already spoken in some detail to the proposed ban on cosmetic pesticides in the province. He’s clearly stated that the fundamental necessity and the imperative of protecting the health of our children and the health of future generations is something that we hope to achieve as a government by tackling the amount of toxins that currently exist in our environment today. The proposed ban is part of our government’s toxins reduction plan for the entire province of Ontario, and we hope it sets an example for others. The overarching goal is easily stated: protecting people’s health, regardless of where they live in our province.

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We know that when it comes to the use of cosmetic pesticides, there is an unnecessary risk that’s particular and unique to our children’s health. We’ve heard from a number of environmental groups, we’ve heard from

health organizations, and they strongly support the proposed legislation that's before us today.

I find in my own community of Oakville and throughout the province that people are very aware of the need to take action to reduce the amounts of toxins that currently exist in the environment today, harmful substances that they see going into our land, into our waterways and, indeed, right into the air we all breathe on a daily basis.

The public has responded. Since we first posted our proposal for this ban on the Environmental Bill of Rights registry on January 18 seeking input from all stakeholders, we've received about 6,000 comments, as the minister has spoken to. Close to 90% of those people who sent in a submission to the Environmental Bill of Rights support the proposed ban.

We have also met with a broad range of stakeholders: environmental groups, health organizations, municipal organizations, the agricultural, golf, turf, retail, manufacturing and production sectors.

Other jurisdictions across Canada have also begun to take action on this file. The province of Quebec, for example, has implemented a prohibition on the sale of pesticide fertilizer mixes and other pesticides that have a domestic use by the general public.

Prince Edward Island has placed restrictions on the sale of high-risk pesticides and is currently reviewing the implementation and potential impact of a province-wide ban on the use of cosmetic pesticides on lawns.

The province of Newfoundland and Labrador has banned the sale and the use of pesticide-fertilizer combinations already.

Many American states have also placed bans or restrictions on the use of lawn care pesticides on or near things such as child care facilities, schools, daycare centres, playing fields and sports fields.

We may not be the first to implement prohibitions on these products, but it's the intent of this legislation that we go the furthest.

We've heard Minister Gerretsen speak about the sectors that would be exempted. They include the golf industry, agriculture and forestry.

I'd like to take a moment to address the use of pesticides in the forestry and agricultural industries. In forestry, the use of pesticides is not simply to improve the appearance or the aesthetics of trees, so it's not cosmetic. Instead, what it does is help ensure the productivity of our forestry industry and the management of pests, which could threaten it. I'm sure my colleagues in this House are all aware of the devastation occurring in British Columbia right now from the influx of the mountain pine beetle.

Healthy growing forests are not only important to ensure we have a strong, vital forestry sector for years to come; they have a key role to play in helping mitigate global warming and the effects of climate change.

Just as in the agricultural sector and in the golf industry, those forestry workers who use pesticides are required to meet stringent rules on the use, handling, storage and application of pesticides. Our proposed

approach allows for additional regulatory requirements to be placed on any person who is using pesticides under the forestry exemption. If Bill 64 is passed, the public will then be consulted with respect to the development of a regulation which would establish the uses related to forestry that are exempted from the proposed ban.

The aim of the proposed ban is to help ensure protection of the public interest, taking reasonable and prudent measures to reduce potential risk from the unnecessary use of those pesticides. The unnecessary uses of pesticides provide no intrinsic or countervailing benefit to rationalize their use in today's society. However, the use of pesticides to protect and enhance the reliability of commercial food production does have important benefits to our society.

I also want to recognize the important role that Ontario's farmers play in adopting integrated pest management, or IPM, approaches to reducing their own use of pesticides. Pesticide use surveys conducted every five years by the Ministry of Agriculture, Food and Rural Affairs have revealed that there is currently a 52% reduction in pesticide use on agricultural crops since 1983. Even more importantly, the reduction in the environmental risk of agricultural pesticides is greater than that because we shifted to much lower risk pesticides in that period of time.

Many factors have contributed to the reduction in agricultural pesticide use and risk in Ontario. These include increasing grower awareness and the introduction of newer pesticides with less risk being used at lower application rates. Other factors include improving the method of pesticide application and increasing the use of integrated pest management programs to reduce reliance on pesticides.

We know that further technological improvements and increased knowledge of pest populations will continue to reduce the risk associated with, and the need for, pesticides. We also recognize that education and outreach to Ontarians needs to be part of our plan to help people use greener approaches when it comes to lawn and garden care. The focus of all our efforts will be to inform people about how they can use good plant health care practices in maintaining their own gardens and minimizing pest problems, and what to do if pests actually do appear.

Simply using proper mowing, mulching, aeration, watering, fertilization and seeding techniques will all help to discourage weeds in lawns. Also, replacing traditional expanses of lawn with pest- and drought-resistant vegetation will also help get Ontario's neighbourhoods off their pesticide dependence. We plan to work with our key stakeholders to deliver a comprehensive education and outreach program on alternative methods.

We're seeing tremendous growth in greener products, and that, in turn, is going to help us bring and develop much more sustainable products, leading to a much stronger economy. The proposed legislation is also going to help support the development and sale of green alternatives that are better for the environment and for Ontario's families. In our recent budget, our government has

allocated more than \$10 million over four years that is going to support our plan to ban the use of cosmetic pesticides and foster the development and sale of alternative green and ecologically healthier products.

I'm very proud to note that my own hometown of Oakville has recently passed a bylaw prohibiting the use of cosmetic pesticides. Around 33 other Ontario municipalities have had the courage to do the same thing. I want to congratulate these forward-thinking jurisdictions for taking these important steps to protect the health of their own communities. I also want to note the great work municipal staff are doing, learning about how to maintain our parks and sports fields without having to resort to pesticide use.

But while municipalities may pass bylaws on the use of cosmetic pesticides, they do not address the sale of these products. The goal of our province-wide ban is to set up a consistent program across the province that provides greater restrictions that include the sale of those products.

Our government's proposed ban will replace the many different bylaws that have been passed around the province. We need to give the same level of protection to all Ontarians, no matter where they live. We're at a very important crossroads for our environmental and health protection, both here in Ontario and around the world. We can no longer turn away from the fact that we are all responsible for the overall health of our environment. The steps we take daily, and the daily actions we perform, can have far-reaching effects for better or for worse.

Our health and the health of our planet are intrinsically linked. We see with greater clarity how all life is interconnected, and we must act to reduce potential risks; it's that simple. People everywhere, including in the province of Ontario, deserve to live in communities that support their health and their children's health. Ontarians need to know that when their children play outside, they are not being exposed to needless risk from cosmetic pesticides.

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For all the reasons I have spoken of and for the benefit of future generations, I am proud to stand in support of our government's proposed ban on the sale and use of cosmetic pesticides in Ontario. I would close by encouraging all members of the House to do the same and support this ban.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jerry J. Ouellette: I want to mention to the member for Oakville, who spoke about the forest industry, that I would hope that during the consultation process, when they're looking at the forest industry, what they need to make sure of is that they contact the other sectors that are affected by the forestry industry as well. For those who don't know, when the forestry industry goes in and they spray for the chemicals—I am sure the members from Thunder Bay are very familiar with what takes place there—they come in, they spray and they kill all the foliage there. That allows for the growth of the

single target species that they're trying to bring up in that area. The difficulty is that when they kill all that growth, a lot of times, that's food for other species, whether it's the woodcock or whether it's the moose. Predominantly, moose is what the Minister of Natural Resources would hear about, because the food source for those animals is gone when the spring comes. They need to address that because in the north it's quite an issue, particularly with a lot of moose hunters who participate. I'm sure the members from that part of the province will be very familiar with that.

I would make some other suggestions as well. Why not do some better training for weed inspectors? If weed inspectors know that there's close access to a stream, and the half-life of something like Roundup, for example, is 24 hours, they could recommend that certain chemicals be utilized or not utilized in specific areas, and the inspection by weed inspectors would certainly help ensure proper usage in a lot of other areas.

As well, last week I had some concerns—I have young kids at home; Josh and Garrett are 11 and 12 now, and it always drives me crazy—on no-spray days. Guess what? There should have been a no-spray day last week. I don't know if the members are familiar with that. Once the wind is up to a certain speed, they shouldn't be spraying. Sure enough, they were out spraying the chemicals on their lawns, and it didn't matter to them, because who is out enforcing it? If the weather channel came forward and said, "Hey, this is a no-spray day in this area," that would certainly get the message out so the public is informed, as well as those companies that aren't being watched and should be watched.

I appreciate the opportunity to comment today.

Mr. Rosario Marchese: It's a good opportunity to respond, to the minister in particular, on this matter because New Democrats welcome provincial action to ban the application of pesticides for aesthetic purposes.

I must admit I was a bit puzzled as to why there is no legislated pesticide reduction plan for golf courses. I worry about golfers. I've got to admit I don't play golf. I don't like the sport. I just think it contributes—

Mr. Mike Colle: What have you got against golf?

Mr. Rosario Marchese: I really think it contributes to obesity, by the way; I really do.

I've got to admit, I tried it once. I swung that pole, and I just dropped the club and left it. I said, "What is this sport about?" I couldn't quite believe that people would spend hours and hours at this game. Not only that; they've got these little cars that they hop onto to go and fetch the ball. They don't even walk. They get out, they do this, and that's the extent of the physical work. I've got to tell you, it contributes to obesity. For that reason alone, we should get rid of golf.

I'm concerned about the fact that these people are on these golf courses—and I worry for you golfers, I really do, because you are into that grass, you're picking up the balls and whatever else you're doing and you are taking a whole lot of pesticides into your system. I'm worried

because it's going to affect your body in more ways than you can imagine.

The minister says, "We're going to deal with it at some point down the line." Why? Why are we delaying this? Why don't we allow municipalities, where they want, to be able to say, "We are going to deal with pesticides in the golf courses"? Why couldn't you give the municipality that power? You are preventing municipalities from doing that if they want, and you're preventing municipalities from worrying about these poor golfers who are going to imbibe so much of this pesticide that's going to kill them. I'm telling you, it's a problem.

Mr. Shafiq Qadri: First of all, I appreciate the honourable member from Trinity-Spadina's sharing with us his golf trauma stories, but I just simply suggested that there is therapy, rehabilitation and remedial action that can be taken for all these various problems.

I think it's important for us to speak about Bill 64, the Cosmetic Pesticides Ban Act. First of all, as a physician-legislator I can tell you that this is part of a larger domain or larger initiative about environmental poisons, stealth estrogens or stealth carcinogens that unfortunately are more and more common.

As you will appreciate, there was quite a wave in the press recently about the carcinogenic potential of things found in plastic, specifically bisphenol A. There are stealth estrogens and stealth other kinds of chemicals which are secretly invading our livable world and our livable space. So I think it's important that we move on initiatives like this.

For example, on Saturday this past weekend we, at our own home, had the opportunity of having a lovely little birthday party for our daughter and son: Shamsa, nine, and Shafiq junior, seven. Not that my lawn is clean of weeds—we much more believe in survival of the fittest. But having said that, had we ever decided to use cosmetic pesticides, I think we probably would have, unknowingly, and perhaps with the best of intentions, exposed the 30 or 40 kids who were at this party to these potential hazards.

I think the other thing is that part of the principle of medicine is that microscopic or minimal exposures repeated over time—over years and years, a decade or so, 20 years—are actually part of the real difficulty and challenge in medicine and disease prevention. That's why I support this ban wholeheartedly.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Caledon.

Ms. Sylvia Jones: Dufferin-Caledon. Actually, it is Dufferin-Caledon that I would like to reference when talking about the pesticide-ban-proposed legislation because Caledon in fact has a pesticide bylaw in effect currently.

I would hope that part of the consultation that will occur as we move forward discussing Bill 64 will be to review and ask for input from the municipalities to ensure that the coordination does occur.

There's one interesting thing that I noticed neither the minister nor the PA referenced, and that was the news

last week where the Premier didn't seem to be very up to date on Bill 64. In the Timmins Daily Press, the headline is, "Premier Admits He 'Screwed Up' on Pesticide Ban."

On Earth Day, of course, the big announcement was the proposed legislation, first reading. Then, as the press asked him questions: "Municipalities will be forbidden from enacting tougher bylaws than the provincial standard once the new ban takes effect in 2009," which, of course, is not at all what the Premier said on Earth Day.

So for a piece of legislation that is supposedly critical and important to the Liberals' second mandate, I question just how much thought and discussion took place at the caucus and cabinet table surrounding the pesticide ban. Of course, the Premier corrected himself and said that, no, in fact municipalities will not be able to have a tougher ban, which is one of the reasons we need to have that discussion happen at the committee level.

The Deputy Speaker (Mr. Bruce Crozier): Member for Oakville, you have two minutes to respond.

Mr. Kevin Daniel Flynn: It's a pleasure to rise again and to wrap up a little bit. I'm quite surprised at the member of Trinity-Spadina in his opposition to golf. It was alarming. I come from a riding where golf is very important. Glen Abbey, as you know, was the home of the Canadian Open for some time. Certainly, when you think of some of the major sports figures in Canadian history, you think of people like George Knudson, Mike Weir and Sandra Post. These people have all put our country on the map. I wouldn't describe any one of them as obese people. I think it actually has become a recreational pursuit of a great many Canadians and North Americans, and it's something that is a part of the toxins reduction strategy.

We've tried to bring in a piece of balanced legislation that I think is designed to address some of those places where we can reduce the unnecessary risk and some of those places where we're going to use the tool of increased regulation and IPM certification, a variety of means by which we can control the use in other places such as in the forestry sector, such as in agricultural circumstances and when it comes to the exemption for golf courses. So it provides an exemption for golf courses, but it also enables the government to bring in regulations and conditions and establish additional requirements for the golf sector so that they would have to meet a much higher standard than they do today. I think that's what this whole bill is about. It's improving the standard of health in the province of Ontario for all Ontarians.

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We've taken a look at this issue. We've listened to stakeholders from around the province, to those who are engaged in the industry who want a level playing field for all people who are engaged in the lawn care industry, to the producers, manufacturers and the health care professionals who have been warning us for some time that some action is necessary.

I believe this shows a lot of courage in being the first government to come forward with a proposed ban on the

cosmetic use of pesticides. Its time is long overdue and it deserves the support of all members of the House.

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

Mr. Toby Barrett: As we all know, we're here today to debate Bill 64. It was introduced on April 22, and the long title is, An Act to amend the Pesticides Act and to prohibit the use and sale of pesticides that may be used for cosmetic purposes.

I will say right off the top that while myself and many of my colleagues support the concept of eliminating the non-essential use of pesticides to protect our health and environment in this province, having looked at the legislation, I do have a number of concerns. I do fear that in their overzealous behaviour and fervour to jump on a hot topic—and this is after a year, going on five years, of no significant government legislation—this regime is trotting out what essentially seems to be a ban-now-and-ask-questions-later approach. It's become a trademark approach of this present McGuinty government, a government of nanny-state politics, a government that essentially seems to be here to tell the people in Ontario, "Do this and don't do that."

In this particular bill, Bill 64, we do see a government that chooses to wear blinders and to shut out other approaches, a government, in my view, that perhaps could be accused of using a cannon to squash a fly, a government that seems to be actively working to ensure that science doesn't get in the way of a good story. This is a very complex issue, and it must be based on science, and we—when I say "we", I do refer to this government—must do due diligence.

As it stands, the bill is suggesting that there's something inherently wrong with these products. Health Canada and other internationally known research organizations disagree with that. They disagree with the concept, as suggested by this government, that there is something wrong with the various herbicides, insecticides, fungicides and algaecides that are used to control pests in our environment.

Another concern is that this bill essentially creates a double standard for the health of urban dwellers versus rural dwellers, or neighbours, or workers on golf courses, workers in the forest industry and farm workers. This bill also has the possibility to create a slippery slope for forestry and for agriculture. It undermines and can undermine the public's confidence in those practices used in forestry and those practices used in farming. I'm concerned that this government's knee-jerk reaction, to simply ban anything it doesn't like or doesn't understand, may in the end come back to bite, in many ways that the present government simply has not thought through.

That being said, I do believe that Bill 64, also known as the Cosmetic Pesticides Ban Act, can be useful. It can be useful, at minimum, as a starting point to initiate debate in hopes that changing the draft legislation we see before us today, in order that research-based evidence, good science, pure research, and not emotion, not narrow-minded ideology, can pave the way for better legislation that would better protect us and our environment.

To that end, I'll start by outlining some of the facts that surround this issue and this legislation so that we're all cognizant of the direction in which we're heading here. I'll begin by examining exactly what this government is looking to control. I do raise the question: "What are pesticides?" We have heard a number of speeches on this subject, fairly general presentations, with nothing very specific.

I think we all have a bit of an idea of what pest control products are, but I'll go through this for the record. "Pesticide" is a very broad term defining products to control insects—for example, weeds, diseases, fungi, algae and rodents—and things that are commonly thought of as pests—hence the name pesticides—on not only plants and fruit, vegetables, pests we find on animals and on our lawns.

We should go beyond just this blanket term of "pesticide," especially when you start linking certain diseases to pesticides. It's very important to identify the disease you're talking about in human beings and very important to identify the particular herbicide, insecticide or fungicide that you are linking to that disease. As yet, we have not heard any of these links. We hear references, in very general terms, of a link between disease and the use of these products.

Pesticides, to break them down a little more broadly, obviously include insecticides, herbicides or plant killers, fungicides, sanitizers, growth regulators, rodenticides, soil fumigants, pool chemicals and algaecides.

This present Minister of the Environment introduced the Cosmetic Pesticides Ban Act on April 22, as we know. It contains provisions that would not only ban the use but would also ban the sale of certain prescribed pesticides in this province. It also contains proposed regulation-making authority for the Lieutenant Governor in Council to make regulations prescribing pesticides, to which the use and sale bans contained within the bill would apply. Accordingly, if the legislation passes, regulation may be made prescribing such pesticides.

The Ministry of the Environment prepared lists of pesticides—again, I would assume, for discussion and not necessarily decisions made at this point—on which active ingredients on that list would be banned for use or which active ingredients would be banned for sale. We have much to debate here.

But some of the products that could fall in that category—2,4-D, for example. We've been using 2,4-D for decades. It's sold as a lawn care product. It's an herbicide. Sometimes it's used in weed and feed products. That's a particular combination that in many cases probably doesn't make much sense. I think by the time we finish this debate we can better determine the policy direction with respect to these weed and feed products.

Glyphosate is the active ingredient in Roundup. I was using Roundup this weekend out of necessity, not for cosmetic reasons. Roundup is an herbicide. It kills all plants. It kills the annuals, perennials and brush. It's used if you have a very serious weed problem. Perhaps you've

been running continuous corn and you wish to switch over to, say, an alfalfa and grass mixture, and you pretty well need a fresh start. Roundup, I have found, is very useful with respect to homeowner use as well, when you have one heck of a problem with weeds that perhaps you cannot get at with a lawnmower.

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Malathion is another fairly common name. It's found in aerosols, aerial sprays, foggers, baits, pet collars and animal dips to kill insects; it's an insecticide. Carbaryl, better known as Sevin, is also an insecticide. Diazinon is sold under the trade names Spectracide and KnoxOut, again to kill insects. Captan is a fungicide, a totally different kind of product altogether.

Over the years, many of these pest control products have been used to protect people in Ontario from, for example, mosquitoes, noxious weeds and allergenic weeds. I think of burdock—I've had an ongoing battle with burdock for as long as I can remember—stinging nettles, not to be confused with the Scotch thistle or burdock, and poison ivy, another seed product. I call them pitchforks.

If you're hunting in the fall and you're wearing wool socks, there's a good chance—certainly on our farms on the edge of our bush—that you're going to bring back pitchforks. They're tough to get out—tough to get out of the hair on your dog as well. Couch grass is a tough one. It's something you don't want on your lawn or in your fields if you're going to be putting in clover or alfalfa.

Many products have been developed over the years, and duly tested, analyzed and checked for use, whether it's on rose bushes and other vegetation, to treat trees that have become diseased—I think of gypsy moths, for example—or used if your land or a particular spot for a garden has become overrun with weeds.

Further questions: I don't know whether many of these have been answered so far today. The government had another 20 minutes to speak to this bill. I don't know why they cut it short on this one.

We had some very useful information come in January of this year—I think it was January 15, 2008. A coalition of environmental groups and health professionals called on the present McGuinty government to quickly implement the province-wide ban; this was a promise in the last provincial election. I think we heard today that this group was composed of the Canadian Cancer Society, the David Suzuki Foundation, Environmental Defence, Pesticide Free Ontario and the Ontario Medical Association. We now have proposed legislation with a number of categories, a number of ideas to put forward; for example, the preamble to Bill 64: "The bill amends the Pesticides Act to prohibit the use and sale of certain pesticides that may be used for cosmetic purposes," as we know.

As we can read, Bill 64 would have this government ban the cosmetic use of pesticides or, as the short title reads, have a cosmetic pesticides ban. There's a bit of wordplay here. It may refer to cosmetic pesticides; it may refer to a cosmetic ban. There are two different approaches. Are we talking about banning the use or

banning the product, and how far will this government take it?

I think most of us here would agree that eliminating the non-essential use of pesticides is important, certainly for protecting our environment. Other things are important as well, beyond just a legislative ban, which is pretty quick and dirty—a short way of doing it. Education and information are very important in dealing with these products. Training, as we see with respect to forest workers and farmers, is very, very important—I did not see that mentioned in the short three-page bill that's been crafted by this government—education and training of consumers about how to have healthy lawns, how to have healthy gardens without the use, overuse or the inappropriate use of some of these pest control products that I have been talking about so far.

This term "cosmetic use" is open to interpretation and can cause some concern. Just what does cosmetic use mean? It may imply that pesticides associated with lawn or garden care serve only an aesthetic purpose. However, products can be used for cosmetic purposes that also have very legitimate essential uses. The same products that control dandelions, for example—I do not have a problem with dandelions. I've always had dandelions on my lawns. I have dandelions on my lawn today. I don't use these products on my lawns. I don't use fertilizer. I feel very strongly—why would I want to encourage my lawn to grow? Then you end up mowing it perhaps more regularly than you would want to. But the very same products that control dandelions are also used to control ragweed, poison ivy and thistles, for example.

By the same token, I wonder: Is this government, with this narrow, rifle-shot approach, turning a blind eye to the use of lawn mowers for the cosmetic grooming of lawns? In some lawn mowers, the smaller mowers and push mowers, you add oil to the gasoline, something that is probably not a good thing to do. I don't know whether this government has done any kind of a risk-benefit analysis, let alone a cost-benefit analysis. We ban certain products. Will this require more mechanical control of weeds on a person's property? Will this result in people burning more gasoline and burning more oil within that gasoline in lawn mowers to control weeds? What kind of impact will that have on air quality in Ontario?

We should look a little further, and if we do look further into the justification for this proposed legislation, we also find that there are differences here. There are different regulations proposed for urban as opposed to rural residents and rural children. There are exemptions, as we know, for agriculture and golf courses. But what we don't find in this proposed legislation anywhere are the scientific criteria to support environmental and health concerns that are being suggested here. We don't find a value analysis. We don't find a benefit analysis, let alone a cost-benefit analysis, as I mentioned. There is no risk-benefit analysis available. I trust there will be, now that we have duly commenced debate on this particular piece of legislation.

As I mentioned, this bill is only three pages long. In fact, it's not really a new piece of legislation; it's merely a set of amendments to the existing Pesticides Act.

The bottom line: In many ways, what we have here is a denial of the right of Ontario to use pest control products that both the federal and provincial governments have already determined to be safe to use according to the label instructions. So we have a bill that will ban something that has been deemed to be safe to use.

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We should also clarify that this proposed law will supersede municipal legislation—and that was awfully vague. We did get some conflicting advice from the Premier on that one. Many will remember that there seemed to be a question mark as to whether this provincial legislation was going to override municipal bylaws or not, in spite of what we were told when it was announced on Earth Day. We were led to believe that this piece of legislation would rule, and then the Premier stepped in, and he used the term “screwed up” when he said municipalities could have tougher anti-pesticide rules than the province. I know this would be disappointing for some within the environmental movement. That's the way it goes with this particular government.

While he was unveiling this pesticide ban—I think it was three or four weeks ago—the Premier said that municipalities would be able to introduce tougher rules if they wanted to. So that was out there and duly reported in the media. He now says he was wrong. The environment minister, who was standing next to him at the time of this announcement, apparently was—to quote the papers; I guess this would be the Premier speaking—“unduly deferential” when he remained silent about the error put forward by the Premier. I understand the Premier says he has instructed Minister Gerretsen to correct him right away if he ever makes that mistake again in public.

As I said earlier, it is incumbent on this provincial government to do due diligence and ensure that it has the proper scientific data before we move forward on this legislation.

I mentioned earlier, at the beginning of my remarks, that there's little in the way of scientific criteria to support the health concern. Certainly this government and the anti-pesticide groups have trumpeted the literature review of the Ontario College of Family Physicians, OCFP, as proof of the links between pesticide use and cancer, as well as the links between pesticide use and learning disabilities and the links between pesticide use and birth defects. However, based on reports from a number of national health agencies, upon further review, this report is being questioned from many, many sides. As I said, and I'm quite open about this, I'm not a scientist—I did work for a research organization for 20 years; I do have an M.Sc.—but I wish to quote, in part, a number of papers that have been put forward by people who are scientists. I think it's important to report some of the following.

Health Canada, for example, sets the standard for our country; Health Canada sets a standard internationally.

Health Canada, upon reviewing this summary that was provided by the Ontario College of Family Physicians—referred to in this House by Environment Minister Gerretsen on April 22—determined, “The report did not consider all or even most of the relevant epidemiological evidence, which has led to many questions in interpretation.”

Further, the report of the UK's Royal Commission on Environmental Pollution stated, “The treatment of review papers is unclear and appears inconsistent.... The review seems to over-interpret the findings.”

It goes on to say, “Strong conclusions are drawn from evidence of rather weak quality.”

This is another report from the UK Advisory Committee on Pesticides, and again, this is referring to the Ontario College of Family Physicians of Canada review that this present government is now hanging its hat on. I quote: “Discrepancies arise from serious flaws in the methods employed in the review.”

Again referring to the literature review of the Ontario College of Family Physicians, I quote further, “the failure ... to take account of all or even most of the relevant epidemiological evidence, and the biases inherent in the way ... material was picked out for inclusion.” They go on to say that the “committee ... concluded that the report did not raise any new concerns about pesticide safety that were not already being addressed, and does not indicate” the “need for additional regulatory action,” as we see presented before us today by the McGuinty government.

I'd like to quote a statement from Cantox Health Sciences International: “The conclusions drawn by the Ontario College of Family Physicians report are biased.... The conclusions drawn by the OCFP report paint a very distorted picture of the likelihood of pesticide-related health risks in Canada.”

Even the Ontario College of Family Physicians themselves admitted that, when confronted with criticisms on their report, and again I will quote the Ontario college, “diagnostic approaches were not the focus of the report.” They further offer that “we can always demand better reviews and better evidence, but we should ask ourselves whether this is the best way to move policy.”

I'm not a scientist, but the people who published these reviews of that review are scientists, the ones who made these statements. As far as the validity of the family physicians' report is concerned, I think we can see that the jury is out. However, when this law was introduced, the Minister of the Environment did hang his hat on this literature review of the Ontario College of Family Physicians. I would hope that MPPs in this Legislature would continue to debate this evidence and the scientific, or lack of scientific, underpinnings of this particular piece of proposed legislation.

There are concerns with another report that in the past has been held up as evidence of pesticide-borne health impacts to support municipal bylaws for the restriction of pest control use.

On July 11, 2007, the Canadian Association of Physicians for the Environment wrote to urge the city of

Kingston to pass a strong pesticide bylaw, again at that time citing “many studies but [drawing] your attention to research published in April 2006 by the Canadian Paediatric Society (CPS), Canada’s most distinguished authority on children’s health. The CPS examined the most common lawn herbicide in Canada, 2,4-D, and concluded that 2,4-D can be persuasively linked to cancers, neurological impairment and reproductive problems.”

What is disturbing is that when pressed on this information with respect to the validity of this Canadian Paediatric Society report, Elizabeth Moreau, director of communications and public education for the society, had this to say: “The study referred to was published in *Paediatrics and Child Health*, which is the journal of the Canadian Paediatric Society, by authors who have no affiliation with CPS. It was not written by the Canadian Paediatric Society, and does not reflect the opinion of the CPS. Currently, we do not have any position statements on pesticide use.” I do want to ensure that that was read into the record. Further, “the CPS should not be cited” in “this information. This has been communicated to the Canadian Association of Physicians for the Environment.”

1510

It seems there is some misrepresentation of the facts going on here, which has led to a situation. It has led the firm MREP Communications, a consulting service, to launch a lawsuit on this very issue. This is with respect to the Kingston bylaw, the hometown of our environment minister.

Here is an excerpt from the press release of that lawsuit: “In reviewing the presenters of medical evidence to municipalities, we discovered that the majority of statements or claims made could not be verified.”

Mr. Phil McNeely: Tell that to the children’s hospital doctors.

Mr. Toby Barrett: You might be involved in this lawsuit, if you wish. Perhaps, step outside and address that.

“The individuals were either not qualified or claimed to have qualifications [that were] not verifiable through medical organizations” or facilities.

Recently, my local paper, the *Simcoe Reformer*, to their credit, has been hosting this debate through their pages. I write newspaper columns there. It has generated a number of letters on both sides of this issue, and I truly hope that the members opposite are looking at both sides.

In response to a letter to the editor from the Canadian Association of Physicians for the Environment, as I’ve mentioned, we read that the US Environmental Protection Agency, the EPA, “determined that the existing data do not support a conclusion that links human cancer to 2,4-D exposure.”

Industry Task Force II went on to say—this is in my local newspaper; this would have been a day or so later: “This rigorous scientific assessment over many years by the EPA concurs with other regulatory agencies tasked with protecting human health, including: Health Canada’s Pest Management Regulatory Agency”—the

PMRA—“the European Commission and the World Health Organization.”

I also point out that the 2005 review of the safety of 2,4-D conducted by Health Canada, conducted by PMRA, the Pest Management Regulatory Agency, found that “the use of 2,4-D and its end-use products to treat lawns and turf does not entail an unacceptable risk of harm to human health or the environment.” That’s from our own Health Canada. I know this would be disappointing for the members opposite because it’s an opinion that flies in the face of what this government is trying to take responsibility for.

When we look closer at the science, while proponents of pesticide bans imply that routine exposures to low level of pesticides are harmful, evidence does not back that up. In Fraser Institute’s 2003 publication *Misconceptions About the Causes of Cancer*, toxicologists Lois Gold and Bruce Ames point out that synthetic chemicals—such as pesticides, for example—are no more toxic than natural chemicals made by the plants we consume every day.

In their paper, Gold et al used data from rodent tests—mice experiments, I suppose; rat experiments; maybe rabbits, I’m not sure—to rank the cancer hazard of synthetic and natural pesticides. It’s indicated from that data that pesticide exposure does not pose a significant risk when compared to many other chemicals, both natural and synthetic, that we encounter every day. The Gold and Ames data suggest that a single sleeping pill poses a cancer risk, as they indicate, 150 million times higher than routine exposure to residue from pesticides.

A 1997 report of the National Cancer Institute of Canada observes, “The panel has concluded that the exposure of the general population to pesticide residue is minimal and below those levels already deemed safe by government regulatory agencies.” This is the National Cancer Institute of Canada. I haven’t heard that organization mentioned yet in debate. The same report explains, “The panel did not find any existing evidence to suggest that crop protection chemicals and lawn and garden products are likely to be a major cause of cancer.” However, in contrast—and this is why I really would hope that this government is taking due diligence in taking a look at the myriad of research papers and evidence that’s out there—the Canadian Cancer Society states: “Exposure to chemical pesticides has been linked to childhood brain cancer, childhood and adult leukemia, some types of kidney cancer, neuroblastoma, breast cancer, lung cancer and non-Hodgkin’s lymphoma.” This was reported in the *Thunder Bay Chronicle* in January of this year.

There we have it: some conflicting evidence. I regret that this bill does not appear to be based on anything close to consensus of any examination of neutral, objective research, evidence or science.

I’d like to talk about exemptions. When we look at this proposed legislation, we see it includes an exemption for farm use. That’s an exemption that I am wholeheartedly in favour of. Again, given that this is a majority government, they will pass this ban no matter what, but I

see a delineation between cosmetic and curative or public health; I make a distinction. More to the point, when farmers use these products, when the forest industry uses these products, it's either to protect the crop or to create an environment where a new crop or new trees can come along. Obviously they're not using these products to make their crop look a little better cosmetically, although I do know, having been involved in farming all of my life so far, we do put a great deal of weight on just exactly what that field of corn looks like or what those soybeans look like. If you have weeds, you're probably concerned about what your neighbours are going to think, so maybe there is a cosmetic factor in there somewhere.

Essentially, as we know, it's done to ensure the viability of farmers to put food and nutrition on the table for everybody else who lives in the province and elsewhere, given exports. We know that golf courses are exempt even though they use products to make golf turfs cosmetically more attractive. So there are exemptions.

My concern is that exemptions in this bill set a double standard. Scotts Canada put forward a submission to the Environmental Bill of Rights:

"A ban focusing on towns and cities while ignoring rural areas would be seriously flawed. To introduce a ban on the use of Health-Canada-approved pest control products in urban centres while permitting their use in rural settings establishes two standards of health and safety for Ontario residents. Clearly where our health and the health of our environment is concerned, a double standard is neither desirable nor acceptable."

1520

This exemption does lead to questions like, would an organization like Pesticide Free Ontario—like many here, I have had a meeting with Pesticide Free Ontario—be happy with any exemptions that belie their ultimate goal, as reflected in their name, of a pesticide-free Ontario? That is their goal. Is this the eventual goal of this government? We don't know. Is there a slippery slope?

Two weeks before the last election, Premier McGuinty was on The Bill Carroll Show on CFRB. On that show he's reported to have said, when asked about the pesticide legislation, that this is the first step. I guess there's more to come. I do ask, when will the other shoe drop?

Questions: If this government considers a substance dangerous for one to come in contact with in their urban neighbourhood environment, are rural inhabitants not exposing themselves to the same risk? Why does this government not consider a substance as dangerous on food we ingest as it is suggested to be on our front lawns? If you can eat it and if rural residents are exposed, is this substance as dangerous as government would have us believe through this bill? Does this bill suggest that government will put rural children living next to a field treated with 2,4-D or Roundup—if this government is planning on banning Roundup, or glyphosate, the active ingredient—at a different risk than urban children, who would in the future be growing up adjacent to lawns not treated with 2,4-D?

Is there a suggested risk for residents in golf course communities? If it's okay for one group of the population to use a substance on food crops, why is it not similarly okay for our urban or rural small vegetable gardeners to use that substance? Does the substance somehow become more toxic in a small garden and should not be used, whereas it can be used in commercial fruit and vegetable production, for example?

This is one problem I have with Bill 54. It seems to be predicated on the belief, or the suggestion, that there's something inherently wrong with these products, something inherently unsafe with the herbicides, insecticides and other pesticides we're talking about. We know, and logic tells us, that the product does not become more or less safe or dangerous or toxic depending on where it is used. Therefore, it must be that farmers are allowed to use these products because they know how to use them properly and safely, again because of their training and accreditation. How do they know how to use this product properly? How do farmers know how to use pesticides safely? Because of requirements: Ontario farmers already have stringent rules for the storage and application of pesticides.

As we should know by now, farmers must be trained. Farmers must be certified under the grower pesticide safety course before they can even purchase, let alone use, pesticides. They require this training and recertification every five years. The results of these kinds of programs—very good programs—are clear. Through research, education and field delivery of IPM—integrated pest management; I'll talk about that a bit more if I have time—Ontario farmers have reduced their use of pesticides by more than 52%. I really think, when we wade through this legislation, that we can learn a great deal by the precedent set by farmers in this province. But, instead of learning from the success of training and certification in our farm fields, this government appears to have chosen to ignore this track record.

I've long spoken in this House about the legacy of the Ontario farmer as a true steward of the land, but I do feel that others—for example, homeowners—can also benefit from information. Homeowners can benefit from education, from training, perhaps even a program of certification.

I do remain confident that even those in this government can see their way past their blinders and comprehend some of the benefits of training and education, as opposed to a short-sighted blanket ban or a focus on negative sanctions.

We've heard little discussion yet of enforcement. I don't know how you enforce something like this. I don't have the information available. I don't know what the fines are if somebody is caught with a jug of 2,4-D or a jug of Roundup.

Golf courses are exempt, but as Kim Novak, the editor of our Simcoe Reformer, wrote in an editorial, "How long will it be before a golf course worker somewhere challenges the law, saying they are being exposed to

what the government has deemed to be unhealthy material?"

I ask, myself, when will the day come when a farm worker or a forest worker will walk off the job because they are being exposed to products that this legislation, by suggestion, deems to be inherently unsafe?

While we're talking about agriculture and pest control, I'd be remiss if I didn't mention that there is an unease in our rural areas. While an exemption is currently proposed—and that's a good thing—there is concern that this bill may be the thin edge of the wedge, if you will, the slippery slope.

As Premier McGuinty said on The Bill Carroll Show, cosmetic use is a "first step." I find that worrisome, given this government's track record. I, and others, do feel—

Interjection.

Mr. Toby Barrett: Yes, that analogy of the camel that now has his head in the tent: Where are we going? Just think of that tent. Just think if someone put that tent up on a slope that was slippery. Perish the thought.

When I met with representatives of Pesticide Free Ontario, I asked about the agricultural exemption. I was very concerned. I was told that the current legislation is "just the start"—again, something that was articulated last year by Premier McGuinty.

Again, when you have the support of an organization like Pesticide Free Ontario—I just ask you to think this through. Just think of the name of that organization. Is it possible to grow winter wheat in the province of Ontario without herbicide? Is it possible to grow corn or soybeans?

Hon. Leona Dombrowsky: They can do it.

Mr. Toby Barrett: The Minister of Agriculture says they can do it, so that's a future projection.

Most of the proposed active ingredients to be banned include many ingredients that our farmers presently use on an ongoing basis. Perhaps they will not be using them 50 or 100 years in the future—I don't know. But I believe that some people would begin to question why these soon-to-be-banned products are used on the food that we eat if they are inherently dangerous, as suggested here. I do fear that it would not take long for this government to take that next step and to target agricultural producers.

1530

So the bill does seem to imply that there's something inherently wrong with these products—products that we use to produce our food, products we use to produce our food and manage our forests.

I don't feel I am alone in my concern. The Ontario Federation of Agriculture and CropLife Canada have been running ads in the Ontario Farmer. That's a weekly farm newspaper that we get in Ontario. The ads are titled, "If you think this issue doesn't apply to agriculture, think again." The ad went on, and I quote:

"Ontario's proposed ban on lawn and garden pesticides is moving forward, and could have a significant impact on farmers. All pesticides undergo the same rigid health and safety standards. With Health Canada's

review in place and by following label directions, pesticides can be used safely in agriculture, on fairways and greens, lawns and gardens, in forestry or in public health settings.

"Banning pesticide use in urban settings while maintaining they are safe for use in agriculture undermines the public's confidence in farming"—

Hon. Leona Dombrowsky: That is so ridiculous.

Mr. Toby Barrett: I'm quoting the Ontario Federation of Agriculture. I'm a member. I'm not going against my own organization. I'd better repeat that. I was interrupted.

This is from the OFA, the largest farm organization in the province: "Undermines the public's confidence in farming, the safety of our food supply and Health Canada's regulatory safeguards."

At the bottom of the ad, the OFA—

Hon. Leona Dombrowsky: That's fearmongering.

Mr. Toby Barrett: I know the Minister of Agriculture accuses the Ontario Federation of Agriculture of fearmongering.

The OFA encourages readers to write to their local MPP to "be sure that they understand that a ban is not the answer—responsible, safe use is."

That, to my mind, really sums it up. I repeat: The ban—

Interjection.

Mr. Toby Barrett: I have to repeat this. I'm being interrupted.

Interjection.

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

Mr. Toby Barrett: I'll just repeat the statement from the Ontario Federation of Agriculture ad: "a ban is not the answer—responsible, safe use is." Where did farmers learn responsible, safe use? From information, from education, from a training program and an accreditation program.

Unfortunately, the bill we see before us today prevents the government of Ontario from sending a strong signal that all unnecessary use should be avoided and that only the safest use will be permitted, when necessary. That's how we do it in farming. Whether used on golf courses—not only farms and forests—on farms to protect food supply or to preserve our home landscapes, Health-Canada-approved pest control products can and should be used safely only when necessary, and all unnecessary use should be avoided. And that's the position I take. Again, this bill, as it is currently constructed, prevents the government from sending this direct message.

There is a concern that eliminating pesticides would make fruit and vegetable production more difficult and more expensive. I think of home gardens, urban gardens. It's certainly more difficult to grow in a home garden or a small orchard in town. Therefore, essentially, you could see in a population less consumption of fruit and vegetables and increasing risk of disease. I make the assumption that apples and vegetables are good for you.

With respect to commercial agriculture, there's a research analysis that's entitled, Benefits of Crop Protec-

tion Technologies on Canadian Food Production, Nutrition, Economy and the Environment. They found that without the use of pesticides—something our Minister of Agriculture was just musing on—crop yields would drop by 30% to 50%—

Hon. Leona Dombrowsky: I was not musing that we wouldn't use them. We are guaranteeing their continued use.

The Deputy Speaker (Mr. Bruce Crozier): Order. The minister will come to order, please.

Mr. Toby Barrett:—largely because of loss to insects and pests, and retail food prices would jump by at least 27%.

I'll quote Greenpeace founder, Dr. Patrick Moore—I do point out that he's no longer with Greenpeace—a fairly controversial individual from beginning to end: "Eliminating synthetic pesticides would mean giving up the huge productivity gains we have made in agriculture. It would mean turning wilderness and parkland to farmland and reducing biodiversity, at tremendous environmental cost and with no real benefit."

I should also mention that this McGuinty government appears to have no problem with using these chemicals indoors—passing strange, in my view—say, on common houseplants or to kill ants. Again, as we delve into this—and I hope this comes out in debate—we are seeing the weaving of a tangled web. You can spray for spiders inside but you can't outside. You can spray for ants inside your home, but under this legislation, looking at that list of active ingredients that are under debate, you won't be able to spray for ants outside on your front steps.

So, with regard to responsible, safe use, I feel this debate must continue. We must include lessons learned from IPM, integrated pest management.

I'd like to refer to the Scotts submission to the Environmental Bill of Rights registry—and they have just opened up a processing and distribution facility in my riding, in Delhi. "While it is true that in a few isolated situations, pest elimination can be achieved without the use of pesticides, most pest management programs around the home and in parks and natural areas rely on a combination of non-chemical and chemical control methods. Non-chemical pest management alternatives lessen the need to use pesticides, but they cannot completely eliminate it."

Scotts advocates preventive measures, such as planting the right plant in the right place, the timing of planting, sanitation efforts, over-seeding where necessary, feeding, aerating, and hand weeding where possible—and I have spent, many, many hours and many summers, full-time, pulling weeds. However, these measures do not offer permanent solutions in all cases, and I can attest to that—days and days on end. One of my jobs, 9 to 5, was pulling weeds in strawberries. That was before the use of weed-control herbicides. I personally do not think we're going to find people who would do that kind of work, even through our offshore program.

Integrated pest management, IPM, is an effective and environmentally sensitive approach to pest management

that relies on a combination of common sense practices. IPM relies on comprehensive information on the life cycles of pests—the life cycle of insects, for example—and relies on that information, that body of knowledge, with respect to their interaction with the environment. For example, you do not spray gypsy moth control when larvae of another beneficial moth or lepidopteran—another butterfly species, for example—is moving up into the canopy. You pick the time and you pick the place.

I see my hour is drawing to a close, unless I could be given more time to speak. I don't know whether I could get permission to do that.

Hon. Leona Dombrowsky: Not a chance.

Mr. Toby Barrett: Not a chance.

I appreciate using my full hour. I do know that the members opposite didn't use one third of their time. I hope they're not planning on crashing debate and scurrying off and doing something else on this one.

1540

I regret that the bill before us today seems to ignore the lessons we could learn from an integrated pest management approach, which would achieve the desired reduction in pesticide use while avoiding this heavy-handed, knee-jerk Liberal reaction that is inherent in an all-out ban on pesticides.

We heard mention of the Smoke-Free Ontario Act. This government was successful in reducing the amount of regulated tobacco purchased, but take a look at the incredible increase in illegal tobacco. I think something like 37% of the cigarettes smoked now are illegal.

Sometimes prohibition doesn't work. Sometimes the road to hell is paved with good intentions. We have seen mistakes made in the past by this government, and I would hope quite sincerely that due diligence would be the order of the day with respect to this regime.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Norman W. Sterling: As usual, the member for Haldimand-Norfolk gives a well-thought-out speech. Whenever he speaks in this Legislature, he exhibits a vast knowledge of the farming community. Also, I want to point out that in previous speeches he has made, as well as today, he researches his topic, and he brings to the Legislature some real dichotomies with regard to this legislation.

I must say, as a former Minister of the Environment, that when you're bringing forward legislation, you should have with you the studies, reports, risk management studies and scientific evidence with regard to what you're going to propose and put down in legislation. Quite frankly, with regard to a number of environmental policies this government has set out on, they haven't done that. When we had the deposit return on wine bottles and liquor bottles, we in this Legislature never received, and the public never received, any kind of analysis of the economic and environmental impact of that particular policy. When you do that, you make mistakes that cost dearly. We went through that mistake

in terms of using corn for the production of ethanol in this province. We have seen governments—our government was part of it—give money to entrepreneurs to build those facilities.

All I'm saying is that when you strike out with a policy like this, the scientific studies you have behind you should be tabled in the Legislature so that people can read them and we can in fact justify what we are doing in the Legislature.

Mr. Kevin Daniel Flynn: I want to thank the previous speakers for their comments, but I think it's important that we don't lose sight of the original intent of this proposed ban. The original intent was to improve the health and safety, in our own communities, of this generation and of generations to come. That's what this is about. It's about an approach to community health that I think is often referred to as prudent avoidance; that is, you take a look at those things you think you can avoid, and one thing that I think would be at the top of everybody's list is the cosmetic use of pesticides. It's not an essential use. It's something we do to make something look more aesthetically pleasing, but it's not something we absolutely have to have. It's something we're currently introducing in our own homes and neighbourhoods that we can live without.

I have far more faith in the agricultural sector than some of the remarks I heard from the previous speaker. Use of pesticides, we agree, does have a countervailing benefit for the production of food. We don't intend to influence that at all. We understand there's a role in the agricultural community. We know that farmers are required to take pesticide safety training, we know they've got very strict rules about the storage of pesticides and we know that farmers in the agricultural community have been adopting IPM strategies on an ever-accelerating basis since at least 1983.

We're hoping that this is going to drive new green products in the economy. We know people still care about how their lawns look, we know people care about the health of their natural environment, but we know that their top priority is their own health and the health of their children.

This proposed bill asks you to take sides. Which side are you on? Are you on the side of the status quo or do you want to make your community safer? And if you want to make your community safer, you'll support the proposed ban.

Ms. Sylvia Jones: It's challenging to stay focused on what our environment critic said after you've heard some of the comments that came from across the floor. However, I will try to focus on the excellent speech made by our critic from Haldimand-Norfolk.

There is a double standard that the Liberals are setting up here, and the double standard is that we're not treating rural Ontarians the same way we're treating urban Ontarians. You are pitting golfers against soccer players, you are pitting forestry workers against factory workers, and yes, Minister, you are pitting agricultural residents against urban residents.

Interjection.

Ms. Sylvia Jones: I would be happy to. The reality is that this bill is setting up a huge amount of uncertainty in rural Ontario because the farmers and the agricultural producers are concerned. If the Minister of Agriculture wanted to actually show some leadership, what she should be doing right now is speaking up for rural Ontario and for the agricultural producers and saying, "Ontario-grown food and residents in rural Ontario are well served by the pesticide, herbicide and insecticide use and regulation that is in effect right now," instead of talking about, "Let's pit rural against urban."

Hon. Leona Dombrowsky: I'm happy to have an opportunity to offer some questions and comments and make some clarifications. That's very important. Number one, it's important to have this House understand that the Ontario college of family physicians and the Canadian Cancer Society have long been promoting a pesticide ban. There have been municipalities in the province of Ontario that have had pesticide bans in place for a number of years. What this legislation is looking to do is to provide some universality, some uniformity and some certainty, particularly in rural Ontario. The member from Dufferin-Caledon, had she read the bill, would know that.

With respect to rural Ontario, there is now certainty with Bill 64, because it very clearly provides exemptions for agriculture—

Ms. Sylvia Jones: On a point of order, Mr. Speaker: The minister makes reference to whether I read the bill or not. She doesn't have the ability to do that.

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

Hon. Leona Dombrowsky: The bill is very clear. For anyone who had read it, they would have seen that agriculture is definitely exempted.

Ms. Sylvia Jones: So why is it exempt?

Hon. Leona Dombrowsky: The reason why agriculture is exempted—and it was identified in the member from Haldimand-Norfolk's remarks—is that farmers are particularly trained in the application of pesticides. It is for that reason we feel very confident that when pesticides are used in farming activity, they will be appropriately applied.

I think it is important to clarify, however, that with respect to rural residential properties, the properties of the bill will apply. If you just have an acre piece of property in rural Ontario, the pesticide ban will apply there. It does not apply to agriculture activities.

The Deputy Speaker (Mr. Bruce Crozier): Member for Haldimand-Norfolk, you have two minutes to respond.

Mr. Toby Barrett: I appreciate the feedback. It is great to actually see a bit of debate generated on this legislation. There is some debate in the media. I encourage all members present to make sure you generate some letters to the editor. I don't want to see this rushed through. I don't want to see this a fait accompli.

1550

I do have some concerns. In the comments from the member for Oakville, he said, "Pick a side." Well, it's not about that. I use the principle of integrated pest management. I ask you to take a look at all sides. Take a look at the research evidence. Don't use this as a wedge issue. Granted, you ran on this issue in the past election. That would have accrued some votes your way.

But I do ask you quite sincerely to take a look at the evidence from Health Canada and from PMRA, the Pest Management Regulatory Agency. Take a look at your own body, the Ontario Pesticides Advisory Committee. I'm concerned. I do not see any indication that you are receiving evidence from your own committee, the Ontario pest management advisory committee. That's a committee empowered by the Ontario government to—I think it's still chaired by Clay Switzer. He was the dean of Ontario Agricultural College when I was there. They are empowered to look at legislation like this. They are empowered to make amendments. Use your own committee.

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

Mr. Peter Tabuns: It's a pleasure, as a member of the NDP, to speak today about this bill that will implement a ban on the sale and application of pesticides for aesthetic purposes. It's interesting to listen to this debate, to some extent. The Minister of the Environment is talking about the introduction of this bill as almost a new millennium in environmental protection. On the other side, the opposition is essentially talking about the devil's spawn. It's overblown on both sides.

We're talking about a measure that is a small step. I think Thomas Walkom, in his column in the *Star*, said that this would reduce pesticide use by about 4% in Ontario. Frankly, a 4% reduction is better than a 0% reduction, but again, it is neither as great a step as is represented by the government nor as drastic a step as is represented by the opposition.

The legislation, in fact, is long overdue. This government has had years to observe what municipalities have done, municipalities that have taken the lead; that have taken the hit in terms of having to work it through; that have had to deal with push back from industry, from those who are interested in the promotion of pesticides. Frankly, after the years of watching what municipalities have done—going to the Supreme Court—one would have expected a bill that was a bit more sophisticated and complete than the one that's been presented for our consideration.

I know that we're going to have an opportunity to get into those details when we get into committee. I know that environmental groups, health groups, agricultural groups and chemical industry groups will all be coming forward, presenting their view and their perspective. It's our hope that in the course of the committee process this bill is made stronger, that it's made more enforceable, that some of the issues that I will raise later will be dealt

with, issues raised not only by the NDP, but also by organizations like the Canadian Cancer Society.

Let's look first at how we've arrived at this legislation. The municipalities really have been the true pioneers in moving this forward, which is why I have concerns later about the restriction on the power of municipalities in the future. The province has arrived very late to act on this. Those municipal leaders—those in Hudson, Quebec, and Toronto, Oakville and Markham—took big steps. They took greater political risks. They essentially made the political space available so that this step could be taken.

It was the city of Toronto and Hudson, Quebec, that fought for this sort of power all the way to the Supreme Court of Canada. They're the ones who paid a substantial price to actually move this forward. Again, I want to reiterate, they are the people who deserve our support and our thanks for bringing things this far forward. The Toronto Environmental Alliance, the Canadian Association of Physicians for the Environment and a variety of environmental groups and health groups brought this legislation to this point.

In terms of the issue itself, the pesticides themselves, a little bit of background: Pesticides kill indiscriminately. It's their nature. They aren't targeted. You apply them and they cause biological damage. It's estimated that only about 5% of pesticides actually reach their target. So there's an awful lot of stuff that just sprays off, blasts off, and has impact on other organisms.

The World Health Organization estimates that 200,000 people are killed worldwide each year—that's up from 30,000 in 1990—and another three million people are poisoned annually by pesticides, many of them children. We're talking about serious substances. We're not talking about a minor problem; we're talking about a substantial health issue, a substantial risk-of-life issue. These are powerful products. They have to be treated with great care. I feel that eventually this whole generation of pesticides, insecticides will be swept away, but at the moment we're dealing with a powerful substance, still lethal.

A number of recent biomonitoring studies in the US found that when samples of children were tested, more than 90% had traces of certain insecticides or their breakdown products in their urine. These very low levels were not associated with health effects, but researchers caution that potential impacts may depend on the timing of such exposure in the young.

What's interesting to me is that we don't have ongoing biomonitoring. We don't have ongoing monitoring of the chemicals that are in our blood, in our bodies, in the blood and bodies of our children. Studies are done from time to time. We remark on what's there, but we don't have an ongoing surveillance in this society so that we know the overall chemical impact of the large quantity of pesticides, herbicides that we use.

There is strong evidence that children may be more vulnerable than other population groups to the impact of pesticides. A British study found that 50% of pesticide poisonings involved children under the age of 10. Several

studies have shown moderately increased risks of some cancers, such as leukemia, non-Hodgkin lymphoma and neuroblastoma, and some birth defects, with pesticide exposure around conception, in the womb and early infancy. In fact, it's that time when the human organism is starting to grow, starting to develop, that it's in its most rapid phase, when it is most susceptible to the impact of chemical messengers being introduced into the body and sending the wrong messages—messages that cause problems, errors and defects.

Pesticide residues spread by water and wind are being found everywhere, from inside polar bear fat to human breast milk. It's a problem of contamination that's global. It's not localized; it is a global problem.

So when it comes to pesticides and their use, it's entirely reasonable for us as a society to be cautious, to take steps to reduce our exposure. In this case, there's an opportunity—as has been pioneered by cities—to reduce exposure in situations where the outcome of the use of pesticides or herbicides is relatively minor, from the perspective of those who are keeping lawns or gardens. This is an aesthetic question. It is not a question of food; it is not a question of society as a whole running. I'm not saying that we shouldn't be addressing our use of pesticides in those spheres, but just to say again that this bill is very limited in its applications and very limited in its larger implications for society.

We need legislation that will reduce the use of pesticides and herbicides to uses where they're absolutely necessary, where they're used in a very targeted, focused way, and we need a renewed commitment by government to educate the public regarding the health and environmental implications of pesticide use. That means, as well, more money for independent research into the impact of pesticides on our health and the environment.

To suggest that the elimination of the aesthetic use of pesticides is the end of this process is not a reasonable assumption. In fact, you start with the uses that are of least consequence, and then you look for methods in every sphere to reduce, and hopefully ultimately eliminate, their use. So in this legislation, the health and environmental implications of pesticide application are clear: Banning the use and sale of cosmetic pesticides will minimize the risk associated with exposure to their constituent chemicals and will help educate about the health and environmental implications of pesticide use.

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We looked at this bill and sorted out the criteria by which we determined what we support and where we had problems, and I will be applying those. But I want to state what the objective of this bill is. It's an objective that will make selling pesticides proscribed under the act an offence punishable by fines and/or imprisonment. Pesticide applications for the purpose of agriculture and forestry and for promotion of public health and safety are exempt under the bill. So if you need pesticides to deal with West Nile virus or the increasing problem of bed bugs that we have here in Toronto, you could see why, on

a public health basis, you might have to use a very powerful and risky tool.

But there are three main problems with this legislation, as written, which I and many others believe have to be dealt with in the course of this bill's going through committee and further debate.

First of all, this bill, as written, makes municipal bylaws inoperative. That strikes me as extraordinary. If it weren't for municipalities leading the way, we would not be here today. If Oakville, Peterborough, Toronto and Hudson, Quebec had not gone through the political storms, if they had not fought all the way to the Supreme Court, then there is no doubt in my mind—none whatsoever—that this bill would not be on the floor here. If we want action in the future, it's very important that we protect the ability of municipalities to move forward.

We would not have smoking laws in Ontario, laws to protect people from second-hand smoke, if municipalities had not taken the risks and hits they took to bring in laws to protect the public. They set the groundwork. I have to say that it's not just in Ontario and it's not just in Canada. In the United States, it was municipality by municipality bringing in bylaws that started to change the culture. That's an example we should consider. It may be that municipalities decide that pesticide use at golf courses is a problem, and they may want to take stronger action than is prescribed in this bill. Notwithstanding the comments of my colleague from Trinity-Spadina—

Mr. Rosario Marchese: Oh, you disagree with them?

Mr. Peter Tabuns: My colleague, who stated his personal feelings about golf—

Interjections.

Mr. Peter Tabuns: He will heckle me. You can be sure that he will heckle me.

Mr. Rosario Marchese: I've got two minutes.

Mr. Peter Tabuns: He's got two minutes.

Notwithstanding his comments, there's no question that if municipalities wanted to have the power to pursue that matter, as this act is written, they could not do it. It's a good idea to have a province-wide standard; it's a bad idea to set aside the power of municipalities.

We've had a process in Ontario where the province has said, "We want to treat municipalities as equal partners," where they've been given more powers and told they are the masters of their fate, and now we're moving in and grabbing those powers back. It doesn't make sense. When you have a jurisdiction that is willing to take the pioneering political steps, as municipalities have, then we should allow them to retain those powers.

In fact, the Canadian Cancer Society supports that position. The cancer society—we all know the volunteers who drive people to their chemotherapy and radiation appointments. They know concretely what happens to people when they have to deal with cancer. They don't want the ability to move forward on this file fenced in, blocked, contained by provincial legislation. If we look at the Smoke-Free Ontario Act, it has a provision that allows municipalities to set a higher standard. That's the example we should be following.

Mr. Rosario Marchese: What don't they want to do? What do you think?

Mr. Peter Tabuns: There are many questions that have to be answered—many questions.

The second issue here is the lack of pesticide reduction plans for golf courses. This exemption has drawn a lot of attention. The act states that golf courses are exempt from the pesticide ban as long as “any prescribed conditions have been met,” which the government is claiming means that they intend to require golf courses to develop and submit integrated pest management plans that aim to reduce their pesticide use over time. However, that's not in the legislation. You can go through its three or four pages, a pretty quick read, and you don't find anything in there that actually makes that claim real. We've gone through this before with the McGuinty government saying, “Trust us,” as an approach to legislation.

Just last week Environmental Defence, and Friends of Rural Communities and the Environment, issued a joint press release outlining how the McGuinty government had posted a permit to take water on the Environmental Bill of Rights on behalf of St. Marys Cement for a 30-day consultation. This permit to take water is with respect to a quarry that St. Marys Cement is proposing near Flamborough in southwestern Ontario, and requires the use of an unproven and theoretical groundwater recirculation system, pretty much similar to the one the McGuinty government allowed to be used when they approved the Milton quarry expansion.

What Environmental Defence is concerned about here is that the government is permitting an unproven and reckless permit to take water at the same time as it's doing the source water protection planning in this area. So when you talk about protecting the environment, and then in practice you fall short of the mark, people become very skeptical that these issues will be addressed in the regulations and skeptical that we're going to see something stronger than what's in the act. In fact, the act is probably the high water mark and it will slip from there. So we will be proposing amendments in the course of the debate in committee to require golf courses to reduce their use of pesticides and have that in the act itself.

The third concern we have is excepted uses, which, as stated, are far too broad. Again, the Canadian Cancer Society is urging the government to amend the bill so that that broad “excepted uses” section is taken out. At present, “excepted uses such as golf courses, agriculture, forestry and public health and safety under the act include a provision that allows the minister to add further exceptions as required.” That clause needs to be removed. If those categories are not sufficient, then you have to ask yourself, “What exactly are they trying to provide an exemption for? What uses are going to be given an exemption? What political pressure can be applied to a cabinet or a government in a situation where someone says, ‘You know, it's a wonderful act. I'm glad you have it. Thank goodness you came forward and did it. But really, in my case, I need an exemption?’” I don't

know what exemption they'll ask for, and frankly, that's going to be a risk. If you have a concern, if there are legitimate public health and safety concerns, then utilize that section to protect the public and give the flexibility to the government that it needs. But essentially, to write a blank cheque in the legislation for future exemptions is not a useful step.

I want to thank the cities and the environmental activists who've actually pressed things over almost two decades. They move the agenda forward. They set the political space. They set the tone and the direction that this government has followed—once again a follower, not a leader. I look forward to further debate and discussion about this bill in committee.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Phil McNeely: This act is another example of our government's commitment to improving our natural environment for present and future generations. By banning the sale and the use of cosmetic pesticides, the Liberal government is taking a proactive approach to addressing possible health and environmental risks associated with pesticide use. Our children should feel free to play in the grass and enjoy the pleasures of playing outdoors without unnecessary health risks attributed to the use of cosmetic pesticides. It is time that together, as a province, we begin to move forward with strong environmental legislation to protect our health and safety and preserve our natural heritage.

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With so many alternatives available, there is absolutely no reason for the continued use of these potentially harmful chemicals in Ontario neighbourhoods. Rather than apply the wait-and-see approach to test the connection between childhood cancer and cosmetic pesticides use, every member of this Legislature should be eager to support this precautionary bill that is designed to prevent illness as a result of the unnecessary use of cosmetic pesticides.

When I was part of the city of Ottawa, we tried to implement a cosmetic pesticide ban. The pesticide purveyors proved relentless in their determination to prevent any effort to ensure the health and safety of our city's children. As a result, Ottawa did not succeed in implementing a pesticide ban. They tried it again last year. That is why this piece of legislation is so necessary and why I am in full support of our government's ongoing efforts to protect the health and safety of the citizens of Ontario.

I urge all members of the opposition who are opposed to this legislation to visit the local children's cancer ward and speak with their children and families and try to understand why this piece of legislation is so absolutely necessary. I spent three years doing that.

Mr. Rosario Marchese: I just want to say that I agree 100% with our environmental critic in terms of everything that has been stated. I will speak to what he might have disagreed with me on, and I'll restate it just to see, for the record, whether that's the issue.

But on most of the other issues we, as New Democrats, welcome provincial action to ban the application of pesticides for aesthetic purposes. We agree with that. We are concerned, and to re-emphasize the point that my colleague from Toronto–Danforth made, that municipalities are not permitted to set a higher standard, and that is a mistake. I can't fathom the reason that the government has allowed that. You're setting a minimum standard for all municipalities across Ontario. This is okay, but why not allow municipalities to set a higher standard? This is something that I find incomprehensible, and of course, Liberals are very silent on this issue, because I haven't heard one person speak to that.

Then I talk to the whole problem of golf courses, because there are no legislated pesticide reduction plans for golf courses, and I'm concerned for the health of golf players on two levels. One is that golf is bad for your health because I believe it contributes to bigness, which I think is a health hazard. I believe golf players should walk and not be driven on those little carts to pick up the balls. I've got to tell you, I think they should stop all the use of drinks because for every bottle of beer you drink, it's 200 calories. I've got to tell you, golf players, I'm worried. When you pick up that ball and pesticides are on that grass, I'm worried about you for those reasons.

We need to create higher standards for golf courses, and that was the point I wanted to make earlier.

Mr. Bob Delaney: The member for Toronto–Danforth made an impassioned plea with regard to whether a municipality should be setting a higher standard. I ask the member to consider, for example: What if we applied his argument as he presented to us to something like, say, the Liquor Control Act? Would he suggest that, for example, Toronto could have a higher standard than Mississauga and say, "Well, you know, in puritanical Mississauga, it's only 19, but in Toronto we'll raise the standard for the age of drinking to, say, age 21"?

I think the intent of this bill—and I don't mean to trivialize it by using that example—is to set a uniform standard and avoid a patchwork quilt of regulations, to allow people in the marketplace, whether they be purveyors or customers, to have a level, predictable playing field.

This morning, I was in Ottawa at the Canadian science fair competition, and I was absolutely stunned to see the number of science fair competitors who were all bringing out various ways, coincidentally, of substituting pesticides with natural ingredients and using different means of application, different blends of things—as innocuous as cinnamon, vinegar, garlic and a handful of other things—and to use them to control the growth of weeds. I think we're probably at the beginning of a phase in which we're going to see some clean, green technology, things that will replace the use of heavy-duty chemical pesticides. I think one of the things that this bill does is that, by raising that common standard and creating the level playing field, we are going to, through legislation and regulations, create a climate in which people who

have clean, green solutions are going to be able to improve the control of weeds.

Mr. Norm Miller: I'm pleased to add some comments to the speech from the member from Toronto–Danforth and to the comments from some of the other members, including the member from Trinity–Spadina, who seems to be concerned about big golfers and whether they ride or walk on the golf course.

This bill, Bill 64, the Cosmetic Pesticides Ban Act—I certainly have a lot of questions about it. I'm in favour of reducing the use of pesticides. I thought the PC critic did a good job of talking about and educating people about pesticides and herbicides and what they're used for. I know the minister, earlier in the afternoon, talked about the fact that using pesticides on our lawns was a bad thing because kids wouldn't be able to read the signs. I guess I'd have to ask the question: What about the kids who are going on a golf course and picking up their golf ball? Why is it okay that we can use pesticides in agriculture and eat food sprayed with pesticides, and yet we can't walk on a lawn? I think these are some reasonable questions to ask.

I certainly support the goal of reducing the use of pesticides, although I'm sure they're in use for a reason. Sometimes by not using them we can have health concerns because of the pests, whether that might be some types of plants that grow or other types of pests that will be in abundance because we don't use them. So we have to measure those health risks as well.

I think this bill is about the government reacting to political science, and not necessarily based on actual science. That tends to be the way this government puts forward a lot of its legislation and gets its ideas for legislation. It's based on political science.

The Deputy Speaker (Mr. Bruce Crozier): Member for Toronto–Danforth, you have two minutes to respond.

Mr. Peter Tabuns: I appreciate the comments from the members from Ottawa–Orléans, Trinity–Spadina, Mississauga–Streetsville and Parry Sound–Muskoka.

In terms of this government taking a leading role, I have to ask: Where was this government in 2004-05 when the city of Toronto fought this issue all the way to the Supreme Court of Canada? Where were they? They left another level of government to fight a battle that had to be fought and followed later when someone else had done all the pioneering work and all the clearing work. So I would say again that this government is not leading; it's following what has been done by pioneering jurisdictions at another level.

The member for Mississauga–Streetsville talked about the problems with allowing municipalities to set a higher standard. In fact, in the Smoke-Free Ontario Act—and I don't know whether he voted for it or against it—they have the ability to set a higher standard. In fact, it's municipalities, in the work that they have done setting standards, that have allowed governments like this to actually follow along.

When I was fighting for smoke-free bars and restaurants in Toronto in the 1990s, we had this fight all the

time: "Why don't you leave it to the province? Why don't you wait for the province to act?" Well, forget it. You know where the actual pioneering work happens, where the progressive action actually happens. This is not a question of a patchwork quilt; it's a question of making sure that you have the ability for those new ideas to actually break through the surface. Giving municipalities or leaving municipalities with the power to act and set legislation is crucial.

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

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Mr. Mike Colle: I have to rise up in the defence of golfers everywhere in light of the fact that the member for Trinity–Spadina has condemned all these golfers in this room.

Anyway, I just want to speak on a very important piece of legislation. There is a growing awareness by everybody that for many years we have used chemicals unwisely, whether it be on our lawns, our fruit trees, our plants or around our homes. This is really done not for health reasons but for cosmetic reasons. It's for appearance. We know all the attempts we've made to get rid of that infernal dandelion and the times we've tried to use overkill, you might say, to stamp out something that is really not necessarily that harmful. So we've gone to the easy quick fix, which is the use of a chemical.

Chemical usage is really a result of a lack of knowledge, a lack of understanding and a lack of sufficient information for the public. The public really isn't expected to keep up to date with the harmful side effects of things because it's very complex and you get competing views. You've heard the Conservative opposition saying, "Well, Health Canada says it's okay." Well, I think I'd rather take a second opinion on that. We've heard what the cancer society has said, what the Ontario Medical Association has said, what David Suzuki has said: There is an overdependence on the use of chemicals in terms of the appearance of our properties—private properties especially.

This is what this bill primarily deals with. It says, "Instead of using chemicals, try to use alternative ways of dealing with an unwanted plant or plants, and use an intelligent alternative rather than having a dependency on chemicals." That's what this bill is all about.

What it's trying to do is ensure that there are province-wide benchmarks on the control of the use of these chemicals, so that you don't have a situation where Mississauga would have one set of rules, Brampton, next door, would have another, Caledon would have another set, and then next door in Toronto—that's what's going to happen. That's why the province steps in to try and bring about a series of benchmarks that are easily identifiable, so there isn't this hodgepodge of bylaws and it eliminates the confusion that exists.

This has happened before, with the smoking bylaws. It has happened with a series of other municipally led legislative initiatives, which are good, because municipalities are sometimes closest to the ground on these issues and

they come up with some very interesting proposals that eventually need province-wide standards. That's what this bill is attempting to do.

We always think that the practices of today are okay unless someone gives us a warning that we should be very cautious about what we use. I don't want to name-drop, but I was talking to the leader of the Green Party this weekend, Elizabeth May. She said, "One time in Nova Scotia, in the 1970s, they were using Agent Orange to control the growth of noxious weeds etc. and to kill off hazardous plant byproducts." Agent Orange was used in the Vietnam war to defoliate Vietnam, and that was used in Nova Scotia by the federal government, by the Ministry of National Defence. "Well, Health Canada said Agent Orange is okay." I'm not trying to point fingers at the Ministry of National Defence or Health Canada, but this is the type of mentality that leads to all kinds of incredibly bad consequences to the health of not only the human species but also animal and plant species.

This is the kind of paradigm shift that is taking place not only in Ontario, but this paradigm shift about how we use chemicals, what we do with our waste and how we treat our natural surroundings is being dealt with by governments at all levels. Look at Naples, in Italy. The city is in a quagmire because for years they haven't done anything with their waste. The seepage of all these chemicals—even the mozzarella in Naples is not safe to eat because they haven't taken care of the waste products—

Mr. Rosario Marchese: The bufala mozzarella.

Mr. Mike Colle: The bufala mozzarella; I'm just giving that as an anecdote, so whether it's the food we eat, because the pesticides not only affect—we talk about dandelion control, but we're talking about the food we eat.

Mr. Rosario Marchese: I love dandelions.

Mr. Mike Colle: The ironic thing is—I know the member from Trinity–Spadina understands this well—someone's weed is someone else's food. I can recall that years ago we used to go with my now late father up to the Brantford line railroad track, that runs from Union Station all the way up to Brantford, and pick arugula weed.

Mr. Rosario Marchese: Dandelion.

Mr. Mike Colle: It's in the dandelion family. We would take that home and transplant it and eat the weed, the dandelion.

Mr. Rosario Marchese: Before it flowers, don't forget.

Mr. Mike Colle: Yes. We have heard the stories about dandelion wine etc. So there's no need to use chemicals on everything you see that is unwanted on your property. That's been the easy way of dealing with hazardous, so called—not hazardous. What I really mean to say is products that you may consider unsightly. You want to have that perfect lawn, with the perfect blades of grass that look emerald green.

Many people are now getting rid of their lawns. They're going to the natural lawn, where you plant natural flowers around rocks, and you don't have to use

all the fertilizer or do all the watering. You don't have to use all those chemicals.

Mr. Rosario Marchese: And you don't have to cut the grass.

Mr. Mike Colle: You don't have to cut the grass, on top of it, and that is the trend. I know in my riding of Eglinton–Lawrence, more and more people are taking out their lawns and planting native species.

In fact, Green Toronto is an organization that gives people advice on how to do that. That's what I think this bill does. Not only does it regulate the sale of these pesticides—because it's too easy. You go to Canadian Tire or to Home Depot and there's a row about as long as this Legislature, Mr. Speaker. Maybe down in Essex it's the same thing. You go to the tractor supply company and there's a whole row of these chemicals sitting there on the shelf. Every company in the world is making these chemicals, and it's too easy to pick up a chemical and pour it into the ground around your house. So what this is saying is for cosmetic use—not for agricultural use but for cosmetic use—we city folks especially should stay away from these pesticides, because whatever goes into the ground goes into the water table, and it will be there for maybe five years, 10 years, 500 years. Those chemicals will be there forever and they don't disappear.

If you avoid using these chemicals, you're basically ensuring that your own children, your own pets, your neighbours, everybody will be better protected. Do you really need to use those chemicals on your private property to have that perfect lawn? You don't. There's no imperative for you to have a chemically green lawn. In fact, the labels on some of those brand names—they call them Chem-Green or all these things—are just basically using chemicals artificially to almost paint the front part of your house. You don't need that.

The legislation, Bill 64, is an attempt by the government of Ontario, through the Ministry of the Environment, to say that we want to educate people, we want to set province-wide benchmarks on the prohibition of the sale of these cosmetic chemicals and think of alternative ways of dealing with so-called weeds or the so-called aesthetic appearance of your front and back lawns, and that your private property is something you've got to analyze and to maybe look at an alternative.

What this is the beginning of is, I think, that you'll see more and more people not going to the chemicals row at Canadian Tire, and instead they'll go to the garden centre and buy some natural, indigenous plants. They can still do better gardening, because there are no brains involved in just planting sod, the green lawn. But if you're planting the right flowers, the right plants, if you're putting in a few tomatoes, perhaps a few zucchinis—

Mr. Rosario Marchese: Cucumbers?

Mr. Mike Colle: —with cucumbers on the side, it's much more natural than just this green carpet. Some people have said, “Why not just get rid of the lawn altogether and buy some carpet at Canadian Tire and just glue the carpet to the front of your driveway? Then you don't have to cut it.”

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What I'm trying to get at is that it's critically important for us to be more sensitive to the water we drink and the fruit and vegetables we eat, because all that chemical use is interconnected to the food we eat and the air we breathe. It eventually does us and our environmental footprint damage, because there is no way of reassuring anyone. Would you want to reassure your children or your grandchildren that these chemicals are okay? You know, “Just step aside while I spray”? They used to spray DDT all over the place. They used to have the spray bombs in the backyard. You would go to cottage country, and they would hire companies that came in, and to get rid of mosquitoes, they would do these huge sprayings of whole cottage lots. They were getting rid of the mosquitoes with the use of this chemical, but what harm were they doing to the water table at your cottage? It was seeping into the trees, into the ground, into the water table, and the air that you would breathe or that the birds would breathe. They wondered why there were no birds left at the cottage. There used to be all these birds at the cottage. They all disappeared. Well, you sprayed them all with DDT.

This is the type of thing that used to take place. People are much wiser, smarter now. They're no longer depending on chemicals. I think the public, in many ways, is ahead of government. That's why the public is very supportive of the control of these chemicals for cosmetic use. This is an attempt again by the government to partner with the public, which is now looking for ways to protect everyone in the community. It is of no value if one person stops the use of these pesticides and chemicals, and you have two neighbours next door or down the street who are spraying away, pouring chemicals into their lawn, and killing every dandelion that dares show its head. We have to have a common policy where these chemicals will not be as readily available, where the chemical aisles at Canadian Tire will no longer be as large, at least, and where the variety of all these chemicals will be used with great care and caution, because there is no telling the side effects of these chemicals until, in many cases, it's too late. As the good doctor from Etobicoke North has said, this is about health, it's about enjoyment of your open space, and it's about ensuring there are provincial standards for the chemicals you use.

I look at the young pages here. If you go to your home and look in the garage, look in the basement, you can see how many chemicals we all have in our own homes, which we've kept around for years, in some cases. Why do we need all these chemicals, especially those of us who live in the middle of the city?

Therefore, I applaud Minister Gerretsen for putting all this together in a piece of legislation, which begins to set standards for the whole province. I look forward to the debate and the additions that the opposition may put forward. But I do know that the public, certainly in the city of Toronto and in my riding, is very supportive of pesticide control. I haven't heard one person say, “This is

something I don't want." They are all looking for leadership in this area. I think many people may say they want it stronger, and I think there's always room to make legislation stronger. But there's basically consensus that the time has passed for the use of chemicals for appearance's sake on our front lawns, especially, and in our backyards, and we all have to look at ourselves and see how we can do a better job.

It's not only what government is doing. I think this legislation essentially makes us reflect on what we do with our natural surroundings, and what we can do better. No one is perfect, but we can all learn from each other. That's why I think this piece of legislation will make people discuss this issue. Hopefully in schools they'll talk about this kind of control of the use of chemicals for cosmetic appearances and there will be greater awareness about the fact that many of these chemicals are going to be imposed on our neighbours and our future generations when they don't need to be. There is no need to have that perfect lawn, with every blade of grass in place. There's no need for that.

We hope this legislation will start to make us think a bit laterally and start to do things in a more natural way. It will save us money, because chemicals cost big dollars, and it will also save the air we breathe and the water table, especially in an urban environment. On some streets in the city of Toronto—I look at Atlas Avenue, Winnette Avenue and Livingstone Avenue—there are 18- and 20-foot lots, house after house after house. You can imagine the impact if everybody on those streets is using chemicals. The cumulative effect on the water table is quite astounding. In many parts of Toronto, as the member from Trinity–Spadina knows, there are many underground rivers. That seepage goes into the underground rivers and eventually into the main tributaries—the Humber River and the Don River—and into Lake Ontario. We don't need all those Canadian Tire chemicals in Lake Ontario. That's where they'll end up. We sometimes wonder why we can't swim and why the fish are dying.

As I said, you can now finally catch salmon in Lake Ontario. There was even an Atlantic salmon spotted in the Humber River just recently. We are better stewards of the environment. It's coming. We're not perfect, but I think legislation like this can help move us toward more understanding and appreciation of the vulnerability of the species, especially in our urban environment, and certainly in the environment in Ontario. Again, the plant species—the incredible number of trees we have in this province, the natural flowers and the trillium, such a fragile flower that is our provincial symbol—are also what this is about. It's about trying to be a bit more sensitive to how we use chemicals and not to use them indiscriminately.

I think it's a good step forward. I hope the members will bring forth their views, make this a good bill and do something that is, I think, part of where the public is, and join the public in making our place a little less chemical-dependent and more nature-dependent.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Joyce Savoline: Who can argue against creating a healthier environment, not only for our children but for all our population? My concern is when we do that based on political science instead of real science. My concern is that we have a bill that is three pages long—not much detail in that bill. What's going to happen is that the real stuff that comes out of this is going to be created when regulations are formed, and we all know that that's done behind closed doors and without the ability for public input. The public can input to these three short pages and hope that whatever advice, experience and observations they provide will be taken back to help form the regulations. But at this time, the devil is in the details. There are no regulations. We have three short pages on which to try to make some comment.

It's a scare tactic to say that 4% of the population is using pesticides that are going to adversely affect all of us, and yet exempt the large number of users that form that other 96%. I'm having a hard time understanding that. We can eat the produce after pesticide is applied, but we can't walk on the grass when pesticide is applied. There's a little logic there that's being missed by me.

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I think the specifics of this legislation are going to be interesting, and it is my hope, through the committee debate and the delegations that are made, that we can make changes in this bill that will actually make it a strong, viable piece of legislation.

Mr. Rosario Marchese: I want to say that I agree with most of the comments made by the member from Eglinton–Lawrence on the issue of chemicals. I have to tell you, I have been preoccupied with the proliferation of chemicals in general and pesticides in particular, because there are thousands of chemicals that are used for many different purposes.

I am one who believes that it is deranging our physiology in ways that we cannot determine. Most people don't even bother to think about how that's affecting our bodies, but I happen to believe that it's affecting our bodies in ways that we do not comprehend and it will affect the bodies of our children for hundreds of years to come.

You will have some people saying, "Well, we don't have the science to determine this." I think we do, and I don't believe we're looking for the science to prove that some of these chemicals are affecting us in ways that we ought to know and ought to understand.

I also want to say that our water purification systems do not work on most chemicals. Most of the chemicals pass through the water purification system and get into our bodies. It doesn't really work. Chemicals, in my view, are destructive.

But there are things that we can do to make this bill better. We said yes to a minimum provincial standard, but where municipalities can do better, why wouldn't we allow for that? We're not arguing against a minimum

standard, but if municipalities can do better, why would you say no? That's what puzzles me.

Yes, I am worried about the golf players and their health. I believe that chasing a bigger ball, playing soccer, is better for your health than going with a cart to pick up a little ball. I prefer soccer as a way of keeping slim versus golf as a way of, obviously, being obese. So I'm worried about you golfers and I'm worried about the chemicals that are in the grass when you bend over to pick up the ball. I'm going to state that for the record again and again.

Mr. Reza Moridi: It's my pleasure to rise in this House and to speak on Bill 64, the banning of the non-essential use of cosmetic pesticides.

As we all know, chemicals are hazardous. Some chemicals are hazardous to our environment, and this bill is for the protection of the environment and for the protection of people. That's why this bill has been brought forward to this House. I should commend the Minister of the Environment for listening to the public, for hearing what the public is asking us as a government, to bring this legislation to the House, and hopefully it will pass the House and come into effect.

Part of this bill is about educating the public. There is a major component on public education on the use of natural products to protect our lawns. As my colleague mentioned, we have to create a culture in our houses, in our backyards and even in our front yards to use domestic and indigenous plants. For example, why not get into the habit of creating some vegetable gardens—to create and to grow our own gardens, to grow our own vegetables, our food—so we can basically be both growing our own food and also having a green space in our backyards?

I support this piece of legislation. That is the way we should go. We need to protect our environment. We need to protect our people. We can't just inject tonnes and tonnes of chemicals into the soil which will end up in lakes and in rivers and will affect our environment. This is a time to protect our environment and also our people.

Ms. Sylvia Jones: The intent that we have before us with Bill 64 is to prohibit the use and sale of pesticides for cosmetic and non-essential purposes—there's no argument there—with the exception of the fact that there would be exemptions to various sectors, an issue which I do find troubling. The proposed legislation would supersede municipal pesticide bylaws, making them null and void. The specifics of this legislation are unknown.

In my riding of Dufferin–Caledon, the town of Caledon spent two years consulting, educating and informing their residents about the intent to proceed with a pesticide bylaw. They spent a good chunk of that time discussing with the agricultural sector how they could work together to educate, inform and ultimately ensure that the pesticide bylaw was followed.

There seems to be a common thread in the last couple of pieces of proposed legislation that we've talked about. It's that there's no detail in the bills as we debate them. All of the detail happens at the regulation stage. Of

course, when stakeholders—Ontario municipalities—don't know what those regulations are going to be, that's where the uncertainty comes in, and that's where the nervousness comes in.

If this is something that you believe in so strongly as a government, it's really unfortunate that you wouldn't be forthright and actually set out in the legislation what you're going to ban, how you're going to do it, how you're going to proceed. It is unfortunate that so much of the detail has been left to regulation. I would hope that would change in future legislation.

The Deputy Speaker (Mr. Bruce Crozier): Member for Eglinton–Lawrence, have two minutes to respond.

Mr. Mike Colle: I'd like to thank the members for Burlington, Trinity–Spadina, Richmond Hill and Dufferin–Caledon for their input. As the member for Toronto–Danforth was saying, municipalities have gone through this debate ad infinitum, for decades. It's a no-brainer to the municipalities. Pesticides kill. They are dangerous.

So here we are, trying to say that there's got to be a common standard so everybody across the province is protected. It has already been proven by the years and years of work that doctors have been doing on the ground in every municipality that has taken this issue on. They've debated this for years in the city of Toronto, Oakville etc.

All we're saying is, let's err on the side of caution here, for our children and for our future generations. If you look at the GTA alone, there must be what, three million households? If they're all pouring chemicals under their front lawn and back lawn, day after day in the summer, there's a chance that those chemicals may impact the water we drink, that they may impact the soil.

Who's going to say, "Don't worry, that's okay"? That's what some people across the way are saying. The Conservative side is saying, "Oh, we need the specifics." To the public out there, it's a no-brainer. These chemicals, by the millions of households, are going to possibly cause some kind of health risk to our children, to our children's children, to our species, to our wildlife, to our plant life.

So let's get on with it and say no to these chemicals for cosmetic purposes. Just so your grass looks green, let's take a risk with the health of future generations? People are saying, "Don't do that."

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

Mr. Norman W. Sterling: It's difficult dealing with this bill because it affects such a small part of the use of pesticides and herbicides in the province, and there's so much fear-mongering by the government, particularly the last speaker, with regard to the tragic effects that pesticides and herbicides can have on the population, without any basis, scientific basis, studies etc., being brought before the Legislature.

I'm not asking for a slam-dunk in all this, but I want to know why there are no studies or no supporting material with this bill to justify taking away from the public at

large the opportunity to have a beautiful garden. If there is a serious risk, I am quite willing to support the government on this bill, but I don't know if there is a significant risk.

1650

Nobody has even talked in this Legislature about how the control of pesticides and herbicides occurs in our society. Number one is, we have the product. The product must go through extensive testing, and is reviewed at the federal level by the most renowned scientists in the country. The federal level then puts restrictions on any kind of pesticide or herbicide where they see a significant risk.

This is a very non-political, outstanding board of some of our most eminent citizens and scientists. First of all, they look at the product and say, "What are the risks in society having this product? Will it cause cancer? Will it cause skin disease? Will it cause people who have respiratory diseases..." etc. They go through all of the risks and decide that the product can be sold and used safely in our society. They say it. Scientists—not politicians—say it.

Then it comes down to the provincial level, and we have the pesticides review board. For the particular chemicals that have passed all the tests, have had the scientists say that these materials can be used in a safe manner, the pesticides review board in Ontario says, "They must be applied this particular way." Some of them can only be applied by licensed operators, licensed technicians, and those licensed technicians include our farming community. Our farming community has to go and get trained to use these particular substances time and time again. We also have people in our residential communities who are licensed to apply these pesticides to our lawns, etc.

But if there's a real danger and a real risk, then I'm all for banning them. I agree with the members opposite that the health risk is much more important than having a good-looking lawn, but let's do this with some kind of notion that we're overriding some of the most eminent scientists in our country by bringing forward a bill which just says, "It's done." There are no studies being offered by the Minister of the Environment; there's nothing here except our fears that somebody has said that this is bad.

I believe that I have a record in this Legislature in terms of health care concerns. When in 1975 the World Health Organization said that eliminating smoking would be the single greatest move that governments could get involved in, I was the first politician not just in Ontario but in Canada to bring forward a piece of legislation here in this Legislature to ban smoking in public places and control smoking in workplaces. I was the first politician, but I did that on the basis that the World Health Organization had had extensive studies and had said, "This is a way it is." I didn't believe what the tobacco manufacturers said with regard to either first- or second-hand smoke; I believed what the scientists said. And I believe that when we make environmental regulation here, we

have to pay heed to the economic, health and environmental effects of what we do every day in our society.

I also want to point out, as my colleagues and the member from the NDP have pointed out, that this is a very sketchy bill—it's three pages—and allows the government to effectively move this regulation around at will as it goes forward.

First of all, I'll read some of the sections of it. Defining one of the words, it says, "'cosmetic' means non-essential." I don't know what that means totally in terms of what happens. For instance, if I have a granddaughter who suffers from hay fever, can I go out and spray my backyard for weeds that cause hay fever? Is that essential or non-essential? If I have a driveway that has cracks in it and it's going to ruin my driveway if the weeds continue to grow, and I put some Roundup on it, is that essential or non-essential? I don't know what the limitations of this are.

If the government decides to spray for mosquitoes because of a West Nile threat, does that come under the act? Are they blocked from doing that particular spraying? Is that cosmetic or not? Who decides whether there's a West Nile threat? Does one person have to become sick or die, or is it an epidemic that happens? We know that West Nile, over the last four or five years, seems to have come and gone, and has appeared in some communities but not others. So the legislation doesn't have any real clear definitions.

But I guess my greatest concern with it is—I think it's a very popular thing for politicians to do. We're going to scare the heck out of you by saying, "Put a pesticide down and it could cause you problems." Well, just about anything we do in society could cause us problems. I don't know what "cosmetic" means. If all of our lawns grow up in weeds, I don't know what that means in terms of other economic benefits or losses in our communities.

I also want to just comment briefly with regard to my friend Mr. Marchese from Trinity-Spadina. He seems to have this belief that the people on golf courses are elite people, fat people, white collar people; that it's a sport for the rich. I've got to tell him, he should go to one of the public golf courses. Go to Don Valley, up the road here, and watch the people. First of all, half the people on public courses walk the courses. A lot of them walk the courses. Secondly, he would be really surprised to find a lot of workers who go out there and enjoy their day off in terms of what they're doing.

I also might add—because I know some of the golf course owners in Ottawa West, the area that I represent—that the control over pesticides and herbicides on golf courses in Ontario is much stricter than in any other North American jurisdiction. They are severely restricted under our past environmental regulations with regard to what they can put on their course, when they can put it on the course and how they can put it on the course. So this province has led for a long time in that regard.

I want to read from the Ottawa Citizen of April 27. I think this really sums up this piece of legislation. This is by Randall Denley of the Ottawa Citizen:

“Pesticides banned. Clotheslines restored. If the environment could be saved with symbolic gestures, Premier Dalton McGuinty would be doing a heck of a job.

“McGuinty’s pesticide ban, announced on Earth Day, will be popular with urban voters but it won’t actually do much for the environment. The first question a rational person would have is, how much will this ban reduce overall pesticide use? The Ministry of the Environment professes to be stumped by that one.” In other words, they don’t even know how much it’s going to affect.

“Fair enough. When a government is banning something for public relations purposes, it doesn’t really matter what the actual effect of the ban is, does it?”

1700

“According to a 2000 federal standing committee report, agricultural use accounts for 91% of all pesticides. Banning only home use will have a limited effect on overall pesticide use, but the Premier was quick to inform farmers that the ban won’t apply to them. Actually, it will apply to their farmhouse lawns and their home vegetable gardens, but out in the fields, they can let her rip.

“This has always been one of the curious parts of the anti-pesticide campaign. These chemicals are popularly described as ‘toxic,’ but then we are told that it’s okay to use them on food we will eat, but not on our lawns.

“Health Canada has the job of determining what pesticides are safe to use and how they should be used. Those decisions, while questioned by some, are based on science. While the provincial government states that ‘studies by public health experts are showing growing evidence of the potential health risk of pesticides,’ this ban is clearly based on public opinion, not research.

“A spokesman for the environment ministry reflected the depth of government thinking when he said that it was okay to continue the use of pesticides for agriculture because the government has faith in people licensed to apply those pesticides. In the next breath, he said that people licensed to apply pesticides to lawns shouldn’t be allowed to continue doing so.”

So you license people on the farm—that’s okay, buddy, they can do this safely—but it’s not okay for licensed people to put it on lawns.

This columnist says, “The ban relies partly on the ‘homeowner is an idiot’ argument. The impression is that pesticide-loving homeowners spray the stuff around every chance they get”—we heard that from the last government speaker. “Because the average person has no judgment, the only safe course is a ban that takes the spray can out of his hands,” because he’s an idiot. That’s what this guy says.

“Any thinking gardener uses pesticides judiciously and as a last resort, but there are some problems that are difficult or impossible to control ‘naturally.’ There is a reason, for example, why commercial fruit growers spray their trees. Apple scab isn’t an aesthetic issue. It renders the fruit inedible. Similarly, various flower-killing bugs just don’t fall prey to the old soap and water solutions.”

Then they go to the Ottawa city councillors, who in 2005 tried to ban them but became so entangled in the complexities that the issue collapsed altogether. One thing I would add is that I agree that this is a matter for the provincial Legislature or the federal Parliament to deal with—I don’t think it is a matter that municipalities should deal with—because I think it requires the kind of scientific studies I’m talking about to come to the right conclusions to make an enforceable law to deal with these particular pesticides and herbicides.

“The pesticide ban is bold compared to the lifting of the clothesline ban.” Do you remember that Dalton did that? “It’s just embarrassing to see the Premier of Canada’s largest province spending his time on something so trivial. Again, very few people are affected and very little action will result.

“Clotheslines are perfectly legal in almost every part of Ottawa, but one rarely sees a clothesline in use. Sure, people could haul their laundry into the backyard and hang it up, but that doesn’t exactly fit the modern lifestyle. Much easier to dump it in the adjacent dryer and burn up a few cents of electricity.”

This is a quote by McGuinty: “‘We want parents to have the choice to use the wind and the sun to dry their clothes for free.’” McGuinty said. Nice to know the chronic banner believes people can make some choices, but this isn’t one they are likely to go for.

“If McGuinty wants real results, maybe he should ban the clothes dryer. People hanging up freezing laundry in” the middle of “January might not like it, but who said saving the planet would be easy?”

“While he’s at it, maybe he could order people down to the river to beat their laundry on the rocks. The phosphates might be” a problem, though.

“Meanwhile, Ontario’s coal-fired generators continue to spew greenhouse gases into the atmosphere”—

The Deputy Speaker (Mr. Bruce Crozier): I’m sure the member from Carleton–Mississippi Mills is going to bring this back to Bill 64.

Mr. Norman W. Sterling: You can rely on me to do that.

“Meanwhile, Ontario’s coal-fired” generation plants “continue to spew greenhouse gases into the atmosphere. Not to worry: The Premier has promised to close them.” Was it 2007 or 2014?

Interjections.

Mr. Norman W. Sterling: There was 2007, 2009, and now 2014. Are they closed now? No they’re not; I don’t think so.

But now he says “2014.” This time “he’s probably really serious.” Well, that is the light we take the environmental legislation that is being brought before us today in.

I also want to say that this law will be virtually unenforceable. If 96% of the pesticides and herbicides are still going to be available for sale to various members of the community, I have to believe that those who want pesticides and herbicides are going to have them in the future. This is a very difficult bill to vote against, because

once the fear is thrown out in such an irrational and illogical way by the government, it's very difficult for one to argue in a logical way.

I look forward to the hearings that are coming up. I want to hear from people who suffer from asthmatic problems; I want to hear whether not being able to deal with the weeds in their backyard is going to cause them grief. I want to hear from the government as to the science and the analysis that they have done with regard to the risks associated with putting down these chemicals. I want to hear from citizens who have vegetable gardens in their backyards and are unable to dust their potato plants. Try to grow a potato plant without dusting it for pesticides. You don't get any potatoes. I want to hear from people who are sane and logical about this issue. I don't want to hear from fear-mongering people who do not have facts and studies behind what they say.

I believe that the environment is very important to all of us, but this bill certainly fails, in my view, to show this government as having a real concern about our environment. Let's get at the real problems. This bill does not do it.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

M^{me} France Gélinas: I must say that I agree with the member from Carleton–Mississippi Mills that we need increased research and education on the ill effects of pesticides on human health, but we already know that pesticide-related poisoning and illness constitutes a major public health issue. By contrast, there is absolutely no health benefit to the cosmetic use of pesticides.

When we talk about pesticides, we really talk about insecticides, herbicides and fungicides. We have to realize that all of those are designed to kill living organisms. They kill indiscriminately. That means that really only 5% of the pesticides actually reach their targets. The rest of them, the residues are spread by water, by wind. They're found everywhere from inside polar bear fat to human breast milk.

1710

It brings all sorts of trouble. The World Health Organization estimates that 200,000 people are killed worldwide each year because of pesticides, and another three million are poisoned. Most of them—that is, over 50% of them—are kids under the age of 10. Scientific evidence also shows a positive association between the exposure to pesticides and a number of serious cancers, such as non-Hodgkin's lymphoma, leukemia, brain cancer, kidney cancer, pancreatic cancer, prostate cancer and lung cancer.

There is no good health reason to use pesticides. But the bill doesn't go far enough: You need to improve section 7.1 so that it does not prevent municipalities from imposing more stringent requirements, and you need to consider a white list rather than a blacklist approach, so that new components can be added effectively and securely.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Etobicoke North.

Mr. Shafiq Qaadri: Thank you, Speaker—
Applause.

Mr. Shafiq Qaadri: And thank you to my esteemed colleagues for that show of support.

I would like to first of all salute the remarks from my NDP colleague across the way here because I think she has very adequately and specifically highlighted some of the problems, whether it's the United Nations World Health Organization's commentary on the indiscriminate use of pesticides globally and the impact on death and disease—and, of course, her poignant description, the use of the word “residues.”

I can tell you, as a physician, that it's actually relatively difficult to show immediate and proximal causality. What that means is, “This chemical causes this disease in a recognizable time frame.” But using the example of smoking, tobacco, nicotine poisoning and tar-based diseases, this, first of all, is something that took medical science and, by extension, the public and society approximately a generation to recognize, whether it was through first-hand smoking, second-hand smoking, the ill effects of smoking passed on through the generations, various forms of cancer and so on.

I think it's important that those of us here, entrusted with the stewardship of our environment and of the chemical milieu that we expose ourselves to, actually take signals from the environment that are important and that we are able to act on. The banning of the cosmetic use of pesticides and, of course, the banning of cellphone use in this chamber are also part of environmental pollution control.

Mr. Norm Miller: I'm pleased to comment on the speech made by the member to do with Bill 64. I think he raised some very valid points, particularly about how this bill is really more legislation that was developed for public relations, and really, as with a lot of the legislation from this government, developed by polling the public. We know that roughly 70% of the people in the province support banning the cosmetic use of pesticides, and I think that's why this government has brought this legislation forward.

As was pointed out by the member, it's very thin legislation. It's all of three pages long. He raised some good concerns: We should be basing our legislation on real science, not political science. In the bill, it talks about what cosmetic use is—that means “non-essential.” Does that mean that when there's a West Nile outbreak or a risk of West Nile disease that we cannot, as the government has done in the past, treat bodies of water where insects and mosquitoes may grow and of course carry the disease? Will that be allowed after this legislation passes or not?

We note that the bill is really affecting some 4% or 5% of the use of pesticides and that the section with the exemptions really exempts up to about 95% of the use of pesticides in the province, so that is certainly a good question of concern. If pesticides are bad for your lawn, why are they okay for food that we're going to eat? I think it's a very valid question.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Carleton–Mississippi Mills: You have two minutes to respond.

Mr. Norman W. Sterling: Thank you to all those who participated in the questions and comments. I'd like particularly to talk with regard to the member from Etobicoke North's response. I think it was embraced in his words "the indiscriminate use of pesticides or herbicides."

We all are against that, but this legislation, as I read it, would ban trained applicators from applying pesticides and herbicides to lawns or parks or to any other kind of place in our society. So we're not talking about indiscriminate use; we're talking about discriminate use by people who are trained in how to safely apply these particular products.

I am saying that I want to listen very closely to what happens in the committee. I think it's really important that not only people come forward with opinions about what they think is right or wrong; I want to see evidence as to what the risk is, what the benefit is and what the real cost is to us, in an economic sense, in an environmental sense and in a health sense. That's what we should be looking at on each and every piece of legislation that we deal with here, and in particular when we're dealing with environmental legislation.

This government has failed to do that in the past. They failed to do that on the deposit return. They failed to do that in terms of the continued encouragement by them to use corn for the production of ethanol. We have to do that so that we don't make the same kinds of mistakes as they have on the corn-for-ethanol environmental argument that they have supported in the past four or five years they've been in power.

Let's do it right this time. If we have to ban it for everybody, we'll ban it for everybody. Let's get the facts in front of us.

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

Mr. Jerry J. Ouellette: I very much appreciate the opportunity. This has been an issue that I've followed for quite a while, so I've got a little bit of research—actually, a fairly in-depth amount of research—on this very interesting topic.

I'll start off by saying, "Sorry, Mom." Mom may not like what we're going to say, but we're going to stick to it anyway.

One of the things I try to do when I'm making a decision is always to look to the future through the eyes of the children of today. When the experts of today are telling us what realistically are going to be the challenges for tomorrow, I don't think there's any conclusive evidence on either side of this issue. I think the real issue is, do we take a chance and decide what is going to be in the best interests of the kids in the future? That's something we all have to stay in here and decide.

We sit there and we herbicide, we insecticide, we pasteurize, we purify and then we fertilize to get that monoculture that we have on our lawns. It's just so

pristine, but then look what happens. Individuals are aerating lawns. I want to make a recommendation. Go and buy several dozen worms and let them do the job. They'll be able to aerate your lawn for you. You won't be pasteurizing, purifying, and then wondering what the impact is going to be in the future.

I know that locally, in the city, there have been some huge concerns. It goes quite in depth. It's a lot more than this, if you look at the research. The research I'm going to bring forward, if I get an opportunity to talk about it, will discuss the impact of pesticides that are used in preservatives for wood and those aspects. I look around at our school boards locally, at least in my riding in Oshawa and the municipality. They've torn down those playgrounds because there have been trace chemicals found in the preservatives or the pesticides in the wood, in the sand.

You get some two-, three-year-old kids or one-year-old kids, and the first thing they do is put things in the mouth because that's how they experience. It's one of the first senses they have, for those who don't recall what it's like to have kids. One of the key senses that kids have is their mouth, their tongue, and they put stuff in. Lo and behold, kids were putting sand in their mouth, same as normal, and it had all these pesticides in it. So the city and the board got rid of all those.

I want to emphasize that this bill needs to go to committee. The government has moved a little bit forward, and whether or not my colleagues are correct in moving forward in a political football area, I think there are some key things that need to be addressed. I don't think all the answers are there, and I'm going to show you why, and those organizations that tell you all those answers aren't out there.

As a matter of fact, I will be supporting the legislation. I'm not going to sit on the fence. I'm not going to tell you it's right or it's wrong. You're going to go to committee, you're going to open this bailiwick, so to speak. You want to address all the issues.

1720

You talk about the forestry issue. As I mentioned earlier in a two-minute hit, I spoke about the fact that a lot of the moose hunters and individuals concerned with moose and other game species in northern Ontario are very concerned with the forestry practices. Having had the privilege and honour of being a minister in the past, I'm certainly well versed in the fact that every year moose hunters come back and see how they've gone in and sprayed the forest—much like Atrazine does for corn, as Mr. Murdoch would know very well in his riding—to make sure that that single species of the coniferous forest grows and gets an opportunity. The half-life of the chemicals used there is very short, so those species would only lose about two years of food. For moose—you come into this area and cut down the trees, you then spray it, and it only allows the coniferous forest to grow, along with killing all the other forest and foliage in that area. What that does is, there's no food for moose. As a matter of fact, guess what? There's no food

for woodcock living in that area. There's no food for any other small game species and all the predator species that prey on those, whether they're coyotes, foxes, wolves, bears, whatever the case may be.

So when you're going to committee, I certainly hope you take into perspective that these individuals are impacted, and those discussions need to be opened as well, because you've opened that discussion, quite frankly, with this debate.

Some of the other things I want to talk about are that if you want to talk about these things, why not move forward—and the Minister of Natural Resources should move forward—with a study on robins? You ask, why would we be studying robins? Well, guess what robins feed on? Worms. What you need is an area where a municipality has gone forward and banned the use of chemicals, and one that has not banned them, and find out the impact on robins. You'll pick up a greater understanding of the chemical toxicology inside those species because they're directly feeding on the species that live in those areas that are either sprayed or not sprayed.

Some of the studies that I'm going to mention here—the Ontario College of Family Physicians study is the study I'll be quoting. They go into great detail and talk about the fact that some of these chemicals can build up over a period of time in the soil and about what the impact is there. We need to look at that. Those are some of the areas that may be beneficial in the study that will help determine whether it's going to be impacted or not. Robins are the perfect example.

Some of the other things: I know that the service providers—and I agree with my colleague who spoke just prior to me. If you're going to ban it, ban it openly. You can't have one group say yes and one group say no. That's sitting on the fence. Let's be realistic. If you're going to ban it, ban it for all and get rid of it. Don't be saying, "You can do this, but you can't because you're in this other group." It's only fair. What's good for the goose is good for the gander.

Quite frankly, some of those service providers I have some strong concerns with. The last time something similar to this bill came into the Legislature—as a cabinet minister, when I had that privilege and honour—I voted in favour of allowing municipalities the authority to decide whether they wanted to ban it or not. I would hope, like some members who are in the room now—I got all the nasty letters from all those service providers out there who were targeting me in the next election. They were going to do everything in their power to get rid of me because it was disgusting. My response to that was, "Great. I've got these reports that I'd love to send out to those individuals."

Every time I see one of those signs on a lawn out there that says, "Caution. Watch out for your kids and your pets"—keep them off because they've sprayed the lawn. What is that about? Why are they putting these up if there's no problem? We've got the studies and the tests, yet you still have to put up these signs to identify that it's been sprayed. Quite frankly, when we take the dog for a

walk, we certainly pull him off the lawns that may be close to the road that may have been sprayed those days.

Some of the other areas: I'm very concerned about the no-spray times. I'm sure most people are not aware that there are certain times, because the wind factor is so high, that you're not supposed to be spraying. Just last week, there was a no-spray time, and guess who was out spraying the neighbour's lawn? It was all over the entire neighbourhood. You couldn't walk within two blocks without knowing which house was sprayed and which wasn't, because those companies were spraying when they shouldn't have been. Part of that is enforcement, and we need to make sure that the enforcement aspect is taken care of.

Not only that, but I'm quite opposed to these package deals that they sell. This may be quite a surprise, but I've done a bit of research on this, as I hope I'm emphasizing in this: When you buy one of these package deals, you're getting three sprays, whether you need them or not. If all those dandelions are gone, they're still coming to spray because you paid for it. Get rid of those package deals and maybe it'll be a lot better in the interests of the public at large and we wouldn't be having this debate today.

One of the other areas that I have some strong concern about is renewal contracts. Lo and behold, I have an annual time where people contact me because they sign a contract for one year. Who shows up the next year with no contract and just starts working on the lawn whether I like it or not? As a matter of fact, some of those individuals don't even live in those households anymore. That doesn't go over well. I realize we can't paint all those individuals with the same brush, but it needs to be addressed, and hopefully through the committee process—some of these things, whether it's through regulation or legislation.

Back to what I was talking about on some of these studies: I'm going to quote here from Pesticides and Human Health, the Environmental Health Committee Newsletter for Family Physicians. This is the Ontario College of Family Physicians, and it specifically states:

"The amounts and variety of pesticides now used are far greater than in any other time in history.

"Both quantitative and qualitative differences in toxicity of pesticides exist between children and adults. Infants and children may develop toxic outcomes from smaller quantities due to different metabolic rates, greater absorptive areas [and] diets more concentrated with certain foods high in pesticides, but they may also have outcomes such as neurological, behavioural, endocrinological and oncological that are not seen in adults due to critical windows of exposure ... during certain growth phases."

The studies go on, and I'm not going to have the time to go into the details. There are about 200 pages here, another 170 pages there, another 55 pages here, and I ran up, because of the way the debate was going, to try and bring some of this down to bring it out.

But I would advise those members to take a look at some of the research studies done by the Ontario College of Family Physicians. It goes on to state:

“Current regulatory systems look only at the average exposure of the entire population. As a consequence, variations in dietary exposure to pesticides and health risks related to age and to other factors such as geographic region and ethnicity are not addressed.

“Diet is an important source of exposure to pesticides” as well.

All these factors are not taken in. There is nothing here.

I'll go to another study, which is through another section on the Relationship Between Children's Health and Environmental Contaminants. It's very specific:

“There is a significant need for greater education of the public, health professionals and policymakers as to the avoidable, preventable nature of environmental disease in children.” This goes on and specifically states:

“Children's health problems that are or may be related to environmental contaminants are on the rise in Canada and other industrialized countries. These include health conditions such as asthma”—I'm sure all have heard about the number of cases of kids with asthma going up. When I was growing up, we hardly ever saw it; maybe one or two. The percentage was so small, it was less than 1% in a school. Now look at what's taking place.

Interjection.

Mr. Jerry J. Ouellette: Yes. The member mentions allergies as another one.

“These include health conditions such as asthma, childhood cancers, learning disabilities....” I'm going to get this wrong, because it's changed. It used to be ADD and all the other aspects that come forward. We don't know and don't have the answers. This study specifically says:

“In most of the studies, the outcome was more accurately assessed than was the exposure. Often there was a medical record check or the study utilized a population-based registry.”

What that is saying is that they knew the outcome, but they don't actually have the amount of exposure to determine if that's one of the key factors. I think what needs to take place very specifically with this legislation is that there need to be more studies done. There are a lot of factors that go out there, whether it's airborne pollutants or the cars we drive. When you're getting into a new vehicle—I remember in the forest industry they were getting certifications, which meant they had a certain contaminant less, or eliminated from the process, in pressure-treated wood. When you go in and meet these individuals—there was 100 times more in a brand new vehicle, so they were explaining to me. I didn't talk with the auto sector on that very specific issue, but I think the answer is that we don't have all the answers. I think what we as legislators have to do is look to the future.

Mr. Bill Murdoch: We shouldn't be passing a law.

Mr. Jerry J. Ouellette: The member from Bruce-Grey-Owen Sound says, “We shouldn't be passing it.” I

think we should be going to committee and have full-blown committee hearings so we can get some in-depth research and opportunities to come forward to address this issue.

I've been watching it for a considerable amount of time to try and make that personal decision on: What do I do? I don't spray the lawn. I don't do those sorts of things. I'm out there with a weed puller, pulling weeds, and when the neighbours aren't looking, I'm slipping next door and grabbing theirs so they're not phoning the spray company to kill all the dandelions on their lawn, because we're all directly affected.

1730

I think some of the key things here are that all the answers aren't out there. If you want to open the bailiwick of this debate, let's make sure that we get all the input. Some of the other areas that I mentioned—and these studies go on to talk about the fact that there is a considerable amount in Canada.

Another study here, Regulating Pesticides to Protect Children's Health, specifically states in section 9.1.2, Children: Greater Exposure and Potential for Serious Health Effects:

“In Canada, most pesticides are commonly applied in agriculture and by the forestry industry. However, they are also frequently used in the household setting, both indoors and outdoors. Common household pesticide applications target garden weeds, insect infestations ... fleas on pets, and lice, scabies, bugs and bacteria on people.”

What does that say about all those pet collars out there? We've got the new one this year, the Hot Spot, that you can pick up, where you just put the spot on the dog, and guess what? All fleas and ticks jump off the dog, jump ship real quick. What is the impact on society from there? Ever smell a flea collar? I don't know if you have a pet, but we used to have flea collars all the time and used to wonder what the impact was on the dog with flea collars and the use of those to kill all those fleas, as the fleas travel up and down the collar. We don't have all those answers.

Interjection.

Mr. Jerry J. Ouellette: Oh, he says I'm right out of the city. No—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Ouellette, one second. It's starting so that I hear the banter above the debate. I really would appreciate it if we—we only have a few minutes to go, so please.

Member for Oshawa, you have the floor.

Mr. Jerry J. Ouellette: I am sure that the member from Bruce-Grey-Owen Sound would like an opportunity to bring his perspective forward, as I have here.

“Many pesticide uses can therefore bring people into contact with these chemicals through their living environment and via occupational exposure. Spraying ... means wide, airborne dispersal of pesticide, which allows for an effective route of exposure to humans via inhalation, ingestion or skin absorption.”

We're living in an environment where we're constantly putting on—it drives me crazy to put on the sunscreen stuff. Like I said in debate before, and I have no problem saying again, 20 or 25 years from now we're going to find out, "Oh, we shouldn't have had that chemical in there because it's going to cause cancer or some liver disease or kidney disease for kids and they're going to be exposed and deal with it later." As I started off my comments, the experts of today are the challenges for the future. That will be one of the things.

Some of those other things: What happens with all those skin absorptions and how does it take place? We talk about the use of flea collars and other aspects and how that impacts society. It's not a single issue. I think what's taking place is that the current government has moved forward and said, "We're going to address this issue and we're going to fix it for all, because this is going to take care of it." No. At the end of the day, I'll tell you right now that Legislatures in future generations sitting in this chamber will be debating other aspects that should be removed. This may be one of the other aspects, whether it's flea collars or whether it's other things. But the thing here is that we need to make sure we've got the best and the most informed aspect to come forward in making these decisions. I think the committee process will do that.

If you want to talk about all these things, we need to open up all the discussion for the whole thing and discuss the entire impact throughout the province of Ontario.

I think, with that, I've gone through most of the issues that I wanted to bring forward on it.

Interjection.

Mr. Jerry J. Ouellette: No, no, no. That's okay. We will do the hits and I'll get the member from Bruce-Grey-Owen Sound to stand up and give his opinion.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jeff Leal: I must say that I felt that the speech from my colleague the member from Oshawa was very informative, very compelling, and I think he articulated his position very well on why he generally supports this important piece of legislation, Bill 64, the Cosmetic Pesticides Ban Act.

I just want to make note here that on April 28, my federal colleague the Honourable John Baird released this report called *It's All About The Water: Report of the Panel on the Future of the Trent-Severn Waterway*, which runs through my riding of Peterborough.

Particularly, chapter 5 is very important. All members in this House should take the opportunity to read this very comprehensive report. Chapter 5 is entitled *Ensuring the Future of Our Water*, and on page 24, it says: "Many citizens with whom we spoke are both knowledgeable and concerned about water issues" in the Trent-Severn watershed. "They reminded us that the quality of the water is dependent on what happens on the land—poor land management means poor water. They spoke to us about wetland and habitat destruction, leaking septic systems, herbicide and pesticide use, invasive species"

and a whole range of other things that are directly impacting our water quality.

I know from my experience that the city of Peterborough has brought in one of the leading pesticide bylaws throughout Ontario. They did it after they compiled an extensive listing of scientific evidence before they moved forward to bring that local city bylaw into effect. They were concerned about water quality. They were concerned about what pesticides and exposure to them could do to young children. There are many alternative ways we can do it. In fact, I started with my son, Braden. On Sunday, I promised him five cents for every dandelion he took out of our lawn at home. He came to me yesterday and got 20 bucks from Dad.

Mr. Bill Murdoch: I'm glad to have a few minutes to speak on what the last speaker had to say. I don't agree with him, but that's okay. That's what we're here for, and it's nice that we can disagree on certain things. But he contradicts himself when he says that we should know all this information. Well, yes, we should, before we bring this bill. How can we vote for a bill that we don't have the information on? He has a lot more faith in the system, that we're going to go out and have people tell us about it. I don't have a lot of faith that this government across the way will listen to anybody. That's the problem. If I had some faith in them over there, that might work, but they haven't listened to anybody since they got elected four years ago, and that's the trouble. They bring in a bill like this, when they don't have a clue what they're talking about, and try to force it through.

The member from Mississippi Mills mentioned that it's okay for the farmer and it's okay for the guy on the golf course but it's not okay for those trained people who do this. That shows you right away that they're not listening. They're just bringing in something that supposedly 70% of the people agree with. Well, if they know what it's all about, they may not agree with it.

I'm a little disappointed that the last speaker went on saying, "I can support this bill." They don't know what they're talking about. I'm not quite sure where he's coming from on that avenue, because obviously they don't know what they're talking about over there. It's nice to see that they're listening now and doing a bit of cackling over there, because unfortunately they didn't listen to the last speaker; they talked all the way through it. Maybe if they had done that, they might have learned something and they might vote against the bill too. I think before you bring in a bill in this House, you should do your research first, not as you're bringing in the bill. You need to know what you are talking about before you bring in a bill. Unfortunately, this is happening too much here. The government of the day is bringing in bills when they absolutely don't know what they're talking about.

Mr. Mike Colle: I just wanted to say that the member from Oshawa demonstrates that he has done a lot of reading. He is an avid outdoorsman who really respects Ontario's outdoors. He proved that when he was in government, on the other side, and he's saying it now. He is not a person who is taking this lightly, and he is

basically saying the time has come for us to take a real hard look at this indiscriminate use of pesticides for cosmetic uses. What is the consequence?

The member from Bruce–Grey–Owen Sound is saying, “Well, we have to do all this other research.” I’d rather say, “Put a hold on this and make sure that this indiscriminate use of these cosmetic pesticides stops.”

Interjection.

Mr. Mike Colle: No, no, put a hold on the use of these chemicals. You’re saying, “I want to live in a chemical world.” People are saying, “The use of chemicals can harm our fish, can harm our plants, can harm our children.” I think the general consensus of the Ontario Medical Association, the Ontario Cancer Society—they are saying that. So the government is reacting to what the doctors are saying.

Interjection.

Mr. Mike Colle: But I’m listening to what the doctors, the cancer society, are saying. I agree with the member from Oshawa, who is saying, “We owe it to the people of Ontario to put a hold on this indiscriminate use of these chemicals” because the chances are quite high that they’re harming us and they’re going to harm our children and they’re going to harm our water and our land, which we treasure so much in Ontario. That’s all he is saying, and I agree with him. He is saying, “Stop the chemical use when you don’t have to use the chemicals. You don’t have to have the chemicals poured on your front lawn every day.”

Mr. Dave Levac: I just wanted to make a couple of comments. The member from Oshawa, whom I’ve gotten to know over the years, always comes prepared and always has an opinion that’s based on—and I do agree with him, and he has said it several times in the House before—the generation in front. I believe he’s making those comments based on concern not for today but for the next generation and to ensure that we’re doing the right thing for them. So I appreciate that sentiment, and I know he has said that several times in the past, as have I and many members in this House. That’s the first point I want to agree with him on, and I want to thank him for making sure he stays true to that.

The other part that we seem to be getting stuck on is the farmer application versus the weed-man application or the customer applicators who buy the products themselves at a store. The difference between the three is that the farmer has a licence. He is certified. That farmer has certification and training on how to apply, what to apply and when to apply it. The persons who go to the store on their own, who take pride in the do-it-yourself situation, see commercials—and I’ve seen these—where, in a cartoon-like way, you spray the stuff and all of a sudden the weed is gone. They take a look at this, and the weed is not gone, and they say, “Well, I guess maybe I didn’t apply enough,” or “Maybe I should apply an extra dosage to the crack in the driveway because if I do it this way, I can get rid of it quicker.” Those are the types of applicators that everyone should be concerned about, and

we should be making sure that we don’t get into the game where we sit back and say that those who are the professional people who apply it, who have licences and are charged with making sure they take care of our safety, are compared to those other ones.

In terms of the applicators, the other alternatives are already out there. We’re now seeing those companies making the conversion on their own. So they are moving faster than we are in this House. So let’s support the bill and get going.

The Deputy Speaker (Mr. Bruce Crozier): The member for Oshawa, you have two minutes to respond.

Mr. Jerry J. Ouellette: There are a number of things here. First of all, the companies out there are supposed to be licensed and be professionals in the same fashion as farmers. This is correct. What’s going to happen to a lot of other areas that need to be addressed as well? For example, log-home builders spray their logs to stop a fungus, a breakdown or blackening of the logs to make sure that log homes are consistent. What’s going to happen with those? Those individuals, to my knowledge, are not licensed. How is it going to affect them? That’s only one blink of some of the impact that will take place. Quite frankly, the committee, I would hope, is going to have the opportunity to address those issues. Also, I will be contacting those individuals and saying, “If you give a damn”—oh, sorry—“If you give a water-retaining device regarding this issue, then you should be there at committee to talk about these issues.”

Back to the issue of how I came to this decision: A lot of us in opposition sit back, and I’ve been watching this issue because, should we be given the privilege and honour to govern again, this would be one of the issues I would try to bring forward. I’ve been doing a research-based application on that sense, so that if we, the next time around—because you know what everybody says, “We’re going to be in, and you’re going to be out,” and on and on. Who knows? I want to be ready for it. So I have been doing a considerable amount of research to try to plan for that, because you don’t just show up and say, “Okay, we’ve got a good idea, and we’re going to take care of that problem right away.” No. We need some background. As it stands right now, I am moving forward and supporting this to get it to committee to allow those other areas to further my research, to make sure it’s right, to give those people an opportunity to have some impact and bring it forward. The research, as it indicates to me right now, is that it’s in the best interests, from what I can see—my personal sense is, as I said when I started this, to look to the future through the eyes of the children of today, and that’s what I did when I made this process, and that was the determining factor in deciding that that’s the way I’m going to vote.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): It being 5:45 of the clock, this House is adjourned until 9 of the clock, Tuesday, May 13.

The House adjourned at 1744.

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