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de l'Ontario

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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 3 December 2003**

**Mercredi 3 décembre 2003**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 3 December 2003

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 3 décembre 2003

*The House met at 1330.  
Prayers.*

STANDING COMMITTEE ON  
ESTIMATES

**The Speaker (Hon Alvin Curling):** Standing order 62(a) provides that, “The standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year.”

The House not having received a report from the standing committee on estimates for certain ministries on Thursday, November 20, 2003, as required by the standing orders of this House, pursuant to order 62(b), the estimates before the committee of the:

Ministry of Agriculture and Food;  
Ministry of the Attorney General;  
Cabinet Office;  
Ministry of Citizenship;  
Ministry of Community, Family and Children’s Services;  
Ministry of Consumer and Business Services;  
Ministry of Culture;  
Ministry of Education;  
Ministry of Energy;  
Ministry of Enterprise, Opportunity and Innovation;  
Ministry of the Environment;  
Ministry of Finance;  
Office of Francophone Affairs;  
Ministry of Health and Long-Term Care;  
Ministry of Intergovernmental Affairs;  
Ministry of Labour;  
Office of the Lieutenant Governor;  
Management Board Secretariat;  
Ministry of Municipal Affairs and Housing;  
Ontario Native Affairs Secretariat;  
Ministry of Natural Resources;  
Ministry of Northern Development and Mines;  
Office of the Premier;  
Ministry of Public Safety and Security;  
Ministry of Tourism and Recreation;  
Ministry of Training, Colleges and Universities;  
Ministry of Transportation;

are deemed to be passed by the committee and are deemed to be reported to and received by the House. Pursuant to standing order 60, the estimates, 2003-04, of these ministries and offices not being selected for consideration are deemed to be received and concurred in.

VISITOR

**The Speaker (Hon Alvin Curling):** With us today in the gallery is a former MPP, Brad Clark. Mr Clark was a member from 1999 to 2003 for the riding of Stoney Creek.

Is he here? If not, we’re giving him that recognition. I know he’s in the building somewhere. So let us welcome him when he does come in.

MEMBERS’ STATEMENTS

TAXPAYER DAY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I rise today to inform the House of plans for a Taxpayer Day, right here at Queen’s Park. Taxpayer Day will be next Wednesday, December 10. Taxpayer Day will allow Ontario taxpayers to voice their concern regarding Liberal tax hikes, tax hikes that Dalton McGuinty announced in Bill 2: a dizzying array of measures that make people in Ontario pay more taxes by cancelling the seniors’ property tax rebate; eliminating planned income tax cuts for individuals; scrapping the tax break for parents who send their children to independent schools; jacking up tobacco taxes; and raising taxes on incorporated businesses, loggers, miners and farmers.

At \$2.8 billion a year in increased tax revenue, this law is now rightfully known as the largest single-day tax hike in Ontario’s history bill. Wasn’t it just a few weeks ago that Dalton McGuinty stood in front of all of us, on our television screens, chanting his misleading mantra over and over again: “I won’t cut your taxes, but I won’t raise them either”?

Either this bill is another massive broken promise or the Premier has a different understanding of what it means to raise taxes.

Anyone who’d like more information on Taxpayer Day can contact either myself or the member for Nepean-Carleton.

**Hon James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: I didn’t want to interrupt the member when he was speaking, but I did hear the words “misleading mantra” in there. I always thought the word “misleading” was unacceptable in this House. I didn’t want to interrupt you, though.

**Mr Barrett:** I withdraw that.

## DIABETES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I rise to talk about diabetes, a serious illness that will become the 21st century's next deadly epidemic. Today over 600,000 Ontario citizens have diabetes. Today it's the third-largest cause of death in the province. Today, the chronic complications associated with diabetes account for 32% of heart attacks, 51% of new dialysis patients, 70% of amputations and 30% of strokes.

The Canadian Diabetes Association notes that "complications from diabetes can be prevented or delayed by aggressive management of the disease." But we must act soon to ease the human and economic toll of this disease. We must move to ensure that vulnerable Ontarians with diabetes have timely and appropriate access to the medicines and supplies they require through the Ontario drug benefit plan. We must insist on a reintroduction of regular physical education classes in our schools, as there is no better way to protect our children from eventual development of diabetes than ensuring that they become and remain physically active.

On the morning of Tuesday, December 16, the CDA will present an information breakfast session here at Queen's Park. I would urge all members of this House to come out and learn the risk factors and to hear from people who deal with this disease every single day.

1340

## NUTRIENT MANAGEMENT

**Mr Robert W. Runciman (Leeds-Grenville):** The decision by the Liberal government to transfer responsibility for the Nutrient Management Act from the Ontario Ministry of Agriculture to the Ministry of the Environment is a slap in the face to farmers across Ontario. This arbitrary and wrong-headed decision was made behind closed doors, with the Minister of Agriculture obviously missing in action. This will justifiably alarm Ontario's farming community. But it's just the tip of the iceberg with a government that's Toronto-focused and lacks any strong spokespeople for rural Ontario.

The former Minister of Agriculture, Helen Johns, toured the province, consulting with thousands of farmers on the proposed act. One of the main fears farmers expressed was the possibility that implementation and compliance would fall under the jurisdiction of the Ministry of the Environment. Farmers believed, and with considerable justification born of past experience, the MOE would simply hire inspectors who would visit farms with legislation in hand, issuing compliance orders and/or laying changes. Minister Johns made a commitment that responsibility for the program would be retained by the Ministry of Agriculture. Now this Toronto-centric government has thrown that commitment on the manure pile.

Ontario's farmers have endured considerable hardship this year, especially with the far-reaching effects of mad

cow. This rejection of their concerns shows a complete lack of understanding of the current challenges facing Ontario farm families.

The Conservative government understood the need for consultation and co-operation. On the other hand, the McGuinty government, without any consultation, has reversed this decision, threatening the future of thousands of farmers across this province.

## VISITOR

**Ms Judy Marsales (Hamilton West):** On a point of order, Mr Speaker: I ask permission to welcome and acknowledge the president of the Hamilton realtors association, Dan Gies, who is in our gallery today.

**The Speaker (Hon Alvin Curling):** It's not a point of order, but we welcome him, anyhow.

## MEAT INSPECTION

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I would like to impress upon the members of this assembly how important a proficient and credible meat inspection system is to the business of agriculture in this province. As producers of broiler chicken, my husband and I have worked many years and very hard to achieve a superior rating for the product that leaves our farm. We take pride in the product and in the high quality that we send to the processing industry. We don't want our collective years of hard work, market research and progress as farmers to be jeopardized by a lack of public confidence in the meat inspection system.

Ontario consumers have been very supportive of Ontario agriculture. We appreciate that support, but we also don't want to do anything to endanger that. From the farm gate to the plate, both farmers and consumers have a right to a science-based and accountable meat inspection system.

This week's announcement that we were going to hire more full-time meat inspectors is welcomed by Ontario farmers.

## UKRAINIAN GENOCIDE

**Mr Cameron Jackson (Burlington):** I rise to join with all members in the House to commemorate the 70th anniversary of the Ukrainian genocide of 1932-33. As professor Orest Subtelny wrote, this genocide was to be for Ukrainians what the Holocaust was for Jews and the massacre of 1915 was for Armenians: a tragedy of unfathomable proportions that traumatized the nation, leaving it with deep social, psychological, political and demographic scars that Ukraine carries to this day.

Joseph Stalin himself said, "Nobody can deny that the total yield of grain in 1932 was larger than in 1931," and yet 8 million to 10 million Ukrainians died that year of a man-made genocide famine because the Communist state systematically confiscated most of its food for its use on its collective farms. This was done to subjugate the

Ukrainian people. As one of Stalin's lieutenants said in 1933, "It took a famine to show them who is master here. It has cost millions of lives, but the collective farm system is here to stay." Those words, along with the Soviet system itself, are today in the dustbin of history.

On behalf of the entire Parliament of Ontario, I extend heartfelt condolences to the Ukrainian community in Ontario and Canada as well as in Ukraine on this sad occasion. May the memory of all the victims of Ukrainian genocide in Holodomor be eternal. Slava Ukraini.

#### PUBLIC SAFETY

**Mr Shafiq Qadri (Etobicoke North):** It was Oscar Wilde who, about 100 years ago, wrote that no man can escape from his past. So I was quite alarmed yesterday when I read the Provincial Auditor's report, because I think that particular statement has been brought vividly to light with the experiences of the Eves administration.

I'd like to highlight just three aspects of the health care system. At least 14% of Ontario's children don't receive the required vaccinations by age seven. These are serious problems covering the types of diseases that we as physicians had thought were things of the past; for example, diphtheria, polio, pertussis, tetanus, measles, mumps and rubella. Frankly, Botswana and Nicaragua have better records than the government of Ontario—the previous administration.

Food-borne illnesses still remain a threat, as none of our public health units in this province have conducted the necessary inspections of all their food premises. I'm sad to report to you that eight boards do not even have a full-time medical officer of health.

The auditor also concluded that the previous administration has abrogated its entire responsibility for public safety, given, for example, the situation with West Nile and SARS.

I would like to commend the previous administration for being one of the few governments in the history of this province to simultaneously create a social deficit as well as a financial deficit. Time for change.

#### VISITORS

**Mr Khalil Ramal (London-Fanshawe):** On a point of order, Mr Speaker: I have an announcement. Members of the Ontario Principals' Council are with us today to watch us during the session. I'd like to welcome them.

#### INTERNATIONAL DAY OF DISABLED PERSONS

**Mr Cameron Jackson (Burlington):** Today I rise on behalf of the 1.6 million persons with disabilities in Ontario—

**The Speaker (Hon Alvin Curling):** Order. You had your time in members' statements unless you seek unanimous consent on this.

**Mr Jackson:** Mr Speaker, do I have unanimous consent to have a second statement?

**The Speaker:** Do we have the unanimous consent of the House? Agreed.

**Mr Jackson:** Today I rise on behalf of the 1.6 million persons with disabilities in Ontario to celebrate the International Day of the Disabled. It was my privilege two years ago, as minister, to develop and pass the Ontarians with Disabilities Act, Canada's most comprehensive disability legislation.

I would like to acknowledge in the House today Jeff Adams, chair of Ontario's Accessibility Advisory Council. The contributions Jeff and many others have made in improving our understanding of accessibility issues were the inspiration in developing this leading legislation.

We have a responsibility to ensure all citizens have the right to full citizenship, to fully enjoy and participate in the life of their community. As a result of the ODA, municipalities have been working with their local accessibility committees.

In August, my community of Burlington launched its first new fleet of 40-foot low-floor buses, providing accessible transit to the frail, elderly and ambulatory disabled. They invested over \$1.5 million of provincial funding through the Ontario transit renewal program.

More municipalities can learn from this. Each year, the Ontario transit renewal program provides over \$100 million to municipalities to replace aging buses. Moving forward, this money should be conditional on the purchase of new, accessible buses.

Many of us will be able to leave this Legislature today without giving a thought to how easy it is for us. There must come a day when access—here and everywhere in the province—is just as easy for persons with disabilities.

1350

#### PUBLIC SAFETY

**Mr Jeff Leal (Peterborough):** Yesterday's auditor's report is more proof that the Tories were failing to protect the people of Ontario. Not only did the previous government leave us with a \$5.6-billion deficit, but they also left the province with a serious public safety deficit that will take years to restore. Thousands of criminal cases run the risk of being thrown out of the courts because of a serious backlog. They left the province vulnerable to diseases like West Nile and SARS. There were compliance problems with 22 hazardous waste facilities inspected. Even worse, unapproved handling of treatment of waste happened at 95% of these facilities. After all the lessons learned from the Walkerton tragedy, the Tories still did not adequately inspect the province's water. In fact, more than a quarter of waterworks didn't properly inspect for the same E coli that caused the Walkerton disaster.

What was the Tory priority? Handing out billions of dollars to Ontario's largest corporations and private schools. They had their staff spend all their time inspecting adult videotapes instead of water and food. The

Tories' fiscal management is deplorable, but it's their blatant disregard for public safety that's their worst legacy. This damning indictment of the Tories only proves that they were never serious about protecting the people of Ontario. The Tories were only serious about helping themselves and their friends.

*Interjections.*

**The Speaker (Hon Alvin Curling):** The members only have 90 seconds to make a statement. As a matter of courtesy, could we hear those statements without any sort of heckling?

#### LIBERAL CAMPAIGN PROMISES

**Mr Garfield Dunlop (Simcoe North):** I rise in the House today to make a very special announcement. Since October 2003, the Dalton McGuinty promise-breakers club has recognized excuses, broken promises and tax hikes perpetuated by members of the new Liberal government. Up until now, official membership in this prestigious club was limited to Dalton McGuinty, Mr Duncan and Mr Sorbara. Today, I am pleased to announce that we're expanding the Dalton McGuinty promise-breakers club to include Environment Minister Leona Dombrowsky.

Minister Dombrowsky has earned this special distinction by using her ministerial position to break a promise to the people in the very riding that she represents, Hastings-Frontenac-Lennox and Addington. During the recent election campaign, Mrs Dombrowsky and honorary club president Dalton McGuinty promised the residents of Napanee that they would drop the appeal on broadening the terms of reference in the environmental assessment of the proposed Richmond landfill.

Here's where it gets interesting: The appeal was withdrawn by Mrs Dombrowsky and her ministry, but days later it was re-entered by Michael Bryant and the Ministry of the Attorney General. How's that for creative promise-breaking? Mrs Dombrowsky thinks she can fool her constituents and hide this one under Michael Bryant's carpet at the Ministry of the Attorney General.

We've got news for you, Mrs Dombrowsky: Your constituents are too smart to fall for that one. Pawning off your promise only to be broken by another member of your own team still constitutes a personal broken promise. Congratulations and welcome to the club, Minister Dombrowsky.

#### FAMILY RESPONSIBILITY OFFICE

**Ms Shelley Martel (Nickel Belt):** In his report yesterday, the Provincial Auditor used some of the strongest language ever to describe the ongoing failures of the Family Responsibility Office. He says that without immediate action the FRO "is in grave danger of failing to meet its mandated responsibilities."

The failings are numerous. Arrears owing to families now total \$1.3 billion, an 8% increase since the last audit in 1999. The number of case workers has been cut by

20% but the number of cases has increased from 126,000 to 180,000. There's an average seven-month delay between a case falling into arrears and the start of enforcement. Enforcement usually only occurs because an advocate for the recipient calls to demand action. Clients have to call repeatedly to get through to the office, and many never do. Twenty-three thousand recipients who are owed over \$200 million in total are on social assistance because they can't get the money that they and their children are legally owed. The computer system is antiquated and regularly crashes, causing even more chaos in this office.

This intolerable situation can't go on. The former government is to blame for this crisis because the FRO never recovered from the dumb decision made by the Conservatives to centralize the office in Downsview, to lay off 85% of the staff in one day and to consistently refuse to deal with the outdated technology.

The new government now has this crisis on its hands. You must take your obligation to recipients and their children seriously. We need more staff and new technology at the Family Responsibility Office, and we need it now. Moms and children should not have to wait, should not have to beg, to get the money they are legally owed.

#### DONALD DEACON

**Hon James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: I request unanimous consent to pay tribute to the late Donald Deacon, who was a member of this House. I think there is ordinarily five minutes assigned to this for each of the three parties if it gets unanimous consent.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for five minutes for each party to pay their respects? Agreed.

**Hon Mr Bradley:** Very often I end up with the opportunity to pay tribute to people. I guess in many cases it's most appropriate, because I knew some of these people on a personal basis.

With Don Deacon, who passed away relatively recently, I did know Don. I did not serve in this Legislative Assembly with him, but I knew him to be an extremely good constituency person, first of all. All of us know that where we make our mark initially is with the people we represent, the people who vote for us. Don, first and foremost, was a person who was well known to his constituents, a person who worked hard on their behalf at a time when it was often the member's own prerogative and the member's own responsibility to take constituency problems directly to various ministries and various parts of government. Today we have constituency offices, and far more staff than we would have had in the days when Don Deacon was a member of this House. For that reason alone, individuals of that era deserve special consideration and special commendation.

He was also a particularly articulate individual who rose in the ranks of the Liberal caucus to the extent that

he decided he would contest the leadership of the Liberal Party of Ontario at a time when the leader of the day had said that he was considering stepping aside, and ultimately said he was going to. That was Bob Nixon. Well, a contest took place. Don Deacon was a very strong contender in that contest and brought a lot of new ideas to the race, because he was a person with a lot of new ideas.

He was a person who brought a business perspective to his responsibilities as a member of this House as well. He was named the Red Cross Humanitarian of the Year on Prince Edward Island when he was in Prince Edward Island. So if you look at his total contribution to society, not only as a member of this Legislature but as a member of our society, Don contributed an awful lot.

I know that his family was very proud of him. We who knew Don noted his passing with a good deal of sadness. When it happened, I know that those who had contested the leadership with him were people who would have recalled so many fond memories about him. He had a great sense of humour, which he shared with others in the Legislative Assembly and certainly within the Liberal caucus. His sobering second thought on many of the ideas that were brought forward was very much appreciated as well. As I say, as a person involved in the field of business, he knew when proposals were put forward that one of the tests that he would put those proposals to would be the test of how it would affect the business of Ontario or of his own community. So Don understood that extremely well.

Sometimes, if we have not served with these individuals, we do not know of the contribution they make. Certainly the people of York Centre will remember for many years to come the contribution that Don Deacon made.

Another area where he was particularly strong was in legislative committees. We lament today from time to time that our legislative committees don't seem to mean as much as they once did. All of us have expressed that concern at some time or other, and it's something all of us will want to address. But Don Deacon knew the value of those legislative committees. He knew that he could have an impact on government legislation even as a member of the opposition, that he could question people coming before committees in such a manner as to be able to bring out the necessary points to change legislation or to change government policy.

All of us certainly will miss him and will remember his contribution not only to the people of his riding but to the people of the province of Ontario. I particularly want to say, on behalf of the members of the Liberal caucus and the government, that we extend to the family our, in this case belated, condolences, but this is one of the first opportunities we have to pay tribute to those who have made a contribution to this House.

The name Don Deacon will be remembered for many, many years to come to the people of the county of York and the constituency of York Centre, but also to those who served with him and those who were part of the

Liberal Party which he was part of at that particular time. Our province is a better place because of the contribution that Don Deacon has made, and all of us will miss him greatly.

**1400**

**Mrs Julia Munro (York North):** I rise today to remember the accomplishments of a very distinguished and respected former member of this House on behalf of the Progressive Conservative caucus.

Donald MacKay Deacon, born in Toronto in 1920, was elected as a Liberal member of the Ontario Legislature for York Centre, serving from 1968 to 1974, during which time he rose to become deputy leader of the opposition.

Mr Deacon married Florence Campbell in 1947, and they had six children. He served in Europe during World War II with the Royal Canadian Artillery, reaching the rank of major. He was a forward observation officer. This job required him to get as close as possible to sight the enemy guns, a task he performed during the liberation of Europe, from Normandy to the Netherlands. He was awarded the Military Cross for his service and said that his military service was what motivated his efforts in volunteer organizations and public service.

After the war, Mr Deacon was elected councillor and then deputy reeve of the old township of Markham.

Donald Deacon is remembered as one of the founders of the Markham Stouffville Hospital. He used his experience and knowledge to work with the Ministry of Health to build the hospital. Markham Mayor, and former MPP, Don Cousens remembers that it was Mr Deacon who was instrumental in convincing local philanthropist Art Latcham to donate land for the hospital. He worked hard with local residents such as Lachlan Cattanachan and Len Mason to see that the hospital was built.

His business career in the financial sector saw him serve as chair of F.H. Deacon Hodgson Inc. He was president of the Canadian Club in 1968-69.

His dedication to the arts is honoured in the Frederick Horsman Varley Art Gallery in Unionville, where exhibition rooms are named for Donald Deacon and his wife, Florence.

His daughter became a teacher in the province of Prince Edward Island in 1972, a son moved there in 1973 and the Deacons eventually moved there full-time in 1981.

After moving to Prince Edward Island, he continued his busy career of public service. He became president of the PEI Red Cross and a member of the Red Cross national board of governors. From 1982 to 1987 he served on the board of Mount Allison University, and he was vice-chair of the PEI United Way campaign in 1982. He also served as president of the PEI Royal Commonwealth Society.

Mr Deacon was a highly regarded scouter, eventually becoming national commissioner of Scouts Canada from 1982 to 1987, and was founding co-chair of the national Katimavik youth program, where he served between 1977 and 1980.

Mr Deacon was a committed environmentalist, which spurred him on to become a director of the Trans Canada Trail Foundation. He is considered by many to be the reason the Trans Canada Trail exists today. By examples elsewhere, Donald Deacon saw the opportunity to convert abandoned rail lines into trails, not only for Prince Edward Island but for all of Canada. He worked tirelessly for the rest of his life pursuing this cause.

Donald Deacon came from one of the leading families in Unionville and Markham. I met him several times years ago, before he became an MPP, when I lived in Unionville. Don Cousens recalls that one of the first people he spoke to when he thought about seeking nomination in the riding of Markham was Donald Deacon.

Donald Deacon was made a member of the Order of Canada in 1987 and a member of the Order of Prince Edward Island in March of last year. He was also named Red Cross Humanitarian of the Year for PEI.

As you can see, Mr Deacon served the people of Ontario with distinction and integrity both in and out of the Legislature. When he moved to PEI later in life, he began a second career, with accomplishments equal to those in Ontario. He contributed greatly to making two provinces better places to live for their citizens. On behalf of our caucus, our condolences go to the Deacon family.

**Ms Marilyn Churley (Toronto-Danforth):** It is my honour to speak on behalf of the New Democratic Party today and pay tribute to Donald Deacon, who is somebody that I didn't know. It's always hard, of course, to do justice when you rise and speak about a person who served this place with distinction and at the same time somebody whom you never had the opportunity to meet.

I took the time to do some research on Mr Deacon, and I was incredibly impressed by his record, not only his record of service to the people of Ontario but indeed his entire life.

Mr Deacon died at age 83. After being elected as a Liberal to the Ontario Legislature, he served from 1968 to 1974. He served as the deputy leader of the opposition. I don't know if people here are aware, but when you look up background about previous members, you find out very interesting things about them. I read in this article that Mr Deacon became famous for ordering ready-made frozen dinners and serving them to citizens' meetings he organized that often included people from opposite sides of the issues or in a dispute. He served those dinners to everybody and got everybody to sit down and talk. I was very impressed by that. I think that perhaps all of us in this Legislature today should go and buy some frozen dinners and put them on a table and sit down and talk.

I was impressed by some of the things that I found out about Mr Deacon. He was known as a man of vision and determination. Again, I'm not sure if people are aware that Mr Deacon—this is an article from May 15, 1973—became the first man to enter the race to succeed Robert Nixon as the leader of the Ontario Liberal Party. He took that on, and one of the things that he said when he

announced that he would be running for the leadership was that a Deacon government would look after “the forgotten people ... the under-represented and the over-taxed.”

“He said the Tories had forgotten about the secretaries, the clerks, the waiters, the junior executives, white collar workers and unionized blue collar workers.”

Clearly, during Mr Deacon's service here for the people of Ontario, he stood up for the underprivileged in this province. I am proud to have the opportunity to remind people in this House today of the service that he contributed to the people of Ontario.

In 1972, his daughter took up teaching in PEI. A son came to the island in 1973, and his first grandchild was born there in PEI. The Deacons liked, of course, to visit their children and their grandchildren in PEI. They visited PEI a lot and bought a house in 1978. Over a number of years, they fixed it up and then in 1981 they moved there permanently.

As has been pointed out by previous speakers, Mr Deacon's work did not stop. He did not retire in PEI; he continued to get involved in many public service opportunities in PEI.

I want, on behalf of New Democrats, to send our condolences to the wife, the children and grandchildren, and the friends of Mr Deacon. We certainly wish them all the best and send our condolences to the family.

**The Speaker:** Could I just say that the tributes paid by all parties on behalf of the late Donald Deacon will be made available to his family.

1410

#### INTERNATIONAL DAY OF DISABLED PERSONS

**Hon Marie Bountrogianni (Minister of Children's Services, Minister of Citizenship and Immigration):** On a point of order, Mr Speaker: I believe we have unanimous consent in the House for each party of the House to speak for up to five minutes in recognition of the International Day of Disabled Persons.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Mrs Bountrogianni:** Mr Speaker, honourable members, it is my great pleasure to rise today in recognition of the International Day of Disabled Persons. I would like to thank the member for Burlington for his remarks and his concern about accessibility.

This day, first designated by the United Nations in 1992, is an excellent opportunity for all of us to acknowledge and celebrate the many contributions people with disabilities have made to the province of Ontario. In Ontario there are more than 1.5 million people with disabilities. As the Minister of Citizenship and Immigration, I am honoured to have responsibility for overseeing the implementation of an effective Ontarians with Disabilities Act and working with key organizations to bring about meaningful change. This is the commitment that we made in the throne speech November 20, and it is one

that we intend to move on quickly. The intent of our government is to make the implementation of the Ontarians with Disabilities Act, the ODA, more effective and more responsive to the needs of people with disabilities.

Early stakeholder input will play an important role in identifying areas of the ODA that need to be strengthened or changed. It will allow us to gain a deeper understanding of the barriers that still affect the daily lives of people with disabilities, their families, and all of us.

The UN theme for 2003 is "A Voice of Our Own." Our government will be consulting with and listening to people with disabilities. We want to know about their experiences and we want to have their input. It is critical that we account for the full scope of disabilities and the impact of barriers on daily life in Ontario.

Dr Kuldeep Kular, my parliamentary assistant from Bramalea-Gore-Malton-Springdale, and I have scheduled a series of fully accessible consultation meetings with people with disabilities and a diverse range of key stakeholders. The consultations begin in January. This is our opportunity to gather valuable insights and to move forward in strengthening the ODA. I look forward to working with my Accessibility Advisory Council and having the members provide me with feedback on the implementation of the ODA, and I would like to welcome Jeff Adams, chair of the Accessibility Advisory Council of Ontario. I would like to add, with what I am sure is shared embarrassment, that we were to meet at the Whitney Block, and Mr Adams had difficulty accessing the Whitney Block. We're going to address that, Mr Adams.

The McGuinty government is committed to a province where all people have a chance to participate fully and to achieve their potential in all aspects of life. We can all make a contribution; we can all make Ontario a place where everyone can build a future and realize their dreams. Mr Speaker, honourable members, please use the International Day of Disabled Persons, and every day, as an opportunity to raise awareness about the benefits of full accessibility and inclusion.

I'd like to thank Sergio Vazquez and B.J. Shrestha for enabling me to finish my statement in American Sign Language. Full accessibility benefits us all.

**Mr Ted Arnott (Waterloo-Wellington):** I want to thank the Minister of Citizenship and Immigration, who is also the Minister of Children's Services, for her statement today. This is the first time I've had the opportunity to rise in this House as opposition critic for both of her ministries, so I wish to begin by wishing her well as she undertakes these important responsibilities within the government. I also need to let the minister know that I intend to provide constructive advice to her, sometimes in the House, sometimes other ways, and to the government when possible, and provide criticism when necessary and appropriate.

The International Day of Disabled Persons was proclaimed by the United Nations, as was said, in 1992 to promote understanding about disability issues and in-

crease awareness of the gains to be derived from integrating disabled persons into all aspects of political, social, economic and cultural life. I'm certain that I speak for all members of this House when I say that we all support these goals. I also believe that we need to support these goals by thinking of disabled people first and foremost in terms of the remarkable things they can do and contribute. We need to recognize their extraordinary talents, always be improving our society, our systems and all programs and services of the government to ensure that all Ontarians have opportunities to contribute to the greater good.

I commend the member for Burlington, who has spoken in this House today and provided a thoughtful idea to enhance access for disabled people in the public transit system. He also served as Minister of Citizenship in the previous government, which brought forward the Ontarians with Disabilities Act. That act paved the way for the Accessibility Advisory Council of Ontario and entrenched in law the Accessibility Directorate of Ontario.

I too wish recognize Mr Jeff Adams, chair of the Accessibility Advisory Council of Ontario, who is with us in the Speaker's gallery up above.

In the throne speech the government made reference to the need to do more to support Ontarians with disabilities, and I'll quote from the speech: "Your new government will work with Ontarians with disabilities on meaningful legislation that will allow them to fully participate in building a stronger province." While this statement is laudable in a general sense, this commitment has no time frame, no specifics, no way of measuring results, no reference to the involvement of any MPPs in the process, save and except the minister and her parliamentary assistant, I guess, and no plan for implementation. In short, it is nothing more than a motherhood statement which is intended to appease the disabled community for the time being, while little concrete action is likely to be taken in the coming months.

I want to offer the minister a constructive suggestion. She should announce today that the government will support the appointment of a select committee of MPPs on supporting disabled persons. This select committee of MPPs could be charged with the responsibility of reviewing the legislation and the programs that we have, measuring what works and what doesn't, and advising the government on what needs to be done to move toward full participation for disabled persons in Ontario and the goals outlined by the UN. This committee would allow for all three political parties in this House, including the New Democrats, to participate in a meaningful dialogue with disabled persons and participate in a renewed effort to support their needs.

I commend this idea to the government and encourage their consideration.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me, on behalf of the New Democratic Party, to make some statements today on the International Day of Disabled Persons.

I want to begin where the minister left off, and that is to point out that her government indeed has made a very

specific commitment to strengthen the Ontarians with Disabilities Act. I'm hope it's one of the first pieces of legislation that comes before this House when we sit again in the spring session.

I have a copy of a letter that was written by her leader, now the Premier, to David Lepofsky. Members will recall that David Lepofsky is the chair of the Ontarians with Disabilities Act Committee. The letter is dated October 27, 1998. He says very clearly:

"As you know, I have personally called many times for Mike Harris to follow through on his campaign promise to introduce and pass such an act. Having heard from my caucus colleagues who joined you at your meetings across the province, it is clear that Ontarians agree this legislation is important and long overdue.

"If Mike Harris fails to live up to his commitment, a Liberal government will act. We will pass an Ontarians with Disabilities Act."

Those of us who were here before know very clearly that the act that was eventually passed doesn't have any teeth, doesn't have any strength, needs very significant amendments if it is to work on behalf of Ontarians with disabilities. I read into the record today this letter because I want to reinforce what the commitment of the now Premier is, and to ensure that the minister, her staff and her colleagues will move forward on what is a very important issue.

Let me make some other concrete suggestions about what else might be done if we are truly to remove barriers that are facing Ontarians with disabilities and to ensure that they are able to contribute to both the economic and social life of Ontario. The first thing that should be done in this Legislature is to pass a bill so that we index ODSP payments to inflation and ensure that there is an annual increase in ODSP benefits. Members will know, because we have been lobbied very frequently, that it has been 10 years since those who live on ODSP pensions have received an increase. There is something dreadfully wrong about a province that is as rich as Ontario is where so many people live in such poverty. It's the same with the minimum wage.

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My colleague Tony Martin introduced a private member's bill on two occasions in this Legislature which would have indexed ODSP benefits to the rate of inflation, so that people would see an annual increase. It was a shame that on those occasions we could not get the government's support to get it to committee and to get something done. We had a former Minister of Community, Family and Social Services who promised that people on disability benefits would see an increase—nothing happened. If this new government were truly committed to disabled persons, they would bring that bill in, we would deal with it promptly and we would ensure that some of the people who have the lowest incomes in this province—the disabled—finally see an increase in their pensions.

Secondly, we should audit and catalogue all programs and services for people with disabilities and create a single coordinating body for easy access to programs and

information. We need to bolster the funding that we have for home care so that both seniors and the disabled can remain in their own homes and not be forced into long-term-care institutions, which are much costlier for the system and decrease the dignity of those people. We know that so many people can remain in their own homes. The problem under the previous government was that they continued to cut funding for home care so that people didn't have the choice to remain in their own homes. Your government has to reverse that trend.

We need to assess special-needs children promptly and support them in the public school system. We know there are 37,000 children who are on a waiting list for special needs in the Ontario school system now. Those are children who, with a small bit of support, would be able to participate fully in the education system. We need an investment. It was part of your election promise in the education platform. We need to get rid of those waiting lists for special ed.

We need to introduce a charter of rights for persons with disabilities that will contain very specific commitments for accessible public transit and accessible and affordable public housing. We should be dedicating a portion of transit funding to fully accessible transit, and we should make sure that a portion of that is etched in legislation, particularly in rural areas.

We need to change funding for post-secondary students to recognize that many of these students who are disabled will take longer to complete their post-secondary education. Grant funding should be in place to allow them to do that.

In conclusion, I say to the minister that I've offered a number of concrete suggestions. I hope you will take them into account on this important day.

## MOTIONS

### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent to revert to motions for the purpose of putting a routine motion without further debate.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Mr Duncan:** I move that notwithstanding the order of the House dated November 26, 2003, when the House adjourns today at 6 pm it shall stand adjourned until 10 am tomorrow morning.

**The Speaker:** All those in favour, say "aye." I don't hear any nays, so it's carried.

### VISITORS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I want to introduce a couple of very

important dignitaries to this House: Brother Brendan Mackin, president of the Irish Congress of Trade Unions; and Brother Joe Bowers, chairman of the Massines Association in Ireland, visiting here from Ireland as guests of, amongst others, the Canadian Union of Public Employees. They're accompanied by Daithy Conaughton from the Canadian Ireland Fund and Judy Wilkings of the Canadian Union of Public Employees. I'm pleased to have these brothers from Ireland joining us here in this Legislature today: good trade unionists, active advocates for working women and men.

**The Speaker (Hon Alvin Curling):** Welcome.

May I ask your indulgence to again introduce Mr Brad Clark from Stoney Creek, former member. This time he's here.

## ORAL QUESTIONS

### NUTRIENT MANAGEMENT

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of the Environment. Last Thursday, we heard you tell the House that you had brought all compliance and enforcement requirements to the Nutrient Management Act under the direction of your ministry. You told us your ministry would work with the Minister of Agriculture and consult farmers to ensure all rules were implemented properly.

Imagine my surprise that very evening, while attending a meeting of the Oxford Federation of Agriculture, when I heard the president use his time and his remarks to speak to that issue. He said that transferring the inspection of nutrient management from the Ministry of Agriculture and Food to environment was the single most damaging legislation for farmers your government could be putting in place.

His sentiments were echoed by the Ontario Farm Environmental Coalition, who wrote to both you and the Minister of Agriculture and said, "Ontario farmers are profoundly disappointed with your recent announcement of a major change in direction on Nutrient Management Act regulations without discussion with members of Ontario's farm community. Clearly, the promise for full consultation and transparency ... committed to by the Premier and his cabinet ministers has not been carried out."

Is this the type of treatment Ontario farmers can expect from your government? Is this lack of consultation just another example of a Liberal broken promise?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm happy today to stand in the Legislature and say that this move by the government is a move to keep a promise that was made during the election.

This government intends to implement every one of the O'Connor recommendations. For the member opposite, in part two of the O'Connor report, recommendation number 11: "The Ministry of the Environment should

take the lead role in regulating the potential impacts of farm activities on drinking water sources. The Ministry of Agriculture, Food and Rural Affairs should provide technical support to the Ministry of the Environment and should continue to advise farmers about the protection of drinking water sources." That is exactly what this government will do.

**Mr Hardeman:** I guess it's quite clear that we have a difference of opinion on what "lead" means. You claim you will consult with stakeholders and work with the Minister of Agriculture, yet you have clearly made changes to the legislation that the industry does not want or agree with. The Ontario Environmental Farm Coalition, which includes many large farm organizations as its members, is in definite opposition to the movement of inspection of the Nutrient Management Act from agriculture to the Ministry of the Environment. The farmers this organization represents are convinced that having the Ministry of Agriculture inspect farms and the Ministry of Environment enforcing the regulation is necessary for proper convictions.

To the farmers, the minister responsible for training farmers and approving nutrient management plans should also be the ministry to check compliance. The Ministry of the Environment's role is to investigate and to prosecute farmers where there is clear evidence of offence under the Nutrient Management Act. Your government promised that the Ministry of Agriculture would have a prominent role in the implementation of nutrient management. Now the power has been taken away. Is this another promise broken by the Liberal government to Ontario's farmers?

**Hon Mrs Dombrowsky:** This government has its priorities in the right place. We will work with all stakeholders to ensure that drinking water in the province of Ontario is safe. We will also work to ensure that the Ministry of Agriculture and Food and the Ministry of the Environment play a joint role in working with the agriculture community to implement the Nutrient Management Act. We will not apologize for being responsible and acting to protect the water sources in this province.

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**Mr Hardeman:** That is the question, working with farmers. You claim you will consult the stakeholders and work co-operatively with the Minister of Agriculture and Food. You've already broken that promise to the farmers of Ontario. Why else would the Ontario Farm Environmental Coalition say, "The announcement on Wednesday came as a complete surprise to Ontario farm leaders. Given the commitment that the farm organizations have had to the nutrient management process over the past three years, it was disrespectful to make such an announcement without first providing full explanation to farm leaders"?

Perhaps you were also being disrespectful to the Minister of Agriculture when you told the farmers they would not be getting any extra time in the agreed-upon time frame for the implementation of the regulation. They were told they would not be able to wait for public funding to be in place.

The Minister of Agriculture was fully prepared to follow the timeline set out by the previous government, obviously recognizing the need, and then you vetoed that idea in favour of your own agenda.

Can we assume that you do not plan to consult with anyone at all, not even your own government, or should we assume that the Minister of Agriculture's not up to the job?

**Hon Mrs Dombrowsky:** Let me tell you about our own agenda. When the Minister of Agriculture responded, he responded appropriately. What I was referencing was the fact that this government is going to stop the spreading of untreated human septage on farmlands as soon as possible. The calendar that is in place at the present time is that that would not happen for five years. With this government, we're saying that is not acceptable. We want to move forward on that initiative as soon as possible. That's what that reference was to.

I would suggest that the member opposite get his facts straight, do his homework and understand that we take the safety of our communities very seriously, and we're going to act on it.

#### WASTE DISPOSAL

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is also for the Minister of the Environment. Congratulations to the member for Hastings-Frontenac-Lennox and Addington for being appointed environment minister. I should also extend my congratulations to the minister on her most recent appointment as the newest member of the promise-breakers club. I know the competition is fierce, but the minister is clearly going the extra distance to earn her appointment.

Reports indicate unease in Michigan with respect to continuing as Toronto's personal landfill, given environmental and post-9/11 security concerns. The National Post has indicated, "Toronto's Trash is Ticking Bomb for Canada." Given the daily tonnage of garbage that's trucked over the border, there's much at stake.

If the Americans turn away GTA garbage trucks, what is your interim plan to deal with Toronto trash?

**Hon Leona Dombrowsky (Minister of the Environment):** The member opposite would know that the responsibility for managing municipal solid waste is the responsibility of municipalities.

However, I am very delighted to stand in this House and talk about the commitment of our government to waste diversion. It is our plan to divert fully 60% of municipal solid waste away from landfills. We believe that we need to investigate ways to stop simply putting our garbage in landfills. We must explore ways to divert more of it. That is the commitment that this government has made.

**Mr Barrett:** I didn't hear a specific plan for Michigan garbage. Currently, GTA municipalities and their contractors have no viable long-term contingency plan. They don't have a plan for disposal, should there be either an

extended border disruption or a closure. As well, Ontario has no capacity to absorb these exports in the long run.

My question: Are there any plans on behalf of the province for new long-term garbage disposal to deal with Toronto's garbage situation? A second question: Is incineration an option that you're considering?

**Hon Mrs Dombrowsky:** Again, I would say to the member opposite that if he wants to know what Toronto's plans in the future are for their garbage, he should ask the city of Toronto. What I am saying to the members of this House is that this government intends to assist municipalities to divert 60% of their municipal solid waste by the year 2005.

**Mr Barrett:** My question did relate to incineration. It is incumbent on the province to have an overall strategic plan. As environment critic, I've been hearing reports from people who feel shortchanged by the McGuinty government's refusal to live up to its word on Adams mine. There is a connection there. They were given a commitment for a comprehensive review of the environmental assessment process as it relates to Adams mine. Is your government planning on living up to its word and conducting a review, or is this yet again another broken promise?

**Hon Mrs Dombrowsky:** This government is committed to an open and transparent process with respect to communications with citizens and stakeholders around this very important issue. I am open to hearing from people who have issues and concerns around this project. We met as recently as yesterday with some of those individuals. We certainly are intending to be open, and I expect that there will be more information in the near future on this project.

#### WATER QUALITY

**Mr Garfield Dunlop (Simcoe North):** My question today is also for the Minister of the Environment. The question concerns the future development of site 41 in the township of Tiny. It's a very highly sensitive proposal in many ways. Just this Monday in the House you said in a response to the member for Huron-Bruce, and I quote from Hansard, "I'm happy to stand in the House today and say that ensuring clean, safe water is a top priority for this government. We agreed with Justice O'Connor that proper management of our drinking water must be a priority."

I'm assuming this has to include protecting groundwater sources and supplies around future landfill facilities. Are you prepared to stand in this House today and place a moratorium on the development of site 41, which at this time has over 200 recommendations from peer reviews, most of which are related to the possibility of groundwater and surface water contamination?

**Hon Leona Dombrowsky (Minister of the Environment):** With respect to site 41, I have had an opportunity to review that particular issue. At this point in time, the community monitoring committee—which you know includes representatives from the community—has

participated in a peer review. The peer review comments from this committee were forwarded to the ministry, and they are at this point in time being considered by the ministry.

**Mr Dunlop:** Thank you very much, Minister, for that answer and that non-answer.

The peer review actually came up with the 200 recommendations. They're waiting for the ministry to actually approve it.

On November 14, in Alliston, as part of Justice O'Connor's recommendations, you announced the creation of two expert advisory panels on protecting water sources. Just yesterday you stood in this House and promised legislation, and again I quote from Hansard, "to ensure that our source water is protected."

In light of these actions, and in light of your passion for clean and safe water, will you please wait until you have recommendations from your own advisory committee, and will you wait until legislation is passed before you allow staff at the ministry to allow the county of Simcoe to proceed with any further development of site 41?

**Hon Mrs Dombrowsky:** The Ministry of the Environment has received information from the local committee. This is a process—it's not new to this province—that was followed by your government. Staff at the ministry have a responsibility to ensure that whatever is proposed is not going to have a negative impact on the environment. When they have made those assessments, then recommendations may or may not be brought to the minister. I am not going to pre-empt their good work. I trust the people who work at the Ministry of the Environment. I believe that if they have identified, if the community has identified, a reason to be concerned, then people at the Ministry of the Environment will bring that to my attention and I will certainly act to protect the local groundwater.

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#### ONTARIO INNOVATION TRUST

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** My question is for the Minister of Economic Development and Trade. The Provincial Auditor identified serious concerns regarding the previous government's establishment of the Ontario Innovation Trust. The auditor points out that the former government failed to put in place even the most basic requirements for reporting and accountability despite the fact that a billion dollars of public funds was committed to the trust. As I understand it, the former Premier, as Minister of Finance, did not set out any provincial expectations or outline how the trust would be accountable. Minister, how is it that a billion dollars in public funds could be committed without any established provincial expectations or accountability requirements?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** This government shares the grave concerns expressed by the auditor. It was reckless and irresponsible of the previous government to commit

a billion dollars with no accountability. In fact, it was even worse than that; they didn't even make a proper cabinet submission. They didn't even make a good business case for this. They completely ignored any reporting requirements. It showed a total disregard for the public interest and utter contempt for this Legislature Assembly. It's just another case of Tory mismanagement with public funds.

**Ms Broten:** Our government ran on a platform of increased accountability that would put the public interest first. We're committed to ensuring transparency and accountability at all levels of government. It is clear that the former government mismanaged the creation of the Ontario Innovation Trust and ignored their responsibilities to the people of this province. Minister, how do you intend to fix the problems left behind by the former government?

**Hon Mr Cordiano:** Let me reassure every member of this House that this government takes accountability very seriously. We'll make certain that the trust becomes accountable and transparent. I've already expressed my concerns to the trust. They know that this is a new government and that we're going to do business differently. The trust already committed in writing, and I have a letter from them, that they will at the very least appear before legislative committees, they will file annual financial statements and annual reports and be subject to the auditor's reviews. I've got to tell you that the days of Tory mismanagement are over.

#### DUFFINS ROUGE AGRICULTURAL PRESERVE

**Mr Tim Hudak (Erie-Lincoln):** My question is to the Minister of the Environment. I met yesterday with some environmentalists who are very concerned about your Premier's broken promise on the Oak Ridges moraine. They informed me that the former mayor of Pickering, now your MPP for Pickering-Ajax-Uxbridge, has commissioned a study financed by local developers that has called for development on the Duffins Rouge agricultural preserve. Minister, can you commit to the House today that you will rip up your member's report and not allow one stalk of corn or one soy plant to be developed locally? Will you commit to the environmentalists' request?

**Hon Leona Dombrowsky (Minister of the Environment):** No.

**Mr Tim Hudak (Erie-Lincoln):** Well, I have a letter in my hand that reads as follows: "We will build a Golden Horseshoe greenbelt by linking the lands already protected in the Niagara Escarpment, enacting real protection for the Oak Ridges moraine and protecting all of the land on the Dufferin-Rouge Agricultural Preserve."

Madam Minister, this is signed by your leader and Premier of Ontario, committing to preserve 100% of that land. You just told me that you will not commit to protecting 100% of this land. It's another campaign flip-flop, another broken promise. I am going to ask a page to

bring this over to you. Could you identify whether this is Premier McGuinty's signature on the bottom of the page, and then could you rip it up to demonstrate the value of the Premier's words.

**Hon Mrs Dombrowsky:** I'm very happy to stand in this House and talk about the commitment of this government to greenbelt protection of the province of Ontario. If you want to play around with words, that's one thing, but there's no question that this government is going to move ahead. We are going to protect a greenbelt around the Golden Horseshoe and we are very proud to say that there will not be a government in history that has moved in the scope that we are intending to move in.

#### PUBLIC HEALTH

**Mr Shafiq Qadri (Etobicoke North):** My question is for the Honourable George Smitherman, the Minister of Health and Long-Term Care. Sir, it seems to me that the former government did not take public health seriously. I ask this question of you, with particular import not only as the representative of the great riding of Etobicoke North, but also as a physician. There are four areas in particular.

According to the auditor, the previous government left us very weak in our ability to respond to new diseases like West Nile and SARS. It seems to me that steps were not taken to control the spread of communicable diseases.

As well, I'd like to inform the House that 80% of health units surveyed indicated that they encountered problems for effectively enforcing the Tobacco Control Act. I think an area that is especially important to those of us who are entrusted with children in our various responsibilities is that at least 14% of children have not received the required vaccination by age 7.

My question is Minister, how could the previous government ignore all the warnings that our public health system was heading for disaster?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm delighted to have the opportunity to answer a question from the fine member for Etobicoke North.

*Interjection.*

**Hon Mr Smitherman:** Yes, he's a doctor. Yesterday, we were all saddened and astonished to learn about the extent to which this party, when they were in government, didn't do their job with respect to public health. The Progressive Conservative Party, when they were government in Ontario, didn't fulfill their obligation to protect the public health of Ontarians. Protecting the public health of Ontarians is job one for our government, and we're committed to move on with the job because they were unable to do it.

Today in the House is the member for Kitchener-Waterloo. When she was the Minister of Health, seven communities suffered from not having a chief medical officer of health to help direct the necessary public health programs in their community. That's a situation that is

intolerable, and it will not be tolerated under our government.

**Mr Qadri:** After the lessons of Walkerton, it seems that the provincial government was supposed to make dramatic improvements to public health in Ontario. Again, it seems these problems that were raised by the auditor are perpetual—they were raised in 1997. In fact, some health programs were receiving the same level of funding as they received in 1991. It has also been brought to light that there were no regular assessments of health units for the past five years. Apparently, the previous government has simply ignored the warnings about public health. It seems to me that this reckless behaviour puts the lives of Ontarians at risk. Minister, how will you address these problems the previous government has simply ignored?

**Hon Mr Smitherman:** I give the member this assurance and I give this to all members of the House and to the people of Ontario: We take the responsibility of protecting the public health of Ontarians more seriously than ever. In this province we had opportunities to learn lessons, and we have learned them. I'm very much looking forward to receiving a report from Dr David Walker, who has been leading an expert panel that next week will give us further advice, direction and guidance with respect to restoring confidence in the essential public health services in this province. The people of Ontario can expect from this government to see early action on commitments that are designed to make sure that we do our job, and that is to adequately protect the public health of the people of the province.

1450

#### SALT SPILL

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of the Environment. On Monday morning a 34-tonne truck spilled an unknown quantity of road salt into Lake Rosseau within my riding of Parry Sound-Muskoka. I would like to know what is being done to clean up this spill and what the protocol is for notifying members of environmental spills within their riding.

**Hon Leona Dombrowsky (Minister of the Environment):** The member has brought to the attention of this House a very serious issue. We are very concerned when we hear that there is any event that jeopardizes the local environment or the larger environment.

I was notified that the spill did occur and I am receiving information in terms of what has happened locally, what actions have been taken by the Ministry of the Environment to ensure that the people who need to be notified have been and that there is appropriate remediation taking place.

**Mr Miller:** Yes, minister, I would think that your need-to-notify list also includes the member for the riding. Minister, I first heard of this spill from municipal officials and from MCTV, who contacted my office to ask for my assistance in getting a response from your

ministry. Let me repeat that: MCTV called my office to get a response from your ministry because your ministry wouldn't respond. I would think it is a common courtesy to inform members of environmental events that occur in their riding, not to mention the service to constituents who call a member's office looking for information. Please tell me, minister, why your staff are not responding to MCTV's inquiries about this spill.

**Hon Mrs Dombrowsky:** I cannot believe that a member of the opposition is standing in his place and suggesting that this government somehow isn't appropriately notifying people within the community, not when they have the record they have. Talk about Walkerton. When were those people notified? How long did it take your government to respond and to notify the people in that community? I think that it's totally unacceptable that they would bring this sort of question to the attention of this House.

#### COURT BACKLOG

**Mr Howard Hampton (Kenora-Rainy River):** Mr Speaker, I believe I have unanimous consent for New Democrats to ask a question of the government.

**The Speaker (Hon Alvin Curling):** Do I have the unanimous consent of the House for the third party to ask a question? Yes.

**Mr Hampton:** My question is for the Premier. Premier, the Provincial Auditor has issued a red alert to Ontario's criminal courts. He says Ontario's criminal courts have the highest backlog of criminal cases in 10 years: over 100,000. In some locations—Ottawa, Toronto, Brampton—it takes up to a year before serious criminal charges can be scheduled for even one day of trial. As a result of these delays, witnesses forget their evidence, charges are being withdrawn and some very serious criminal charges—murder, sexual assault—are in danger of being thrown out. Premier, what is your government's plan to address this very serious problem before very serious criminal charges are thrown out because of undue delay in scheduling a trial?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the member for his question. I must tell him that I share his concerns. We were taken aback, frankly, by the Provincial Auditor's report, which demonstrated so clearly the extent of just how far we have fallen behind after the Tory government. I can tell the member opposite that we have already hired, I believe, some 10 judges.

I know the member opposite is particularly sensitive to this because, as I understand it, he was the Attorney General when the Askov decision came down and had to grapple with that particular aspect, so I'm sure that the member opposite will have more questions and I'm sure that the Attorney General will be glad to expand.

**Mr Hampton:** I wanted to know what is your government's plan, and I didn't hear a plan. Let me say this: You need a plan now, not two years from now, but a plan to ensure that serious criminal charges are not lost and

thrown out of the system because of unreasonable delay in bringing them to trial.

Now, Premier, I don't know how you could be surprised, because this is the 2003 auditor's report. The auditor reported on this back in 1998 and said that the list was growing, that the backlog was growing, so this can't be a surprise at all. What is your government's plan? Are you going to say, "Oh, the deficit won't allow us to do anything?" or do you have a plan? What is it?

**Hon Mr McGuinty:** I'm sure the Attorney General would like to expand on this.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for the question. You're right, this is a very serious matter. We were very concerned before forming government about the state of the Tory backlog. But the auditor's report has got the people of Ontario extremely concerned about the state of our justice system, and this government has and will be acting upon it.

We have already appointed 10 new justices to the Ontario Court of Justice. We have another 10 appointments that will be made. We will be hiring 50 additional crown prosecutors. We will be hiring additional court services workers and we are in the process of doing it right now. We are going to be assigning additional crown attorneys to deal with the particular problem areas so that we can blitz the backlogs where they are at their worst. We are going to be moving forward with procedural reforms to expedite matters to reduce the number of cases that were adjourned. We already have, and we are doing everything we can to bring back some confidence in the justice system, which has received a very injudicious backlog from the previous government. We have already done something and we are taking a brand new direction—

**The Speaker:** Thank you.

#### WATER QUALITY

**Mr John Milloy (Kitchener Centre):** My question is for the Minister of the Environment. Despite the Walkerton disaster and the O'Connor report, the Provincial Auditor revealed yesterday that the previous government had little regard for protecting Ontario's safe drinking water. Let me just cite a few examples: Waterworks were not submitting a minimum number of water samples for two of the highest-risk substances, E coli bacteria and fecal coliform; hundreds of drinking water treatment plants were not inspected; and more than 1,000 registered non-municipal waterworks provided no test results.

Would the minister comment on the auditor's report and tell the people of Ontario what these findings have to say about the mismanagement of our water safety under the previous government.

**Hon Leona Dombrowsky (Minister of the Environment):** Certainly I share the member's concern over what was revealed yesterday in the auditor's report. I was very

disturbed with what we had suspected, but certainly not to the degree that was revealed yesterday. Clearly, the previous government left us with a very serious environmental deficit that we are now going to have to deal with.

A basic responsibility of government of course is to keep drinking water safe, and if Walkerton has taught us anything, it has taught us that. Yet 300 of 1,476 non-municipal waterworks have never submitted any tests; 27% of the registered waterworks haven't submitted the minimum number of water samples for E coli bacteria and fecal coliform.

**Mr Milloy:** The list of failings discovered by the auditor continues. Since 2001, there have been over 6,500 water exceedances, 45% of which were at levels that could affect human health. Furthermore, total inspection activity is at just 73% of 1995 levels. There are no records of the problems being followed up or resolved.

It's hard not to question the previous government's commitment to safe drinking water. I ask the minister to say what she will do to ensure safe drinking water for the people of Ontario.

**Hon Mrs Dombrowsky:** I can assure the member opposite that this government is most definitely going to address this serious issue. We will not shirk our responsibility as the previous government did.

I can assure you that under my watch the ministry's drinking water information system will be upgraded so that this does not happen, and to ensure that the quality of our drinking water is properly monitored and that timely inspections and follow-ups do occur.

I have asked my ministry to review the Provincial Auditor's report and to bring back to me within two weeks how our ministry is going to address this serious issue so that the people in Ontario can be confident in their water.

1500

#### LINCOLN ALEXANDER EXPRESSWAY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a further question for the Minister of the Environment. Several weeks ago, I had the pleasure of meeting and chatting with the Lake Ontario waterkeepers regarding the Red Hill Valley and the expressway. I'll mention that Marilyn Churley-NDP also met with these good people right here at Queen's Park.

Minister, I've read reports that you've had problems identifying where the Red Hill Valley is located. Have you been able to find your way clear to meet with people concerned about the Red Hill situation?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm very aware of the issues with respect to the Red Hill Creek Expressway. I believe it's also known as that. It's important to remind everyone here that there has been a full environmental assessment done of the Red Hill Creek Expressway. It was an environmental assessment that was in place when the NDP government was in power in this province as well. No new information has

been brought to my ministry. You would know the process that would enable me to make some special considerations around the environmental assessment.

I can say to the member opposite that I will be very open to receiving any new information around this project.

**Mr Barrett:** My question was, have you had a chance to meet with them? They would very much like to chat with you. You indicate no new developments in the previous 17 or 18 years. I will draw to the attention of you and your ministry two developments. As you will know, I'm sure, toxic waste from a neighbouring landfill entered Red Hill Creek a number of years ago, within that 18-year window. Secondly, there is requirement to remove rock from part of the Niagara Escarpment. Does this new information that I am presenting to you qualify? Does it impact the social, economic or scientific evidence needed to grant a review of this project?

**The Speaker (Hon Alvin Curling):** Question.

**Mr Barrett:** Can you tell these people concerned, the waterkeepers, the aboriginal people from my riding and Six Nations—can you tell them today in this House, are you reviewing the Red Hill project?

**Hon Mrs Dombrowsky:** With respect to the question from the member opposite, perhaps the information that he's brought to the floor of the Legislature today is new to him. It is not new to me and it is not new to the ministry. I'd like to inform the member opposite that as part of the environmental assessment, and some years ago, the contamination he's referred to was identified. It is part of the plan for the expressway that the proponent will deal with that in an appropriate fashion, and the Ministry of the Environment has a responsibility to ensure that the terms of the environmental assessment and how these things are managed are carried out safely and will protect the environment, and that is exactly what the Ministry of the Environment is prepared to do.

#### HOSPITALS

**Mr Richard Patten (Ottawa Centre):** My question is for the Minister of Health and Long-Term Care. On Friday, November 21, 2003, our Ontario Liberal government held true to its word and announced that the new Royal Ottawa Hospital, which resides in my riding, will be built without delay as a publicly owned hospital. The news was not only well received, people were exceedingly happy with the news following weeks of anxiety about the future of the project. This commitment means hope for a lot of patients, for a lot of people in the community and a lot of families.

I accompanied the Premier when he made the announcement. We pointed out that the Royal Ottawa Hospital is obviously—

**The Speaker (Hon Alvin Curling):** Question.

**Mr Patten:** —an important hospital not only to Ottawa but also to the people of eastern Ontario.

Minister, can you please clarify the arrangement that is different from this public-private partnership than

arrangements that were previously negotiated with the previous government?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm very honoured to have an opportunity to answer the question from the member from Ottawa Centre. Indeed, we fulfilled our campaign commitment, which is to bring these private hospitals into the public domain. How do we do that? We take deals that were cloaked in secrecy and we make those public. That's public accountability.

We have inserted language and forced language to be inserted into the contract that very clearly stakes out the territory and responsibility of the public hospital corporation that will run that hospital just as other hospitals are run in our province. That's public control. We have made sure that the property, the title, the land and the buildings never leave the public domain as was planned under the deal that they offered. That is public ownership.

Public control, public accountability and public ownership make these public hospitals, and these are hospitals that the community in Ottawa and the community in Brampton will be very proud of, as will all members of this House and all citizens of the province.

**Mr Patten:** In this instance, the press sometimes forgets some aspects. I'm glad you had a chance to clarify that it's not always just the finances, it's who controls something, it's who relates to the contractors: Do the contractors have control or does the hospital and the ministry? I'm glad you clarified that.

In some recent reports there was some very hard-hitting analysis of P3 models and I wonder if you could elaborate on that and your view of what this means for new hospitals and medical services in the future.

**Hon Mr Smitherman:** What we're delighted about with these deals is that we've been able to take them back from private sector control, and control is an operative word because at the end of the day it's about who makes decisions and who offers direction. Under their deal, under the deal of the past government, they were very happy to sign over the responsibility for controlling these facilities to the private sector. We reject outright the notion that in our public health system we can allow for private entities to run things, to be in charge and to be in control.

The party across the way that had the honour and opportunity of being the government in Ontario for eight long years sold out our public hospitals. They were prepared to sell out our public health system and begin to introduce even more opportunities for private sector involvement. We said no. We started to scale that back. Anyone who suggests that public ownership and public control are not important things obviously doesn't understand the distinctions. I've been a landlord, I've been a tenant and I've been a homeowner, and I understand these differences. Public hospital boards that have always controlled our public hospitals in Ontario are back in charge in Ottawa, they're back in charge in Brampton, and these are hospitals that we should be very proud of.

## LANDFILL

**Mr Garfield Dunlop (Simcoe North):** My question again is to the Minister of the Environment. I have to tell you that I was very disappointed in her response to the member for Parry Sound-Muskoka. I don't know why she got so mad. He only asked why the ministry would not respond to the local TV station or contact his office. I think that's only common courtesy when there's a salt spill or any kind of tragedy like that.

But, Minister, what I want to know is, why did you and Dalton McGuinty and the Attorney General break your promise to the people of Napanee on withdrawing the appeal on the terms of reference for the expansion of the Richmond landfill?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm very happy to stand in this House this afternoon and say to the people of Ontario and say to the members opposite, we kept our promise. My ministry filed a motion to abandon the appeal and that is exactly what we committed to the people on the Richmond issue.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Am I observing that the member for Simcoe North has a picture of the minister on the back of that?

**Mr Dunlop:** Yes.

**The Speaker:** I don't want any placards or things like that in here. I don't want that in the House. Thanks.

**Mr Dunlop:** Maybe the minister wouldn't mind telling the whole story the next time, about Mr Bryant's involvement in this particular—

*Interjections.*

**The Speaker:** Order.

**Mr Dunlop:** Thank you very much. Minister, on behalf of the citizens of Napanee, are you committed to stopping the expansion of the Richmond landfill?

**Hon Mrs Dombrowsky:** I have to tell you that I really am surprised. I am certainly surprised with the new-found interest in the environment from the member of the Conservative Party. It's taken them eight years. I am delighted to answer the questions coming to me from the opposition, because it demonstrates to me, obviously, a new-found interest in the environment and its protection. Hopefully when we introduce our initiatives, they will get the full support of the members of the opposition. I am committed to protecting the environment in Napanee as well.

1510

## HYDRO RATES

**Mrs Liz Sandals (Guelph-Wellington):** My question is for the Minister of Energy. We have taken immediate and decisive steps to address the problems in the electricity system. However, many of my constituents are concerned that they will pay a disproportionate amount for the price of energy they consume. Many of those who are concerned are low-volume users. Will they be forced

to bear the burden for 12 years of mismanagement of our electricity system by the Conservatives and NDP?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The plan we put forward, which is going to be subject to committee hearings, which hasn't been the case in many bills of this instance in many years, does protect small consumers. There's a threshold of 750 kilowatt hours per month at which they'll pay the lower rate. It is an incentive for conservation. In spite of what the NDP says, it's one of the largest steps toward conservation that we've seen in the history of this province.

So the short answer is, your constituents will—and I believe most Ontarians accept that we all have to pay the market price or a fair reflection of the market price. We believe our bill has gone a long way to shield those consumers of more modest means who consume smaller amounts of energy any given month.

**Mrs Sandals:** Since the August blackout, most Ontarians are aware that conservation is essential, and I thank you for your interest in that. As you know, the previous government, just like they had very little concern with the environment, also had very limited concern about conservation. How will our changes to electricity pricing promote conservation?

**Hon Mr Duncan:** Well, you're certainly right, the NDP government cancelled conservation programs. The Tory government, the previous government—let me just tell you what their former energy minister said. Former Energy Minister Jim Wilson told Report on Business, "The private sector asked us to get out of large-scale government conservation programs. They may have made the odd person feel good, but they had absolutely no effect."

That is not the position of this government. We reject it, just as we reject their entire energy policy. The position of this government is that conservation is essential to ensuring long-term security and relatively fair pricing on electricity. Unlike the NDP, which cancelled conservation programs, we're moving forward with conservation programs. Embedded in the policy we announced—

**Ms Marilyn Churley (Toronto-Danforth):** What a lie.

**The Speaker (Hon Alvin Curling):** Order. The member from Toronto-Danforth knows that that's not parliamentary.

**Ms Churley:** But that wasn't the truth that he just said, and I'm not going to withdraw it.

**The Speaker:** Order. I'm going to ask the member to withdraw. If she refuses, I'm going to name the member.

**Ms Churley:** No.

*Ms Churley was escorted from the chamber.*

**The Speaker:** Minister.

**Hon Mr Duncan:** Embedded in this policy are two initiatives toward conservation: First is the tiered pricing; second is a \$225-million commitment through our LDCs to the broader community aimed at encouraging the use of time-of-use metering, interval metering, something

that will save consumers money in the long term and will help us deliver an affordable, adequate supply of reasonably priced energy well into the future.

#### COURT BACKLOG

**Mr Norman W. Sterling (Lanark-Carleton):** My question is to the Premier. Mr Premier, you know that before October 2 the previous government had taken significant steps to deal with the court backlog situation. You knew yesterday that the auditor's report was out of date with regard to the criticism with regard to the court backlog situation. Do you think you have fairly characterized the past government's actions to deal with this problem?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The auditor was very clear in the report that we received yesterday, just as he was very clear in his review of the state of the finances of the province. In both cases, representatives of that government maintain that they cannot agree with what Mr Peters said.

I say, if we are given the choice on this side of the House between the opinion of Mr Peters, the former Provincial Auditor for the province of Ontario, and the former government, we're with Mr Peters.

**Mr Sterling:** Mr Premier, you know that on June 30 this government pledged \$16 million to hire 15 new judges, at least 36 crown attorneys and other courtroom staff. On August 12, I wrote to the judicial advisory committee to ask them to hire those judges.

I believe that a responsible Premier has to present the facts as they are. The former government dealt with the situation and you are not being straight-up with the people of Ontario with regard to our actions. Mr Premier, would you now withdraw your criticism of the former Attorney General and the former Ministry of the Attorney General with regard to this matter?

**Hon Mr McGuinty:** Here is what Mr Peters said with respect to a matter which the member is obviously very sensitive about. He's telling us that the Ontario Court of Justice has the highest backlog in 10 years. He told us there has been little progress since 1997. He said there is \$60 million in uncollected fines. He listed security risks at our courthouses, including theft, assault, weapons and sabotage. That is the bible according to Mr Peters. I again say to the member opposite, if we have the choice between believing Mr Peters and representatives of this government, we're with Mr Peters.

#### GO TRANSIT

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** My question is for the Minister of Public Infrastructure Renewal. GO Transit is an incredibly important service for the people of my riding and other ridings. As the population grows in those areas, so does the need for GO Transit to meet the demands of the system. Improvements to the service, however, could be interrupted.

Development charge bylaws in the 905 regions are set to expire on December 31 of this year. If these bylaws are not extended, the flow of municipal funding for GO Transit growth projects could be disrupted. This will make it difficult for municipalities to ensure that there is enough GO Transit capital to serve the expanding needs of GO Transit. Minister, what's being done to ensure municipalities have the necessary money for Go Transit capital?

**The Speaker (Hon Alvin Curling):** The Minister of Public Infrastructure and Renewal.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** It doesn't roll off the tongue, Speaker, but thank you. I want to congratulate the member on his election and thank him for the question.

GO Transit does play a vital role in moving people safely in and out of the 905 region. That is why my colleague the Minister of Finance, as part of Bill 2, introduced an amendment that, if passed by this House, would allow municipalities to continue to collect development charges to support important GO Transit expansion initiatives, expansion initiatives like increasing the parking on GO lots, adding more trains on the lines. The interim measure, if passed by this House, would allow us to maintain the existing funding framework by allowing municipalities to charge the development fees. Our government is committed to investing in public transit because we believe that it will ease gridlock, build up our quality of life and build our economy.

1520

**Mr Arthurs:** That will certainly be welcome news for the 905 municipalities as they work through the beginning of their new year. GO Transit, though, is just one aspect of municipal systems. It's a hassle for people to make their way through the tangled web of transit services, not to mention the headaches caused by being stuck in gridlock on a daily basis. People want to know what steps are being taken to coordinate and improve all aspects of transit in the GTA. People want to know that this government's commitment to a seamless system is genuine. What will the Greater Toronto Transportation Authority do to address the transportation issues facing many of my constituents?

**Hon Mr Caplan:** Our government is committed to easing gridlock. Since the announcement in the throne speech of the Greater Toronto Transportation Authority, we have received wide support from the chair of GO, from the chair of transit authorities and from stakeholders across this province. We are committed to making the necessary improvements that are going to coordinate, plan and expand our transit systems. The Greater Toronto Transportation Authority is a necessary first step to get that job done. We're going to start a new dialogue between transit partners and between municipalities as we plan future initiatives and improvements to the service we have.

As a first task, the Greater Toronto Transportation Authority is going to be asked to implement a one-pass fare system to provide that seamless coordinated transit

system. I am very excited about this and I want to thank the member for his question.

### SEPTIC SYSTEMS

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I would like to address this question to the Minister of the Environment. First of all, I'd like to congratulate the minister for her appointment to the ministry.

In your party's election platform, you announced that if elected you would immediately ban the spreading of raw human waste on fields. You reiterated that position today in the House, knowing full well that the facilities to deal with this increased volume do not currently exist. My question to the minister is this: Specifically, how much money have you allocated or earmarked to assist rural municipalities in disposing of waste from the thousands of homes throughout rural Ontario that are currently on septic systems, from the tens of thousands in my riding alone?

**Hon Leona Dombrowsky (Minister of the Environment):** I thank the honourable member for his question. I'm not aware that rural municipalities have any obligation to support private homeowners in managing their septic systems. I'm certainly not aware of a program that the previous government had. It strikes me strange now that the member opposite suggests this government should assume that responsibility.

We have taken the recommendations of the Walkerton inquiry, the O'Connor report, very seriously. I am very proud to say that it has been the commitment of this government to stop the spreading of untreated human septage as soon as possible.

**Mr Yakabuski:** Minister, are you suggesting to this House that each individual rural homeowner in the province of Ontario will now be fully responsible for dealing with the septage from their system?

**Hon Mrs Dombrowsky:** That has been the case in Ontario these many years. I don't remember any commitment that we would do otherwise. However, I am very happy to report to this house that the Ministry of the Environment has formed a working group and we are working with stakeholders to explore and investigate ways to ensure that this very unhealthy practice of spreading untreated human septage on our farm fields is stopped as soon as possible. Your party was only going to do it in the next five years. We're going to do it as soon as possible, and I'm very proud of that commitment.

### MINIMUM WAGE

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Labour. I was pleased to hear our announcement in regard to the minimum wage being raised in Ontario. Many of us who represent ridings of people who are working at the minimum wage certainly saw this as a long-overdue raise to a group of people who basically have been ignored. Eight years of this government—not one cent to minimum wage earners. Finally

there's a government here that understands the plight of the working poor, the plight of people who need assistance, the plight of people who are struggling to get by. That announcement will certainly help from that perspective.

Minister, I want to ask if you can outline for this House the implementation process for this new increase to \$8 an hour over a four-year period and the kind of impact it may have on people who are now working and have been working for minimum wage for the last eight years.

**Hon Christopher Bentley (Minister of Labour):** I thank the member for his question. This is a very important issue, because minimum wage earners have been shut out of the prosperity of Ontario for almost nine years now. It was time they shared in the prosperity which is this province.

The other day I rose in this House and announced that for the first time in almost nine years there would be an increase in the minimum wage for minimum wage earners. Almost 11% in the year 2000 were earning up to or below \$8 an hour. It's time they had a raise in their wages, and we're going to do that.

That raise is going to take effect, the first instalment, on February 1, 2004, and every February 1 thereafter until it's raised to \$8 an hour for the general minimum wage on February 1, 2007—the first time they've received a minimum wage increase in almost nine years. I thank the member for the question.

**Hon Leona Dombrowsky (Minister of the Environment):** On a point of order, Mr Speaker: The member for Parry Sound-Muskoka raised a very important issue around the ministry not contacting a local television station, and I do have proof that in fact the ministry did contact the station. I have the transcript, and I will send—

**The Speaker (Hon Alvin Curling):** That isn't a point of order.

## PETITIONS

### PUBLIC SAFETY

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I would like to file a petition with the Legislative Assembly of Ontario and just read it into the record.

"Whereas the Provincial Auditor, on December 2, 2003, released his report stating the previous government wasted taxpayers' money by failing to provide services that have gone unheeded in some cases for as long as a decade, such as a 65% increase in criminal charges taking more than eight months to get into courts, failing to enforce \$1.3 billion in support payments to mothers and children, and a failure of more than one quarter of Ontario's waterworks to submit the minimum number of samples of two of the highest-risk substances, including E coli bacteria, in the year 2000;

"We, the undersigned, petition the Legislative Assembly of Ontario so that the new Liberal government not allow such incredulous, reckless mismanagement to ever occur again."

I'd like to file that with the assembly today.

### SENIORS' PROPERTY TAX CREDIT

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a petition titled, "Don't Scrap the Seniors' Property Tax Credit."

"Whereas Liberal leader Dalton McGuinty has announced plans to scrap the Ontario Home Property Tax Relief for Seniors Act, eliminating this tax break for renters and owners; and

"Whereas this tax relief would help Ontario seniors remain in their own apartments and houses, and assist them to meet rising costs; and

"Whereas this tax relief program would provide \$450 million in net benefits for 945,000 senior households;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario support Ontario seniors and help them remain in their own homes by maintaining the PCs' Ontario home property tax relief for seniors program and rejecting any proposal to take this tax break away from our senior citizens."

I sign this petition.

1530

### TUITION

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Parliament of Ontario from the student association of George Brown College, Local 92, Canadian Federation of Students. It reads as follows:

"Whereas average tuition fees in Ontario are the second-highest in Canada; and

"Whereas average undergraduate tuition fees in Ontario have more than doubled in the past 10 years; and

"Whereas tuition fees for deregulated programs have, in certain cases, doubled and even tripled; and

"Whereas Statistics Canada has documented a link between increasing tuition fees and diminishing access to post-secondary education; and

"Whereas four other provincial governments have taken a leadership role by freezing and reducing tuition fees;

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

"Freeze tuition fees for all programs at their current levels; and

"Take steps to reduce the tuition fees of all graduate programs, post-diploma programs and professional programs for which tuition fees have been deregulated since 1998."

Since I agree with this petition, I'm delighted to sign my name to it.

## SMALL BUSINESS TAX RELIEF

**Mr Ernie Hardeman (Oxford):** I have a petition to the Legislative Assembly of Ontario signed by a great number of constituents who have a great interest in this issue.

“Whereas business tax cuts have helped fuel the strongest economic and job growth ever seen in Canada; and

“Whereas corporate income taxes on the smaller businesses that create most of our new jobs have been scheduled to be reduced to 5% in 2004 and 4% in 2005; and

“Whereas the corporate income tax rate for manufacturing and processing firms has been scheduled to be cut to 10% for 2004, 9% for 2005 and 8% for 2006; and

“Whereas the general corporate income tax rate has been scheduled to be 11% for 2004, 9.5% for 2005 and 8% for 2006; and

“Whereas the capital tax on employers is on the road to be cut by 10% in 2004, with the plan to scrap it entirely;

“We, the undersigned, petition the Parliament of Ontario as follows:

“That the government of Ontario stay the course and maintain the scheduled tax reductions for job-creating businesses.”

Again, it's been signed by a great number of constituents and I will add my name to the list of their signatures.

## MUNICIPAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I rise in my place today to present the results of several months' efforts by a group known as Free Flamborough. Five representatives are here today, and I'd like the House to acknowledge them. Over the last several months they have been gathering signatures, and I'm pleased to report that there are 11,129 names. Over 50% of the eligible voters in the town of Flamborough have signed this petition.

“To the Legislative Assembly of Ontario:

“Whereas the citizens of Flamborough had no direct say in the creation of the new super city of Hamilton; and

“Whereas the government by regulation and legislation forced the recent amalgamation, against the overwhelming majority of the people of Flamborough; and

“Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services or reduced costs,” as promised; and

“Whereas the promise of tax decreases has not been met, with an average increase of 30% since amalgamation, and the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by 88%;

“Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind

this forced amalgamation order, return our local municipal government back to the local citizens and their democratically elected officials in Flamborough, and in so doing remove the bureaucratic, inefficient, single-tier governance it has imposed on the residents of Flamborough.”

I offer that up. We may need more than one page to carry them to the Clerk's office, although Emma looks eminently strong enough to do this.

## SCHOOL CLOSURES

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

“Whereas Hughes Public School at 17 Innes Avenue in the city of Toronto closed down and its premises have been declared surplus by the Toronto District School Board;

“Whereas the city of Toronto has issued a building permit to the Toronto District School Board permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;

“Whereas the Beatrice House is not a private school registered with the Ministry of Education, nor a mident has been issued to that organization;

“Whereas within the context of the zoning bylaw (438-86) the subject lands have been designated as R2 Z0.6 a ‘private academic, philanthropic or religious school’;

“Whereas the Toronto District School Board has chosen not to lease the subject premises to a computer training company for \$1.25 million annually. Instead the board has chosen to lease it to the Beatrice House for a fraction of the current market value;

“Whereas the lease has not been signed between the Toronto District School Board and Beatrice House, while renovations to the building are underway;

“Whereas local taxpayers' concerns have been ignored have been ignored by the Toronto District School Board;

“Whereas other locations, such as the Brother Edmund Rice School at 55 Pelham Park, or the Earls Court Public School at 29 Ascot, which are being closed down, have been offered to Beatrice House to no avail;

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

“That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

“(1) Boards are to seek fair market value when selling, leasing or otherwise disposing of schools, except that the price for the property not to exceed the value of the ministry's grant for the new pupil places when the purchaser is coterminus board, a provincial school, or a publicly funded care and treatment facility offering programs leading to a diploma.

“(2) Boards are to offer the property to coterminus boards and other public agencies operating in the area in

accordance with the priority order currently specified in regulation 444/98.

“(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents.

“Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail.”

## ORDERS OF THE DAY

### AUTOMOBILE INSURANCE RATE STABILIZATION ACT, 2003

#### LOI DE 2003 SUR LA STABILISATION DES TAUX D'ASSURANCE-AUTOMOBILE

Resuming the debate adjourned on December 2, 2003 on the motion for second reading of Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles / *Projet de loi 5, Loi visant à geler temporairement les taux d'assurance-automobile dans les cas des voitures de tourisme et à prévoir l'examen et la réglementation des systèmes de classement des risques et des taux d'assurance-automobile les concernant.*

**The Acting Speaker (Mr Bruce Crozier):** When we last dealt with this issue, the member for Waterloo-Wellington had completed his remarks, so I would call for questions and comments. The member from Timiskaming—Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** Timiskaming is south of Timmins-James Bay, Mr Speaker, and there's somebody else in that riding. I wouldn't want to push him out just yet. We'll wait four years.

I listened intently to the comments made by the member in regard to this whole auto insurance fiasco. I just want to say, I agree with part of what he said, but I have a little bit of a problem on the other part of what he said.

Let me start with the first part. First, this plan is going to do nothing, quite frankly, in order to really assist people to get their rates down. The government ran on a promise that they were going to reduce people's auto insurance within a 90-day period by 20%. A 20% reduction from an increase of \$800 a month to \$4,600, which is what some people are now paying, doesn't cut it. I've got people in my constituency who had a bill last year of about \$800. Because of no fault of their own, they're in a situation where their automobile insurance has gone up to \$4,600. So, even if the government was to carry through on the promise they made in the election, the 20% doesn't cut it.

## 1540

First of all, this bill does not roll back rates by 20%. What it purportedly does is freeze auto insurance rates at elevated rates that insurance companies have already passed on to consumers. The problem is that section 6 of the bill—that's called the Mack truck section—says that any insurance company that is having financial difficulties is able to pass on an increase to the consumer. I just want to point out that that's basically what's in the current legislation. Section 6 is not verbatim but it's basically the same type of provision that we have in the existing legislation.

Even with the so-called freeze, people will still be gouged by automobile insurance companies. That's why we, as New Democrats, argue that the only way to fix this is to move to a publicly funded, not-for-profit system, as they have in Manitoba, another province where the rates are a heck of a lot cheaper than here.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to rise and respond to the Waterloo-Wellington member's comments on this important piece of legislation.

When the member from Waterloo-Wellington speaks, I've long ago learned that it's really important to have two listening ears, because he so often offers such fresh insights and some really cogent suggestions as to where we should be going. I was delighted to hear some of his helpful, constructive remarks about standards yesterday, and his reference to some of the procedural aspects of this bill. I would point out to the member that this bill, although it is but a temporary freeze, will buy us the time we need to do the very consultation that he has indicated is so incredibly important with an issue that—in fact, it's compulsory. People must have auto insurance, and that's why governments of all stripes have the requirement to be somewhat interventionist in terms of this issue.

He also raised an interesting paradigm that I was pleased to see read. That was the question, and it was more than just a rhetorical question, about the injury system: Does it in fact work? That has all kinds of spin-offs around the designated assessment centres and some of the other issues that he and I are all too familiar with, answering the phone in the constituency office.

The need to streamline the process that we bring to the table with respect to common injuries: I want to say to the member opposite that we on this side found that a particularly helpful suggestion. We do indeed need to streamline it, thinking of the victims and the people of Ontario we're all here to serve.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this afternoon to make a few comments on the speech and the comments made by my colleague Mr Arnott, from Waterloo-Wellington. I can tell you that with his family's connections in the business world and his connections from his many years in politics, watching different governments pursue different styles or different proposals on automobile insurance, I too take him very seriously.

Mr Arnott and I were talking the other night about this auto insurance bill. One of the things he said to me was—he's a man of his word and he's a very honest person—"You know, I don't think that this will correct the problem here. I believe it's a worldwide problem." It's something I have to agree with him on.

I look back at the impact on the insurance world as a result of September 11, when billions and billions of dollars in lawsuits are actually outstanding right to this day. Also, there were some poor investments and that sort of thing. A lot of things, along with the courts system, drove auto insurance up. I'm not so sure that this bill will do anything at all. I think it really is a time delay type of bill, to see that they can think about it after we get the House adjourned. Maybe there will be some other opportunities or some other legislation. I doubt if it will be corrected in one piece of legislation.

I look forward to hearing about the committee that will travel around and visit different communities to seek input. I think it is important to do that, as we try to keep auto insurance rates down in this province. Whether the government can guarantee, as they did in their election platform, a 20% decrease in rates will be seen in the future with the results of the proposal and the committee's work.

**Mr Michael Prue (Beaches-East York):** I too listened with some interest to the member when he spoke on the last occasion. I have to tell you that although much of what he had to say could in fact be correct, I think far too much blame is being put by people on the events of September 11 in New York for what is happening to the insurance industry. Whereas that may have had some small effect in terms of the amounts of money that are being paid out on automobiles in Ontario, it is not the real reason that the rates are going up. The real reason the rates are going up is quite clearly that the insurance industry invests the money that drivers and other people give to them—that's one of the ways they make their money. And their investments in the stock market over the last number of years, in the declining stock market, is the number one cause of the reason that insurance rates are skyrocketing in Ontario.

I invite the members here to look no further than what has happened where those monies are not invested, the not-for-profit situation in three separate provinces of this country. I ask them to look at British Columbia, Manitoba and Saskatchewan, and they will see that in those three provinces, which do not have the same problem of investing the money in the stock market the way private companies do, the insurance rates are going up in single digits only. The reason, perhaps, they are going up in single digits is something that affects all of us, and that is the increasing costs of the claims. But in Ontario we are looking at, and have looked at, a 30% increase, and it is not because of September 11, or at least not in large part; it is mostly because of bad investments in the stock market.

We need to understand how private insurance works. It works on investing money, and the investing has not

been good. We need to look to a term of public insurance so that we do not have to look at the vagaries of the stock market in the future.

**The Acting Speaker:** The member for Waterloo-Wellington has two minutes for summary.

**Mr Ted Arnott (Waterloo-Wellington):** I was pleased to have the opportunity to give my thoughts to the House on this bill yesterday afternoon, after question period and routine proceedings. People had an opportunity to respond the very next day, and they still remembered what I said. I'm glad that some people were actually listening to my speech yesterday afternoon, because I have difficulty remembering what I said myself. And to see other members who actually seem to be able to restate some of my thoughts—I appreciate that very much.

Two New Democrats responded to my speech: the member for Timmins-James Bay and the member for Beaches-East York. Where we have a fundamental disagreement with the New Democrats is of course on the issue of whether or not public auto insurance would be in the public interest. New Democrats continue to espouse this particular policy at the present time, but of course, as we know, when they had the opportunity to govern, between 1990 and 1995, they seriously considered it, they were committed to doing it, I believe in the 1990 campaign, in the Agenda for People. I don't know what the discussions were during those years—I wasn't privy to those discussions, not being a part of the government caucus—but I sat in opposition and watched it unfold, and certainly I think the Premier of the day, Bob Rae, struggled with the decision. I know the member for Niagara Centre was prepared to go to the wall to fight for the principle, but in the end, the Premier decided that it was not in the public interest to move forward in that respect. I think he was concerned about the potential job loss that would have resulted. There would have been probably thousands of people put out of work at that time. Particularly during a recession, I think he considered that those working people's interests needed to be considered.

I believe that to change the system of auto insurance the way the New Democrats would have us do would probably cost in the billions of dollars, from what I have been told and advised by the Insurance Bureau of Canada. It's not a practical policy, and it's not one that I support. But I do appreciate their interventions in response to my speech.

I also appreciate the response from the member for Ancaster-Dundas-Flamborough-Aldershot, who spoke quite eloquently about the need for an important role for the provincial government to regulate auto insurance. I certainly agree with that.

I thank my colleague the member for Simcoe North for his kind comments. But he also questioned the effectiveness of this bill, and certainly we'll see how effective it will be over time.

**The Acting Speaker:** Further debate?

**Mr Brad Duguid (Scarborough Centre):** I'm pleased to rise today to speak to Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles. That's a mouthful and when you read through it, it's almost difficult to say exactly what it is. But what it really is, is our commitment that we made during the previous campaign being met.

1550

I'm delighted to rise today. We have just got going here in this term, and it really shows how committed we are to this particular issue that this would be before us already.

This really was one of the top three or four issues that we faced at the doors over the course of the last election campaign. Our electors at the doors raised a number of important issues: education, health care, crime, the new deal with municipalities. All of that was discussed at the doors, but insurance was right up there with all the other ones.

People don't tend to recognize how important an issue is until it touches them or someone close to them. For example, health care has grown to become one of the top issues, if not the top issue, across the country. That wasn't always the case. That happened over a period of time as health care deteriorated in Ontario and in other places in Canada. There were longer waits for procedures. People would go to hospitals and recognize that there was a shortage of nurses, a shortage of doctors. The quality of health care just wasn't what it used to be and that's when it became important to people, when they experienced it themselves or their loved ones experienced it—their mothers, their fathers, their children, their uncles and aunts or, as I said, themselves.

It's the same with education. As our education system was allowed to deteriorate under the previous government, people began to recognize it. They didn't rise up all at once; they didn't recognize it all at once. As parents and grandparents started seeing their kids in classrooms of 30 and 40 people, as they started seeing their kids coming home without textbooks because there were no textbooks for them, when they started hearing about stories of kids not having soap in their washrooms because of cutbacks, when they started finding out that their kids weren't getting outdoor education, for instance, or that music programs were being cancelled or sports teams had to be eliminated because they didn't have proper equipment—when they started finding these things out, that's when they started to rise up against this government and decided that it was time for them to go.

If you look at issues like crime, crime has always been one of the major issues in Toronto and in major cities across the province. Again, that was a major issue in this last election. I think that's an issue where everybody has either been touched by it or knows somebody who has been touched by it.

The new deal with municipalities was a new one. That wasn't a big issue in the previous provincial election, but that started to become an issue certainly in communities like Toronto, where people started to feel the impact of this government's policies with regard to municipalities. They started seeing how the cutbacks in transit were impacting public transit. They started seeing how their quality of services were starting to diminish because of the treatment they were getting from this particular provincial government, and that's why they started to care about the issue of a new deal for municipalities. It wasn't so much the municipalities. Former municipal councillors like myself and the many others that are here in the Liberal government—it wasn't just because we were rising up and going after the provincial government. Frankly, it was because they were experiencing the problems themselves. They were seeing in their own communities how the problems were affecting them.

I think it's the same thing with auto insurance. As auto insurance rates rose, people didn't start to get angry about it until their rates went up or until their family members' rates went up. Frankly, at the door that was what we were hearing. As soon as people said they'd had their auto insurance renewal come in when you hit their door, you knew what they were going to talk about right away because they were being hit by pretty serious increases.

When you look at just the last little while—and that doesn't tell the whole story, but when you look at the fourth quarter of 2002, where the average increase was 9.2%, and look at the first quarter of 2003, not long ago, where the average increase was 7.3%, the second quarter of 2003, where the average increase was 8.5%, the third quarter, where it was 8.2%—that sounds like annual increases. That doesn't sound like quarterly increases. You add those up all together and you're talking about an average of 15% to 20% increases. Some people saw even worse. Some people were seeing 100% increases, some people 200% and some people, if they had even a minor fender-bender, would see their increases going up four and five times. That's something that I think people just can't afford; they simply can't afford it. You think of how this impacts our community, how this impacts the people out there, because we know it's a political issue to deal with, but what is the real impact in our communities if we don't get a handle on these increasing auto insurance rates?

I remember going to a door and seeing a young man working under his hot rod. It was one of those older vehicles, probably about a 10- or 15-year-old car. It looked like he had spent tons of hours on it, fixing it up and getting it ready for the road. He pulled his head out from under the vehicle and got up and started talking to me. He said, "I've spent hours on this car; my life savings. I've worked for years as a student part-time, saving up money to buy this car. It's an old car, so I had to put in hours after hours, days upon days, to fix it up. I finally got it fixed up, applied for automobile insurance," and the automobile insurance was something like \$8,000,

which was about \$3,000 more than he paid for the car in the first place.

There was just no way. This young gentleman could not put his car on the road no matter what he did. So he looked to us for answers. He looked to us to say what we were going to do about it. He'd given up on the previous government because he knew that they sat on their hands while all these increases were going up. He said, "What are you going to do about it?" I wish I could have told him that we're going to be able to get him auto insurance at about \$2,000 or something like that. Unfortunately, this problem has gone on too long for us to roll it back so that we can resolve those kinds of problems. This problem has been going on for many, many years and nothing's been done about it.

So what I could tell him was, "Look, we're going to freeze auto insurance the moment we take office," and that's exactly what we did. I'm proud of the fact that I can go back to that young man and say we did what we said we were going to do. We froze those rates so we could get an opportunity to get a handle on this problem and start really trying to work with the industry to restructure what goes into those rate increases.

I've got to tell you a little bit about my wife Giacinda. I've been together with her for—don't ask me how many years; I'd have to really think on that—seven or eight years now. Actually, it's been nine years now that we've been together, and I've got to admit, she's never had the greatest driving record. Thank goodness she has a company car. She drives a lot.

**Mr Mike Colle (Eglinton-Lawrence):** Are you sure you want to say that?

**Mr Duguid:** I hope she's not listening. I know she's not because she's on the road today. She drives a lot. She drives all across Ontario and she's very, very busy. She's on the road a lot.

Needless to say, yes, I have to admit, she's had a few speeding tickets. I hate to admit it, but she has, and needless to say, she has had a few accidents in her day. She hasn't had any driving my car; thank goodness for that. She's been driving her company car when that's happened, but they've been minor accidents, fender-benders. The fact that she's on the road so much is part of the reason why those accidents have probably occurred. It's just the luck of the draw: You're on the road so often that at some point in time, somebody's going to bang into you.

If she was to quit her job and go to work part-time or quit her job to stay home or get into volunteer work or whatever she decided to do, I've got to tell you, there's no way we could afford to have her drive. There's just no way. Her rates would be far too high and she would not be able to drive. This thing affects all of us; it affects all of us in one way, shape or form.

The other day, I was speaking to my nephew, who's 13 years old now—a good little hockey player, actually. He's 13 years old and we couldn't believe it, when we were looking at him, that three years from now, he's likely going to start applying for his driver's licence, and

go through that process to get his driver's licence. His parents do OK. They own a nice house in Pickering. They have a decent income. They both work. My sister's a nurse; my brother-in-law's in the computer business. They do OK. But I've got to tell you—

Mr Speaker, it looks like the clock's back to normal here now. We're having a little bit of technical difficulty with the clock.

1600

**The Acting Speaker:** No, just take your seat for a moment. We've reached that point in the debate on this issue where time for speakers is now limited to 10 minutes. Perhaps you hadn't been informed of that, so I'll give you a little bit of an opportunity just to wrap your comments up.

**Mr Duguid:** Thank you very much, Speaker. I won't have to take much time to wrap my comments up.

I'm really proud to be here today with this legislation before us so early in our mandate. This legislation is extremely important. It's extremely important that we get a handle on this problem. It's a systemic problem. We're not going to solve this problem with a rate freeze; I think we all know that. We've got to go beyond that rate freeze.

**The Acting Speaker:** Questions or comments?

**Mr Gerry Martiniuk (Cambridge):** Auto insurance has been the bane of many governments across this great country of ours. Of course, there are those who say that public auto insurance would seem to be the answer, but strangely enough, many of them, when they get into power, do a flip-flop and change their mind. I've never understood why. It really does happen. I find that strange, and yet, after their opportunity disappears, they start again on the same subject. I'd like to congratulate the member for Scarborough Centre for bringing this matter forth in debate.

A freeze that had already been established by the Eves government will continue. I'm really concerned, however, about what happens when the freeze is over. There have been substantial increases in auto insurance rates to many individuals in this province who can least afford it. I am hoping that once the freeze is over, auto insurance premiums will be controlled, for the benefit of our province. It's not just residential drivers who rely on it; as the member mentioned, there are many, including truck drivers and commercial drivers, who require insurance in order to carry out their livelihood.

So this is an important topic, and we can only hope that the government will be looking at it to temper the rate increases, as they have promised, and actually decreasing it by 10%.

**Mr Prue:** I want to commend the member for Scarborough Centre for his speech. I wish he'd had a little bit more time.

I don't know; he must be a very brave man to stand up and say two things—number one: to talk about his wife in this Legislature in such terms. Although they were not disparaging, they certainly were not something that I

would want to say about my spouse or my family having tickets for speeding and fender-benders on the highway.

In any event, what I think he has done is a little bit of a service to all of us in terms of recognizing that people who are out there on the streets driving for a living—

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** You probably needed the money in East York. You were probably mayor at that time.

**Mr Prue:** I probably was.

People who are out there on the streets driving for a living, because they drive more miles, are more prone to accidents and more prone to having tickets of various descriptions. We need to keep this in mind. Although we're only debating on private passenger vehicles, you need to know what is happening in other parts of the automobile industry. For instance, the amount of insurance that is required of a cab driver today in a city like Toronto is exorbitant. It is making it literally impossible for the independent cabbie to continue to work. It is making it impossible for some of the courier services to continue to work. We need to get a better handle on that.

He did admit toward the end, and I thank him for that, that this will not solve the problem. This is a long-term problem. Freezing the rates isn't going to do anything except to make sure that drivers like him, like his wife, like me, like all of us, will continue to pay a rate that is far too high. We need to do something else, and I would invite him to seriously start looking at public insurance.

**Mr Colle:** I just want to say, like a true rookie, the member from Scarborough Centre stood in this House and questioned his partner's driving ability. I'm going to give him a chance to take that back. I mean, that's a rookie mistake; I definitely think so. He's going to take it back, I'm sure.

*Interjection.*

**Mr Colle:** Strike it out of Hansard, yes.

The member from Scarborough Centre understands it, but many members in the opposition have not seen: The significant part of this bill is section 12. For the first time in the history of this province, we are giving our financial watchdog, the superintendent of financial services, Mr Davies, the power to deny insurance companies the right to file whatever they want. He can say to the insurance companies in this province—under Bill 5, for the first time we've had a government that's had the guts to do this—"If you don't file with a 10% decrease, you don't do business in Ontario." He is going to have that power for the first time. That's the significance in Bill 5. To the members over there who haven't read the bill, understand that that's the critical part.

The financial services watchdog is going to have the power to stand up for the eight million motorists in this province who've been left standing by the roadside while the government before us in essence was just blowing a lot of hot air and never did anything to protect the eight million motorists.

This government is about protecting the eight million motorists, not the insurance companies. It's about the eight million motorists, not protecting all the people who are scamming the system.

**Mr Norman W. Sterling (Lanark-Carleton):** I really find the comments of Mr Colle quite humorous in terms of the investment the previous government made in our highway system. You talk about protecting motorists. The way you protect motorists in one way is to provide more miles of lanes to drive on, because then they're not in conflict with other people in terms of road use.

The former government spent over \$1 billion a year on road construction, with very little help from our federal counterparts—less than \$25 million a year or something like that, a pittance in terms of the \$1 billion we spent each year on new road construction.

As well, because of the increase in the population, particularly in the GTA and in the Ottawa, Windsor and London areas, we were planning for even more construction with regard to highways—we had started environmental assessments, those kinds of things, which you need to do far in advance of the roads being there so that future politicians can make the decisions to build the highways because someone before them has promised.

Our government in the last eight years put \$1 billion a year toward highways, when previous governments were neglecting them—totally neglecting our roads. If you ask anybody in Ontario whether our roads have improved over the last eight years, I know what they'll say. They'll say, "Tremendously," in terms of new highways and rebuilding some of our old highways which needed to be rebuilt.

So, Mr Colle, nice try.

**The Acting Speaker:** The member from Scarborough Centre has two minutes in summary.

**Mr Duguid:** Two minutes; I'll make note of that. Thank you.

The member opposite was talking about roads. I've never seen a year so bad in terms of potholes in cities and across this province. So the condition of roads has been an issue in the last provincial election, and it was because of neglect, I think, more than anything else.

**1610**

As I was saying when I was concluding my remarks, this rate freeze alone is not going to resolve the problem. It will help, it will help us get some time to get a handle on this particular issue. What we need to do, and where it's really going to make the difference, is when we bring forward the initiatives with the industry to find savings within that industry. That's what we're going to need to bring the rates down. They have to be structurally brought down. Whether that's looking at things like fraud, whether it's looking at things like the costs in court cases, medical cost savings, or whether it's providing more flexibility to the consumer, all of those things combined are what we're going to have to work toward, and work very hard toward, to start bring those rates down.

We're committed to getting those rates down. We committed in the last election to getting them down, initially 10%. Let's hope we can work together and get them down even further. We know how important it is to the people of this province, for them to be able to utilize their vehicles for their social lives, for their working lives.

In my concluding comments: It is important as well that we are balanced as we move forward with this initiative. We don't want to see insurance companies running for cover outside of this province. We don't want to see insurance companies stop writing insurance.

I'll give you one personal example that happened in my own riding of Scarborough Centre, where we're trying to build our civic centre/city centre area. When the NDP got elected in 1990, an office building was scheduled to be built by an insurance company. That office building got cancelled the day the NDP got into office in 1990.

**The Acting Speaker:** Just by way of explanation for the members, for the whips, and maybe for the public: Section 24(c) of the standing orders reads, "Notwithstanding clause (a) no member shall speak for more than 10 minutes after seven hours of debate on second or third reading of a government bill." The Chair was interested in your comments, but that's the reason for limiting them to 10 minutes.

Further debate.

**Mr Norm Miller (Parry Sound-Muskoka):** Thank you for that explanation as to why I have 10 minutes to speak on this bill. It's my pleasure to join in the debate today on Bill 5, which is an act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of the risk classification systems and automobile insurance rates for private passenger vehicles.

I think it's worthy of note that it is a temporary freeze. Really, this is a weakened version of changes that had already been put in place by the previous government. The past insurance commissioner, or person in charge of it in the past government, was Rob Sampson. He had gone through extensive consultations, met with stakeholders, and I believe it was on July 2 he had made substantial changes to automobile insurance. They included changes to streamline access to treatment for common injuries such as whiplash by introducing a pre-approved framework for treatment; improved benefits for children suffering from serious injuries; the restricted use of medical examinations by insurers, in order to end duplication. We were also planning to prohibit unfair business practices by health care providers and paralegals—to introduce a code of conduct for paralegals.

We followed up that white paper in July with additional steps, including amending the deductibles that apply toward awards for pain and suffering; directing the superintendent of financial services to review the designated assessment system—the existing proposed fee schedule used by various health care providers; treating auto accident victims, and the rules used by insurers, to

ensure that they are not unfairly denying coverage to consumers. There were extensive changes made. The first batch on July 2; the next group in late August.

The regulations for those changes were in process; they just needed to be implemented. It could easily have been done by the current government. That would have saved \$1.4 billion in costs in the auto insurance industry. The current Bill 5 will result in savings of about \$650 million. It's kind of a halfway measure. Those regulations were in place and just needed to be implemented.

Let's remember that this was a big election promise for the current government. I think what the average person understood was that there was going to be an immediate freeze, and then there was going to be a 20% reduction in rates. This bill, when it eventually comes into force—and it's in effect a delay of what was already proposed—is a temporary freeze, and then it may result in a 10% reduction in rates. It's not what the general public expected, and I can tell you that that's based on calls we're getting in our constituency office from people who believed the current government when they said they were going to immediately freeze the rates.

Meanwhile, of course, they continue to break other promises, like increasing taxes on medium-sized businesses by some 27% as of January 1, 2004—I don't think most people are aware of that. Had our government been in place on January 1, 2004, medium-sized businesses would be paying 27% less corporation taxes, and that's very significant. We're all going to be paying a 28% increase in energy costs.

I think it's worth quoting from the Timmins Daily Press what the average person thinks. Here are a couple of quotes from the Timmins Daily Press: "I think the rates should be lowered and not frozen. Premier ... McGuinty has already broken his promise by freezing but not dropping rates."

Another quote: "I think freezing ... is a good start. But I think the rates should be lowered. During the election, the promise was they would be lowered."

I think these comments accurately reflect what most people in Ontario took the Liberal promise to mean. It's another promise that is falling by the wayside. And there is a large group of promises. The Minister of Finance said he was going to balance the budget, and now he's not. The Premier signed a pledge to balance the budget and not raise taxes, and we're seeing some big tax increases. Of course the Minister of Energy has recently increased the price of electricity, when in the campaign they said they were going to maintain the cap. It goes on and on.

In the Liberal policy paper, Lower Rates for a Change, the Liberal promise is very clear: "A commitment of 20% reduction in auto insurance rates for Ontario motorists." In fact, industry specialists like George Cooke, chairman of the Insurance Bureau of Canada, are saying consumers will see an increase of 5% or more in rates. I can tell you that in my riding the phone has been ringing off the hook from concerned constituents.

I had a constituent concerned about huge increases in auto insurance liability rates. This particular constituent has not had an accident in 50 years of driving, and her cost for liability insurance only has risen by \$1,000.

I have another constituent with a unique concern. For the past three years this constituent has been a volunteer driver for the Canadian Cancer Society and East Parry Sound Community Support Services, also known as Eastholme. Each year, Eastholme sends out a form to be filled in by the driver and completed by the driver's insurance company. This year, the volunteer's insurance company sent the form back incomplete, saying they no longer offer coverage of vehicles to be used to provide occasional volunteer driving. The insurance company previously provided this coverage but has now discontinued the same, and this in spite of a directive from the Financial Services Commission of Ontario which is the regulator for insurance.

There are lots of problems out there. I could talk about more of them, but I know I'm going to run out of my 10 minutes if I go through all the various examples we've been hearing. I can just say that insurance is a huge issue across this province.

I'd like to briefly speak about general insurance, because it affects not only auto insurance. This week, I met with the Ontario Real Estate Association, and they're telling me that the provision of insurance is affecting their ability to sell homes, because you have to have insurance in order to close a deal, in order to get a mortgage. They're finding that people just can't buy insurance, so the deal falls apart. People with older homes, century homes, are having difficulty getting insurance. If they happen to have knob and tube wiring in their home, they aren't able to get insurance. I quote from the *Globe and Mail* of November 29:

"Old Houses New Nightmare.

"Increasingly unwilling to take on what they see as the risks of older Toronto properties, insurance companies are cancelling policies or demanding costly upgrades.

"After 24 years with the same insurance company, Elizabeth Kimball wasn't expecting the news she got this summer—Royal SunAlliance was cancelling the policy on her 100-year-old Toronto house. Thinking it had to be a mistake, Ms Kimball called her agent. There was no mistake."

#### 1620

This is mainly based on the type of wiring, but it's obvious insurance companies, if there's any risk at all, are not willing to take on the policy.

In northern and rural Ontario, if you have a wood stove—with energy prices going up, as proposed by the Liberal government, more and more people in the north will want to rely on wood heat. Often an insurance company won't insure you if you have a wood stove, or will make it very expensive. Also, if you have an oil tank, which is also very common in the north and rural areas, it becomes very difficult to get insurance.

I was approached last week by an important business in the Muskoka area, a large business that, this time, was

unable to buy liability insurance. So their options are self-insurance or closing up shop. This is a very important issue.

Snowmobile insurance really affects the riding of Parry Sound-Muskoka, both for individual snowmobiles and those able to buy insurance, or the OFSC, getting the insurance for the trail system around the province. It's very important for tourism. They're facing huge, huge challenges.

Insurance is something that permeates the economy and affects all of us. It affects business. It's a really important issue that the government has to get a handle on, and I encourage them to really try to deal with this. It is critical to our economy in Ontario. It's not just an Ontario problem. I think that is worth knowing, so when you talk about getting tough with insurance companies, a lot of them will just close up shop and leave Ontario. The government has to keep that in mind as well.

This Bill 5 is just a weaker version of the changes that just had to be enacted. It's going to delay the 15% reduction that would have happened under the previous government, and doesn't deal with this issue.

**The Acting Speaker:** Questions and comments?

**Mr Bisson:** Another thing that this bill does—and I know that because the member only had 10 minutes he didn't get a chance to speak on this—I bet you that we've all been contacted by people in the trucking industry, either independent tow truck drivers but also specifically independent trucking operators and small trucking companies. Those people are being hit absolutely hard.

I want to tell you the story of one company, about how bad it can get. In Val Rita, Ontario, there's a woman by the name of Muriel Parent, who owns Parent trucking. They have been in business for 30 years; hard-working people, a pillar of the community. They put on probably around two million kilometres a year on highways throughout North America with their trucks. It stands to reason that you're going to get some fender-benders in two million kilometres.

She contacted me, not this summer but last summer, when her insurance went from \$40,000 to, I believe, just over \$200,000 in one year. We did a whole bunch of work for her and tried to deal with the then minister responsible for insurance—they didn't want to do anything. We managed to negotiate it down a little bit. I think she finally settled somewhere in the hundreds of thousands of dollars. Last year, when she got her bill in August and called me in a panic—up over \$400,000 they wanted for insurance premiums, when she was only paying \$40,000 two years before.

You tell me how a small business person can afford an overhead cost of \$40,000 to over \$400,000. It doesn't stand to reason. As a result of a whole bunch of interventions, we managed to get her a bit of a break, but she's right back to where she started yet again, with high premiums on insurance.

What this bill doesn't do and what I want to put forward as an amendment is that we do something in order to assist the independent trucking operators and

trucking companies so that they don't get gouged by the insurance companies the way it's happening now. I'm going to call it the Muriel Parent amendment to this bill.

**Mr Shafiq Qaadri (Etobicoke North):** First of all, I would like to take extreme exception to the Tory member of provincial Parliament for Parry-Sound Muskoka. They spent a considerable amount of time in power idly watching the insurance companies of this province gouging motorists. There was no freeze or reduction brought in by the previous regime, and they basically allowed increase after increase to take place.

I think this also reflects the philosophical difference between our government and the previous administration. We believe in putting people first and not the corporate interest; not the elite, not the heavily financed friends of the Tory party but the common people of Ontario, which of course include the motorists.

I can also tell you that as the proud representative of the riding of Etobicoke North, travelling the length and breadth of it, especially during this most recent campaign, there were many individuals who actually spoke to the previous administrations idly standing by, watching increase after increase in their insurance rates. I do agree with foregoing members that certainly it's an important issue. It's an issue that has really plagued a lot of individuals, and people are in fact hurting. That is why I am proud to be part of a government and part of an administration that, within 10 minutes of assuming power, moved on this particular issue that is of such great importance, within 10 minutes brought the mechanics and the power to bear on the auto insurance's freezing of rates and the increase. That's why I'm proud to be part of this administration. They're quite right: This is but the first step, the first wave, in fulfilling our commitments to the eventual reductions.

**Mr Sterling:** I'd like to congratulate Norm Miller from Parry Sound-Muskoka. Norm came here not too long ago in a by-election and has proven himself to be an exemplary MPP in representing the interests of his riding. He's in touch, as you can tell from his speech, in terms of ordinary people coming to talk to him about problems they're having with the insurance industry.

We heard the last speaker, from Etobicoke North, talk about their government with the people rather than the corporations. Well, their party is a party of promises. Our party is a party of reality. That's the difference between the two parties. We don't believe that you can have healthy insurance rates without a reasonable system to go around it. Governments have tried. In the early 1980s the Peterson government tried to bring in no-fault insurance, which was an abysmal failure. The NDP didn't bring in public insurance because they saw that it would be an abysmal failure. We brought in a bill in 1996 which lowered car insurance premiums by 20% to 25% at that time, and now we need another revamping of the system. That's because there's fraud in the system which we have to address.

This bill is nothing but window dressing. This government could take the same actions that we were taking,

prior to the summer, with regard to the insurance business through regulation. They have every power now to deal with the car insurance industry without this bill. We're just wasting our time in this Legislature dealing with this bill because it doesn't give any real, new powers to the government of Ontario.

**Mr Prue:** I listened with some great interest to the member from Parry Sound-Muskoka, as I always do. He tries to say that the former government was doing something that was quite different from what the present government is doing. I want to tell you that they're both doing almost the same thing.

I listened earlier to the member from Scarborough Centre, who quite succinctly said at the end that this bill they are proposing is not going to do very much, because it's simply going to freeze rates for 90 days in order to allow them to make changes with the insurance industry that, in turn, may help the insurance industry to lower rates. The past government did the same thing, without freezing. They went to the insurance industry and said, "We're going to give you a whole bunch of options which will allow you to reduce your costs and, hopefully, some day you will be able to reduce rates as a result."

What did they do? I'm going to spend my whole 10 minutes in the speech showing what these were because this is what the Liberals are going to do in the future too, I'm absolutely convinced. They allowed the insurance companies to cut back on what they paid to consumers who find themselves, through no fault of their own, in a car accident, who are involved in a fender-bender, who have their car stolen, who have things happen to their car. If you look down what happened on October 1, the day before the election, you can see all of those deals that the insurance company made that are going to save them money, without ever once having given the consumer a break. Things like: the deductibles for pain and suffering are going to be much higher than before; when your car is stolen, you're now going to have to pay the deductible when you didn't have to pay for it before; reducing the amount of money that someone gets for compensation when they lose—

**The Acting Speaker:** Thank you. The member's time has expired. The member for Parry Sound-Muskoka has two minutes in summary.

1630

**Mr Miller:** I appreciate the comments of the members who were listening intently, I'm sure, this afternoon.

First of all, I appreciate the member for Timmins-James Bay's comments that this bill doesn't address trucking. I certainly think he pointed out a major loophole.

Also there's the other trucking-related loophole in this bill, which has been talked about as the Mack truck loophole: the fact that an insurer may apply to the superintendent of financial services for a rate increase "if the insurer believes it is just and reasonable in the circumstances having regard to the insurer's financial circumstances." That means that the insurer can say, "Well, I really do need to increase the insurance, even

though this is a temporary freeze,” and it will happen anyway. That’s the Mack truck loophole in this bill.

I’d also like to comment on the member for Etobicoke North talking about the past government not doing anything. I think the difference is that we’re living in reality. Ontario may seem like a large economy, but in the big picture it isn’t. We do need the insurance companies to want to do business here in this province. I’ve seen lots of examples where insurance companies just pick up and leave the province. We need the companies to want to do business here as well.

**Interjection:** Reality.

**Mr Miller:** Reality: We don’t live in a vacuum. We made changes that are very important to maintain insurance rates, like the safest roads in North America, which were achieved under the past government.

The member for Beaches-East York talked about public auto insurance. I know they very much believed in that, although when they were the government, they didn’t bring it into effect.

Bill 5 is a weakened version of regulations that could have already brought reduced insurance premiums—15% reductions—had they been put into effect.

**The Acting Speaker:** Further debate.

**Mr Bisson:** I have but 10 minutes to put my thoughts forward on this particular bill, and I’m going to try to go at this analytically as best as I can.

First of all, there is not a government yet that’s been able to rein in the insurance beast. You had first of all David Peterson, who said, “I’m moving to a no-fault system.” That was going to fix the high premiums back in the 1980s. It was the big promise. We said at the time it wouldn’t work, and it didn’t work. Insurance rates went up, even though the then government gave a gift to the insurance companies to lessen their exposure when it came to lawsuits.

The Bob Rae government was elected. It said, “Oh, we’re going to basically make changes too, because we will try to regulate the insurance industry rather than try to move to a no-fault system.” I want to say up front, he was wrong; we should have made a no-fault system. Point final. But that was not the case. What he tried to do was rein in the insurance companies by way of regulation. Bob Rae failed. Insurance rates went up.

Mike Harris gets elected, brings in an automobile insurance reform bill. In that particular bill he basically said to the insurance companies, “What do you need to lower your costs?” The insurance companies said, “You give us these things, which are liabilities that we now have that we have to pay under current legislation. Lessen the standard.” So Mike Harris tried, made a big promise that we were going to get lower insurance rates. He failed. Insurance rates still went up.

Ernie Eves gets elected as leader, tries the same approach, gives another gift to the insurance companies, and says, “We’re going to do it by way of regulation.” He failed. Insurance rates went up again.

Although I think there is goodwill on the part of this government to honestly try to do something good, I

predict that regulating the industry is not going to work. We’ve tried this. We’ve been down this road before. It doesn’t work. So that’s the first thing that I want to say.

The question is, “What do you do?” In my view, there are really only two approaches. There is a very extreme right-wing view that I do not support, but I’ll put it on the table. You say, “All right, why should everybody be insured?” That’s a logical argument. I don’t agree with it, I want to say up front, but some people have told me—insurance companies and lawyers: “Who gets insurance for anything else other than people who have vehicles?” We’re not insured, all of us, as we walk down the street to do whatever. We should say, “Let’s go back to the old days where you had a system that said there’s a minimum insurance that you have to have when it comes to public liability. It’s called the old PLPD plan.” What did we call it when we were kids? You were 16 years old, you wanted to drive—

**Interjection:** Unsatisfied judgment.

**Mr Bisson:** Unsatisfied judgment fund. I couldn’t remember the term. But if you had an unsatisfied judgment, you paid whatever and you got a minimal amount of coverage when it came to protecting you from being sued. It was very inadequate but it was an approach. That said to consumers, “If you want to have insurance above and beyond the standard that’s given in the unsatisfied judgment, go out and buy it from the insurance company.” So a person who would normally be hit with a large insurance increase said, “I’m not buying insurance,” and went under unsatisfied judgment and took his or her chances. That’s a right-wing view. I don’t agree with that because the problem with that is, you’re going to have all kinds of automobiles on the road that are uninsured, and people who are walking, people who are on bicycles, people who are in other cars that may not be insured would be in a situation of trying to sue for damages and having nobody to sue because the person who caused the accident has no insurance, has no money, has no ability to pay the lawsuit. So I think that’s a pretty draconian approach, but it is one way to lower rates.

You say, “Let’s give the consumer the right to be able to choose if they want to insure themselves or not,” and at the very least give them a minimum standard when it comes to lawsuits of \$100,000 or \$200,000 maximum. I don’t agree with it, but that’s one way.

The other way, in my view, is you do what they’ve done in Manitoba, Saskatchewan and British Columbia, and that is to move to a public system. The public system does a number of things. First of all, you’re not in a situation to be open, as my good friend from Beaches-East York said, to the vagaries of the market. Let me explain. There’s not an automobile insurance company that makes a heck of a lot of money from selling insurance. They take that pool of capital dollars they get by way of premiums and they invest them in the market, and if the market is good, they make money. That’s what insurance companies make their money on. They don’t make it on the actual difference between the amount of money you pay for your claim and the amount of money

they pay out in claims. If they did that, quite frankly, they'd have a hard time trying to make a buck in some cases. They make their money by putting all that money on account in the stock market and hoping to heck, "Roll the dice; boom; maybe we make some money."

Over the past number of years the stock market has been good, so insurance companies made a lot of money. Why we got the huge increases as of late is in large part because insurance companies have lost tons of money in the market and they've been trying to recoup their losses; secondly, because of the legislation and regulation that deals with insurance companies, they have to have cash on hand by way of investment or reserves up to a certain percentage. I forget what the percentage is, but it's a requirement under law. That means that if they don't have money in the reserves, they've got to get it real quick, and because they've lost their reserves in the stock market, they've had to pass the increase on to the consumer. That's why people have had automobile insurance rates that have gone from \$400 a year to \$4,000 a year. The automobile insurance companies are saying, "Hey, anybody who has any kind of risk associated with them, we don't want them. Put them off into the Facility market."

Interesting little point: There used to be a time, when Facility markets were set up, that insurance companies made no money on those Facility markets. Do you know, they're making profits on that now? It has now become more profitable for insurance companies to make profits under the Facility market than they are making inside the actual insurance company, but that's a side point.

So I say, the advantage of the public system is that in a public system the money that is basically given by way of premium and the money that is then paid out by way of benefit to accident victims is not invested in the market; it's not put in the stock market. That money is used to invest back into their communities. So the province gets back directly, by way of capital dollars available to municipalities by way of bonds, insurance dollars to do capital projects within their own communities. So that's a net benefit to Ontario. But what ends up happening is that because it's run on a not-for-profit basis, the automobile insurance company which is a not-for-profit, for example, in Manitoba, says, "We have to bring in X amount of dollars because we have X amount of expenses," and there's not a profit margin built into it.

Let me give you an example. A young driver in the last election—I think his name was Chris; I may have the name wrong—came to me and said, "I've got a 1988 Chevette. I used to pay"—I think he told me \$1,100 a year for his automobile insurance. What ended up happening is that somebody backed into his car, and he put a claim in. He wasn't even driving. The car was parked on the road, somebody backed into it, and he made a claim on that 1988 Chevette. I said to him, "Why the hell would you claim on a 1988 Chevette in the first place? It ain't worth a thousand bucks." But the kid—what the heck. He didn't know any better. After five years of

driving, with absolutely no accidents, he goes from \$1,100 to \$5,600 in our system.

**1640**

I said to him, "Let's go shopping on the Internet. We'll go take a look at what you'd pay in Manitoba." You go to the Manitoba Web site—and I wish I had brought that Web site with me, because you can actually punch in how old you are, how many years you've been driving, what kind of vehicle you have, and it tells you your rate. This particular guy, with his driving record, 23 years old, with a 1988 Chevette, would have paid \$700 in Manitoba.

Now, you tell me what they're doing right over there and we're doing wrong over here. Clearly, if you can sell insurance in Manitoba for \$700, you can certainly sell it in Ontario for a much more competitive rate than what we're doing now, because the Ontario market is a heck of a lot larger. For people to argue that because Ontario is a larger jurisdiction with more drivers, it's cheaper in Manitoba to put up insurance, I say it's the other way around. The larger the market, the cheaper the rate because the risk is expanded among a greater population of drivers. So I say the public system is a much more efficient way of selling insurance.

The other point I want to make is that when it comes to those who happen to be accident victims and get struck by cars as they're walking around etc. in a public system there's a guarantee that every automobile on the road is insured by virtue of the way it's run. In Ontario, it's estimated now, depending on who you listen to, that anywhere from 10% to 20% of vehicles on the road today are uninsured. That means that if my good friend across the aisle is walking down the street tonight, there's a 20% chance that somebody driving a car who hits you is not insured. That is not acceptable.

I'm saying there are only two solutions. There's the right-wing view which makes it basically a voluntary product. I think that's nuts. You can't go there. The other option is to go by way of a public system. Clearly it works in Manitoba, Saskatchewan, BC, and a part system in Quebec. It has been introduced by NDP governments. Successive Conservative, Liberal, Socred and somewhat Liberal-Conservative governments have been elected in BC after New Democrats, and not one government has undone public auto, because in all of those jurisdictions it works. They know that if they were to remove that system, they would have to face the wrath of the public. You might be thinking you're taking a good step with this bill, and I think you're doing it in good faith, but at the end of the day, you will fail as other governments have. The solution is public auto. Let's do it now.

**The Acting Speaker:** Questions and comments.

**Mr Mario G. Racco (Thornhill):** I want to say that I agree with the member from Timmins-James Bay. But the fact of the matter is that the Liberal Party ran on a platform, and Bill 5 is addressing the platform that we ran on. The people of Ontario did choose to support the Liberal Party, and I believe we owe it to them to do what we said we were going to do. So I think the members of

both opposition parties should support what was told to the people and be consistent.

I was pleased, prior to the election, to have a forum that dealt with insurance issues in my riding of Thornhill. I heard a number of stories that were presented to us. In fact, one of the seniors, who was paying about \$2,000 a year prior to 2003, received an invoice for \$11,500. The reason was that the insurance company that he had bought insurance from the prior year went belly up. The new company that took over basically was increasing the policy by four times more than what he was paying the prior year. I think that something must be done to address that issue, and of course Bill 5 is doing that.

We said we were going to freeze the insurance rate a short time after taking office, and we did so. We also said that we were going to lower rates by about 10% within 90 days of forming the government. That is exactly what we are trying to do with Bill 5. I believe that we all should support Bill 5.

The insurance industry is a \$7-billion industry. We said we were going to reduce the cost about \$635 million, give or take. This is about 10% of the industry total, and I think that 10% must be given back to the people of Ontario. Therefore, I believe that we should be pleased with Bill 5 and we should support Bill 5.

**Mr Sterling:** One of the problems with Bill 5 is it doesn't contain anything, so it's hard to be for or against a bill that's hollow. The best part of this bill—and I want to say to new members of the Legislature, there are two kinds of legislation: those that are phony and those that really have an impact in law. This is a phony one. You can tell the phony ones by the titles, because the titles express the political promise. But there's nothing in this bill at all. I mean, this is a phony bill.

At any rate, I just want to comment on the member from Timmins-James Bay. When he says that if they can do it in Manitoba, they can do it here in Ontario, it's totally false, totally illogical. You have accidents because you have a number of cars for every lane kilometre of road. Quite frankly, when you look at Manitoba, they have a population of 800,000, and they have miles and miles of road because they are fairly remotely connected.

In the province of Ontario, we have many, many people living in close proximity to each other and there are many road-car kilometres in each kilometre of road. That's no more exemplified than by the fact that insurance rates at home in Carp, Ontario, near Ottawa or part of Ottawa, are half of what they are here in Toronto. That's because there are more cars on the road here in Toronto than there are in Ottawa. So we've got to look at this in a very, very practical way: Public insurance is not the way to go.

**Mr Prue:** As always, it is a pleasure to listen to my colleague from Timmins-James Bay. He speaks with animation; he speaks with passion; he speaks with experience; he speaks through the voice of his constituents.

When you hear the horror story of the young man who parked his car on the street—he wasn't even driving—and someone ploughs into his car, he makes a claim, he

tells the insurance company, and he sees the cost of his insurance go up from some \$1,100 to \$5,600 a year, you have to know there is something wrong with the system.

Person after person has stood up in this Legislature from all three parties and they will tell you horror stories that their constituents have told them about how the private system is not working for the consumer. The reality is you can try to fix this with the rate freeze; that's not going to work.

I listened to the maiden comments of the member from Thornhill. He admitted as much in the first sentence but said we should all support this bill because the Liberals were elected. I have to tell him that I beg to differ. We should only support that which is right, and this bill, quite frankly, is not right. It is freezing rates that are far too high for the consumers, rates that have gone up 15%, 20%, 25%, 50%, 100% to some consumers in very short order.

**1650**

At the same time that they have gone up, the level of service back to consumers and those who need the insurance company following accidents has gone drastically down. This is all that is going to happen in your bill: You're going to freeze it today; you're going to negotiate; you are going to further cut the benefits to those who require them following accidents. This is not the way to go; public insurance is.

**Mr Bob Delaney (Mississauga West):** The member from Lanark-Carleton seems to have accidentally let slip yet another of the former government's dark secrets in his response of this day to an earlier member's statement on Bill 5, the Automobile Insurance Rate Stabilization Act.

The member mentioned the relationship between gridlock and auto insurance rates. Are the people of Ontario now to draw the conclusion that had the former government been re-elected, one of their solutions to the gridlock that now chokes GTA roads and highways was to let insurance rates shoot right through the roof and into the grey and smoggy skies above, thus forcing more cars off the road?

We in the new government can only draw this inference from the member opposite, whose solution to every problem facing Ontario was, and remains, more tax cuts paid for by more asset sales and more service cuts, more downloading and more program cancellation. This new government of Ontario takes a different approach. Ontarians think it's a more refreshing approach.

Let's start with Bill 5 and give Ontarians a chance to catch their breath and hold on to their wallets. Let's let Ontario insurance carriers find time to put on their thinking caps and work on the cost side of their business equation instead of continuing to step on the revenue side.

Government for Ontario's people means looking after Ontario's people. Bill 5 starts this process. Had this government been here earlier, this process would have been long underway. We're here now. We're here to do

the job. We've rolled up our sleeves and we'll fix the problem.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes.

**Mr Bisson:** I've got to first of all say to the member from Mississauga West, you've got to remember the former Deputy Speaker, Mr Bert Johnson, who had a ruling in this House. If you remember, a member had risen in this chamber and used the word "obtuse." The Deputy Speaker, Mr Johnson, stood up and said, "The members of this House will not use words that the Speaker doesn't understand." I say to you that you've got to watch it. If Bert came back, he wouldn't know what you're talking about.

I want to thank the member from Beaches-East York. I just have to concur: This particular bill doesn't do anything to freeze rates. It purports to freeze rates, but section 6 of the bill allows an insurance company to go back to the insurance commission in order to get an increase if they happen to be under financial duress or are having financial problems. You might want to say that it freezes rates. I've got to believe that you're doing this for honourable reasons, but it ain't going to do it.

The member from Lanark-Carleton talks about Manitoba versus Ontario. Because there are fewer people in Manitoba, with bigger roads and less population, I guess his argument is that there are fewer accidents compared to Ontario, with fewer roads and more population. I don't know about you guys, but I've been driving around Ontario for a long time and there's a whole bunch of roads in Ontario. I think if you were to use that argument, it's a bit of a funny one. There's a larger pool of drivers in Ontario. That's why insurance rates would be even cheaper if you went to a public system, versus Manitoba, because they have to spread their risk over a pool of 800,000 people, while the number of people we have in Ontario would be a larger pool.

To the member from Thornhill I just say I'm certainly not going to support this on the basis that it was a Liberal election platform promise. I ran as a New Democrat. I didn't support it then, don't support it now and won't vote for it, because it does nothing for independent truckers and trucking companies. I believe that at the end of the day it will do nothing to bring rates down.

**The Acting Speaker:** Further debate?

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** As the new member for Etobicoke-Lakeshore, I'm very pleased to rise today to speak in support of Bill 5, the Automobile Insurance Rate Stabilization Act. But before I do, I want to say that it is a great privilege for me to be part of the Legislative Assembly, to represent the people of Etobicoke-Lakeshore, as well as to serve as parliamentary assistant to the Premier.

I have said it before, but it bears saying again: When you decide to jump into the political ring, you don't do it alone. You drag your friends, your family, your acquaintances and your colleagues and just about everybody you know with you for the ride. At this juncture I would like

to take a moment to thank all of those people for their support over the years. I am so very fortunate to have the love and support of my husband, Paul, whose driving record I'm not going to discuss tonight, unlike my colleague, and my family—my parents, my sisters and their spouses and children—who have been with me each and every day on the campaign trail and who have supported me without reservation over the years.

I also need to express my thanks to a huge group of old and new friends who worked tirelessly throughout the campaign. It means a great deal, and I would not be standing here without you. I would like to thank the people of Etobicoke-Lakeshore for their overwhelming support during the last provincial election. I feel privileged to have an opportunity to represent the great riding, to provide a strong voice for the community at Queen's Park. As a resident of Etobicoke-Lakeshore, I share your concerns about health care, about education, about our economic potential. I have lived and worked in the riding for many years as a volunteer and as an advocate for a vibrant and healthy community. I know many of you through our hard work to clean up the environment and to build strong community organizations. I am very proud of our efforts to date, and those efforts make Etobicoke-Lakeshore one of the best places to live in North America, to raise a family and build a business.

I want to assure the people of my community of Etobicoke-Lakeshore, those who have helped me get here, that I will do my very best to meet their expectations here at Queen's Park. The people of Etobicoke-Lakeshore are very hard working, and they expect the same of their MPP. I will endeavour over the next four years to fulfill the confidence they have put in me. I am used to hard work, and I will use all my energy toward meeting your expectations in Etobicoke-Lakeshore.

This government is committed to a positive and practical plan to deliver real change, in Etobicoke-Lakeshore and across this province. Part of that change is implementing a plan that will lower auto insurance rates, and we are doing just that.

I want to talk now about the reason that stopping approving auto insurance rates to protect Ontario consumers is an important commitment, and it will be met by our government over the next number of years.

One of our key commitments to Ontario voters was to halt spiralling auto insurance rates. I committed to the voters of Etobicoke-Lakeshore to work to bring those rates down and to stop spiralling increases. We acted very quickly. On October 23, 2003, the very day the government was formed, Premier McGuinty directed the Minister of Finance to freeze auto insurance rates immediately. On Wednesday, November 26, 2003, the finance minister, Greg Sorbara, introduced the Automobile Insurance Rate Stabilization Act, 2003, which freezes insurers' private passenger auto rates at levels approved of on or before October 23, 2003.

I want to talk about the skyrocketing rates and why we're in the position we're in today. It is quite startling that over the last number of years, auto insurance rates

have skyrocketed. They have skyrocketed 42.7% in the last three years. The bill we're discussing today is the first of three steps: first, to freeze the rates; then to move to a reduction of 10%; and a third plank, moving to a further reduction of 10% to meet our commitment to reduce rates.

According to the Insurance Bureau of Canada, the sources of rising auto insurance costs, and therefore higher premiums, have a number of bases, including increased litigiousness. The claims that are costing the most money across Canada are ones for minor, non-permanent injuries. Policyholders are submitting minor soft-tissue injury claims in an increasingly litigious environment that results in higher award costs. As a lawyer, I certainly know about litigious environments.

We've also seen the rising number and costs of claims. Automobile crashes have decreased in recent years, but the number and the costs of those claims and those crashes have increased. So there are more expensive claims and more of them.

We've also seen rising health care costs. A significant component of auto insurance claims costs is the cost of rehabilitation for insured automobile accident victims. The industry incurs these costs in a number of ways. First, there are the costs involved in providing primary care for auto accident victims, primarily medical costs and hospital visits. Those costs are paid for by our provincial government.

The second way the insurers encounter health care costs is through the direct payment of expenses for rehabilitation services that are provided outside of the government-funded primary care system.

We've also unfortunately seen over the last number of years the cost of insurance fraud increase. In 2000, a study conducted for the Canadian Coalition Against Insurance Fraud found that more than one quarter of all personal injury claims contained elements of fraud. That costs the industry more than \$500 million per year.

We've also seen higher taxes. The home, car and business insurance industry is the most heavily taxed industry in Canada's financial sector. The industry's tax bill is more than three times that of Canada's other financial services.

**1700**

So we inherit a system that has problems. It has increasing health care costs, increasing tort costs, increasing vehicle costs—be it for vehicle repairs—and a broken medical assessment system that forces patients to endure costly and lengthy assessments during disputes, instead of getting the care they need. Designated assessment centres do not act as the final arbiter in the case of disputes; they simply drive up costs. We've also seen decreasing returns on the stock market.

Our government, through the work of the parliamentary assistant Mike Colle, has been examining and speaking to stakeholders across the province. He's meeting and has met with those stakeholders that represent a variety of groups—the auto insurance sector, the health care sector, legal professionals, brokers, consumers and

insurance companies—to work toward reducing costs in the industry.

We are bringing forward a positive plan that will move us toward a practical and substantive solution. The solutions include changing the approach to auto insurance, to see it as a shared resource. We'll no longer have two prices in this province to repair a windshield. We're going to ensure that drivers and insurance companies work together in a co-operative approach instead of an adversarial relationship. We are also going to make sure that the medical rehabilitation system returns injured people to health quickly and ensure that catastrophically injured people get the treatment they need.

I am very proud to be part of a government that is moving in a substantive way toward meeting those commitments. This is only the beginning—to move toward one of our electoral commitments, to reduce auto insurance rates and make sure those saving are passed on to consumers. Those consumers, some eight million of them, are the drivers across our province. This is the first time that a government is taking strong action to ensure that we move progressively forward to halt the spiralling insurance rates.

This was an important issue on the campaign trail, as we spent time talking to people in our community. Our government didn't wait until after the election to move on this commitment. We had a group of people that travelled the province and had public meetings, led by George Smitherman, before we were even the government. We are not sitting on our hands; we are rolling up our sleeves and moving forward to make sure of this first step to freeze the auto insurance rates. We visited 17 communities in the months of July and August to hear your concerns about affordability and availability of auto insurance rates. During the campaign, I had an opportunity to speak to many of you, who asked that we move forward and find a way to solve these problems.

There are no quick fixes and there are no easy answers. But if we move forward with a new approach to tackling those problems, tackling the increasing health care costs, tackling the tort costs, tackling increasing costs for vehicle repair and making sure we stabilize those, we will be able to respond promptly, as we are doing right now, to a common theme: Insurance rates are too high and drivers desperately need rate relief. That's what Bill 5 is providing as the first in three steps. I look forward to working toward the next two steps along this platform. I'm sure the community of Etobicoke-Lakeshore will be happy with the result.

**The Acting Speaker:** Questions and comments?

**Mr Sterling:** I'd like to thank the member for her views on this. I think it's being somewhat naive to think that this bill is going to really accomplish anything with regard to fixing the problem. Our party, our government, had put forward several remedies to deal with this \$9-billion industry, including attacking fraud and looking at the benefit levels and those kind of things.

This whole notion that Bill 5 actually does something is totally bogus. The best part, as I said before, about Bill

5, is the title. And even the title is suspect. Let me read the title: An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles. It doesn't do anything. The auto insurance industry was quite willing to freeze rates while they allowed the government to come in and make some plans about really revamping the system in order for us and our constituents—the insured—to get a break. It truly is a waste of our legislative time to be in this Legislature debating a bill that does nothing.

**Mr Bisson:** Let me put a personal face to this—not mine but the ones of my constituents—because at the end of the day that's what we're all here about. We're all here—Liberals, New Democrats and Conservatives—to do the same thing, and that is to represent our constituents. I believe everybody who comes to this House comes with that belief.

I just want to take but a couple of examples of how this issue is affecting people. I'm just going to take a couple. I've got Cheryl Hanson—a really interesting story. She was in Manitoba. She used to pay about \$700 a year to insure her car. She got a job transfer into Ontario, moved up to Timmins and started working there. When she went to buy her insurance from the broker, the broker said, "We don't have a driving record on you. Can you provide us with a driving record so we can quote you a rate?" She goes back to Manitoba, to the people who give out the licences, gets the extract of her licence, brings it in and gives it to the insurance broker. The insurance broker gives it to the insurance company, and at the end of the day she gets a quote. She went from \$700 to, I think, over \$1,200. I don't have the particular amount, but it almost doubled.

She was already shocked last year that she got an increase. Now all of a sudden the insurance has decided a year later that they didn't get the right documents a year ago. So they said, "Here's your bill: 4,000 bucks." You tell me how a person with a perfect driving record goes from \$700 in Manitoba to \$1,200 when she initially got here to \$4,000 a year after. That's but one case.

Dan Mayer, who is the owner of a number of tow trucks in the community of Timmins, said his insurance per truck this year, without any claims, went up \$3,000. Is that fair?

I told you the case of Muriel Parent, of Parent Trucking, where their insurance had gone to over \$400,000 from \$40,000. That's why we have to have an amendment to include trucking companies.

We have Norm Julien, another one with a clean driving record. In fact, this guy is a driver instructor, so he can't afford to have accidents. He has no claims, nothing, a perfect driving record. He's gone up \$1,500 this year.

Those are just a couple of cases, and that's why we need public auto.

**Mr Tony Ruprecht (Davenport):** I just wanted first to congratulate the member from Etobicoke-Lakeshore

on a very lucid and clear presentation. I think it needs repeating that this first step to freeze the rates is going to be followed by a second step, and that is to have a reduction of up to 10%. That is the promise Liberals are making and have made in the past, and that's the promise that I understand our friend from Lanark-Carleton does not see, and I don't see why not.

Here we've got two parties. The one on the right is saying, "It's a waste of time to help motorists." He's saying, really, that it's a bogus bill and there's nothing in it. Well, we know what happened in the past. They were forced, in the dying days of the last election, to seem to be doing something, and they've failed miserably. Now, when the Liberals are coming up with good, clear and clean legislation, the member from Lanark-Carleton has the guts to stand up and say, "This is a waste of time." Where was the Conservative Party when the whole house fell in? Where was the Conservative Party when the consumers got screwed?

**Mr Colle:** Shafted.

**Mr Ruprecht:** Sorry—shafted. I'll take that back, Mr Speaker.

Where were you? Did you stand up? Where was this member for Lanark-Carleton when this took place? Where was he?

**Mr Sterling:** On a point of order, Mr Speaker: Is using the words "screwed consumers" parliamentary language?

**The Acting Speaker:** I believe the member turned—but if you could say "withdraw," please.

**Mr Ruprecht:** Sure, I'll withdraw it. I'll just superimpose "shafted," if he will accept "shafted." It's roughly the same thing. But he understands where I'm coming from. He understands really well. They didn't act, and do you know what they want to do? They want to prevent us from acting as well.

**Mr Ernie Hardeman (Oxford):** I too want to thank and congratulate the member from Etobicoke-Lakeshore for the very well presented presentation on the bill that's before us. I say that in all seriousness, because I understand how difficult it was to put a positive note on a bill that included very little. I could see that she did a very good job of that through the presentation. I too was very engrossed in her presentation of it, and if the bill had been as well prepared as her presentation, we might have had something here.

1710

As the members opposite have mentioned, we had a lot of discussion during the election campaign—in which I was fortunate enough to receive the confidence of my electorate to come here, of which I'm very proud and which I'm pleased to be able to do—about the insurance rates and what each party was going to do about them. If this bill were to address that promise, I would be here to support the members opposite in that endeavour. But the promise was to immediately freeze rates, which was something the leader of the government did the day after he was sworn in; he froze the rates. Now he comes in and he forgets that he had passed the starting mark and that in

fact he was supposed to be at the part where he said that within 60 days he would roll back the rates and save consumers 20% on their insurance premiums. My constituents are waiting for that to happen. Now we find we're just repeating that announcement of the first day to say, "We're going to freeze the rates and we're going to do more study."

That isn't what the people in my riding were expecting. They thought the consultation that was done pre-election and the discussions that took place during the election were in fact going to do something to alleviate this problem of ever-escalating rates. And in a lot of cases my constituents are having their insurance policies not renewed for various reasons, because the insurance company doesn't want to buy that risk. I think we need to deal with that now, not have further consultations for another two or three months or two or three years before we can finally solve the problem.

But I do want to congratulate the member opposite for a very well prepared presentation.

**The Acting Speaker:** The member for Etobicoke-Lakeshore has two minutes in summary.

**M<sup>me</sup> Laurel C. Broten (Etobicoke-Lakeshore):** Merci à tous les membres pour leurs commentaires. Nous avons agi promptement pour remédier au problème du taux croissant d'assurance-automobile. Nous attendons passer à l'action de résoudre d'une manière équitable et responsable les problèmes de l'escalade de taux dans l'industrie. Nous travaillons de concert dans le but de trouver de meilleures solutions, de meilleures façons à réaliser des économies pour faire effet aux taux d'assurance-automobile de 10 % de moins.

Les automobilistes paient trop cher depuis très longtemps. Plus de huit millions d'automobilistes en Ontario comptent sur leur gouvernement pour tenir sa promesse d'une réduction de taux, et c'est précisément ce que nous attendons accomplir. Nous veillerons à ce que l'assurance-automobile soit concurrentielle, abordable et disponible.

This is the first of three steps to move toward substantive reforms. It is time for a government to take strong action to protect consumers and motorists, and that's exactly what we're doing. We are going to start along a path of working toward long-term solutions to lower rates, cut insurance costs and improve protections. That's what we promised to the people of this province, that's what I promised on the doorsteps in Etobicoke-Lakeshore, and this is the first step to move us along that path to ensure that we will have lower insurance premiums and that we work in a co-operative and new way to find new solutions for the problems facing our province.

**The Acting Speaker:** Further debate? The Chair recognizes the distinguished member from Lanark-Carleton.

**Mr Sterling:** Thank you very much, Mr Speaker, and thank you for calling me distinguished. I appreciate that.

It is a pleasure to speak on this particular matter, because auto insurance rates for private automobiles is a

significant issue for a lot of people across the province. As I mentioned in some of my previous comments when replying to other speakers, the rates across Ontario are not the same in each and every community. I have two cars. When I insure the 1992 Ford Taurus—one of the newer models that we might have—here in Toronto, my insurance costs approximately \$1,100. That was what my insurance was for that particular car. That was a single car.

When I transferred the car under my Ottawa address, the insurance premiums fell to about \$600. Now you can ask, why would there be a \$500 difference? That was one of the things I was trying to say before in my speech in response to other speakers: it depends upon what's happening in that community. The problem in the GTA is that in some ways the former government was too successful in creating wealth, employment and growth in this area. As a result of that rapid growth we have had some increased congestion on our roads, in spite of the fact that our government spent unprecedented amounts on expanding and repairing our highway system.

The insurance rates are not set by people who are trying, I believe, to gouge people. Yes, businesses are trying to make money, but they're not out there to gouge somebody unnecessarily. That is borne truth by the fact that there is significant competition in this area. I believe that there are something like 150 or 160 companies that are presently in this business. It comes down to the government to have to make—

**The Acting Speaker:** Excuse me. Could the members just keep their conversations down a bit, please?

**Mr Sterling:** As interesting as it was, I was surprised by the distractions as well.

The real answer in this equation is to try to develop a system where there's no fraud, where the administration costs are as low as possible, where the legal costs are as low as possible and as much as possible can go back to the client or the automobile owner when he or she has an accident.

That is done by a practical number of things. But our sitting in this Legislature and trying to arbitrarily say insurance rates are going to be this, or this minus this, is very, very difficult to do, and it requires a lot of work on behalf of the government to work with the insurance industry to find out where the weaknesses and the problems are in the insurance industry.

We were doing that. In fact, in August of this year we came forward with a plan with the insurance industry to reduce insurance costs by \$1.4 billion. That means that we were taking \$1.4 billion out of a pot of about \$9 billion, which is somewhere between 15% and 20%. That would mean that car owners could expect some alleviation in terms of the premiums they paid for their car insurance.

The notion that this bill does anything new is really bogus. This bill says to the insurance industry, "You must freeze your rates until January 23." Then it says that an insurer can go to the superintendent and the superintendent can approve a smaller increase, unless the

superintendent finds it is in the public interest and justifiable to increase the rates. The problem with allowing a quasi tribunal or someone to act as an arbitrator over rates is the fact that the industry—whether it's in the energy industry or in the hydro industry or in the insurance industry—is always better capable of producing an increase in the rate structure than anyone else. Consumer groups are not well-equipped enough to meet the demands of going to a regulator and saying, “The insurance company is making too much here, so the rate should be lower.”

Our belief is to work practically with the insurance companies, look at the areas where savings can be met and then have a very, very competitive atmosphere so that one company is bidding against the other for your or my business. Only in that way will we keep the rates down.

1720

In the 1980s, the Peterson government, the former Liberal government, brought forward a package of no-fault insurance, and that particular package was very regulation-oriented. Guess what? People found ways around the regulations. The insurance industry was making probably unprecedented rates of return, because they know how to deal with the regulations, but the poor consumer was getting higher and higher auto insurance premiums and less and less coverage.

When we enter into this debate, when we try to fix this problem, we have to be practical, we have to be realistic about what we can expect at the end. This bill, as I said before, is difficult either to oppose or to support, because it really doesn't do anything. Really, everything that's in this bill can be done by the government right now. You can make regulations to deal with these particular matters. Outside of the law, you can bring a tremendous amount of pressure on the insurance industry to hold fire until you have an opportunity to look at the matter and come forward with some real and practical resolutions to the existing problems in our insurance industry.

One of the things I did when I was Attorney General was appoint several crown attorneys to become more conversant with fraud in the insurance industry and train those crown attorneys to be specifically skilful in bringing forward convictions, charges, in the courtroom when dealing with automobile insurance fraud. So in some ways that was a small step to deal with a problem that the insurance industry guesses is somewhere around \$700 million or \$800 million across the province of Ontario. That is about 10% of the pot. If we could get rid of all the fraud in the automobile insurance industry, we could drop premiums by 10%.

Lastly, I must say that this bill does nothing to meet the promise. The promise was for a 20% reduction. This bill gives no reduction; it's a holding pattern. The only way we're going to get real reduction is by rolling up our sleeves, looking at reality, looking at how we're going to reduce fraud, looking at whether the benefits are realistic in terms of the cost and coming to a conclusion with the industry, allowing it to compete in a wide fashion so we

have lots of insurance companies coming after each and every one of us to insure us. That's the way we will have long-lasting, low insurance rates. Our government was on track to do that. I'm proud to be a member of the Conservative Party, which believes that the private sector can in fact provide this service cheaper than the public sector.

**The Acting Speaker:** Questions and comments?

**Mr Prue:** It's always good to hear the member from Lanark-Carleton. He speaks with conviction, even though I do not agree with that conviction. People across this country are starting to understand that the old way of doing things, particularly in dealing with insurance companies, is not going to work.

I would invite all of the members of the Legislature, but particularly the ones in government, to go on to this Web site—I'll give it to you—and I hope some of you will write it down or at least read Hansard tomorrow and get it: [www.liberalopposition.com/policy/insurance.aspx](http://www.liberalopposition.com/policy/insurance.aspx). This is from the Alberta Liberal Party, which is in opposition. I'd just like to read to you a little bit about what they have to say on their Web site, because the light has finally gone on in Alberta above the opposition Liberals' heads:

“Did you know ... a recent national study found that provinces with public systems also have the lowest insurance rates?”

“The Alberta Liberals believe in people before profits. Our made-in-Alberta plan for auto insurance builds on some of the principles that have been successful for the Insurance Corp of British Columbia (ICBC)—a public tort system of insurance.

“Our plan would:

“lower premiums for good drivers regardless of their age or sex;

“guarantee basic coverage to all legal drivers;

“put an end to the excessive insurance industry profits that have picked drivers' pockets;

“reduce the medical, legal and administrative costs of providing insurance;

“promote and enforce measures to keep Albertans safe.

“Our plan would not:

“place unfair caps on necessary medical and rehabilitation services for Albertans injured in motor vehicle accidents.”

Part one of the plan being put forward in this Legislature today would not deal with any of this. It would particularly put at risk those who find themselves injured because it will allow private insurance companies to further reduce the benefits they pay to drivers.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to be here today to talk about a very important subject for three parties. This subject is very important to all of us and everyone approaches it in a different way.

If we go back a bit to the past when the NDP was in power, they won the election on a platform that would have made insurance public. When they won the election,

they didn't use it. They said it was costly, it would cost a lot of jobs across this province.

Then we got the Conservatives. Today we hear all of them crying about the price of insurance, the price every customer in this province has to pay to insure their car. What is their solution? They're trying to protect the insurance companies to make more profit and more money. When we try to introduce a fair bill to protect the car drivers of this province, they try to say we're not doing anything.

My friend, after we took office, within 10 minutes, our Premier put a freeze on that insurance and then we offered all the people across the province a 10% reduction after 90 days. You have to give us the time, and watch and see. You had between eight and nine years; you never did anything about it. Now it's time to do the job. We are honoured to be part of a government taking the initiative and supporting that bill. We're going to pass it and the people of this province are going to get the benefit of it.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I want to thank my colleague from Lanark-Carleton for his very measured and deeply thought-out comments on this bill. I have a great deal of respect for his tenure in this House. He clearly understands the insurance file very well.

He's absolutely correct when he says that this bill does nothing to address the problems that exist in the insurance business in Ontario today. What they're talking about is a temporary freeze, some kind of sleight of hand propagated on the people of the province of Ontario to try to convince them that this government is actively working to reduce auto insurance rates in this province, when in fact this bill does not address a reduction in auto insurance rates at all. What it does is talk about a huge loophole in section 6 to ensure that insurance companies concerned that they may not be making money can simply apply to the superintendent and increase those rates.

**Mr Ruprecht:** What's your plan?

**Mr Yakabuski:** We had a plan in place, I can tell my honourable colleague on the other side of the House, such that had we been elected and the provisions in that plan been implemented, we'd be seeing lower insurance rates happening in this province as we speak. But this bill does nothing to address the problem of escalating insurance rates in the province. As my colleague from Lanark-Carleton said, it's a bogus bill. It's a bill of nothing. It's smoke, it's mirrors, but nothing will be done as a result of this bill to reduce insurance rates in this province. Therefore, it should simply be withdrawn.

1730

**Ms Kathleen O. Wynne (Don Valley West):** The thing about chronic issues is that they are complex. That's why they're chronic. I think everyone would agree that we're dealing with a chronic issue when we talk about auto insurance. I think one of the members previously talked about it as a chronic issue: it keeps coming up.

When I was on the campaign trail, periodically a voter would raise the issue with me. Quite frankly, there were other issues that were of much greater concern to people, so I heard much more about education, I heard much more about health care, but the common theme was that there had been neglect in those sectors; there had not been action taken on those issues. That held true for the auto insurance file as well.

What I noticed during the campaign was that when our party put out a plan, the people who did raise the auto insurance issue were calmed by the fact that we had a plan, and it didn't blow up into a huge issue because we had a plan of action and we're following through on that plan. This bill is the first step. This bill sets a framework in place; it paves the way for lowering those rates, which is what we promised to do. First we've got to freeze them, then we've got to work with the insurance companies to find the savings, and then we'll be able to lower the rates. That's what we said we were going to do; that's what we're doing. I think we all recognize that the costs in the insurance industry have to come down. We're going to put the framework around the industry in order for that to happen, and then we can lower the rates.

So I think we are on the right track. We're doing what we said we were going to do, and we will be in a position then to have those lower rates delivered to the citizens of Ontario, as we said we would.

**The Acting Speaker:** Further debate?

**Mr Kevin Daniel Flynn (Oakville):** It certainly is a pleasure to join this debate on what I think is a very practical issue.

If I remember back to the election days, knocking on the doors in my great riding of Oakville, people told me that this was an issue that affected them personally. It was an issue that affected their wallets and it was something that they wanted a government to act quickly upon. I'm proud to join this debate because this bill does exactly that: It allows this government to act quickly.

We're delivering on another major commitment by taking steps to lower auto insurance rates and provide the protection that Ontario consumers have demanded with car insurance. We're determined to act responsibly to protect auto insurance consumers by reducing those out-of-control costs and making sure these cost savings are indeed passed on to consumers as lower premiums.

One of our key commitments to Ontario voters was to halt the spiral of auto insurance rates. During the election, the electors of this province had three choices: They could continue with the approach to this issue by the Progressive Conservatives, who were a party that in my opinion sat back while auto insurance rates just kept increasing—and they were increasing. It wasn't something that people suspected might be happening; it was something that you can place numerical values on.

In the fourth quarter of 2002 alone, for example, rates increased by 9.2%. In the first quarter of 2003, we saw a 7.3% increase in auto insurance premiums; in the second quarter of 2003, an 8.5% increase. By the third quarter of

2003, and that's only two months ago, there was an 8.2% increase in auto insurance premiums.

We were warned by the Insurance Bureau of Canada in 2001 that costs in the system were about to go out of control, but nothing was done by the previous government.

They also could have looked to the NDP for a solution to this, and they could have supported them perhaps. The NDP had promised public auto insurance in 1990, but when they were elected they reneged on that crucial promise; in 1991, they reneged on that. Bob Rae, the then Premier, said it would cost too much money and it would cost too many jobs. A government-funded study at the time said public auto insurance would cost over \$1 billion to implement.

I believe at election time that the people of Ontario and the people of Oakville were looking for a government that was prepared to act quickly, and that's indeed what we did. This bill, if passed—and I hope it certainly does pass—would freeze insurance rates at levels approved on or before October 23 of this year and would prevent any further appeals or approvals from taking place for 90 days.

I see this legislation as a first step. It allowed us to act quickly. In fact, it allowed us to act so quickly that it was the very first thing this government did. These measures maintain both the availability and the choice for consumers in obtaining automobile insurance.

To be quite clear to the people of Ontario, what this bill means, if passed, is that auto insurance rates would be temporarily frozen for private passenger vehicles at those rates that were approved either on or before October 23, 2003. Approvals of applications under the Insurance Act for private passenger vehicle rate changes would be suspended while this bill was in force. Every insurer that's affected by the freeze would have to reapply to the superintendent of financial services by January 21, 2004, or a day specified by the superintendent not more than 30 days after January 23 for approval of its risk classification system and rates. The superintendent could then require a rate to be reduced or otherwise varied, but no rates or risk classifications could be implemented without the superintendent's prior approval.

By introducing this bill, it shows the commitment of our party and it shows that our priority is consumer protection. With this bill, insurers who fail to comply with the bill could be prosecuted, have their licences suspended or even cancelled under the Insurance Act and/or could be ordered to refund premiums charged in excess of authorized rates.

Our legislation gives us the authority to move forward and act on our electoral commitments. It will reduce auto insurance rates and make sure that those savings are passed on to consumers, just as we promised in our election platform.

The parliamentary assistant to the Minister of Finance has been meeting with a number of groups. I myself have been meeting with a number of groups over the past few

months, with health professionals, and with people in the riding of Oakville who simply can't find auto insurance or are finding that their premiums have been doubling and tripling overnight. Mr Colle will soon be coming forward with a number of key recommendations as to how those savings will be realized. In the long run, our cost savings reforms will result in lower taxes, and I think that's great news for drivers in Oakville, across the GTA and across Ontario. We will continue to work toward a long-term solution to lower rates. We'll cut insurance costs and we'll actually improve protection. That's what we promised and we're going to deliver on that promise.

As I said earlier, by introducing this bill we are keeping another promise to the people of Ontario. We're keeping another commitment that was made. We're going to lower auto insurance rates in this province. We're doing what we promised Ontarians we would do. Auto insurance rates, as I've said earlier, have been skyrocketing—more than 20% in the last year alone.

You have to understand, Mr Speaker, and I think the people of Ontario understand, and I think all parties understand, that this isn't a product that people have a choice about buying. If you want to own a car in Ontario, if you want to drive that car in the province of Ontario, it is the law that you have insurance. What people want to know is that, when they go out and comply with that law, when they go out and purchase insurance, they're buying it in a free and open market that is giving them a competitive rate, that allows them to shop around, that allows them to buy the best coverage to suit their individual driving needs.

**1740**

We acted almost immediately to bring that in as our first order of business, and we will act swiftly after this bill is passed, and I certainly hope it is passed. In the meantime, to protect consumers, we have introduced, as I said, serious deterrents for insurers that fail to comply with the bill. I think we've heard a lot of information around this bill, and a lot of it may be confusing to the people of Ontario. But at our request, insurance companies haven't raised their rates since October 23, and yet some drivers are still facing increases. What I think the people of Ontario have to realize is that the increases that many of them are seeing to their insurance today are as a result of premium increases that were approved under the previous Progressive Conservative government. So, depending on when drivers renew their own policies, they may be experiencing increases due to rate hikes approved before that date of October 23, 2003, prior to this government's swearing-in. We have acted quickly since we've been sworn in. The trend of higher rates that we're trying to address is a legacy of a previous government.

We will not make the same mistake. We have committed to act quickly, we have committed to act sensibly, and we have committed to consult with the major stakeholders on this bill. This debate is allowing us to move forward and make this a reality for the people of

Ontario. We are committed, in other words—to quote the finance minister—to doing the job we were elected to do responsibly, fairly and well.

Insurance premiums, as we know, have been rising out of control for years. We must ensure that Ontario continues to have a competitive and healthy auto insurance marketplace that is available to all the people of Ontario. There's probably no issue that touches as many people in such a common way as the issue of automobile insurance. Many people earn their living from the insurance business. Many consumers use insurance as a means to earn their own living. We plan to consult with all those members. We plan to bring everybody into the fold. We plan to take all that information into account as we address this bill and move forward.

**The Acting Speaker:** Questions and comments?

**Mr John O'Toole (Durham):** It's my pleasure indeed to stand up and first acknowledge the member from Oakville and respect the fact and congratulate him for being here. In fact, this is one case I might think it was great that the member from the Liberal government actually won the riding that Mr Carr held, but that's a whole different topic.

When I look at Bill 5, I really look at the interesting challenge ahead of Mike Colle in terms of trying to deliver on a failed promise. You can't have it both ways, and I think the election promise was something that my constituents are very disappointed in. They felt that their rates weren't going to be frozen; they were going to be reduced.

As PA to finance, I did some consultations on auto insurance. I understand some of the cost drivers, one of them being the designated assessment centres. There's got to be more time spent on eliminating non-value-added assessments through the DACs. Some of them cost up to \$5,000 and don't deliver one service. They put them through these harsh assessments that are very inconvenient for otherwise victims of accidents, and so I expect that Mr Colle will look into that as well.

But you know, the whole idea of pooled risk is a very interesting matter. I've got a site here from a Mrs Sterling, to whom I spoke—not Norm's spouse.

**Mr Bisson:** Is that Norm's mother?

**Mr O'Toole:** No, no relationship to Mr Sterling, thank goodness. But this constituent of mine was quite sincere and, I might say to the member from Oakville, very upset. They had been insured by Motors Insurance for 15 years with absolutely no claims. These are professional people, to the extent that they haven't had claims; they're solid citizens. Their insurance has gone up 37.5% with no explanation and no increased risk. I put it to Mr Colle: You have 90 days. I expect you to fix it, and that means reducing the cost of the premiums to my constituents in the riding of Durham.

**Mr Prue:** As all members have said, this bill, whether you're in favour of it or not, is not going to do very much. It's not going to reduce the rates at all; it's merely going to freeze them for 90 days while this government explores options on how to look to further reduce the

costs for the private insurance companies, hoping the private insurance companies will then be able to find the 10% to give back to drivers.

I will tell you, it's quite clear what is going to happen when Mr Colle goes around the province, particularly to insurance companies. When he goes to the insurance companies, they're going to have a wish list of things they no longer wish to pay. They're going to have a wish list of raising the deductibility. They're going to have a wish list on further circumscribing the rights of accident victims on which medical professionals they'll be able to see. The wish list will be almost as exactly the same as the Conservative wish list that has been foisted upon consumers in this province, effective October 1, 2003. The day before the election there was a wish list that was passed on to the insurance companies, and they have instituted those now without reducing any rates whatsoever. When I get an opportunity to speak more at length, that's what I want to speak to.

What is going to happen, quite frankly, when they go to consumers is quite another matter. The consumers are going to expect a reduction, but the consumers are not going to expect that the insurance companies are going to be able to gouge accident victims instead of the general public. They are very mindful that if you have whiplash or you are involved in an accident or you have to take time off work as a result of the accident or you have to pay out-of-pocket medical expenses, these can be very expensive. They are looking for solutions to that as well.

**Mr Colle:** I want to congratulate the member from the beautiful riding of Oakville, where the Trafalgar moraine and Bronte Creek Provincial Park sit, for his very informative interjection and speech here on auto insurance.

Unlike the former Tory minister, who said that doing something about auto insurance through Bill 5 is a waste of time—that's what he said—here we are, and we may not be perfect, trying to do something about what we all agree about: Auto insurance is in a mess; it's dysfunctional. So here we are, legitimately trying to do something about it to help the motorists, and we hear the Tory ex-minister saying, "What's the use of trying?"

I don't mind his criticizing us for what we have in our bill, but he didn't even read the bill. Bill 5 does something the Tory government didn't have the guts to do. They don't even know this bill gives the commissioner of financial services, Mr Bryan Davies, extra powers to rein in the insurance companies. For the first time he can say to them, "If you don't file a 10% reduction, you don't do business in Ontario." They think we shouldn't do that.

We are putting forward this bill for the protection of motorists whom the previous government denied were having these problems. First of all, we're going to freeze them, as we have done. We are then going to bring back the 10% reduction. More reforms are coming. I agree with my colleague from Durham: The DACs will be fading away very soon. Then we will bring in an optional policy. We will do more modelling of insurance that is for the motorist, not for the special interest groups.

**Mr Ramal:** Thank you for giving me the chance to speak and comment on my friend Mike Colle's eloquent and articulate answer to my friend here from the Conservative Party, Mr O'Toole, I believe. All they do is cry and cry. For nine years they had the chance to solve the insurance issue but they never did anything about it, just talk and talk. Now we're trying to deal with it in a professional, honest and sincere way to help all the drivers across the province have a better way to deal with insurance companies. What do they do? They're wasting our time. I actually appreciated it when he asked Mr Colle to help him reduce the insurance of his or her friend—either way.

*Interjections.*

1750

**Mr Ramal:** Yes, they will be.

**The Acting Speaker:** I remind the members to direct their comments through the Chair.

**Mr Ramal:** Sorry, Mr Speaker. After we introduce Bill 5, it will basically solve the insurance issue across the province. After leaving this issue floating in the sky for years and years, nobody dealt with it in a courageous and strong way except the McGuinty government, which is trying to do it in a professional and efficient way in order to help every driver across this province. We're not just crying a promise and not delivering. We promised and we are delivering. We will deliver. Time will tell.

**The Acting Speaker:** The member for Oakville has two minutes in summary.

**Mr Flynn:** I would like to thank the member for Durham, the member for Beaches-East York, the member for Eglinton-Lawrence and the member for London-Fanshawe for their comments.

**Mr O'Toole:** How about the member from Durham?

**Mr Flynn:** I said it. I put particular emphasis on Durham."

We are determined to act responsibly to protect auto insurance consumers by reducing those out-of-control costs. During the election, all parties put forward an auto insurance plan. We all agreed that it was a problem that needed to be addressed and we asked the people of Ontario, "Of all the plans, which one do you think is the one you'd prefer to be implemented?" I think on October 2 the people of Ontario spoke, and when they spoke they said they would like a majority of this House to be members of the Liberal Party. As a result of that election, we've implemented an auto insurance plan that was included in our platform. We're determined to move forward with that plan. We're determined to keep our promises to the people of Ontario.

This legislation gives a very exact framework within which, by around January 23, 2004, we will have a package of savings in place that will allow auto insurance companies to reduce rates by an average of 10%. What I promised the people in Oakville, as I was knocking on doors during the election, is that I would do just that. In supporting this bill, we are following through on a commitment we made to the people of Ontario. We are

keeping our promise. We are going to deliver lower insurance rates.

**The Acting Speaker:** Further debate.

**Mr Hardeman:** It is indeed a privilege to be able to stand this afternoon and speak to Bill 5, the Automobile Insurance Rate Stabilization Act. The reason I'm having a little trouble with it is that I don't read anything in the bill that talks about stabilization because I don't believe it does that. I'm sure that, as the member opposite and other members have mentioned, this is part of what was put forward on October 2 to the people of Ontario. Everyone had some plan to deal with the problem that my constituents were seeing in auto insurance, and the ever-escalating price. But I differ with the comments from the government side when they suggest that this bill meets the package or the comments that they put forward in the election. I just wanted to go over some of the things that were in the package that the Liberal Party, and now the government, put forward to the people, which my constituents liked and supported.

The first one, of course, was an immediate rate freeze and, I would have to admit, and gladly admit, the Premier made that commitment and filled that commitment immediately after being sworn in. I read in the paper after that announcement that the auto insurance industry was prepared to work with the government to make that happen so no further legislation would be required because they could carry on and have the freeze in place until such time as they could meet.

The second part of that same sentence says that within 90 days of taking office they would cut that rate by 10%. I have to assume that when they made that commitment to the people of Ontario, they knew what it would take in the insurance industry to reduce the rates by 10%. I guess I would have to say that the initiatives the Conservative Party had put forward in the election in fact showed how that could be done by passing some regulations and setting some different standards and so forth to have that put in place. In fact, that would have introduced a 15% rate decrease. The Liberal Party has decided not to take that initiative because that would somehow show that they didn't have all the answers, that they were taking the advice of some other people. They didn't feel that would go over well. I have to assume, when they put this plan forward, that they did have the answers to the commitments they were making, that they knew what it would take to achieve those commitments.

So I do have a little problem with suggesting that now all the bill is going to do is allow further consultations to find out how we can achieve the commitments we've made. I'm from the school where I would have thought that those decisions would have been made or that information would have been available.

One of the things that troubles me even more in this bill is that for extraordinary circumstances the insurers can make applications to increase their rates. Recognizing that before this bill they needed to get approval from the insurance commission to raise the rates, it now just says, "We're going to put a freeze on, but anyone

who deems that they have an appropriate reason can apply to have their rate raised.” Again, there the bill does absolutely nothing.

The next item was an additional 10% premium reduction for customized insurance coverage. Again, I think that’s a laudable goal. I know when I was running my election campaign, the government party had its campaign office, and the big sign in the window said, “Vote for us, and your insurance will be reduced by 20%.” I expect a lot of my constituents read that. I would hope that now that there is an opportunity for the government to put that in place, they would move forward with putting that 20% reduction in place, but nothing in this bill does it.

Again, it says that they’re going to provide protection against unjustifiable rate increases. I guess I’m going to presume that this bill suggests we’re going to have consultations to decide how we’re going to do that. Again, why would we not, if we’re promising to do that, have some idea how we were going to do that and why we were going to do that? I would say that if this was put in the campaign document, somehow someone would have known that there were unjustifiable rate increases. If they knew they were there, I would suggest that we would not wait 90 days or 120 days or six months or six years to fix it. If they’re unjustifiable rate increases, I would think the government would be prepared to help my constituents, who are finding it almost impossible to pay for the insurance so they can get in their car and go to work. Of course, we all recognize that you cannot drive the car without insurance. But we are seeing more and more of that happening, in my opinion. I’m not a policeman. I don’t know that for a fact. But the stories I hear from my constituents are that they can’t afford to buy the insurance, and they feel that there are a lot of people out driving without that insurance.

Some other ones: They’re going to reduce excessive court costs. I would assume that if that were part of the plan of the government, they would have decided or known at that time, when they said they were going to reduce the excessive court costs, how they were going to do that and, in fact, that there were excessive court costs in the program. I don’t believe they’re doing that.

The one I really find interesting: They’re going to identify \$650 million in industry savings. If they know how much it is and what needs doing to accomplish that, I would suggest that you wouldn’t put a freeze in for a number of days so you can have public consultations on what needs to be done. I don’t think anyone in this province would suggest, if the industry savings can be achieved, that we shouldn’t do that, because we wouldn’t want the cost of our insurance to go down.

It shows me that we’ve put forward this proposal that sounded good with absolutely no intentions of keeping it in place.

**Mr Bisson:** On a point of order, Mr Speaker: I can’t believe the Tories are filibustering. I don’t know; I can’t take this any more.

**The Acting Speaker:** That’s not a point of order.

Few of you have been paying attention, and I’m surprised you’re doing it now, so we’re going to sit and listen to the last three minutes and seven seconds. Continue, member for Oxford.

**Mr Hardeman:** I wouldn’t want to take this opportunity to ask members of the Legislative Assembly to sit when they really aren’t supposed to be sitting, that somehow my discussion would keep them here. I’m sure that no one in this House would not know what I’m going to say. I’m not sure everyone on the opposite side would admit it and agree with it, but I think they all know that the promises made are in fact, in this piece of legislation, not being kept.

This is not a document that’s going to deliver on the promise that said to the people of Ontario, “We’re going to have an immediate freeze.” Incidentally, I believe that the immediate freeze was put in place, as the Premier promised, moments after cabinet was sworn in. This legislation does absolutely nothing more than that. I don’t believe that this legislation is delivering on anything except affording my honourable friend across the aisle time to do more consultation to see if they possibly can find some of the answers they told the people of Ontario they had.

**Mr Bisson:** On a point of order, Mr Speaker: I want to draw your attention to standing order number 9. It says that the House shall adjourn at 6 pm. Mr Speaker, it is past 6 pm, and I would ask that you maintain the standing orders.

**The Acting Speaker:** Thank you for your advice.

**Mr Hardeman:** In order not to create a rift between the Speaker and the member down there—I would just point out that I would ask the Liberal government to have a look at—

*Interjection.*

**Mr Hardeman:** No, I don’t have to sit down. The Speaker is sitting. Thank you very much.

I would just ask the Liberal government to look at implementing those regulations that were put in place by the previous government, enact them so that at the very least, as they go through the process of looking at the insurance industry, the people in my riding, my constituents who can’t afford insurance for their cars, would immediately receive that 15% decrease so they can carry on while they’re waiting for the results from this consultation.

**The Acting Speaker:** Having noticed that it’s past 6 of the clock, this House will adjourn until 10 o’clock tomorrow morning.

*The House adjourned at 1803.*

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