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of Ontario

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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 4 June 2003**

**Mercredi 4 juin 2003**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 4 June 2003

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 4 juin 2003

*The House met at 1330.  
Prayers.*

MEMBERS' STATEMENTS

ONTARIO DISABILITY  
SUPPORT PROGRAM

**Mr Ernie Parsons (Prince Edward-Hastings):** My statement is to all the members on the government side. It is now 11 years since people on ODSP have had an increase. The maximum they receive is \$930 a month, or \$11,160 a year. It is not possible to live in Ontario on \$11,160 a year. The government has promised a tax credit for people making \$11,000 a year. A tax credit is not a help. The government has made a big promise to increase ODSP payments, but the budget speaks for itself when it includes no items whatsoever to fund that increase.

People on ODSP are not numbers; they're not clients; they are people. They have dreams, they have hopes and they have needs, as each and every one of us do. Accommodation is not a privilege; it is a right. In our province it is unbelievable that people cannot afford a place to live. Food is not a privilege. Surely in Ontario food is not a privilege. Food is a right.

I would challenge any government member to live for one month on \$930—no credit cards, no having dinner with other people. Find accommodation and food and clothing on \$930 a month. I believe it is not possible.

I am imploring government members, do not use recipients of ODSP for election purposes. Do not misuse them. Do the right thing: fund an increase now.

JUNO BEACH CENTRE

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I am happy to speak today to the efforts of groups and individuals in my riding who, in their own way, are helping Canadians remember the valiant efforts of our combatants in the Second World War.

I would like to mention the student council at Cayuga Secondary School, the Who-Did-It Club of Simcoe, and the Royal Canadian Legion branches in Port Dover, Selkirk, Scotland and Simcoe that have all, through hard work, raised funds for the Juno Beach Centre.

I'd especially like to point out the 2853 Simcoe Legion Army Cadet Corps. They fundraised \$7,000. I

attended their 34th annual review this Sunday, under their commanding officer, Captain Dan O'Neil. As a former member of the militia, we're very proud of our cadet corps.

During the door-knocking to raise money, the cadets heard stories from many people who were directly affected by the war.

As we speak, hundreds of Canadian veterans who landed on that beach 59 years ago, and their families, are returning to remember this historic event.

The Juno Beach Centre will open its doors to the public this Friday, June 6, coinciding with the 59th anniversary of the D-Day landings on the beaches of Normandy. Our Premier, Ernie Eves, will be present. Our contribution as a province is \$1 million, and an additional \$1.5 million is going toward the creation of a Queen's Park memorial to the warriors who fought in that terrible conflict.

TRANSIT SERVICES

**Mr James J. Bradley (St Catharines):** On March 27 this year, the federal Minister of Transport, David Collenette, announced that the federal government was investing \$435 million to improve GO Transit's rail network in the extended greater Toronto area. This significant commitment by the federal government, combined with the persistent efforts of GTA municipalities to properly fund public transit, forms two thirds of a partnership that would ensure the maintenance and expansion of public transit services throughout Ontario.

Since 1998, the Harris-Eves Conservatives have done nothing but run away from their obligation to fund and expand public transportation in the province of Ontario. Even after unrelenting criticism for ending provincial funding for public transit, your government has only restored a small portion of what has been historically allocated to local governments.

In consistently starving municipalities throughout this province of public transit dollars, this government has shown that they have no interest, even when given incentives from the federal government, to participate as a full partner in the area of public transportation.

Now that hundreds of millions in additional federal funds have been dedicated to public transit in Ontario, your government must take major steps to improve rail transit for Niagara residents. The benefit to Niagara's economy, environment and overall quality of life would

compel any reasonably minded government to act on this important initiative.

The citizens of St Catharines and Niagara demand that the provincial government make increased access to rail transit a top priority; provide commuters and others with an alternative to the crammed, increasingly expensive and often unsafe highways; and make it easier for greater Toronto area tourists to come to Niagara.

#### MINIMUM WAGE

**Mr Peter Kormos (Niagara Centre):** Ontario's lowest-paid workers need a raise. The NDP raised the minimum wage four times, from \$5.40 to \$6.85, but for over eight years the minimum wage has been frozen at \$6.85 an hour. Since that time, inflation and the cost of living have eaten away at the minimum wage. Ontario's lowest-paid workers have seen a pay cut of almost 20% as a result, and that's nowhere near close to a survival income.

A person working full-time on minimum wage makes much less than even \$15,000 a year, and that's below the poverty line for most people in Ontario. One quarter of all workers are paid less than \$10; most, 61%, are women; 37% of single mothers in the labour force have a wage below 10 bucks an hour. These people need a raise. They need a raise to get by, to survive and to boost spending in the local economy.

The government's double standard on this issue is appalling. The Conservatives, joined by Dalton McGuinty and the Liberal caucus, voted themselves a 28% pay increase. Ontario's minimum wage workers need a pay increase far more than Ontario's MPPs.

The NDP has a public power plan that would give these workers the raise they sorely need and deserve. Public power means every man and woman should have the right to a fair and livable wage. Howard Hampton and the NDP would immediately increase the minimum wage to 8 bucks an hour and thaw the eight-year freeze on the wages of the lowest paid. Public power means it's unfair for MPPs to raise their own salary by over 25% when the lowest-paid workers haven't received a cent's raise in over eight years.

1340

#### HEALTH CARE WORKERS IN PARRY SOUND

**Mr Norm Miller (Parry Sound-Muskoka):** Over the past few months, health care services in our province have faced a serious test. In my mind, we have shown our ability to respond, thanks to the people working to protect our health.

This is clearly the case in Parry Sound, as health care workers at the West Parry Sound Health Centre and the Muskoka-Parry Sound Health Unit have taken every precaution to ensure that the community's safety is first and foremost. I have spoken to many of these people, and I can assure you they are doing everything necessary and

according to protocol. These people are going above and beyond the call of duty, and I know they will continue to do so.

I would like to express my deepest appreciation to the health care workers at the West Parry Sound Health Centre and the Muskoka-Parry Sound Health Unit. This weekend I was in contact with many of these people as they worked straight through the weekend to protect our public health. Dr Salwa Bishay, Muskoka-Parry Sound director of chronic disease and injury prevention, Mr Peter Jekel, director of infectious diseases, John Boyd, chair of the Muskoka-Parry Sound board of health, Dr William Hemens, acting medical officer of health, and Norm Maciver, CEO of the West Parry Sound Health Centre, are providing strong and effective leadership on this issue. Their hard work, along with that of their colleagues, the doctors, nurses and health care providers, makes me confident that we will be able to keep our public health secure and prevent SARS from spreading into our communities.

I know that you will all join me in recognizing each of these dedicated workers and thanking them for their commitment and tireless work.

#### AUTOMOBILE INSURANCE

**Mrs Marie Bountrogianni (Hamilton Mountain):** Ontario Liberals recognize that Ontario families are being charged outrageous auto insurance rates. Constituents of all ages have been coming to me with incredible insurance stories and concerns. I'll share just one of them today.

Linda and Rick have been driving for 31 years with clear driving records. Their son Scott has been driving for less than five years. The family was paying \$1,400 per year for insurance. It has now been increased to \$4,525. Why? Because after 31 years, the family had a first accident. Their son had a minor at-fault accident in a parking lot. The mother, Linda, had a moderate at-fault accident at an intersection. Their insurance was cancelled. Remember: two drivers, 31 years, clean record.

The first-act forgiveness policy cannot be applied to the son because he is considered a new driver, and the forgiveness policy cannot be transferred to his mother. It's a Catch-22. Because of this, other insurance companies will not take them. The result is an increase of three times more than the original rate. Here is how fairness works in Ontario: in spite of the fact that Rick, the father, was not involved in either accident, his rates were increased because it was his vehicle that was involved, making him high-risk.

The law requires that all drivers in Ontario be insured, yet the government has done nothing to protect Ontario families from escalating insurance rates, unfair practices and a market that doesn't appear very competitive. On behalf of my constituents on Hamilton Mountain, I join my colleague from Toronto Centre-Rosedale in demanding that this government protect Ontario consumers. Stop catering to your corporate friends and put Ontario

families first. All that people are asking is to have access to fair and stable insurance rates.

#### HIGHWAY IMPROVEMENT PROJECTS

**Mr Bert Johnson (Perth-Middlesex):** Am I ever glad the member for St Catharines is here, because I wanted to tell him about the representation that the highways are benefiting in other areas of the province.

I rise today to tell all of us about the announcement that I had the honour of making in the great riding of Perth-Middlesex. On Friday, May 23, I, on behalf of the honourable Frank Klees, our hard-working, efficient, effective Minister of Transportation, announced three highway improvement projects in and around my riding. These three projects, worth a combined total of \$8.8 million, will improve Highway 23 in North Perth and South Huron and Highway 8 in West Perth. This money is being invested in restoring and replacing bridges, resurfacing sections of the highway, and adding a left-hand turn lane at the Campbell Soup factory in my hometown of North Perth. With more than 600 people employed at the Campbell Soup factory and trucks coming and going, this left-hand turn lane will improve this section of the highway on the south edge of Listowel immensely.

This investment is part of our government's five-year, \$20-billion SuperBuild initiative, designed to facilitate the largest infrastructure building program in Ontario's history. These projects are good news for the people and businesses of Perth-Middlesex. They'll make our highways safer and smoother for residents, tourists, truckers and farmers. Keeping our highways and bridges in good repair is an investment in our future. Safe, reliable highways are important to the quality of life and prosperity enjoyed by the constituents of Perth-Middlesex.

#### NORTHERN ONTARIO MEDICAL SCHOOL

**Mr Rick Bartolucci (Sudbury):** Today the people of northwestern and northeastern Ontario received bad news. Our northern Ontario medical school is delayed by another year.

The concern that we have in Sudbury and northern Ontario is whether this is another Sudbury Regional Hospital. Is this the same type of project that you people managed in Sudbury, with its regenerated hospital? Listen: the communities of Thunder Bay and Sudbury together have over 80,000 people who do not have doctors. We were relying on you, the government, to ensure that problem was dealt with. You spun this to the people of northeastern and northwestern Ontario. In fact, you told the people that it would be up and running 12 different times, that the starting day would be 2004. What do we find out today? It's 2005, with no guarantees.

Well, let me tell you, I have a message from the people of Thunder Bay, Sudbury and northwestern and northeastern Ontario: we want that medical school. We want it now. We want answers. We want to know what

happened to the plan you had. What happened to the money you invested? The fact is, had you invested the money when you should have, not two years after the announcement, today we would be talking about the 2004 opening. Instead, our communities of northeastern and northwestern Ontario continue to get bad news when it comes to health care from the Harris-Eves Tories—not good enough.

#### BURLINGTON SOUND OF MUSIC FESTIVAL

**Mr Cameron Jackson (Burlington):** I'm pleased to rise today to acknowledge the efforts of the community of Burlington as we prepare for the weekend of June 12 to 15, for our annual Sound of Music Festival. This next year marks our 25th anniversary. This is an outstanding festival. It's home for the Burlington Teen Tour Band, one of the most famous youth marching bands anywhere in North America, and also for the Top Hat Marching Band, another group that performs.

This year's headliners include David Wilcox. I'm pleased to report to the House that Ronnie Hawkins's health has improved. He's going to be our headliner on Saturday night. Natalie MacMaster and Rik Emmett are among some of the great talent that's going to be there. Saturday will be the annual parade. There's karaoke, big band competitions—there's something for everyone of all ages.

I encourage everyone in the province to put aside some time that weekend to come to Burlington, Ontario, to experience one of the best festivals that we have in the province.

**Hon Brad Clark (Minister of Labour):** Are you going to sing karaoke?

**Mr Jackson:** I'm not going to sing karaoke this year.

I do want to thank the Ministry of Tourism and Recreation for its annual contribution of \$15,000 from the tourism event marketing program. We will be marketing in Buffalo, in the United States and in Quebec to reach as many tourists to come to Burlington and Ontario for the Sound of Music Festival.

#### VISITORS

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I'm sure that members of the Legislature will want to welcome a couple of fathers who are here to see their sons who are pages. First of all we have Mr Santino Nucci, from Thunder Bay, father of Mario Nucci. Thank you very much; it's good to see you. We also have Ken Seguin, from Windsor West, whose son Nicolas is a page. They're doing a great job.

**The Speaker (Hon Gary Carr):** We welcome our families here today.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the report on intended appointments dated June 4, 2003, of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Pat Hoy (Chatham-Kent Essex):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Mr Hoy from the standing committee on regulations and private bills presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bill as amended:

Bill Pr23, An Act respecting the Kitchener and Waterloo Community Foundation.

Your committee begs to report the following bills without amendment:

Bill Pr12, An Act respecting the Municipality of Chatham-Kent;

Bill Pr20, An Act respecting the Thunder Bay Foundation.

Your committee further recommends that the fees and the actual costs of printing at all stages be remitted on Bill Pr20, An Act respecting the Thunder Bay Foundation, and Bill Pr23, An Act respecting the Kitchener and Waterloo Community Foundation.

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

## INTRODUCTION OF BILLS

### KIDS FIRST LICENCES ACT, 2003

#### LOI DE 2003 SUR LES PLAQUES D'IMMATICULATION EN FAVEUR DES ENFANTS

Mr Duncan moved first reading of the following bill:

Bill 79, An Act to support children's charities in Ontario / Projet de loi 79, Loi visant à aider les œuvres de bienfaisance pour enfants en Ontario.

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

The member for a short statement?

## 1350

**Mr Dwight Duncan (Windsor-St Clair):** This bill proposes an optional program allowing persons to make donations to support the work of children's charities in Ontario when paying fees for licences, permits and number plates issued under the Highway Traffic Act. Donors may request specially designed number plates in recognition of their donations.

This is a program done in a number of American jurisdictions which has raised literally hundreds of millions of dollars in a voluntary way for children's charities in those states.

## ARCHIVES

### AWARENESS WEEK ACT, 2003

#### LOI DE 2003 SUR LA SEMAINE DE SENSIBILISATION AUX ARCHIVES

Mr Johnson moved first reading of the following bill:

Bill 80, An Act to proclaim Archives Awareness Week / Projet de loi 80, Loi proclamant la Semaine de sensibilisation aux archives.

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

The member for a short statement?

**Mr Bert Johnson (Perth-Middlesex):** Ontario has a rich and colourful recorded history. Archives play an essential role in the preservation and use of this history. This bill proclaims that the week beginning on the first Monday in April of each year is Archives Awareness Week.

### HIGHWAY TRAFFIC AMENDMENT ACT (HELMETS), 2003

#### LOI DE 2003 MODIFIANT LE CODE DE LA ROUTE (CASQUES)

Mr Levac moved first reading of the following bill:

Bill 81, An Act to amend the Highway Traffic Act / Projet de loi 81, Loi modifiant le Code de la route.

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

The member for a short statement?

**Mr Dave Levac (Brant):** This is a reintroduction from the last sitting. The bill amends the Highway Traffic Act to make it an offence for any person to use a skateboard, scooter, inline skates or roller skates on a highway without wearing an appropriate helmet. Parents and guardians of a person under the age of 16 are also guilty of an offence if they authorize and knowingly permit the person to contravene this restriction. A police officer may require a person to provide identification if the police officer finds the person contravening this restriction.

The authority to make regulations to exempt persons from the requirement to wear helmets is repealed.

Medical officials tell me that 50% of all related head injuries could and would be eliminated if this amendment were adopted.

ENVIRONMENTAL PROTECTION  
AMENDMENT ACT  
(PRE-TREATMENT OF  
HAZARDOUS WASTE), 2003

LOI DE 2003 MODIFIANT LA LOI  
SUR LA PROTECTION  
DE L'ENVIRONNEMENT  
(PRÉTRAITEMENT DES DÉCHETS  
DANGEREUX)

Ms Di Cocco moved first reading of the following bill:

Bill 82, An Act to amend the Environmental Protection Act to require the pre-treatment of hazardous waste before it is used as landfill / Projet de loi 82, Loi modifiant la Loi sur la protection de l'environnement pour exiger le prétraitement des déchets dangereux avant leur dépôt dans une décharge.

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

The member for a short statement?

**Ms Caroline Di Cocco (Sarnia-Lambton):** This bill will change the fact that Ontario is the only jurisdiction on the continent of North America that doesn't require the pre-treatment of hazardous waste before disposal. This bill amends the Environmental Protection Act by requiring the pre-treatment of hazardous waste before it is disposed of in a landfill.

SARS INQUIRY ACT, 2003

LOI DE 2003 PRÉVOYANT  
UNE ENQUÊTE SUR LE SRAS

Mr Hampton moved first reading of the following bill:

Bill 83, An Act to provide for a public inquiry to examine the outbreak of Severe Acute Respiratory Syndrome in the Province of Ontario / Projet de loi 83, Loi prévoyant une enquête publique pour examiner la poussée du syndrome respiratoire aigu sévère dans la province de l'Ontario.

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

**Mr Howard Hampton (Kenora-Rainy River):** The bill requires the Premier to recommend to the Lieutenant Governor in Council that a commission be appointed to inquire into and report on the outbreak of SARS and to make recommendations directed to the avoidance of similar diseases in similar circumstances. The commission is given powers under the Public Inquiries Act. Once the inquiry begins, the commission must make an interim report in six months and a final report in 12 months.

INSURANCE AMENDMENT ACT  
(ELECTION CANCELLATION  
INSURANCE), 2003

LOI DE 2003 MODIFIANT LA LOI SUR LES  
ASSURANCES (ASSURANCE-  
ANNULATION DES ÉLECTIONS)

Mr Parsons moved first reading of the following bill:

Bill 84, An Act to amend the Insurance Act to allow for the sale of election cancellation insurance / Projet de loi 84, Loi modifiant la Loi sur les assurances pour permettre l'offre d'une assurance-annulation des élections.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

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

*The division bells rang from 1357 to 1402.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

**Ayes**

Agostino, Dominic	Duncan, Dwight	Newman, Dan
Bartolucci, Rick	Gerretsen, John	O'Toole, John
Bountrogianni, Marie	Gravelle, Michael	Parsons, Ernie
Bradley, James J.	Hardeman, Ernie	Patten, Richard
Bryant, Michael	Hoy, Pat	Peters, Steve
Caplan, David	Hudak, Tim	Phillips, Gerry
Churley, Marilyn	Kormos, Peter	Prue, Michael
Clement, Tony	Kwinter, Monte	Pupatello, Sandra
Cordiano, Joseph	Levac, David	Ramsay, David
Crozier, Bruce	Martel, Shelley	Ruprecht, Tony
Curling, Alvin	Martin, Tony	Sergio, Mario
Di Cocco, Caroline	McGuinty, Dalton	Smitherman, George
Dombrowsky, Leona	McMeekin, Ted	Stockwell, Chris

**The Speaker:** Those opposed?

**Nays**

Johnson, Bert	Stewart, R. Gary	Wood, Bob
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**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 39; the nays are 3.

**The Speaker:** I declare the motion carried.

The member for a short statement?

**Mr Ernie Parsons (Prince Edward-Hastings):** In recognition of large expenditures by Elections Ontario over the last four months, this bill amends the Insurance Act by authorizing the sale of election cancellation insurance. The Chief Election Officer and individual candidates are permitted to purchase the insurance. The section that authorizes the sale of election cancellation insurance ceases to have effect if a system for fixed-term elections is implemented.

ENVIRONMENTAL PROTECTION  
AMENDMENT ACT  
(INDUSTRIAL FACILITIES), 2003  
LOI DE 2003 MODIFIANT LA LOI  
SUR LA PROTECTION  
DE L'ENVIRONNEMENT  
(INSTALLATIONS INDUSTRIELLES)

Mr Levac moved first reading of the following bill:

Bill 85, An Act to amend the Environmental Protection Act to regulate industrial facilities that use, store or treat hazardous materials / Projet de loi 85, Loi modifiant la Loi sur la protection de l'environnement pour réglementer les installations industrielles où sont utilisés, entreposés ou traités des matériaux dangereux.

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

The member for short statement?

**Mr Dave Levac (Brant):** This is the reintroduction of a bill submitted last session. The bill amends the Environmental Protection Act by requiring that industrial facilities that regularly use, store or treat significant amounts of hazardous materials prepare and submit an environmental report on their property every five years. The report will be available to the public. A facility that is ceasing operations is required to submit a final environmental report. Owners of the industrial facilities are responsible for any environmental damage that occurs on their land while it is under their care. I believe this will end any brownfields in the future.

## MOTIONS

### STANDING COMMITTEE ON ESTIMATES

**Hon John R. Baird (Minister of Energy, Minister responsible for francophone affairs):** I would like to ask for unanimous consent to move a motion with respect to the standing committee on estimates.

**The Speaker (Hon Gary Carr):** Is it agreed? Agreed.

**Hon Mr Baird:** I move that, notwithstanding standing order 59(e), the standing committee on estimates may sit this afternoon at its regularly scheduled time.

I know the Minister of Education would like to second that.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## ORAL QUESTIONS

### PROTECTION FOR HEALTH CARE WORKERS

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is for the Minister of Health. Yesterday, I met with a group of nurses from North York

General Hospital, and they shared with me their very real concerns. They told me of one thing in particular that they are very, very worried and at the same time angry about; that is, the masks they are wearing are not adequate. One nurse told me she has gone 11 weeks wearing a mask that was never properly fitted. They also shared with me that there are now 25 nurses hospitalized at the North York General Hospital alone as a result of working with patients suffering from SARS. One of those nurses is now in critical condition.

The nurses expressed to me that they are exhausted and frightened for themselves and their families, and they're asking for a guarantee of basic protection.

Minister, you will recall that on May 2, I believe, you issued a directive that nurses be fitted with appropriate masks and that they wear those masks in SARS units, critical care units and emergency rooms. Why is it that over one month later we still have nurses working in SARS environments in Ontario hospitals who are not equipped with appropriate masks that are fitted for them?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for giving me his take on issues. I too have been meeting with nurses, basically on a daily basis over the past few days, as well as with other hospital officials and medical practitioners. I want to assure him, and through him this House, that the absolute safety of our health workers, as well as our patients of course, is our top priority when dealing with the second SARS outbreak.

I too have heard those concerns. I can tell you that we have been learning a lot over the last 11 weeks when it comes to the protection of our health workers and what types of masking, gowning and gloving procedures are best. We continue to learn and we continue to, I believe, have the best kind of directives and protocols found anywhere in the world. So that process will continue.

1410

**Mr McGuinty:** Sir, it's one thing to have directives in place and it's quite another to ensure that they are being followed. You issued that directive back on May 2. Nurses told you and me yesterday that, in many cases, they're not equipped with properly fitted masks.

This seems to be, Minister, another important reason why we should be holding a full, independent public inquiry. When I talk about a full, independent public inquiry, I'm talking about one that provides our nurses and other health care workers with whistle-blower protection. I think it is essential to ensure that they can come forward without any sense of reservation whatsoever. I think we have to have authority to the commissioner to compel witnesses and to subpoena documents where he or she believes that is necessary.

I think that is the best thing we can do out of honour to those nurses and those SARS patients and those families who have lost loved ones. I think the most responsible thing we can do in the face of this very real challenge is to hold a full, independent public inquiry. Why is it, Minister, that you continue to refuse to proceed with that kind of an inquiry?



**Hon Mr Clement:** First of all, on the issue of masking, let me assure the honourable member in this House that in fact it is Ontario that sets the standards for masking, and we certainly expect compliance. There have been cases of improper mask use. We have not thus far been able to connect any of those cases to a case of SARS, from a scientific point of view. There are other issues that come into play where SARS is in a hospital setting. But so far, what I am told by public health officials, by the commissioner of public safety and, indeed, by all of our medical experts is that there hasn't been a case of improper mask fitting being the cause of an illness. Nonetheless, it is important to have proper mask fitting.

I can tell you that when it comes to whistle-blower protection, there is an obligation under the act, because this is a reportable disease, to protect our health care workers when they serve the obligation to report a case of SARS. We will protect them. We will protect them under the Occupational Health and Safety Act and we will protect them because they are doing their job by reporting any case of SARS or suspected SARS. Certainly, that is our commitment, and that is the Premier's commitment as well.

**Mr McGuinty:** I say to the minister again that there are nurses today working in Ontario hospitals who are not being adequately protected because they don't have the right masks. They told me about that yesterday. I can give you their names and numbers and you can speak with them directly, Minister.

I want to come back to the issue of the public inquiry. I think we owe that to those nurses, I think we owe it to Ontarians who are suffering at present from SARS and I think we owe it to the families who have lost loved ones. I'm talking about a full, independent public inquiry, complete with whistle-blower protection and the power to compel witnesses.

I'll tell you why I think that our approach is more responsible than the one that you're advocating: because this approach, an independent public inquiry, takes it out of my hands, takes it out of your hands, and turns it over to an independent commissioner who conducts a comprehensive, thorough investigation into what went wrong, what happened and lays out for all of us a responsible, intelligent road map to ensure that this kind of thing doesn't happen to us in the future. I think that is the best thing we can do for Ontarians. I think it's the most responsible thing we can do for Ontarians. I ask you, Minister, why won't you agree to a full, independent public inquiry?

**Hon Mr Clement:** I want to assure the honourable member and, through him, this House, that we fully intend to get to the answers that all of us seek. Every health care worker seeks these answers, every public health official seeks these answers and I, as Minister of Health and Long-Term Care, want the answers to these questions as well. So I want to assure the member, in case he has not heard me recently, that we do want an independent investigation; we do want an inquiry that

will be completely public on this issue. So I want to assure the member that that is the intention of this government.

The honourable member says that he came across some certain information yesterday about this. It's a good thing that I also spoke to those very same nurses because otherwise I would wonder whether he was treating this as a reportable disease or not, because this is a serious matter. If the honourable member has issues he wishes to raise, please raise them—if not with me, then with Dr Young or Dr D'Cunha—so we can help protect the people of Ontario rather than scoring partisan political points in the Ontario Legislature.

#### CONFLICT OF INTEREST

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Chair of Management Board. Minister, your party's biggest fundraiser lent your party's biggest donor millions of Ontario pension fund dollars, and he did so in an extraordinarily unusual investment—extraordinary not only for the Ontario pension fund but very extraordinary for the pension fund industry as a whole. In fact, the Ontario pension fund has never done another deal like this, either before or since.

Yesterday, Mr Weiss confirmed that he likely spoke to Mr Cortellucci about this kind of deal while he was still acting as your party's fundraiser. This is from the National Post, "Don Weiss said he discussed business opportunities with Mr Cortellucci at fundraisers."

This is from the Toronto Sun, "When you look back over the years, I would talk about real estate ideas ... I must have had those conversations with him on those subjects."

Minister, are you still saying today that there is no conflict of interest here whatsoever when your biggest fundraiser makes this kind of extraordinary deal with your biggest donor?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** You'll forgive me if I don't take your interpretation of the facts, the same way as I didn't with your colleague who is sitting next to you. What I have to say to the Leader of the Opposition is quite clearly what I said yesterday in his absence, and on Monday as well. I refer him to yesterday's Hansard, June 3, on page 827. I will say exactly the same thing. What's at issue here is not who's involved with these transactions but whether or not due process and due diligence were taken, and I believe they have been.

**The Speaker (Hon Gary Carr):** Supplementary?

*Interjections.*

**The Speaker:** Order. Come to order, please. Sorry for the interruption.

**Mr McGuinty:** I take from that, Minister, that you don't believe there's any kind of a conflict of interest here. What I'm going to do, then, is provide you with more information today, in the hopes that this will lend some clarity to your vision on the matter of this conflict.

We reviewed Mr Weiss's appointment and his statements to the government agencies committee. The facts are shocking. The facts are that Mr Weiss continued to work at the PC Ontario fund for at least nine months while sitting as a member on the pension board. He did not sever his relations with the party fund, in fact, until a month after his confirmation as chair. For nine months, Mr Weiss was raising money for your party from donors like Mr Cortellucci, while he sat on the board of the Ontario pension fund, involved in making decisions about how to invest pension money.

I ask you again, Minister: how can you possibly say that there is no conflict of interest here of any kind whatsoever?

**Hon Mr Tsubouchi:** Once again, I've dealt with this question yesterday and the day before—

*Interjections.*

**Hon Mr Tsubouchi:** Well, you'll forgive me if I don't take what you're saying as the facts. Facts are facts; what you believe is probably something totally different.

There's no overlap with respect to Mr Weiss. Mr Weiss appeared twice before the committee dealing with these appointments, and clearly twice he passed.

I don't believe there's a conflict. We've asked, in fact, my deputy minister to report back to me; she has. We certainly asked whether or not there's any conflict. There's indication that there is not, and I'll take the word of my deputy minister over the Leader of the Opposition.

**Mr McGuinty:** When a review of seven multi-million dollar land deals takes just a couple of hours, it isn't a review; it's a whitewash. That's the difference.

Let's take it from the top again, Minister. Here are the facts. If you dispute these facts, then please tell me. Number one: your party's biggest fundraiser lends your party's biggest donor millions in pension fund dollars.

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Number two: the deal is very unusual and extraordinary, not only for the industry as a whole but for the Ontario pension fund in particular. This kind of a deal has never happened before or since. Thirdly, for nine months Mr Weiss was working both as a fundraiser for the party and as a member of the board of the Ontario pension fund.

I say to you, Minister, that those facts are beyond dispute. I'm asking you again, how is it that you can possibly say in the face of those facts that there is no conflict of interest of any kind, none whatsoever, to be found here?

**Hon Mr Tsubouchi:** Let me deal with real facts. In 1991, the policy was brought in which allowed investment in mortgages. One of the reasons was that they wanted to have a balanced portfolio. This was re-confirmed again several years later.

The facts are these: according to Benefits Canada, in their review of the top 100 pension funds in Canada, 1.7% of total assets are invested in mortgages. In this particular case, this results in 0.3% of the total assets. So it's not a huge investment when we look at the entire portfolio of \$11.5 billion.

What we are concerned with on this side is whether or not due process and due diligence were followed. We're satisfied they were.

The Leader of the Opposition is making all kinds of allegations. I suggest to him that he check his facts, and if he's certain of his facts he should repeat those facts outside the House.

#### ELECTRICITY SUPPLY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. Minister, yesterday you were forced to admit that your scheme of emergency temporary electricity generation will cost at least \$100 million. That's \$250,000 per megawatt just to install these temporary generators. On May 6 you told this Legislature that if these generators had been available last summer, they would have run for only 14 minutes. Taking your figures, Minister, if that happens this summer, the cost of using your temporary generators for 14 minutes would be \$7 million a minute for power.

Minister, is \$7 million a minute for privatized, deregulated electricity your idea of a good deal for Ontario consumers?

**Hon John R. Baird (Minister of Energy, Minister responsible for francophone affairs):** If the member opposite had checked the facts, he would discover that when I suggested to use the term of 14 minutes, that was in relation to diesel-powered generators.

**Mr Hampton:** Minister, you're the one that's telling us that these natural gas generators will be a substitution for diesel. You're the one who was telling us they would be used infrequently. I note this \$100-million cost is just to install and set them up. It doesn't include standby charges, natural gas charges or the eventual production cost. But we know that this will happen on a very hot summer day when there's not enough electricity, when your deregulated market sees the price spike up to, oh, 50 cents or 60 cents a kilowatt hour. Then these generators will come on, so we'll be paying a very high premium indeed.

Minister, if you insist that this is cheaper power, will you disclose the contracts so that the people of Ontario will see just how much you really are going to charge them for this latest episode of privatized, deregulated electricity?

**Hon Mr Baird:** The member opposite says a number of things which are not factual, so I'll correct them. I'll repeat that the 14 minutes I referred to last summer was for diesel generators that would only have been used in the case of an emergency. The natural gas generators have a dual benefit: to reduce our reliance on expensive, imported power and to provide a standby capacity. So he's wrong there.

When he said that \$100 million is just for the installation, he's wrong there. When he said that I said this would be cheaper power, he's wrong there. Wrong, wrong, wrong.

**Mr Hampton:** Minister, I have a copy of what you said on May 6. You said, "We are looking to the private

sector to ask what opportunities might be available. There could be opportunities with respect to large natural gas portable generation or from some small diesel-powered generation." Then you said that if we'd had this policy in place last year, it might have been required for 14 minutes.

You're the one who says it will cost \$100 million just to set it up. You're the one who says, "Oh, we might only need it for 14 minutes." Do the quick math and it works out to \$7 million a minute for hydroelectricity. Then there's the cost of natural gas, there's the standby charge, and we know from other boondoggles like this in the privatized, deregulated market that you pay a premium for the electricity. This is the people's money. This is what they will have to pay one way or another.

Will you disclose the contracts so that people across Ontario will see just how much—\$7 million a minute, \$7.5 million a minute—they're going to be paying for your latest episode of privatized, deregulated electricity?

**Hon Mr Baird:** The leader of the third party never lets the facts get in the way of a good argument. I clearly spoke of the 14 minutes being the case in emergency standby diesel capacity, not in the natural gas contracts that have been awarded. I never said they'd be cheaper and I never said anything the member opposite has described. He's wrong. There's a name for days like that for this member. They're called weekdays.

The policy we brought forward is a measure to both reduce our reliance on expensive imported power in emergency situations and provide stability of supply. I think it's important for the people of Ontario—whether you have a seniors' home, where you have frail and elderly adults; whether you have a hospital; whether you have enterprises in the province that depend on electricity—to take a reasonable precaution to ensure that we have adequacy of supply in a tight market.

**Mr Hampton:** Please take this to the Minister of Energy so he can read his own words.

#### PROTECTION FOR HEALTH CARE WORKERS

**Mr Howard Hampton (Kenora-Rainy River):** Minister of Health, today I was at a rally outside Scarborough General Hospital, with nurses and health care workers who are on the front line of the battle against SARS. They are overworked, overstressed and very scared and they say you have let them down. They say you've failed to protect their health and safety, just as you failed to protect the health and safety of patients. They say you need to stop telling them to hunker down. You need to start listening to them because they're the people out there who are actually putting their lives at risk. They're the people who are actually getting sick. They're the people, some of whom are dying. They don't need you giving them your dismissive answers that they should just hunker down.

They want to know one thing: are you going to call a public inquiry, give them whistle-blower protection, or

are you going to continue to talk about this backroom investigation? Public inquiry, whistle-blower protection: yes or no?

**Hon Tony Clement (Minister of Health and Long-Term Care):** In the past 30 hours I met with nurses: yesterday morning, yesterday afternoon and this morning, so I don't need any lectures from the honourable leader of the third party about keeping my schedule open to talk to the front-line heroes who are doing the job for the people of Ontario. I do listen to them.

I do know that this is a frustrating time. I do know that there are concerns about health and safety. I do know that we have to ensure that our hospitals are safe places for patients and health workers. I do know that our government is working with them and their representatives to ensure that is the case.

**Mr Hampton:** Minister, yes, you have met with some nurses. Some of the nurses came back from that meeting and talked to me and this is what they said: "Tell the Minister of Health to stop his tactic of trying to pit nurse against nurse or health care worker against health care worker." That's exactly what they said.

They said something else. They said that your government let its guard down against SARS too early. They say that they want real protection from SARS: masks that work and protective clothing that works. They want standardized screening and protocol procedures for all hospitals, something that's not in place now. They want a province-wide patient transfer tracking system so that we don't have another SARS patient being transferred without staff knowledge to another hospital.

That's why they want a public inquiry, so that all these issues can be squarely and fully before the public. Minister, do you support a public inquiry with whistle-blower protection for nurses and health care workers, yes or no?

**Hon Mr Clement:** The answer is yes, of course. We are going to have that kind of investigation into the facts and circumstances surrounding the outbreaks. I want to assure this House that is absolutely our intention because I want, the Premier wants, our government wants, answers to these questions as well. So I can tell you that that will occur, that there should be protections, that there are protections for nurses or other medical practitioners to ensure they can do their job. Their job is to report cases like this to the public health system. Of course they should and they will and they do have protection in that regard. The answer to the honourable member's questions is yes.

The honourable member speaks about ensuring that we're not pitting nurses against nurses, and health practitioners against health practitioners. I can tell you I do that every day of the week. When are you going to start doing it?

1430

#### CONFLICT OF INTEREST

**Ms Sandra Pupatello (Windsor West):** My question is for the Chair of Management Board. I'd like to return

to the matter of the deal between your largest fundraiser and your largest donor.

We learned today that your fundraiser was on the board while he was taking donations from Mario Cortellucci. We also learned today that Don Weiss is admitting that the decision to lend taxpayer-guaranteed pension money to your largest donor was done by an ad hoc committee. This sounds a lot like your government's famous sports team tax break walk-around by cabinet. An informal group headed by Don Weiss decides to invest in the deal. Only after the deal was signed did the investment committee of the board get a chance to review the decision. Don Weiss is on the investment committee too. They had no power to undo the deal, even if they chose to.

Given the unique nature of the deal, given that the pension board had never made investments of this nature, given the conflict of interest between your biggest fundraiser and your top donor, how can you say today that there would be proper oversight of such a decision?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** These accusations are extremely wild and incorrect. I suggest to the member that she check her facts. If she feels so sure of her facts, I suggest she repeat them outside the House. I'm satisfied we've had due diligence. I'm satisfied we've got no conflicts. I'm quite satisfied in terms of the process that has gone through. That's what we're concerned about here. If you have any of these wild accusations of conflict of interest, please make them outside the House and stand by them.

**Ms Pupatello:** Minister, I think your biggest problem is that people are connecting the dots and it's becoming a straight line. I'm asking you a serious question about the behaviour of your government and what you consider to be good judgment. I expect a better kind of investigation than some kind of fly-by by a deputy minister over such a serious issue.

I am asking you again: the decision to lend your top donor tens of millions of dollars was made by an informal group at the pension board, headed by your biggest fundraiser. Decisions made in the hallways are rarely good policy decisions. We know the Ontario Pension Board never made this kind of deal before. We know other pension boards don't do deals like this. We know your biggest fundraiser and your top donor discussed deals like this while Don Weiss was still working for the PC Party. While still at the party, he had his foot in at the pension board.

We asked you yesterday about a conflict. I expect a reasonable investigation about how these dots are starting to connect. Why are you refusing to do this, and what are you afraid is going to come to light—

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

**Hon Mr Tsubouchi:** I am very pleased to hear the member correct herself inadvertently from her earlier statements this week. Earlier this week, she was accusing the loans of being in the nature of hundreds of millions of dollars. Now she's down to—

**Ms Pupatello:** That deal is for over \$150 million. Don't you be bullying me, mister.

**The Speaker:** Member take a seat. Order. This is the last warning to the member for Windsor West, I'm afraid. She has asked the question; the minister now gets a chance to reply. If she yells out like that again, she'll be asked to leave. Sorry, Chair of Management Board.

**Hon Mr Tsubouchi:** As I said, today in her own words she's talking about tens of millions of dollars, so obviously she's self-correcting without actually correcting her own record.

Let's deal with the facts. Once again, as I just—and I'm constantly repeating myself. Someone said that if you repeat yourself about five or six times, even to dogs, you get through to them eventually. First of all, Benefits Canada reported in their top 100 pension funds that 1.7% of total assets is invested in mortgages. This is not an unusual practice, considering that the total portfolio of the pension board into mortgages—

*Interjections.*

**Hon Mr Tsubouchi:** Excuse me. Thank you. In this case, the pension board total mortgage investment is 0.3% of their assets, so it's less than the median, in fact. One of the things you need to do is make sure that the portfolio is diversified. These accusations are so wild, they're just afraid to say it outside the Legislature. Let them do so.

#### EDUCATION LABOUR DISPUTE

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Education. Last night, our government put students first when we voted in favour of ending the lockout in the Toronto Catholic District School Board. For nearly three weeks, the students have been unable to attend school because their board and union couldn't come to an agreement. Worse than that, when our government took decisive action to bring about an end to this labour disruption, the opposition played politics and continually stalled—

*Interjection.*

**The Speaker (Hon Gary Carr):** This is the last warning for the member for Hamilton East as well. He'll be asked to leave if he continues. Sorry for the interruption, member for Scarborough Centre. I apologize.

**Ms Mushinski:** Can I start at the beginning?

**The Speaker:** Sorry, in the interests of time—I hate to do that. If you could try and get close. You'll have to wrap it up. You've got, I believe, about 20 seconds. I apologize for that. I hate to do it and I know it does throw you off, but we do need to keep on the time. I apologize.

**Ms Mushinski:** Thank you for that, Mr Speaker. Even last night, 40 opposition members voted against the bill, thus adding to their shameful record on education.

There has been much confusion and misinformation about the contents of our recently passed legislation on returning students to the classroom because of the opposition's fearmongering and rhetoric. Minister, what

has this government done to bring labour stability to classrooms all across Ontario?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Our government, this past year and in prior years, now has in place a process that requires boards to negotiate three-year agreements with their teachers in order to ensure that we have stability within the educational system. We've also invested \$680 million this past year in order that boards and teachers can negotiate fair agreements.

We want to make sure that our students are in the classroom. We want to make sure there is stability in the classroom. We believe that this additional money, which is 3% to the salary benchmark on two occasions, would certainly help to bring stability to the classroom for our students.

**Ms Mushinski:** Thank you for that response, Minister. As I said before, the opposition and other pundits have done a lot of fearmongering and have taken every opportunity to say one thing and do another. Liberals especially tried to use Toronto's children as political pawns in this whole debate by tabling their own back-to-work legislation so that they could claim credit even while voting against the back-to-work legislation. What's worse, the Liberal leader double-dealt his own caucus by saying one thing in this House and then sending his caucus out to say something else.

Minister, for the record, could you please clarify the contents of this legislation? Does it make volunteer duties mandatory? Can you tell the people of Ontario what was in this bill passed last night that put students first?

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**Hon Mrs Witmer:** There was, unfortunately, an attempt by the opposition to try to confuse the public and the media about the contents of the legislation. But I can tell you that the bill did a couple of things: the bill put the students back into the classroom; the bill ended the lockout of the teachers at the TCDSB; and the bill ensured that students could return to class today to receive quality education.

The bill did not change the ability of the minister to change the duties of teachers. Since the 1950s, the Education Act has given the Minister of Education the ability to alter teachers' duties. There is nothing new in this bill in this regard. That's been there since 1950.

#### LAND DEVELOPMENT

**Mr Mike Colle (Eglinton-Lawrence):** I have a question to the Deputy Premier. I want to ask you again how your government can justify another high-risk land speculation deal by your number one and biggest donor, Mario Cortellucci, who gave your party \$1 million. How is it justifiable for Mr Cortellucci, your biggest donor, who bought this land in Uxbridge that was frozen by your government, that the town of Uxbridge declined to rezone and to which the regional council in Durham unanimously said no rezoning, to still have bought this

land? Now we find out that he is going to be compensated with public land in Seaton. How many acres of public land—6,000 acres in Seaton—are you going to give Mr Cortellucci for his high-risk speculation? How much does he deserve in Seaton?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** The Minister of Municipal Affairs would be very pleased to respond.

**Hon David Young (Minister of Municipal Affairs and Housing):** I am pleased to respond, actually. I'm pleased to try to set the record straight.

I am disappointed by what the Liberals are engaging in, which I would characterize as drive-by defamation. They seem to be pulling facts out of thin air and presenting them as reality.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

Sorry for the interruption, Minister.

**Hon Mr Young:** Thank you very much, Mr Speaker.

I'm not certain if this is one of the items that Mr McGuinty brought back from his media training in Chicago or Washington. What I am certain of is that we set out to protect 100% of the Oak Ridges moraine. We did so by bringing together environmentalists, municipal leaders and land developers and we reached a consensus that will protect all of the land in the Oak Ridges moraine, one of the most environmentally sensitive areas of—

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

**Mr Colle:** I'd like first of all to correct the record for the new minister. You did not protect all of the moraine. In fact, another one of your favourite developers was allowed to build 7,000 homes on the most sensitive part of the moraine in Richmond Hill. For starters, you let him do that. Now you've got your biggest donor, who comes in at the last minute, and everybody says, "Incredible. This is a smart guy, with all his money. Why would this guy buy this land that you can't develop?" Then we find out why he bought this land that nobody could develop: because your government is now going to give him how many acres of public land in Seaton? How many acres are you going to give him for being the big donor that you love so much? How many acres does he deserve?

**Hon Mr Young:** I'm not particularly impressed by the puppy-dog tears the member opposite sheds. I remember him standing up and saying, "Let's get together and protect the moraine," as we were in the process of doing that. We have done just that.

Because we have anticipated a hypocritical approach to this by members opposite and others, we brought in independent, impartial people to ensure that this process was one that was beyond approach. We brought in people like David Crombie, who oversaw the process in the early stages. We brought in Justice Houlden to oversee the fairness of this process. As you know, he is a retired, very well respected senior justice of the Supreme Court of Ontario, as it then was. He was brought in, and his mandate continues. He is there to make sure that what

happens is in the interests of the people of Ontario. He continues to be there to serve that purpose so that individuals like you do not use a forum like this to act in an irresponsible way.

#### ENERGY CONSERVATION INITIATIVES

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Energy. In the recent speech from the throne, the government made several commitments that will help ensure that Ontarians have a supply of power today, tomorrow and into the future. One of those commitments was to conservation measures and cleaner sources of power. We know from our consultations with the people of this province that this is indeed important to them. Can you please tell the people of Ontario what you are doing to follow up on these important throne speech commitments?

**Hon John R. Baird (Minister of Energy, Minister responsible for francophone affairs):** We've taken a number of initiatives, particularly with respect to demand-side management and our 45,000 people who have been able to convert to energy-efficient appliances.

I did want to respond to the leader of the third party, who passed over Hansard to me. Earlier today, the leader of the third party said, "On May 6 you told this Legislature that if these generators had been available last summer, they would have run for only 14 minutes." The Hansard that he sent over said, "large natural gas portable generation or from some small diesel-powered generation." I would suspect the latter, meaning diesel-powered generation for 14 minutes. I suspect the leader of the third party will want to get up and apologize for misleading the House.

**The Speaker (Hon Gary Carr):** I'm going to ask the minister to withdraw it.

I did see him use it. You can't hide it behind the paper. I would ask that you don't use electronic instruments in the House.

*Interjection.*

**The Speaker:** Wait until I'm finished. And I would ask with you to withdraw as well, please.

**Hon Mr Baird:** Withdraw.

**Mr Maves:** Thank you very much, Minister, for clearing up the now muddied waters about the question of diesel generators muddied by the conflicting statements by the leader of the third party.

My constituents are deeply interested in measures being utilized to follow up on those throne speech commitments for conservation and green power. Could you expand further on what actions you are taking to do that?

**Hon Mr Baird:** In addition to the 1,300 megawatts of clean, green electricity that we have available to the grid today that wasn't available last summer, we've announced our intention to proceed on a number of initiatives, including moving forward with the renewable portfolio standard, something which has been strongly urged by our alternative fuels commissioner, Mr

Gilchrist. We've almost made a commitment that the government of Ontario will be buying 20% of its power from emerging renewables, something that we believe is important to show leadership by example. We're allowing for net meters and that people can have interval meters in the province of Ontario. All of these initiatives are incredibly environmentally friendly and are good news, not just for supply but as well for the environment.

#### CONTAMINATION IN PORT COLBORNE

**Ms Marilyn Churley (Toronto-Danforth):** This is to the Minister of the Environment. This morning, I once again joined residents from Port Colborne to hand out dirt bags to Inco stakeholders. This is soil from their yards. I'm going to send this dirt bag over to Minister of the Environment, Mr Stockwell.

We've just learned that the Inco consultants working for your government's community-based risk assessment process have been hiding horrific test results since last January, results that show high levels of cancer-causing nickel in the air they breathe inside their homes. Marcel Laroche and Wilf Pearson are here with us in the gallery. They have the two most contaminated homes of all. They're breathing in this air. They want to know, minister, were you aware of those results and what are you going to do about this immediate risk to these families? They are breathing in cancer-causing air.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** The Ministry of the Environment issued an order to Inco to clean the 25 homes in the area. Inco immediately began the process of cleaning up the site. The problem we have here, I say to the member opposite, is that 20 of the site's residents refused to allow Inco on to their properties. The problem is, if they refuse to allow Inco on the property to clean up the contaminated site, it becomes very difficult to clean up the contaminated site.

So I say to the member opposite, I would love to see these sites cleaned up. I know Mr Hudak would love to see these sites cleaned up. I implore the residents of those 20 units: allow Inco on, allow our order to be carried out, allow them to clean up your land.

1450

**The Speaker (Hon Gary Carr):** Final supplementary.

**Mr Peter Kormos (Niagara Centre):** I know these neighbourhoods. I know these residents. They're seniors, retirees and young families. They're hard-working, decent, honest people. They've been poisoned over the course of decades with carcinogens in their soil and in their air. They're not even safe in their own homes. The Inco consultants suppressed the data around the carcinogenic toxic air content for four months while these people continued to inhale it, along with their little grandkids toddling along their living room floors and the sidewalks leading up to their front doors. These people feel betrayed by Inco and betrayed and abandoned by this government. Inco is not their friend. Inco is their enemy. Inco's interests are diametrically opposed to theirs.

Why would you allow the data around carcinogenic air content to be suppressed for four months, and why isn't the government advocating for these people instead of collaborating with Inco in an effort to oppress and suppress them?

**Hon Mr Stockwell:** I say to the residents, and I speak to you very directly today, I'm your friend and the Ministry of the Environment is working to help your situation. I can say to you emphatically this: we've ordered Inco to clean up 25 homes. Inco has said they will. They've begun cleaning up, and they've cleaned up five of the homes that would let them in. The 20 that are left: you won't let them on the property to clean up your site. I ask you as residents, over top of the opposition's politics, please let Inco on your land, let them clean up your site, so that if the contamination is causing you problems, we can stop and move forward from there. I can only be that clear. We did our job. We said the site was contaminated. We ordered Inco to clean it up. Inco is cleaning it up. Let them on your property and let them clean it up.

#### ADAMS MINE

**Mr David Ramsay (Timiskaming-Cochrane):** I'd like to go back to the Minister of Natural Resources and ask him some questions about that dirty little land deal he was trying to pull off around the Adams mine before I called his office—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

**Hon Jim Wilson (Minister of Northern Development and Mines):** On a point of order, Mr Speaker: Coming from the NDP benches here is a bunch of stuff that isn't parliamentary, and I'd ask you to try and hear what they're saying. It's certainly outside the rules.

**The Speaker:** Yes, we will listen, and I will ask the table to listen as well. I would ask all members on all sides to be careful. The temperature is getting up in here. We're at the point now where we'll start throwing people out. I would ask everybody, in their language and in their actions, including what they're using in here, to please adhere.

During some of the discussions we had ministers talk about, members of this House talk about the decorum in here. I hope those same people will go to their colleagues who are misbehaving, say the same things they said in their speeches and help the Speaker try and control what happens in here. I hope the members who have said that in their speeches will also go to their colleagues. I think it would be very helpful if they did that.

The member for Timiskaming-Cochrane.

**Mr Ramsay:** I'd like to go back to the Minister of Natural Resources and ask him about this dirty little land deal up at the Adams mine that he was trying to pull off before I called his office in early April. Both you and the deputy minister have said there would be a 60-day review. According to the Deputy Premier, she stated that shortly you would be giving us the details of that.

Yesterday you stated that the MNR staff had looked at this deal in 1998.

Minister, I have confirmed today that the parcel of land you referred to was almost half the size of the piece that we're talking about today. Now Mr Cortellucci, your biggest donor, wants almost twice as much land as was originally contemplated in the Adams mine dump proposal EA. Why are you prepared to sell Mr Cortellucci almost twice the land that was considered back in 1998, that was really necessary to facilitate this project?

**Hon Jerry J. Ouellette (Minister of Natural Resources):** The only thing dirty about this deal is the way the opposition is trying to present it in the Legislature.

Quite frankly, this went through an entire process in 1998, and it is the district manager's decision in this. What this member is trying to do is have the politicians get involved and make decisions and circumvent the process, and we will refuse to do that. Very clearly this land that he is speaking about contains the monitoring stations, the dams, the holding ponds and buildings that were part of the original mining lease when this took place.

**Mr Ramsay:** Minister, it's twice the size that was contemplated and discussed in the EA. The reason it's dirty is because there's no transparency of this. You didn't tell anybody about it until we discovered it, and then you decided to slap on the 60-day review. That's what happened. I've checked with the First Nations bands, both the Nishnawbe and the Matachewan, and as of yet your office has not consulted with them.

Also, three weeks ago, your Kirkland Lake district manager received a counter-offer that offered 36% more money for that land in question, and yet we haven't had any response as to what you're doing and who you're talking to. There's been no response to that or with whom you're discussing and consulting about this. We don't know what the status of that counter-offer is.

Minister, can you assure me today that you are not prepared any longer to sell this land to your biggest contributor, Mr Cortellucci?

**Hon Mr Ouellette:** What I can assure is that we receive thousands of requests for lands on an annual basis at the Ministry of Natural Resources. Each and every single one of those is determined on the unique and individual merits of the case. We will ensure that the proper process is complied with within the Ministry of Natural Resources.

#### VISITORS

**Mr Norm Miller (Parry Sound-Muskoka):** Before I start my question I would just like to point out that my son's class from Bracebridge and Muskoka Lake Secondary School is in the west gallery with their teacher, Alf Cowling. Now that I've significantly embarrassed my son, I'll go on with my question.

*Interjection.*

**Mr Miller:** He's in the third row. Stand up, Stuart.

## MARS DISCOVERY DISTRICT

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Enterprise, Opportunity and Innovation. Minister, it is my understanding that you recently participated in the groundbreaking ceremony for the MARS Discovery District. Can you please tell the House how much money has been committed to this project and what the money will be used for?

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** I'd like to thank the member for Parry-Sound Muskoka for the question about a project that is really visionary for Ontario.

The MARS project is about medical and related sciences. That's where the acronym comes from. The primary location in Ontario is at the corner of College Street and University Avenue in Toronto. We had the initial groundbreaking just recently in co-operation with the federal government and the private sector. It's symbolically located: it's about the life sciences, research and development, the participation of our university sector—the University of Toronto campus right here; the government of Ontario right here at Queen's Park as a facilitator; the financial services sector in Toronto; and, of course, the five teaching hospitals at the University of Toronto. It will have fabulous benefits for us, not only in terms of treatment, but in terms of providing challenges for our young people in the life sciences right here in Ontario.

**Mr Miller:** It is clear that this government is committed to investing in science, technology and innovation. The MARS Discovery District is a great example of that. The discoveries and innovations that come out of such clusters around the province are improving the quality of life for all Ontarians. I am glad to hear this government is supporting such an important project.

I understand that you have made a number of funding announcements since the House last sat. Can you please bring us up to date on these new funding initiatives and what the money will be used for?

**Hon Mr Flaherty:** The biotech strategy isn't just about Toronto. It's about all of Ontario; it's about all our great universities in the province. There was more than \$30 million announced by Premier Eves last year as part of our biotech strategy for our universities, from the University of Ottawa right to the University of Windsor. This is a tremendous cluster of innovation for Ontario, forward-looking over the next five, 10, 15 years.

In addition, we have invested \$70.8 million to support the research infrastructure of 109 projects at our universities across the province; \$22.2 million for the UK-Canadian consortium for structural genomics research; a Connect Ontario program—I know the members opposite are interested in this—\$55 million that brings high-speed telecommunication to northern and rural communities in Ontario. This is the great leveller, when we're able to connect across the province of Ontario, in northern and rural areas in particular.

## 1500

## AUTOMOBILE INSURANCE

**Mr George Smitherman (Toronto Centre-Rosedale):** Mr Speaker, is the Minister of Finance in the House? I see her briefing book is still here. I'd pose the question to the Deputy Premier, but she seems to have split as well. Oh, she's back.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. To the member, it's not helpful. Member, take your seat. It's not helpful when we do that. It's pretty tough to keep order in the House when you do things like that. All members go in and out, on all sides. We have occasion to have to go in and out. The ministers sit here. There's no need to start off with that. It just gets everything going.

The member may ask the question now.

**Mr Smitherman:** Mr Speaker, I apologize. I did not mean the word "split" to be inflammatory, and I sincerely apologize. I do apologize for that.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** On a point of order, Mr Speaker: I'm right here. I don't know how the member opposite didn't see me, but I've been in the House.

**The Speaker:** Thank you. It's not a point of order.

The member for Toronto Centre-Rosedale.

**Mr Smitherman:** My question is to the Minister of Finance and it concerns the state of automobile insurance in this province. I want to talk about some numbers. Today is the seventh anniversary of the introduction by the former finance minister of the Automobile Insurance Rate Stability Act. In the last quarter, the automobile insurers in Ontario have sought and received approvals for average increases of 19.2%. Seven months ago this House passed Bill 198, with regulations to follow, which promised some rate stability. Yet last week you yanked those very same regulations from the cabinet agenda, and we find that this week those regulations are being trotted around the province of Ontario and focus-grouped to consumers in an attempt to get fraud centred out as the reason for rate increases in Ontario.

So I ask this question to the Minister of Finance: Madam Minister, on the issue of automobile insurance, when will you stop hitting the snooze button and bring forward changes that will offer some protection to Ontario's hard-hit automobile insurance consumers?

**Hon Janet Ecker (Minister of Finance):** To the honourable member, first of all, again this seems to be the day to challenge Liberals and their facts. It has not been pulled from cabinet. Good heavens.

Secondly, we passed legislation last year that laid out a legislative framework to improve the auto insurance system to make sure we could help to stabilize rates and provide benefits for consumers, and also try to fight the fraud and abuse that had slipped back into the system. We were very clear that the second step needed to be regulations. I don't know where the honourable member was, but we released those regulations publicly because



we were interested in good consultation and feedback from all the different groups. I don't recall getting a submission from the honourable member about how we could make those regulations better. I'd certainly welcome that advice. We've worked with health care practitioners, lawyers, advocates on behalf of consumers, consumer groups and insurance groups to make sure those regulations will do that job consumers need to have done.

**Mr Smitherman:** Madam Minister, you may think that consultation and feedback are some acceptable strategy when action is required, but they are not. The evidence is in that Ontario's automobile insurance consumers are being hard hit.

Stand in your place today and commit to a firm date, and then explain to us how it's appropriate, when automobile insurance is in a time of crisis in our province, that it takes you eight months to bring forward regulations that are acceptable and have the effect of offering some protection to consumers who are being dropped by the day and are seeing exorbitant rate increases. How long does it take to act in a time of crisis?

**Hon Mrs Ecker:** I distinctly recall that when we bring in legislation and we try and move that legislation through the House in a timely fashion, the opposition's criticism is that we're doing it too fast, that we're not consulting. So I find his new-found concern to be a little bit insulting.

In the stage that we're at now, as the honourable member well knows, we have put forward regulations for consultation. I will take this as acceptance by the honourable member. I'm sure he's had time to read those regulations. Health care providers have been working with us on it, insurance companies, advocates on behalf of consumers and consumers have been working with this government to make sure those regulations indeed expand the rights of innocent victims to sue, expand the rights for children, provide treatment guidelines for better access to care for consumers. I will take that—

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

#### AGRIBUSINESS

**Mr Ted Arnott (Waterloo-Wellington):** My question is for my honourable friend the Associate Minister of Municipal Affairs and Housing with responsibilities for rural Ontario. A few minutes ago, the House was informed about the MARS project and how it will bring business, researchers and entrepreneurs together at a world-class centre of excellence here in Toronto. This is great news, representing yet one more example of how the provincial government is creating a strong economic climate which supports job creation and growth.

The members on this side of the House understand the enormous importance of Ontario's agribusiness sector and that agribusiness is the second-largest sector in our provincial economy. My question to the minister is this: will the minister inform the House about the progress he's making in ensuring Ontario agribusiness continues to be a global leader?

**Hon Ernie Hardeman (Associate Minister of Municipal Affairs and Housing):** I thank the member from Waterloo-Wellington for his question. His constituents are well served by the honourable gentleman, who is tireless in his work on their behalf.

Through the OSTAR RED program, the Ernie Eves government continues to forge and support working partnerships across Ontario, capitalizing on new and innovative opportunities for economic growth and leadership. The MARS Landing is an outstanding example of this type of partnership. MARS Landing brings together business, academics and government into a centre of excellence in Guelph dedicated to turning scientific potential into reality. MARS and MARS Landing will be closely linked so that the project partners—MARS, the University of Guelph, the city of Guelph department of economic development and Ontario Agri-Food Technologies—can combine agricultural research findings with innovations. This project will ensure rural Ontario biotechnology businesses and researchers can effectively use information and commercialization opportunities for intellectual property rights, international trade, risk capital, financial assistance, regulatory approvals and process, marketing and production.

#### VISITORS

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: Visiting us today—they were here for question period—were students from Dundas school from my riding. I want to say that they're a very well educated group of people. They asked me if I knew the Sergeant at Arms, and when I told them that I sat next to him in the Legislature, they were quite excited that I actually knew him. So they've done their homework, they know how this place works, and I want to welcome them here today.

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Speaker (Hon Gary Carr):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator was pleased to assent to a certain bill in his office.

**Clerk at the Table (Mr Todd Decker):** The following is the title of the bill to which His Honour did assent:

Bill 28, An Act to resolve a labour dispute between the Ontario English Catholic Teachers' Association and the Toronto Catholic District School Board and to amend the Education Act and the Provincial Schools Negotiations Act / Projet de loi 28, Loi visant à régler le conflit de travail opposant l'Association des enseignantes et des enseignants catholiques anglo-ontariens et le conseil scolaire de district appelé Toronto Catholic District School Board et modifiant la Loi sur l'éducation et la Loi sur la négociation collective dans les écoles provinciales.

## VISITORS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: visiting us today from Thorold are Anne and Dominique Forgeron. I hope others will join me in welcoming them to this, their Legislature.

1510

## PETITIONS

## DIABETES TREATMENT

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly:

“Whereas type 1 diabetes is a life-altering condition and is the leading cause of blindness, amputation, kidney failure and heart disease in Ontario;

“Whereas research has proven that an insulin pump not only prevents complications but also reverses it by putting a regular amount of insulin into the body;

“Whereas the cost of an insulin pump prevents most Ontarians from using it;

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

“To provide funding for the cost of an insulin pump and ongoing supplies so that the citizens of Ontario who require this treatment can benefit.”

I’m pleased to join the dozens of my constituents who have signed this petition.

## ITER FUSION PROJECT

**Mr John O’Toole (Durham):** It’s my pleasure to present a petition on behalf of my constituents in the riding of Durham, as follows:

“To the Legislative Assembly of Ontario:

“Whereas the proposed ITER fusion research facility would result in 68,000 person-years of employment and an estimated \$9.4 billion in foreign investment;

“Whereas ITER would bring international scientists and researchers to Canada and place our nation in the forefront of new developments in research and technology;

“Whereas ITER is strongly supported by business, labour, educators, elected officials and citizens throughout Ontario and “Durham region, the host community;

“Whereas the province of Ontario has already recognized the economic importance of ITER to Canada and the world by committing \$300 million to support the Canadian ITER bid;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the Parliament of Ontario take the necessary steps to strengthen the Canadian bid for the ITER research facility, including the commitment of more funds and other resources to support a successful Canadian bid; and that the province of Ontario ask the federal government to show the leadership and commitment necessary for Canada to win the ITER bid.”

I’m pleased to sign and support this very important initiative from the municipality of Clarington, including its leader, Mayor John Mutton.

## HYDRO RATES

**Mr Michael A. Brown (Algoma-Manitoulin):** First, I’d like to thank Cheryl Frenette and those good folks at Hillside General Store at the top of the hill in Laird township, at Pumpkin Point Road, for getting these signatures for us.

“To the Legislative Assembly of Ontario:

“Whereas the Harris-Eves government has mis-managed the electricity policy of the province of Ontario;

“Whereas last fall the McGuinty Liberal call for rebates, although fiercely rejected by the government, gained huge public support. With no options open, the government introduced and passed a plan to rebate \$75 to customers and place a cap on electricity commodity prices at 0.043 per kilowatt hour;

“Whereas Mike Brown, MPP, has been fighting for rural rate assistance;

“Whereas the Ernie Eves government forces Great Lakes Power customers to pay into a fund for rural rate assistance; and

“Whereas rural rate assistance would reduce the distribution bills for customers by hundreds of dollars each year;

“Therefore we, the undersigned, support the efforts of Mike Brown, MPP, to have rural rate assistance extended to the Great Lakes Power service area immediately.”

I agree with my constituents. The ones who signed these petitions are mostly from Echo Bay, Desbarats, Bruce Mines and from St Joseph Island.

## SCHOOL BUS SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** “To the Legislative Assembly of Ontario:

“Whereas some motorists are recklessly endangering the lives of children by not obeying the highway traffic law requiring them to stop for school buses with their warning lights activated;

“Whereas the current law has no teeth to protect the children who ride the school buses of Ontario, and who are at risk and their safety is in jeopardy;

“Whereas the current school bus law is difficult to enforce since not only is the licence plate number required, but positive identification of the driver and vehicle as well, which makes it extremely difficult to obtain a conviction;

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

“That the measures contained in private member’s Bill 112, An Act to amend the Highway Traffic Act to protect children while on school buses, presented by Pat Hoy, MPP, Chatham-Kent Essex, be immediately enacted;

“Bill 112 imposed liability on the owner of a vehicle that fails to stop for a school bus that has its overhead red signal lights flashing; and

“We ask for the support of all members of the Legislature.”

This is signed by a number of residents from Cottam and Leamington, and I, too, have signed the petition.

#### POST-SECONDARY EDUCATION FUNDING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to present this petition, signed by 2,300 Wilfrid Laurier graduate students and the Canadian Federation of Students. It's to the Legislative Assembly.

“Whereas operating grants per capita for universities in Ontario are now at the lowest of any province in Canada; and

“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 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 to:

“Freeze tuition fees for all programs at their current levels, and

“Restore government funding to public education, 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 this is my alma mater, I'm pleased to sign it.

#### RIGHTS INFORMATION FOR CHILDREN

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** “To the Legislative Assembly of Ontario:

“Whereas the availability of rights information for children under provincial care is legislated under section 108 of the Child and Family Services Act; and

“Whereas the child advocate testified at the inquest into the death of Stephanie Jobin that the Ministry of Community, Family and Children's Services has prevented the office from publishing rights information for the past three years; and

“Whereas seven children have died in the care of this government; and

“Whereas the Office of the Child Advocate would indicate that prior to this government, the last questionable death in care was in 1977;

“We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to permit the Office of the Child Advocate to publish and distribute this essential, legislated rights information for Ontario's children in care, as well as establish a Web site for the Office of the Child Advocate.”

I will affix my signature to this petition because I am in full agreement.

#### HYDRO RATES

**Mr John Gerretsen (Kingston and the Islands):** I have a petition that's addressed to the Legislative Assembly of Ontario.

“Whereas electricity bills have skyrocketed under the Harris-Eves government's flawed electricity plan; and

“Whereas some consumers have signed higher fixed-rate contracts with retailers, without adequate consumer protections; and

“Whereas the Harris-Eves government has failed to address electricity supply shortages in Ontario, forcing the purchase of American power at premium prices, driving up prices still further; and

“Whereas the Harris-Eves government appointed a board of directors for Hydro One that has been paying themselves extravagant salaries, compensation packages and severances for senior executives; and

“Whereas Hydro One bought 90 municipal utilities, serving about 240,000 people across Ontario, at premium prices and with borrowed funds. These purchases with borrowed funds have increased Ontario's debt burden; and

“Whereas the Harris-Eves government has added additional fees and taxes on to local electricity distribution companies. These charges have also been passed along to consumers;

“Therefore be it resolved that we, the undersigned, demand that the Harris-Eves government take immediate action to ensure that Ontarians have fair and reasonable prices for the necessary commodity of electricity in Ontario and that the Harris-Eves government and its leader Ernie Eves call a general election on the instability of the energy market so that Ontarians may have a voice on this issue.”

This has been signed by about 25 individuals from my riding. I agree with it and I affix my signature to it, and I'm handing it over to Kaitlynn-Rae, one of our pages.

1520

#### TURKEY POINT BEACH

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish to present 400 signatures on this petition from the Turkey Point area. It's a petition presented to our Minister of Natural Resources, Jerry Ouellette, at a meeting with key stakeholders yesterday. It's entitled “Clean Our Beaches.”

“We, the undersigned occupants that reside at or visit Turkey Point for recreational purposes, have concerns

that the beach in front of Ordnance Avenue, being unsafe, dirty and a potential haven for E. coli, Lyme disease, West Nile virus etc—a safe environment should be mandatory for families and children who want to enjoy the beach. To rectify the situation, we the taxpayers demand safety above all and that our pristine public beaches be cleaned, weeds cut and manicured, and all forms of idle stinkponds be removed. Rocks should also be considered, moved and relocated elsewhere, for public parking and walking safety. To rectify the situation, we the taxpayers that employ the MNR employees through hard-earned tax dollars would like to see this matter acted on. If after years of these endless demands on deaf ears are not met, we as individual taxpayers will see to the necessary arrangement of cleanup as to offset any cost to the government that represents we the taxpayers.”

This petition concerning management of the beach-wetland area at Turkey Point is not in the required format, Speaker, but I wish to forward these views. I affix my signature to it and I will convey it to the clerks’ table by a page from my riding, Aja Sutton from south of Simcoe.

#### HOME CARE

##### **Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):**

“To the Legislative Assembly of Ontario:

“Whereas well-managed and adequately funded home health care is a growing need in our community; and

“Whereas the provincial government has frozen community care access centre budgets, which has meant dramatic cuts to service agency funding and services to vulnerable citizens, as well as shortened visits by front-line workers; and

“Whereas these dramatic cuts, combined with the increased complexity of care for those who do qualify for home care, has led to an impossible cost burden to home care agencies; and

“Whereas the wages and benefits received by home care workers employed by home care agencies are well below the wages and benefits of workers doing comparable jobs in institutional settings; and

“Whereas front-line staff are also required to subsidize the home care program in our community by being responsible for paying for their own gas and for vehicle maintenance; and

“Whereas other CCACs and CCAC-funded agencies across the province compensate their staff between 29 cents and 42.7 cents per kilometre; and

“Whereas CCAC-funded agency staff in our own community are paid 26 cents a kilometre, with driving time considered as ‘hours worked’;

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

“To act now to increase funding to the CCAC of Kingston, Frontenac, Lennox and Addington in order for it to adequately fund service agencies so they can fairly compensate front-line workers.”

I will sign my signature to this petition because I am in full agreement.

#### TRAFFIC TICKETS REINSTATEMENT FEE

##### **Mr John Gerretsen (Kingston and the Islands):**

This is a very short petition signed by about 80 individuals, and it states as follows:

“We, the undersigned, believe that the \$100 reinstatement fee currently being charged by the Ministry of Transportation for forgetting to pay a traffic ticket is an extremely unfair revenue grab which does not suit the offence. Furthermore, due to the fact that the courts may have a wrong address to send a warning letter to, we believe a warning-of-intent letter giving an appropriate period to pay would better serve the purpose of having a ticket paid, opposed to the current ‘you’re suspended’ notice. We also note that under the current system, a citizen could also face a criminal offence without knowing that they have been suspended.”

I’d like to file this. I agree with it, and I’m handing it to our page, Sarah.

#### LONG-TERM CARE

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario. It reads as follows:

“Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

“Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

“Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

“Whereas the increase in the government’s own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

“Whereas according to the government’s own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

“Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

“Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario’s long-term-care residents to those comparable in Saskatchewan back in 1999; and

“Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

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

“Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels.”

I affix my signature. I'm in agreement.

## OPPOSITION DAY

### INSURANCE

**Mr George Smitherman (Toronto Centre-Rosedale):** I move that the Legislative Assembly directs the government of Ontario to correct their failure to protect Ontario consumers who are experiencing skyrocketing automotive, home and commercial insurance rates, and who are having difficulty obtaining reasonable insurance coverage or are being dropped as loyal customers, even in cases where there has been no change in their risk factors. It's addressed to the Premier.

**The Deputy Speaker (Mr Bert Johnson):** This is opposition day number 3. The Chair recognizes the member for Toronto Centre-Rosedale.

**Mr Smitherman:** It's an honour for me to have the opportunity, on behalf of my party, to speak to this opposition day motion.

We bring this opposition day motion forward today in the names of hundreds of thousands of Ontario motorists, homeowners and business operators who have had been experiencing extraordinary hardship in the provision of insurance in Ontario. Our objectives in bringing this issue forward are clear: it's our obligation as an opposition party to bring forward issues and to force the government to act in areas where in the last long while they have demonstrated a severe unwillingness to do so. Their inaction in the face of a growing, mounting crisis is a serious problem, and it is something we look forward to working very hard to address.

Our objectives with respect to insurance are very clear. Particularly with respect to automobile insurance, it's our obligation and our responsibility to ensure that those who are injured have fair and rapid access to appropriate medical rehab services. We see the obligation to reduce and stabilize auto insurance premiums in Ontario and to enhance access to automobile insurance through a move to a more competitive marketplace.

It's very clear that the Harris-Eves government has failed to fulfill its promises to reduce and stabilize auto insurance rates in Ontario. It is here, on the seventh anniversary of the introduction by the now Premier of the automobile rate stability act, that we find ourselves in a debate when 19.2% is the average rate of increase for automobile insurance in Ontario.

We say as well that the government has failed in its obligation to create a regulatory environment that will adequately protect loyal consumers who, through no change in their own risk factors, have found themselves in difficult problems or being dropped by insurance

carriers. This is a failure on the part of a government that likes to name bills in populist ways but doesn't very much like to bring forward the necessary regulatory changes in a highly complex marketplace, one that is highly regulated, to make sure the protection of consumers is at the foundation of the government's responsibility. Today we look across the way at a government that every single day seems more like a government with attention deficit disorder, a government that seems unable, in a time of crisis, like the one that is facing people in the insurance marketplace in Ontario, to act in their interest and protect them against the problems you will hear about.

### 1530

Over the course of this afternoon nine Liberal MPPs will speak to you, and many of them will raise hardship cases, anecdotal circumstances that are backed up by some of the following numbers. I'll put a few numbers on the record early on. Average individual increase in automobile insurance premiums in the last quarter—many of these approvals given already to insurance companies but with the message not having been received yet in the envelope at the homes of insurance consumers across Ontario—19.2%. Average individual increase in auto insurance over the past four years: 40%. The Facility Association, the insurer of last resort, has in the last year or so gone from providing services, insurance, for 1.2% of Ontario's automobile insured—moved in little over one year from 1.2% of the marketplace to 3% of the marketplace. There's been a 500% increase—a 500% increase—in the cost of medical rehab services since 1991. The medical rehab cost associated with automobile insurance accidents has risen from \$308 million in 1991 to \$1.5 billion—\$1.5 billion—and still rising, an increase of some 500%.

We know as well that the automotive insurance industry has paid out more in premiums, not even including administrative costs—they pay out \$1.02 for every dollar of premiums they take in.

So we ask ourselves, in the face of that kind of compelling information, what kind of action have we seen from our government? In answers, or non-answers, to questions today, the Minister of Finance has acknowledged what? She's acknowledged that a government bill passed in December 2002. She has acknowledged as well that, notwithstanding her claims that much conversation has gone on, no regulation has been brought forward to the cabinet in this province that will begin to offer some stabilization of rates. That inaction in the face of the crisis that exists in the auto insurance and broader insurance marketplace in Ontario is a further example of the extent to which that minister, the Minister of Finance, keeps hitting the snooze button in the hope that this issue will go away. Well, it's not going away. Today we take this opportunity to hold this government to account.

For those people who are watching at home, settle in for the next two hours and 25 minutes and you will hear and you will see the stories of you and your family and your neighbours. You will hear from the government lots

of repetition of the same words that are designed to give you comfort, but words that have failed you, because today is the seventh anniversary of the introduction of a bill which had this laudatory explanation that went with it. In June 1996, Ernie Eves, the then Minister of Finance, introduced Bill 59, An Act to provide Ontario drivers with fair, balanced and stable automobile insurance and to make other amendments related to insurance matters.

Seven years to the day, the average rate of increase for automobile insurance in the province of Ontario in the last quarter: 19.2%. That is the record of the government of the day. We call upon them to act in a way that will protect consumers and ensure that the Ontario insurance marketplace is a healthy one where competition is at the backbone of it and that we have the benefit, as those who are seeking a compulsory service, of a competitive marketplace and services that are provided when we need them and at costs that are much more reasonable than what we're seeing today.

**Ms Shelley Martel (Nickel Belt):** I say at the outset I'm going to be splitting my time with the member from Sault Ste Marie.

It's a pleasure for me to participate in the debate. I want to begin by some comments that I heard made by Ralph Nader, who was on *The Current* about two weeks ago. Ralph Nader was being interviewed by Anna Maria Tremonti about insurance rates. They were talking not only about Ontario, British Columbia and the problem that Premier Bernard Lord is facing right now. Ralph Nader was very good and very clear. He said the following, "Increasing automobile insurance rates have absolutely nothing to do with higher payouts being made—absolutely nothing." He pointed out that in fact Canada does not have the kinds of multi-million-dollar awards to victims of auto insurance because in Canada the courts have imposed a cap on damages that are awarded for pain and suffering. So he said that it is absolutely false for the insurance company or for anybody else to try and tell people in Canada that the reason their rates are increasing is because of these high awards. They are capped and they don't resemble what's going on in the United States. That's not the reason.

He said on the show that if people are really interested in understanding why rates are increasing, they should look at the financial statements of some of these insurance companies. If they would look at some of the financial statements, they would see that many of these companies have incurred losses by playing the stock market and that's the reason that drivers are facing increasing auto insurance rates. These companies have suffered big financial losses because of what's happening in the economy and, in order to make up for some of those losses, they're going to drivers in this and every other province and gouging them with high insurance rates. That's what is behind all of this. It was very interesting to hear him talk about that. He actually gave some Web sites where you could go and see how poorly some of these companies were doing and then make some inquiries about how much money they were jacking

up auto insurance rates. All in all, it was a very entertaining interview between Ralph Nader and Anna Maria Tremonti.

I want to talk about a conversation I had with a local broker about two months ago. He asked me not to reveal his name because he was very concerned that if it came out where I had gotten the information I had received, or if I talked about him in a public way, he could lose the contracts he has with some of his insurance companies. He provides contracts for a number of companies, and he was very fearful about that. We had a very good conversation. He called me, as a broker, to express his concerns about high insurance rates and about how he, as a broker, was being asked to apply, I guess I could describe them as insider rules, from insurance companies in order to weed out drivers that those companies didn't want to insure any more. He, as a broker, called me to say, "I've got all kinds of clients I have dealt with for years whom I am now trying to weed out because the insurance company that I provide coverage for, whom I get a commission from if I sell, is not interested in covering these drivers any more because they appear to be in a high-risk category." He was very concerned about people who are being cut off, people who had been clients of his for a long time and he was being forced to weed out, or, if they weren't being weeded out, the very high insurance premiums they now were being forced to pay.

The situation as he described it goes like this: you've got insurance companies that are not following provincial rules, which state that they can't discriminate against drivers who are seeking auto insurance. I guess in industry terms it's called the all-comers rule. The same companies are not following the rules which force insurers to take on the business of drivers, those same drivers who actually fit the underwriting rules that insurance companies have filed with the Financial Services Commission of Ontario. Instead, these insurance companies are developing internal rules, or side rules, which they are not filing with the commission. But it's these very rules that are being used to determine who will be covered and in fact who won't. Again, these are rules that are not being filed because, if they were, I'm sure the commission would be all over these insurance companies, telling them that it is discrimination, that it's against the all-comers rule and it can't be applied.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Give us the names of the companies.

**Ms Martel:** Stick with me, judge. Stick with me.

The insurance companies are then telling their brokers to use these rules, the insider rules, the internal rules, when they're dealing with drivers who want auto insurance. They're to apply these rules to essentially weed out those drivers who perhaps are high-risk or who maybe had a claim last year, those same drivers the companies don't want to provide coverage to any more. The result of these insider rules being applied by brokers is that many drivers are being forced into a high-risk class for insurance, so they're seeing their premiums being driven

up substantially. The other result is that they're being denied auto insurance from that broker and that company.

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What was most interesting is that the broker I was dealing with told me that he was told very clearly by one of the companies that he provides insurance for that their company was expecting a backlash from the public because so many drivers are being turned away from companies they've had insurance with for a long time, or they're being forced into a high-risk category and are watching their insurance premiums increase substantially.

The judge wanted some names. The best I can give him, for starters, comes from the February 17, 2003, Thompson's World Insurance News. I'm going to read some of this into the record because I thought it was very important and because Mr Sampson is quoted in here as well. I'll get to him. But the February 17, 2003, issue of Thompson's World Insurance News has two articles that I'm going to reference. One is called, "Rule Is Ineffective, Dominion CEO Says." The second one is, "Take-all-comers Rule Posing a Growing Problem in Ontario."

Here's the first: "The take-all-comers rule in Ontario auto has forced insurers to act in an unfortunate but rational manner, Dominion CEO George Cooke says.

Insurers struggling to avoid business they don't want, and can't afford, in the face of that rule have developed numerous tricks for doing so. As a result, a rule intended to benefit consumers is having an opposite effect.

"He says this is further complicated by some companies who are believed to be scoring books of business. This is the process of using criteria, some of which is not permitted by underwriting rules, to weed out less desirable risks." Isn't that an interesting way to describe drivers? "Weed out less desirable risks." Isn't that offensive? I find that particularly offensive.

"The questionable data, such as credit risk, is not expressly used to non-renew risks, simply to pinpoint the ones that the company will encourage brokers to place elsewhere for other reasons." Isn't that lovely, how they describe people as "less desirable risks"?

"But when other companies see that a lot of new applications from a broker were previously with the same carrier and the broker still has a contract with that carrier, they are naturally suspicious."

"I've actually heard people say that if company X, Y or Z is the prior carrier, they don't want it," "it" being the driver. This is the way the insurance industry describes people.

I want to remind you that this is Dominion CEO George Cooke. "He added, 'To be very blunt, when one of your competitors is doing that (allegedly scoring)—particularly if you respect the competitor to be good at risk selection—when they don't want them, in a tight market nobody else wants them either.'

"This is when other companies employ some of the avoidance tactics, such as extending the processing period until the business goes elsewhere." So you've got a broker who has to bring the client in now, whereas

before they would probably provide a quote over the phone. No, now the broker brings the client in and asks them a series of questions—and I'll get to the questionnaire because I have a copy of that, too—and then that broker sends that application form to the insurance company. What the insurance company is doing, of course, is delaying dealing with the processing of the application form in the hopes that, if they delay long enough, the consumer who needs auto insurance is going to go somewhere else. That's how they weed out some of the less desirable risks.

"Mr Cooke says he can't say with certainty that scoring is going on, 'but I've talked to enough people that think it's going on, so chances are there is likely some of it going on, so I would guess FSCO is pretty busy checking into it.'" That's his quote.

"In response to this"—allegation—"FSCO issued a bulletin last July"—July 2000; Rob, you'll remember this—"reminding companies to abide by the underwriting rules they have filed with the commission," so telling them they have some kind of obligation—I assume it's a legal one—that they are to follow the rules they have filed with the commission, which says they can't discriminate against people with respect to auto insurance.

"Mr Cooke says Dominion remains open for business for the time being and is taking its share of the business 'that has to be taken,'" as if it's some kind of onerous burden to provide auto insurance to people in Ontario.

"He says, 'I think all of our brokers realize that there's an expectation that they'll engage in some front-line underwriting and that they will also be prepared to, if you will, share the stuff that people don't want,'"—"stuff" being high-risk drivers. Don't you find it offensive that CEOs would talk about drivers in this way? Stuff? Undesirable element wasn't the word—undesirable risk.

"Increasingly, however, other markets are less willing to take their share,"—"share" being providing auto coverage for people who drive in the province—"and they're doing all kinds of creative things, I'm told—making it very difficult for us.'" You bet it's creative. It's really creative when you have internal rules that you don't file with the commission and you're using those internal rules or insider rules and telling brokers to apply them so you weed out bad clients and you don't have to provide insurance. No doubt they're being very creative.

"He says the effort continues to get rid of the take-all-comers rule as it isn't necessary in a competitive marketplace with more than 100 companies. He believes that interference in a market leads to the bad risks paying less than they should and good risks paying more."

That's the first article, which gave me quite a bit of comfort and assurance that in fact the broker I was dealing with knew exactly what he was talking about and was absolutely correct in his concern related to me that they were being forced as brokers to try and weed out people to whom these companies didn't want to provide insurance.

Let me deal with the second article. Sorry, I know this is taking a while, but I think it's important to get this on

the record. The second article, same issue, February 17, 2003, Thompson's World Insurance News, says the following:

"Take-all-comers Rule Posing Growing Problem in Ontario.

"The struggle to control growth in the Ontario auto market has made the province's 'take-all-comers' rule a growing problem for some insurers and brokers there.

"It appears to be leading to more and more broker cancellations as companies scramble to avoid the prospect of being the last market in a broker's office, Lanark Mutual general manager Jim Moffatt told Thompson's.

"The rule forces insurers to take any business that fits within the underwriting rules it has filed with the Financial Services Commission of Ontario. Changing those rules is a costly and bureaucratic process.

"The Insurance Bureau of Canada has been fighting to have the rule removed,"—fighting with this government—"and expressed disappointment that the provincial government's recent auto reforms didn't make that change.

"In a position paper on Ontario auto"—insurance—"last fall, the bureau stated: 'The rule no longer serves a public policy purpose, given the development of a specialized high-risk insurance market in recent years.'"

I think there is a reason to have a rule that says companies have to cover people, because if they didn't have that obligation—and many of them wouldn't—those people of course would be driving without insurance, paying incredible rates or being forced into the high-risk category.

"In lieu of a FSCO rule change filing, the best defence against unwanted business"—if you don't want to provide business to a driver—"is broker cancellations, said Mr Moffatt. This is not an appealing option for a company like Lanark, located near Ottawa, that wants to support its brokers as much as possible. The \$12-million mutual is now the only option in a couple of its brokerages. As a result, its growth in auto business in 2002 is about 32%, up from the 1% it usually maintains.

"There are very few tools for refusing business," Mr Moffatt said.

"We're just asking brokers to try and put it somewhere else. Do what they can." Do what they can to put the business somewhere else; do what they can to get rid of those undesirable drivers.

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"Although cancelling brokers is the swiftest way to control incoming business, some insurers have found other ways to work around the take-all-comers rule.

"One broker, who preferred not to be named, said some companies are encouraging brokers to take business elsewhere—even if it fits within their underwriting rules.

"This encouragement comes with the threat of cancellation if brokers don't comply.

"I'm surprised someone at the government hasn't stepped in here," the broker said." So am I, and that's why I'm raising it here today. Maybe the government will.

"Insurance Brokers Association of Ontario CEO Bob Carter said eliminating binding authority on anything but super clean business has been a popular tactic. In this way, an insurer can take a long time reviewing any applications that are sent to it. The hope is that by the time the company responds, the broker and his customer will have gone elsewhere for coverage." Isn't that great?

"Another stalling tactic has been to send an application back to the broker over minor technical issues, saying it isn't bound because it isn't complete.

"While these methods put unfair pressure on brokers, they are the lesser of two evils, Mr Carter said."

Here's a quote from Mr Carter: "If one option is to work around the all-comers rule versus cancelling a bunch of brokers, which one am I going to take?" This part gets interesting, because we're going to have the reference to Rob Sampson shortly.

*Interjection.*

**Ms Martel:** You're going to speak next, and I'm going to be interested to hear your response.

"He said the rule seems like a good idea in theory, but needs to be eliminated. It creates too many problems in a hard market, primarily that cancelling brokers is the best way to get rid of bad business. And those companies who are sticking with struggling brokers during these tough times should be commended." I agree with that.

"But the capital shortage in the market means these insurers won't be able to keep it up much longer.

"The companies that are picking up the additional business can't keep growing at 30%-plus a month and not burn their capital," Mr Carter said.

"So, there's going to be a day of reckoning some time in the spring or summer where those companies will have used up the majority of their capital and won't be able to write any more business."

"The only real solution is more capital. In the absence of growing existing capital through investment gains"—and I referenced that earlier when I talked about Ralph Nader and the blow that the insurance companies have suffered—"finding ways to increase the flow of capital into the market is the key. It is hoped this can be achieved by improving the prospect for profit through the current auto reforms."

Here's the quote: "This is precisely the goal, said MPP Rob Sampson, who is spearheading the legislative reform." Are we going to gouge people even more, Rob, in order that these folks can make a profit? If they can't get their profits because they are losing on the stock market, then the only other option seems to be, "Stick it to the driver." Rob's going to speak next, so he can clarify what he meant by this, but my read of it—and I'm going to read it again: "The only real solution is more capital. In the absence of growing existing capital through investment gains, finding ways to increase the flow of capital into the market is the key. It is hoped this can be achieved by improving the prospect for profit through the current auto reforms." And to quote Rob Sampson, "This is precisely the goal, said MPP Rob Sampson, who is spearheading the legislative reform."



That sounds like “gouge the driver” to me. That’s what it sounds like.

I could be wrong. If I’m wrong, he’s going to clarify that. I know he’s going to speak next, and if I’m wrong he’s going to tell me I’m wrong and he’s going to clarify that. But on first blush, on the face of it, that’s what it sounds like to me. So there are the articles I wanted to reference.

What I also said I would do earlier is reference what the brokers are being asked to do to get rid of undesirable clients. I’ve seen the copies of the rules that brokers are being asked to use to weed out unwanted drivers. These are the aside rules, the insider rules, however you want to call them; the rules that aren’t posted at the commission that allow them to cut bad drivers off.

This one is called “Target Market and Binding Authority.” It talks about “five situations where we now require a written application prior to quoting or binding. They relate to applicants who have:

“(1) an accident benefit claim in the past six years or two or more of any type of claim in the past six years;

“(2) driving experience outside Canada or USA;

“(3) more than one moving traffic violation (past three years);

“(4) been cancelled or non-renewed by any insurer (past three years);

“(5) not had continuous insurance with the same carrier (past three years).”

Of course, what they’re telling brokers now is, “You’ve got to bring people in and you’ve got to ask them a series of questions. If they answer to any of the above, then you send that application in to us and we’ll lose it, conveniently, until your broker and your driver go somewhere else for insurance, because we don’t really want to cover them.”

I’ve got a copy of the nice little application form that the brokers have to fill out when these clients come in. Of course, there are all the boxes that talk about the things I just referenced: driving in Canada, driving outside Canada, any convictions that you’ve had etc. But there’s additional information on the bottom. Does the applicant live in an owned house or condominium unit, yes or no? Has the applicant lived at the same address for the last three years, yes or no? Are all applicants either retired or continuously employed for the past three years? If no, explain. How long has the applicant been known to the broker, and how long has the applicant been a client of the broker’s office?

What do those questions—at least the three about where you live and whether you own a condo—have to do with getting auto insurance in Ontario? What is that all about, and why are people being described as undesirable drivers because of these kinds of questions? You see, it’s these questions and the five points I just referenced that are the tactics that are now being used by brokers.

**Interjection:** By insurance companies.

**Ms Martel:** By insurance companies, imposed on brokers. That’s right. They are being used by insurance

companies but being imposed on brokers. The threat is, “If you don’t do it, we’re going to cancel your contracts,” in order to try to weed out people that companies don’t want to provide insurance to. That’s wrong, and I think Mr Sampson is going to tell us what he’s going to do about it when he speaks next.

I just want to give you an example of one in my own office. Bruce Gillies came into our office on May 1 with an auto insurance complaint. Last year his rate was \$2,128 for their two vehicles. This year the rate quoted was \$2,964 for the same two vehicles, no change in circumstance. They’ve been with Allstate for five years. When they asked why, Allstate said it had nothing to do with the couple’s situation but that rates were going up industry-wide because of the increased costs of claims. When we talked to him today, he found that in fact they had been able, through much scrambling, to find a little bit cheaper insurance with TD so that they are only paying an increase of \$200 in their premium from last year to this. When he cancelled with Allstate, he was told that they said a number of other clients were having to do the same thing because of increased costs. So that is happening—

**Mr Guzzo:** Who did he go to?

**Ms Martel:** I said that earlier. He went to TD Premium, so he’s only going to pay a \$200 increase over last year rather than about a \$700 or \$800 increase. It’s still an increase, with no change in his circumstance: no claim, no conviction, nothing. Why?

In conclusion, I want to say that there is a serious problem, and what has become very clear to me is that auto insurance is becoming a very serious political issue again. It is in Newfoundland, it is for Bernard Lord, and it is becoming so in this province again. I see that because of the people coming through my door who are being told they can’t get insurance any more or they’re going to have to pay substantially higher rates to get it. I think that before we’re finished, public auto insurance is going to become a political issue again, and I for one would welcome that very much.

**Mr Wayne Wettlaufer (Kitchener Centre):** I’m going to try very hard not to be political in my remarks today. I’ve had nearly 40 years’ experience in the insurance business, some as an insurance broker representing my clients, some as an insurance executive, and some as a lowly junior underwriter. I think it’s safe to say that I know more about the insurance industry than anybody in this room here today.

**Mr Tony Martin (Sault Ste Marie):** That’s arrogant.

**Mr Wettlaufer:** I don’t say that very humbly, I say to the member for Sault Ste Marie. They do say that a little knowledge is worse than no knowledge, and I think that has been amply demonstrated so far today. The members for Toronto Centre-Rosedale and Nickel Belt—I know they speak from the heart on this. They have a concern for their constituents and the rising insurance rates. But I think it’s important to point out that since 1995 the average rate of increase in automobile insurance is about 2% per year. Those are facts.

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*Interjections.*

**Mr Wettlaufer:** If you guys would shut up and listen, you would understand. Just listen and you'll learn something.

Now, let's learn a little bit of history here. Prior to the Liberals coming to power in 1985, we had a system of insurance that was based entirely on the tort system. That means that a claimant could sue to receive some compensation for his or her injuries. Then the Liberals decided to bring in—1988 I believe was the year—a no-fault system. Let's see what a no-fault system does. A no-fault system means that no matter how serious the injury of the individual, his or her payment for those injuries is capped. It was capped. I'll tell you something, somebody very near and dear to me suffered a massive injury under your plan, and that person is still suffering today and is not receiving anywhere near what he or she should have received—and I'm not going to say whether it is he or she. So you do not understand what the system that you brought in did to the claimants of this province.

Then the NDP came in. They advocated public auto insurance, except they couldn't do it because they found that those jurisdictions that had public auto insurance, lo and behold, were losing so much money that taxpayers were having to subsidize the insurance premiums. They say, "Look at Saskatchewan's premiums. Look at how low Saskatchewan's premiums are." Saskatchewan doesn't have the number of drivers that the city of Kitchener, Ontario, does. Of course their premiums are lower. There are more cars on the 401 between Kitchener and Oshawa than there are on any other highway in the world. The congestion is unbelievable.

**Mr John Gerretsen (Kingston and the Islands):** That's not true. Go to New York; go to LA.

**Mr Wettlaufer:** Cars don't drive in New York or LA any more.

Anyway, what the people—

*Interjection.*

**Mr Wettlaufer:** You don't want to learn anything; all you want to do is heckle. Why don't you shut up and listen? You'll learn something.

They talk about the insurance companies. Understand something. I'm speaking from two perspectives: as somebody who looked after my clients, and as somebody who knows something about the insurance companies.

**Mr Bruce Crozier (Essex):** You said you knew more than anybody.

**Mr Wettlaufer:** I know than more than you do. I know more than anybody in this room, I'll tell you.

Now, the insurance—

**Mr Crozier:** I want to hear you say it again. Tell me again.

**Mr Wettlaufer:** I know more about this industry than you do.

**Mr Crozier:** Why should I say anything?

**Mr Wettlaufer:** Don't say anything. You're best not to.

**Mr Crozier:** Step outside and say that.

**Mr Wettlaufer:** I will. I'd be happy to.

Anyway, let's talk about the issue. They talk about insurance premiums; they talk about the pay-out versus the take-in. Well, let's talk about the payout. I had the opportunity of going to Bermuda—on my own ticket, by the way—a year ago to talk to the reinsurance industry. I found out that one day, September 11, 2001, the insurance industry had a net payout of about \$33 billion. Now that could be plus or minus a few billion, depending on what insurance executive you talk to. It doesn't matter—a \$33 billion one-day payout. Because the insurance industry is a global industry, we all have to pay it. It influences absolutely every line of business, whether it's automobile, whether it's homeowner, whether it's liability insurance. It doesn't matter; we have to pay it.

I heard the member from Toronto Centre-Rosedale say the insurance industry is paying out \$1.02 for every dollar taken in. I presume he means the entire insurance industry, not just the automobile insurance industry. Is that correct?

**Mr George Smitherman (Toronto Centre-Rosedale):** I think it's auto.

**Mr Wettlaufer:** Well, actually your figures are low then.

**Mr Smitherman:** Not including administrative and other costs, I said.

**Mr Wettlaufer:** OK, not including administration and other costs. Including administration and other costs, we're getting very close to a \$1.40 payout for a dollar taken in.

When you look at the administration, what is the administration? The administration is in large part staff salaries for cleaning staff, accounting staff, underwriting staff and clerical staff.

**Mr Gerretsen:** You were paid too much for an executive.

**Mr Wettlaufer:** No, I don't think the insurance industry is known for paying any of its people too much. The insurance industry actually has a reputation for being rather frugal with its staff.

I will say too that at \$1.35 or \$1.40 payout for every dollar taken in, when you are only generating maybe an average of 1% or 2% on your investment income, you can't stay in business.

Insurance companies are broken down basically into two different types of companies. One is mutual companies, which are owned by their policy holders. Policy holders don't want to pay more as a result of their company losing money. The other is your stock companies. Who owns the stock? In many cases, your pension funds. Whoops, your pension funds.

**Mr Peter Kormos (Niagara Centre):** Not yours.

**Mr Wettlaufer:** No, not mine.

It seems to me that the members opposite and the members on this side—I'm trying not to be political—are all very concerned about the value of pension funds these days. I'll tell you, if they're investing in insurance companies, they're not getting a very good return.

When I was in Bermuda last year, I asked them how we could encourage more investment in the insurance industry in this country. I wanted to know what they foresaw as the future of the insurance industry in this country. One executive was very blunt with me. That executive said, "Why should I invest any of my shareholders' money in Canada any more when I have averaged a 2% return over the last 20 years, and I have averaged a 6% return in Europe?"

Understand, an insurance company averaging a 2% return over a 20-year period—would you invest your money for 2%, I say to the member from Kingston and the Islands? The member from Essex would you invest your money for 2%?

**Mr Crozier:** It's all I'm making right now in Ontario.

**Mr Wettlaufer:** I know. So am I. That's what I am too, but that's beside the point—but not over the last 20 years.

**Ms Caroline Di Cocco (Sarnia-Lambton):** You know more.

**Mr Wettlaufer:** I know, you know more. The member from Sarnia-Lambton, you're so intelligent. You know more than everybody else in here. That's fine.

*Interjection.*

**Mr Wettlaufer:** I'm sorry. I can't be any less condescending when you make the remarks you do. You make the remarks you do, I will be condescending. I guarantee it.

**Mr Crozier:** You are condescending.

**Mr Wettlaufer:** I will be more so.

The member from Nickel Belt mentioned that brokers are losing company contracts. They are. You're right. The brokers are losing company contracts. Do you want to know something else? In 36 years, 40 years, the length of time I was in the business, brokers have always lost company contracts. The reasons have generally been the same: the companies have been violating their own underwriting rules. Yes, they have. They did then too. They did it under the Liberal administration, they did it under your administration and they're doing it now. When it's the difference between staying in business and not staying in business, yes, sometimes you will violate your own underwriting rules. Do I think it's good? No. But that's not the point. The point is that they have to stay in business.

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There is the alternative, according to the NDP, that we just say, "Well, let's have public insurance." Why didn't you do it when you had your chance? I'll tell you why you didn't do it: (1) because there were tens of thousands of employees in the insurance industry who were going to lose their jobs; (2) because you saw there was so much money being lost in the insurance industry that you knew you could not go to the well and ask the taxpayers to cough up a couple billion dollars (a) for reserve and (b) for the payouts. That's why you didn't do it. You know that now. You can talk about public auto insurance all you want, but the Liberals know and we know that you'll never bring it in.

There is another alternative: we can fix the system as it is now.

*Interjections.*

**Mr Wettlaufer:** Hang on. Four years ago we started seeing a little bit of a problem. There was a blip in Bill 59—a blip. But we didn't know what was going to happen until September 11, 2001, when the whole system blew up.

A year ago, we sat down and started doing this review. Mr Sampson, Mr Chudleigh and myself started doing this review. You think you can have a quick fix. You can't have a quick fix without affecting the benefits received by the claimant. I am not going to allow a benefit to the claimant to be affected. We sat down and worked on this. You heard the finance minister say today that we met with the health care professionals. We met with the insurance companies, brokers and agent representatives; we met with the claimants; we met with a whole raft of interested parties on this, and they have made recommendations. The legislation was passed in December. The regulations should be introduced very, very shortly. In fact, we're very close to it now.

One of the things that you people don't realize—even I didn't realize how bad it was until we heard from all of the interested parties—is the effect of fraud on the system. We're not talking about just organized crime.

**Mr Gerretsen:** Executive fraud.

**Ms Martel:** Enron fraud.

**Mr Wettlaufer:** I don't think that has anything to do with the insurance business.

I'm talking about claims fraud. We're not talking about organized crime here, although there is some of that in the system. What we are talking about is the average claim being escalated artificially by the claimant who thinks, "I've paid \$100 into the insurance company over the past five years. I want some of that back now." I'm sorry, insurance premiums are not an investment. You can't just think you're going to get a little bit more for your claim. You should get what you're entitled to and no more. So we want to be fair with the claimant, but we don't want to go overboard. So we are addressing the fraud item as well, and that's going to be in the regulations.

**Mr Gerretsen:** When?

**Mr Wettlaufer:** Very soon. There is a recourse for consumer complaints. Consumers with unresolved complaints about their insurance companies have access to an independent, third party-complaint resolution mechanism. This province demonstrated leadership in handling consumer complaints.

**Ms Di Cocco:** Really?

**Mr Wettlaufer:** Yes, because in 1996, our government, by the way—and I'm trying not to be political. OK, in 1996, the Ontario government established Canada's first insurance ombudsman. On November 29, 2002, the Financial Services OmbudsNetwork became operational in the province. The Financial Services OmbudsNetwork, or FSON, is an independent national system for handling and resolving consumer complaints, and it governs all

products and services of banking, securities, life, health, property and casualty insurance companies and industries. The centre for FSON provides all consumers of financial services, including insurance, with a single integrated access point for responding to their general inquiries. So much for saying this government isn't doing something. Yes, it is.

Under the new system, individual companies have primary responsibility for resolving consumer complaints. There are three OmbudServices: the Canadian Life and Health Insurance OmbudService, the General Insurance OmbudService and the Ombudsman for Banking Services and Investments. There are many key features, including the requirement that the industry provide first response to complaints. So any consumer who has any complaint about any of the products or services, including pricing, of any of these industries, goes to OmbudService.

There are a few others who want to speak, and I think I will give them some time, so I will sit down now. Thank you.

**Ms Di Cocco:** I join in the debate this afternoon understanding the complexity, by the way, of the insurance industry. I'm pleased and proud of the member from Toronto Centre-Rosedale, who has taken this issue and certainly addressed the significant salient points on what is in this quagmire of insurance premiums that we have, as well as the whole industry itself.

I have to say to the member from Kitchener Centre, who has stated that he knows more about insurance than anyone else in this House, that I commend him for being that type of an expert. I don't purport to be that type of an expert, but I do have a number of individual cases who have come to my office with very specific issues dealing with what they have dealt with in their premiums.

The complexity of this industry is compounded by the reality that you can't run a business without insurance, you need insurance to drive a car and virtually everyone who owns a house requires insurance. It's important that the Ernie Eves government be held accountable and that it take responsibility to ensure stability in this vital marketplace and protect the consumer.

My office has had a number of examples, and I want to talk about a small business owner who has 12 employees and a small fleet of trucks, who has seen his premium go from \$24,000 to \$96,000 a year. His record, by the way, has been very good, and yet he was dropped from a company that he had been with for a number of years for no apparent reason. When he had to find another insurance company to maintain his fleet and do his work, the cost quadrupled. It went from \$24,000 to \$96,000. This is going to cause him tremendous hardship and it will probably put him out of business. That's what's happening when it comes to some of the constituents in my riding.

**1620**

Kevin Dafoe was dropped from house insurance. Again, he had no claims. He has contacted the insurance ombudsman and he has had very little luck. What are

people supposed to do when insurance companies, because, yes, they're having financial problems, are dropping their customers? What do these people do? Who do they turn to?

A retired gentleman has seen his car insurance go from \$535 to \$615, and this year to \$754. It went up that much in two years. He's got a 1993 Chrysler Dynasty and he's had no accidents. He says, "For us on fixed income, believe it or not, it adds up. Our taxes go up. My car insurance has gone up without having any type of accident, and it's an older car."

There's another gentleman who was in a car accident in January which was not his fault. His insurance went from \$1,600 a year to \$5,500 a year.

The issue is that they have been with a company for a number of years, they've had no claims, or they acquire a claim through no fault of their own, and they're either dropped or they cannot afford their insurance.

The government has a role to bring stability, because there's a quagmire out there when it comes to insurance and it needs to be addressed. I'm worried that the Eves government has no political will to address this quagmire.

**Mr Kormos:** Almost 15 years later, and what is one of the most volatile issues out there? The ever-escalating auto and home insurance premiums and the increased lack of access to auto insurance coverage.

I remember back to that period of time between 1987 and 1990. Indeed, I remember the 1987 election campaign when a Liberal candidate for Premier of Ontario, Mr Peterson, who found himself elected with a huge majority government, said, "I have a very specific plan to reduce auto insurance premiums." Mind you, the handlers and the script writers went scurrying. You could see the dust, because he may well have had a plan but they certainly weren't aware of it.

We enjoyed three years of intense debate around the plan. You see, we had had a no-fault component to auto insurance coverage prior to the specific plan. The plan by the government of 1987-90 was driven by the auto insurance industry. They assured the government of the day that should the government adopt the auto insurance industry plan of enhanced no-faults, with restrictions on the right to sue, indeed premiums could be contained and reduced. They weren't.

You see, the industry had been pleading for enhanced no-faults and constraints on tort, constraints on access to the court. So we had a government elected in 1995 that once again was the hand-servant of the auto insurance industry and, sure enough, they restricted tort and no-fault. Before much time had gone by, the industry had done a complete reversal and said, "No, we need tort if we're going to control and reduce premium costs."

The fact is that the insurance industry is an untameable beast, an uncageable monster, an unleashable mad dog. The insurance industry, with its short arms and deep pockets, has never been a friend of consumers in this province and has lured every government it's known into bed with it to serve its interests rather than the interests of

consumers, rather than the interests of premium payers, rather than the interests of the innocent victims of at-fault drivers. That's the case.

This industry cannot be regulated; it can't be contained. History has demonstrated that over and over again. Once again, I'm distressed to hear people in this Legislature showing even the slightest sympathy for the insurance industry. If they're not making money, if they're broke, if it's impossible for them to continue to function, then fold. Yet the auto insurance industry has been steadfast in insisting that it maintain a presence in auto insurance coverage in the province of Ontario. The auto insurance industry has fought forever and ever—and I trust continues to fight—the concept of public auto insurance tooth and nail. If they're not making money doing it, then why aren't they saying, "Go ahead and create public auto insurance, because we can't make any money doing it?"

There's something here that simply isn't kosher. If they're having such severe financial problems—and I want to address the September 11 myth; not that it didn't happen. But please, it wasn't cars that ran into those towers, it was planes. It was huge property damage claims and loss of life claims that were paid out by the insurance industry. It wasn't the auto sector insurance industry that paid out claims as a result of the incredible crisis—catastrophe—in New York City.

At the end of the day, the real crisis for the industry is because they chose to play the market. They chose to play the high-tech market. They chose to play a very dangerous and volatile stock market, a market that they should have known better about. Heck, my grandmother would know better than that. They wanted to play the market. They wanted to play the high-risk, high-returns game, and they lost. Once again, at the end of the day it's premium payers who continue to lose.

You can't regulate this industry. There isn't a province in Canada with private sector auto insurance or home insurance that's been effectively regulated: New Brunswick, a 70.6% increase in one year; Nova Scotia, 65.9%; Newfoundland, 63.8%; Alberta, 59.4%; PEI, 58.4%; 37.2% in Quebec, which has the private tin and glass coverage, as you well know, which accounts for the increase there that certainly isn't there in terms of the publicly run no-fault; and Ontario, 29.7%. And it isn't as if it is 29.7% across the board, because for some drivers it's 10% and 15% and for others it's 50% and 60%.

Good grief, Bernard Lord, a Tory, is toying with the prospect of public auto insurance in eastern Canada. State Farm has been the defendant in lawsuit after lawsuit and has been the unique subject of punitive damages after punitive damages for their abuse of their premium payers and consumers.

I read the resolution, but my fear is that the resolution reflects that the author has one flank firmly planted in the bed of the auto insurance industry and the other flank firmly planted in an appeal to nervous consumers, because it appears to suggest once again that this government can regulate this industry. I'm telling you the

industry can't be regulated. It's voracious. Its hunger will never be sated. It is not there to meet consumers' and premium payers' needs. One speaker has spoken of auto insurance, or the insurance industry in general, as a complex industry. It's not that complex. They make profits and seek to make profits by charging the highest amount of premiums and paying out the lowest amount of benefits, and then using monies that they have to invest in what they thought were sure things but ended up being some of the riskiest and highest-risk investments that this free market system could ever have offered—scams in and of their own right.

**1630**

Well, I, for one, haven't lost my passion for public auto insurance. I've cited the premium increases, beginning in Prince Edward Island and Newfoundland, from 70% to the lowest, 30%, in the province of Ontario. Let's move further west, to Saskatchewan: a 9.5% increase; Manitoba, our neighbours—where Gary Doer was newly elected with even a larger majority than he had before—with a premium increase of 7.2%. Let's avoid comparing apples to oranges; let's compare apples to apples, oranges to oranges. Vancouver, British Columbia—you've been there, I've been there. It's as comparable a city as you could find to the city of Toronto. There were premium increases in British Columbia of 7.3%. See, one of the ways that stability is maintained in the western provinces is that the investments made are not in high-risk stock market investments. Investments are made in communities and in the province, with lower rates of return, but things that do public good. Quite frankly, in the western provinces you've got the highest satisfaction rates of insurance consumers of anywhere in Canada, I dare say in North America—the highest consumer satisfaction of anywhere in Canada. I say to members of this assembly as they debate this resolution, you can either be friends of the insurance industry or you can be friends of consumers, friends of innocent victims, friends of premium payers. Because you can't be on both sides of the fence at the same time.

I understand where the Tories are. They've made no bones about it. The Tories have been so deep in the back pockets of the auto insurance industry that they're spitting out lint. The Tories are clearly and firmly and undeniably and intimately and cosily and warmly in bed with the auto insurance industry. Their history here over these last eight years confirms that beyond any doubt. I want to commend the Tories for their encouragement and sustaining of higher and higher premium rates. I want to commend the Tories for the prolongation of the crisis around auto and household insurance. Because what the Conservatives have done is put public auto insurance right there on the front burner.

I say to our Liberal counterparts here, get with it. Grab the baton. Seize the moment. I say to my Liberal counterparts, join New Democrats in persisting in calling for public auto insurance, in emulating the experience of Manitoba and Saskatchewan and British Columbia, who have the lowest premiums in this country, who treat

drivers and premium payers fairly, who don't discriminate against young drivers and who ensure that bad drivers pay what they ought to pay so that good drivers can pay the lower premiums that they deserve. Because in the auto insurance industry system that this government sustains, good drivers are subsidizing bad drivers. Good drivers aren't being rewarded for good records. Indeed, they're being punished with premium increases year after year after year. And they're being punished with insurance contracts that look good, but don't ever try to collect. Have you ever tried to collect on insurance claims, jump through the hoops? I've had to recommend to more and more people that they don't make claims for things like windshields and dented fenders and broken taillights or a cut convertible roof or a stolen radio. I wish more brokers would do that, because at the end of the day the fraud around auto insurance is that the innocent victim who makes that claim will end up paying for it two and three times over. In fact, this government's auto insurance regime has created more and more self-insured people—that's what that amounts to—where people really are in effect insuring themselves. They don't have insurance coverage. Don't deceive yourselves into thinking you do. You've got the contract. Oh, the insurance company had no problem cashing your premium cheques. When it's time for them to cut a cheque to you, by God, all the phone messages in the world don't get answered. You can chase that company's claims adjuster all over Hades's half-acre and still not find him. All of a sudden his number's unlisted and his answering service doesn't work.

This untameable beast, this ever, ever voracious appetite, this monster that can't be caged, should be put to sleep. And a meaningful discussion around affordable home and auto insurance is going to be a discussion around the decades-old examples of Manitoba, Saskatchewan and British Columbia. It's going to be the example of public auto insurance. I believe the people of Ontario endorse that. New Democrats certainly do.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** It's a pleasure for me to rise and participate in the debate. I know my time is short; however, I would like to preface my comments by saying that I had the opportunity to spend 24 years of my life in the insurance industry as a broker. I don't know if that makes me an expert. I don't think so. I don't want to talk about expertise, so I'm going to leave it at that.

If I were someone at home listening to this debate here today, I would be somewhat nervous if I were a consumer, because I think the only way—first of all, I think we all realize there is a problem in the insurance industry today. I started in 1971. There have been problems in the insurance industry for the past 30 years. As the member from Niagara Centre mentioned, the Liberals tried to fix it, the NDP tried to fix it, and that's what we have today. So I would strongly suggest that in order to find a solution to the problem, a real, workable solution, one that is affordable to all the taxpayers of the province of Ontario, it be one whereby the government

would be involved, the industry would be involved, but also the consumers are involved. Because I would be somewhat nervous if I'd leave it to a Liberal or a Conservative or an NDP to fix the problem.

**Mr Crozier:** Or a Tory.

**Mr Beaubien:** I said that.

I would say that in order to find a good solution we have to get everybody at the table. First of all, let's look at why we're having some of the difficulties today. I know there are a few people in the room here today with a bit of insurance expertise.

We can talk about Saskatchewan, we can talk about Manitoba and BC, but we also have to compare apples to apples. Let's look at the standard policy we have in Ontario. It's composed of three sections: section A, section B and section C. If we look at section A, I think the insurance industry has that fairly well under control. The same thing with section C, which is the physical damage of the car, the collision, the comprehensive. There is some fraud, but I think they're managing the situation fairly well today.

I know my friend from Essex has some experience in the insurance industry. If we look at what's happened with section B, the auto policy, in 1971, when I started in the business, I think the premium for that section was about \$15 a year per car, in that neighbourhood. Today it's probably closer to \$1,000 per car. There's a number of reasons. I don't have enough time to get into why we're in that situation today, but I said that everybody has been tinkering with the system over the years, whether it's the insurance industry or whether it's the government of the day. But there is no doubt we have a problem, that it has to be fixed, because it's not sustainable to have the increases we have experienced in the past number of years.

It's interesting when I hear my friend from Niagara Centre talk about affordable insurance for the people. They're the government, if you recall, that put a 5% tax on insurance premiums. Now, this government is starting to reduce that. Remember that, about 10 years ago when they put a 5% tax on insurance premiums. And they're concerned about the availability and the affordability of insurance? Well, why did we put a 5% tax on insurance premiums? Can anyone tell me why? What's the 5% tax got to do with underwriting principles?

With regard to insurance companies, because I want to be somewhat balanced in my debate, there is no doubt that I agree with some of the comments that have been made on the other side.

1640

**Mr Rob Sampson (Mississauga Centre):** What's happened? Has the money stopped falling from the sky?

**Mr Beaubien:** I guess.

But with the insurance companies, there is no doubt that in the mid-80s they went on cash-flow underwriting. The reason they went on cash-flow underwriting—and they would underwrite anyone, no matter what the risk was—is because they were receiving a tremendous return on their money and they could invest it. I don't think that

was a good, sound basic insurance principle. They went away from that. I think they paid a price for that. So to say that the insurance industry itself is not at fault—I think they also have to look at themselves with some of the difficulties we have.

There is no doubt today, when we look at the benefits we're paying under section (b), that we have to bring it under control and rein it in. I'd like to read the costs with regard to some of the benefits: "Take physiotherapy. When the Ontario health insurance plan pays for a visit to a physiotherapist, the price is about \$14. When the injury is covered by the Workplace Safety and Insurance Board ... the price is closer to \$18.50. But when an auto insurer pays for a half-hour physiotherapy session, the cost jumps to \$60." I don't know why that is.

The member for Niagara Centre said we cannot regulate this industry, but I think the industry can be regulated by taking steps to regulate that type of spending. If OHIP pays \$14.50, why is the auto insurance plan paying \$60? I don't know and I don't understand that, but at the end of the day it's the consumer who pays for it, and that's not fair.

I've had just a few minutes to speak on this subject, but in closing I would strongly urge all the bodies that are responsible for this—the consumer, the insurance industry and the government—to come to the table and find a palatable solution.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm really pleased to be standing side by side today with the dynamic and loquacious member for Toronto Centre-Rosedale, a man who obviously has a concern, a passion for and a commitment to fighting for some real social justice. I'm really pleased to join in this debate.

The best political advice I ever got was from an old farm friend of mine out Troy way, in my riding. He said, "Tell them what's broken and how you're going to fix it." As I receive epistles from my constituents, I just want to share with the government the very real sense that they feel this system is broken. I want to put a human face on this issue for a few minutes, if I can.

I have a letter from a constituent in Dundas, who writes, "My son recently had his coverage cancelled. Not because he had an accident, a speeding ticket, or any other driving problem—solely because he missed a payment. Now they say he is basically uninsurable and is in the high-risk category.

"Can you explain to me why a missed payment puts you in a high-risk for accident insurance? Auto insurance should be based on your driving record, not on your payment record. A missed payment for house insurance does not render you uninsurable. Why should auto insurance be any different?"

Companies are now declining to accept drivers with no claims because of only one non-payment. We need to step in and regulate in that area.

Another constituent, the owner of a business called Canadian Chemical Cleaning Services Inc, writes, "We are a small Canadian business operating out of the new

city of Hamilton. This year marks our 20th year in business, serving with pride the Canadian pulp and paper industry, local steel industry and many more manufacturing sectors.

"This was a very special year for us as it marks our 20th year of operation with a 100% claim and accident free record which we are very proud of.

"We have been hit with shocking news," and with very little notice, from their insurance company. "While they have offered to renew our building and operations [insurance] at an increase of 185%, they at the same time have declined to insure our company vehicles of our service fleet.

"I have been scrambling for the past few weeks to correct this situation with three different brokers without any results.

"My personal renewal for my auto policy states the insurance industry has faced a 13% increase ... " in premiums, "not 185%. As of the 15th of this month I will be unable to operate my business and am at a loss as [to] what to do."

His commercial rates in 2001 were \$4,100; in 2002, \$6,100. The quotation that was given to this claim-free business owner for 2003 was \$17,424, which the company then withdrew, forcing this businessman to the Facility operation, which means he's forever tainted as a very, very poor risk.

An Ancaster constituent writes, "We are required by law to have automobile insurance. Yet I feel we have no protection with regard to rates. This year, again, [my rate] went up \$400. When we inquired why we were told, 'Everyone's insurance went up \$400.' We had no claims.... My husband and I feel helpless." There's no public transportation out here, she says; they have to pay the insurance.

It's very clear that something is broken, and it's very clear that together we have an obligation to try to fix it. We can do that perhaps through regulation. We might want to look at that in terms of some kind of select committee to get at it. But frankly, I'm with some others in the House who have expressed that if there's no other way to fix it, perhaps we have to do what a lot of us don't want to do, and that's to open our eyes to the possibility that maybe the government has a direct role through public auto insurance.

**Mr Crozier:** I'm pleased today to have an opportunity to speak briefly to this insurance issue. I want to say at the outset that I am speaking under some duress, because the member for Kitchener Centre has already told us that he knows more about auto insurance than anybody in this place. But I'll tell you one thing that he either doesn't know or won't acknowledge, and that is that the insured public in Ontario is hopping mad about insurance rates. I'm also reminded by the member for Kitchener Centre of those lines from the famous Mac Davis song that say, "Oh, Lord, it's hard to be humble," when you're perfect in so many ways.

I want to bring into this discussion today just briefly the plight that is faced by the thousands of brokers in the

province, along with the driving public they are trying to serve. Registered insurance brokers, I'm told, are leaving the field because the consumer complaints are overwhelming, and that really results in a lack of opportunity. It's been pointed out, and I would emphasize, that the climate is such in the insurance industry today that many companies are simply not interested in writing auto insurance. Companies are simply withdrawing from the market. This therefore limits the brokers' ability to offer choice to their customers.

I want to quote from the current edition of the Insurance Journal. The article is entitled "Auto Insurers Put the Brakes on Risk in Ontario," and it was written by Martin Beaudry. I can't refer to it all, so I'll just refer to a couple of sections of this article. It says, "Capacity is down, insurers are refusing new business, and those lucky enough to be insured are at risk of losing their coverage should anything happen"—should you have a claim, in other words.

#### 1650

He goes on to quote Mr Denis Trevost of Allianz Canada and then says, "He says he is seeing 20% to 30% of his market being dumped from the regular insurance companies. Those then have to be placed with the sub-standard market...."

"Jim Thomson, office manager at the Timmins-based brokerage BMT Insurance, says, 'We are at a crisis now where people can come in off the street and I don't have a market for them. They don't even qualify for the Facility Association. To get in to the Facility you have to have been declined with a declaration rule by one or more carriers.'" So they're in this Catch-22.

It also says in this article, "Insurers are using what he calls 'predatory' practices to clean up their book of business. They are culling their databases to identify 'people that they want to get rid of. What they do is send a letter 45 days prior to your renewal, and they don't tell the broker. If you don't complete that form and send it back to them, you are automatically cancelled.'"

So these are some of the problems that brokers are facing in trying to service their customers. We have thousands of brokers in this province who are trying their very best to provide the best insurance coverage and protection that they can for their customers. So this is another part of this whole insurance problem that I tried to work with the member from Mississauga Centre on over the last six years. But it is the government of the day that has to bear the brunt of this. That's why we're speaking on behalf of all the insureds in Ontario who, as I say, are hopping mad. We have to get to the bottom of this problem and help the consumers of Ontario.

**The Deputy Speaker:** Further debate.

*Applause.*

**Mr Sampson:** That'll probably be the last time they applaud today, but anyhow.

**Mr David Caplan (Don Valley East):** Do a Wayne Wettlaufer.

**Mr Sampson:** Well, I'm not going to do a Wayne Wettlaufer for you. I'm sorry.

It's a pleasure to speak to this motion today, on a subject that sometimes I feel I know a little bit too much about. Indeed, I have had a chance to work with some of my colleagues in the House here on that matter, because I agree with some of the comments today about the fact that this needs to be a solution that works for the benefit of consumers, the ratepayers.

There are actually two types of consumers in auto insurance. There are those who, like many watching today, pay premiums on a regular basis and probably have never claimed in their entire driving history. Of course, their focus is on lower or fairer rates. They just don't like to see rate increases, whether they're the numbers that are attributed to the privately run plans or even the ones that my socialist friend from Niagara Centre referred to as fair—you know, 9% or 10% from some of the publicly run plans. I'll get to that in a few minutes.

Then there is that other class of consumers, who have actually purchased insurance and have unfortunately got themselves involved in an accident, either one in which they were partially or totally at fault or one in which they were totally not at fault. Their interest in this product actually changes a bit, because they're far more interested in what they can get out of this product that they purchased before the accident. They want to know what the benefits are. They want to know what services are available to them to help them get better and feel better. They want to know how quickly they can get their car fixed. Will it be fixed with old parts, or reconditioned parts or original manufacturer parts? They want to know, "Can I have a rental car while I get my car in the shop?" They want to know, "Do I get six rehabilitation treatments for my arm, or is it two?" The focus is very much on what it was they purchased.

On that subject, it is unfortunate, and I think there's a continual challenge for all governments that have dealt with auto insurance to try to make sure this product is simple to understand. I would argue to those watching and listening today that it's not simple to understand, unfortunately, and that much more work needs to be done by any level of government involved in this, whether they be here in Ontario or in Nova Scotia, or even in BC, to better describe what is in this insurance policy when people buy it. That will help people better understand and deal with the questions they have about what services are available to them when they get involved in an accident.

It's also fair to say, and I think people need to understand, that certain components of the plan, while they're called "no-fault" components, actually don't mean "no pay," unfortunately. I think it was the Liberals, and a lot of people don't know this, who brought in the reform initiative—I think it was continued by the NDP—on the repair to the vehicle side. It's "no fault," but it doesn't mean "no pay."

If somebody hits you and wrecks your car, and a lot of people who have called me have asked me about this, whose insurance company pays? Well, each person's insurance company involved in the car pays. If somebody goes through a red light and hits me, my insurance com-



pany will actually pay for the repairs for the damage to my vehicle. The insurance company of the person who hit me would pay for the damage to their vehicle. It's called "no fault." I didn't cause the accident, but it doesn't mean that I don't pay, or at least that my insurance company doesn't pay. A lot of people don't know that. That's actually the way in which the damage to the physical side of the car works in auto insurance.

That goes back to my point earlier that a lot of people don't know what it is they bought when they bought auto insurance. They say, "You've got to be kidding me. That can't be." That's the way it is. Whether you like it or not, that is the way in which the product is designed. That design, I think, started with the Liberals and continued with the NDP on that component of the product. Is it fair? There are arguments on both sides as to whether it's fair. That design was actually created to get lawyers out of the transaction, to stop people from suing other people and having to wait until the court dealt with the issue and the appeal before they could get the cash to actually fix their car. But one of the disadvantages is that it doesn't necessarily mean "no pay."

To some degree that's why you see the rate increases, by the way, in these public auto jurisdictions. I would say to my friend from Niagara, who says 9.5%, 7.2% and 7.3% rate increases in BC, Saskatchewan and Manitoba—or maybe it was Quebec; I can't remember which ones he named. It's three of the publicly run plans, and that's a model they would encourage for insurance to be sold in Ontario. I think the people viewing today would say, "Hang on: 10% rate increases. I don't think those are fair either if I didn't have an accident and I've had a clean driving record for some period of time."

The reality is, this is a product that's very expensive to sell, whether it's publicly run or privately run. By the way, the publicly run plans have kept their rate increases down by limiting the type of recovery services and product available to people who get involved in the accident. Remember that second group of customers I talked about, the claimants? The publicly run plans cap what's available to them for rehabilitation treatment and recovery treatment, and say, "When that's over, just go to the public health care system and get that." When you add those costs back on, the cost that the publicly run auto plans have pushed on to the publicly run health care system, you get back into double-digit rate increases like 20% or 30% per year.

#### 1700

To say that publicly run auto is the solution because you can't trust insurance companies I'm afraid doesn't actually work out when you take a look at the hard-core facts. It's not just Canada, by the way. It's across North America and even in some European jurisdictions where this problem is seen.

The high rates are really a combination of three challenges, and we can deal with two of them. One, I think, is not within our ability to deal with, and I'll get to that one first. The rate of catastrophic incidents in this world has increased more than anybody had planned or envisioned.

Pete's right: 9/11 didn't have an impact directly on auto insurers because they generally don't do what they call reinsure. They generally don't go up to other bigger insurance companies, normally European, and say, "Protect me from some of the risks I've taken on in insuring the Ontario market."

However, most of the auto companies in this province also sell home insurance. Home insurance and commercial insurance are heavily reinsured in other jurisdictions, and that market has lost about \$100 billion to \$150 billion in reinsurance capacity since the events of 9/11. That is a significant hit to that industry that I think has had a dramatic impact on the ability of privately run insurance companies to offer both of those products—commercial and home, and auto—in Ontario. I don't think there's anybody who can argue that either one of those is manageable.

The second issue that's driving rates is, to a large degree—and I would argue in support of some of the comments here—the responsibility of the insurance companies themselves, which have had some difficulty in managing the cost components of their own programs, their own investment and management programs, and the way in which they sell and administer this product in this province. I've said that many times publicly directly to them. They are the author to some degree of their own problems and they need to clean up their act. I've said that. Some are trying to do that within the confines of the current product and some have yet to do that. I say to the people watching today, we will try to make sure they do that.

The third component we need to deal with is the fundamental product that's being offered for sale in this province in the form of auto insurance. I said that in 1996. I firmly believe it. This product needs to be continually tweaked and worked to make sure it provides consumers with what they're wanting—those two classes of consumers, the ones paying the premiums and not getting involved in the accidents, and you can't ignore the last one, which is the one that gets involved in the accident and needs the services for rehabilitation and the repair of the car. So with those two groups of consumers in mind, we need to modify this product and continue to redesign it to suit their needs and to make sure it's working for their particular interest.

I know we've started that with the legislative reform that was passed in December, which by the way the member who has this motion in his name voted against. In December he said, "Don't do it." Now he's standing in the House and saying, "Wait a minute. What I really meant then was that I wanted you to do it faster and I wanted you to do it more aggressively." You can't have it both ways, my friend.

To my friend from Scarborough, their other criticism of us was, "You never consulted. You rammed legislation down the throat of the Legislature and you rammed it down the stakeholders'." So we consulted on this thing. We passed the legislation in December and we went, I think it was, two full rounds of consultation with all the

stakeholders involved: rehab clinics, doctors, lawyers, physiotherapists, chiropractors, psychologists, brokers, insurance companies themselves, consumer groups—I could go on. I think there were a total of 100-plus various groups and individuals that we consulted with on this product design. We said, “Here are our draft regulations that would add the flesh to the skeleton, the bones, of the legislation. What do you think?”

Twice they came back and said, “We like this, and we don’t like this. Can you change this? How about adding that?” We went back again and said, “We’ve heard what you’ve said. Is this going to work?” Now we have before us a basket of regulatory changes that have sign-off from effectively all the stakeholders that are going to be charged with the responsibility of making this product work. It’s actually the first time in the history of auto insurance reform in this province that that’s been achieved. We took our time to consult with all the stakeholders, and now the member opposite stands up and says, “You took too long. You haven’t gone fast enough, and you haven’t gone far enough.”

Look, we think we’ve got a basket of reform initiatives that will work. The various stakeholders are prepared to work together to make it work and deliver some effective reform to auto insurance in Ontario, and I believe that in doing so we haven’t abandoned the interests of either those who are ratepayers or those who are claimants in the product. We’ve tried to balance the expectations of both those groups and the interests of both those groups in what this final product delivers.

Just so you don’t think that auto insurance is a singularly Ontario provincial issue, it’s not. And just so you don’t think that auto insurance is a national issue across the country, it’s not. There have been articles in various jurisdictions south of the border that have been talking about double-digit rate increases in Michigan and Ohio—you name the state; it’s happening there too. This is a very difficult product to manage, and it’s not because it’s privately run, I say to my socialist friend from Niagara. Even the publicly run facilities, and you have named them, have rate increases that are near double-digit. That’s without calculating in the cost they’ve pushed off to another level of government where they can hide it and pretend it doesn’t exist. Look, if it’s an insured accident, it should be paid by the insurance industry and not pushed off to the publicly funded health care system that didn’t have anything to do with creating the accident and shouldn’t have anything to do with paying for the costs of recovery.

I agree with the member for Sudbury that brokers are challenged by this current product design and are having a very difficult time servicing their customers. I say to the many thousands of brokers, either listening here today or reading this debate in subsequent days, that we need to provide you with a product that you can sell to your customers—that’s the business you’re in. And the business we should be in in this Legislature is trying to find a product design that you can offer your customer and can legitimately sell to your customer and go home

at night and say, “I’ve done some good service for my customer.” And we need to make sure there are not just one or two but hundreds, if you will, of companies that are prepared to build that product that brokers can sell.

That, in my view, will provide the relief on the rate issue that that first group of consumers, and frankly all of us here, are struggling with. You can’t force somebody to sell a product they don’t want to sell. That’s not the solution, I say to my friends in the NDP benches. You can’t force companies to sell something they don’t want to sell. What you need to do is find a product that they’re comfortable selling, that they’re comfortable financing, that they’re comfortable in building and servicing. Then you need to make sure, from the brokerage side, that that’s actually something people want to buy. Then you need to have the ability to finance that and price it fairly. You do that by having a lot of consumers wanting the product and a lot of companies prepared to offer it. I believe that the design and redesign initiatives we have before us in legislative reform that we dealt with in this Legislature in December, and in regulatory reform that will be coming forward shortly, will do that. It will provide a product that companies can offer fairly and are interested in offering, and that brokers can actively and aggressively sell to their consumers and customers throughout Ontario.

1710

*Interjection.*

**Mr Sampson:** I say to my friend opposite, I don’t have a problem with people wanting to make profit in this country. I do have a problem when they can’t make that profit and they start to abuse product designs to get to that level. I think that’s the issue we’re trying to deal with at this particular time on this product.

I will say one thing, and the problem is that there are no really good stats on this because people don’t generally come forward and offer themselves up as being involved in the auto insurance product, or any insurance product, in this manner: there is a tremendous amount of abuse, misuse and in some cases fraudulent use of this product in this province and we all pay the costs. Some people have calculated that—

*Interjection.*

**Mr Sampson:** I say to the member opposite from Sudbury, if you believe that nobody in this province tries to abuse the insurance system, then I think you are living on a planet that’s not this one.

**Ms Martel:** What about insurance companies using that money on the stock exchange?

**Mr Sampson:** I say to the member for Sudbury that this is a double-edged sword; there’s no doubt about that. We need to make sure there are companies who do not abuse the rights and privileges of consumers, but it’s a double-edged sword. We need to find ways to provide protection for consumers so that if any of this is going on in the system, it doesn’t come out of their pockets. I’m not prepared with my premium dollars—and I don’t think the people watching today are—to finance and pay for people who use this product for nothing more than to

make a buck at other people's expense. This is not a product where we should be prepared to accept 10%, 15% or 20% of our premium dollar going to treatment, for instance, that's not useful or doesn't provide any value, going to repairs of vehicles that are done fraudulently or going to providers who simply have customers show up at the front door and then leave, and then send the bill to the insurance company. That's not acceptable.

Companies do have a responsibility to police that themselves, and many don't, but we're going to encourage them to do that. I think, on behalf of ratepayers, the people who pay the premiums in this province, that we have a responsibility to make sure we do our best in product design and in policing how that product actually gets applied in the market to weed abuse and fraud out of the system. Every time that happens, it costs you and me money. That's not fair and it's not right. We will do our best to put together a plan that will deal with fraud from a government level and we will encourage companies to participate with us to do that as well. We will also make sure that the superintendent supervises the performance of all the players in the insurance product: rehab providers, brokers and, yes, even companies that should not be allowed to abuse the rights and privileges of consumers of this very important and expensive product that we all have to buy in order to drive cars in this province.

Auto insurance, any insurance product, is not a simple product to understand. I said earlier that it's part of our challenge, our unmet obligation to you, the voters, taxpayers and ratepayers in this province. We don't yet have a product that's simple to understand. I would defy any of you listening here today to pick up your auto insurance coverage document and read and understand it the first time. It's very difficult to understand, and that's not right. We need to find ways to simplify it. But we don't want to do that by lowering the benefits that are available to innocent accident victims and those who are involved in accidents and need recovery. We're not going to go to the public auto plan that does that, I say to my friend who likes to position public auto as a solution. That's not the solution. We're not going to cap the benefits available to innocent accident victims, as they do in public auto.

We want a balanced plan between monies that are available for those for proper treatment, and we want a balanced plan to make sure that if you were hit and severely injured in an accident, you can sue somebody for loss of income and extraordinary losses that were the result of that accident.

But to the two consumer groups we have, we need to make sure it's affordable. Auto insurance needs to be affordable in this province. By the way, in 1997, the average rate was about \$1,100. Now the average rate is \$1,200. That's eight years, a \$100 increase. Is that acceptable? I think our challenge is to try to make sure rates are lower. Somehow we need to manage that down, and we can with this reform initiative.

**Mr Gerretsen:** All I can say to the last speaker is this—and I realize he knows about this issue because he

studied it before; he wrote a report on it some four or five years ago—that people are hurting out there. People are all of a sudden being told that their rates are being increased 20%, 30%, 40% or more. They're being told that companies no longer want to insure them when there have been absolutely no claims made against them.

The government had this legislation passed last December. It's been almost six months now. They still haven't passed regulations, as was so ably pointed out in the Toronto Star this morning. It's about time the government did something about it. It's your responsibility. Yes, there may be fraud involved. There may be a misuse of some of the medical expenses that have been paid on behalf of some of the people who have made claims under their policies. That could all be true, but it's up to the government to protect consumers in this province.

There was an interesting article that I had an opportunity to read that was put out by Standard and Poor's. Let's just read what they have to say about this issue. They say: "Although higher automobile repair costs and auto thefts are the major contributing factors, the largest cost pressure facing the industry has been the rising cost of health care and associated fraud. In the past several years, the number of auto accidents has declined, but the injury claims have continued to increase." That is an issue that is completely within the government's jurisdiction and control. That's where they can do something about it.

They insisted that this legislation be passed last December. You may recall there were requests for public hearings. It was denied because they had to get on with it immediately. Now six months later, the regulations that are needed in order to put that framework into effect still haven't happened. What's been the result? The result has been that innocent people out there, who haven't had a claim on their automobile policy for many years, are having their premiums rise substantially, and we've all heard the cases where it's 20%, 30%, 40% and 50%. Some people's coverage has been completely terminated by certain companies, people who have never had a claim against their policy.

That's what this is all about. We can blame everybody under the sun and we can blame the international situation. We can blame 9/11. We can put the blame anywhere. But the responsibility of the government is to manage that issue and do something about it. What I'm saying to the government is, come out with regulations that will have one thing and one thing only in mind, and that is to protect the consumers of this province.

**Mr Martin:** This is certainly a timely debate, given that in most of our constituencies, I would suggest across the province, we're hearing about the issue of insurance over and over again, people calling in, asking us why they're experiencing these exorbitant, almost unacceptable and, in some cases, untenable increases in insurance costs.

In my own constituency I was talking today with my legislative assistant in preparation for today's debate. She tells me that small businesses have seen insurance rates

rise by as much as 50%. We had the Heyden Ski Hill not open this winter because they couldn't afford insurance. We have a couple of not-for-profits, only two of many—the men's shelter and Pauline's Place—having trouble getting insurance so that they can keep operating. Automobile insurance—that's what the discussion here tonight is about—has risen, of course. Long-term disability insurance is hard to get. If a person develops a long-term illness or disability, it must be proven the individual is permanently unemployable. The issue goes on and on. When you try to find somebody in the industry to respond to some of this, to help you with a case that you're trying to resolve, it is becoming more and more difficult with each passing day.

1720

I myself have written to the Minister of Finance of the government saying that my office has recently been inundated with calls and walk-ins from disgruntled constituents over the soaring cost of automobile insurance in this province. Many have seen their rates go up 20% to 40%, with most companies only renewing for a period of six months, presumably because the rates will increase again at the time of renewal.

Minister, with the increase in the cost of living, including increased gas, natural gas and hydroelectricity prices, many people are finding it difficult to afford insurance for their vehicles, even though it's mandatory, and I daresay that there are people out there today driving without insurance because they can't afford it, and they can't afford not to drive their vehicles. The reason given by most insurance companies is they have to compensate for the losses incurred as a result of 9/11. Well, you heard my colleague from Niagara Centre speak a few minutes ago about that and, as he says, that's horse feathers. Why should this occur on the backs of ordinary hard-working individuals?

I suggest to you that the people of Wawa, who are already reeling from the downsizing of their economy and their ability to have industry and provide jobs for people and the increasing cost of hydroelectricity—by the way, the Minister of Energy, who was here this morning, still hasn't had the courtesy to call to speak the leaders of that community about their hydro challenge, and I daresay he isn't going to be too interested in the issue of insurance where they are concerned.

There are people across the province in places like Windsor, Welland-Thorold, Sudbury, Port Colborne and Sault Ste Marie who are struggling with this issue every day because insurance, as we know, is mandatory. People have to have it, and in my part of the province, and I daresay in many other parts of the province, particularly rural Ontario, people have to drive their vehicles. If they're going to drive their vehicles, they have to have insurance. The increase in the cost of insurance is becoming more and more untenable and unacceptable.

So I think, and I believe I speak for my colleagues here, that as we go forward into the next election and we talk about public power, the issue of auto insurance fits the formula there as well. With year-over-year premium

increases over 20% and more and more people being denied insurance, public auto insurance is beginning to look better and better with each day that goes by. The insurance companies say that med rehab costs related to soft tissue injuries is the main cause of the increases, but the real reason is the steep decline in insurance company investment income due to the collapse of the stock market.

*Interjections.*

**The Deputy Speaker:** Order. The member for Don Valley East, come to order.

**Mr Martin:** The NDP believes that the driving public should not have to pay for big insurance's bad stock investments, bad stock picks. The evidence grows every year that public auto insurance is more affordable for consumers than private auto insurance. The rates are more reasonable, as well as more stable and predictable. Public auto insurance is now over 30 years old in places like Manitoba, Saskatchewan, British Columbia and Quebec. The year-over-year increases for the three western public auto insurance companies has been between 5% and 7%. The evidence from Manitoba, Saskatchewan and British Columbia is that it is not that expensive to implement public auto insurance because you are not implementing a whole new insurance industry from top to bottom. What you're basically doing is putting into law the fact that the basic package of auto insurance that people have to own in order to get a licence will be purchased at the same time—

*Interjection.*

**The Deputy Speaker:** The member for Windsor-St Clair, come to order.

**Mr Martin:** —that they get their licences through a publicly owned not-for-profit corporation. If people want additional insurance or if they want additional coverage, they can still purchase that from a private insurance company. Under an NDP driver-owned non-profit scheme, any surplus that's generated would either be reinvested or distributed to drivers. By law, driver-owned auto insurance would not be allowed to subsidize government operations.

In the couple of minutes that I have left, I just want to address very briefly the issue of why we didn't do it when we were government. You will remember that in the early 1990s we had a recession going in this province that was the worst since the Depression. That was certainly one of the reasons why we didn't. However, it should be made clear that the NDP government of the day did not rule out implementing public auto insurance at a later date. With the skyrocketing premium rates of recent years, now may be the time.

I remember the debate that happened in the early 1990s about public auto insurance, because I was there. I remember meeting with the caucus and cabinet at Honey Harbour. The debate was intense and it was a very serious discussion.

I remember the pink collar workers, all the women who showed up out in front of the Legislature because of the difficult recession, telling us that if we went to public

auto insurance at that particular time they would lose their jobs. And we didn't want to do that. We didn't think it would have been the responsible thing to do at that time. However, it may be the responsible thing to do now.

I remember the champion of public auto insurance in our caucus, Mr Kormos, coming up to Sault Ste Marie in the early 1990s and speaking to a whole room full of brokers. I remember being nervous myself because I knew of the anxiety that was out there in the insurance industry around what we might do as government. I remember the member from Thorold coming up there and giving a passionate speech to that group and talking to them about public auto insurance, how it would be delivered and the benefits of that particular initiative, and him getting a standing ovation. Imagine, him getting a standing ovation from the auto insurance industry brokers in my community that evening. I've run into some of them since then, and they've said that they were disappointed when we didn't move with public auto insurance at that time, because they thought it would have been a better deal for them as well.

We're saying to them, and anybody out there tonight who is interested in public auto insurance that is affordable and accessible to all people, that they should be willing to sit down and talk to us as we move into debate, as this election is coming, about those things that affect the everyday lives of ordinary men, women and families across this province and that which we should be controlling in their interest, under the aegis of public power. Certainly public auto insurance is something that all of us need to get our head around and be willing to discuss in the next few weeks and months to come.

**Mr Michael Gravelle (Thunder Bay-Superior North):** I am very pleased to have a few moments to speak in support of this resolution as well. It really is, in its own way, a fairly benign resolution that's simply asking the Ontario government to correct their failure to protect Ontario consumers. What I want to speak about today is just how angry my constituents are in northern Ontario—northwestern Ontario, specifically.

This issue began for me a couple of years ago in a very specific way, when I saw the impact that the increases were having on our northern economy, and specifically logging truck operators who, even though many of them had perfect driving records, were seeing their rates go up by 100%, 200%, 300%. What impact this had, in essence, was that they were being forced to park their rigs and no longer were able to do the job we're expecting them to do. The impact of that has been enormous.

In fact, I wrote to Minister Flaherty, when he was the Minister of Finance; Bob Runciman, when he was the Minister of Economic Development and Trade; and Norm Sterling, when he was the Minister of Consumer and Business Relations, saying, "You've got to do something about this." I think people are angry because the government has shown no particular interest or commitment to really get involved in this issue at all. In fact, I

got an answer back saying, "We think the rates that are being set are reasonable," which was pretty unacceptable.

The impact on the economy is enormous and is growing. What we've since then is that it's gone to all commercial vehicles. I spoke last week about a gentleman who owns a towing truck business and how his rates have almost quadrupled and the impact that's going to have. People are coming up to me in the street and I'm being told that their insurance is being cancelled. Certainly for people in the north, where we need to drive our vehicles, the increases and the impact it's having on their children who will be coming to drive very, very soon are enormous.

The fact is that we have so many examples of the impact this is having. And then you add to that the retroactive charges on our Union Gas bills, you add the increases to the hydro bills, you look at all that and people are justifiably, absolutely fed up with the fact that this government is not out to protect them and is not even out to do anything about it.

We know about the legislation that was passed almost six months ago; we're still waiting for the regulations to be passed. That may not have a huge impact on reduction in rates, but it perhaps could bring some stability, and that's what we're looking for, and I think it's fair game for us to be asking for this.

**1730**

I've got example upon example that I can use. The most recent one I must tell you about. Aside from those people who are just calling me on a daily basis about their auto insurance, the impact it is having on the economy is what concerns me in a very profound way, and I think it should. I got a call from Gary Kozak, who owns the Hodder Tavern, right across from the Strathcona Golf Course; it's a great place, great history. They employ 13 people. His rates have gone up; no claims whatsoever. His rates went up 25% last year—and he allowed me to tell you this, so I'm going to—to \$12,500 a year. This year they're going up another 65% to \$20,000 a year. The impact is quite simple in his case. It means he is going to have to lay off people. That is what's happening. If the government can't be concerned about that, I don't know what they can be concerned about. The fact is it's 13 employees, one business; some are being laid off. So there's no question that the government needs to protect the consumers, needs to play some significant role.

I heard the former minister talk about the difficulties in doing all these things. I'll tell you, even when the insurance companies come forward and explain that they're paying out more than they're receiving in premiums—I certainly haven't had an opportunity to look at the books, but I can tell you that most people are concerned that indeed some of the decisions they've made in terms of the stock market have had an impact on their decisions, and I am not one to argue that case. All I can tell you is that people are angry. They are coming to me and they are saying to me, as their member, that they expect the government of the day to support them and to protect

them. When I'm hearing the stories that I'm hearing in my large riding of Thunder Bay-Superior North—because I can tell you, in every single business the rates are going up enormously, and we have got a struggle. We've got an enormous crisis right now going on in our forest products industry as a result of the softwood lumber tariffs, the rising dollar, the lack of action by the provincial government. We've lost about 2,000 people from that industry.

If we're looking at what the government should be doing, we know we need some stability, we need some action taken. We cannot just sit back and allow people to continue to be gouged or attacked and to not be protected by the government of the day. So I would ask the members on the other side of the House to look at this resolution, a quite benign resolution, and support it, and find some way to correct it so that we can protect Ontario consumers against these skyrocketing rates. Thank you very much, Mr Speaker, for the chance to say a few words.

**Mr Mike Colle (Eglinton-Lawrence):** I just want to echo the passion that our colleague from Thunder Bay had on behalf of the small business people and the consumers who have to have insurance. It's not a choice. If you want to run a business, you need that liability insurance. Auto insurance is not a choice; it's a necessity. It's so apparent that people feel there's nobody looking after their interests. They know that the government of Ontario has a job to do, and that is to ensure that their interests are protected. They frankly feel that they've been forgotten and neglected in their time of need.

The need is of paramount importance because it's hitting seniors and people on fixed incomes who are seeing their auto insurance rates double. In my own riding there is a couple who have run an appliance store for 20 years without a claim, yet all of a sudden their latest bill shows a 30% increase in their liability insurance. Over the years, they've been reluctant to even file any claim. They feel that they're not being justly treated. Frankly, they don't know who to blame. They're asking if it's the insurance companies, if it's the broker. There is a heck of a lot of uncertainty and anxiety out there.

I think the government could better spend its money perhaps explaining to people what is happening out there and what the protections are rather than, every time you turn on the television there is a self-promoting ad by Premier Eves or one of his commercials about how great things are in Ontario. Why not try to explain what's happening to people's insurance? We haven't heard anything from Premier Eves about this catastrophe in insurance; never once. I don't think he's mentioned the word since he's been Premier for the last year. I wonder if the Premier has ever looked at his insurance premium and what he pays.

It's not only cars. People who are trying to close a deal on their homes have been told, "Well, we're not going to insure you because your wiring is outdated. You're going to have to spend \$10,000 to update your wiring or the deal won't close." This has never happened. For years

people were given a grace period and things were done. Or they're told, "We're not going to insure you because the fact is that you live in a certain part of the city or you're in a certain category." People are very, very upset and confused because they're not certain what's happening. All they know is that when they get their bills from their insurance companies, they are, for car insurance, 19% or 20% higher.

A senior citizen in my riding on Roselawn Avenue, Mr McKeagan, has driven without an accident for 30 years. All of a sudden his car insurance has doubled. He says to me, "I've had no accident. Why has it doubled? Would you please let the government know that something is very rotten in the insurance business?" I don't really think it's the fault of the insurance companies. I think it's the fault of government, which is not doing its job. As my colleague from Kingston and the Islands said, there's a lot of regulatory power. This government in fact passed a bill eight months ago. Eight months ago it passed a piece of legislation that they wouldn't allow to go to public hearings to have people speak on insurance, and they've done nothing for eight months. Then they wonder why people are frustrated and angry.

I would say, call Mr Eves and ask him what he's doing to protect ordinary Ontarians about their car, home or business insurance. Why doesn't he care? Where is he on insurance? Why is he so silent? Tell him to stop wasting money on those expensive television ads that we're paying for out of tax dollars. Tell us, Mr Eves, why aren't you interested in protecting people when they're trying to get basic insurance?

**Mrs Marie Bountrogianni (Hamilton Mountain):** I'm pleased to join in this debate because I, like my colleagues, am receiving many phone calls. Either people can't afford their insurance or, worse, can't get insurance. That has become the real problem in businesses as well.

Earlier in the day I brought a case that I want to bring again—I have a little more time now—because there are many issues within this case. This is just one example: Linda and Rick, who have been driving for 31 years, have never had an accident; they have a clear driving record. Their son Scott has been driving for less than five years. They were paying, as a family, \$1,472 a year. It has now increased to \$4,525. Why is this? When Linda came in, she actually had a flow chart just so she could understand all of the ins and outs. Scott had a minor at-fault accident in a parking lot, so the son had a minor accident, and Linda had a moderate at-fault accident. Their insurance was cancelled. Remember: two drivers, 31 years, clean record.

Here's another issue. The first-accident forgiveness policy cannot be applied to Scott because he's been driving for less than five years. Even though that was the first accident in the family and your first accident is supposed to be forgiven, he can't take advantage of that because the clause says that under five years, you can't. But it can't be transferred to the mother either. So what little they had to hang on to, they've lost. There's the Catch-22 that has to be addressed. Other insurance com-

panies won't take them as a result. They went to a company; they had to. Their work depends on their driving as a family. So their rate is now three times more than the original rate. The father, Rick, has never had an accident, ever, ever, ever, and he is punished as well with paying increased insurance.

I'm really proud to stand here with my colleague from Toronto Centre-Rosedale in demanding that this government protect Ontario consumers. Basically, we have a responsibility as a government to quickly put these regulations through. I don't know what you've been waiting for all these months. You brought a bill through. You promised regulations. Where are they? That is our responsibility.

1740

Another issue I want to touch on is the 500% increase in the medical rehab costs since 1991—that was mentioned across the way as well—from \$308 million to \$1.5 billion. Of course, these are the rehabilitation costs. We have to look closely at this. Difficult decisions need to be made, but we have no choice. If constituents like Linda, Rick and Scott will continue to have insurance—can continue to have insurance—it means that we have to take a serious look at the increased rehabilitations.

Before I was elected, I was working as a psychologist. I can tell you that there are set costs, or set figures, that we charge, that the Ontario Psychological Association recommends that we charge for assessments. We have to look at how much above or below—but I believe they're way above what is actually being recommended by the Financial Services Commission of Ontario. We have to examine that. We must always have the best needs of the client first and foremost. There's no question about that.

We also have to look at the whole, the needs of all of the citizens; that is, the need to have insurance, the need to have home insurance, the need to have business insurance, the need to have car insurance. We have to balance those out, which means a careful examination of the dramatic increase in the cost of rehabilitation.

I can say that, except for perhaps the hydro issue and a little bit of Union Gas, this is now the issue that my office in Hamilton Mountain is getting most of the calls on. It is affecting people's lives. It is affecting their work. I have many businesses in my riding that are basically going to close down because of this. In the fall it was hydro, and now it's this. Every time they turn around, my constituents and the constituents of Ontario have another obstacle thrown at them. The obstacles are basically just to survive, just to live, just to be able to make money to put food on the table for their kids. They're not asking for a lot.

It's interesting. One constituent who came and spoke to me about a number of issues, insurance being one of them, said, "At times I feel I just want to be left alone. Just leave me alone. I'm doing OK, and then here's another obstacle thrown at me. Leave my hydro bills alone, leave me insurance alone. I'm not asking much from you, just leave me alone." I think when we get to that point, we have to make some tough decisions,

examine the increased costs and rethink our insurance policies.

**Mr Dave Levac (Brant):** I want to start by thanking my colleague from Toronto Centre-Rosedale, George Smitherman, for taking the lead on this and bringing this to our attention to ensure that this gets done. Something needs to get done.

Ray Hauley, a constituent of mine, is the owner-operator of Rig Guard Oversize Load Specialists in Brantford. He's also the chairman of the insurance review committee for the southern Ontario Pilot Car Association and a member of the American Professional Pilot Car Association. Pilot cars are those wonderful cars that are strewed with those lights that escort those large loads on our highway from big industry, moving our industry from one place to another.

Guess what happened? There are 100 of those in Ontario right now. Four are in my riding alone. The industry is regulated to death. This is the most safe, regulated industry on our highways, bar none. They have the safest record. Guess what they can't get? They can't get insurance. Since September 11, their rates have gone from an average of \$3,000 to \$5,000 annually to \$9,000 to \$14,000 annually, and some of them can't even operate any more because their expenses have gone right through the ceiling.

Mr Hauley surveyed 200 pilot car operators in Canada and the United States, and only one of 200 ever made a claim. Only one out of 200 ever made a claim, and there was not one charged with any violations, and yet we can't get insurance for these. He called three insurance companies with 25 different insurance brokers and none of them are insuring these operators. They've refused.

I've got to tell you that something's wrong when you've got the safest drivers on the highway, bar none, and they can't get insurance. I can't accept it. They've got to do something about this.

**Mr Michael Bryant (St Paul's):** Consumer revolt finds its way into provincial legislatures and has, particularly over the last eight years, when government has failed to manage a problem. This was the gang, the Harris-Eves government, that boasted they would come and fix government. The people who supported them expected them not only to address the particular crises of the day, but expected they would somehow manage government in a way that we didn't go from crisis to crisis.

That, of course, has not happened here: we would not be talking about this issue today and we would not have consumers calling up our offices—government offices as well—and crying foul, so that we desperately need to stabilize auto insurance premiums in Ontario, so that we desperately need to improve access to medical and rehabilitation services, so that we need to improve access to auto insurance coverage through a more competitive marketplace. If in fact the industry is put in a position of financial—if it's under water, and we know from what we've heard that this is an industry that is in trouble, then consumers can end up picking up the tab; the taxpayers can end up picking up the tab. Governments are brought

in to fix the crisis, and it's all because this government fell asleep at the switch when it came to protecting consumers with respect to auto insurance.

We know this is a government that promised a review of their much-lauded Bill 59 every two years and nothing happened. We know this government has been told and has been given opportunities on an ongoing basis, to revisit those things that needed fixing. They promised they'd fix them, but they didn't. They promised that they would manage this industry and that they would look after consumers, and they didn't. Promises made, but promises not kept.

What we are here talking about today are very straightforward principles and beginnings to deal with an extraordinarily complicated issue that cannot possibly be resolved through overly simplistic tort reforms, cannot possibly be resolved through some overly simplistic—what do you want to do?—purchase of the entire industry. I have great concerns with the entire oversimplification I heard from the member for Niagara because he thinks there could be a sound-bite solution. There are no sound-bite solutions here. It is instead the stabilization of auto insurance premiums. We need to improve access to coverage and to medical rehabilitative services. This has got to be the goal.

Let's be clear. Right now, the regulations read like the Income Tax Act. Right now, it has got to the point where there are instances of runaway costs. Yet, at the same time it is not as if the consumer, more often than not, is being served. It is not as if the industry is in a position where it is thriving and there is competition that might lead to greater consumer protection and greater consumer access. On every level there is a crisis, and a crisis coming. We can't wait, I say to the government of Ontario, until the crisis arrives and the industry is drowned and consumers are left with the tab.

It is time to start with a reliable, affordable approach to this issue and we've heard it here today. I thank the member for Toronto Centre-Rosedale for bringing this matter to the House.

**The Deputy Speaker:** The time for debate has ended. Mr Smitherman has moved opposition day number 3.

Is the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

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

*The division bells rang from 1749 to 1759.*

**The Deputy Speaker:** All those in favour of Mr smitherman's motion will please stand up one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Crozier, Bruce	McGuinty, Dalton
Bartolucci, Rick	Curling, Alvin	McMeekin, Ted
Bisson, Gilles	Di Cocco, Caroline	Patten, Richard
Bountrogianni, Marie	Duncan, Dwight	Peters, Steve
Bradley, James J.	Gerretsen, John	Phillips, Gerry
Brown, Michael A.	Gravelle, Michael	Prue, Michael
Bryant, Michael	Hoy, Pat	Pupatello, Sandra
Caplan, David	Kennedy, Gerard	Ramsay, David
Churley, Marilyn	Kormos, Peter	Ruprecht, Tony
Colle, Mike	Levac, David	Sergio, Mario
Conway, Sean G.	Martel, Shelley	Smitherman, George
Cordiano, Joseph	Martin, Tony	Sorbara, Greg

**The Deputy Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Arnott, Ted	Hardeman, Ernie	Newman, Dan
Baird, John R.	Hastings, John	O'Toole, John
Barrett, Toby	Hudak, Tim	Ouellette, Jerry J.
Beaubien, Marcel	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Johns, Helen	Sampson, Rob
Clark, Brad	Kells, Morley	Spina, Joseph
Clement, Tony	Klees, Frank	Sterling, Norman W.
Coburn, Brian	Marland, Margaret	Stewart, R. Gary
Cunningham, Dianne	Martiniuk, Gerry	Stockwell, Chris
DeFaria, Carl	Maves, Bart	Tascona, Joseph N.
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	McDonald, AL	Turnbull, David
Flaherty, Jim	Miller, Norm	Wettlaufer, Wayne
Galt, Doug	Molinari, Tina R.	Wilson, Jim
Gilchrist, Steve	Munro, Julia	Witmer, Elizabeth
Gill, Raminder	Murdoch, Bill	Wood, Bob
Guzzo, Garry J.	Mushinski, Marilyn	Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 36; the nays are 51.

**The Deputy Speaker:** I declare the motion lost.

It being about two minutes after 6, this House stands adjourned until 10 o'clock tomorrow morning.

*The House adjourned at 1802.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
18B	804	1	11	above the beach and he was there, just in case the Luft-



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	Hodgson, Chris (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Halton	Chudleigh, Ted (PC)
Beaches-East York	Prue, Michael (ND)	Hamilton East / -Est	Agostino, Dominic (L)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Brant	Levac, Dave (L)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Don Valley East / -Est	Caplan, David (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Dufferin-Peel- Wellington-Grey	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Durham	O'Toole, John R. (PC)	London West / -Ouest	Wood, Bob (PC)
Eglinton-Lawrence	Colle, Mike (L)	London-Fanshawe	Mazzilli, Frank (PC)
Elgin-Middlesex-London	Peters, Steve (L)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Mississauga Centre / -Centre	Sampson, Rob (PC)
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough East / -Est	Gilchrist, Steve (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Energy, Minister responsible for francophone affairs, deputy House leader / ministre de l'Énergie, ministre délégué aux Affaires francophones, leader parlementaire adjoint	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	McDonald, AL (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	<b>Galt, Hon / L'hon Doug</b> (PC) Minister without Portfolio, chief government whip / ministre sans portefeuille, whip en chef du gouvernement	St Catharines	Bradley, James J. (L)
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister of Transportation / ministre des Transports	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Stormont-Dundas-Charlottenburgh	Clearly, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-Baie James	Smitherman, George (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Churley, Marilyn (ND)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Centre-Rosedale	Marchese, Rosario (ND)
Peterborough	Stewart, R. Gary (PC)	Toronto-Danforth	Sorbara, Greg (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Trinity-Spadina	Sorbara, Greg (L)
Prince Edward-Hastings	Parsons, Ernie (L)	Vaughan-King-Aurora	Arnott, Ted (PC)
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Waterloo-Wellington	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	<b>Young, Hon / L'hon David</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Sault Ste Marie	Martin, Tony (ND)	Willowdale	Pupatello, Sandra (L)
		Windsor West / -Ouest	Duncan, Dwight (L)
		Windsor-St Clair	Kwinter, Monte (L)
		York Centre / -Centre	Munro, Julia (PC)
		York North / -Nord	Cordiano, Joseph (L)
		York South-Weston / York-Sud-Weston	Sergio, Mario (L)
		York West / -Ouest	
		Mississauga West / -Ouest	Vacant

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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