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Official Report of Debates (Hansard)

Wednesday 6 April 2016

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Mercredi 6 avril 2016

Standing Committee on Finance and Economic Affairs

Jobs for Today
and Tomorrow Act (Budget
Measures), 2016

Comité permanent des finances et des affaires économiques

Loi de 2016 favorisant la création
d'emplois pour aujourd'hui
et demain (mesures budgétaires)

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Wednesday 6 April 2016

Mercredi 6 avril 2016

The committee met at 0902 in room 151.

ELECTION OF CHAIR

The Clerk of the Committee (Mr. Eric Rennie): Good morning, honourable members. It is my duty to call upon you to elect a Chair. Pursuant to standing order 117(b), the Chair of the Standing Committee on Finance and Economic Affairs shall be a member of the party forming the government. Are there any nominations? Ms. Albanese.

Mrs. Laura Albanese: Thank you. I move that MPP Peter Milczyn be appointed Chair of the committee.

The Clerk of the Committee (Mr. Eric Rennie): Ms. Albanese has nominated Mr. Milczyn. Mr. Milczyn, do you accept the nomination?

Mr. Peter Z. Milczyn: I do.

The Clerk of the Committee (Mr. Eric Rennie): Are there any further nominations? Mr. Dong.

Mr. Han Dong: I nominate MPP Baker to be the Vice-Chair.

The Clerk of the Committee (Mr. Eric Rennie): We're only going to be dealing with the nomination of the Chair at this point.

Are there any further nominations for Chair? There being no further nominations, I declare the nominations closed and Mr. Milczyn elected Chair of the committee. Mr. Milczyn, may I ask you to take the chair to preside over the election of the Vice-Chair?

ELECTION OF VICE-CHAIR

The Chair (Mr. Peter Z. Milczyn): Good morning, everyone. Thank you for the confidence you've placed in me. I'll do my very best.

Now it's my duty to entertain a motion for Vice-Chair. Are there any motions?

Mr. Victor Fedeli: Let me guess.

Laughter.

The Chair (Mr. Peter Z. Milczyn): Mr. Dong.

Mr. Han Dong: Five bucks you're right.

I move that MPP Baker be the Vice-Chair.

The Chair (Mr. Peter Z. Milczyn): Thank you. Are there any other nominations? No?

Mr. Baker, are you accepting the nomination?

Mr. Yvan Baker: I accept.

The Chair (Mr. Peter Z. Milczyn): All those in favour of the motion? Carried. Congratulations, Mr. Baker.

JOBS FOR TODAY
AND TOMORROW ACT (BUDGET
MEASURES), 2016LOI DE 2016 FAVORISANT LA CRÉATION
D'EMPLOIS POUR AUJOURD'HUI
ET DEMAIN (MESURES BUDGÉTAIRES)

Consideration of the following bill:

Bill 173, An Act to implement Budget measures and to enact or amend various statutes / Projet de loi 173, Loi visant à mettre en oeuvre les mesures budgétaires et à édicter ou à modifier diverses lois.

The Chair (Mr. Peter Z. Milczyn): Thank you for your patience. Good morning, committee members. We're here this morning for the clause-by-clause consideration of Bill 173, An Act to implement Budget measures and to enact or amend various statutes. Julia Hood from legislative counsel is here to assist us with our work.

A copy of the numbered amendments received by last Tuesday's deadline is on your desk. The amendments have been numbered in the order in which the sections appear in the bill. Are there any questions before we begin? No?

Before we begin section 1, I will allow each party to make some brief comments on the bill as a whole, and afterwards debate should be limited to the section or amendment under consideration. I'll begin with the official opposition: Mr. Fedeli.

Mr. Victor Fedeli: I don't know if we have enough time for what I'd have to say about the bill.

The Chair (Mr. Peter Z. Milczyn): Brief comments.

Mr. Victor Fedeli: I think this bill is going to make life harder for the people of Ontario. We have toured our ridings over the last couple of weeks. We have heard loud and clear from seniors, from the business community and from families who are continuing to see trouble in Ontario. It may not be any one particular item, although they bring all those items. It's the cumulative effect of what this budget does to families.

It's not a budget that we'll ever be able to support. I think we've been fairly descriptive in the Legislature, each and every one of the PC MPPs, in bringing back to this Legislature in debate the comments that we've heard from our ridings, from the very people who elected us to be here and to bring those comments back.

I would only close with the ultimate comment that we were obviously disappointed to learn that the budget had

indeed been completed and in fact was sent for translation before this very committee's pre-budget consultations were even completed. I think I would like to formally place that objection. Thank you for the opportunity to speak.

The Chair (Mr. Peter Z. Milczyn): Thank you, Mr. Fedeli. Ms. Fife.

Ms. Catherine Fife: I thank you, Chair, and congratulations.

The budget measures act, Jobs for Today and Tomorrow, Bill 173: I would genuinely like to, at some point in my time here at Queen's Park, be able to come and support a major piece of legislation like this. However, on this piece—the way that it was crafted—I share the concerns of the PC opposition member who detailed the flawed process of not actually having some of the concerns reflected in the actual bill because of the process. I hope that we learned from that.

I also would like to say, on the record, that the recommendations that we worked through as a committee to have an economic analysis to be part of next year's budget process, where each party gets to bring in someone who gives an analysis of where the province is from a financial perspective—I think that that's one of the good things that came out of this year's journey.

When I look through this bill schedule by schedule, there are things like supporting the University of Waterloo Act; of course we can do that. The Wilfrid Laurier University Act: Of course we can do that. The Tobacco Tax Act: Of course we can do that. But there are major gaps from an economic perspective that this legislation is not addressing around job creation, despite the title of the bill.

0910

I'm going to be raising the accessibility issue, and we're going to start off by talking about accessibility today. I think that this piece of legislation is an opportunity for the government to at least recognize that there's a significant missed opportunity around accessibility in the province of Ontario.

I'm hopeful that next year's process is more inclusive, more comprehensive and more reflective of the needs of the people of this province. As the opposition member, I'm going to try to make some of these schedules more adaptive to and responsive to the people of this province.

Thanks very much for the opportunity.

The Chair (Mr. Peter Z. Milczyn): Thank you, Ms. Fife. Mr. Baker.

Mr. Yvan Baker: I just have some brief comments, which are that I'm very proud of this budget. I think the budget strives to address a lot of the issues that at least I hear from my constituents about, every day—major investments in health care, community care, hospital care, palliative care, and continued investments in education and many other services. We're also on track to balance the budget by 2017-18. I think there are also some major initiatives to strengthen our economy.

I'm proud of this budget and look forward to supporting it.

The Chair (Mr. Peter Z. Milczyn): As members will be aware, Bill 173 is comprised of only three sections, which enact 34 schedules. In order to deal with the bill in an orderly fashion, I'm going to suggest that we postpone the three sections in order to dispose of the 34 schedules first.

Is there unanimous consent to stand down the sections and deal with the schedules first?

Mr. Victor Fedeli: I'm sorry. I wasn't paying attention.

The Chair (Mr. Peter Z. Milczyn): I'll repeat that. Bill 173 is comprised of only three sections, which enact 34 schedules. In order to deal with the bill in an orderly fashion, I'm going to suggest that we postpone the three sections in order to dispose of the 34 schedules first.

I'm asking whether there's unanimous consent to do that.

Interjections: Yes.

The Chair (Mr. Peter Z. Milczyn): Yes? Unanimous consent? Thank you very much.

We will now proceed to schedule 1, section 1. Ms. Fife.

Ms. Catherine Fife: I'll be moving an amendment. Right?

The Chair (Mr. Peter Z. Milczyn): Yes.

Ms. Catherine Fife: Okay. Can I start?

Interjection.

The Chair (Mr. Peter Z. Milczyn): Okay, we're on section 1. You're moving an amendment to section 7.1, so we're not quite there yet.

Ms. Catherine Fife: Schedule 1.

The Chair (Mr. Peter Z. Milczyn): Section 1. Is there any discussion on schedule 1, section 1? No?

Shall schedule 1, section 1, carry? Carried.

Schedule 1, section 2: Is there any discussion? Shall schedule 1, section 2, carry? Carried.

Schedule 1, section 3: Is there any discussion? Shall schedule 1, section 3, carry? Carried.

Schedule 1, section 4: Is there any discussion? No? Shall schedule 1, section 4, carry? Carried.

Schedule 1, section 5: Is there any discussion? Shall schedule 1, section 5, carry? Carried.

Schedule 1, section 6: Is there any discussion? No? Shall schedule 1, section 6, carry? Carried.

Schedule 1, section 7: Is there any discussion?

Interjections.

The Chair (Mr. Peter Z. Milczyn): No, you're adding a new section, so that's next, Ms. Fife.

Is there any discussion on schedule 1, section 7? No? Shall schedule 1, section 7, carry? Carried.

Ms. Fife.

Ms. Catherine Fife: Thank you. The amendment is before you. I assume that you all have it. I'm making an amendment to schedule 1 to the bill. I move that schedule 1 to the bill be amended by adding the following section:

"7.1 The act is amended by adding the following section:

““Accessibility of public documents

“35.1(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

My reason for bringing this amendment to this discussion is that there was a promise back in 2007. The Liberals promised the government would review all Ontario laws for accessibility barriers. That includes 750 statutes and a number of regulations. Nine years later, the government has only reviewed 51 of the 750 Ontario statutes.

We did hear from ARCH. You’ll see in your summary of Bill 173, of the delegations, that the ARCH disability centre asks that we address issues of accessibility and accommodation for persons with disabilities and that we involve the community of persons with disabilities when reviewing legislation for such issues as barriers to participation.

Being able to access information about legislation is a well-known barrier for the people with disabilities in the province of Ontario. This amendment would ensure that all documents on websites are in an accessible format for all Ontarians. At the minimum, it must be in a format that can be read by a screen text reader or changed so that it can be read by a screen text reader.

I was going to ask for unanimous consent for this motion so that we can ensure that people in Ontario know we actually want people to have access.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: The Accessibility for Ontarians with Disabilities Act, 2005, is designed to help make life easier for Ontario’s disabled. I would think that that very act should actually practise what it preaches and be able to provide services in multiple fashions. Therefore, we would be supporting that amendment.

The Chair (Mr. Peter Z. Milczyn): Thank you.

Mr. Yvan Baker: Just for clarification, are we debating the motion at this moment?

The Chair (Mr. Peter Z. Milczyn): Yes.

Mr. Yvan Baker: Okay. As far as the motion goes, I think it creates an unneeded section in the AODA, because the AODA already grants regulation-making authority for the government to set accessibility standards regarding web content.

Through the AODA, the government has shown leadership in developing these standards as regulations and already includes detailed rules and timelines for the accessibility of web content. These standards are actually reviewed every five years by a standards development committee, as required by the AODA. So—

Interjection.

Mr. Yvan Baker: Yes, exactly. That review is coming up in the coming year. In my view, updates and revisions are best made through this process.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett.

Mr. Toby Barrett: In supporting this, it’s kind of a technical question—maybe Hansard could answer this. With a screen text reader—and I know there have been dramatic changes in technology for the blind. I know that Lions Clubs International have purchased computer-type systems. I’m just not clear. Just a technical question: How does that work, to take documents and make them audible? Does it have to be read and reread?

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett, you can’t ask questions of Hansard staff. We can get you an answer through research staff.

Mr. Toby Barrett: Sure. My point is that there have just been such dramatic changes. I get over to W. Ross on occasion, and I—does anybody know how they do this, what’s involved? An audible reader? I mean, we’ve gone beyond mechanical Braille for many people, maybe older people who are blind. I know this amendment comes up quite frequently. I think it’s important.

The Chair (Mr. Peter Z. Milczyn): We can ask our research staff to provide the committee with the answer.

Mr. Toby Barrett: Certainly.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

0920

Mrs. Laura Albanese: Chair, I don’t know if this is the right moment to say this. However, I know that the NDP has put forward several motions that will legislate accessibility standards for web materials in various statutes of the act, right? Basically, these would create new sections or open up existing ones that are not part of the budget bill. It would seem to me that since we have voted for this bill in second reading, according to the procedural rules these new sections or subsections may be out of order.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese, as we go through the various motions that have been submitted in the appropriate time, I will rule individually on which may be out of order. We’ll deal with it on an individual basis.

Mrs. Laura Albanese: I apologize. Since it’s the first one, I thought I’d bring it up because they’re very similar. There are a number of them.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Of course there have been discussions with the Clerks on this issue. This motion is not out of order because accessibility provisions are contained within the scope of the bill; therefore, they are in order because those schedules already deal with accessibility issues. Just to Vic’s point, this is the Accessibility for Ontarians with Disabilities Act. It is in order for us, as legislators, to try to make this act more accessible.

Also, it’s really unfortunate that we’re starting off on this because this issue should be a non-partisan issue, for the love of humanity. For Mr. Baker, though, to comment that it’s good enough—the people of this province want greater access to this Legislature so that they can fight for their rights.

Mrs. Laura Albanese: That’s not what he said.

Ms. Ann Hoggarth: He didn’t say that.

The Chair (Mr. Peter Z. Milczyn): One conversation at a time.

Ms. Catherine Fife: I will be very disappointed if this committee decides not to make the AODA more accessible. This is within the scope of the work that we are elected to do in this place. At the very least we should make sure that people who have disabilities in the province of Ontario can access the legislation which is portrayed as protecting their rights.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: First of all, I did not say “good enough.” I wanted to clarify that. We’re very supportive of the policy intent to remove barriers in legislation, but what I’m saying is, the best mechanism to ensure accessibility is not through the mechanism that you have proposed. What I’m saying is, there’s already a mechanism through the AODA that allows us to review these things on a five-year cycle. That is coming up this year, and it’s through that mechanism that we can ensure that we achieve our common objectives on this.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

Mrs. Laura Albanese: Yes. I also wanted to clarify—I’m very, very supportive of the intent. The only objection here is that we’d be opening certain sections and not others, and it should be thorough. That’s my only comment. As MPP Baker said, it may not be the best mechanism that we have at our disposal to achieve that intent.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Are we ready to vote? The advice I’ve received from the Clerk is that this amendment is in order.

Mr. Victor Fedeli: Is in order?

The Chair (Mr. Peter Z. Milczyn): This amendment is in order.

On motion number 1: All those in favour? Opposed? That does not carry.

Ms. Catherine Fife: Chair, point of order.

The Chair (Mr. Peter Z. Milczyn): Yes, Ms. Fife.

Ms. Catherine Fife: Will I have to ask for unanimous consent each time I try to make this piece of legislation more accessible? Is that the agreement that people have come to?

The Chair (Mr. Peter Z. Milczyn): Ms. Fife, for any amendment that was submitted, you have a right to read it in and begin the discussion on it. If I rule that a motion is out of order, then you may seek unanimous consent.

Ms. Catherine Fife: Okay.

The Chair (Mr. Peter Z. Milczyn): Members of the committee, I didn’t do this at the outset, but I’m going to request your agreement moving forward. Where there are several sections where there are no amendments, unless there is an urgent need for discussion, I’ll move that we vote on several sections together.

On schedule 1, section 8, and schedule 1, section 9, if there is no discussion: Shall they be carried? Carried.

Shall schedule 1 carry? Carried.

Schedule 2: There are no amendments or motions on sections 1 and 2, so unless somebody wants to discuss them, shall schedule 2, sections 1 and 2, carry? Carried.

Mr. Fedeli? This is on schedule 2, section 3?

Mr. Victor Fedeli: Yes. I move that subsection 3(2) of schedule 2 to the bill be struck out.

The Chair (Mr. Peter Z. Milczyn): Any discussion?

Mr. Victor Fedeli: Yes—a brief discussion. I know we’ve talked at length about this. This amendment, of course, would eliminate the tax increase on wine in the budget.

Basically, in order to have some licensees in some grocery stores only selling some products, Ontarians right across the board have to pay more. I feel that the people of Ontario shouldn’t be forced to pay because the government can’t seem to get anything right, including wine sales. At the end of the day, consumers still have no guarantee that they can get what they want when they want it and how they want it, and now they’re going to have to pay more to get things that they may not be able to get. I find that it’s absolutely a cash grab under the guise of small-l liberalizing the market. It’s nothing more than a cash grab.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Ms. Albanese?

Mrs. Laura Albanese: We’ll be voting against this motion because striking out subsection 3(2) would mean that taxes applied in winery retail stores would not be brought closer in line to markups applied to the LCBO and we would forgo tax revenue necessary to support public programs. The revenue that is generated from the wine tax supports government priorities, including health care, education and skills training, which benefit all Ontarians.

Furthermore, we want to maintain our commitment to social responsibility, so it’s important to harmonize these markups. I want to remind the member opposite that Ontarians continue to enjoy and will continue to enjoy the lowest prices in Canada for wine, and among the lowest for beer. All the revenues generated from the wine and beer changes help us to fund key government programs that people rely on, such as health care and education.

0930

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett?

Mr. Toby Barrett: You gave several reasons for jacking up the taxes and using them in general revenue to support other programs. You talk about social responsibility. I think of so many of the new wineries that are starting up. This is not helpful for these businesses. I’m just not aware—I don’t need to ask the questions, but are we aware of an increase in drinking and driving from people going to these wineries, or an increase in domestic abuse? What social programs are you referring to, as a result of the consumption of wine?

Mrs. Laura Albanese: I said it was important to harmonize the markups so that we maintain our commitment to social responsibility. I’m not aware of any increases, and I’m not suggesting any. This is a modest increase, again, to level the playing field. It doesn’t increase the price of wine exponentially; it just levels the playing field across the alcohol sectors.

Mr. Toby Barrett: I think the tax on alcohol is probably something like 80%, and this is being added to that. Maybe it's a modest increase in your view—

Mrs. Laura Albanese: We're talking about wine and beer.

Mr. Toby Barrett: Yes, very highly taxed items already. In addition to the taxes, the industry is mandated to increase the minimum price of their bottle to \$7.95. These tax increases—there's a series of them, and I think we should all be clear on this: a 2% increase annually, right through to 2018, and then there's another 1% hike in 2019.

Tax policy is significant, especially in this industry. Much of it is a developing industry; it certainly is in my riding and many areas outside of the traditional Niagara wine-producing area. We're looking at 1% that kicks in, in June this year, 1% in April 2017, 1% in April 2018 and again in April 2019. Was it 1% or 2%? I'm just not sure. I'm just concerned. Sure, it's incremental, but we're talking about a very highly taxed item.

We also know that there are going to be retail price increases with respect to cider. This covers all wine—fortified wine, low-alcohol wine. Again, there are a number of reasons that I'll vote against this.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Mrs. Albanese.

Mrs. Laura Albanese: I would just like to say that we're very supportive of this industry. The reality is that these changes open up new market opportunities for imports as well as for Ontario products. I want to reiterate that we have among the lowest prices for alcohol and beer in the country.

Mr. Toby Barrett: I should mention, too, that just reading through this list—

The Chair (Mr. Peter Z. Milczyn): Just a moment, Mr. Barrett. Is Mrs. Albanese finished?

Mrs. Laura Albanese: Yes.

The Chair (Mr. Peter Z. Milczyn): Okay. Please proceed.

Mr. Toby Barrett: Sure. I need to correct my record: It was a 2% increase each year, right up until 2018; in 2019, it's a 1% increase. I just wanted to make sure I was clear on that.

The Chair (Mr. Peter Z. Milczyn): Any further discussion?

On the motion: All those in favour? Opposed? That does not carry.

Shall schedule 2, section 3, carry? Carried.

There are no amendments to schedule 2, sections 4 through 7. Can we vote on them as a package?

Shall schedule 2, sections 4 through 7, carry? Carried.

Shall schedule 2 carry?

Mr. Victor Fedeli: We're opposed.

The Chair (Mr. Peter Z. Milczyn): Okay. Opposed? Carried?

Interjections.

The Chair (Mr. Peter Z. Milczyn): Shall schedule 2 carry? All those in favour?

Mr. Yvan Baker: Schedule 2?

The Chair (Mr. Peter Z. Milczyn): Schedule 2. Opposed? It does carry.

There are no amendments tabled for any section of schedule 3. There was a notice tabled by the NDP to vote against schedule 3.

Ms. Catherine Fife: Thank you, Chair. We will be voting down this schedule because the government has provided no details about the specific intent or implications of this legislation. For example, the agencies and benefits programs that would be covered and administered by the centralized body will be left up to regulation, removing our oversight as a provincial Legislature.

I think there is a genuine concern out there that this would be setting up services for contracting out. There was definitely a lack of consultation throughout the process. This is a significant change contained within a regulation, which has become an emerging trend of this government: to move power away to just the regulations, removing it from debate or oversight from members. The implications may be far-reaching.

Just to get this on the record, this legislation allows for the restructuring of potentially all provincially funded benefit programs province-wide and a wide range of public sector workplaces. It's genuinely surprising, and it will catch many people off guard that these changes are being sort of contained and cloaked within this piece of legislation.

New Democrats will be voting it down, as many stakeholders and Ontarians have expressed their concerns to us.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Mr. Baker.

Mr. Yvan Baker: In the 2012 budget, the government committed to benefits transformation. The purpose of that transformation is to streamline access to administration of income-based benefit programs and obtain data for outcome-based policy analysis and planning.

Voting against schedule 3 would be inconsistent with government commitments to transform the way that benefits are delivered in Ontario to benefits recipients. Voting against schedule 3 and therefore maintaining the status quo would mean longer wait times, multiple applications and processes for benefits, repeating paper-based processes and limited availability of data for program and policy evaluation.

Basically, the goal here is to create a central touch point to access benefit information. This is tremendously to the benefit of users and to policy makers. So we will be voting in favour of schedule 3 and against this notice.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: I'm sorry, I didn't even understand one word that you said about this schedule.

I just want to get on the record, though. As you'll recall, when CUPE raised their concerns, they did ask us to remove schedule 3 from Bill 173 in its entirety because they said it is "alarming when one considers its broad reach and seemingly radical implications for all benefits programs." CUPE Ontario—tens of thousands of employees—definitely has a significant trust issue with

the way that this government is managing the entire issue of benefits administration.

We would encourage the government to just remove it. It's such big piece of legislation to be buried in another omnibus bill from this government.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: Again, this is really about making sure that we have shorter wait times, simpler access, that we eliminate paper-based processes. For users, this is just going to enhance the experience and allow us to have information that aids us with policy, planning and evidence-based decision-making.

This was committed to in the 2012 budget, so this is not something that's new as a policy measure. This particular schedule allows us to streamline access to information, basically. Again, it creates a central touch point so that people can access their benefits. The central touch point would allow people to apply, update and review their file through multiple benefit programs through one portal instead of going through multiple portals. Ultimately, this is something that was committed to in the 2012 budget. It's going to enhance the user experience and it's going to enhance policy-making, so schedule 3 is important.

0940

The Chair (Mr. Peter Z. Milczyn): No further discussion?

On schedule 3, there are no amendments to sections 1 through 16. Before we proceed to voting on the schedule itself, can we vote on schedule 3, sections 1 through 16, inclusive?

Interjection: Yes.

The Chair (Mr. Peter Z. Milczyn): Shall schedule 3, sections 1 through 16, carry? Carried.

Shall schedule 3 carry? Opposed? Schedule 3 is carried.

There are no amendments tabled for schedule 4. Schedule 4, sections 1 through 10: Is there any discussion? Shall schedule 4, sections 1 through 10, carry? All those in favour?

Mr. Yvan Baker: Sorry, can you clarify, Chair, what we're voting on?

The Chair (Mr. Peter Z. Milczyn): We're voting on schedule 4, sections 1 through 10, inclusive. All those in favour? Opposed? Those sections carry.

Shall schedule 4 carry? All those in favour? Opposed? That carries.

Now we're on to schedule 5. There are no amendments proposed to schedule 5, so before we deal with the schedule as a whole, I'll ask for a vote on schedule 5, sections 1 through 4, inclusive. Shall schedule 5, sections 1 through 4, inclusive, carry? All those in favour? Opposed? Those carry.

There was a notice put forward by the NDP against adopting schedule 5. Ms. Fife?

Ms. Catherine Fife: New Democrats will be voting down the schedule because it allows the Minister of Finance to determine the tax refund percentage for vacant and excess commercial and industrial property instead of

municipalities. Municipalities should have control over their financing tools. As a former municipal politician, I'm sure that you would have felt this way when you were serving at the municipal level. It should not be left up to this government to decide what is best for them.

Quite honestly, it defies logic for the City of Toronto Act, schedule 5 of this budget bill, to have such over-arching powers for the Minister of Finance. Why have that power? Why give the Minister of Finance the power to determine the tax refund percentage for vacant and excess commercial and industrial property? We all know that these properties are going to come into play, if—I hope that this happens—vacant and excess commercial land is actually transferred over in a meaningful way for affordable housing. Municipal partners are not happy about the Minister of Finance having this kind of power. They've been quite verbal about it and they've vocalized it.

New Democrats will not be supporting schedule 5 for these reasons.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese?

Mrs. Laura Albanese: Schedule 5 wants to provide flexibility. It was a request by the city of Toronto. Voting against schedule 5 would force Toronto to continue to apply the rules that are currently in place in the act relating to tax reductions on vacant and excess land into rebates for vacant units, precluding, as I said, greater flexibility in these areas.

It would also preclude the use of simplified calculations in circumstances where the city might want to phase out tax capping for business properties and will let properties move further away from their current value assessment taxation levels.

This was a request by the city of Toronto.

Ms. Catherine Fife: Chair.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife?

Ms. Catherine Fife: It sets a dangerous precedent. If you attended the last AMO meeting in London, the tension between municipalities and this government is only growing. In fact, I think the tipping point did pass this last summer. If you move forward with these over-arching powers that the Minister of Finance has, it will only create greater distrust across the province.

We've heard from those municipalities; I have a responsibility to bring their voices to this table.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker?

Mr. Yvan Baker: First of all, I think the government has a very good relationship with municipalities. I would also say that this is actually about giving the city of Toronto what it has asked for, what it has requested, as MPP Albanese highlighted. It's really offering a municipality that has made a formal request what it has requested: to give the municipality additional flexibility—that's what this does—in terms of how it taxes vacant land.

This is actually giving the municipality something that it wants and so that's why we actually think it's the opposite of what you're suggesting it does. This doesn't hurt the municipality; it gives it what it has requested and what it needs. That's why it's there.

The Chair (Mr. Peter Z. Milczyn): Any further discussion?

Shall schedule 5 be carried? All those in favour? Opposed? That carries.

Moving on to schedule 6, motion number 3. Ms. Fife? This is a new section to be added to schedule 6.

Ms. Catherine Fife: I move that schedule 6 to the bill be amended by adding the following section:

“0.1 Section 3 of the Compensation for Victims of Crime Act is amended by adding the following subsections:

“Training

“(5) Every member of the board, including the chair, upon their appointment, shall undergo training, as specified by the chair, in capacity law and autonomy rights, including training in the Substitute Decisions Act, 1992, the Mental Health Act, the Human Rights Code, the Accessibility for Ontarians with Disabilities Act, 2005 and article 12 of the United Nations Convention on the Rights of Persons with Disabilities.

“Same

“(6) The chair and members of the board in office on the day the Jobs for Today and Tomorrow Act (Budget Measures), 2016 receives royal assent shall undergo the training described in subsection (5) within six months after that day.”

Currently, the act does not require the Criminal Injuries Compensation Board to conduct a formal capacity assessment by persons trained in capacity related matters in order to find a person incapable. The CICB—the Criminal Injuries Compensation Board—members can conduct their own capacity assessment, which is incredible. This adversely impacts the dignity of people with disabilities.

This amendment ensures that all board members, including the chair, receive adequate training on capacity law and autonomy rights prior to making a decision relating to the compensation of victims. This amendment minimizes arbitrary findings of incapacity.

Quite honestly, when we were doing our research on this, I was surprised that this wasn't already part of a process put in place. If you are sitting on the board for the Compensation for Victims of Crime Act, your skill set has to be such that you can deal with these very sensitive, marginalized, often racialized issues.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife, I should have interrupted you immediately after you finished reading the motion into the record. I'd like to rule on the admissibility of this amendment. As it proposes to amend a section to a parent act that is not before the committee, I rule that this motion is out of order.

Ms. Catherine Fife: That's very disappointing.

Interjection.

The Chair (Mr. Peter Z. Milczyn): No. I've ruled this motion out of order. We will move on to—

Ms. Catherine Fife: Just for clarity, because this is going to happen again: Next time I read the motion, I

then have to ask for unanimous consent; is that correct? Or you rule—

0950

The Chair (Mr. Peter Z. Milczyn): No, it's after a ruling, you can ask for unanimous consent or you can seek to challenge the ruling.

Ms. Catherine Fife: I can't challenge the Chair, but I can challenge the ruling, right?

I would like to then seek unanimous consent to have this motion included for the committee to debate and discuss.

The Chair (Mr. Peter Z. Milczyn): “To consider”—you should say that you're seeking unanimous consent for the committee to consider the motion.

Ms. Catherine Fife: Consider the amendment or the motion?

The Chair (Mr. Peter Z. Milczyn): Consider the motion—

Ms. Catherine Fife: So that's what I do.

I ask for unanimous consent for the committee to consider this motion before them.

The Chair (Mr. Peter Z. Milczyn): Is there unanimous consent? I heard noes.

There are no amendments to schedule 6, sections 1 and 2. Unless there's any debate, shall schedule 6, sections 1 and 2, carry? All those in favour? Opposed? Those are carried.

Motion number 4, proposed new section 2.1: Ms. Fife.

Ms. Catherine Fife: I move that schedule 6 to the bill be amended by adding the following section:

“2.1 Subsection 21(4) of the act is repealed and the following substituted:

“Payments in case of incapacity

“(4) If a person entitled to an award under this act is incapable under the Substitute Decisions Act, 1992, any amount payable may be paid on their behalf to one of the persons listed in subsection 17(1) of the Substitute Decisions Act, 1992, and amounts so paid shall be received and administered by the payee for the benefit of the incapable person.”

The Chair (Mr. Peter Z. Milczyn): I'd like to rule on the admissibility of this amendment. As it proposes to amend a section to a parent act that is not before the committee, this motion is out of order.

Ms. Catherine Fife: Chair, I'd like to ask for unanimous consent for consideration of this amendment.

The Chair (Mr. Peter Z. Milczyn): Is there unanimous consent? I heard noes.

Motion number 5: Ms. Fife.

Ms. Catherine Fife: Somebody is buying me wine today, I just want to say.

I move that schedule 6 to the bill be amended by adding the following section:

“2.2 The act is amended by adding the following section:

“Accessibility of public documents

“27.1(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available

in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

Is this in order?

The Chair (Mr. Peter Z. Milczyn): Yes.

Ms. Catherine Fife: Oh, good.

As I’ve already mentioned in my previous comments around increasing accessibility, this amendment ensures that all documents on websites will be in an accessible format for all Ontarians. At minimum, it must be in a format that can be read by a screen text reader.

Upon reflecting on some of the other comments by the committee, because this motion is in order, this is another tool or another avenue, if you will, to ensure that every Ontarian can actually have access to information, especially the Compensation for Victims of Crime Act. These are people who have been victims, who may be disabled because of the crime against them. All that we’re trying to accomplish, throughout this fairly painful process, is to ensure that they have access to the information so that they know their rights, period.

There’s no good reason not to support this motion, so I would ask for support from this committee to ensure that screen text readers are part of the process going forward.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Again, as I outlined in the last similar amendment, this amendment would ensure that documents that may be requested by someone who is disabled are provided in a format that that very person can properly utilize. After all, that is the audience that the website in this particular instance is trying to address; if it is inaccessible, that is patently against what the entire act is for.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: Again, I recommend voting against this motion. It creates an unnecessary section in the Compensation for Victims of Crime Act. Per earlier discussion, the AODA already grants the government the regulation-making authority to set accessibility standards regarding web content. These standards, like I said earlier, are reviewed every five years. That next review is due this coming year, and that allows the government to review the latest technologies on an ongoing basis and make sure it is taking the appropriate steps.

I understand the policy intent and we are supportive of the intent. My disagreement with this is really based around the fact that I do not think this is the right mechanism to do that.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: I just want to be clear: What I hear when you say that this review—there’s a reason that there’s a hashtag in the province of Ontario that says #AODAFail. That’s because the act is failing people with disabilities. I know that’s hard to hear and I know you don’t want to hear it, but what I hear in my mind when

you say “The review is going to be happening in the future” is that you are asking for people with disabilities or people who have been victimized through a crime and therefore are disabled to wait a little bit longer.

I see no reason for them to wait a little bit longer when this motion has been ruled in order. We have the ability, we have the capacity, to at least ensure that accessibility is at the heart of a proceeding that would relate to compensation for victims of crimes. I do not understand, genuinely so, why the government would not use the tools that are at your disposal to make a piece of legislation and take an opportunity to at least signal to those people in the province of Ontario with disabilities that we are willing to be more flexible, because we’re asking them to be flexible every single day.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: What I am arguing for is greater flexibility. Because the government has the regulation-making authority, that allows us to be flexible. Putting these things into legislation does not allow that as much, so I’m arguing for the fact that we already have a mechanism to address this. We have a review every five years.

You talked about the AODA, but when we passed the AODA, we were the first province in Canada with legislation that sets out clear goals and time frames. We were the first jurisdiction in the world to move to a modern regulatory regime to mandate accessibility and require staff to be trained in accessibility. Ontario is the only jurisdiction in Canada that currently has enforceable standards. I think, again, that the proposed amendments introduced as part of this budget support the steps we have taken to achieve a fully accessible Ontario by 2025 by eliminating barriers in legislation.

We already have a mechanism to address what you are trying to achieve, and what I am saying is that because we already have that mechanism, this is unnecessary. The current mechanism is, in my view, the appropriate way to approach that policy objective.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: You referenced the historic AOD Act. We were the first jurisdiction to bring an act in but then not resource that act to ensure that buildings could be accommodating, to ensure that training was part of it, and to really put the onus on all Ontarians and take the responsibility off the government to ensure that accessibility is a right. You and I can go back and forth on this all day long.

When you enshrine in legislation the rights of people with disabilities, you are signalling to them that it is a priority for the government. So ensuring that screen text readers are a tool—a mechanism, if you will—for them to have access to what actually happens at this place, that is actually a good thing. It is not tying the hands of anyone in the province of Ontario. It is putting it in legislation. It is making the rights of people with disabilities the law.

This is a small measure to put in. We would do more if it wasn’t ruled out of order.

1000

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I think the government has signalled that this is a priority, through the passing of the AODA and through the actions and regulations under the AODA. We've demonstrated that it's a priority. That's the first point.

The second point is, again, that we are not disagreeing on the policy objective of increasing accessibility. What I'm saying is the best way to ensure that and the most effective way to ensure that—not just immediately, but on an ongoing basis—is by what is allowed or supported by what the AODA already provides the government, which is regulation-making authority. Through that review, which is done every five years, we can ensure that that happens.

So we're not disagreeing on the policy intent. What we're disagreeing on is the approach. What I'm saying is that the approach that allows us to review this every five years—that allows the government to remain flexible to keep up with the times, to keep up with technology and also make Ontario accessible—is the approach that I'm advocating for.

The Chair (Mr. Peter Z. Milczyn): Further discussion?

Shall the new section 2.2 carry? All those in favour? Opposed?

Mr. Yvan Baker: I'm sorry; can you clarify?

The Chair (Mr. Peter Z. Milczyn): This is on motion 5, which is to implement a new section 2.2 to schedule 6.

Mr. Victor Fedeli: We saw some pretty good hands up over there.

The Chair (Mr. Peter Z. Milczyn): No, I saw confusion on that side.

Mr. Victor Fedeli: Well, we see that all the time.

The Chair (Mr. Peter Z. Milczyn): So all those in favour of motion number 5? All those opposed? The motion does not carry.

There are no amendments proposed to schedule 6, section 3. Is there any discussion? Shall schedule 6, section 3, carry? All those in favour? Opposed? That carries.

Mr. Victor Fedeli: We're just not used to voting twice on items, Chair.

The Chair (Mr. Peter Z. Milczyn): There was only one vote.

Shall schedule 6 carry? All those in favour? Opposed? That carries.

Moving on to schedule 7, there are no amendments to any sections in this schedule. Unless there's discussion, I will move to a vote on schedule 7, sections 1 through 3, inclusive.

Shall schedule 7, sections 1 through 3, be carried? All those in favour? Opposed? Those are carried.

Shall schedule 7 carry? All those in favour? Opposed? That is carried.

Schedule 8: There is a motion number 6 to add a new section. Ms. Fife?

Ms. Catherine Fife: I move that schedule 8 of the bill be amended by adding the following section:

“0.1 The Education Act is amended by adding the following section before part I:

“Accessibility of public documents

“1.1(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

Obviously, this amendment would ensure that all documents on websites are in an accessible format for all Ontarians. At minimum, they must be in a format that can be read by a screen reader.

I would like to say we are supportive of schedule 8, the Education Act, which prohibits a principal from unilaterally excluding a student with a disability. This is a good part of the act. This is a good piece of 173, because under section 265 of the act, it allows a school principal to exclude a student with a disability from a classroom or a school if the principal judges the student's presence to be detrimental to the physical or mental well-being of the other students at the school.

Under this part of the act, though, and as it relates to accessibility, we see including advanced technology like a screen text reader to be a part of this discussion, which ensures that the students, the parents and the staff, if they have disabilities or if they have barriers to accessing information, those barriers do not exist.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Once again, we support this amendment because this would ensure that the documents that may be requested by the disabled are provided in a format that they can properly utilize.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I know this is going to make some of the similar points that were made earlier, because I think this motion is very similar to some of the previous ones that were made.

Again, I think this creates an unneeded section in the Education Act. We already have the regulation-making authority to set accessibility standards regarding government web content. These standards are reviewed every five years. That review is coming up this year. That's required by the AODA, so that review is enshrined in legislation already. My view is that updates or revisions are best made through that ongoing process. It allows us to be flexible.

It also allows us to be consistent. Each of the motions that you've brought forward touches on different acts. What the review allows government to do is to look across government at all applications and make sure that there's a consistent approach across as well. Doing this selectively is also not the right approach.

But I just think that there's an ongoing review process that's mandated by the AODA that we brought in to

increase accessibility across the province. That's the best mechanism to achieve the objective that you're trying to achieve.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife?

Ms. Catherine Fife: To counter everything that you just said: If these one-off amendments—motions—were not successful, then the government would not have had to bring in this part of the act as it stood. If the AODA was actually working, then the government would not have to bring in schedule 8 of the Education Act, which prohibits principals from unilaterally excluding a student with a disability. If the AODA was working, then you wouldn't have to actually tell principals that they can't exclude special-needs students from the schools.

Your very argument is what you're actually doing: The government is amending the Education Act and trying to uphold the rights of students. It even goes further—and this came through ARCH again. They cite that “principals often use their discretion under that provision to exclude students because of resource short-falls”—sometimes poverty, sometimes access to information—“or because a student's disability-related needs have not been properly accommodated.”

This would be an accommodation. This should probably be happening everywhere, but it's not. That's why the NDP is trying to incorporate it into Bill 173. We're trying to double down. It's not duplication if it's not being upheld in the first place.

ARCH actually cites that because students with disabilities have not been properly accommodated in the school system in Ontario, “This violates the rights of students with disabilities to equal access to education under Ontario's Human Rights Code.”

My point is that you can't have enough protections for people with disabilities. They need protections at every corner, at every turn. Ensuring that there's a screen text reader is a small modification to ask for.

It just astounds me that the government is digging in on this issue, when these motions and these amendments have been determined to be in order. This is a tool that the government can signal, especially as it relates to students with disabilities, or special-needs students—I know you have your marching orders, but I have to argue it. I have to argue on this point especially, as the former president of the Ontario Public School Boards' Association. We saw these issues all the time.

Access to information is access to rights. The rights of people with disabilities in the province of Ontario need to be protected at every turn, and this is one of the tools.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: Again, I'm not disputing the policy intent. What I'm saying is that there's a mechanism already in place that allows us to be flexible and to adapt with the times. That review is coming up this year. That allows the folks doing the review, which is mandated by the AODA, to do just that.

We're not debating the broader AODA here. We're debating this specific motion, which speaks to content. I'm saying that there's a regulation-making authority that

the government already has, that it applies after review every five years, and that the opportunity to do that is already there, and that that's a prudent way to ensure that it's done in an updated way—such that we're flexible, as you said you wanted to be—but also consistently across government.

The Chair (Mr. Peter Z. Milczyn): Further discussion?

There being no further discussion, this will be a vote on motion number 6, to enact a new section 0.1.

Shall new section 0.1 carry? All those in favour? Opposed? That does not carry.

There are no amendments tabled for schedule 8, sections 1 through 12, so unless there is any discussion, shall schedule 8, sections 1 through 12, carry? All those in favour? Opposed? Those sections carry.

Shall schedule 8 carry? All those in favour? Opposed? That carries.

Schedule 9: There is motion number 7. Mr. Fedeli.

Mr. Victor Fedeli: Thank you, Chair. I do have a lengthy presentation to make on this.

The Chair (Mr. Peter Z. Milczyn): First you have to read the motion.

Mr. Victor Fedeli: I realize that. I'm just looking at the clock. Do we want to begin? I have a very lengthy presentation on this. Do you want me to read the motion in, and we'll go from there?

The Chair (Mr. Peter Z. Milczyn): Yes.

Mr. Victor Fedeli: This is PC motion number 7.

I move that the definitions in subsection 1(1) of the Financial Administration Act, as set out in subsection 1(1) of schedule 9 to the bill, be amended by adding the following definition:

“‘special purpose’ includes any program established by the government of Ontario relating to taxes or tax credits on carbon emissions;”

The Chair (Mr. Peter Z. Milczyn): Thank you, Mr. Fedeli.

Being mindful of the time, does the committee want to start debate on this item, or do you want to continue it at 2 o'clock when the committee reconvenes this afternoon?

Ms. Catherine Fife: At 2 o'clock.

Mrs. Laura Albanese: At 2 o'clock, yes.

The Chair (Mr. Peter Z. Milczyn): The committee is recessed until 2 p.m.

The committee recessed from 1012 to 1402.

The Chair (Mr. Peter Z. Milczyn): I call the meeting to order. When we left off, Mr. Fedeli had read into the record motion number 7. Mr. Fedeli?

Mr. Victor Fedeli: I'm not being facetious: Am I allowed to proceed without a quorum? Can I proceed?

The Chair (Mr. Peter Z. Milczyn): You may proceed.

Mr. Victor Fedeli: Thank you. I was at the motion that asked that “special purpose” include any program established by the government of Ontario relating to taxes or tax credits on carbon emissions. I was speaking specifically about money that is collected through the carbon emissions tax program, including cap-and-trade or

any of the other carbon-related taxes to be deemed a special purpose account. That's how I intended this to be.

If I may speak about the discussion paper that was presented by the government some time ago, before the end of the year: They talked about the fact that when they brought out the climate change program, there was no idea what the cost would be. Actually, they said the cost of the climate change strategy was unclear. But the very next day, the fall economic statement was released and it had charts published that preliminary projected cap-and-trade proceeds were going to be, at that time, \$1.6 billion. That, of course, changed and grew in the budget to \$1.9 billion.

We're seeing the same kind of movement with the cap-and-trade as we saw with the Hydro One budget. We now know from the Financial Accountability Officer that all of the Hydro One sale revenue is going to be used ostensibly to balance the deficit. It goes into the one fund, the transit and infrastructure fund, and that money that was already budgeted comes out and goes to pay the deficit. The Financial Accountability Officer made that very clear for us.

But now we realize that same technique is going to be used for the cap-and-trade money as well. If you look at the cap-and-trade bill, Bill 172, on page 47 they say that the money, the authorized expenditures, can be used to directly or indirectly fund costs related to schedule 1. If you go to schedule 1, right at the last page of the book, it says that of the initiatives that are allowed under cap-and-trade, public transit vehicles and infrastructure can be purchased with the cap-and-trade funds. Then you go back to page 47, section 2, item 3. They can use that money—the cap-and-trade money—then to reimburse the crown for expenditures incurred by the crown for any of those projects.

This is, quite frankly, the smoking gun that we found for hydro; it's also the same smoking gun that we find now for cap-and-trade, which is why they put that \$1.9 billion in general revenue. It's not intended to be utilized as is described. It is intended to be utilized to lower the deficit, and, as the Financial Accountability Officer described it, to artificially lower the deficit.

That's why we are saying in here that we want that program to be put into a special purpose account so that we can actually reveal to the public that, unlike the bill that we're being sold that it's being used to lower greenhouse gas emissions, it is indeed being used for roads and highways and transit. That's what you're allowing it to be, but this is for already budgeted. There's nothing new; there are no new emissions that will be changed. It's nothing more than a tax grab.

That's why, Chair, we are putting this particular amendment in. That's as far as I wanted to take it. I know Mr. Barrett may have other thoughts but I'll stop at this point.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett?

Mr. Toby Barrett: Thank you, Chair. Just to reiterate, in my view, where we are coming from on this: We take climate change seriously. We are on record that, yes,

there should be a price on carbon. As members would know, we have reservations and little use for the carbon dioxide trading system that's being proposed.

Essentially, this is all about getting carbon dioxide out of the air and capturing carbon dioxide. I think it addresses the integrity of this whole process. If the general public, many of whom are concerned about climate change, who do want their elected representatives and their government to do something specific about carbon dioxide and the impact on climate—without this amendment, it's just seen, essentially, if I can use the term, as a tax grab.

This gets around that. It very clearly establishes a special purpose account. People know where the estimated \$1.9 billion every year would be going and, if not, it's just more of the same.

This is an issue that people in the province of Ontario have been talking about since 1953. I have a *Globe and Mail* article from 1953 that talked about the greenhouse effect. I used to teach environmental science in the late 1960s and early 1970s. It was on the high school curriculum back then; then it was called the greenhouse effect, as you know. Then it was referred to as global warming, which was kind of a tough sell, especially on a day like today in April when it's snowing.

We talk about climate change and there are people in our society and there are organizations and there are business sectors—many of them have testified before this finance committee—that are in a position to do something about carbon dioxide. I think of, say, most of the land outside of our major cities, whether it's under forestry or agriculture. These sectors are in a position to do something about this. They could use an incentive; \$1.9 billion is being subtracted, by and large, from those who drive or use natural gas, for example. They need an indication beyond the fact that the \$1.9 billion gets subtracted every year and goes into general revenues.

1410

Where is the climate change fund or whatever you want to call it? Under legislation, we refer to a special purpose account; if not, in my experience, it goes into general tax revenue and we continue to talk about this, as we have been since 1953. We're not actually doing anything. Granted, we're bringing in tax revenue; 40% of gasoline price at the pump is tax now. I guess we could call that a carbon tax, whether it's the road tax, the federal excise tax or the HST, which is on top of that. This is in addition to that, as we know. I'm just talking about at the pump, where many of our people get the information. Most gasoline pumps list the taxes.

If it's left just as a tax issue going into general revenue rather than taking it beyond that—and we've had 60 years of discussion on this. We advocate taking it beyond that, that it goes into a dedicated fund. We can call it a climate change fund, for example, or whatever it wants to be called. It gives people confidence that in our society, elected representatives and this government are going to do something beyond just subtracting money and not allocating any money back to actually do something about carbon dioxide.

The Chair (Mr. Peter Z. Milczyn): Thank you. Ms. Albanese.

Mrs. Laura Albanese: This motion would add two additional subsections to section 7 of the Financial Administration Act. The first, the proposed subsection 7(7), would require that the Auditor General, as part of her review—

Mr. Victor Fedeli: No, Chair, that's not the—

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese, we're on PC motion 7—

Mrs. Laura Albanese: Number 7.

The Chair (Mr. Peter Z. Milczyn): —which is an amendment to schedule 9, subsection (1).

Mrs. Laura Albanese: Subsection (1) of the bill—

The Chair (Mr. Peter Z. Milczyn): Schedule 9, subsection (1).

Interjections.

Mr. Victor Fedeli: May I, Chair? You were referring to section 7, the Auditor General. That's not the one we're debating.

Mrs. Laura Albanese: So that's not the one?

The Chair (Mr. Peter Z. Milczyn): Motion number 7 in your package, on schedule 9.

Mr. Victor Fedeli: Motion 8 is the Auditor General.

Mrs. Laura Albanese: It's the motion—okay. I'm sorry. I'm having trouble finding my trail. Schedule 9.

The Chair (Mr. Peter Z. Milczyn): Schedule 9, section 1.

Mrs. Laura Albanese: This is the one that proposes the changes of the set definitions.

The Chair (Mr. Peter Z. Milczyn): Yes.

Mrs. Laura Albanese: The new definition for the special purpose account and a new definition for the designated purpose account; am I correct?

Mr. Victor Fedeli: It's not the one for the Auditor General. That is the next motion.

Mrs. Laura Albanese: Yes, not the one for the Auditor General.

It's about the definitions of the two accounts, the special purpose account and the designated purpose account. Am I correct? Do I have the right one?

The Chair (Mr. Peter Z. Milczyn): It seeks to amend the definition of "special purpose."

Mrs. Laura Albanese: Yes. By earmarking the money that comes into the Consolidated Revenue Fund and then tracking the expenditure, the government is able to demonstrate the use of the funds for their intended purposes.

A designated purpose account would be used to refer to the revenues of the province, the amount of which can be paid out to the Consolidated Revenue Fund under a statute and for a purpose specified in the statute. We're talking about the Trillium Trust.

This change in legislation is about adding clarity and transparency to the oversight of the funds, and adding a classification for the two purpose accounts will better describe how each will be treated under the accounting laws.

These amendments are aimed at dismantling two fictions, if I may say so. One is that the name of an account in these instances, whether it's a special purpose account or a designated purpose account, indicates a distinct and apportioned account of money to be held separate from the general Consolidated Revenue Fund; and that certain funds previously designated as special purpose accounts are subject to legal accounting restrictions—in other words, to make sure that they're on the books as liabilities.

Our view is that it would not be fiscally responsible to hold funds separate from the Consolidated Revenue Fund in distinct accounts. Special purpose accounts, as they exist now, are not accounts in the traditional sense. Both special purpose accounts and designated purpose accounts are not separate accounts; it's whether they're earmarked or tracked funds. Why? Because earmarking funds allows for all of the accountability and transparency of a separate account without the associated financial disadvantages of having separate holdings.

At the end of the day, whether or not we are calling the account a designated purpose account, what actually indicates the government's obligations around spending is the source of the money that is being spent. The government has certain obligations around money it has received from a third party that has been slated for a special purpose account and different obligations around money apportioned from the government's own revenue or assets. The government is not permitted, under public sector accounting standards, to treat any of its revenues that have been dedicated for specific purposes as liabilities.

The proposed amendment to section 7 would allow designated purpose accounts to be used in place of special purpose accounts. This would do nothing to decrease the oversight that they are currently subject to. If anything, it would make their legal characterization consistent with their required treatment under the public sector accounting standards.

Besides better clarifying accounting standards, creating designated purpose accounts allows for more effective use of public funds. For example, funds within a special purpose account have to be a liquid asset to be recognized or utilized. In the instance of Hydro One, some of the gains recognized by Ontario that were intended to be credited to the Trillium Trust would not have resulted in cash payments into the Consolidated Revenue Fund. So it wasn't possible to recognize these non-cash gains under a special purpose account model.

Other ministries with programs and projects that may reduce greenhouse gas emissions will first make proposals to the Ministry of the Environment and Climate Change. The total cost of a ministry's eligible project or program will be shown in the voted estimates along with the portion to be recovered from the designated purpose account statutory authority. So the financial activity of a designated purpose account will appear on the estimates in volume 1 of the public accounts, in the actuals, under the lead fund ministry. The Ministry of the Environment

and Climate Change is the responsible ministry with respect to the permit auction process and the policy oversight responsibility for determining whether a particular initiative could reduce greenhouse gas emissions. Instead, the Ministry of Finance has the responsibility for reporting on the Trillium Trust.

What I'm trying to say, Chair, is that these changes are meant to increase transparency in spending for accounts like the Trillium Trust and the greenhouse gases fund. Both of these funds are not being used to reduce the deficit, to increase overall revenues or serve as slush funds, as we've heard. Through the estimates document, the use of both the Trillium fund and the greenhouse gas fund will be tracked, and the government can be held accountable for its spending.

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The Chair (Mr. Peter Z. Milczyn): Thank you. Ms. Fife.

Ms. Catherine Fife: This is a pretty interesting debate, because the premise that the government is operating under is that this is actually going to make the accounting practices of the Liberal government more accountable and transparent. Yet we also know that the Financial Accountability Officer is currently looking into this very issue, even as this bill is crafted, because there's a lack of transparency.

As the critic for the NDP—and I'm sure Mr. Fedeli also received the same information at our briefing—there is definitely an ambiguity around where this money is going to go, and there's a lack of trust, actually, about where this revenue, through the cap-and-trade program, is going to go.

We probably differ from the Conservatives in that we do want to make sure that all of that revenue that is pulled in through the credit system is actually reinvested to reduce greenhouse gases, but we share the concern of the PC Party in the shell game—which we've all borne witness to—about where the money is going.

The expectation for us is that the FAO, as he is preparing a special report on the use of cap-and-trade revenues—we're going to be looking to that report for greater clarity. I think that what the PCs are trying to do is just make sure, with the premise that a "special purpose" includes any program established by the government—I mean, this government is very good at creating special purposes as they see fit. It doesn't help that the next section, which this motion does not necessarily speak to, though, says that the act will be amended to provide that a regulation under that section may be retroactive. This is almost like a get-out-of-jail regulation afterwards, an amendment to the Financial Administration Act.

The most accurate financial records in this House, as far as I can tell, are the public accounts, because that's the money that has actually been spent. In the last two years, this government says that they have invested record amounts of money into infrastructure. In the last two years, they have underspent on infrastructure by almost \$1 billion. So changing the accounting process

doesn't actually change the outcome for Ontarians, and I think that, as cap-and-trade moves forward, as this legislation around that moves forward, people have a right to know where this money is going. These changes to the Financial Administration Act do not necessarily make that more clear.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Thank you very much, Chair. I'm glad we're having this conversation, by the way.

Again, I want to reiterate what my colleague Toby Barrett had to say. Climate change is a serious challenge. It requires a credible plan to reduce greenhouse gas emissions while protecting the taxpayers and our economy. That's our position. But we're most concerned that this government will take advantage of the goodwill the public has shown on wanting to do something about combating climate change. The public is skeptical, and the government deserves that skepticism.

Again, if we go back to the Hydro One sale and we listen to the Financial Accountability Officer, he told us that there were monies put into general revenue from the sale of Hydro One that were used to artificially lower the deficit this year and next year. But once those sales are done—the expenses haven't changed, but that one-time revenue source is gone—he told us: Expect your deficit position to recur. Coincidentally, that will be just about after the time of the next election.

So he convinced us that that is what this is for. When we saw the fall economic statement, his projections were borne out. There it is in the revenue. And when you look at the actual bill, Bill 144, the finance bill that came out, it's the one that got this to happen. They can put the revenue in and take the revenue out to reimburse the government for monies already spent on infrastructure.

That's what happened in the Hydro One sale, and now, right in front of our eyes, we're watching this unfold again. Maybe the members of the government may not be fully aware of that. Again, I will repeat, much like I had to repeat about the Hydro One sale about 15 times until it was finally acknowledged and borne out by the Financial Accountability Officer, that that is indeed what happened.

That's what's about to happen here in a 56-page document, which is the Greenhouse Gas Reduction Account, and that bill. On page 47, item 68, section 2, they're very explicit on authorized expenditures of the greenhouse gas money that is collected. The \$1.9 billion is "to fund, directly or indirectly, costs relating to initiatives described in schedule 1"—I'll get to it—"to this act that are reasonably likely to reduce, or support the reduction of, greenhouse gas."

Admirable, correct, proper—let's go and look at schedule 1. Under schedule 1, you can use the cap-and-trade money to build infrastructure, to buy public transit vehicles, and the list goes on and on.

Then you go back to the last chapter, and it says that you can reimburse the money. One of the authorized expenditures of the cap-and-trade money is "to reimburse the crown for expenditures incurred by the crown" for any of those items.

Again, this is nothing different than what they did with the Hydro One money. You announce a \$130-billion infrastructure program over 10 years—this last budget beefed it up to \$160 billion over a dozen years—but now you're using that money to fund that infrastructure and taking the money that was already in that infrastructure out, and using that money to artificially reduce the deficit.

That's what's happening in Ontario today. That's why we're putting this amendment in. They can talk about the fact that "It needs to go into consolidated revenue." It's really going there because they need that revenue to artificially balance the budget. It's not being put into any new initiatives. Those are just my final thoughts on it. I won't repeat myself.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese?

Mrs. Laura Albanese: I just wanted to reiterate the fact that the proposed amendment to section 7 that would permit the designated purpose accounts to be used in place of the special purpose accounts would do nothing to decrease the oversight that they are currently subject to. If anything, it would make their legal characterization consistent with their required treatment under the public sector accounting standards. It allows for a more effective use of public funds. They will be publicly tracked in public accounts.

Earmarked commitments should not be reported as a line in the consolidated financial statements in order to ensure a clear focus on a single bottom-line report of the province's consolidated financial position.

This also avoids any appearance of the government attempting to create a liability to itself. The full-stage reporting will be in volume 1 of the public accounts and the greenhouse gas reduction fund will receive that treatment. I just wanted to reiterate that.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett?

Mr. Toby Barrett: I know we've had to reiterate a number of things here because it is complex. Again, as MPPs, it's difficult to explain this to people who are standing at a gas station pumping gas.

They have a sign on the gas pump—I've got a picture of it right here—that explains to them where the tax money is going from their gasoline. It's very clear-cut. Just for the record, this is on a Pioneer gas station, taxes on gasoline prices in Ontario: Ontario road tax, 14.7 cents per litre; federal excise tax, 10 cents per litre; and then on top of that, 13% HST. It's fairly clear-cut.

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The Ontario road tax—a lot of people have suspicions that that 14.7 cents of every litre they put into their car or their truck isn't going completely to roads. There is skepticism out there, and in fact they would know that some of that goes to subways and other forms of transportation. But at least the private sector explains the taxes very specifically in either percentages or cents per litre. Even the Environmental Commissioner herself has indicated that this Ontario road tax is not a dedicated tax to roads.

That does create the skepticism that Mr. Fedeli is speaking about, but it's still relatively clear-cut. If you

add up the price of gas today, maybe 40% of what you put in your tank is tax. It's getting up there to the level of wine, tobacco or other sin taxes, and many people resent that, especially those people with businesses where they have to have trucks on the road, vehicles on the road, or people who commute to work, people who live out in rural areas where there maybe aren't jobs next door and they have to drive into the city.

On the other side of it—again, the skepticism. Many of us recall the largest income tax hike in the history of Ontario under a previous Premier. It was called a health tax. I think a lot of people thought that was a health tax. They knew they were going to be paying it and assumed it was to be dedicated to health. It's an income tax. It was called a "health tax." There's some obfuscation there.

This is all about capturing carbon dioxide. There is a lot of skepticism out there. Many of us as elected representatives—all three parties support doing something about this. Many of our constituents don't, and this amendment, I feel, is just one way to assure people that this extra money they're putting in—for example, cap-and-trade, the estimate is, adds 4.3 cents to a litre of gasoline. That takes the Ontario road tax or subway tax, whatever they're going to put on the side of the pump, up to 19 cents a litre. People read that every time they pump their gas. Maybe they read it unconsciously because the signs are always there.

Because of the skepticism, because of the importance or the responsibility of elected leaders to explain the rationale behind taxing people to do something about climate change, I think it's important on the other side of the fence to also make it clear where that money is sitting once it is accrued from the natural gas user, the gasoline user or any other consumer of goods and services that may be subject to whatever consumption tax comes along, perhaps under the guise of climate change and under the cloak of environmentalism.

That's the concern I have, and that could be fixed in part through this amendment. It's all about carbon dioxide.

The Chair (Mr. Peter Z. Milczyn): Thank you. Mr. Baker.

Mr. Yvan Baker: I just wanted to add that the changes that are proposed here are basically designed to increase transparency, right? They're about increasing transparency, but calling a spade a spade: Both the Trillium Trust, which Mr. Fedeli referred to, and the greenhouse gas fund are not being used to reduce the deficit—we should just be honest about that—or to create a slush fund or anything like that. Through the estimates document, the use of both the Trillium and the GHG fund will be tracked and the government can be held accountable for its spending. I think this is very clear. It's transparent, and a plus for accountability.

The Chair (Mr. Peter Z. Milczyn): Thank you. No further discussion, so a vote on motion number 7, which is an amendment to schedule 9, section 1: Shall the amendment carry? All those in favour? Opposed? That does not carry.

Shall schedule 9, section 1, carry? All those in favour? Opposed? That carries.

There is no amendment tabled for schedule 9, section 2, so I'll put that to a vote. Shall schedule 9, section 2, carry? All those in favour? Opposed? That carries.

Mr. Fedeli or Mr. Barrett: motion number 8? Mr. Barrett.

Mr. Toby Barrett: I move that section 3 of schedule 9 to the bill be struck out and the following substituted:

“3. Section 7 of the act is amended by adding the following subsections:

“Recording in designated purpose account

“(6) If an act provides that money is, or is deemed to be, money paid to Ontario for a special purpose, any requirement to record receipts and disbursements of that money in a special purpose account in the Consolidated Revenue Fund or in the public accounts is deemed to be satisfied if the receipts and disbursements are recorded in a designated purpose account.

“Review by Auditor General

“(7) As part of the review that the Auditor General is required to do of the Consolidated Revenue Fund, the Auditor General shall verify that all receipts and disbursements of money that subsection (6) requires to be recorded in a special purpose account or designated purpose account have been so recorded and that all such disbursements have been disbursed for the purpose stated in the record in the applicable account.

“Revenue neutrality under carbon emission program

“(8) The government of Ontario shall not establish any program relating to taxes on carbon emissions unless it also establishes a program for corresponding tax credits so that the net effect of the two programs is no interest in the money received”—

Mr. Victor Fedeli: “No increase.”

Mr. Toby Barrett: Oh, I'm sorry—“no increase in the money received in the Consolidated Revenue Fund.”

The Chair (Mr. Peter Z. Milczyn): Thank you, Mr. Barrett. Committee members, I'm ruling this amendment out of order as it is, in my opinion, beyond the scope of the bill.

On schedule 9, section 3: If there's no further discussion, shall schedule 9, section 3, carry? All those in favour? Opposed? That carries.

There are no amendments tabled to schedule 9, sections 4 through 6. Unless there's any discussion, I'll bring it to a vote. Shall schedule 9, sections 4 through 6, inclusive, carry? All those in favour? Opposed? They're carried.

Shall schedule 9 carry? All those in favour—

Ms. Catherine Fife: I just want to give reasons.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Just on the entire schedule 9 of the bill: New Democrats will be voting down the entire schedule, a schedule that unnecessarily adds confusion over the meaning of revenue recognition and authorized expenditures, particularly for monies in the Consolidated Revenue Fund, which is exactly the opposite of what we heard from members across.

To add to the confusion, Chair, these changes do not appear to be necessary for the government to conform to public sector accounting standards, period. The concern that opposition parties have raised about the changing of designation and the renaming of accounting practices doesn't even need to be necessary by this government.

We will be voting down schedule 9, and we would recommend that other members of the committee do the same.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli?

Mr. Victor Fedeli: The PC Party will be opposing the entirety of schedule 9 as well because, much like the previous budget, where the Hydro One sale was included, it took many different pieces of a puzzle, spread out over 12 months—buried over 12 months—to be able to use that revenue, as the Financial Accountability Officer pointed out, to artificially balance the deficit.

That's exactly what's happening here. This is one of the many pieces of the puzzle that will allow the government not to use the funds exclusively for greenhouse gas emissions but to pay for previously approved and budgeted infrastructure.

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The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I just wanted to respond to that. The intention of these changes is precisely to add transparency. That's one of the key reasons, or the key reason. It is not what Mr. Fedeli was just indicating. Again, the changes are proposed to increase transparency. Both the Trillium Trust and the greenhouse gas reduction fund are not being used to reduce the deficit. I think I have to be very clear about that. They're not being used to increase overall revenues or serve as a slush fund, as has been suggested.

Through the estimates document, the use of both Trillium and greenhouse gas funds will be tracked, and the government can be held accountable for its spending. It will be completely transparent. It provides an opportunity for greater transparency and allows members of the public to ensure that they hold the government to account.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: I can't let that go unchallenged, Chair. I apologize. This is exactly the argument we heard a year ago with Hydro One. You can huff all you want. That's exactly the argument we heard from Hydro One: denials, denials and denials—maybe innocent denials. But it took the Auditor General and then the Financial Accountability Officer to tell us that that is not what happened. The money was used.

We're hearing today that the money will be going in the direction they're indicating, but we know, based on the evidence we've provided today and all the little pieces of the puzzle, that that is indeed what will happen. Perhaps, like last year, it will take the Auditor General and the Financial Accountability Officer until that time to disclose what they disclosed this year, but by then it will be too late.

The Chair (Mr. Peter Z. Milczyn): No further discussion? Shall schedule 9 carry? All those in favour? Opposed? That carries.

We move on to schedule 10. There are no amendments tabled to schedule 10, sections 1 and 2. Is there any discussion on those two sections? If not, shall section 10, sections 1 and 2, carry? All those in favour? Opposed? Those are carried.

Motion 9: Ms. Fife.

Ms. Catherine Fife: I move that schedule 10 to the bill be amended by adding the following section:

“2.1 Section 35 of the act is amended by adding the following subsections:

““Accessibility of public documents

“(3) All documents made available to the public on the Internet under subsections (1) and (2) and any other documents made available to the public on the Internet, including forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

““PDF documents

“(4) For greater certainty, a document in portable document format does not satisfy subsection (3).”

The Chair (Mr. Peter Z. Milczyn): Committee members, I'm ruling on the admissibility of this amendment: As it proposes to amend a section to a parent act that is not before the committee, this motion is out of order.

Schedule 10, section 3: There are no amendments tabled. Is there any discussion? Then shall schedule 10, section 3, carry? All those in favour? Opposed? That is carried.

Motion 10: Ms. Fife.

Ms. Catherine Fife: I move that schedule 10 to the bill be amended by adding the following section:

“3.1 The act is amended by adding the following section:

““Accessibility of public documents

“69.1(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

““PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): This amendment is deemed to be in order, so we will debate it.

Ms. Catherine Fife: Excellent. That's good.

Since this morning, I've been trying to figure out where the government is coming from on their refusal to adopt some very basic accommodations as they relate to schedules contained within the budget act. I thought that perhaps it was because the government members or their staff don't understand what a screen reader is. This goes

to Mr. Barrett's question from this morning. So I thought that I might just explain to you how simple this is:

“A screen reader is a software application that enables people with severe visual impairments to use a computer.” It's very commonly used assistive technology. “Screen readers work closely with the computer's operating system ... to provide information about icons, menus, dialogue boxes, files and folders” and the rest of it.

A screen reader interprets what is displayed on a screen and presents it to the user in a different format. Formats include text-to-speech, sound icons and Braille output.

“Screen readers are very complex, capable applications. They offer far more than mere assistance with browsing or email retrieval. A screen reader is simply another interface, a monitor replacement, offering verbal and tactile feedback rather than visual.”

This quote came from AODA Alliance website.

With every motion that I've introduced and every amendment that has failed, you'll see that I say at the end that PDF documents do not meet this test. The government puts out a lot of their information via PDF. Screen readers simply cannot read a PDF document. Because they have not adjusted to this, the government is setting up a barrier by using PDFs because the screen readers can't read a PDF document. That's how simple, that's how basic this amendment is.

I want to be really clear. This is also what disability advocates from the province are asking for. It's a very simple thing. David Lepofsky from the AODA Alliance says that he has had a chance to review these amendments—we did some consultation; I know that you did some consultation as well. He says:

“Several amendments propose to require an organization to post a notice on the organization's website, in order to ensure that the notice is accessible to people with disabilities. However, this summary does not show that the amendments require that the website itself be accessible, and that the notice be posted in an accessible format. Too many organizations, including the ... government itself, have failed to ensure full accessibility of their websites. Moreover, the timelines for website accessibility are too long, while exceptions and exemptions are too broad.”

I bring that quote to your attention because as this committee travelled around the province, we heard that those with disabilities, citizens in this province of Ontario, feel in many respects that their rights as citizens are compromised because there are barriers that are set up.

This is a barrier that can easily be accomplished through this committee. Because this motion has been ruled in order, the government is in a position to indicate to the disability advocates from across the province that they are going to make sure that those citizens have access to information through a very simple measure.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Again, we support this amendment because, as previously stated on the ones that have

been approved, this would ensure that documents required by the disabled are indeed able to be accessed by those who are disabled. So we fully support this.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I think we share and we support the policy intent of what the member is trying to do, but again, there is a process in place to make sure that issues such as these can be looked at and can be addressed.

I'm just going to reiterate that the AODA requires that standards are reviewed every five years by a standards development committee. The committee has to be comprised of a range of individuals, but it's required that it include persons with disabilities or their representatives. There's an opportunity through that process to be thorough, to be exhaustive, to be up-to-date, and also to be consistent across government in how we ensure accessibility. That process will be under way in the coming year, so that will be an opportunity for this to be addressed in a thorough, consistent manner across government. That's why we share the desire from a policy perspective for what the member's trying to do, but again, I think it's something that is best handled through the existing mechanism, which is that every-five-years review mandated under the AODA.

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The Chair (Mr. Peter Z. Milczyn): Mr. Barrett.

Mr. Toby Barrett: I appreciate a bit more information on the technology, and I have, as I mentioned, seen some of it at W. Ross Macdonald, the school for the blind in Brantford. I've looked at the equipment. I didn't really understand how it worked and didn't get to use it. My wife and I—this was several years ago—were sitting within the student body when two fellows from the Lions Club came in with this new, computerized equipment. They were the giants in the room. The kids get it. They know that Lions International, the local Lions and the sight program that they have—they can raise money and they can get this into the school just like that. There's no five-year plan, there's no waiting or deliberating.

I'm not up on the technology. The computerized technology is a godsend, it truly is. It obviously is moving so quickly and I am assuming the cost-effectiveness is there. I'm a Progressive Conservative. I'm not one to support something that I thought was going to cost the government or the taxpayer an arm or a leg. But just what little I know about it—my son is a graduate of the school for the blind. With this computerized technology, the Lions Clubs have obviously bought into this 100%. I'm just hoping we can move this forward a bit, because, like I say, it's just astounding, the technological advances and, as a result, the lowering in any cost involved.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Just to be clear, there's no cost. It's just a shift in policy, that the government not post important pieces of legislation in PDF form, so that those at home who are trying to access the information can use those screen text readers.

There may be people who don't have that technology. People obviously should have it. But for the member

opposite to say that they agree with the intent is quite frustrating. If you go back to 2007, the Liberals then promised that the government would review all of Ontario's laws for accessibility barriers. This is 2016; it's nine years later. And this included the 750 statutes and a number of regulations. Nine years later, the government has only reviewed 51 of the 750 Ontario statutes. I don't think the citizens of this province who can't read through PDF form should have to wait for the AODA review to say to the government, "You should have been doing this back in 2007." We could do this now. It's a simple amendment that the government can support.

The Chair (Mr. Peter Z. Milczyn): Thank you. If there's no further discussion, shall this amendment carry? All in favour? Opposed? The amendment is not carried.

Schedule 10, section 4: There are no amendments tabled to that. Is there any discussion? No? Then shall schedule 10, section 4, be carried? All in favour? Opposed? That carries.

Shall schedule 10 be carried? Is there any discussion? No? Shall schedule 10 carry? All in favour? Opposed? That is carried.

On schedule 11, there are two sections, 1 and 2. There are no amendments tabled to that. Is there any discussion? No? Then shall schedule 11, sections 1 and 2, carry? All in favour? Opposed? Those are carried.

Shall schedule 11 carry? All in favour? Opposed? That is carried.

Schedule 12: There are no amendments tabled for sections 1 through 6, inclusive. Is there any discussion on those sections? No? Shall schedule 12, sections 1 through 6, inclusive, be carried? All in favour? Opposed? They are carried.

There is an amendment proposed to the next section.

Mr. Toby Barrett: Yes, Chair, we have it on page 11.

The Chair (Mr. Peter Z. Milczyn): Yes, Mr. Barrett.

Mr. Toby Barrett: If the committee could turn to page 11.

The Chair (Mr. Peter Z. Milczyn): Motion number 11.

Mr. Toby Barrett: I move that section 189.1 of the Highway Traffic Act, as set out in section 7 of schedule 12 to the bill, be amended by adding the following subsection:

"Fees

"(4) Despite anything in this act, the Lieutenant Governor in Council shall not make regulations prescribing fees for the issuance, validation and replacement of permits and number plates with respect to a road-building machine if the fees exceed the fees that would be payable for that purpose with respect to the machine if it were a motor vehicle, other than a road-building machine."

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Basically, this amendment would mean that the government could not charge road-building machines an additional fee to be licensed, considering that they already now have a licence. This is creating two licence fees for road-building machinery. If I were crass, I would call it a tax grab because that's really what it is.

Many of those road-building machines are owned by municipalities. We've heard, through our Association of Municipalities of Ontario meetings, that municipalities are cash-strapped. This is just an extra tax on a municipality.

In addition, many of the road-building machines are owned by private contractors. Of course, those construction companies will end up passing that tax on to municipalities. Again, it's a circle. It will be taking away much-needed dollars from municipalities, who are supposed to be using that money for infrastructure.

These vehicles should pay a standard licensing fee like everyone else. If we have a secondary fee, a tax, that will only eventually be passed on to the consumer.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

Mrs. Laura Albanese: Yes. I would like to say, first of all, that there are no plate or permit fees for road-building machines, because they do not have the same plate and permit requirements as a commercial motor vehicle.

The purpose of schedule 12 of the budget bill is to allow the reclassification of certain types of road-building machines, also known as RBMs, into the commercial motor vehicle class. Road-building machines do not require vehicle permits or number plates, and therefore any vehicle in the RBM class is not subject to plate or permit fees.

The wording of the proposed amendment results in the amendment applying only to vehicles that will remain classified as RBMs, not to former RBMs that will now get reclassified into the commercial motor vehicle class. Because the amendment prohibits us from increasing plate and permit fees for RBMs when they are not subject to those fees in the first place, the amendment really has no effect.

The government has not announced any intention to require the road-building machines to obtain permits or plates, so no permit or plate fees of any kind are being considered for these vehicles.

In the 2014 budget, the government announced that it would be delivering on its commitment to develop a refined definition for road-building machines, in order to ensure that all truck-like vehicles operating on Ontario's highways have the same safety requirements and oversight. By enacting a new definition for this class of vehicle, we will be better able to differentiate between the traditional, typically slow-moving RBMs that are purpose-built to perform a specific function from those vehicles—we would be able to distinguish them from those vehicles that are operating at highway speeds and that are not often used for actual road-building functions.

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The wording of the proposed amendment results in the amendment applying, again, only to vehicles that will remain classified as road-building machines and not to former road-building machines. The government, I reiterate, has not announced—it has no intention—to require that RBMs obtain permits or plates. No permit or plate fees of any kind are being considered for these vehicles.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett.

Mr. Toby Barrett: A point of clarification: A road-building machine—I mean, I think they call them the goat's feet, the big drum with the goat's feet? They're like goat's feet that compress Tarvia, and there's usually two big rubber tires on the back. But you sure couldn't drive it down the highway. They're transported on a licensed trailer, a float. Or I think of the traditional—what are they called? The big steel drums, two big steel drums. What's that called? A compact—

Mr. Victor Fedeli: A steamroller.

Mr. Toby Barrett: Like a steamroller? Yeah. I don't think they use steam anymore. Maybe they do up north; I'm not sure. But again, you wouldn't drive it down the road to get it to a job site; it's on a licensed trailer. Is that what we're talking about?

Certainly a road grader, say, for the gravel roads down my way—they go up and down the highway with the blade up or down, but they don't have licence plates, as I recall.

Do we have any details on what we're talking about with these?

Mrs. Laura Albanese: Those don't at the moment have—again, they have no plates, so they are not subject to any plate or permit fees.

Mr. Toby Barrett: So the change here would classify them differently or put plates on them?

Mrs. Laura Albanese: I think the ones that are being rolled—it's a change in classification. The ones that will be rolled into the different classification, into the commercial motor vehicle class, are the ones that are faster, that can acquire higher speeds and go on a highway. Therefore, they would have a permit or a plate, but the slow ones would not.

That's my understanding. I'm not an expert on it, but that's my understanding from the briefing that we received.

Mr. Toby Barrett: On occasion I've seen, say, a John Deere tractor used in connection with construction. This is a construction version; they're yellow, not green, and they have rubber tires so that they can go down the road and oftentimes on the side of the road. They don't have plates.

I do worry about where this is heading. I would not want to see licence plates on tractors, even though tractors do use roads on occasion to get from one farm to another.

Mrs. Laura Albanese: Well, that's exactly it. There's no intention to go in that direction.

Mr. Toby Barrett: So it would cover, say, a CAT or a John Deere backhoe, or a CASE backhoe, those yellow ones with a bucket on the front and a hook for the bucket on the back? They can go down the road, but then they—

Mrs. Laura Albanese: We can get the specifics. I don't have them on me right now, but we can get those specifics from the ministry.

Mr. Toby Barrett: Sorry, I just wanted to express—

Mrs. Laura Albanese: Yes, it is a good question, and I understand why you would like the clarification.

Mr. Toby Barrett: Yes. I just want to express my concern if it sets any precedent. I do put tractors on the road, but I do not put licence plates on them. Sometimes the public asks about that: “How come there’s no licence plate?” On behalf of agribusiness, we don’t want to go down that road.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: To be clear, this Highway Traffic Act amendment is to be able to change the definition. It says here, “The definition of ‘road-building machine’ in subsection 1(1) ... is re-enacted. The current definition sets out a number of types of vehicle that are road-building machines (for example, asphalt spreaders and compactors). The new definition permits the regulations to prescribe classes of vehicles.” That’s what we’re getting at. When these vehicles are then reclassified, this will be an opportunity for a new type of plate to go on, and a tax. That’s the concern, to be clear.

The Chair (Mr. Peter Z. Milczyn): Further discussion? No? Then, on the amendment, all those in favour? Opposed? That does not carry.

Shall schedule 12, section 7, carry? All those in favour? Opposed? That is carried.

There are no amendments tabled for schedule 12, sections 8 through 11, inclusive, so I’ll call those for a vote. Shall schedule 12, sections 8 through 11, inclusive, be carried? All in favour? Opposed? Those are carried.

On schedule 12, is there any further discussion? No? Then shall schedule 12 be carried? All in favour? Opposed? That is carried.

On to schedule 13: There are no amendments tabled for schedule 13, sections 1 through 3, inclusive. Is there any discussion? No? Then shall schedule 13, sections 1 through 3, be carried? All in favour? Opposed? They are carried.

Now we have motion number 12 from the NDP. Ms. Fife?

Ms. Catherine Fife: I move that schedule 13 to the bill be amended by adding the following section:

“3.1 The act is amended by adding the following section:

““Accessibility of public documents

“13.(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

““PDF documents

“(2) For greater certainty, a document in a portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): This motion is deemed to be in order, so it can be debated.

Ms. Catherine Fife: We have already extensively debated this. If I haven’t been able to make the case for education or for victims of crime, I don’t know how I possibly could make the case for the Homemakers and Nurses Services Act. It’s a very simple accommodation,

as I’ve already stated. Actually, it should be something that the government is already currently doing so that every citizen has access to the information of the government that they elected.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Mr. Baker.

Mr. Yvan Baker: Just as before, we understand the policy intent and we’re supportive of that. We just think this isn’t the right mechanism to achieve that.

The Chair (Mr. Peter Z. Milczyn): No further discussion? Shall this amendment be carried? All in favour? Opposed? That does not carry.

On schedule 13, section 4, we have two amendments tabled. The first one: motion number 13. Mr. Fedeli?

Mr. Victor Fedeli: I move that section 4 of schedule 13 to the bill be struck out and the following substituted:

“Commencement

“4. This schedule comes into force on the day that the Minister of Health and Long-Term Care publishes a notice in the Ontario Gazette giving at least 30 days advance notice of any increase in the deductible amount for the purposes of section 20.2 of Ontario regulation 201/96 (General) made under the Ontario Drug Benefit Act.”

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli, I think you just read motion number 14.

Mr. Victor Fedeli: Oh, I didn’t think we were doing 13.

The Chair (Mr. Peter Z. Milczyn): Yes, 13 comes before 14.

Mr. Victor Fedeli: I thought you were going to— okay. Thank you. Let me—

The Chair (Mr. Peter Z. Milczyn): You can choose not to move it.

1510

Mr. Victor Fedeli: No, let me go ahead.

I move that section 4 of schedule 13 to the bill be struck out and the following substituted:

“Commencement

“4. This schedule comes into force on the day that the Minister of Health and Long-Term Care publishes a notice in the Ontario Gazette confirming that, for the purposes of section 20.2 of Ontario regulation 201/96 (General) made under the Ontario Drug Benefit Act,

“(a) the deductible amount shall not exceed \$100 for any fiscal period; and

“(b) the maximum co-payment that may be charged in respect of the supply of a listed drug product for an eligible person during a fiscal period shall not exceed \$6.11.”

The Chair (Mr. Peter Z. Milczyn): Committee members, an amendment intended to alter the commencement clause of a bill making it conditional is out of order since it exceeds the scope of the bill and attempts to introduce a new question into it. Therefore, I rule this motion out of order.

I look to the Clerk. Can we deem motion number 14 to have been read?

Interjection.

The Chair (Mr. Peter Z. Milczyn): No? Do it again if you wish to table it.

Mr. Victor Fedeli: Thank you, which is why I jumped to 14 in the first place, understanding that you would be ruling that out of order, so I will go to number 14.

I move that section 4 of schedule 13 to the bill be struck out and the following substituted:

“Commencement

“4. This schedule comes into force on the day that the Minister of Health and Long-Term Care publishes a notice in the Ontario Gazette giving at least 30 days advance notice of any increase in the deductible amount for the purposes of section 20.2 of Ontario regulation 201/96 (General) made under the Ontario Drug Benefit Act.”

The Chair (Mr. Peter Z. Milczyn): Committee members, an amendment intended to alter the commencement clause of a bill making it conditional is out of order since it exceeds the scope of the bill and attempts to introduce a new question into it and, therefore, I rule that amendment out of order.

Is there any further discussion on schedule 13, section 4? No? Then, shall schedule 13, section 4, be carried? All in favour? Opposed? That is carried.

Now on schedule 13, is there any further discussion? No? Shall schedule 13 be carried? All in favour? Opposed? That is carried.

Schedule 14: There are no amendments tabled to this tiny section of the schedule. Is there any discussion on schedule 14, sections 1 through 4, inclusive? No? Shall schedule 14, sections 1 through 4, inclusive, be carried? All in favour? Opposed? They're carried.

On schedule 14, is there any discussion? No? Shall schedule 14 be carried? All in favour? Opposed? That is carried.

Schedule 15: There are two sections and there are no amendments tabled. Is there any discussion on schedule 15, sections 1 and 2? Seeing none, shall schedule 15, sections 1 and 2, be carried? All in favour? Opposed? They're carried.

On schedule 15, is there any discussion? Seeing none, shall schedule 15 be carried? All in favour? Opposed? That is carried.

Schedule 16: There are no amendments tabled to the sections in this schedule. Is there any discussion on schedule 16, sections 1 through 4, inclusive? Seeing none, shall schedule 16, sections 1 through 4, inclusive, be carried? All in favour? Opposed? They are carried.

Ms. Fife, you've tabled notice on schedule 16?

Ms. Catherine Fife: We'll be voting down this entire schedule because, once again, it allows the Minister of Finance to determine the tax refund percentage for vacant and excess commercial and industrial property instead of municipalities. We would encourage other members to do the same.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Ms. Albanese.

Mrs. Laura Albanese: Yes, thank you. This amendment is connected to the one that we discussed in schedule 5. It would authorize regulations allowing for a different tax reduction than is currently set out in the act for commercial and industrial land in the vacant and excess land subclasses.

We'll be voting against this amendment because it would force the city of Toronto to continue to apply the rules—

Mr. Victor Fedeli: This is not an amendment, Chair. Point of order.

Mrs. Laura Albanese: Sorry, yes, you're right. It is not an amendment.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli, point of order.

Mr. Victor Fedeli: I was going to say that we're not voting on an amendment.

The Chair (Mr. Peter Z. Milczyn): No, it's the schedule.

Mrs. Laura Albanese: It's the schedule, sorry.

Mr. Victor Fedeli: But you said you're voting against it.

Mrs. Laura Albanese: Yes, I apologize.

Mr. Victor Fedeli: No, no. Are you voting against it? Is this what I understand?

Mr. Yvan Baker: We're posting a notice.

Mrs. Laura Albanese: We're posting a notice, yes.

Mr. Victor Fedeli: Oh, you're posting a notice.

Mrs. Laura Albanese: Yes, because it would force the city of Toronto to continue to apply the current rules in the act relating to tax reductions on vacant and excess land and rebates for vacant units, precluding greater flexibility in these areas, which is something that was requested by the city of Toronto.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: We believe strongly that municipalities should have control over their financing tools. It should not be left up to this government to decide what's best for them. As I said already, I think that this is precedent-setting. We won't be supporting this schedule.

Mr. Peter Z. Milczyn: Mrs. Albanese.

Mrs. Laura Albanese: Chair, again, as I previously stated this morning, this change is to allow the municipalities the greater flexibility that they've asked for. The intent is to facilitate the work of the municipality and certainly not to impose anything on them.

The Chair (Mr. Peter Z. Milczyn): No further discussion?

Shall schedule 16 be carried? All in favour? Opposed? It is carried.

Schedule 17: There are no amendments tabled to schedule 17, section 1. Is there any discussion? No? Shall schedule 17, section 1, be carried? All in favour? Opposed? That is carried.

Ms. Fife, you have motion number 15 for a new section, 1.1.

Ms. Catherine Fife: I move that schedule 17 to the bill be amended by adding the following section:

“1.1 The act is amended by adding the following section:

“Accessibility of public documents

“25.1(1) All documents made available to the public on the Internet under sections 24 and 25 and any other documents made available to the public on the Internet, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): This motion is deemed to be in order, so it can be debated.

Ms. Catherine Fife: I really don't even know what to say anymore. I've used every argument. I've made every possible case that I can around accessibility, trying to hold the government accountable even under their own AOD Act. I've asked for the AOD Act to be more accessible.

It must be partisan politics. Is it just because we brought it forward? Because there is no good reason that the government would not post documents, legislation and forms in a readable format for people who are visually impaired. It makes no sense to us. This is an opportunity for the government to show leadership on disability issues.

This is the eighth time that I've argued it and I have three more times to do so. I'll try to come up with another creative alternative, I guess.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.
1520

Mr. Yvan Baker: I appreciate that you've done it eight times. I think that, each time, it doesn't change merits of the arguments that we're making. The argument is the same as I made before. Again, the policy intent: I'm supportive and I understand, but what we're debating is not the policy intent, which is what you're spending a lot of time talking about; what we're talking about is whether or not this is the right approach to addressing that policy intent. What I'm saying is that I don't believe that it is. There's a review process, it includes the appropriate people and stakeholders, and it allows the government to be flexible and to implement changes that are consistent across government. So what we're really debating is the mechanism; we're not debating the policy intent. That's the first thing I want to clarify.

The other thing I would clarify is that the information and communication standard under the AODA does not specify specific formats or software, like those offered by Microsoft or Adobe. Instead, it requires organizations, upon request, to provide accessible formats in a timely manner that takes into account the person's accessibility needs due to disability and to consult with them. It doesn't say that one format is more or less accessible than another, but instead enables flexibility in format depending on the needs of the person with the disability.

What is considered accessible for a person is dependent on what that person requires.

The current regulation is set up in such a way that it be flexible and adaptive to people's needs. That's the way it's currently set up. But again, that could be reviewed, and it's part of this ongoing review that's the purpose of that ongoing review which is required by the AODA as well. I think what we're debating is not the policy intent; what we're debating is: What's the right mechanism to consider such a change and implement such a change? What I'm saying is that the review, which includes the appropriate stakeholders, we believe is the right way to approach something like this.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: The Chair of this committee has ruled this motion in order. You make the point, Mr. Baker, that accessibility needs to be flexible. The government needs the flexibility on this. We are arguing that there shouldn't be flexibility in making legislation or making anything that comes from this government accessible. You've left the door open since 2007. You mentioned “in a timely manner.” Nine years is a long time to wait for making documents accessible. Nine years is not timely. It isn't.

I can only quote Mr. Lepofsky from the AODA alliance. He says that, as it relates to the 11 schedules that we've brought to this committee, “a number of these proposed amendments appear to be helpful though manifestly modest in scope. They show how spelling out disability, accessibility and accommodation measures explicitly in legislation can help ensure that progress on accessibility is made. Most of the people who will use these laws are not lawyers and will not consult lawyers. Without clear direction in the legislation on steps for effective accessibility and accommodation, those steps will often not be taken and they are not being taken by your government.” It should be against the law to not make legislation accessible to people in the province of Ontario.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I think maybe you didn't hear me properly or maybe I need to be clearer. But you've completely misassigned my statement about a timely manner and what I meant by that and what I was talking about. You've talked about some broader issue. What I'm talking about here, and I'll repeat what I said, word for word, is that where a timely manner fits in is that the information and communication standard under the AODA does not specify a specific format or software, such as PDF or Microsoft, etc. Instead it requires an organization, upon request, to provide accessible formats in a timely manner that takes into account the person's accessibility needs due to disability and to consult with them. That's the current approach. That's the current regulation. So when I'm talking about a timely manner, what I mean is that people can make a request and there's an obligation to provide that information in an accessible manner that works for that particular individual. That's the goal. Right now, the current standard is designed to

be flexible and responsive to the needs of a particular individual.

In addition to that, there's a separate issue around flexibility, which is around how these standards, how that regulation I just described, is reviewed and developed. There's a process to review that on an ongoing basis, and that allows it to be flexible as well. I just wanted to clarify that.

The Chair (Mr. Peter Z. Milczyn): Thank you. Ms. Fife.

Ms. Catherine Fife: As a rebuttal, perhaps you didn't understand me. What I'm saying is that the government should be leading on accessibility issues. This motion is in order. We could lead right here and right now. That's what I'm saying.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I understand, but just because it's in order doesn't mean that it's the right approach. I'm not debating whether it's in order. What I'm saying to you is that there is a current approach that is meant to deal with this type of situation. We've got a mandated approach to make sure that we are constantly reviewing practices and regulations to make sure that they remain flexible. That's what I wanted to share with you. I'll leave it at that.

Ms. Catherine Fife: Just to be clear, the wrong approach is making a promise in the 2007 election that you are going to review all 750 statutes and only reviewing 51 nine years later. That's the wrong approach.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker. I feel like I'm at a tennis game.

Mr. Yvan Baker: That's a completely separate matter, which is not being addressed by this amendment. We are debating the amendment that you have brought forward. The amendment you brought forward doesn't address what you just talked about. The amendment you brought forward addresses a very specific issue and we are debating that specific issue.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: That comment is exactly the problem because I shouldn't have to bring forward this amendment, Mr. Baker. Neither one of us was here in 2007 when the government made this promise, but if the government had done their due diligence, I wouldn't have to read this amendment just to make legislation visually accessible for people with disabilities. That is the context, but I understand that you will not be supporting this amendment.

The Chair (Mr. Peter Z. Milczyn): Further discussion on the amendment? All those in favour? Opposed? The amendment does not carry.

Schedule 17, section 2: There is no amendment tabled to this section. Is there any discussion? No? Then on schedule 17, section 2, shall it carry? All in favour? Opposed? That is carried.

Ms. Fife, your motion number 16 for a new section 2.1.

Ms. Catherine Fife: I move that schedule 19—no. Am I on the wrong one?

The Chair (Mr. Peter Z. Milczyn): Motion 16. I think you have skipped ahead to something.

Ms. Catherine Fife: I move that schedule 17 to the bill be amended by adding the following section:

“2.1 The act is amended by adding the following section:

““Accessibility of public documents

“55(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

““PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): It is deemed to be in order.

Ms. Catherine Fife: It's in order, yes. I think that we have just had a pretty fulsome debate on this. I understand the government will not be supporting this. I would just like to reiterate that I think that it's a missed opportunity to show leadership on accessibility issues.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli?

Mr. Victor Fedeli: We will be supporting this amendment.

I had occasion to go up to Cobalt a short while ago and visit with somebody who is quite seriously visually impaired and has one of those screen readers. I have seen them in use. It was a tremendous tool. Knowing that the PDFs are not accessible on that screen reader really would take away the opportunity from those disabled who are specifically the ones who should be able to utilize that particular tool. Again, to the NDP, we will definitely be fully supporting this.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker?

Mr. Yvan Baker: I just wanted to elaborate—I hear what Mr. Fedeli is saying—on the existing regulations that are in place. The standard doesn't say that one format is more accessible than another but, instead, it enables flexibility, as I said earlier, in a format depending on the needs of the person. What is considered accessible for a person is dependent on what that person requires. For example, PDF might be perfectly accessible for someone with low vision, whereas Word might be the preferred format for a person whose screen reader can't read PDFs, and people who don't prefer screen readers may prefer non-electronic Braille documents. Additionally, accessibility often depends on the way information is structured in a document.

Again, I'm just trying to explain why the existing regulations are the way they are; they're designed to provide a certain amount of flexibility. That doesn't mean they can't be reviewed. Like I said earlier, that review is pending this year, I think in September.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Well, based on that explanation, the question is, as it pertains right now to this amendment

that's on the floor—this is the 10th time it's been on the floor—can you explain why the government cannot then follow the overarching goals of the AODA and at least not post legislation, directives and forms in a PDF model?

My point is that we shouldn't even be having this debate right now in 2016. For you to explain that that's just the way it is right now, and the AODA is going to review it—I'm sorry to say this, but we just do not have a lot of confidence in the AODA and the government reviewing, when you've only reviewed 51 statutes out of 750 in the last nine years.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker and then Ms. Wong.

Mr. Yvan Baker: As I tried to explain earlier—and maybe I wasn't clear—they can. It's not a can-or-can't issue. Like I said earlier, the current regulation allows for flexibility to post in the format that's most appropriate to the person who requests a particular format. People can request different formats according to their needs. That's why the current regulation is the way it is. I'm just clarifying that point.

The Chair (Mr. Peter Z. Milczyn): Ms. Wong.

Ms. Soo Wong: Mr. Chair, I'm going to ask for a recess for 10 minutes, please.

The Chair (Mr. Peter Z. Milczyn): Is there agreement for a 10-minute recess? I don't see any—

Mr. Victor Fedeli: Can we do it in 10 minutes?

Ms. Soo Wong: No less than 10.

Mr. Victor Fedeli: No, no, I mean can we take the recess in 10 minutes, as opposed to right this second?

Ms. Soo Wong: I want a recess now.

The Chair (Mr. Peter Z. Milczyn): The request is to have the recess now. Is there agreement?

Mr. Victor Fedeli: When we come back, I will be asking for a recess. I would like to be out at 3:45 for a few minutes.

Ms. Soo Wong: How long do you need, Mr. Fedeli? Then we can just combine the two. That way, we don't come back for two minutes and that kind of stuff. How long do you need?

Mr. Victor Fedeli: Five minutes, I think.

Ms. Soo Wong: Okay, so let's make it 15. Would you like that?

The Chair (Mr. Peter Z. Milczyn): Just a moment—

Ms. Soo Wong: Okay, because I'm asking for 10, Mr. Fedeli—

The Chair (Mr. Peter Z. Milczyn): Do you want a 20-minute recess then? That would almost take us there.

Ms. Catherine Fife: We're just in the middle of a debate though, right? We haven't voted on this amendment.

The Chair (Mr. Peter Z. Milczyn): Members may ask for a recess at any time, except during the middle of a vote. We're not in a vote; we're still debating.

Ms. Soo Wong: So I'm just asking, Mr. Chair, through you, to Mr. Fedeli, how much time does he need. Then we can then combine my 10 minutes and whatever he needs.

The Chair (Mr. Peter Z. Milczyn): A 20-minute recess? So we'll recess for 20 minutes.

The committee recessed from 1533 to 1557.

The Chair (Mr. Peter Z. Milczyn): The committee is back in session.

Before we recessed, we were debating NDP motion number 16. Is there any further debate? Mr. Baker.

Mr. Yvan Baker: I just wanted to add to the thoughts that I've shared over the course of the afternoon as we have been talking about this. The first thing I'll say is that, under the existing regulation that is already in place under the information and communication standards under the AODA, again, it doesn't specify specific formats or software such as Microsoft or Adobe or PDF, but it does require organizations, upon request, to provide accessible formats in a timely manner that takes into account a person's accessibility needs due to disability and to consult with them. This enables flexibility in format depending on what the needs are of the person with the disability. Of course, what is considered accessible for one person may be different for another person. For example, Adobe Reader PDFs might be perfectly accessible for someone with low vision whereas Word might be the preferred format for a person whose screen reader can't read PDFs. Persons who don't prefer screen readers may prefer non-electronic Braille documents, etc. Additionally, accessibility often depends on the way information is structured in a document.

The current regulation also refers to WCAG 2.0, which is an international standard for the accessibility of web-based content. I think that's important to note, and that's, again, in section 14 of the existing reg. The current process that the government has in place under the AODA grants the government regulation-setting authority to address these kinds of issues. These standards are reviewed every five years by a standards development committee required by the AODA. Half of the people on this committee are persons with disabilities.

The NDP amendment, first of all, doesn't belong in legislation; this is something that belongs in regulation. At best, it would be a Band-Aid. Also, I don't think we should presuppose the outcome of a review done by the standards development committee, which, again, is composed of persons with disabilities. They are the folks, I think, who are best equipped to consult and advise and address these standards and develop these standards, not those of us sitting here as MPPs without consultation from them.

The Chair (Mr. Peter Z. Milczyn): Thank you. Further debate? Ms. Fife.

Ms. Catherine Fife: It took you 20 minutes to go away and come back and say that? That doesn't undo the fact that 10 amendments have been brought forward all day long. I think one of them was ruled out of—

Mrs. Laura Albanese: Catherine, come on.

Ms. Catherine Fife: Excuse me—one of them was ruled out of order.

David Lepofsky, who is the AODA leadership in this province and who is consistently pushing the envelope

and challenging the status quo for this government, said, “A number of these proposed amendments appear to be helpful, though manifestly modest in scope. They show how spelling out disability accessibility and accommodation measures explicitly in legislation can help ensure that progress on accessibility is made. Most of the people who will use these laws are not lawyers and will not consult lawyers.”

For the government to say that this committee is in place and they’re going to do their due diligence—what we are saying, and why this amendment was ruled in order, is that we are the legislators. We have an opportunity to show leadership. Thus far, we have waited nine years for this government to only review 51 of the 750 Ontario statutes as it relates to accessibility.

I have tried all day to make the case for a small—this is so small. I think that’s what’s so frustrating for me. When I started at the beginning of the day, I thought this government might actually recognize that all I’m asking—there’s no cost to it. I’m just asking that the government make a commitment in legislation to communicate in a way that those with visual impairment can actually read and decipher what this government is trying to share via communication. That’s all that we have been trying to do all day long.

The Chair (Mr. Peter Z. Milczyn): Further debate? Mr. Baker.

Mr. Yvan Baker: The only thing I’ll add to what I just said is that the government has made a commitment in legislation, in the AODA, to review these regulations with the input of a committee, 50% of whom are persons with disabilities, who can best advise on the best approach to use to ensure that the changes made are not band-aid solutions and that they apply across government and that they are appropriate and address the needs of persons with disabilities. I don’t think we should presuppose the outcome of those discussions.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife?

Ms. Catherine Fife: We’re not presupposing anything. The government and the committee have all the information they need.

David Lepofsky from the AODA Alliance goes on to say, “It is also abundantly clear that these 11”—I’ve only addressed 11 in Bill 173—“laws are not the only ones among the 51 high-impact statutes, that have accessibility issues requiring legislative amendments. The government’s review appears to have been quite inadequate, if these are the only statutes that the government thinks require legislative amendments to address accessibility issues.”

Honestly, I don’t know what else to say. I’ve tried everything today to try to get this small measure passed through this budget measures act.

The Chair (Mr. Peter Z. Milczyn): Further debate? Seeing none, shall this amendment be carried? All in favour? Opposed? It’s not carried.

Schedule 17, section 3: There is no amendment tabled for this. Is there any discussion? Then shall schedule 17, section 3, be carried? All in favour? Opposed? That is carried.

Shall schedule 17 be carried? All those in favour? Opposed? That is carried.

Schedule 18: There are two sections, 1 and 2. There are no amendments tabled. Is there any discussion on these sections? No? Then shall schedule 18, sections 1 and 2, be carried? All in favour? Opposed? These sections are carried.

On schedule 18, is there any discussion? Shall schedule 18 be carried? All in favour? Opposed? Schedule 18 is carried.

Schedule 19, section 1: There is no amendment tabled for this. Is there any discussion? No? Shall schedule 19, section 1, be carried? All in favour? Opposed? It is carried.

Motion number 17 to add a new section 1.1: Ms. Fife.

Ms. Catherine Fife: I move that schedule 19 to the bill be amended by adding the following section:

“1.1 The act is amended by adding the following section:

“Accessibility of public documents

“19(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): This amendment is deemed to be in order.

Ms. Catherine Fife: That’s great.

We’ve had as fulsome a debate as I think I’ve ever had at this finance committee. Honestly, I don’t know what else to say except that, again, it’s a missed opportunity to make a small amendment to ensure that Ontario citizens have equal access to information through this legislation.

The Chair (Mr. Peter Z. Milczyn): Further debate? No? Shall this amendment be carried? All in favour? Opposed? The amendment does not carry.

Schedule 19, section 2: There is no amendment tabled. Is there any discussion? Shall schedule 19, section 2, be carried? All in favour? Opposed? It is carried.

Schedule 19: Is there any further debate? Shall schedule 19 be carried? All in favour? Opposed? Schedule 19 is carried.

Schedule 20: There is an amendment tabled to section 1. Mr. Fedeli, motion number 18—Mr. Barrett.

Mr. Toby Barrett: It’s a PC motion on page 18.

I move that section 1 of schedule 20 to the bill be amended by adding the following subsection:

“Restriction

“(3) Despite subsection (1) and any other act, the Lieutenant Governor in Council does not have the authority to borrow any sums as described in that subsection if, for the purposes of section 20.2 of Ontario regulation 201/96 (General) made under the Ontario Drug Benefit Act,

“(a) the deductible amount exceeds \$100 for any fiscal period; or

“(b) the maximum co-payment that may be charged in respect of the supply of a listed drug product for an eligible person during a fiscal period exceeds \$6.11.”

The Chair (Mr. Peter Z. Milczyn): Committee members, I am ruling this amendment out of order as it is, in my opinion, beyond the scope of the bill.

On schedule 20, section 1, is there any further discussion? No? Shall schedule 20, section 1, be carried? All in favour? Opposed? It is carried.

There are no amendments tabled to sexual—schedule 20—

Laughter.

Ms. Catherine Fife: Are you just trying to spice up this committee?

The Chair (Mr. Peter Z. Milczyn): Just trying to make things a little bit more interesting in the middle of the afternoon.

Schedule 20, sections 2 through 4: Is there any discussion? No? Then shall schedule 20, sections 2 through 4, inclusive, be carried? All in favour? Opposed? They are carried.

On schedule 20, is there any discussion? Shall schedule 20 be carried? All in favour? Opposed? It's carried.

Schedule 21: There are no amendments tabled to this schedule. We have sections 1 and 2. Is there any discussion? Shall schedule 21, sections 1 and 2, be carried? All in favour? Opposed? They're carried.

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On schedule 21, is there any discussion? No? Shall schedule 21 be carried? All in favour? Opposed? Schedule 21 is carried.

Schedule 22: We have sections 1 through 5. There are no amendments tabled. Is there any discussion? No? Then shall schedule 22, sections 1 through 5, inclusive, be carried? All in favour? Opposed? These sections are carried.

Ms. Fife, you gave notice on schedule 22.

Ms. Catherine Fife: Yes. New Democrats recommend voting against schedule 22. We cannot support a schedule that expands the number of pension plans where members and retired members of a pension plan cannot establish an advisory committee through regulations. We see it as punitive.

The Chair (Mr. Peter Z. Milczyn): Any further discussion? Ms. Albanese.

Mrs. Laura Albanese: The amendments in section 2 of schedule 22 would enable regulations to be made to set out transition rules for existing pension plan advisory committees and to set additional criteria for exemptions from the requirements of section 24 of the act. This could help prevent administrative duplication, where, for instance, a pension plan already provides for member representation in its governance structure.

The rest of the schedule 22 amendments are of a legislative housekeeping nature. So voting against schedule 22 would prevent individuals from consolidating their pension benefits in accordance with the previously

agreed-upon time frames. It would also create some confusion regarding existing pension plan advisory committees and dismiss an opportunity to reduce red tape in connection with pension plan administration.

The purpose is to streamline access to an administration of income-based benefit programs and obtain data for outcome-based policy analysis and planning.

The Chair (Mr. Peter Z. Milczyn): Any further discussion? Seeing none, shall schedule 22 be carried? All in favour? Opposed? The schedule is carried.

Schedule 23: No amendments are tabled. On sections 1 through 6, is there any discussion? Seeing none, shall schedule 23, sections 1 through 6, inclusive, be carried? All in favour? Opposed? These sections are carried.

Ms. Fife, you gave notice on schedule 23.

Ms. Catherine Fife: Yes. The pooled registered pension plans, as proposed, have significantly expensive administration fees that end up benefiting the insurance companies and the banks more than the retirees. There are actually many examples—BC, by way of an example.

New Democrats oppose the Liberals' legislation to implement what we view as very similar to the former federal government-style PRPPs. We obviously believe that Ontarians deserve to retire with dignity, but we want the pension plans to benefit the most people possible. That's why, in 2010, we introduced a motion to expand a provincial pension plan. At the time, this government voted it down.

The crafting of the PRPPs that this government has moved forward with causes us a lot of concern, especially around the increased bureaucracy, the administration fees and where the money is actually going to be going. For us, it's a matter of confidence in the way that this government is crafting PRPPs.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese?

Mrs. Laura Albanese: In the interests of harmonization, a multilateral PRPP agreement is currently being negotiated among Canadian jurisdictions. The intention is that each respective jurisdiction's PRPP legislation, in conjunction with the multilateral agreement, will create a framework for the operation of PRPPs across Canada.

The amendments proposed in the schedule, including the repeal of some amendments to the Pension Benefits Act which are not yet in force, would support this modernization. The notice would prevent Ontario from being able to fully benefit from the multilateral agreement and the coordinated and streamlined administration of PRPPs across the country, which would create economies of scale, minimize the cost and support the part of the workforce that is mobile.

As you know, Chair, we are committed to implementing a bold strategy for Ontario's retirement income security. In the 2014 budget and fall economic statement, we stated that the government's intention is to move forward with a PRPP framework that would be broadly consistent with the model introduced at the federal level and adopted by various provinces. Last year, our government passed legislation to implement the PRPPs in the province, consistent with this commitment. But as a

voluntary retirement savings vehicle, the government's preferred approach is that PRPPs would not be considered a comparable workplace pension plan in the context of the new Ontario Retirement Pension Plan. Individuals enrolled in a PRPP would therefore not be exempt from participating in the ORPP. That's how we're trying to deal with that.

The Chair (Mr. Peter Z. Milczyn): Further discussion?

Shall schedule 23 be carried? All in favour? Opposed? That is carried.

Schedule 24, section 1: There is no amendment tabled. Is there any discussion? No? Shall schedule 24, section 1, be carried? All in favour? Opposed? That is carried.

Ms. Fife: Motion 19, to create a new section, 1.1.

Ms. Catherine Fife: I move that schedule 24 to the bill be amended by adding the following section:

"1.1 The act is amended by adding the following section:

"Accessibility of public documents

"45.(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

"PDF documents

"(2) For greater certainty, a document in portable document format does not satisfy subsection (1)."

The Chair (Mr. Peter Z. Milczyn): It is in order, so please proceed.

Ms. Catherine Fife: I'm almost out of words on this. We have moved this amendment—I think that this is the 11th time now. We've made the case around accessibility. We've given the context as to why we think it's so important to bring this forward. I've gone through the context and the history of the AOD Act and referenced why there is a hash tag out there called #aodafails. I think that this is a basic right and that it's our job to try to make it right at this committee.

The Chair (Mr. Peter Z. Milczyn): Thank you. Mr. Baker.

Mr. Yvan Baker: I agree that we've debated this quite a bit, so I won't go into all the detail of the past, but I will just say that there is a current regulation in place that's designed to be flexible to the needs of persons with disabilities. It requires that information be provided in the format that's appropriate to those persons with disabilities at their request and it's going to conform with international standards that are used in many countries around the world.

The current process of the AODA requires the government to undertake a review. That review is done by a standards development committee and half that committee is composed of persons with disabilities.

First of all, this type of amendment doesn't belong in legislation, in our view; it belongs in regulation. It's something that's developed post that review, or based on

that standards development committee review. We don't want to presuppose the outcome of that review. We believe that the people involved in that review are the ones who are best equipped to recommend and put forward changes that would be appropriate to achieve the policy outcome that's being discussed here.

1620

The Chair (Mr. Peter Z. Milczyn): Thank you. Ms. Fife.

Ms. Catherine Fife: That essentially is the problem here. Mr. Baker says that there is a current regulation in place. That current regulation is not being upheld. There are inconsistencies in practices around accessibility by the government, and as I've argued all day, I think the government should be leading at this.

The second piece is that Mr. Baker referenced that some accessibility measures can be put in place at the request of an individual. Why should anybody in the province of Ontario have to request that the law be upheld, as it's in regulation? There should be no room for flexibility on accessibility. This is 2016 and we know better. As I said, this was a long-standing promise from this government back from 2007. Accessibility standards should not be optional, especially for the government.

We have heard from businesses across the province that are struggling to meet the cost. When the AODA first came out, school boards, municipalities and private companies expressed concerns about the cost of it, but they've now recognized that it's in their interests to make their businesses more accessible. To be inclusive is to be smart in the province of Ontario.

All I'm asking through this amendment is that the government doesn't post their information on PDF forms so that a screen text reader can actually access it.

We are clearly not going to agree on this, but it seems like such a small hill to fight about when, as you point out, there's a current regulation in place that's not being upheld.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: A couple of points. One is Ms. Fife said it was optional. It's not optional. Again, under the AODA, there's a regulation, and what that regulation does is it requires that information be provided in the format that is most appropriate to the individual who is requesting it. The reason that's done upon request is to ensure that it conforms to the needs of the person with the disability. What's accessible for a person is dependent on what that person requires. PDFs may be perfectly accessible for someone with low vision, whereas the Word format might be preferred for a person whose screen reader can't read PDFs, and people who don't prefer screen readers may prefer non-electronic Braille documents etc.

Again, it's designed to be flexible. Flexibility doesn't mean optionality; flexible doesn't mean optional. It's not optional. This is a regulation under the AODA. It's a requirement. But the requirement is flexible to conform to the needs of individual people with disabilities, who may have varying needs.

Now, that said, what we're saying here is that there is a review that's mandated under the AODA. It's actually happening this year, I believe in September if I'm not mistaken, and that review includes the appropriate people who can really inform us on what appropriate changes, if any, should be made to this. I wouldn't want to presuppose that outcome. I think the government needs to hear from those people.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Just a point of clarification: If the government is not posting their legislation, their forms, their documents, their directives in an accessible format, which they are not, then clearly somebody in the government currently thinks that posting information in an accessible format is flexible, it's optional, what have you. So it is not being enforced because it is not in the law. If we put it in the law today, then we wouldn't have this discussion. We wouldn't have this debate.

It's true that the committee is going to be reviewing these practices. I'm sure that this committee will likely come back and say, "This should have been done back in 2007 when the government originally made the commitment to review the 750 statutes." That's the point. All day, you have been arguing with me, and you've been saying that you share my concerns and that you agree with this policy. But clearly in practice, your government does not, because they're not even following their own regulations. That's just the fact; that's the fact right now.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: One is that I haven't been briefed or shown evidence to support that assertion. That's the first point. You haven't provided that evidence here to the committee.

The second part is around enforcement. You've raised the issue of enforcement. Your motion does not address enforcement issues. Whether it's in legislation or in regulation, it doesn't address the enforcement issue that you're raising. That's the second thing.

The third thing is that you've raised this issue of the many statutes for review. Again, your motion doesn't address that, either.

To me, those points aren't relevant to the motion that has been presented, and I think that I've presented the arguments as to why we believe the motion should be defeated, and that we should allow the standards review committee to do their work.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Mr. Baker, I should not even have to bring this amendment here. I shouldn't have to bring an amendment that asks the government to enforce their own laws. But the advocates from across the province, including the AODA, have pointed out a weakness in the way that the government is communicating with people in the province who are visually affected. They have asked us to bring forward these 11 recommendations because they did not have access. They couldn't access this information as it was presented. If you do not have all of the citizens in the province able to participate in the democracy, then the democracy is compromised.

So I'm not going to get into the fact that my amendments don't have enforcement. My point to you is that I shouldn't have to bring forward an amendment asking for enforcement.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: The amendment doesn't ask for enforcement, first of all—

Ms. Catherine Fife: No, the—

Mr. Yvan Baker: Excuse me, I have the floor.

The second thing is that I applaud the intent of what you're trying to do. All we're saying is that there's a mechanism in place for that to be done. It's being undertaken this year. It's consulting with the appropriate people, and 50% of the panel is composed of persons with a range of disabilities to ensure that it's a comprehensive approach and it's thoughtful.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Chair, it's borderline patronizing to say that you applaud our efforts. That's not why we're here. We're here to see if we can make this piece of legislation, in this particular schedule, as in the other 10 or 11 schedules that we've tried—this is in the Public Hospitals Act—just to ensure that people have access to information.

For the life of me, I do not understand why the government has dug in their heels on this. It's an indefensible position that you have taken around accessibility.

The Chair (Mr. Peter Z. Milczyn): Any further debate? Seeing none, on the amendment: All those in favour? Opposed? It does not carry.

Schedule 24, section 2: There is no amendment tabled. Is there any discussion? Shall schedule 24, section 2, be carried? All in favour? Opposed? It is carried.

On schedule 24, is there any further discussion? Shall schedule 24 be carried? All in favour? Opposed? It is carried.

Schedule 25, sections 1 through 4: There are no amendments tabled. Is there any discussion? Shall schedule 25, sections 1 through 4, inclusive, be carried? All in favour? Opposed? They're carried.

Ms. Fife, you have an amendment to introduce: a new section, 4.1.

Ms. Catherine Fife: I move that schedule 25 to the bill be amended by adding the following section:

"4.1 The act is amended by adding the following section:

“Accessibility of public documents

“35.(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): Ms. Fife, proceed.

Ms. Catherine Fife: This is the same motion that I have brought forward now 10 times, but it pertains to the Public Vehicles Act. One would think that the government would like those who are seeking information about public vehicles to be able to access that information.

1630

The Chair (Mr. Peter Z. Milczyn): Further discussion? No? On the amendment, shall the amendment be carried? All in favour? Opposed? The amendment does not carry.

Schedule 25, section 5: There is no amendment tabled. Is there any discussion? Shall schedule 25, section 5, be carried? All in favour? Opposed? It is carried.

On schedule 25, is there any further discussion? Shall schedule 25 be carried? All in favour? Opposed? Carried.

On schedule 26, we have sections 1 through 6. There are no amendments tabled. Is there any discussion? Seeing none, shall schedule 26, sections 1 through 6, inclusive, be carried? All in favour? Opposed? They are carried.

Schedule 26: Is there any further discussion? Shall schedule 26 be carried? All in favour? Opposed? Carried.

Schedule 27: On sections 1 through 5, there are no amendments tabled. Is there any discussion? Seeing none, shall schedule 27, sections 1 through 5, inclusive, be carried? All in favour? Opposed? They are carried.

Ms. Fife, there is an amendment to create a new section 5.1, page 21.

Ms. Catherine Fife: I move that schedule 27 to the bill be amended by adding the following section:

“5.1 The act is amended by adding the following section:

“Accessibility of public documents

“90.1(1) All documents available on a website for the information and use of the public under this act, including information directives and forms, must be available in a format that can be made accessible by any person and, as a minimum requirement, in a format that can be read by a screen text reader or can be modified by any person so that it can be read by a screen text reader.

“PDF documents

“(2) For greater certainty, a document in portable document format does not satisfy subsection (1).”

The Chair (Mr. Peter Z. Milczyn): The amendment is in order, so please proceed.

Ms. Catherine Fife: Finally, this amendment just ensures that all documents on websites be in an accessible format for all Ontarians. At minimum, it must be in a format that can be read by the screen text reader.

I've gone through what a screen text reader is and why the format needs to be put forward—so that the screen text reader can actually translate the information, so the information can be seen by those who are visually impaired.

I think that David Lepofsky and the AODA Alliance have done a very good job of bringing forward the 11 amendments to us and asking us to bring them to this committee. It is clear that there are more barriers that need to be addressed in the 11 laws that the government

has decided to amend or to not amend, but we definitely tried to make the case today to include some accommodations so that people could have access to documents that the government puts out.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: As this is, I think, the last of your dozen attempts, I just want to acknowledge that the PCs will indeed be supporting this again, as we supported the last almost-dozen.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: This is the 12th or one of many amendments that are similar. Our rationale as a government I've put forward in the debate around the previous 11 amendments, so I won't repeat my arguments here.

The Chair (Mr. Peter Z. Milczyn): Further debate? Seeing none, on the amendment, shall the amendment be carried? All in favour? Opposed? It is not carried.

Schedule 27, section 6: There is no amendment tabled. Is there any discussion? Shall schedule 27, section 6, be carried? All in favour? Opposed? Carried.

On schedule 27, any further debate? Shall schedule 27 be carried? All in favour? Opposed? It is carried.

On schedule 28, there are no amendments tabled for sections 1 through 20, inclusive.

Interjection.

The Chair (Mr. Peter Z. Milczyn): There is a notice on section 3 to start with.

On schedule 28, sections 1 and 2, is there any discussion? Seeing none, shall schedule 28, sections 1 and 2, be carried? All in favour? Opposed? They are carried.

Mr. Fedeli, you gave notice on schedule 28, section 3?

Mr. Victor Fedeli: Thank you, Chair and committee. The PCs will be opposing section 3 as this section raises the minimum tax levels in 2016. Thus, we will be voting against it.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Ms. Albanese?

Mrs. Laura Albanese: I just wanted to say that the purpose of this schedule is to reduce the ability of high-income earners to reduce or eliminate their taxes payable through the use of tax planning and concessions. This is to prevent an individual from using the dividend tax credit or foreign tax credit to reduce his or her minimum tax for taxation years ending after December 31, 2015. This is part of a group of amendments that include section 8 of the schedule, which would enact this to be possible. Voting down section 3 and the related amendments would result in an individual continuing to be able to use the dividend tax credit and foreign tax credit to reduce his or her minimum tax.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Then shall schedule 28, section 3, be carried? All in favour? Opposed? That is carried.

Mr. Fedeli, you've given notice on schedule 28, section 4?

Mr. Victor Fedeli: Thank you, Chair. On section 4, this section eliminates the income-splitting relief for certain classes of families. Therefore, we will be voting against this.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese?

Mrs. Laura Albanese: Yes, I would just like to specify that the purpose of the tax on split income is to discourage parents from reducing their taxes by re-directing certain types of income, such as dividends and shareholder benefits, to their children. Section 4 is part of a group of amendments, as I mentioned earlier, that is designed to impose the Ontario top marginal tax rate to split income for taxation years ending after December 31, 2015.

In this year's budget, the 2016 budget, the government announced its intention to parallel the federal approach to taxing split income by applying the top marginal tax rate to split income. That's just an explanation as to what we're doing there.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Shall schedule 28, section 4, carry? All in favour? Opposed? It's carried.

Schedule 28, section 5: Mr. Fedeli gave notice.

Mr. Victor Fedeli: Thank you. On section 5, again, this section eliminates income-splitting tax relief for certain classes of families, and thus, we will be voting against this.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese?

Mrs. Laura Albanese: This is part of the same group of amendments to impose the Ontario top marginal rate to split income. All I'll say is that the government is committed to tax fairness. When everyone pays their fair share of taxes, the programs that matter most to Ontarians are supported.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Shall schedule 28, section 5, be carried? All in favour? Opposed? It's carried.

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Schedule 28, section 6: Is there any discussion? Shall schedule 28, section 6, be carried? All in favour? Opposed? It's carried.

Schedule 28, section 7: Mr. Fedeli, you gave notice.

Mr. Victor Fedeli: Again, this section enables the elimination of income-splitting tax relief for certain classes of families. Thus, we will be voting against it.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

Mrs. Laura Albanese: This is part of the same group of amendments that we have spoken of earlier. I guess my only comment would be that this would mean a loss of revenue to the province from high-income earners, and it would create inequality with tax payments.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: I can't let that door open and not walk into that opportunity. If it wasn't for the government's waste, mismanagement and scandals, they wouldn't need the extra revenue. Thank you, Chair.

The Chair (Mr. Peter Z. Milczyn): Any further discussion?

Mrs. Laura Albanese: I'm not going to walk in that door.

The Chair (Mr. Peter Z. Milczyn): On schedule 28, section 7, shall it be carried? All in favour? Opposed? That is carried.

On schedule 28, sections 8 through 13, inclusive, is there any discussion? Seeing none, shall schedule 28, sections 8 through 13, inclusive, be carried? All in favour? Opposed? They are carried.

Schedule 28, section 14: Ms. Fife, you gave notice.

Ms. Catherine Fife: This is an interesting change that the government came forward with. It has to do with reducing the Ontario Research and Development Tax Credit. The government has cut funding because—I'm quoting from the budget—"business spending on R&D in Ontario has declined over the last decade and continues to lag the United States as a share of the economy." That's from page 333 of the budget.

We just had OBIO here last night. They did the rounds, and they visited with all party members. They were really clear. These are the health sciences researchers and investment companies that are looking to make a difference on the health care file through innovation and research.

I was genuinely surprised that there was a reduction in the Research and Development Tax Credit. Also, what we heard yesterday is that the rationale for making the cut doesn't make sense either. You don't reduce a tax credit that's actually incentivizing some funding and then say, "Well, we're doing it because people aren't investing in Ontario." This is exactly the wrong message that you're sending out to those companies. The government talks a lot about innovation. It says it wants to partner with the private sector. The private sector wants to partner on research and development and innovation in the province of Ontario, but they want to know what that level playing field would look like. Right now, it looks like a reduction in the tax credit, which will further compromise investment in innovation and research. Cutting the tax credit is a move in the wrong direction. We should be encouraging innovation, not discouraging it.

Last night, when OBIO came here, we heard first-hand how these investments and this research, when it's fully commercialized, are actually making a huge difference to the quality of health care but also potentially saving money. We all know that the health care file is a growing budget line, and innovation and research make a huge difference in that.

That's where we are around the Research and Development Tax Credit.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

Mrs. Laura Albanese: Yes. I would like to say that the member opposite is right. We did say that despite generous government support of \$400 million annually through the tax system, business spending on R&D in Ontario has declined over the last decade and does continue to lag behind the United States and other knowledge-driven economies.

The province has decided to reinvest those savings from the proposed tax credit changes into new targeted investments across key sectors of Ontario's economy, and that includes, as stated in the budget, \$35 million over five years towards establishing the Advanced

Manufacturing Consortium, investing \$20 million over three years to partner with colleges to tackle industry challenges through innovation projects and investing \$50 million over five years in world-leading research at the Perimeter Institute. This is because, as a province, we need to sharpen our competitive edge. We have to try to invest in groundbreaking knowledge-based businesses that harness the skills of Ontarians.

The reductions in the R&D tax credits will allow the government to redirect its economic strategy and invest in policies that have great impact on innovation through the Business Growth Initiative. With this initiative, the government's strategy is to increase the province's global competitiveness and to try to fast-track Ontario's knowledge-based economy, tapping into creativity, education and the skills of the people.

Through the Business Growth Initiative, the province will commit \$400 million over the next five years to create a strong innovation-driven economy that will try to catapult and push Ontario's businesses forward and lower the cost of doing business by modernizing the regulations. So we're reinvesting that money, basically.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife, then Mr. Fedeli.

Ms. Catherine Fife: You can go ahead.

Mr. Victor Fedeli: I'll be very brief. This section eliminates tax credits, and therefore we will be voting against it.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: I understand what Ms. Albanese is saying around trying to drive the knowledge economy, but the reason that we support the tax credits is that it's incredibly accountable. It's an accountable way to measure the success of these initiatives. What we heard directly from the R&D companies last night is that they didn't get the tax credits until they showed results. That's why we like tax credits and that's why we favour tax credits.

There are some outstanding questions. The Auditor General came out and said that 80% of the grants that were re-distributed, for instance the Southwestern Ontario Development Fund—she said 80% of those grants were done without using a public process.

What I'm most concerned about and why we are not supporting this change is that, despite what the government says, the Auditor General identified a gap in the process. What I heard were questions about the Business Growth Initiative and how that money is going to be distributed. Will it be an open and transparent model?

We would argue that tax credits are an incredibly accountable, transparent way that citizens, when they do make an investment through this taxation structure, see direct results, because the companies don't get the tax credits unless they demonstrate success.

The Chair (Mr. Peter Z. Milczyn): Thank you.

On schedule 28, section 14, shall it be carried? All in favour? Opposed? Carried.

Schedule 28, section 15: Ms. Fife, you gave notice.

Ms. Catherine Fife: Thank you, I think.

Around this amendment, New Democrats cannot support an amendment that claws back the Ontario Research and Development Tax Credit. Again, the government has cut funding because business spending on R&D—I already gave this rationale. We think it's a move in the wrong direction. We should be encouraging innovation and not discouraging it. As I've already pointed out, we favour tax credits.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

Mrs. Laura Albanese: I'll be brief as well. As I indicated earlier, despite the investment that the government did, business spending on R&D in Ontario had declined. So we're trying something different by re-investing the funds in new, targeted investments, because the business spending hasn't been there in the last decade—as high as we wanted it to be. So that's the reason.

The funding is still going to be available to businesses and we're still very much committed to trying to sharpen, as I said before, the competitive edge that we have in the province. It's just, I guess, a different economic policy, but still directed to businesses with the intent of growing our economy.

1650

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Thank you, Chair. Now, you know you opened another door; I'll try not to kick it in too far. But I do agree that there has been lower business spending in the last decade. You can imagine why I believe that is true, but I'll leave that one alone for you.

We will oppose section 15 because this section enables the elimination of certain tax credits. Thank you, Chair.

The Chair (Mr. Peter Z. Milczyn): Thank you. No further discussion? Shall schedule 28, section 15, be carried? All in favour? Opposed? Carried.

Schedule 28, section 16: Ms. Fife, you gave notice.

Ms. Catherine Fife: I think it's from some of the—actually, did I? Where are we right now?

Mr. Victor Fedeli: Section 16.

Ms. Catherine Fife: Oh, 16. Sorry. I think I already gave my rationale for this, Chair.

The Chair (Mr. Peter Z. Milczyn): We're all good?

Shall schedule 28, section 16, be carried? All in favour? Opposed? That is carried.

Schedule 28, section 17: Ms. Fife, you gave notice.

Ms. Catherine Fife: On this section, in general, we have some issues with the way that the government is focusing on moving forward around the knowledge economy. This is a long-standing issue for us, and we would encourage not supporting this particular section.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Chair, in general, for this entire schedule 28 and the various sections that we've been speaking about, when you take away these tax credits—those really are incentives to do things. When you look at upcoming ones here—I'll just put them all in one big grouping and, therefore, not have to speak individually about them—the Children's Activity Tax Credit—

Interjections.

Mr. Victor Fedeli: I'm going to speak about all the tax credits. I'll just get it out of the way, so I only have to speak once for 17, 18, 19 and 21.

The Ontario Children's Activity Tax Credit and the Healthy Homes Renovation Tax Credit—that is \$64 million that will be taken out of the economy. I remember the fanfare and the photo ops that the government held for this Healthy Homes Renovation Tax Credit. It was unbelievable. It was fabulous news. Lots of photo ops, lots of PR about it and then a quick cancellation of it.

The same thing goes with the children's activity tax credit. That's the one tax credit that families use so frequently, Chair. Whether it's—

Interjections.

Mr. Victor Fedeli: I know that it's hard to concentrate, but we'll get there. Whether it's kids' soccer, hockey or various things at the YMCA all of these healthy activities that kids are involved in, where parents have a tax credit to help them get through the costs, these are the very things that are the core of our society.

A healthy home tax credit is a beautiful opportunity for seniors to put a ramp in, widen the doorways, change the bathtub to make it accessible and all these kinds of things that are happening as our society is getting older—

Interjections.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli, I'm just going to interrupt you. If we could just have one conversation in the room at a time? Thank you.

Mr. Victor Fedeli: I appreciate that, Chair.

The tax credit structure: We don't pay for it until it's used. It's just an ideal opportunity for those who need it to use it.

For the government to try to balance the budget—\$64 million here, taken away from the children's activity tax credit and Healthy Homes Renovation Tax Credit—on the backs of kids and seniors I find heinous. So we will be voting against section 28. We will be opposing the upcoming sections 17, 18 and 19, for those very reasons, Chair. I thank you for the opportunity.

The Chair (Mr. Peter Z. Milczyn): Further discussion?

Mrs. Laura Albanese: Yes. Going back to the innovation tax credit, I just wanted to point out that we're not getting rid of it. Yes, we are reducing it, but we're still keeping it. The Ontario Research and Development Tax Credit is going from 4.5% to 3.5%. It should largely affect large R&D spenders in Ontario, such as BlackBerry, Magna and IBM. The Ontario Innovation Tax Credit is going from 10% to 8% and will affect mostly Canadian-owned small and medium-sized businesses in Ontario. But we're still keeping it there.

So we're trying to reinvest that reduction and to redirect the strategy because, again, the uptake has been declining. We're just looking for a better strategy. I just want to make it clear: It's not that the government is getting rid of it; it is reducing it because we haven't had the results that we were hoping for.

I know that MPP Fedeli was mentioning also the children's tax credit. In regard to that, that credit was introduced to encourage and to help parents that cannot afford, maybe, the cost of enrolling their children in extracurricular activities, and it was designed as a refundable tax credit so that low-income individuals who pay little or no Ontario income tax could fully benefit from the credit. However, we've noticed that the credit has largely gone to higher-income families who are less likely to need the help. We're trying to redirect the focus to the most vulnerable and the ones that need it the most with other initiatives that we've taken in our budget.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: It's interesting that you went back to the reduction from 4.5% to 3.5%, and then also for innovation from 10% to 8%. On the surface, it doesn't look like a huge reduction, but, you know, what we learned yesterday is that that will have a negative impact on the matching funds that the federal government was also going to invest in those companies.

Sometimes when this government brings forward legislation there are these unintended consequences. Your finance people may have thought, "Oh, this is just a small reduction." On paper, the reduction on the innovation piece—with the passing of this bill, the maximum funding for businesses falls to \$240,000. That's a potential loss of \$60,000 per eligible corporation. Then you add onto it that, because the provincial government has reduced their tax credit and their innovation funding, that has a corresponding negative impact from a federal level as well.

I guess my point is that, by reducing tax credits, you're not going to inspire private investment in these R&D companies.

As I said as well, you've made the point that the money is going to go elsewhere; it's going to go to another fund. But this is the problem: There's a confidence issue in how the government distributes money. That's why we favour a very accountable way: a transparent, upfront tax credit. Companies understand that they have to deliver results before they get that tax credit, and that makes sense to us.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese.

Mrs. Laura Albanese: I made the point earlier, and I'll make it again. I understand what the member is saying. At the same time, I would remind her that we are reinvesting the \$400 million in a new initiative: the Business Growth Initiative. This is targeted towards an innovation-driven economy, hoping that Ontario businesses will grow and be strong.

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The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Just so you know, I understand what you're saying, but this change will have a negative impact. Our companies in Ontario lose out on the federal matching dollars. That was something that I learned yesterday. Those companies asked me to bring that to this committee.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Yes, I want to weigh in on that as well. When you talk about this new \$400-million program, undoubtedly it will be rolled out with great fanfare: “Look at us; we’re spending \$400 million on this,” and not reminding anybody that all the other programs were cancelled in order to pay for it.

Mrs. Laura Albanese: It’s not cancelled—reduced, not cancelled.

Mr. Victor Fedeli: The tax credits will be reduced. The point, Chair, is that we’ve seen this movie over and over. I’ve been here five years. I served two years as a mayor before that. I saw it then. They came out with the gas tax. It was a great announcement: “Every municipality that has transit will be getting this gas tax.” I remember sitting and asking, “Hang on a second. We have to use it for transit, so what about the transit money we’re already getting? Are we still going to get that?” “Oh, yes, don’t ever worry about that. Of course you’ll still get your transit money.” Two months later, after all the fanfare on the gas tax, they cancelled the transit money.

This is it in reverse. They’ll come out with this announcement that’s paid for partially by these programs that have been reduced. We’ve seen this movie over and over and, quite frankly, it’s just so frustrating that they’ll make these announcements and then it’s the little behind-the-scenes changes that we don’t ever hear about. That’s why the opposition is here today: to shine a light on the fact that there is a massive debt, and what you’re hearing today is exactly the reason how we got into that debt and how there’s no plan to ever, ever get us out of it.

The Chair (Mr. Peter Z. Milczyn): Ms. Albanese?

Mrs. Laura Albanese: I’ll just clarify that the tax credits are not being cancelled. They’re being reduced but not cancelled.

The Chair (Mr. Peter Z. Milczyn): No further discussion? Shall schedule 28, section 17, be carried? All in favour? Opposed? It’s carried.

Schedule 28, section 18: Ms. Fife, you gave notice.

Ms. Catherine Fife: The New Democratic Party recommends voting against section 18 of schedule 28. I think that we’ve been fairly vocal about why we share some concerns around the taxation changes as they’ve been crafted in this piece of legislation.

The Chair (Mr. Peter Z. Milczyn): No further discussion? Shall schedule 28, section 18, be carried? All in favour? Opposed? It’s carried.

Schedule 28, section 19: Ms. Fife, you gave notice.

Ms. Catherine Fife: Once again, Chair, I think that we’ve been very vocal about some of the changes that the government has been putting forward—everything from negatively impacting the child tax credit for businesses around children’s activities to the renovation tax credits. Just the general direction gives us cause for concern.

The Chair (Mr. Peter Z. Milczyn): Mr. Dong?

Mr. Han Dong: I wanted to briefly comment on this. It’s set out on pages 330 to 331 of the 2016 budget. The credit was introduced to help seniors living independently in their homes by increasing the affordability of renovations that improve safety and accessibility.

The credit has had significantly less take-up than projected, and it provides little support to low-income seniors. Under the proposed amendments, the credit would not be available—I just want to clarify this—for the tax years ending on or after January 2017.

Reviewing this low take-up of the tax credit, we felt that there were more effective ways to achieve our desired outcome of supporting seniors, including providing a 5% increase per year to 2017-18 to home and community-based care, and investing an additional \$10 million annually in Behavioural Supports Ontario.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: I would ask, then, is one of these methods of supporting seniors by doubling their drug benefit plan and adding a dollar to each prescription? That doesn’t sound like anything that’s supportive of seniors to me, and it was in the same budget. I’m quite surprised at that.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Victor Fedeli: Did you not understand the announcement? A “pause.” They’re pausing it.

Interjections.

The Chair (Mr. Peter Z. Milczyn): One person at a time. Mr. Fedeli, are you finished?

Mr. Victor Fedeli: I’m now finished, thank you.

The Chair (Mr. Peter Z. Milczyn): I recognize Mr. Baker.

Mr. Yvan Baker: In light of the recent news, I think it’s disingenuous to bring that forward in that way. The Premier reviewed the decision, and she has decided not to go ahead with what was in that budget.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: Well, thank you. You can announce here that you’re not going ahead with it; the announcement said it was “paused.” Certainly, it can be paused for the time we’re here to debate it. There’s no date—

Interjection.

Mr. Victor Fedeli: Again with the huff. I’m done.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: Thank you, Chair. It’s an interesting change, this elimination of the Healthy Homes Renovation Tax Credit, and I wasn’t going to go too much into it, but the premise that they are going to move the 5% out into the community when we do have seniors—the government didn’t do their due diligence on why seniors weren’t taking advantage of this home renovation tax credit.

When it was first rolled out by the government, it was shopped around as a good way to create local jobs, as a way to keep seniors in their homes. Seniors can’t get into community-based care because the wait-lists are so long. Clearly, there are seniors who are trying to make their homes more accessible, but after that initial sort of fanfare, there wasn’t really a lot of information. I know that seniors who have been in my office in Kitchener–Waterloo didn’t know about it.

I think there are seniors still out there who would want financial assistance to widen doorways and install stair-

lifts, for example, because they ultimately do want to stay in their home for as long as possible, but there are some other missing pieces to this equation for keeping seniors there, like home care and, obviously, financial assistance. We're opposing this clawback of the Healthy Homes Renovation Tax Credit.

The Chair (Mr. Peter Z. Milczyn): No further discussion? Shall schedule 28, section 19, be carried? All in favour? Opposed? It's carried.

Schedule 28, section 20: Is there any discussion? Seeing none, shall schedule 28, section 20, be carried? All in favour? Opposed? That is carried.

Motion number 22, to amend schedule 28, section 21: Mr. Barrett.

Mr. Toby Barrett: I move that subsection 21(1) of schedule 28 to the bill be struck out and the following substituted:

“Commencement

“(1) Subject to subsections (2) and (3), this schedule comes into force on the day that the government of Ontario publishes a notice in the Ontario Gazette confirming that it will ensure that the Financial Accountability Officer prepares a budget fairness survey annually on each anniversary of that day and promptly after that submits the survey to the Minister of Finance and tables it in the assembly. The survey shall examine who receives disbursements of money from the Consolidated Revenue Fund and for what purpose, using factors that the Financial Accountability Officer determines, such as race, gender, income inequality, and disability.”

The Chair (Mr. Peter Z. Milczyn): Committee members, an amendment intended to alter the commencement clause of the bill, making it conditional, is out of order since it exceeds the scope of the bill and attempts to introduce a new question into it. I therefore rule this motion out of order.

Mr. Victor Fedeli: Chair, is that section 21?

The Chair (Mr. Peter Z. Milczyn): Schedule 28, section 21, your motion number 22.

So is there any discussion on schedule 28, section 21? Seeing none, shall schedule 28—

Mr. Victor Fedeli: Yes, there is.

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The Chair (Mr. Peter Z. Milczyn): Yes, there is?

Mr. Victor Fedeli: Yes.

The Chair (Mr. Peter Z. Milczyn): All right. Mr. Fedeli.

Mr. Victor Fedeli: I'm trying to think of how I can refer to the amendment without amending anything.

It's hard to imagine that the Taxation Act changes would go ahead without published notification from the Financial Accountability Officer, who would prepare a budget fairness survey annually about the impact the budget has on various segments of society.

It will be difficult to support this section 21, because the Financial Accountability Officer would be able to give us an unvarnished synopsis without any partisan spin from any of our three parties—would be able to tell

us, for instance, which segments of the population are better off and which are worse off from the budget.

Thank you for the opportunity.

The Chair (Mr. Peter Z. Milczyn): Ms. Fife.

Ms. Catherine Fife: If the intention of this amendment is to have the FAO look at the budget through a racialized or gendered lens—am I not in the right one?

The Chair (Mr. Peter Z. Milczyn): Ms. Fife, we're not debating the amendment.

Ms. Catherine Fife: We're not debating the amendment?

The Chair (Mr. Peter Z. Milczyn): It was ruled out of order. You can speak to schedule 28, section 21.

Ms. Catherine Fife: So I would say that schedule 28, section 21, is missing the opportunity to ensure that the Financial Accountability Officer has the ability to examine the budget through a racialized or gendered lens.

I'm not sure if you know this, but our member, Peggy Sattler, has been calling on the government to look at specific legislation and do some evaluation or some analysis to see how it affects certain populations of the province.

You'll be interested to know that this is an emerging trend in other governments across Canada and even the United States. If it had been incorporated into this particular schedule, then I think we would have been creating legislation that is stronger and more inclusive, with a focus on equity.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: I appreciate your comments, Catherine, because that's precisely the approach we were looking for in our amendment. Although the amendment isn't going to be discussed, I would hope that it would give the committee pause to consider this type of approach in the future. Thank you.

The Chair (Mr. Peter Z. Milczyn): Thank you. Further discussion? Mr. Barrett.

Mr. Toby Barrett: Yes, just discussion: We know the mandate of our relatively new Financial Accountability Officer is to provide independent analysis, by and large, with respect to financial issues that come up before this committee or come up in any budget.

So I'm unclear if the Financial Accountability Officer will be commenting on these deliberations anyway as a part of his mandate. I suppose it's up to him; I suppose this committee can request him to do that. I'm just unclear on the relationship between the Financial Accountability Officer and the work of this committee. Does he need an invitation?

The Chair (Mr. Peter Z. Milczyn): We certainly could invite the Financial Accountability Officer to the committee.

Mr. Victor Fedeli: Didn't we do that?

Interjection.

The Chair (Mr. Peter Z. Milczyn): The committee may invite the FAO to the committee, if the committee so decides.

Mr. Victor Fedeli: Just a question: Didn't we do that? Didn't we ask?

Ms. Soo Wong: There's a lunch.

Mrs. Laura Albanese: There's a lunch.

Interjections.

Ms. Soo Wong: I already asked the Clerk to before I stepped down. We're going to do lunch with the guy.

The Chair (Mr. Peter Z. Milczyn): There is going to be an informal meeting. This bill, however, is time-allocated, so it's not going to be feasible to invite him before 4 p.m. tomorrow.

Mr. Victor Fedeli: I can't hear you, Chair. I'm sorry.

The Chair (Mr. Peter Z. Milczyn): I said there is an informal gathering that's going to be taking place. However, this bill is time-allocated, so it's not feasible to invite the FAO before 4 p.m. tomorrow to come to committee.

Mr. Victor Fedeli: I understand.

The Chair (Mr. Peter Z. Milczyn): Mr. Baker.

Mr. Yvan Baker: I just wanted to respond briefly to some of the issues that have been raised. The opposition members have raised issues such as—they asked for the FAO. They've asked for additional consideration of issues such as the impact on race, gender, income inequality and disability.

Very frankly speaking, I think that's a lens that our Premier and this government already take. If you look through some of the issues we've discussed today, if you look through the track record of our Premier and this government, I think we have a very strong track record in that area. So, first of all, I don't think it's necessary, in light of that. That's something that's in the mandate of every government to do. I'm proud to be part of a government that does that every single day.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett.

Mr. Toby Barrett: Of course, as we know, the Financial Accountability Officer serves the Ontario Legislature and serves the members of all three parties. Part of his mandate is cost-benefit analysis, for example, evaluation of not only those issues that have been mentioned here but so many other issues. He's not necessarily passing judgment on government. He's providing advice to all of us here in the Legislature. He works for us.

The Chair (Mr. Peter Z. Milczyn): Thank you. No further discussion?

On schedule 28, section 21, shall it be carried? All in favour? Opposed? It's carried.

Both the Progressive Conservatives and the New Democrats gave notice on schedule 28. Ms. Fife.

Ms. Catherine Fife: We will not be supporting this schedule, because it eliminates tax credits that are important for children and seniors. As well, it discourages firms from engaging in R&D and, as we learned, also has a negative impact, from a federal matching fund perspective. It almost felt, for me, when I was reading through this section of the bill, that it was somewhat haphazard. For those reasons, we will not be supporting this schedule.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli.

Mr. Victor Fedeli: This schedule, as we've outlined, will eliminate tax credits and raise taxes on families and seniors. Therefore, we must vote against it.

The Chair (Mr. Peter Z. Milczyn): Mr. Dong.

Mr. Han Dong: I hear, loud and clear, from the opposition members on their opposition to this schedule. But even inside the House, or outside the House, we hear the constant plea that they want a government that runs—everyone wants the government to run even more efficiently. I think it's our job to look at all programs and services and make sure that we ask ourselves if it's effective, if it's efficient, if it's sustainable. We are constantly looking at new ways and smarter ways to do things, to improve outcomes and deliver best value for Ontarians.

For the record, I just want to point out that budget 2016 has no changes to HST, nor to personal income tax, nor to corporate income tax. But we recognize that there are some tax credits that are not working as well as expected. I'm citing the Healthy Homes Renovation Tax Credit for seniors. So we made some changes to make sure that we can find funding to provide a 5% increase per year to the 2017-18 home and community-based care, and also invest an additional \$10 million annually, as I said earlier, to Behavioural Supports Ontario.

I think we ought to challenge ourselves to find more efficient ways to manage taxpayers' dollars, and I think that this schedule does just that.

The Chair (Mr. Peter Z. Milczyn): Thank you. Further discussion?

Seeing none, shall schedule 28 be carried? All in favour? Opposed? It's carried.

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On schedule 29, there are no amendments tabled for sections 1 and 2. Is there any discussion? Seeing none, shall schedule 29, sections 1 and 2, be carried? All in favour? Opposed? Carried.

Mr. Fedeli, you gave notice on schedule 29?

Mr. Victor Fedeli: Yes. We recommend voting against schedule 29, Chair. This schedule will restrict the ability of a worker who works for the education ministry to collect their pension under the Ontario Teachers' Pension Plan and instead be forced into a separate public sector pension. The issue is that these workers may have been paying into the OTPP for years before taking the ministry job and will now be restricted from collecting their rightfully earned pension.

This is all because the Ministry of Education is concerned that the money they paid to the teachers' unions for the collective bargaining may be illegal because the Labour Relations Act says an employer cannot be directly involved in compensation. If this amendment passes, the ministry will be able to distance itself as a non-direct employer. But in doing so—in selfishly doing so—they're putting people's pensions at risk. Therefore, we'll be voting against this.

The Chair (Mr. Peter Z. Milczyn): Ms. Hoggarth?

Ms. Ann Hoggarth: I'm not yet a retired teacher; however, I do understand the Ontario Teachers' Pension Plan. Currently, the way that things work is, in particular, when retired teachers come back and do work as occasional teachers, they are allowed to do 50 days a year. If

they go over the 50 days a year, they must suspend their pension.

Unfortunately, we need to put this in place because there is a way around this. I don't think anyone wants retired teachers to come back full-time and be able to collect their pensions. That's what we're trying to do. We're trying to make sure—and the retired teachers that I know are fine with this. Most of them don't even do the 50 days. However, there are some who don't have full pensions who do. So what we want to do is make sure that what is currently in place is set so that no one can take advantage of that.

In no way are we trying to take anyone's pension away from them.

The Chair (Mr. Peter Z. Milczyn): Further discussion? No?

Shall schedule 29 be carried? All in favour? Opposed? That is carried.

Schedule 30, section 1: Mr. Fedeli, you have an amendment.

Mr. Toby Barrett: Thank you, Chair.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett.

Mr. Toby Barrett: I move that subsection 2.0.1 of the Tobacco Tax Act, as set out in section 1 of schedule 30 to the bill, be amended by adding the following subsection:

“Designated purpose account

“(2) All revenue received from a tax payable under section 2 and amounts credited on account of interest of that revenue shall be maintained in a designated purpose account, as defined in the Financial Administration Act, and expenditures from the designated purpose account shall be used only for the purpose of enforcing the law with respect to tobacco sales in Ontario.”

The Chair (Mr. Peter Z. Milczyn): Committee members, in my opinion, the motion before the committee can be characterized as a money bill motion. Pursuant to standing order 57, any motion that proposes to direct the allocation of public funds shall be proposed only by a minister of the crown. I therefore rule this motion out of order.

We have schedule 30, section 1, before us. Is there any discussion? Mr. Fedeli.

Mr. Victor Fedeli: We will not be supporting this, Chair, because raising the price of tobacco will continue to drive more people to purchase contraband tobacco. That's a statistic that happens. We see it every time there's an increase in tobacco: All of the researchers track it and show that contraband tobacco increases.

I know that studies have been done in my own community in North Bay by other organizations that show that when the use of contraband tobacco goes up, it's found, generally, in the schoolyards. In the studies that have been done—sweeping up the cigarette butts and bringing them back to Toronto and doing an analysis; that's done annually—we see that over and over.

At the end of the day, Chair, this is just another method for the government to increase their tax revenue to help them balance a deficit that they brought on themselves. We won't be supporting them.

The Chair (Mr. Peter Z. Milczyn): Ms. Wong?

Ms. Soo Wong: As someone who has been a leader on the issue of anti-tobacco legislation and working with the cancer society, Ontario's Heart and Stroke Foundation, the Ontario Medical Association and the RNAO, every recognized health body in this province and across Canada is asking every level of government to increase taxation.

There is a strong correlation—based on data, based on evidence—that shows that when you increase the taxes, it will decrease the consumption and prevalence of use of tobacco among young people. For the members opposite to not understand evidence—there is extreme evidence nationally and internationally between increasing taxation for tobacco and less use of tobacco among young people.

The government is committed to a smoke-free Ontario, and the data has shown, since we took office in 2003, a continuing decline in consumption rates among young people. To argue that this is a tax grab, I totally disagree.

The other piece here is that the member also has to recognize that taxation is one piece. We also need to make sure that we have a comprehensive anti-tobacco strategy. Taxation is one piece to address tobacco use among young people.

You may not agree with us, but I can tell you right now that the evidence from the entire medical community supports this particular legislation.

The Chair (Mr. Peter Z. Milczyn): Mr. Fedeli?

Mr. Victor Fedeli: Again, Chair, back in the day, when I served two terms as mayor, I can tell you that in the very first week, back in 2003, long before the province of Ontario ever got involved in smoke-free Ontario, myself and my community passed an anti-smoking policy in our community where you couldn't smoke in public places. I don't need a lecture from the member, because years ago, long before the Liberal Party was even thinking about putting in a Smoke-Free Ontario Act, we understood the way to do it was to restrict the smoking facilities as well. We take great, great pride in that.

What we do know is that, when you raise the price of tobacco, people automatically increase the use of contraband tobacco. That is an indisputable fact.

The Chair (Mr. Peter Z. Milczyn): Mr. Barrett?

Mr. Toby Barrett: Much of my concern is enforcing the law—effective enforcement—and ensuring the regulatory processes are adhered to.

If you're going to talk money, it does save the government a considerable amount of money, something like \$8 billion a year collected across Canada in tobacco taxes. But what's important is that there is \$2 billion lost to organized groups that move contraband tobacco.

You're right: It's far beyond taxation. What's really important is that those groups that move contraband also move people, with respect to human trafficking; they move weapons and other drugs; and they launder money. So it's far beyond a taxation issue.

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I think the general public, in general, sees it as a nuisance at best, and maybe they aren't that concerned about government losing the tax revenue. But the point to be made is that they have to think about the organized groups that are involved, organized crime groups that are involved in moving high-powered weapons, hard drugs, designer drugs, stolen vehicles, other merchandise, lots of cash. It's not just cash; they also are involved in e-commerce, the use of Bitcoin, so many other very sophisticated ways of moving money, and the province of Ontario, and my riding in particular, is right in the heart of this.

I've mentioned this in the Legislature before. I get visits from documentary film crews from Costa Rica, from Mexico, from Guatemala, asking me why the province of Ontario would allow illegal tobacco to flood their countries. There was just—I guess it was a week ago Tuesday—the largest contraband tobacco raid in Canada, a raid through Sûreté du Québec. It involved at least one gentleman from Six Nations down in my area, and it involved South America and Europe.

I'm afraid we're at the centre of this. It's far beyond taxation. It doesn't help young people when they can purchase tobacco tax-free on what is normally a very high-tax item. You can't turn a blind eye to this.

The Chair (Mr. Peter Z. Milczyn): Any further discussion? No? Then shall schedule 30, section 1, be carried? All in favour? Opposed? That is carried.

There are no amendments proposed for schedule 30, sections 2 through 5, inclusive. Is there any discussion? Seeing none, shall schedule 30, sections 2 through 5, inclusive, be carried? All in favour? Opposed? Those are carried.

Is there any further discussion on schedule 30? Seeing none, shall schedule 30 be carried? All in favour? Opposed? Carried.

Schedule 31: There are no amendments proposed here. There are two sections, 1 and 2. Is there any discussion on schedule 31, sections 1 and 2? Seeing none, shall schedule 31, sections 1 and 2, be carried? All in favour? Opposed? That is carried.

Is there any further discussion on schedule 31? Seeing none, shall schedule 31 be carried? All in favour? Opposed? Carried.

There are no amendments proposed for schedule 32. There are two sections, 1 and 2. Is there any discussion on sections 1 and 2? Seeing none, shall schedule 32, sections 1 and 2, be carried? All in favour? Opposed? They are carried.

Is there any discussion on schedule 32? Seeing none, shall schedule 32 be carried? All in favour? Opposed? Carried.

Schedule 33: There are no amendments proposed here. There are sections 1 through 9. Is there any discussion on schedule 33, sections 1 through 9, inclusive? Seeing none, shall schedule 32—schedule 33; I apologize. Schedule 33, sections 1 through 9, inclusive: Shall it be carried? All in favour? Opposed? Carried.

Is there any discussion on schedule 33? Seeing none, shall schedule 33 be carried? All in favour? Opposed? Carried.

Schedule 34: There are no amendments proposed here. There are two sections, 1 and 2. Is there any discussion on schedule 34, section 1 and 2? Seeing none, shall schedule 34, section 1 and 2, be carried? All in favour? Opposed? That is carried.

Is there any discussion on schedule 34? Seeing none, shall schedule 34 be carried? All in favour? Opposed? Carried.

That is the end of the schedules. We now return back to Bill 173. There are three sections.

Is there any discussion on section 1? Shall section 1 be carried? All in favour? Opposed? Carried.

Section 2: Is there any discussion? Seeing none, shall section 2 be carried? All in favour? Opposed? Carried.

On section 3, the short title, is there any discussion? Seeing none, shall section 3 carry? All in favour? Opposed? Carried.

Now, shall the title of the bill be carried? All in favour? Opposed? Carried.

Shall Bill 173 be carried? All in favour?

Mr. Victor Fedeli: Can we have a discussion?

The Chair (Mr. Peter Z. Milczyn): Certainly.

Mr. Victor Fedeli: This is the final bill, right? This is the final vote?

The Chair (Mr. Peter Z. Milczyn): Yes.

Mr. Victor Fedeli: We will not be supporting Bill 173 because it makes Ontario a more expensive place for the citizens to live.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Ms. Fife?

Ms. Catherine Fife: Thank you, Chair. I appreciate that it was a difficult day, but New Democrats will not be supporting this piece of legislation. We do not think that it meets the needs of the people of this province. Unfortunately, it was built on a flawed process, and so we think it's a flawed piece of legislation.

I do hope, genuinely so, that next year we have a process which allows for a true public consultation process. I think that it would benefit the committee as a whole if we follow through on the idea that every party has the ability to bring in an economic leader to do some analysis so that we have a truly informed discussion and debate about where the province is going. Perhaps that would shape the legislation in a very different way.

The Chair (Mr. Peter Z. Milczyn): Thank you. Mr. Baker?

Mr. Yvan Baker: I would just like to say that I'm proud of this budget. I think that this budget does a lot to strengthen our economy. There are tremendous investments in health care, something that I know all of us hear about from our constituents, whether it be in palliative care or community care or in hospital care.

We continue to invest in education, not only through the Ministry of Education, but in post-secondary education. There are many transformational elements to this budget, but obviously a big one is around the Ontario

Tuition Grant and providing greater access to tuition for young people, who are our future. So we're investing in our future. We're investing in innovation, as my colleague, Ms. Albanese, spoke about earlier.

Also, I can say that we're on the path to balance for 2017-18. We're ahead of pace for that. We're doing it in a very thoughtful way, using an evidence-based approach. My colleague Mr. Dong talked about some of the questions we're asking as we're going through the line items of the budget. We're going program by program through the budget, and doing it in a thoughtful, evidence-based way to make sure we're delivering the best possible outcomes at the lowest possible cost and delivering better value for the taxpayer dollar.

I think there's a lot to be proud of in this budget and I will be supporting it.

The Chair (Mr. Peter Z. Milczyn): Further discussion? Seeing none, shall Bill 173 be carried?

Mr. Victor Fedeli: Can we have a recorded vote on this, please?

The Chair (Mr. Peter Z. Milczyn): Recorded vote.

Ayes

Albanese, Baker, Dong, Hoggarth, Wong.

Nays

Barrett, Fedeli, Fife.

The Chair (Mr. Peter Z. Milczyn): The bill is carried.

Shall I report the bill to the House? All in favour? Opposed? That is carried.

There being no further business, I want to thank members of the committee for their hard work today and for their support as well.

Mrs. Laura Albanese: If I may—

Mr. Victor Fedeli: I want to congratulate the Chairman for getting us out with four and a half minutes to spare, and we don't meet tomorrow.

Mrs. Laura Albanese: Yes, and if I may, Chair, I wanted to congratulate you as well on being appointed Chair of our committee. I also wanted to thank our former Chair, MPP Soo Wong, for all the work that she did while she served this committee.

The Chair (Mr. Peter Z. Milczyn): I have big pumps to fill.

Mr. Victor Fedeli: And she has many recipes for you.

The Chair (Mr. Peter Z. Milczyn): Yes.

Mr. Victor Fedeli: You know, there's a commitment from the Chair for baking.

The Chair (Mr. Peter Z. Milczyn): I will be baking soon.

Mr. Victor Fedeli: And chocolates.

The Chair (Mr. Peter Z. Milczyn): We are adjourned.

The committee adjourned at 1739.

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