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**Official Report
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Wednesday 27 July 2016

**Journal
des débats
(Hansard)**

Mercredi 27 juillet 2016

**Standing Committee on
General Government**

Election Finances Statute Law
Amendment Act, 2016

**Comité permanent des
affaires gouvernementales**

Loi de 2016 modifiant des lois
en ce qui concerne
le financement électoral

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 27 July 2016

Mercredi 27 juillet 2016

The committee met at 0900 in the DoubleTree by Hilton, London.

**ELECTION FINANCES STATUTE LAW
AMENDMENT ACT, 2016**

**LOI DE 2016 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LE FINANCEMENT ÉLECTORAL**

Consideration of the following bill:

Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007 / Projet de loi 201, Loi visant à modifier la Loi sur le financement des élections et la Loi de 2007 sur les impôts.

The Vice-Chair (Mr. Lou Rinaldi): Did I wake everybody up? Good morning. Welcome. We're here in London this morning dealing with Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007. I'd like to welcome three new members who join us today: Ms. Sattler, Mr. McNaughton and Mr. Anderson. Welcome.

As you probably know, the committee structure, when it comes to questions, is not what we normally do; it's more of a discussion. I try to be as fair as I can to allot the time. There's no specific time restriction, but we have to be within the time frame of the presenter.

The first presenter, Mr. Wiseman, has an hour. We're going to allot him 20 minutes to do his presentation, then 40 minutes in the rotation. Please put your hand up so I can put your name down, and I'll try to manage that way. There's no specific time but try to be cognizant of your fellow MPPs.

Ms. Hoggarth, you had your hand up.

Ms. Ann Hoggarth: No, I was just—

The Vice-Chair (Mr. Lou Rinaldi): Okay. Mr. Anderson?

Mr. Granville Anderson: I am, just for the list. I'm okay.

The Vice-Chair (Mr. Lou Rinaldi): So you're good?
Interjection.

The Vice-Chair (Mr. Lou Rinaldi): Okay.

MR. NELSON WISEMAN

The Vice-Chair (Mr. Lou Rinaldi): Mr. Wiseman, welcome.

Mr. Nelson Wiseman: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): You probably heard me say that you have 20 minutes for your presentation and then we have 40 minutes for members to ask you questions or clarification, whatever that might be. Again, thank you for joining us by teleconference this morning. The floor is yours.

Mr. Nelson Wiseman: Thank you, sir.

I speak to you today after being invited to do so by two staffers for a political party. I want to say this isn't a piece of legislation I was keen to talk about, certainly not in any great detail. Nevertheless, I was asked. I'm an academic at a publicly funded institution—

The Vice-Chair (Mr. Lou Rinaldi): Mr. Wiseman, can I just interrupt for a minute? We're having a hard time hearing you so we're just trying to play with technology here.

Mr. Nelson Wiseman: Okay.

The Vice-Chair (Mr. Lou Rinaldi): Can you just give us a few test words?

Mr. Nelson Wiseman: Sure. Ten, nine, eight, seven—

The Vice-Chair (Mr. Lou Rinaldi): Perfect. Thank you.

Mr. Nelson Wiseman: Should I begin again?

The Vice-Chair (Mr. Lou Rinaldi): Please do.

Mr. Nelson Wiseman: Thank you, Mr. Chair.

I'm speaking to you today after being invited by two political staffers of a political party to do so. This isn't a piece of legislation I was actually keen to talk about and certainly not in any great detail. Nevertheless, I was asked. I'm an academic at a publicly funded institution. I'm appreciative of the support Ontario gives us, and I feel an obligation to contribute to public affairs when asked to do so, especially because I'm a political scientist.

But here's my experience: I was told I would have to write the committee Clerk and offer to appear rather than be invited, as I was by the federal special committee studying electoral reform, with whom I met on Monday on a subject, I have to say, about which I am much more engaged than party finance. I offered to meet with you in July, earlier this month, but I wasn't available that day.

Now, I note the Chief Electoral Officer told you he's interested in the public discourse about the proposed legislation. I suspect it's quite limited. My reading in preparation for talking to you was essentially his testimony to you on June 6, what he said and also the comments made by members in the questions.

Revisions to electoral finance laws are not a subject about which I am particularly taken for reasons that are going to become apparent from my comments. I don't consider myself an expert on party finance and spending, and I've only read the backgrounder to the bill, not the bill itself, because my experience is that you have to be a lawyer to grasp the fine points of such bills.

Nevertheless, I have followed media reports and I've read the testimony, as I said, that you heard from your Chief Electoral Officer. I'm impressed by his thoughtful contribution to your deliberations. I learned much from his presentation. I thought his observations were insightful. The facts he presented were helpful, although it seems to me that he and his office have a natural vested interest in expanding their capacities. Nevertheless, I respect their independence, their integrity and their opinions.

I teach a course on Canadian political parties but I actually devote little time to the details of party financing except insofar as there's a scandal or the sniff of a scandal. And it's more than a sniff that has led to this proposed legislation.

So I want to extend kudos to the media, particularly the Toronto Star, for exposing the private cash-for-access fundraisers, and also to the Globe and Mail for its follow-up investigative reporting. The Star has been a bastion of support for the Liberal Party in this province, so its exposé is to be lauded, and it speaks to its public service. The media has made an important contribution to public affairs in this matter, and credit for drawing media's attention to this also goes to the media sources, of course, including former minister Gerretsen.

I believe the revelations about corporations paying to get access to ministers, or that they feel shaken down to do so, is the reason the government has introduced this legislation and has acted with such dispatch.

The first thought I had when I saw the breaking story in the Star was, "Haven't other Ontario government parties done this, benefited from similar schemes?" What's striking about party finance legislation is the great variety in federal and provincial regimes and how they're constantly changing. An issue is, really, are they better overall and across jurisdictions than they were before? The rules have certainly become increasingly elaborate in the nets that they cast and, as I've said, the Chief Electoral Officer would like to expand his reach. It seems to me simplest for Ontario to adopt the federal legislative regime rather than to devise a new Ontario regime, although I have to say there are things about the federal regime I don't care much for either.

Before I speak to the bill itself, I'd like to say, as a political scientist who's a reasonably close observer of Canadian politics, that I'm interested in the role of money in politics but I also believe the role of money is generally overrated. We're attracted to money numbers because the media find it easy to report on party finance and spending because numbers are enticing. They're easy to grasp. They offer precision. They make comparisons easy. But they're not necessarily good guides to who

succeeds and who fails in politics and elections, which is ultimately what I'm interested in.

Jean Chrétien referred to money as the mother's milk of politics. Well, there's been a lot more of that milk around.

I note that according to the transcript I read of the Chief Electoral Officer, he told you that between 2012 and 2014 Ontario parties received over a half billion dollars in subsidies and reimbursements. Maybe that was a typo. If it's the case, it seems outrageously high to me as a citizen.

I think the media contribute much more to voters' political education than do the parties. Paradoxically, the continuing negative news coverage the government is receiving on this issue of cash-for-access to ministers—and I see, in fact, the cartoon in today's Globe and Mail and a story in yesterday's Globe and Mail—hurts the governing party much more than the money the party has raised in this questionable style has helped the party.

To be sure, parties need money for research, for organization and communications, but we've also seen there's no necessary direct link between the financial resources of the party or a candidate and electoral success or policy decisions. Money can be counted but it may not count in many elections.

Of course, I could give a number of examples. The most striking one that's going on right now is what's going on south of the border. Jeb Bush entered the presidential campaign last year with more money behind him—\$130 million—than all other 16 Republican candidates combined. When he suspended his campaign, he had spent most of that money. He hadn't won a single state. In the Iowa caucuses, he received less than 3% of the vote. Trump got 24%. CNN calculated that Bush had spent more than \$2,000 for every vote he received.

0910

So what do we learn from this experience? It's news coverage and the nature of the coverage that's much more important than advertising dollars or even having a ground game. It may not have always been so, but old-style advertising, while it can still be effective, is not as effective as it once was because of the revolutionary changes we've seen in media. According to the New York Times, Trump got almost \$2 billion of free coverage by May of this year but he had only spent \$10 million himself. The centre on media, politics and public policy at Harvard University found that coverage by the media is driven by news values rather than political values. In other words, the media like to cover Trump, and I love to watch him, because of his wild comments, his style. He's a good story. He catches eyeballs. And the media have a bias to want such stories. It was the same with Rob Ford.

Another factor in the United States is Fox News. It wears its politics on its sleeve, and it serves unabashedly as the Trump channel by channelling his campaign. MSNBC does the same for Democrats but with less success in terms of audience size. Fox goes for the gut. Reasoning and facts are secondary. MSNBC goes for

more facts, but it has a weaker effect on the gut. And many, perhaps most voters go with their emotions.

So we're in a new age of social media. I'm not discounting old media. I am a technological peasant, and I rely on old media.

I can show you in other elections, as well, how money hasn't counted much. Last year, the Alberta NDP won. The provincial Conservatives spent six times as much money. They ran third. In the 1993 federal election, the Conservatives spent \$25 million. They elected two MPs. The Reform Party just spent \$6 million. It elected 52 MPs.

So you can spend money and sometimes it can actually hurt you, as when the Conservatives ran that ad of Jean Chrétien's facial disfigurement and the backlash it elicited.

The reason we had a 78-day campaign last year, federally, is because the Conservatives had more money than the other parties, and because, if the campaign goes beyond 37 days, you're allowed for every day to spend a 37th more, they were going to outspend the other parties. But as it turned out, in fact, Jean-Pierre Kingsley, whom you heard from, accused the government of gaming the system by calling an early election, or dropping the writ early.

This is all prologue. Does it mean that I oppose legislation that regulates election funding? No. But I believe money is generally overestimated in its ability to buy love, whether it's electoral love or otherwise.

The Chief Electoral Officer quoted the Supreme Court decision in the Harper case of 2004. Let me quote it: "Where those having access to the most resources monopolize the election discourse, their opponents will be deprived of a reasonable opportunity to speak and be heard. This unequal dissemination of points of view undermines the voter's ability to be adequately informed of all views."

I respect the court's decision, but I respectfully disagree with the court's analysis, in light of the technological developments that we've had and what I've said about where people get their information. I want to turn what the Supreme Court said on its head. Jeb Bush and the Conservative campaigns I managed were cases where those with more resources failed to monopolize the political discourse. They failed to deprive their opponents of a reasonable opportunity to speak and be heard.

Media coverage, media use is much more vital to success and failure in politics than the money spent by the political actors. And not all media coverage is positive, as the governing Liberals are discovering with this cash-for-access scandal.

Now, money is going to work its way into politics the way lubricating grease or oil does on a squeaky bolt or screw. Whatever the new law eventually looks like, we've learned that inevitably there will be unforeseen loopholes that are going to lead to manipulating the rules and the spirit of the rules. That's what lawyers and accountants are hired for.

The issue that ignited the fire leading to this proposed legislation is the contribution of significant sums of money to gain privileged access to ministers. This is very serious because it implies undue influence and a conflict of interest in policy-making. The dilemma faced by political parties is that they do require some level of funding to sustain and promote themselves. Having public fundraisers is understandable but having private ones suggests something unsavoury is going on.

The proposed legislation falls short, in my opinion, in not requiring cabinet ministers to disclose publicly when they're lobbied, including at fundraising events. Cash-for-access events such as those the media has exposed ought to be prohibited, and I think lobbyists and stakeholders ought to be prevented from involvement in such fundraisers.

I don't think we need a commission of inquiry into what has gone on, as I think the Conservatives have proposed. It's going to prove inconclusive in terms of establishing that a contribution led directly to a specific policy decision. We're not going to have a smoking gun, and an inquiry would be a colossal waste of money, only enriching lawyers, and it's not going to contribute to the better welfare of Ontarians.

The proposed ban on corporate and union contributions I think is welcome. It should also be illegal for corporations to pay employees to donate on their behalf. But I don't believe, as one of my political science colleagues I think has suggested to you, that contributors to parties ought to be required to indicate who their employer is. That's their business. I don't think it's the public's business, and I'll tell you why. One of the reasons I don't contribute to a political party is that I don't want anyone who disagrees with my opinions and my observations in the media to say that my opinion is driven by my partisan considerations; that I'm a hack for a political party. If I weren't, their logic goes, I wouldn't have contributed to the party.

Now, why am I saying this? Because I recall the treatment of a grief-stricken father of a fallen Canadian soldier in Afghanistan. He sincerely questioned Canada's combat mission there. What happened? A Conservative spin doctor dismissed him as a Liberal flack because he had made some small contribution to the Liberal candidate in his riding. That was a disgusting thing to say about a grieving father who had just lost his son, but that's where politics is going.

Cutting the limit individuals are allowed to contribute to central party organizations I think is reasonable, but I think I would allow a higher cap than \$1,550; maybe double or triple. I don't believe giving \$3,000 or \$5,000 by a single donor to a central party organization buys undue influence. Yes, the amount should be indexed for inflation. I also think the limit should apply for years in which there is an election and it should represent the combined maximum permissible contribution, whether to the central party, an organization, a candidate or a constituency association. In other words, let's have a global limit, a hard cap, on contributions.

Third-party advertising: This is related to issues of freedom of speech and freedom of association, which are protected in the Charter of Rights. It's challenging to separate partisan advocacy and issue advocacy. We know third parties spend much more during elections on advertising in Ontario than they do federally. Mr. Hillier pointed that out.

I suggest we impose the same limits on third parties as are imposed federally during the writ period. If you impose spending controls on these third parties long before the fixed election date, I think they could be challenged on constitutional grounds. I know our courts are more restrictive about third-party advertising than they are in the US, but they may not tolerate putting a blanket on spending that applies outside of the official campaign period. After all, parties are free to spend all they want outside of the period. Even during a writ period, once a third party approaches its spending limit, from what I can see, there is nothing to keep its supporters from creating another third party to get around the limit.

0920

Collusion is difficult to prove and it's very lengthy to litigate. You could prohibit former political staff and consultants, as well as former party officials, from being involved with the third party, but probably only during the writ period.

I noticed that Ms. Fife feels that the government should not be advertising a program that hasn't been released, as it apparently has—I haven't seen the ads—with its cap-and-trade plan. But my thinking is this: Why are there ads about it at all? My understanding is that if the program is implemented, the plan is going to affect corporations directly. It's not going to affect me as a consumer, so why run ads? Corporations don't watch television. They don't read ads; people do. I understand they're not affected directly by the cap, so the ads sound like they're simply pandering to perceived public opinion on the issue.

I feel that much of what passes as government advertising is propaganda for the governing party, but all parties have been guilty of it. Rather than being promotional, I think government ads should merely communicate hard information, such as, "Where do I apply for this or that program? What are the program's requirements?" Don't tell me all the nice things about the program and how it's going to make my life better.

An annual subsidy to parties based on the number of votes they received in the previous election I think is reasonable, but I also support indexing the subsidy so it rises with inflation rather than having it decrease over time. This is what the federal Liberals did when they introduced subsidies in 2003. You might want to consider providing a full subsidy only in an election year. In non-election years, it could be less. There really is no need for partisan advertising two or three years before an election.

I don't believe the legislation should consider constituency nomination contests. It's not the general public's business to know the details of funding for candidates who seek a local nomination.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Wiseman, you've got about two minutes left.

Mr. Nelson Wiseman: Thank you, sir.

I think that local nominations are a party's business. They're not mine and they're not yours, unless you're members of the party in that particular constituency. I also have mixed feelings, therefore, about legislation that governs party leadership contests, although of course, non-Ontarians ought to be prohibited from contributing to any campaign.

For me, parties are voluntary organizations, and I think a big error was made by attaching party labels next to candidates' names on the ballot. Incidentally, Ontario was the last province to do this, and I think it was an error.

It's the real elephant in the electoral process. Party labels next to candidates' names on the ballot encourage voters to focus on the label on the ballot and not to think about who's running to represent them. It gives too much power to party leaders and central party organizations, who can keep candidates who call themselves Liberal, NDP, Conservative or whatever effectively off the ballot. Let candidates refer to themselves in their literature and in their advertising however they wish, but not on the ballot. If two or three prefer to refer to themselves as Conservatives in their literature, let the voter educate herself about which candidate actually best represents that party. I say let the parties determine their own leadership rules.

Do I have any more time, Mr. Chair?

The Vice-Chair (Mr. Lou Rinaldi): Sure. Maybe a minute or so.

Mr. Nelson Wiseman: Okay.

I think the loophole that allows corporations and unions to pay employees to work on campaigns has to be plugged. It seems to render useless the ban on monetary contributions by corporations and unions. I was particularly intrigued to learn from Guy Giorno's testimony that some American states prohibit contributions from companies that receive public funds or loans. When company lobbyists tell you that their companies contribute money as a way of contributing to the democratic process, they need to be reminded that corporations do not have the right to vote, only citizens do.

It seems reasonable to me that party research, polling and travel expenses ought to be subject to spending limits.

Mr. Hillier wondered why third parties spent so much more on advertising in Ontario than they do federally. I think one reason might be because Ontario is the home to most of Canada's unionists and largest corporations. The interests of unions are much more affected by provincial than by federal legislation. I thought Mr. Colle's comments on the cost we now impose on candidates, having to hire a chartered accountant keeping meticulous books, for example—they're well taken.

I learned from Mr. Clark that Manitoba bans all government advertising in the 90 days leading up to an election, except for emergency, tendering and employment

announcements. That sounds good to me. I think there's too much government advertising generally and much is of no use except to the government, which is trying to promote its image.

Let me conclude on this note: It's an irony of modern politics that public confidence and trust in parties and politicians has decreased since parties, governments and politicians began hiring professional communications consultants. They're seen as the spin doctors and propagandists that they are, but they use fancy titles. Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Thank you, Mr. Wiseman, for your presentation.

We'll go to some questions. I'll go to Ms. Hoggarth.

Ms. Ann Hoggarth: I just wanted to know—Bill 201 recognizes the important role that loan guarantees play in election financing. That is the way—the proposed legislation requires that loan guarantee amounts are counted towards one's contribution limit.

Can you discuss the importance that loan guarantees play in financing elections and why it is essential to regulate them?

Mr. Nelson Wiseman: I don't know how big a role they have played in other elections because generally I haven't seen that—I follow the media, but I don't recall seeing in the media that this is how much the Liberals or Conservatives or NDP got in loans. I don't know if that's publicized. Maybe it's in this new legislation. Is it important that we know that information? Well, that's up to you to decide. Yes, I don't think there's anything wrong with that.

One of the problems we've picked up federally that we've seen—and this came up with the Liberal leadership contest; I'm thinking back to when, I think, Stéphane Dion ultimately prevailed—is that a number of the candidates went out and got loans, and they couldn't pay them back. There were no provisions for—they were required, I understand, under the rules, to pay them back—it just didn't happen—or to raise money to cover them. My understanding is that it didn't happen and Elections Canada just let them off the hook. I'm trying to recall what happened then. So what I know about loans and what's in legislation is quite fuzzy to me.

Ms. Ann Hoggarth: Parties finance their election campaigns by obtaining loans; all of the parties do that. These loans could be guaranteed by any person, corporation or trade union eligible to make a contribution and not count as a contribution. Do you think they should be counted as a contribution?

Mr. Nelson Wiseman: No, I'm not sure they should be. Maybe it should be publicized if you get a loan. But I don't know how this has been used or misused, so in the absence of that kind of information it's difficult for me to make a judgement. Actually, I think the people in the parties know more about this than I do. So I'm sorry, Ms. Hoggarth, I can't help you on that.

Ms. Ann Hoggarth: Thank you very much.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Clark?

Mr. Steve Clark: Thank you, Mr. Wiseman, for your presentation this morning.

Mr. Nelson Wiseman: Is it Mr. Clark?

Mr. Steve Clark: It is. Good to hear your voice.

I appreciate some of the issues that you've brought up today. I'm glad that you've taken positions on a number of the sections. There are a number of loopholes, obviously, that are in this piece of legislation. It was rushed to get to committee stage, partially because, as you mentioned in your opening comments, of the stories in the Toronto Star and the Globe and Mail that really exposed this government's cash-for-access use of the legislation.

0930

I think the reason we're talking about sections to be added is because there are so many loopholes. Ms. Hoggarth just talked about loan guarantees. We had the federal election people here yesterday, and they acknowledged that this legislation has some gaps. It doesn't deal with trust funds, endowments and other financial vehicles, like the federal legislation has. I think that's partially why we've had discussions about openness and transparency.

I was a bit surprised with your position about having names, addresses and employers—and I think part of that discussion is because there are so many loopholes that are still in this piece of legislation. Again, there are other jurisdictions that require that. We heard deputants talk about some of the American states where you're able to search for people. I think that's part of the openness and transparency of the bill.

Did you have any other comments on that section?

Mr. Nelson Wiseman: No, I think it's perfectly okay. It should be published—who contributed and how much they contributed, and even their addresses, so we know that it's this Joe Smith and not that Joe Smith. But I don't think we should start getting into who they work for. What's the next question? What is their income? How far do we want to push this?

You used the word "loopholes," and so did I. I did suggest, why don't you just carbon copy the federal system? But I think there are problems with the federal system as well. I'm not an expert in party finance, for the overall reasons I gave you.

I used to go into class and give all these numbers, and then at the end of the day, what did it mean? Actually, then we found out that there were all kinds of things that counted—Ms. Hoggarth mentioned loan guarantees—that weren't in those numbers. So it was easy for me to throw the numbers up on the board and to compare. It just didn't mean much.

Whatever regime you're going to come up with, there are going to be loopholes. That's what professionals are engaged to exploit. It's like that with almost every law, but especially when money is involved like this.

Mr. Steve Clark: I'll point people back, Mr. Wiseman, to former cabinet minister Mr. Gerretsen's comments in Kingston. He said the same thing: that the minute this legislation is tabled, you'll have the three parties go towards the loopholes.

I do want to ask you one other question, and it's regarding the advertising. I appreciate your reference to

my comments on the Manitoba system, where you can only have public safety announcements, government tenders, job application advertising, and none of that more partisan advertising

The Auditor General talked about the fact that this government has gutted the advertising legislation. Do you believe we should add a section to Bill 201 to put those controls back and give those powers back to the Auditor General, so that we can stop the partisan advertising that this government can provide during their tenure?

Mr. Nelson Wiseman: You're always going to have a debate about where the line is about what's partisan and what's informational. If I'm not mistaken, when the McGuinty Liberals ran for office, part of their platform was shutting down the kind of advertising that the Conservative government had been using before. Then, there was a lot shut down. Apparently things have loosened up again, and now I'm hearing the same criticism of the government from the opposition side—although the parties have changed positions—as I heard 10, 15 years ago. You can appoint somebody like the Auditor General or another official to weigh in on this, but it's very challenging: What's information and what's propaganda?

Think about advertising—I follow federal politics—under the former Conservative government. All of a sudden, apparently, all kinds of ads and public announcements began to appear and the traditional colour was now replaced by blue, and references to the government of Canada became “the Harper government.” That sounds to me like partisan advertising. They didn't think so, and they defended it. They said, “Well, that's how the media refers to the government.” I would say that was partisan. It was clearly partisan.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Anderson.

Mr. Granville Anderson: Thank you, Mr. Wiseman. I find your presentation very enlightening and informative.

The drafting of Bill 201 sought to implement election financing reform. Which of the following do you support, and how can it be strengthened in the proposed legislation: (1) levelling of the playing field by putting an end to corporate and union donations; (2) introducing a pre-allowance of funding to help in the transition of a more grassroots-funded party system; (3) lowering contribution limits for individuals, limiting partisan political advertising to six months before an election; (4) restricting pre-writ and during-campaign third-party political advertising; and, finally, (5) removing the by-election contribution period for central parties.

If you need me to go over anything—if you missed anything, I'll go over it for you.

Mr. Nelson Wiseman: Thank you, Mr. Anderson. Yes, let's go one by one, because I never got to jot them all down or to grasp them all. I don't process—

Mr. Granville Anderson: One by one?

Mr. Nelson Wiseman: Yes, okay. You used the term “level playing field” in reference to what?

Mr. Granville Anderson: Pardon? I didn't get that.

Mr. Nelson Wiseman: The first point you made is you talked about a level playing field about—was it unions and corporations?

Mr. Granville Anderson: Yes, for all parties, making it a fairer system.

Mr. Nelson Wiseman: That there can't be union or corporate contributions?

Mr. Granville Anderson: Okay.

Mr. Nelson Wiseman: Look, let's just start with the phrase “a level playing field.” It was used repeatedly by the Chief Electoral Officer. Quite frankly, I think it's an overused metaphor. We don't have a level playing field to begin with, which I think is acceptable. Parties that get more votes in the last election are going to get bigger subsidies than parties that get less votes. I'm not sure that we should treat all the parties the same. I don't want to give the Rhinoceros Party or joke parties or the Natural Law Party the same kind of public endorsement, public funding, we give to long-established parties that have established that they have significant public support.

I think that parties, even with low subsidies, like the Reform Party when it started in 1987, or the Green Party, can still have an impact because it's not only money that will count, although they are disadvantaged in the amount that they have.

But right now, at least federally—I don't know what it is provincially—parties that have more popular support in the last election have more access to free-time advertising than parties that have less. Does limiting union and corporate contributions change that? No. They will be restricted for small parties just as they are for large parties. I don't see that as a level playing field issue, but maybe we're talking at cross-purposes.

The second point you made: You used the word “transition” and, I think, the word “grassroots.” Could you elaborate?

Mr. Granville Anderson: By “transition,” I mean distribution of funding among parties per se. You touched on that a bit. How would you go about—I believe you covered it—making it fairer for parties, depending on—you alluded to the amount of votes they get etc.

Mr. Nelson Wiseman: Yes. I think the system we have, the federal model there, which is that the subsidy you get is related to the number of votes you've gotten in the last election, is reasonable. We can differ over the amount, but we should recognize where the public's support has gone. I guess that's similar to number one.

0940

Mr. Granville Anderson: I don't know if you caught this one: limiting partisan advertising to six months before an election—third-party advertising. What do you think?

Mr. Nelson Wiseman: I believe—but please let me know because, again, I don't know the intricacies of the law—isn't it right now simply restricted to the writ period?

Mr. Granville Anderson: Yes, it is. I believe so.

Mr. Nelson Wiseman: Well, if it is, then you might get challenges if it goes beyond the writ period, because there is an issue of freedom of speech.

Now, I don't recall the Harper case in 2004. I mean, I quoted from it, but I think the issue there is the National Citizens Coalition, the group Harper led. I think they wanted to have unlimited advertising during the writ period. I don't think the court said they can't advertise before. You could introduce it so that they're limited six months before, and you could introduce it so that they can't advertise at all. But if it gets challenged, I think it may be struck down. I have no idea how the courts would rule.

Again, you'd also have the challenge of what is partisan advertising and what is simply advocacy advertising. Maybe you're against abortion. A group wants to campaign on that. Only one party has that position, but you don't mention any of the parties. Should we see that as a partisan ad or simply an advocacy ad of people who are concerned about the unborn fetus? I respect that they're concerned about it, but should they be prohibited from saying so publicly? That's a challenging issue. That goes beyond do we categorize that as a loophole?

Mr. Granville Anderson: Yes, I agree with you on that because I believe we don't want to restrict freedom of speech; and where does it cross the line? That has always been a difficult question for me.

How do you feel about removing the by-election contribution period for central parties?

Mr. Nelson Wiseman: I didn't even know about this. I just know about it in general terms. I don't think there should be special allowance for by-elections. From what I can make out, it has served as a major loophole, allowing parties to raise a lot more money when they come up. I think what has happened here is some of these problems weren't envisaged when the legislation was last revised or drafted, and apparently it has been decades, so it's reasonable that you're looking at it again.

I don't really quite grasp why all the provinces are introducing these various regimes. Your mandate is just Ontario; would it not be easiest to just take the federal regime and use that? What is it that's distinctive—unique—about Ontario that we have to have different limits, different controls, different rules here and think that they are fairer than what the federal ones are? There are going to be loopholes in both and whatever you do, there will be the question: Which one is better?

Why don't we all move toward a common system? That's my general thinking about that. I understand that a lot of this revised legislation does incorporate many features of the federal regime, but, again, I'm not saying I think the federal regime is great.

As I said, for me, the main issue that I've noticed in the change in politics in the many years—decades—I've been following it is that no one appreciated how important adding a party's label was to the candidate's name. I think many people on the committee don't recall that first happened federally back in the early 1970s. What it has done is it has transformed our politics,

weakening the individual MP or MPP. A lot of people troop to the polls and they're not thinking about you. They don't know that Anderson belongs to this party or that party; they've decided they like this leader or that leader and they know this party or that party. They get to the poll and they know the party they want to vote for. "Oh, it happens to be Anderson. Fine, I'm putting him in." That weakens you as an MPP.

Now, once you're elected, people do turn to you to represent them. They've got issues they want brought up with the bureaucracy, with the government, whatever. But that isn't why I think most people get elected. Studies show that when people are asked, "Why are you voting the way you are? Is it for the party? Is it for the leader? Is it for the candidate?", consistently the local candidate is number three, and a distant third. It can make a difference if the local candidate happens to be the leader of the party or has a very high profile. It does help. Parties do want candidates like you, who have contributed in public affairs.

To me, that's the real problem with the system. But that goes outside of the issue of funding.

The Vice-Chair (Mr. Lou Rinaldi): Thank you. I just want to remind members to be cognizant of their colleagues, because they also have questions. We have about 20 minutes left for questions, so please be cognizant of your fellow members.

Mr. McNaughton.

Mr. Monte McNaughton: Thank you, Mr. Wiseman, for your presentation. I'm Monte McNaughton, MPP for Lambton-Kent-Middlesex.

I wanted to ask you specifically about the public inquiry. I know you said—correct me if I'm wrong—that you don't support one. I continually hear from taxpayers in my riding and across the province that they feel, I think quite rightly, that public policy has been for sale in Ontario for quite some time. One of the specific examples that I think highlights this is the fact that over the last three years, seven renewables companies—wind turbine companies, mostly—gave the current government \$255,000, and in the last round of renewable energy project announcements to go forward, all seven of those companies were awarded contracts. In the same round of announcements, the three companies that were excluded were the three companies that didn't donate to the Ontario Liberal Party.

So I want to ask you: Why is a public inquiry, in your mind, not needed?

Mr. Nelson Wiseman: You've already laid out the facts, Mr. McNaughton. They're devastating. I'm not sure what the public inquiry is going to tell us that you haven't told us. All this information—you picked it up; it's publicly available.

I go back to what I was intrigued by. Mr. Guy Giorno, who is a former assistant to the former Conservative Premier in Ontario, Mike Harris, gave the example of Virginia—Mr. Giorno is an expert, if there is one in Canada, on lobbying—where, he said, companies that get money from the government are prohibited from

contributing. But even if you introduce that, you're still going to have the problem of companies that don't get contracts contributing money to parties that they anticipate will win, because anybody can see the polls. You could see just before last autumn's election, in the last few weeks, that the Liberals were going to win. So you could give them money—"Oh, but you haven't given it to them while they were in government." That issue will come up as well.

I appreciate what you've brought up. Hey, that's illuminating. I think that did appear in the media—maybe not getting as much attention and focus as an opposition party would like, which is perfectly reasonable. That's your job, and you're doing it.

Mr. Monte McNaughton: My frustration and the frustration of taxpayers and concerned people in Ontario is the fact that there seems to be no justice for the taxpayers and no justice with the fundraising and how contracts have been awarded. I think they deserve an answer. I support a public inquiry. I think it would shine a light, especially with the recent story in the *Globe and Mail* saying that the ministers' staff are moonlighting as fundraising chairs for the party and for the ministers. I think the only way to shine a light on this is through a public inquiry.

I don't have any further questions.

The Vice-Chair (Mr. Lou Rinaldi): Now we go to Ms. Sattler from the NDP.

Ms. Peggy Sattler: Hi, Mr. Wiseman. Thank you very much for your presentation. I'm Peggy Sattler, MPP for London West.

I have three questions, and I'm going to be concise, so hopefully I'll be able to get to all three of them.

I want to start with the issue of third-party advertising, go back to some of the comments in your presentation and also some of the points you made in your response to Mr. Anderson's question on the difficulty distinguishing between issue advocacy and partisan advertising.

0950

Do you feel that the restrictions that are currently proposed in this legislation are appropriate in that they sort of cluster everything under the same kind of definition, so that advocacy organizations would fall under the same kinds of regulations as larger organizations, corporate organizations, unions etc.? Do you feel that that's appropriate, or should there be separate kinds of rules for advocacy organizations?

Mr. Nelson Wiseman: Well, I don't know. Should unions not be able to advocate for the interests of workers—their standard of living, their wages and so on? Or should corporations advocate in terms of bringing a business to a certain region that they want to develop? I don't know what the answer is because I'm not sure there is a definitive answer.

Now, Ms. Sattler, if I could just go back to Mr. McNaughton's points for a minute: He pointed out about the companies getting contracts for renewables and he's concerned about his taxpayers. I'm just wondering if the taxpayers are concerned that the contracts went to

specific companies, or if they're just concerned that any money is being given to companies, no matter who they are. That's one issue. I don't know, but I suspect it's the opposition to, maybe, the renewables.

As for staffers' so-called moonlighting, I don't think they're moonlighting. I think that's your job. You're a political staffer; you're not a civil servant. The minute the government changes, you're out of a job, just like the minister you've been working for. So I was not outraged by what I saw in yesterday's *Globe*, that political staffers are calling up and calling from the party's office, because again, as I say, they're not civil servants. It's not like you're getting your assistant deputy minister to raise money for you.

The bigger question is, should it not be publicly disclosed that there has been this private fundraiser and who paid to get there?

Ms. Peggy Sattler: Okay. The other issue is related to third-party advertising, which is the issue that I wanted to focus on. You had mentioned, I believe, that the third-party restrictions should only apply during the campaign period and not outside of the campaign period. Do you have any other recommendations about third-party advertising?

Mr. Nelson Wiseman: I wouldn't discourage you from extending it beyond the official writ period. I can envisage that it would be challenged. It may not be, and it may take hold. If it's not challenged for quite a while, it could very well be that the courts, after a long period, when it is challenged, will accept it because that has been the practice.

But even determining when the official campaign period is is tricky. Let me give you this example: You have a fixed election date law in Ontario. My understanding of the law is that unless the government is defeated, the election will take place on such and such a day. Well, in the last election we had, I didn't see the government defeated; I saw the government call an election without having been defeated simply on the basis of some public statement by the leader of the NDP. You never had the NDP come into the House with the Conservatives and vote you down. All you had was them saying they were intending to vote you down. That isn't parliamentary democracy. That happens in Parliament, not outside at some press scrum or something.

I recall that in 1985 when the Liberals and NDP had an accord, Frank Miller and his government said it was unconstitutional. Well, it never went to court and you couldn't find anybody who thought it was unconstitutional for one party to say it would support another party, but what he did is that he called the House, he read the speech from the throne and they were defeated. That was clear.

I'm just reflecting on the last election because I didn't see anybody in the media, in the opposition or anywhere point this out. Well, if you've got a fixed election date law, why don't you live by it?

Ms. Peggy Sattler: Okay. The other question I wanted to ask was about the cash-for-access fundraisers. You

made some excellent points about the threat to democracy created by these cash-for-access fundraisers. You mentioned, I believe, that the legislation should require ministers to disclose when they are lobbied, but then you also went on to say that lobbyists and stakeholders should be excluded from attending fundraisers that are held. Can you elaborate a little bit more about your thoughts on what the legislation should include regarding cash-for-access fundraisers?

Mr. Nelson Wiseman: I don't think lobbyists should be involved in setting up the fundraisers. Should they be permitted to go to the fundraisers? Whether they are or not, if we've got public information about who is there and what their company's connection is to the government, then that's good because that gives us exposure. We find out information.

My observation from following federal politics, and this is going on now in Ontario, is that our political system is being completely transformed—it's a gradual process—by the role of lobbying. The template that's being used is what goes on in the United States. So we have all kinds of organizations now that have permanent staff that are lobbying you, government ministers and bureaucrats, essentially 24/7. That's what they're hired for: "Go down to Toronto and sit there. Your job is to pursue our interests." Once upon a time, that didn't exist.

So the decision-makers, people like yourself, become increasingly dependent on them, rather than on citizens and the neutral civil service, for information on issues, because it's almost like a parallel civil servant.

I want to get back to your question. I'm trying to remember what I said, actually, about lobbyists. This is the thing: I don't know how we're going to tamp it down except than by throwing more light on it by publicizing it more—you know, who's lobbying who? I read in the Hill Times who the most lobbied ministers are, and by whom, but I don't really get an insight into whether it's effective or not. I do get to see whether ministers will see certain groups.

One of the things I've picked up already between the new government and the old government is that certain interest groups couldn't get the time of day with the old government, let's say, on climate change issues. Not in this government: Its ministers are very keen to bring these people in. So you have a change like that.

Ms. Peggy Sattler: The final issue I wanted to ask you about is that toward the end of your presentation, you made the point that the subsidy should be indexed to rise with inflation instead of decreasing, which is what is currently proposed. Can you explain why you believe that?

Mr. Nelson Wiseman: That's the system we had before. If \$100 today is \$100, why should we reduce its value to \$90 two years from now, if inflation is at 4% or 5%?

I was puzzled when I saw the proposal to decrease the subsidy. I thought it was the Conservatives federally who wanted to eliminate the subsidies. Nobody had complained before when it was indexed, and that seems to be

fair. I mean, we index pensions and we index all kinds of things that are out there.

If you don't believe in subsidizing parties, don't give them anything. But why are you giving them an amount that's higher today and then lowering it later? Because what you're suggesting is that they shouldn't have gotten it in the first place, that somehow it's evil.

What did shock me—but I still can't believe the number is true—is that the reimbursements and subsidies of various sorts added up to over half a billion dollars in the course of two years. Is that actually the case? Is that a typo? Because as a citizen, not as someone who is a political scientist, I said, "Wow, half a billion dollars. I've got better ideas how to help Ontarians."

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The Vice-Chair (Mr. Lou Rinaldi): We have about six minutes left. Ms. Wong.

Ms. Soo Wong: Good morning, Professor Wiseman. I'm very pleased that you're joining us this morning in London. It's always good to hear your views about provincial legislation.

I have two questions, one dealing with the threshold of the per-vote allowance. As you know, we are planning—as a government, and all three parties—to look at reforming election finances. The one piece I want to get your opinion on is the issue of the per-vote allowance. What's being proposed is to impose the per-vote allowance of \$2.26 per vote. This amount would be reduced to 75% over five years, and it will be reviewed after five years. What is your opinion about this allowance? Is it too high, too low, and what is your suggestion if it is too low?

Mr. Nelson Wiseman: First off, when you hear \$2.26, you say, "How come it's such an odd number?" You can't even get a cent now; the pennies have disappeared. That number looks suspiciously identical to what the federal subsidy was, which, I recall, started out at \$1-something, then it kept going up, and it was then slightly over \$2. So I think that's maybe where the number comes from.

As I've indicated, I think, fine, if you're starting with \$2.26 per vote, just index it every year. I don't think the number \$2.26 is too high or too low. I just think it's too low if you start decreasing it.

I don't think you have to put in that you're automatically going to review it. If you want to, I think that's fine. Look, if problems arise with the amount that's going out and people feel it's outrageous or not enough, they'll raise the issue. You don't have to put it right into the law that you're going to review it, because then it's going oblige you to go through all the steps of doing it. It's just like no one ran in the last election and said, "We're going to change the Election Finances Act. That's a big thing for us." I don't recall that being an issue. It may have been; I didn't hear it on the hustings. But now we've got the legislation proposed because there's a perceived problem, because it blew up in public. If that subsidy or something around it leads to some sort of scandal or sniff of scandal, it will be revisited at that

time. You don't have to put in a sunset clause or whatever.

Ms. Soo Wong: My next question to you, Professor Wiseman, is related to advertisements. I think several of my colleagues already asked you questions about advertisements. The piece I'm very interested to hear your opinion on is dealing with advertisements from not just third parties but on government policy and also government decision-making.

As you know, in the 2016 budget the government has made a commitment to enable every young Ontarian who wishes to go to post-secondary to get a free education regardless of their family income, making sure every young person has access to post-secondary.

My question to you is, do you consider this kind of advertisement of public education information to Joe Public—I have a very diverse community in my riding of Scarborough—Agincourt—partisan or government policy information?

As well, we have changed the laws recently in terms of public safety, dealing with texting and driving and crosswalks, making sure pedestrians are being protected. What's your opinion about this kind of information—not just education; information—for Joe Public so that they know what is out there? It is now almost August. My grade 12 students are not aware that the government budget is dealing with their post-secondary education. What is your opinion about this kind of advertisement?

Mr. Nelson Wiseman: I think it's just government promoting itself. I found out about the program about so-called free education—which I didn't see—through the media. It will be in the interest of post-secondary institutions to communicate this to people who are thinking of going to their institutions. Counsellors in high schools will be doing this. I don't need to find out about it from a government ad, which just seems to be self-promotion. I feel that about other things. If there are problems with texting and driving—which there are—that's what police enforcement is for. The newspapers report when there are changes in regulations and so on.

So I don't think the problem has been that we haven't had enough information. In fact, what I picked up from the news reports about so-called free public education is that, in effect, it wasn't going to be costing the government anything, the way it was structured. I don't know the details of it, but that seemed to me a much more compelling storyline than the fact that the government was opening the till to making something happen with more money, which it wasn't.

I'm sorry if I've disappointed you in my answer, but I'm very conscious, as Mr. McNaughton is, about the expenditure of public money. Maybe I'm an old fuddy-duddy, but I just don't like all these government ads. Once upon a time, we never had all these government ads and people still found out what the laws and the regulations were, because it's in the interest of those parties that are affected to communicate it to potential consumers.

The Vice-Chair (Mr. Lou Rinaldi): Thank you, Dr. Wiseman. Unfortunately, we've run out of time. We're

over the time; I apologize. Thank you again for taking part. It's very much appreciated, for you to take this time out of your day.

LONDON HEALTH COALITION

The Vice-Chair (Mr. Lou Rinaldi): We'll move on. Our next presenters are Mr. Jeff Hanks and Ms. Shirley Schuurman, co-chairs of the London Health Coalition. If you could approach. Yes, right there is perfect. Thank you for being here today.

The process is that you have 10 minutes for your presentation, and then we'll have a 15-minute opportunity for members to ask questions or get clarification. Welcome. At the beginning, if you could say your names for Hansard so they will be recorded, it would be much appreciated.

Ms. Shirley Schuurman: I'm Shirley Schuurman. I live in St. Thomas. I'm a co-chair of the London Health Coalition and volunteering with the Ontario Health Coalition since the 1990s.

I was amused by your previous speaker, who said that government ads were not in the past. I remember one from the Diefenbaker years. But that's okay.

I want to thank you for bringing this committee through Ontario and taking part of this lovely summer to advance the democratic process, and for giving us the privilege of presenting to you our concerns about what is fair and democratic as it pertains to our grassroots organizations promoting our publicly funded health care. I try to understand how amendments to Bill 201 will affect our striving to promote the need to improve access and quality and expansion, particularly in the London area, as well as in Ontario. Citizens will appreciate that amendments to Bill 201 are meant to bring accountability, transparency and financial limits to election campaigns.

I volunteer with the London Health Coalition; it is a chapter of the Ontario Health Coalition. This is an informal arrangement. Does the bill regard us as separate entities? The Ontario Health Coalition seemed to think this might be the right approach, if a decision on that has to be made.

I understand that in the new bill, there is a problem with understanding the precise meaning of "political advertising" as it pertains to calculating spending.

The health coalitions' approach is communication of non-partisan health care issues. I can't overemphasize that. The London Health Coalition has only Facebook and lists of those who have expressed interest. We communicate only non-partisan stances in all our activities.

An activity can be a campaign, not at election time—it was brought up just previously now that an election was called not within the normal date, and wouldn't that be interesting, to be in a campaign and all of a sudden, it's an election?—re a specific issue, planned by the Ontario Health Coalition, which we tweak with local aspects. Materials will originate with the OHC but we will add to many of those, at our own expense, as the need arises.

At election time, federal and provincial, we have held health care all-candidates meetings. Promotion posters and educational materials are supplied by OHC, which we hand out—non-partisan materials—to explain our stances and the reasons for them.

In the past, we have attended other all-candidates meetings. Having sought permission to have a table, we hand out materials to explain the OHC stance and the need for improvement in various sectors of health care.

In summary, we have joint and separate campaigns, all non-partisan politically. We believe all manner of our communications should not be classified as political advertising. Our participation in the democratic process at this level is not political advertising.

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Being a member of an ad hoc community group varies. LHC does not look for formal membership; we simply try to maintain lists of those who express interest in order to educate re issues, to inform about events and to seek volunteers. Of course, those costs are indeterminate.

As I am sure other groups have told you now a few times, we have no bank account. As you know, groups like ours—and there are many in society—seeking to speak out for the needs of the population, have no charitable status and exist only on contributions.

Thank you again for the opportunity for this presentation. I wish you well in your endeavours to bring this democratic process to communities.

The Vice-Chair (Mr. Lou Rinaldi): Great, thank you. We go to Mr. Clark.

Mr. Steve Clark: Thanks, Shirley and Jeff, for coming today.

You did mention the advertising at the very start. One of the things that the previous speaker referenced was some comments that I had made at previous hearings. The province of Manitoba, for example, restricts government advertising prior to an election. They do it for three months. They restrict it to a state of emergency, so if there's a public health emergency or a matter of safety, they would be able to advertise. If there were a government tender, they'd still be able to put those tender ads.

Ms. Shirley Schuurman: Like a virus that was in the community and so the people would have to take precautions.

Mr. Steve Clark: Yes, absolutely. Or if one of their crown corporations decided they wanted to hire somebody, those ads would still be there. Do you think that would be a fair restriction for a government prior to an election?

Ms. Shirley Schuurman: Prior to an election?

Mr. Steve Clark: Yes. In Manitoba it's three months before the fixed election date. Some have talked about six months before an election date. That would stop some of those partisan ads or perceived partisan ads that would be in the media.

Ms. Shirley Schuurman: Talking off the top of my head—I am not like Professor Wiseman. I'd really have

to think about that. It doesn't seem fair. I mean, a fixed election date is there for a reason; right? It's to limit propaganda.

Mr. Steve Clark: Absolutely.

Ms. Shirley Schuurman: Maybe Jeff has some thoughts on it.

Mr. Jeff Hanks: Are you meaning—

Mr. Steve Clark: Prior to the election in Manitoba—using them as an example, they have 90 days where the government is restricted on the types of advertising that they can put out in the media. It's restricted to those sections that I outlined, as opposed to a situation where the government could advertise in a more partisan way.

One of the things that happened last year was that the Auditor General had a press conference at Queen's Park. She expressed concern that the government had changed the legislation to allow more partisan advertising—it took some powers away from her. What Mr. Wiseman was talking about was the fact that when the McGuinty government came in, they put those extra controls in and then the Wynne government is now taking them out.

That was one of the things that the Auditor General suggested shouldn't be allowed and shouldn't be changed.

Mr. Jeff Hanks: So the government should be allowed to promote itself.

Mr. Steve Clark: There are some people who have appeared here who think we should amend this bill to put those strict controls and that strict oversight back in for the Auditor General.

Mr. Jeff Hanks: I wouldn't be in favour of a government being able to promote itself a lot during an election cycle.

Mr. Steve Clark: Okay. One other thing that I see in your presentation is that you talk about all-candidates meetings. I don't think this legislation prohibits you from doing all-candidates meetings because, as you say, you don't have a bank account and you're not actually expending any money.

Mr. Jeff Hanks: Well, we do expend a lot of money. We need to print stuff, we need to advertise—

Mr. Steve Clark: But the way I read your presentation, Jeff, you're getting that stuff from the parent organization, the Ontario Health Coalition.

Mr. Jeff Hanks: But it comes out of our pockets. Basically, when we decide to do something, by the time we can get some money from it, if we get anything at all, we have to do it all ourselves, pretty much, a lot of the time.

Mr. Steve Clark: So help me out. If you have no bank account, then how do you split up the funds? Do you have different partners that pay money, or do you do it by donation?

Mr. Jeff Hanks: Basically, a lot of us sometimes do it ourselves. We just pay for it ourselves, because we're so passionate about protecting public health care. If we didn't do it, we'd miss an opportunity to try and protect the services we have.

Mr. Steve Clark: Chambers of commerce are going to continue to have all-candidates meetings during the writ period. I don't see that Bill 201 restricts that. You're advertising for a non-partisan meeting.

I think there needs to be some clarity in this bill to recognize some of the things that groups like yours have put on the table.

Ms. Shirley Schuurman: That's it: the clarity, because it refers to promoting and opposing. It refers to opposing.

Mr. Steve Clark: Chair, I don't want to monopolize all the time, so I'll allow others members to speak.

The Vice-Chair (Mr. Lou Rinaldi): Thank you, Mr. Clark. Ms. Vernile.

Ms. Daiene Vernile: Harinder is going to go first.

The Vice-Chair (Mr. Lou Rinaldi): Okay.

Ms. Harinder Malhi: Thank you for your presentation. Ontario has been proposing to improve third-party advertising spending limits, and did something which has been recommended by the Chief Electoral Officer, as well as a number of the witnesses that we've seen over the last few weeks. These limits are going to help bring down the volume of the voices of wealthy corporations and allow a more diverse set of voices to be heard.

I just want to confirm what your position would be on these limits, considering that for-profit corporations can qualify as a third party as well. How would you feel about having these spending limits put on them so we can kind of even it out for everybody?

Mr. Jeff Hanks: We applaud limiting partisan spending, but at the same time, if you're taking a corporation that has access to millions of dollars and putting us on the same playing field, it's empowering for them but maybe, at the same time, less empowering for us.

Say we want to have a local debate. We raise, say, \$500, or it comes out of my pocket. I have to do reports and things. I'd like to be able to fundraise and spend a little bit more, but at the same time, I don't want corporations that have a lot of money to be able to drown out whatever might be an opposing view.

Ms. Harinder Malhi: But right now, there's no limit, so they could spend right now as well. Would that not be more fair, to be able to have limits?

Mr. Jeff Hanks: Okay, if that's the case, then I agree with that.

Ms. Harinder Malhi: Okay, thank you. My second question would be that some of the committee's witnesses have suggested that the current proposal to limit spending on third-party-associated pre-writ ads should be removed while maintaining the spending limit on pre-writ partisan ads. We, as political parties, would have a budget. We'd only be allowed to spend so much on partisan ads before the writ was dropped, but third parties wouldn't have any limit. Therefore, they could spend as much money as they want on pre-writ ads, whereas we would be limited in being able to defend ourselves or being able to counter those ads.

Since we'd be subject to spending limits, what are your thoughts on this? Do you not feel that that would be

an uneven playing field, per se, because we would be limited in what we could spend but nobody else would be?

Ms. Shirley Schuurman: I'm sorry. I could only hear part of your—

Ms. Harinder Malhi: Oh, I'm sorry.

Ms. Shirley Schuurman: No, it's just that I could only hear part of it. I'm not answering your question, but part of it is understanding the entity. If the London Health Coalition and all the independent, separate coalitions that the Ontario coalition oversees are to be separate entities, then how does the expenses allowance get divided out? Because the OHC provides a lot of materials. Therefore, we don't have to raise money for them. We just augment those materials and other related expenses.

Then we would have to go through a lot more of a formal thing than we do now. We have no campaign costs totalled up or anything. All of that would have to change, and so be it. But are we one entity or are we all separate entities?

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Ms. Harinder Malhi: Either way you're looking at it, whether you are one entity or separate entities, pre-writ you would be able to spend as much as you want, whereas the political party would be limited in what they could spend pre-writ. That's the question. Would that not make it uneven in that sense?

Mr. Jeff Hanks: So you're saying that some groups get to spend as much as they want, but others don't?

Ms. Harinder Malhi: Whereas political parties are limited in what they spend pre-writ.

Ms. Shirley Schuurman: The thing is, too, when you get over a certain amount, you get into auditing expenses—so you want to keep it down. I know I'm not answering your question, from the look of it.

Mr. Jeff Hanks: So you want political parties to be able to have no spending limits?

Ms. Harinder Malhi: What I feel is that it should be even, either way. It shouldn't be an uneven playing field. If one party—whether it be a third party or a political party—doesn't have a limit and one does, that does uneven the playing field. One group could continuously put out advertisements or put out a campaign where the other party can't respond to it because they don't have the money to respond to it—well, they may have the money, but they don't have the allowance to respond to it. That would make it unfair, in my opinion. I was asking what your thoughts are on that.

Mr. Jeff Hanks: Well, it depends who the third party is. If it's us, we have very few resources and very little money compared to, say, a corporate third party. A political party has a bit more resources. But I think it probably is important to limit third-party spending and to level the playing field.

The Vice-Chair (Mr. Lou Rinaldi): Can I just bring the members back? We got spoiled with the last presenter, when we had an hour. With this one, we only have 15

minutes. I don't want to interfere, but we're just way over the time

Ms. Sattler:

Ms. Peggy Sattler: Thank you very much for your presentation.

Given your role in undertaking non-partisan health care issue-based campaigns and your concerns about the impact of this legislation on your ability to do that, do you think that there should be a special designation within the legislation for advocacy organizations like the London Health Coalition or the Ontario Health Coalition, and can you elaborate a bit about that?

Ms. Shirley Schuurman: I would think that would be very helpful, certainly. Non-profit, absolutely—and there are other organizations like us.

Ms. Peggy Sattler: Should the designation distinguish between advocacy organizations that perhaps only operate at the local level versus those that are provincial—the London Health Coalition versus the Ontario Health Coalition—or should there be a single designation for all issue-based advocacy organizations?

Ms. Shirley Schuurman: I wouldn't like to see “versus,” because we're not “versus.”

Ms. Peggy Sattler: I know, but you operate at different levels. Do you think there should be a single designation or—

Ms. Shirley Schuurman: When we conduct a London campaign, at the same time, the issues in the campaign pertain to the whole province. Bed cuts are bed cuts everywhere. Home care problems are home care deficiencies through the whole province. The point is to have London people realize what the issues locally—that these issues face them, as well, and the particular ones that are worse.

Ms. Peggy Sattler: Do you have something to add, Jeff?

Mr. Jeff Hanks: Just that the local coalitions, I think, are hit the hardest. It's hard to get the word out and educate people. If they don't limit non-partisan spending, in a way it helps us. I appreciate your idea to have some sort of special wording around local grassroots organizations that are cash-strapped. Yes, that sounds like a good idea to me.

I'm concerned about locally limiting—silencing—dissent a little bit. Federally, the CRA was used to go after some groups that spoke out. I'm worried that some groups that are speaking out on policy might be silenced through this. That's a concern I have.

Ms. Peggy Sattler: Do you think that the legislation as currently worded might create a barrier to citizens participating in the political process because of this issue around advocacy campaigns?

Mr. Jeff Hanks: I think it's—go ahead.

Ms. Shirley Schuurman: Definitely.

Ms. Peggy Sattler: Okay.

The Vice-Chair (Mr. Lou Rinaldi): That's it? Ms. Vernile, you have one minute.

Ms. Daiene Vernile: Thank you very much for being here today. My comment for you is about third-party

limits. You've heard that we are looking at levelling the playing field by limiting the role of third parties in elections and trying to take steps on limiting the amount that they can spend during elections, but what is not included in it—and I hope that you're aware of this: We're not limiting your ability to mail out to union members, employees or shareholders, or stopping you from making telephone calls or holding round table discussions.

But when it comes to those activities, do you think that there ought to be a limit to the amount that you can spend?

Ms. Shirley Schuurman: I think it would be hard to audit that. I think it would be hard to put a number on a lot of those activities. I don't want a bureaucracy as large as the CRA in Ontario.

Ms. Daiene Vernile: Because I'm sure you're both aware that there are some very large third-party organizations that have a very big budget.

Ms. Shirley Schuurman: Yes.

Ms. Daiene Vernile: They get involved in elections—

Ms. Shirley Schuurman: Mailings are expensive. We don't—yes, mailings are expensive.

Ms. Daiene Vernile: Thank you very much.

The Vice-Chair (Mr. Lou Rinaldi): Thanks very much for your presentation.

Yes, Mr. Clark?

Mr. Steve Clark: There are a number of people who have mentioned this issue today, which the last presenter brought forward: holding all-candidates meetings and what's—the Chief Electoral Officer sort of nodded when I was making some of my comments.

I'd like research, if the committee agrees, to do a short report to us about those actions that were addressed in today's presentation and some references yesterday by Natalie from the Ontario Health Coalition about those parent groups and the subsidiary groups—how they would be dealt with under legislation and whether things like all-candidates meetings would be part of Bill 201.

The Vice-Chair (Mr. Lou Rinaldi): You're asking research—

Mr. Steve Clark: Yes, I'm asking research to get a little information for the committee.

Mr. Jeff Parker: So you're asking us to look into the implications of Bill 201 on organizations and their subsidiaries?

Mr. Steve Clark: Yes.

Mr. Jeff Parker: Okay—

Mr. Steve Clark: Because this past group talked about all-candidates meetings and the fact that the parent group would create some materials. Local chambers of commerce and other groups have all-candidates meetings all the time, and I'd just like the committee to understand how this bill would address items like all-candidates meetings.

Mr. Jeff Parker: What we're able to get for you is that we can look at what the bill says and what the current legislation says. What we can't give you is a legal interpretation of what we feel the implications would be.

Mr. Steve Clark: No, I just want a notation about what the current legislation says.

Mr. Jeff Parker: Okay.

Mr. Steve Clark: Thank you.

ONTARIO LIBERTARIAN PARTY

The Vice-Chair (Mr. Lou Rinaldi): All right. We've got one presenter before we break for lunch, and it's Mr. Matt Radford, candidate for Oxford county for the Ontario Libertarian Party. Mr. Radford, welcome.

Again, I want to remind the committee that Mr. Radford has 10 minutes for his presentation and then 15 minutes amongst all parties for some questions and answers. Mr. Radford, if you could identify yourself for Hansard as you begin. Welcome.

Mr. Matt Radford: Thank you very much. My name is Matt Radford, and I am the candidate for the Ontario Libertarian Party for Oxford county. I'm from Woodstock, Ontario.

I thank you for the opportunity to present my views on Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007. Comprehensive fundraising reform is essential to renewing our democracy and to restoring trust in the integrity of government decision-making.

As a libertarian, my opinion on this matter may be quite different than that of any other speaker you have heard to date. Let me begin by explaining what I believe is the primary function of government, to better your understanding of my position on Bill 201.

Government's only legitimate role is to protect individual rights to life, liberty and property, and not abrogate these rights. It is right to have laws against actions that intrude on the rights and freedoms of other individuals, but actions that do not intrude on the rights of others should not be restricted.

We must remember what government is: institutionalized force. The power and politics of government make it arrogant, inefficient, corrupt and dangerous. Because of this inherent nature of government, government programs almost always fail to do what they were supposed to, and expanding government power to do what you think it should ensure that future politicians will use it in ways you think they shouldn't.

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David Boaz best describes libertarianism in an article written for the Cato Institute, entitled "Key Concepts of Libertarianism":

"Individualism. Libertarians see the individual as the basic unit of social analysis. Only individuals make choices and are responsible for their actions. Libertarian thought emphasizes the dignity of each individual, which entails both rights and responsibility. The progressive extension of dignity to more people—to women, to people of different religions and different races—is one of the great libertarian triumphs of the Western world.

"Individual Rights. Because individuals are moral agents, they have a right to be secure in their life, liberty

and property. These rights are not granted by government or by society; they are inherent in the nature of human beings. It is intuitively right that individuals enjoy the security of such rights; the burden of explanation should lie with those who would take rights away....

"The Rule of Law. Libertarianism is not libertinism or hedonism. It is not a claim that 'people can do anything they want to, and nobody else can say anything.' Rather, libertarianism proposes a society of liberty under law, in which individuals are free to pursue their own lives so long as they respect the equal rights of others. The rule of law means that individuals are governed by generally applicable and spontaneously developed legal rules, not by arbitrary commands; and that those rules should protect the freedom of individuals to pursue happiness in their own ways, not aim at any particular result or outcome."

Now, when it comes to electoral reform and Bill 201, there is one question that needs to be asked: Why do we need this legislation? I believe that it is in part due to the history of corruption in our political parties in obtaining funds from influential people and their businesses. But is it reasonable for government to prevent politicians from corrupting the fundraising process? Shouldn't politicians just not be corrupt?

The people of Ontario want to know which politicians are apt to abuse the system we already have in place. We want to see which politicians will attempt to buy and sell votes through \$5,000-per-plate fundraising dinners. We want to see which individuals are attempting to buy favouritism and which parties are accepting. We want to see the rot at the core of the corrupt parties.

How will the people know which politicians are corrupt if government prevents the parties from showing their true colours? Do you not trust that the people of Ontario can make educated decisions of their own accord? Do you not trust that voters will hold corrupt politicians accountable at the polls? Do you imply that the people are incapable of forming an educated opinion, thus implying the need for the nanny state government to legislate in order to cover up the corrupt practices of political parties?

I also don't believe that taxpayers should be funding the campaigns of political parties through pay-per-vote subsidies. By paying themselves through a pay-per-vote subsidy, political parties are sending a message once again to the people of Ontario that they can't be trusted with their own money and that government is best spending it on their behalf.

Based on the 2014 election results, a pay-per-vote subsidy would cost the taxpayers roughly \$11 million per year, or \$44 million over four years. That is equal to one year's worth of IBI treatment for 511 autistic children. This is a major insult to the people of Ontario.

In reality, if a political party was honest, transparent and hard-working, they would actually need to spend less to win the trust, as well as the votes, of the people of Ontario. The trust of the people shouldn't need to be bought through advertisements smearing other parties or

through expensive \$5,000-per-plate fundraising dinners. The amount of money a party needs to spend should send a message to the people of Ontario as to just how self-serving and corrupt their party is.

Ontario is adopting practices that have been working in other jurisdictions to inform its approach to open government. Governments in Canada and about 60 other countries are implementing open government initiatives to improve transparency, effectiveness and accountability.

I believe that Ontario can do more when it comes to election financing, transparency and accountability. Recently, the Ontario Liberals have been investigated for corrupt practices by the OPP, but having the OPP investigate the government with the majority of power is like asking an employee to investigate their own boss. If you find them guilty, you're fired. If you find them not guilty, you're accused of favouritism. Also, since the Ontario Provincial Police Association has a history of contributing to political campaigns, it is a conflict of interest to have them investigate the very parties to whom they contribute. This is an example of why we need to end corporate and union donations to political parties. Since 2013, the top 30 contributors to the Liberals, PCs and NDP donated almost \$5 million.

Corporations and public sector unions can buy government favours because government has favours to sell. From 2001 to 2009, the Ontario government paid out almost \$25 billion in grants and subsidies to businesses. In these nine years, government granted double the amount of subsidies to businesses than they did from 1991 to 2000 combined.

If we truly want to eliminate corporate favouritism, we need to put stipulations on exactly who qualifies for grants and subsidies. Not only do we need to end corporate and union donations to political parties, we need to end corporate welfare.

If the current political parties in power claim to support transparent and accountable government, I suggest the following:

(1) No pay-per-vote subsidies. The people of Ontario should only do donations to parties voluntarily.

(2) End corporate and union donations to political parties. Businesses shouldn't be able to buy favouritism.

(3) End corporate welfare. Governments should not be subsidizing large corporations with taxpayer money.

(4) Allow candidates and political parties to fundraise how they deem ethically fit.

(5) Parties should regularly and publicly disclose their assets, income and expenditures to an independent agency or the office of the Ontario Ombudsman.

(6) Any charges against a member of provincial Parliament, a candidacy association or a political party should be turned over to the RCMP for investigation.

(7) Institute recall legislation so that the people of Ontario can hold those guilty of corrupt practices accountable.

In conclusion, I understand that under the current government modus operandi, the belief is that in order to

solve problems, we need more government. Instead, I implore the parties in power to have faith in the people that we can make the choices we believe are in our own best interests, that we can freely support any party we so desire within our means and that we can institute the proper legislation that allows the people to hold our representatives accountable for their actions.

I thank you all for allowing me to speak today. I hope you take my words into consideration when making your final decision. Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Thank you, Mr. Radford. Now we go to questions. First, Ms. Vernile.

Ms. Daiene Vernile: Thank you very much and welcome to our hearings, Matt. You've made some very interesting comments here today. I'm not quite certain I understand what you mean by "we're trying to bring in more government," because having served now just for two years—so I'm fairly new to this—I don't really see any evidence of our trying to bring in more government, but that's a curious remark that you've made.

I do agree with you that it's important for us to ban corporate and union donations. Tell me why you think it's important to do this, because we're very much committed to this.

Mr. Matt Radford: Well, like I outlined in my presentation, when you have corporate and union donations, that's the ability for businesses to buy favouritism from government, because government has something to sell. If a union or a corporation gives government money, government can show that corporation or union favouritism later on through subsidies or grants or through corporate welfare.

Ms. Daiene Vernile: As we are crafting this bill, Bill 201, part of the process is we want to hear from people like you and Ontarians right across this great province. The fact that we've taken this committee on the road—we're asking questions, we're inviting everyone and anyone to come forward and to share their views. It's a very open and transparent process. What are your thoughts on that?

Mr. Matt Radford: I think it's fantastic. I'm happy to be here. This is my first time doing anything like this.

Ms. Daiene Vernile: You're doing quite well.

Mr. Matt Radford: Thank you very much. No, it's very good that the people of Ontario have a voice, and as long as our voice is heard and is applied to the final process, I think it's a great idea that you guys are doing this, and—

Ms. Daiene Vernile: When you—sorry.

Mr. Matt Radford: Go ahead.

Ms. Daiene Vernile: When you eliminate the corporate and union donations, however—with some provinces that have done this, the way that they're trying to help out any candidate who wants to run is by offering this per-vote allowance. But you said you're against this.

Mr. Matt Radford: Exactly.

Ms. Daiene Vernile: We're looking at it as it's being done in other provinces just to help candidates in order to stage elections. So if you're against corporate and union

donations and you're against the per-vote allowance, how does someone like you run a campaign?

Mr. Matt Radford: Individual donations. It's not expensive to run a campaign when you're honest. I talk to people in my community. To be honest with you all, this is my first time running. I'm going to be running in 2018. I never ran before, so my opinion on this might be a little—I don't want to say "ignorant," but "uneducated."

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From speaking with other party members—we have tools available through social media so that we can reach out to the public without having to spend millions and billions of dollars on smear ads and campaigns against other parties. There are other ways, cheaper ways, to get your message out there without having to take large donations from individuals and corporations and through \$5,000-a-plate fundraising dinners.

Ms. Daiene Vernile: We do want to get on the record, though, that the Premier now has ended that practice, and she's not waiting for the results of Bill 201 to pass. That is no longer happening. She and ministers are no longer holding these kinds of fundraisers, for your information.

Mr. Matt Radford: Now, just to touch on that, I would also like to ask a question. Are there loopholes within this bill where corporations and unions can still send volunteers out, for free, to contribute to political parties? Is this a loophole that should be closed within this piece of legislation?

Ms. Daiene Vernile: That's part of this process, as we're getting feedback from people like you. We need your comments as we craft this bill. I want to thank you very much for answering my questions.

Mr. Matt Radford: You're very welcome.

The Vice-Chair (Mr. Lou Rinaldi): Mr. McNaughton?

Mr. Monte McNaughton: Thank you very much, Matt, for your presentation. I thought it was very well done. Thank you.

I wanted to go back to something I raised when Nelson Wiseman did his first presentation this morning, and it's regarding a public inquiry. Our leader of the opposition party, Patrick Brown, has called for a public inquiry into the donations to the government. The one story that symbolizes why I think we need a public inquiry is that over the last few years, seven wind companies donated \$255,000 to the governing Liberal Party. We saw recently a round of announcements for renewable contracts, and those seven companies were awarded contracts. The three companies that didn't donate to the Ontario Liberals weren't given, or weren't awarded, a contract.

We saw yesterday in the Globe and Mail where cabinet ministers' staff members were moonlighting, raising money for the Ontario Liberal Party.

I just wondered what your position is, and would you support a public inquiry?

Mr. Matt Radford: Of course. I always support a public inquiry. This morning, I was reading an article

about the Financial Accountability Officer and how he's having trouble doing his job because certain documents aren't being disclosed. Again, it's a major insult to taxpayers because, as far as I'm concerned, government has no money but our money. So when government restricts the Financial Accountability Officer, who is representing the public, from doing his job—we need public inquiries. We need more insight and accountability at all levels.

Mr. Monte McNaughton: To deviate a little from this bill specifically—but it does go to this public inquiry call that we've been asking for, and you raised it, about corporate grants to companies—the opposition has been on record, since the Auditor General's report, calling for the government to release all the grants that companies have received under the Liberals. So far, we've been stonewalled. They do not want to make the information available to taxpayers. We think that's wrong.

What's your opinion on transparency and accountability when it comes to taxpayer money being delivered to private corporations?

Mr. Matt Radford: I own a small business, and I've applied for government grants, and I've been turned down for government grants. When I see taxpayer money going to subsidize businesses that make billions of dollars or even hundreds of millions of dollars a year, again it's an insult, as a small business owner. I don't feel that these large businesses need taxpayer money, whereas small businesses do.

We do need more transparency and I think we need more accountability on exactly who qualifies for government grants and government subsidies.

Mr. Monte McNaughton: Okay. Thank you, Mr. Chair.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Sattler?

Ms. Peggy Sattler: Thank you very much for your presentation. Probably the fundamental purpose of this legislation is to protect the integrity of the democratic process and ensure that citizens are able to participate equally and fully, without the undue influence of corporations and other big money.

As part of the democratic process, small parties like yours are vitally important. This is not just legislation for the four main parties in the province. Do you feel that the legislation balances the interests of small parties like yours with the other main parties? Other than the recommendations that you've included—

Mr. Matt Radford: That depends. If we're talking about pay-per-vote subsidies, considering our party only had 0.8% of the vote in the last election, from what I know the pay-per-vote subsidy is only going to parties who get 2% or more. So yes, it is a little bit unbalanced. We are a registered political party, as are the Trillium Party, the Freedom Party of Ontario and the New Reform Party, and we do represent Ontarians, even though it's a small minority—a growing minority, mind you, I believe it is a little unbalanced and unfair. We don't agree with the pay-per-vote subsidy as a party. If it is going to be implemented, we're not going to deny it. If you go to

prison and you're wrongfully convicted, you don't deny food from your jailer. We have no choice but to accept the pay-per-vote subsidy, but right now as it stands at that 2% level, we don't even qualify for it.

So if you restrict the amount that individuals can donate and you don't allow smaller parties to accept the pay-per-vote subsidy, how are we supposed to get known and have equal status with the status quo parties?

Ms. Peggy Sattler: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Anderson.

Mr. Granville Anderson: Thank you, Mr. Radford, for coming. I found your presentation quite enlightening.

Mr. Matt Radford: Could you put your mike down a little bit for me, please?

Mr. Granville Anderson: Sorry.

I know my colleagues across the aisle are calling for a public inquiry. Do you think a minister would have the same influence as a party leader who gets money, like over \$2 million, to run for leadership of a political party? Do you think that there would be some influence involved in that as well?

Mr. Matt Radford: As long as there's money involved, there's always influence. With a public inquiry, it should be done by a third-party, non-partisan public entity. I don't believe that one opposition party should be hiring a public entity to do an inquiry into another political party.

I really don't know the answer to that. It's a tough call. There's so much that's unbalanced. Personally, I would like to see political parties working together for the betterment of Ontario, instead of working against each other to further their own positions in Ontario. That's what I would like to see. Especially with a public inquiry, it needs to be balanced. It needs to be neutral and non-partisan.

Mr. Granville Anderson: I know you alluded to the fact that you collect money from individuals for the advancement of your candidacy as a member of your party. As you know, we have strict limits in Ontario: Over \$100, you have to report it within 10 business days. When you collect monies, do you set a limit? Do you have a self-imposed limit on individual—

Mr. Matt Radford: As a party—you would have to talk to the treasurer about that. Again, I'm new to the candidate process. As for our limits, I don't know what our limits are. The limit in Ontario is \$7,000 right now—\$7,795 or something. That's a good limit. I don't think it should be lowered. I think that individuals should be allowed to donate exactly what is within their means, but businesses should not be able to. Businesses don't vote; individuals vote. That's who we represent, the voters.

Mr. Granville Anderson: As well, I believe in the integrity of members, such as myself. I don't believe I would be influenced by getting money from a union or from a business organization. Sometimes it's a bit disingenuous to believe that because you get money from a union or a corporation, you are corrupt somehow. I believe you're alluding to that fact. I could be wrong. Do you want to elaborate on that?

Mr. Matt Radford: It depends on what you do with that money. The fact that you accept that money shows that there could be the potential for favouritism and possibly corporate welfare down the road. That's where the public inquiries come in. This is where the public needs to know exactly where the money is going. Like I said, the best situation for voters—because individuals vote—is to not allow businesses to donate to political parties, because businesses don't vote.

Mr. Granville Anderson: Fair enough. Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Okay. Mr. Radford, thanks very much for appearing before us today and expressing your views. Again, thank you so much.

Mr. Matt Radford: Thank you very much for having me.

The Vice-Chair (Mr. Lou Rinaldi): This session of the hearings is finished. We'll be back at 1:30.

The committee recessed from 1050 to 1330.

The Vice-Chair (Mr. Lou Rinaldi): We'll call the meeting back to order. It's now 1:30.

HYDRO ONE NOT FOR SALE, LONDON CHAPTER

The Vice-Chair (Mr. Lou Rinaldi): The first delegation is Hydro One Not For Sale, London chapter, Ange Thompson, mobilizer. Ange, welcome. Take centre row where the light is on. The routine is, you have 10 minutes to present, then we have 15 minutes for members to ask questions or to get clarification. As you begin, if you could say your name for Hansard, it would be much appreciated. The floor is yours.

Ms. Ange Thompson: Great. Thank you. Good afternoon, everyone. My name is Ange Thompson and it is my distinct pleasure to present to you today on behalf of Hydro One Not For Sale, London chapter.

Hydro One Not For Sale is a non-partisan citizens' group. Our members come from all walks of life. We have members who support every major political party and some who don't have a political bone in their body. Despite our diversity, we collaborate as community members to raise awareness about the impacts of selling Hydro One and we encourage the government to stop the sale.

Hydro One Not For Sale has active chapters across the province. Our chapters have a lot of support from community leaders. In fact, over 200 municipal and rural councils have passed resolutions calling on the government to reconsider their decision and stop the sale of Hydro One.

The London chapter developed as a result of a very successful town hall meeting held last October. Community members could see the obvious detriment to privatizing Ontario's largest asset and wanted to do more to educate and mobilize their community. Our chapters meet weekly throughout the fall and winter, and now, through the summertime, we meet once a month.

We are present at various community events and festivals with our Hydro One Not For Sale booth. At

these events we share information and collect signatures on our petition. We have been featured in media several times for some of our more notable events, including rallies, our memorial service for Sir Adam Beck and our Duck Duck Goose event at Springbank Park.

Throughout the city, you may notice hundreds of “Keep Hydro Public” lawn signs our supporters display on their lawns. Needless to say, I am very proud of the work we do, so I wanted to come before you today to talk about how some of the changes you propose in Bill 201 could impact the community members who are a part of the London chapter of Hydro One Not For Sale.

We work very hard for our cause, and I’m afraid some of this new language will prohibit the work we do. I am particularly concerned with the new definition of “public advertising.” The new definition includes any advertising “that takes a position on an issue with which a registered party or candidate is associated...” I’m sure you can understand why a group like Hydro One Not For Sale would not be in favour of this language. It explicitly prohibits our members from opposing the sale of Hydro One. In addition to silencing our group, there is no reciprocal language restricting the government from advertising their point of view.

This new language is restricting citizens from advocating for the betterment of their own communities during and six months leading up to an election period while empowering the government to use public money to broadcast their perspective on any issue. In my opinion, this is an attack on democracy and I urge you to reconsider this language. I would support leaving the previous definition of “political advertising” intact.

The second concern I have with the proposed changes to Bill 201 is the addition of language restricting third-party advertisers from spending more than \$100,000 for political advertising during any election period when, as mentioned before, the government is allowed to use public dollars with no limitations for the purpose of advertising their viewpoint on any given issue. This directly affects Hydro One Not For Sale. I’ll provide an example: If each local chapter of Hydro One Not For Sale were to put an ad in the newspaper describing the impact of hydro privatization in their community, this would immediately reach the budget limitations. Meanwhile, the government would be authorized to spend unlimited public dollars on advertising for their perceived benefits of this privatization.

It is not equitable to create an environment where citizens are restricted and the government is empowered. It’s the government’s duty to represent the best interests of its citizens, and this language promotes the exact opposite of that. I’m in favour of spending limitations but only when the limitations are fair to everyone.

I know that our group is not popular among the Liberal Party because we’re opposing a decision that you made, but implementing restrictive language like the amendments proposed to Bill 201 shouldn’t be done to silence one group, like us, from speaking out. This bill will also affect groups that support decisions that you

make and also groups that oppose decisions that other parties make that you might also oppose.

As government, do you want to make legislation that makes it harder for community members to get involved with issues that affect their lives? I sincerely hope not. What I’ve seen from the people who participate in the London chapter of Hydro One Not For Sale is a great enthusiasm and passion for their community and for their province. I want to see more of that and not less, and I think you should too. Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Thank you very much. We have about 15 minutes in our rotation. Mr. Yurek, you’re first.

Mr. Jeff Yurek: Thanks, Ange, for coming out. It’s good to see you. Thank you for the hard work that you’ve put forth, speaking for, I think, Ontarians at large, basically, because the sale of Hydro One wasn’t even a topic of discussion during the last campaign when the government was elected. Unfortunately, groups like yourselves have had to form and speak out for Ontarians. So thank you very much for doing so.

Just on another issue: I’m hoping that you don’t have to form the “Don’t Ban Natural Gas” group after the next election. However, I won’t go there today.

With regard to advertising, you raised a good issue: the fact of third-party advertising. Last election, our party—you couldn’t turn on a radio or a TV in the London area without hearing how evil Tim Hudak was, as opposed to actually dealing with the issues at large. So I really do like the idea of making non-partisan advertising part of the goal.

You made mention that this government likes to do ads congratulating itself, and they recently just changed the rules over the last year, which enable them more freedom with how much they can congratulate themselves. And you’re saying that six months prior they’re able to do that, whereas third-party advertising would be banned. Would you feel that maybe the government should also have the same power to be banned for six months prior to the election, as opposed to ensuring that you’re allowed to spend X amount of dollars equal to what the government is spending?

Ms. Ange Thompson: My personal opinion on that would be fairness for everyone. I think if the government is allowed to do something, then citizens advocating for their community should be able to do similar. So yes, I think fairness is important to me in those situations.

Mr. Jeff Yurek: So an amendment would be to somehow work it in that the government would be banned? You would be fine with that sort of move on this bill?

Ms. Ange Thompson: I would be.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Malhi.

Ms. Harinder Malhi: Thank you for your presentation. I want to start by saying that our party is committed to—there’s nothing about dislike here—working with all of our stakeholders to do our consultations on Bill 201 and hearing what the public is saying.

Going from there, I wanted to talk a little bit more about disclosures of donations. Political parties have to disclose their sources of funding in real time, with constituency associations reporting annually. Meanwhile, third parties, at the moment, don't have to disclose any of where they're spending their money or how they're spending it.

Are disclosure requirements for third parties year-round something your organization would support?

Ms. Ange Thompson: Can you repeat that last bit?

Ms. Harinder Malhi: Just like we have to disclose where we're getting our donations, who we're getting them from, would it be something, when we have third parties, organizations like yourselves or anybody else who's running a campaign, or running some sort of program where they're advertising pre-writ—do you feel that those organizations should also have to report and disclose where they're funding their campaigns from?

Ms. Ange Thompson: I don't see how that would be a problem. A lot of these campaigns, like Hydro One Not for Sale, the health coalition and various campaigns, are kind of grassroots, and it's a lot of community members coming together, so there aren't buckets full of money pouring into these. Disclosing where we're getting donations wouldn't really be a problem because we're not overflowing with cash. Like I mentioned before, fairness for all: If we're expected to disclose where we're getting our donations from, then I think the government should be expected to the same way.

Ms. Harinder Malhi: And they are.

Ms. Ange Thompson: Yes. And I think another one of my major concerns is lowering the cap for what's allowed for personal donations. When you have big stakeholders donating large sums of money, in my mind that can easily persuade a government to do or not do something. If more people contributed smaller amounts, I think that that would be more beneficial, and then I don't think there would be so much of a problem with the disclosures of where the money is coming from. It wouldn't be as big of an issue.

1340

Ms. Harinder Malhi: My second question is around limits. I know you talked about us having limits, and third parties. We were talking a little bit more about how much you're able to spend on a campaign and how much we're able to spend. Do you think it's fair that third parties wouldn't have a limit as to what they're able to spend on their campaign and that political parties would have a limit—pre-writ, so anything before the election campaign. If we had limits as to what we could spend annually, would you think that would be the right way to go? Would it be fair?

Ms. Ange Thompson: I think the proposed limit of \$100,000 is too low, considering that the government can use unlimited funds. That part of the language should just be eliminated altogether, in my opinion.

Ms. Harinder Malhi: So you think that there should be no limit for third parties. Do you think there should be a limit for political parties as to what they can spend pre-writ on advertising?

Ms. Ange Thompson: I think it should be fair. If a political party has a limitation then, obviously, the third party would have a limitation as well. I think it should be more equal.

Ms. Harinder Malhi: Do you think it should be the same limitation? Equal?

Ms. Ange Thompson: I think that would be fair.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Sattler.

Ms. Peggy Sattler: Thank you very much, Ange, for your presentation and also for your advocacy through Hydro One Not For Sale.

I wanted to ask you about the impact of the reporting requirements that are set out in the legislation, in terms of requiring an auditor if you meet a certain cost threshold for the campaign materials that you produce. Those administrative requirements, in terms of accurate accounting and auditing and all of that—do you think that they would also have a chilling effect on the ability of organizations like yours to participate in issue-based advocacy campaigns?

Ms. Ange Thompson: Sorry, I'm not sure I know what you're asking. If people have to be held accountable or—

Ms. Peggy Sattler: The legislation proposes that an auditor is required for organizations that spend above a certain threshold. Right now, the threshold is about \$5,000. At that point, you will require an auditor and there are more stringent reporting requirements. Do you think that would have an impact on your organization?

Ms. Ange Thompson: I don't think so, but I don't know a whole lot about the finances of it. I haven't really put too much consideration into that. But just off the top of my head, I think accountability is a good thing.

Ms. Peggy Sattler: What about the possibility of a special designation for issue-based advocacy organizations like the health coalition you mentioned or Hydro One Not For Sale? Do you think that should be considered, rather than lumping all third parties together under the same section of the act? Right now, corporate interests and large, very organized third-party entities are considered the same as a very local, grassroots advocacy organization.

Ms. Ange Thompson: I don't think they're the same thing at all. In terms of grassroots organizations, they're usually members of the community, looking out for the betterment of their community and citizens. Usually, corporations are looking for profit in their bottom line. So there's a complete difference between the two groups, in my opinion.

Ms. Peggy Sattler: So you think a special designation for an issue-based advocacy organization versus a corporate third party or other kind of—

Ms. Ange Thompson: Yes. I don't think we can be lumped into the same category as them.

Ms. Peggy Sattler: You described the new definition of "political advertising" that's included in this legislation as an attack on democracy. Can you elaborate a little bit more on that?

Ms. Ange Thompson: Yes. Let me just pull out the bill so that I have the language right in front of me.

Ms. Peggy Sattler: The bill says that political advertising now includes “advertising that takes a position on an issue with which a registered party or candidate is associated.”

Ms. Ange Thompson: Yes. I have a huge problem with that, especially coming from Hydro One Not For Sale. We’re a non-partisan group. We have members from the community who are Conservative, Green Party, NDP—and Liberal, even. To say that we can’t take a position on an issue that might oppose the government—everything is political. So what are you supposed to do? Just zip your mouth for six months before an election and not talk about anything that affects your community, like hospitals and hydro and all these very important issues? That’s why I think it’s an attack on democracy, because it’s a way of silencing communities and silencing citizens from speaking out, and not even speaking out against something but advocating for something in a positive way.

Ms. Peggy Sattler: Okay. Thank you very much.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Hoggarth.

Ms. Ann Hoggarth: Thank you for your presentation. We’ve had significant discussion about the fact that Bill 201 does not explicitly prevent unions or corporations from sending paid employees to work on campaigns and being compensated by their employer. Have you ever been involved in a campaign where you were compensated by your employer for working on the campaign?

Ms. Ange Thompson: Do you mean any campaign in general or a political campaign?

Ms. Ann Hoggarth: A political campaign.

Ms. Ange Thompson: Not on a political campaign, no.

Ms. Ann Hoggarth: Okay. What are your thoughts on the issue of paid labour?

Ms. Ange Thompson: I think time is money. I think that if somebody is doing work, it’s valuable, in my opinion.

I think there would have to be a way of identifying what that work is worth. For instance, at Community Living Elgin, I’m paid \$23 an hour. If my employer releases me to go work for a political party and my job is to canvass, we’ll say, is that work worth \$23 an hour or is it worth \$15 or \$17?

Ms. Ann Hoggarth: Perhaps you misunderstand. If your employer sent you to work on a political campaign and you still got paid, do you think that’s right?

Ms. Ange Thompson: I think it’s fine, yes. If your employer—

Ms. Ann Hoggarth: So your employer could pay you, and you’d go and work on a political campaign.

Ms. Ange Thompson: I think that’s fine. As long as it’s open and transparent and everyone knows what’s going on, I don’t see any problem with it.

Ms. Ann Hoggarth: So you’re okay with paid labour. How could this be addressed in the proposed legislation?

Ms. Ange Thompson: What do you mean? I don’t know what you’re asking me.

Ms. Ann Hoggarth: Okay. How do you think this could be enforced, since a lot of the time, you really don’t know who has come from where?

Ms. Ange Thompson: I’m not a government employee. I don’t know how you guys keep track of this stuff. I’m sure there’s a way to record where these people are working.

Ms. Ann Hoggarth: No, it’s any employee; it’s not necessarily a government employee. It’s a corporation or union employee who leaves their corporation or union job. Their employer still pays them, but they’re actually canvassing or phoning or working for a political party. You’re okay with that?

Ms. Ange Thompson: Yes. I know that it happens, and I’m okay with it. I don’t know how you would record that. I think what you were asking me was how we would keep track of that and record it. I don’t know how you would record that. I’m sure there’s a way. It’s not impossible.

Ms. Ann Hoggarth: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Clark, you’ve got less than two minutes.

Mr. Steve Clark: Thanks, Chair. I’ve just got two questions, so I should be okay.

I’ll just pick up from what Ms. Hoggarth was asking. To some of the presenters, we’ve asked questions about openness and transparency. One of the ways that has been suggested for openness and transparency is that when someone gives a donation to a political party, Elections Ontario would provide their name. As it is now, you can go onto my association and see the names of people who have donated to me.

Some have asked, in the guise of openness and transparency, to include the person’s address. Some have also suggested that you put the person’s employer, which is what I think Ms. Hoggarth might have been alluding to.

Do you support Elections Ontario recording documentation that would provide the person’s name, their address and their employer?

Ms. Ange Thompson: To be honest, I’m not sure how I feel about that. I would have to give it more consideration. I don’t know how I feel about that.

Like I mentioned earlier, if there were more people contributing smaller amounts of money, that would be more valuable. It would create more inclusion, because not everyone can afford to donate thousands of dollars. I feel like if average citizens could contribute a small amount of money that they could afford, then I don’t think this would be such a problem. If my employer is booking me off work to work on a political campaign, say for three months, then that’s a significant amount of money.

1350

Mr. Steve Clark: Sure. Absolutely.

Ms. Ange Thompson: I can see why people might be concerned about that. But I haven’t given your question—

Mr. Steve Clark: Okay. I’ve just got one more question. Mr. Parker has done a tremendous job with this

research document. I look in the research document—and Keep Hydro Public appeared before us. They're listed in the column as being one of the groups that feel that Bill 201 should explicitly prohibit fundraisers which grant access to government officials in exchange for a contribution from stakeholders. Do you agree with that concept, that this bill should include stopping cash for access?

Ms. Ange Thompson: Yes. I don't think cash for access is a positive thing. Like I said earlier, the average citizen can't afford a \$500 ticket or a \$1,000 ticket—or in some cases, a \$7,000 ticket—to speak to these politicians.

I recently read an article—I think it was yesterday—about how some ministers were reported allegedly saying, “We don't have time to meet in the office, but if you buy a ticket to come to this event, then we can discuss the issue.”

Mr. Steve Clark: That's terrible, just awful.

Ms. Ange Thompson: I don't believe in that. I don't believe that's fair—

Interjection.

Ms. Ange Thompson: Pardon? It's in the news. You can read it yourself if you want. I can show you the article.

Anyway, I don't think that that creates fairness for everybody.

Mr. Steve Clark: Thanks, Ange.

The Vice-Chair (Mr. Lou Rinaldi): Thanks very much. Thanks for being here to present.

Ms. Ange Thompson: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): We certainly appreciate your time.

OPSEU LOCAL 109, FANSHAWE COLLEGE

The Vice-Chair (Mr. Lou Rinaldi): The next presenter is Mr. Ron Kelly, second vice-president of OPSEU Local 109, Fanshawe College.

You have 10 minutes, Mr. Kelly, to present, and then we have 15 minutes for questions from members. If you could please state your name once you get started, and the floor is yours.

Mr. Ron Kelly: My name is Ron Kelly. Hi, and good day, everyone. I am second vice-president of OPSEU Local 109 at Fanshawe College in London. We represent college support workers at our college.

This is my first time at this type of presentation, so I'd like to start off by saying thank you for the invitation to speak to you about Bill 201 and the changes the government has proposed in election financing and political communication.

This bill proposes a third-party advertising limit of \$100,000 per organization during a general election, and \$600,000 in the six months prior to the election being called, as well as a maximum of \$4,000 to any electoral district and no more than \$24,000 in any electoral district for the purpose of third-party political advertising in that district during the six-month period prior to the general

election. This creates a huge concern for us and, I'm sure, all Ontario voters, because it limits the information that concerned groups are able to share with all voters.

I am sure you would agree that you would want voters to have as much information as possible so that they can make an informed decision at the ballots. Any changes to our electoral system should be about improving access to information on issues that affect all of us. We believe that it is part of our democracy to get as much information as possible, so that we do not guess about an issue but dig into the information to get the answers.

That can only happen with advertised information, and unfortunately, it is expensive. As an example, I have read that the Globe and Mail can charge over \$40,000 for a single, full-page ad in the front section of the paper. A 30-second commercial on a major TV network can reach \$10,000. I know it can easily cost \$4,000 for a single radio ad here in London.

Bill 201 goes too far and changes the rules to include any advertising that takes a position on an issue with which a registered party or candidate is associated. Basically, Bill 201 is saying that most voters will only get one side of the story, and if they hear any information at all, it will probably be hearsay.

Essentially, this captures virtually every issue of public interest and dramatically limits the ability of the individuals and organizations to raise issues of public concern in the six months before an election and during an election campaign.

Under the proposed new rules, campaigns designed to raise awareness on issues would be severely limited. For example, if we were bargaining during the six months before an election, and we needed to take out ads explaining what we were looking for in an agreement with the colleges, the proposed bill is so broad that even this type of advertising would be restricted. I believe that when you take away the information and try to silence the awareness of the citizens, then you are taking away our democratic right to be informed. The proposed \$100,000 cap on advertising during an election campaign would make meaningful and effective advertising all but impossible.

I read an article from Smokey Thomas, the leader of the OPSEU union, that made the point very clear: “Democratic organizations should not be barred from communicating about politics any more than news organizations should be. Both are vital to the functioning of political life in this province. They should be encouraged, not repressed.”

One final quote that I found, that I came across, that was really important to me—and I put a lot of thought into whether I wanted to tell you this, but I thought it was quite important—is Harry Truman. His quote was, “Once a government is committed to the principle of silencing the opposition, it has only one way to go, and that is down the path of increasingly repressive measures, until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear.” I thought that was pretty important for us all to consider.

Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Thank you, Mr. Kelly, for the presentation.

Ms. Wong.

Ms. Soo Wong: Thank you, Mr. Kelly. You did a pretty good job on your presentation for your first time.

I was an OPSEU member myself when I was a nursing professor at Humber College, so I want that to be on record.

I want to specifically deal with the proposed legislation, Bill 201, as it relates to donations by employees, and how we address that issue. I just wanted to give you some preamble pieces, and I will have a question for you, Mr. Kelly.

In this proposed legislation—

The Vice-Chair (Mr. Lou Rinaldi): Pull the mike closer to you. Thank you.

Ms. Soo Wong: Oh, sorry. Okay.

As you probably heard, Bill 201 does not explicitly prevent unions or corporations from sending paid employees to work on a campaign. I'd like to hear from you, and your opinion. Have you or your colleagues at Fanshawe College been involved in a campaign where you were compensated by your union for working in a campaign?

Mr. Ron Kelly: I personally have not, so I can't tell you about that specifically. I can say that we have to be careful when we consider the factors on both sides, because we understand that the government is able to send people out, paid, to give their point of view. I understand how we have to balance it, and how you have to be accountable. It should be recognized, but whether it should be stopped or not, I'm not sure. Obviously, it's important to me to come here to do this for the first time. One of the points that I think about often is trying to be fair on both sides. If the government is allowed to spend an exorbitant amount of money, regardless of how it is diversified between employees and whatever else, to get their point across, don't we want Ontario's citizens to have the same amount of information from the opposite point of view? That's important, and that's what I feel: It's to make sure that that information is there.

Sometimes we can only volunteer so much. If you're on a campaign that has to take an extended amount of time, you can't just take off work and say, "This is the most important thing to me; I don't need money," because we do have to survive.

Ms. Soo Wong: Because time is limited, Mr. Kelly, I have a couple more questions. Am I hearing correctly, just for clarification, that you believe that if the proposed legislation is to limit this kind of employee pay-to-access, you want it to be across the board so that it will be a level playing field?

1400

Mr. Ron Kelly: Yes, I think it's important to have a level playing field. That's my personal opinion.

Ms. Soo Wong: Not the union-OPSEU executive.

Mr. Ron Kelly: Right.

Ms. Soo Wong: With regard to third-party advocacy work, I'd like to hear from you. We are trying to be a

leader on this whole issue of election reform and finance. In terms of Bill 201, as we propose it, what kind of important step should we be considering—right now, there is no limit in terms of third-party advertisements during an election—when it comes to what is not included in terms of capping other political activities such as mailings to union members, company employees making telephone calls on behalf of a union or day-to-day political activities and advocacy work. Do you think, in terms of this legislation, that there should be some limits on spending on these kinds of activities so that it will be a level playing field?

Mr. Ron Kelly: I've thought a lot about the limits, and I'm really against limiting people. One of my co-workers made the point, "Well, what about big business that can throw tons of money at something and really beat you with it?" One of the important things that I thought of and that I mentioned to them is, "When the Liberals and the Conservatives were battling for our federal government, the Conservatives kept telling us how young Trudeau was, and it got to the point where we didn't want to hear it anymore." You can keep spending money; you can keep sending it to us. It really doesn't mean anything anymore. Send us something that has issues. So does it bother me that the Conservatives spent hundreds of millions of dollars to tell us that he was young? No. It didn't work. So what difference does it make? Let them spend the money. In that, we're going to get information, and that's what we have to have. I think it's very, very important for this committee to think about—you do not want to limit the people from getting the information. That's what's really important to me.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Sattler.

Ms. Peggy Sattler: Thank you very much for your presentation and for participating in this process here today.

I am interested in your thoughts about this question of advertising and the imbalance between third parties, which will be restricted under this legislation, and the government, which is completely—no limitations whatsoever placed on how much the government can spend and, in fact, what it can say in its advertising. We know that the legislation was changed recently, which has opened up more room for the government to engage in more partisan-type advertising.

There are two schools of thought. There's the \$100,000 cap that is proposed, and you've pointed out how, because of the cost of advertising, this would limit the ability of third parties to engage in advertising campaigns. That cap could be increased. But are you saying that the cap should be removed entirely and that it's okay that the government has unlimited ability to advertise as much as it wants, and that the solution is to remove the cap on the cost of third-party advertising?

Mr. Ron Kelly: I don't believe there should be a cap, simply because, regardless of if we had a limit—if we said half a million dollars for the political party and half a million dollars for third-party groups, that is only the paid portion. Every time that we have a political leader at

a rally or at an event or anything else, they have an immense amount of advertising, and it's all free. They're getting out that information, many times, without having to pay for it. So they're getting their point of view, whereas, as we were talking about, Ontario Hydro is not getting that same amount of free advertising. There are ways that the government is going to get advertising dollars regardless of what cap we put on them because of different things that happen just because the media is going to be on them, watching them and hearing their point of view.

Ms. Peggy Sattler: Okay. The other question I had was around the cash-for-access fundraisers. Do you believe that there should be some kind of reporting requirements for people who attend those fundraisers? What's your view on that issue?

Mr. Ron Kelly: My personal opinion is that I don't think there's anything wrong with telling and giving information. I understand that in small groups, grassroots groups, lots of times it could be people dropping \$20 into a jar. Sometimes it's hard to say, "Where did that \$100 come from? Where did that \$500 come from?"

Ms. Peggy Sattler: The cash-for-access issue is around the \$1,000, \$10,000—

Mr. Ron Kelly: Yes, and I don't think that it should be a problem for anybody to say where the money came from. But there also shouldn't be a penalty for getting that money. If I had an issue-based group and something was terribly concerning to our area—maybe it was clean water. It was clean water in north London, and we were really concerned and we were able to get a \$5,000 donation from 3M group to say, "Yes, we understand. We've been in London for years. We want to help you with this." There shouldn't be a penalty against 3M, but yes, they should report that "Hey, that's where we got it."

The Vice-Chair (Mr. Lou Rinaldi): Mr. Clark.

Mr. Steve Clark: Thanks for your presentation. I want to go back to a couple of things that my colleagues have asked you just to try to get some clarity. One of the deputants we had before the committee on June 7 was Smokey Thomas from OPSEU. He and a number of our presenters, since we were here, spoke specifically about amending Bill 201 to remove the exemption of paid volunteers and to require campaigns to count this as a contribution. Would you support an amendment to the bill?

Mr. Ron Kelly: I know Smokey does a lot more research into these areas than I ever have time for, so I do support him because I know he's done the research. I know he's not trying to gain something from it. He does want to help the government to run better. So I do support Smokey in his opinion on those facts.

I did read through his article. I do have notes on it so I do understand that, if I remember right—and I can take a look at my notes—I think he did want that to happen. I did read the conflicting sides on that, so I would agree with Smokey Thomas on that.

Mr. Steve Clark: Thank you very much. In terms of the advertising, some of the deputants that I've spoken

to—I've talked about the government. Ms. Sattler spoke about the amendments that were changed in regard to government advertising. The Auditor General came forward and expressed some pretty significant concern that the government was stripping her of her oversight, that they were changing the rules so that they could be in a position where they could partisan advertise where previously the Auditor General would be able to stop that. Some feel that we should, as part of this bill, give the Auditor General back that control.

In addition, others feel that we should look at other jurisdictions. I use the example of Manitoba, which just had an election. The government was not allowed to advertise three months prior to the election other than public safety ads, tender ads—if a government agency had a tender, they could provide the tender ad—and employment ads, if an agency or a ministry was looking for employees.

Do you support us strengthening this bill by giving the Auditor General back that oversight that was removed? And would you support a ban on government advertising for a period of time, whether it would be three or six months prior to the election, other than those public safety, public health, tender and employment ads?

1410

Mr. Ron Kelly: As far as the Auditor General, he has a very important position, and him having the power is important to his position. I understand that the government has to come to him for the money. I think part of it is that if he can't have that power—if you're not able to give it back to him, then at least he needs to be able to fully report on what's happening, not just as it's already gone out the door, but as it's being requested so that the people are aware of what's happening, that this has been asked for, this large sum of money has been asked for. I think it's important that, yes, he does have the power to do his job—

Mr. Steve Clark: Her.

Mr. Ron Kelly: Go ahead?

Mr. Steve Clark: I said it's "her."

Mr. Ron Kelly: Oh, sorry.

Mr. Steve Clark: It's okay.

Mr. Ron Kelly: Yes. To go to your other point—sorry, you'll have to repeat the second point now. I'm thinking about the Auditor General.

Mr. Steve Clark: One is to limit the government—

Mr. Ron Kelly: Oh, the three months before. Yes, okay.

Mr. Steve Clark: Or six months; some people think six.

Mr. Ron Kelly: When it comes to repressing information, it really goes against our democratic views. I think it's really important that the government has to get the word out on what they're going to the campaign for. I would be really leery of putting that restriction on them, to the point that when they got elected in, they were able to say, "Well, we couldn't tell you what we were going to do." I wouldn't want it to go backwards to hurt us in the information field, which it could. They could say, "Well,

we wanted to tell you this is what we were going to do, but we couldn't tell you because we were told that three months before or six months before we couldn't do anything." So yes, I would be very cautious on that.

Mr. Steve Clark: My only comment back to you is I think there needs to be a difference from a campaign ad versus a government ad.

Mr. Ron Kelly: Yes, I know. And I do understand what you're saying, but I think it's important that people have the information going to the polls.

The Vice-Chair (Mr. Lou Rinaldi): Thank you. Ms. Vernile, you have about a minute and a half or so.

Ms. Daiene Vernile: Okay. Well, we'll go quickly.

Thank you very much, Ron, for coming before this committee and for sharing your very thoughtful views with us today. You did make a comment about private fundraisers. I think that we need to clarify and put it on the record that the Premier isn't waiting for this proposed Bill 201 to come into action. She's already taken action herself. She and all ministers are no longer holding those kinds of private fundraisers, just so you know that.

There are some witnesses, like yourself, who have come before this committee and they've suggested that the current limit to third-party spending should be removed. This is during the pre-writ period. That means that lobby groups, corporations and unions could spend an endless amount of money promoting a vested interest. And let's face it, they do have vested interests that they try to promote. However, political parties would be banned from doing the same thing in the pre-writ period. Would this not create an uneven playing field? It would be very unfair where the lobby groups—the third parties—could do this, whereas political parties could not.

Mr. Ron Kelly: Oh, it would definitely be unfair. But, as we've talked about, the government does have an amazing way of getting out their information, not always at a cost to them. Yes, it needs to be equal, but it needs to be equal and open. I think that, yes, getting out the word to the people to make sure that they can make an informed decision is so important to me, that informed decision, not just a jumping at, "Yes, this is the one. This is the popular way I want to go."

I think it's important that the government has the same access as the third-party groups. But many times it's not recognized how much access they really have, and they have a lot.

The Vice-Chair (Mr. Lou Rinaldi): Thank you. Unfortunately, we went over the minute and a half. Thanks, Mr. Kelly, for being here today. It's much appreciated.

Mr. Ron Kelly: Thank you.

LONDON AND DISTRICT LABOUR COUNCIL

The Vice-Chair (Mr. Lou Rinaldi): Next we have, from the London and District Labour Council, Patti Dalton. Welcome, Ms. Dalton. The routine is, you have

up to 10 minutes for your presentation, and then members have up to 15 minutes to ask questions. Before you begin, if you could state your name for Hansard so that it's on the record, and the floor is yours.

Ms. Patti Dalton: I'm Patti Dalton, president of the London and District Labour Council. I'm also a secondary school teacher and proud OSSTF member.

I was actually thinking, as I was coming in to do this presentation, about the presentation I did last July on the Changing Workplaces Review. As you may know, the interim report has just been released, so this is a very hectic day, but we're really happy that the report has been released.

From the discussion, I can already tell you that I'll be addressing some of the issues that you've been talking about. I found the part of the discussion that I heard to be really helpful. Hopefully, I can bring some new insights.

I'm speaking on behalf of the London and District Labour Council, which represents approximately 20,000 public sector and private sector union members, and I'm very pleased to be able to provide input into these public hearings on Bill 201.

While I support the opportunity for more equal ground for the democratic process, there are some clear omissions in the bill that I want to address. I'll also, of course, be providing some specific feedback and recommendations for changes to the act.

In preparing for this presentation, I have to say, I was compelled to review the academic research on the public relations state and what is called the politics of the permanent campaign—in other words, continuous advertising and promotion by governments, well documented in the research, which in my view typifies current political practices and provides sitting governments with significant and unfair advantages. I'll go over specifics on this later in my presentation.

You've already been discussing the Auditor General's 2015 annual report, and I think it's very pertinent to this discussion.

An overall observation is that while Bill 201 has some positive changes, in the main, without changes to current practices regarding government advertising, the political playing field will continue to be very unequal.

With regard to proposed changes to third-party advertising, it's interesting. I guess I wasn't clear on the definition of "third party." I was thinking that it was community and advocacy groups, and I certainly think that as it stands, they would be curtailed in their ability to call a government to account and to get valid democratic critique communicated broadly.

Additionally, there must be strict parameters around government interactions with lobbyists, and a prohibition on fees-for-access fundraisers, which, despite being one of the factors leading to these hearings, is not currently addressed at all in Bill 201.

I'll begin with the third-party advertising. In my view, these changes would diminish the democratic process in that the new rules would effectively bar organizations from engaging in public advocacy campaigns on any

issue that could be remotely related to a registered party or candidate during an election period.

In contrast to comparable federal legislation, there is a much broader and, I think, problematic definition of third-party advertising in Bill 201, including “advertising that takes a position on an issue with which a registered party or candidate is associated.” This could definitely limit the ability to advertise by advocacy groups such as the Ontario Health Coalition, just as one example.

Political parties are not the only groups that should have access to contributing to public discourse during and previous to election campaigns. In a healthy democracy, there must be space for a diversity of voices, and an opportunity for substantive expression of various viewpoints. So the stipulation of limiting third-party advertising for six months leading into an election, I think, is unreasonable and unfair.

We therefore recommend that the definition of “political advertising” in Bill 201 be amended to allow for issue-based advertising, and that the six-month limit—which, again, is not in the federal legislation—be removed.

While Bill 201 limits spending by political parties in the pre-writ period, there is no limit—and this was the discussion already—to government spending, which is a significant omission. The fact that Bill 201 does not put any restrictions on government advertising is highly problematic. Allowing government advertising prior to and during an election period obviously benefits the party that currently forms government, in that it privileges and gives media airtime to that government. The expenditure of public money on government advertising is clearly an unfair advantage and should be revisited.

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In fact, after reading the chapter on the review of government advertising in the Auditor General’s report for the fiscal year ending March 31, 2015, I think that perhaps a separate and comprehensive review is needed due to the matters raised. The report outlines a number of concerns regarding changes that the current Ontario government made to the Government Advertising Act. The report states, “The Ontario government made significant changes to the Government Advertising Act ... this year, and in the process it significantly weakened the Auditor General’s ability to ensure that no public money is spent on advertising that is partisan.”

This report notes that it reviewed advertisements worth \$20.85 million in reviewable ads and then \$9.16 million in unreviewable digital ads, for an overall total of over \$30 million in advertising expenditures. The details in this report and the means by which the Ontario government, according to the Auditor General, has curtailed their ability to ensure that these advertisements are not partisan and, in the words of the report, that it “requires our office to ‘rubber-stamp’ all advertising submitted to us, including some items this year that we believe would have been considered partisan under the original act”—that’s an end to that quote—certainly are cause for further study.

The report outlines a case in point—this is a concrete example—of the government securing unfair advantages through advertising when the office approved radio and digital ads for the proposed Ontario Retirement Pension Plan. Then the Ontario Liberal Party launched television advertisements in which the Premier spoke about the need for Ontarians to have a decent pension. Again, this is a direct quote from the report:

“Under the original act, we could have expressed concerns about the overlap between the publicly funded advertisement and the political-party commercials, and the fact that the taxpayer-funded items effectively reinforced the partisan messaging of the Ontario Liberal Party. We would also have had the authority to withdraw our approval for the Ministry of Finance item, or even disallow it entirely in the first place on grounds that it claimed the ORPP was ‘here’ when, in fact, it is at this point planned to begin operating in 2017.”

That’s a quote. Of course, you know that now the Liberal government has opted for the expansion of the CPP, which is something that we were very happy about in the labour movement since we’ve been lobbying on that for many years.

There is certainly much more in the report to emphasize the ways in which the Ontario government has weakened the Auditor General’s ability to assess and prevent partisan advertisements. In my view, this presents serious questions and renders the proposed changes to third-party expenditures all the more troubling.

When we consider also that the Ontario government spent over \$500,000 in advertisements for the 2014 budget, it’s clear that these types of expenditures using public money are highly problematic and, as I stated, require close scrutiny. Therefore, at the very least, Bill 201 needs to include specific limitations on government spending for advertising and self-interested promotion.

In terms of financial donations and the lower caps, we note that the current contribution limit is available primarily to wealthy Ontarians and that the new contribution cap is still quite high and, therefore, still gives advantage to more affluent contributors and parties with the greater number of wealthy donors.

Also, by-elections should not be used as a fundraising tool for the sitting government. The limitations on party donations during general elections and by-elections are a positive step in establishing a more level playing field, but the candidate contribution limit to their own campaigns is still quite high and again gives advantage to wealthy candidates. High personal contribution limits have serious implications for those who may not be able to afford to participate in electoral politics.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Dalton, you have about a minute left.

Ms. Patti Dalton: Thank you.

We recommend a lower candidate cap.

Regarding the prohibiting of corporate and union contributions to campaigns: In the main, these are in keeping with election financing rules at the federal level and in several provinces and, in our view, are reasonable.

However, there also needs to be formal oversight regarding corporate practices of topping up employees who donate to a political party. Parties should be required to report the name of the employer of all contributors in order to provide greater transparency and to prevent corporations from attempting to override the contribution limits by channelling money to parties via their employees and family members.

We also recommend that there be stronger parameters around professional services rendered to a campaign, such as polling, legal advice, research and advertising.

In conclusion, I reiterate that there must be an end to fee-for-access fundraisers, which the Ontario Liberal Party has used in by-elections to do major fundraising for the central party—in the February 2015 Sudbury by-election, this resulted in over \$2 million added to the party coffers while the spending cap for the by-election was \$83,000; clearly this must change—as well as a comprehensive review of the entire process and parameters around government advertising, which was so extensively criticized and documented in the 2015 Auditor General's report.

Finally, a vibrant and inclusive democracy ensures that all citizens have fair access to the political process and that there is due diligence by governments to allow for broad input, discussion and debate on critical matters, and to strive to ensure accountability and transparency.

I thank all of you for this opportunity to provide input through this public hearing and to participate on behalf of the London and District Labour Council.

The Vice-Chair (Mr. Lou Rinaldi): Thank you so much for your presentation.

We'll go to MPP Anderson.

Ms. Patti Dalton: I will provide a hard copy of my presentation. Also, I can provide an e-copy as well, if that's—

The Vice-Chair (Mr. Lou Rinaldi): Perfect. Thank you so much.

Mr. Granville Anderson: Thank you, Ms. Dalton, for your presentation. I guess it was very well done.

The last point you raised about the Sudbury by-election, about the use of by-elections to raise funds and how much one particular party raised: I am not sure if you're aware that all three parties use that to raise additional funds. That's documented. I don't know the figures others raised but we might have been better at raising money. All three parties use that as a legal way for raising additional funds. You were saying it should be banned for all parties; no parties should be allowed to use that to raise additional funds, correct?

Ms. Patti Dalton: There are varying abilities for the parties to raise that money. I would suggest, for example, that the New Democratic Party does not have corporations contributing to their coffers. Also, we do want to see both union and corporate limits on contributions, right? And in-kind contributions to campaigns as well—that's in keeping with the federal legislation.

Mr. Granville Anderson: Without belabouring the point, that's not correct. Corporations do contribute to all three parties, for the record.

Ms. Patti Dalton: Not to the same degree, with due respect.

Mr. Granville Anderson: Okay. This week we have had significant discussions on Bill 201. It's not explicit that it prevents unions and corporations from donating to campaigns. Your organization has participated previously in donations, I believe, to political parties, correct?

Ms. Patti Dalton: Sorry, I'm not sure what you're asking.

Mr. Granville Anderson: As a third party, you have participated in campaigns by running ads etc.?

Ms. Patti Dalton: I personally, you mean—and unions?

Mr. Granville Anderson: Well, your organization.

Ms. Patti Dalton: There are voluntary hours that are put into campaigns, and that would be stopped by Bill 201. There would be no more in-kind. In other words, unions book off members, right? So in Bill 201—and it's in line with the federal legislation as well—there would be no more of that in-kind contribution.

Mr. Granville Anderson: Okay. The volunteerism portion of it: Sometimes you volunteer, but you actually get paid by a union or the organization where you are an employee. Shouldn't that be considered a campaign contribution, in a sense, indirectly?

Ms. Patti Dalton: Yes.

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Mr. Granville Anderson: How would you propose that we—you wouldn't support that. How do you propose they would—

Ms. Patti Dalton: Again, in keeping with the federal legislation, unions would no longer be able to pay for their members to work on a campaign. It would have to be on a voluntary basis.

I've worked on a lot of election campaigns and have never been booked off by my union or paid to do so. I was very happy to volunteer on those campaigns.

Mr. Granville Anderson: So you do agree that's a practice that should cease?

Ms. Patti Dalton: Yes.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Clark.

Mr. Steve Clark: Thanks, Patti, for your presentation. I appreciated hearing it.

Just listening to Mr. Anderson about corporate donations—he probably has a subscription to the Toronto Star, but I might get him a subscription to the Globe and Mail. Maybe that might help him learn about corporate donations. Anyway, I appreciate your comments.

There is a loophole in this legislation regarding volunteers. It is silent on that aspect. So while the federal electoral officer was here yesterday—there is a need for that loophole to be closed in this legislation in regard to paid employees of either a corporation or a lobbyist or a union or an association being used at a campaign office. That's something that needs to be addressed, and I'm glad you would support that loophole being closed.

I also appreciate, Ms. Dalton, your comments about the Auditor General's 2015 report, about the fact that the changes the government made created, in your words,

“an unequal playing field.” Also, you used the word “problematic” when you talked about government advertising. You heard some of the previous deputants. So you would support putting those controls back into the Auditor General’s responsibilities, so that it would go back to the pre-2015 responsibilities of the Auditor General? You would support that, moving forward, as a result of this committee?

Ms. Patti Dalton: I would definitely support it. I read the entire chapter, and I was quite shocked at the ability of the Ontario government to—as I said, in the academic research it’s called the public relations state and it’s the politics of the permanent campaign. It’s always going to give major, unfair advantages to current political parties.

There were also other aspects in the report, which I couldn’t put into my entire presentation, that are also problematic and curtail the ability of the Auditor General’s office to do their job, such as a shorter time for them to look at prospective ads. There were some occasions when they didn’t get a chance to get input on ads, just as a few examples. I was very shocked by the report.

I’m not sure if just going back to the previous way that the Auditor General’s office examined advertisements and decided whether they were too partisan or not—I’m even thinking maybe stronger provisions, and that’s why I was saying perhaps a separate review. I would be most happy if, at the very least, the Auditor General’s office resumed the powers that they previously had because, as they stated and as I quoted, I think there were severe problems with the government advertising around the ORPP and then running concurrently with the Ontario Liberal Party’s ads about the same issue.

Mr. Steve Clark: The other thing I’d like to ask you about—and we haven’t really touched on it in the last two days—is the section in the bill that talks about grouping contributions. There’s some concern that a corporation or an association or a union could group contributions from their members individually to circumvent some of the legislation. Would you have any comment on that? Do you think that would be something that should be allowed?

Ms. Patti Dalton: I’m not sure I understand exactly what you mean. I haven’t seen this in any of the research I’ve done.

Mr. Steve Clark: There’s some concern by people that even though we ban corporate and union donations, an individual could make a contribution and they would be grouped at an employer or at a union or at an association, to circumvent these rules. If that was the case and this legislation allowed that, would you think that we should plug that loophole as well?

Ms. Patti Dalton: Well, certainly. I’m not sure I still understand the loophole per se. For example, we know that corporations have been channelling funds to political parties through their employees and even their family members and the family members of their employees, right? I definitely think that that practice should stop. What you’re talking about brings that to mind, so

definitely that loophole should not be in Bill 201 or the process.

Mr. Steve Clark: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Thank you.

Ms. Sattler?

Ms. Peggy Sattler: Thank you very much for appearing before us today—

Ms. Patti Dalton: My pleasure.

Ms. Peggy Sattler: —and also for your advocacy on behalf of the labour movement here in London.

You began your presentation by talking about the problematic nature of the change to the definition of third-party advertising. It now states that the advertising includes any advertising “that takes a position on an issue with which a registered party or candidate is associated,” and you made a recommendation to change that definition. Do you think that it should return to the previous definition, which was advertising “with the purpose of promoting or opposing any registered party or the election of a registered candidate”?

Ms. Patti Dalton: This is specifically with regard to third-party advertising?

Ms. Peggy Sattler: Third-party, yes. It used to be advertising that promotes or opposes a party or a candidate, and now it is advertising that takes a position on an issue with which a party might be associated.

Ms. Patti Dalton: Right. Yes, I would return to the previous definition, although there might even be a better way of handling it. But definitely, I can tell you that if I’m prevented or if community groups are prevented from speaking about our concerns with the privatization of Hydro, for example, or the lack of funding for public health care, that’s extremely problematic. Who is going to be judging? Who would be the one to state, “Well, this issue is connected with this candidate or this party”?

Ms. Peggy Sattler: Yes, every issue is political.

Ms. Patti Dalton: It’s really quite a terrible and way-too-broad definition. I think for myself, as the labour council president and a grassroots activist, I would be very nervous about speaking out on those issues if that remains in Bill 201. And that’s not in the federal legislation either.

Ms. Peggy Sattler: Right. I also appreciated your very insightful comments on government advertising and the fact that the changes that have been recently introduced give the government complete latitude to promote their initiatives in any way they like.

The bill currently proposes this \$100,000 ceiling on third-party advertising. Do you think that there should be a ceiling imposed on government advertising? I think that in response to MPP Clark’s question, you mentioned possibly reintroducing that oversight role of the Auditor General. But should the government still have complete control of the resources to advertise as much as it likes, even if the auditor is involved?

Ms. Patti Dalton: I think your point is extremely well taken, and yes, I think there should be limits on that advertising, which, after all, is with taxpayers’ and citizens’ money, right? I’m not sure what the limit should

be. But what I pointed out in terms of that figure of over \$30 million of government advertising speaks volumes about how much more of an advantage any sitting government has to get out their messages and to be self-interested in promotion.

Ms. Peggy Sattler: In the very initial comments, you talked about government interactions with lobbyists, and the lack of any kind of restrictions within this legislation governing those interactions. Do you have some specific recommendations about the role of lobbyists and how that should be addressed in this legislation?

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Ms. Patti Dalton: Yes. In my research, I was primarily using the Ontario Federation of Labour, and that was not a very detailed piece in their submission. Again, I think that may need further review in terms of—and I know that one of you spoke to the fact that those fee-for-access fundraisers are not happening, as I understand it, anymore. I mean, honestly, there is no one I know who could afford \$6,000 a plate. And then I think there definitely needs to be some kind of oversight about those interactions with political parties and lobbyists, right? I hope I answered your question.

The Vice-Chair (Mr. Lou Rinaldi): Thank you. Ms. Malhi, you have about a minute and a half.

Ms. Harinder Malhi: I wanted to talk to you a little bit about spending caps. Bill 201 seeks to implement a spending limit on third-party election advertising of \$100,000 and \$600,000 in the six months preceding a scheduled election. Bill 201 also imposes pre-writ limits on political party advertising in addition to the existing election limits. Are the limits on the amounts of ads that corporations, unions and other organizations can purchase to influence an election something that you would support?

Ms. Patti Dalton: Sorry, can you just repeat the last part of your question?

Ms. Harinder Malhi: Are limits on the advertising that third parties can do leading up to an election—would you support something like that?

Ms. Patti Dalton: Yes. I didn't specifically state that in my presentation, but again, we're talking about an unequal situation in which some third parties, depending on who they are, can afford so much more. But like I said, the focus on an issue connection is really, really problematic and would cause a lot of grassroots organizations to not be able to participate in the democratic process and have their say in public.

Ms. Harinder Malhi: When you look at these two limits, the \$100,000 a year or the \$600,000 in the six months leading up to the election, do you feel that these amounts are too high or too low? What are your thoughts?

Ms. Patti Dalton: I'm not in advertising. I know that television ads are extremely expensive. I think I would probably go towards limiting the amount that third parties can spend.

The Vice-Chair (Mr. Lou Rinaldi): Thank you. Unfortunately, we're out of time. Thank you so much, Ms. Dalton, for being here and your presentation.

Ms. Patti Dalton: Thank you. Good questions. Food for thought.

FREEDOM PARTY OF ONTARIO

The Vice-Chair (Mr. Lou Rinaldi): Next we have Mr. Robert Metz, president, founder and chief financial officer of the Freedom Party of Ontario. Mr. Metz, welcome. You've been here, I notice, for a little bit, so you know what the routine is. You have 10 minutes to present and we follow up with 15 minutes of questions. If you could state your name at the outset of your presentation—

Mr. Robert Metz: I do understand that everyone has got a copy of my presentation.

The Vice-Chair (Mr. Lou Rinaldi): Yes.

Mr. Robert Metz: I just wanted to let you know that I won't be reading that verbatim, so don't panic.

My name is Robert Metz. I'm president and chief financial officer of the officially registered Freedom Party of Ontario and have been so since 1984. So I know all about filling out tax returns and official receipts and things of that nature. Can I get started?

The Vice-Chair (Mr. Lou Rinaldi): Yes, go ahead.

Mr. Robert Metz: Mr. Chairman, members of the committee, thank you for this opportunity to officially address Bill 201, which, of course, directly affects the Freedom Party of Ontario, as an officially registered political party, but also affects the voters and taxpayers in the province, I think, in a dangerous and negative way that few seem to be aware of.

I found it particularly noteworthy that the eight-point summary at the end of Bill 201 happened to have isolated the eight most objectionable and highly undemocratic provisions of Bill 201, at least as we see them. The Freedom Party strongly objects to all eight proposals, even though most of them would not directly affect us. However, in this limited verbal portion of our submission, I'll only concern myself with two that affect both the Freedom Party and the voters and taxpayers of Ontario. Those ones are the quarterly allowances that have been proposed for the parties in the Legislature and, of course, contribution limits for individuals.

The very notion of political parties awarding themselves quarterly allowances I find offensive in the extreme. As I understand it, among the purported reasons for granting political parties a per-vote subsidy is to make up for the shortfall suffered as a result of eliminating corporate and union contributions and imposing lower limits on contributions by individuals. This would suggest an implicit, if not explicit, acknowledgement that the consequences of Bill 201 would cause harm to Ontario's officially registered parties, and this in fact is so, whether acknowledged or not.

However, not all parties would get the per-vote subsidy to replace the revenues they lose as a result of the new limits because of the voter thresholds a party must reach to qualify for a taxpayer subsidy. I find calling that subsidy an "allowance" rather adds insult to injury.

Assuming that these subsidies will be adopted, the Freedom Party officially proposes that at the very least any party not getting a subsidy should not be subject to the new lower individual contribution limits. To do otherwise is patently unjust and glaringly tilts the electoral tables in the favour of the parties receiving subsidies against those who do not.

Moreover, what does it otherwise say about the three Goliaths who would restrict the 100% voluntary financing of the smaller parties while awarding themselves taxpayer-paid subsidies?

However, in addressing the essential democratic principle involved, it must be stated that no political party—and that includes the Freedom Party—should ever receive taxpayer funding, either as a reimbursement of their expenses as they have done for years, nor as a reward for getting votes. Under Bill 201, even our votes themselves now come at a price, and it is not merely the monetary amount self-awarded to the victors at the expense of the taxpayer. It comes in the form of corrupting the democratic process itself, in the form of using forcibly raised taxpayer dollars given to political parties who, in turn, would use those dollars as political parties to solicit, influence, persuade and even bribe voters.

The freedom to associate through the political party process entitles no party to taxpayer-paid privileges, allowances or subsidies. This is unthinkable if any semblance of free political discourse is to be preserved. In effect, under Bill 201, both voters and non-voters become conscripted members and supporters of the parties receiving a subsidy in direct proportion to the percentage that those parties get of the vote. This is simply politically, philosophically, economically and morally unacceptable to us.

As to reduce contributions for individuals: Forget about reducing them; eliminate them entirely. In a free democracy, there should be no limits on how much any individual or groups may raise for their long-term plans and eventual success at the polls.

Elections are already regulated, controlled and limited with regard to spending so that the income or assets of any participant in that process is irrelevant. What is relevant is what the candidate or the party is offering voters. No matter how much a party or a candidate may raise, one can never be allowed to go beyond the pre-established spending limits of the election, and those apply to political parties, not to third parties. Concerns about party revenues, I think, are a little petty and irrelevant in the extreme.

Consider that the proposed greatly reduced limits on individual contributions restricts the higher portion of an individual's current contribution limit that does not in any way qualify currently for any tax credits or refunds. It's completely voluntary. Unlike a government subsidy, allowance or, even to a milder extent, an individual's tax refund, no other taxpayer or citizen is affected in any fiscal way by these voluntary donations which affect nothing in the public arena.

Limiting private spending on political activity is a direct attack on democracy itself, on freedom of association, on freedom of thought and expression and on freedom of political advocacy and action. It is an attack on the personal because politics is personal, which is a different field of activity from elections. Individuals who voluntarily contribute their own dollars to help create an electoral choice for voters should never be hindered or hampered in that regard; they should be thought of as the heroes and champions of democracy. But Bill 201 insults them.

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I would remind this committee that the concept of democracy and free elections means being free from government intervention and interference in the exercise of those fundamental democratic rights—particularly, free from the parties and candidates for whom they are expected to vote.

This brings me to a most frightening observation, and that is that Bill 201 effectively ends the past era of having rules just for the purpose of holding elections limited to that. It begins a new era of government rules, regulations and restrictions for personal and political activity. It is Orwellian in the extreme.

Bill 201 broadens the jurisdiction of the government. Instead of being limited to establishing objective rules for holding elections, it will now regulate the field of ideas, the expression of those ideas in the political marketplace, and politics itself, which is an entirely separate activity from electoral activity. Voting is a public undertaking, but, like religion, politics is personal.

As if to place a timely exclamation point on that reality, Bill 201 explicitly specifies that subsection 37.5(5) of the act be amended by striking out “third party election advertising” and substituting “third party political advertising.” This is a theme that's carried out throughout the entire bill. One can only imagine the ensuing debate that will arise about what constitutes “political” or not. I find this beyond chilling. The government is overstepping its boundaries and is now proposing to more directly regulate political debate itself, outside of the electoral process, under the pretense that it is merely regulating funding that unduly influences the legislators.

There is an assumed corruption hidden behind efforts geared towards political financing reform—I've watched this for 30 years—whether or not such corruption exists. With each supposed reform, the public gets taken for another expensive ride, such as Bill 201's proposal that they now have to be forced to finance political parties, without even being asked to join them—nor do taxpayers get a vote within those parties that they have been forced to subsidize. They pay the dues but receive no party benefits or privileges.

The problem of corruption that this committee and Bill 201 are ostensibly attempting to address—perceived corruption, perhaps—is one of a lack of character and principles guiding those sitting in the Legislature. Expecting the prohibition of voluntary donations to private political parties, including those not even sitting

in the Legislature, is no solution but does provide more evidence of the democratic corruption in the thinking of those who make these proposals.

In conclusion, it is not political parties that we elect to the Legislature; we elect individuals, who may or may not be a member of a particular political party. I notice that individual candidates are left out of the discussion. Party affiliation is a personal affair of a given individual. Party affiliation is a natural and proper convention that makes it possible for given majorities of common ideas and political philosophies—

The Vice-Chair (Mr. Lou Rinaldi): Mr. Metz, you have about a minute left.

Mr. Robert Metz: Yes—which are all personal matters, to act in unison and so democratically carry their agenda forward. However, taxpayers should never be obligated to pay for someone else's personal political preferences and associations.

Bill 201 changes all of this. It transforms the current parties in the Legislature into permanent official taxpayer-funded bureaucracies, cutting them off from the very people they're constituted to represent. There can be no just claims of representation and party support when dues are forced.

Should Bill 201 become law, then, for the sake of clear transparency, we must change the name of Elections Ontario to Politics Ontario.

Should Bill 201 become law, the Freedom Party will have yet another compelling issue to bring to the attention of the voters in 2018.

Thank you very much.

The Vice-Chair (Mr. Lou Rinaldi): Thank you, Mr. Metz. Now we'll go to some questions. First, Ms. Hoggarth.

Ms. Ann Hoggarth: Good afternoon, Mr. Metz. Thank you for your presentation.

The object of this bill is that we work with all parties, stakeholders, experts and everyday Ontarians to transform the political system by reducing the influence of money in politics. Our legislation seeks to ensure that more diverse voices are heard in the lead-up to elections and during elections by placing limits on how much parties and wealthy third parties can spend on advertising. This proposed legislation is just a starting point and we look forward to working collaboratively with all Ontarians, experts, stakeholders and political parties to strengthen the proposal.

I know that there are some things you definitely—there wasn't much you had to say positively about this—

Mr. Robert Metz: Well, I have a question for you.

Ms. Ann Hoggarth: —but I'm going to ask you some questions. Give your answers as if that were going to happen, okay?

For instance, Bill 201 seeks to implement a donation limit of \$1,550 to a candidate, and a maximum of \$3,100 to all of a party's candidates. The current proposal sets the donation limit to independent candidates, which is what you just brought up, at \$1,500.

Should the proposed limit, if it happens, for independent candidates match those of the candidates of a party: the donation limit of \$1,550 per candidate, with a maximum of \$3,100 to all independent candidates?

Mr. Robert Metz: I cannot answer such a question, because it violates all of my principles and everything I was ever raised to believe in. There should be no limits on people's contributions to any group. There should be no limits on spending on third parties. I'm not afraid of them.

There seems to be an assumption here that this idea of influence of money—that money can influence power. This is ridiculous. I have witnessed personally that the party that spent the most money lost the election. I have witnessed personally that the party that spent money on certain ads drove supporters away from them.

It's not the money that influences people; it's the message. It's what your party represents. It's what you represent to the people. Whether it costs money or you can do it for free—with the Internet, we have a tremendous opportunity to get our message out to millions of people without any cost.

The only thing at stake here is advertising in a public arena by third parties, which means radio, television and newspapers. These things should never be limited, particularly since they're the most expensive ways of advertising—and the least effective, I must say, for the dollar, because we could run a \$5,000 ad in, say, the London Free Press and get zero response and then spend 50 bucks on Facebook and get a thousand times the response.

Money does not buy votes. That's the assumption of this entire hearing. It should be dropped. We should be getting rid of all of these issues. Quite frankly, what I've seen over the years as a CFO is that this whole thing—all the passing of money around, and all the tax credits—is a waste of time, and of money, I could add.

It hides the truth of things from people. All of the things that people have been saying here about paying third parties to do other things—that's because they have to get around the rules that are already there. If you create more rules, they will do more things that will get them around more rules, and the whole system just becomes more and more corrupt with every rule. Rules are corruption. What you need is a free and open system where people know who represents what, who's on whose side, and that's really all that the voter is looking for.

Ms. Ann Hoggarth: Okay. You have already stated that you don't believe in the per-vote allowance.

Mr. Robert Metz: Absolutely not. It's not an allowance. It's a subsidy on the taxpayer, and the persons who are paying it aren't the people who vote. If you wanted to give a per-vote allowance to someone, then you've got to charge that voter—the specific voter who votes for party A, B or C—the money. Then you will see that the truth of the situation is that you are indeed placing a cost on a person's vote. Most people don't vote. Everybody has to live with the results of political consequences.

In our party, for example, we have a lot of members who do not have a lot of money. They don't even qualify for the tax credits. They come to me all the time, wanting me to solicit money from people who have more money, because then we can pool our money to a common resource. We still play by the same rules. We still have to go through the same limits on the spending end.

But in between elections, when there is no election going on, why there's any regulation in this regard, I don't understand. I have no problem with the government deciding what tax credits could be. They could get rid of them, as far as I'm concerned. They're not a help; they're a hindrance. Of course, political parties do not benefit from the tax credit directly. That's the contributor who might or might not benefit.

As far as I can see, I think this whole thing is a wasted exercise merely to conceal what is going on in the government today, and to make it look good for the taxpayers and voters, to make them think that something is being done when, really, it's going in the opposite direction.

Ms. Ann Hoggarth: Thank you for your opinion.

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The Vice-Chair (Mr. Lou Rinaldi): Mr. Clark.

Mr. Steve Clark: Thanks, Mr. Metz, for your presentation. Thank you very much for the handout regarding your party. I've just got a couple of questions. I just want to reiterate—I know you addressed Ms. Hoggarth's question—that your party's position is you feel that personal contribution limits should be eliminated. So it doesn't matter who you are—

Mr. Robert Metz: It's not to do with tax credits. You can limit the tax credit wherever you want, but the actual dollar amounts should never be limited.

Mr. Steve Clark: So it doesn't matter whether you're a corporation, a union or an association; you have no limits. That's what your party's position is?

Mr. Robert Metz: To us as a political party, you mean, or to them as third parties?

Mr. Steve Clark: No, I'm asking: As the Freedom Party of Ontario—

Mr. Robert Metz: No, there should be no limits, again, to any organization or group.

Mr. Steve Clark: Anybody? It doesn't matter whether it's a corporation, a union or an individual; you're saying no limits?

Mr. Robert Metz: I have no objection to corporate and union contributions, say, being prohibited, but that's just a technicality because they really represent people.

Mr. Steve Clark: No, I'm just trying to understand the position of your party. It's either open limits for everybody—

Mr. Robert Metz: No, it's very clear. There shouldn't be any limits. The limits are on the spending end—

Mr. Steve Clark: I'm just trying to figure out whether your party's position is open limits for everything, whether it's a union or a corporation—

Mr. Robert Metz: Yes.

Mr. Steve Clark: —or whether you want no limits on individuals, but you want to ban corporate and union donations. I'm just trying to figure out your position.

Mr. Robert Metz: No, I don't want to ban anybody.

Mr. Steve Clark: My second and final question is, on the back page, second-last paragraph—I'll just read from your presentation. The second-last paragraph says, "During these electoral periods, equal and reasonable spending limits, along with similar political tax credit regulations, are rules and guidelines that apply to all participants in an election race and do not particularly draw any undue concern at this point in time."

When you say the words "all participants," you're not talking about third parties; you're just talking about candidates.

Mr. Robert Metz: Participants in an election. That would be the candidates and parties who are running for a seat in the Legislature. Unions don't run for seats in Legislatures. Corporations don't run for seats in Legislatures, as such. Their members might or someone who owns one might, but that's a side issue.

Mr. Steve Clark: But you have to acknowledge that there has been in Ontario—you've been involved since 1984 and you were the leader of the party from 1987 to 1994. You obviously—

Mr. Robert Metz: No, I'm not the leader. I'm the president.

Mr. Steve Clark: No, I said you were at one point the leader of the party, right?

Mr. Robert Metz: Maybe in the first month or two.

Mr. Steve Clark: I'm just trying to understand your position. You only believe that there should be regulations on candidates, but you have to acknowledge that third-party spending has gone up tremendously in this province—

Mr. Robert Metz: I do.

Mr. Steve Clark: —since your party has been—and let's face it: There is an influence on the electorate.

Mr. Robert Metz: I agree.

Mr. Steve Clark: But you still don't think there should be any restrictions?

Mr. Robert Metz: But the influence is not what you always think it is. Sometimes the influence is the opposite.

Mr. Steve Clark: I'm just asking you a question.

Mr. Robert Metz: I think the idea that the influence that spending and advertising have on the electorate is almost treating the electorate with contempt, as if they have no minds of their own: "Oh, well, the person who spends the most money, I've got to go vote for him"—as if there's no choice involved in the process. It's as if there's no other way to find different information. I find the whole concept of this rather looking down upon the taxpayers and the voters in the province.

Why not eliminate all spending? Why not make it zero spending during an election? That would be a really preferable thing, if you want to go that way, and then we can all be on a perfectly level playing field.

Mr. Steve Clark: Thank you very much.

The Vice-Chair (Mr. Lou Rinaldi): Thank you. Ms. Wong.

Ms. Soo Wong: Thank you very much, Mr. Metz, for being here this afternoon. I just want to go back to get some clarification. I remember you saying, “Money does not buy votes.” That’s what you said to us this afternoon. Am I hearing correctly that you don’t want any limits in terms of donations, whether it’s individuals, organizations, corporations or unions, but in terms of spending—I just heard you say that there should be no limit—

Mr. Robert Metz: To third-party advertising. It is the government’s job, and Elections Ontario’s, to regulate an election as such. There are rules. You have to have rules. What determines the winner? Where are the electoral boundaries going to be? Where are the polling booths going to be? Issues like that. These are perfectly legitimate things for government to look at. But to regulate the people and the individuals who have the opinions that are being exercised in those polling booths is an entirely different activity.

Ms. Soo Wong: I want to get some specifics, Mr. Metz. Specifically, what is your party’s opinion when it comes to spending limits per individual, per riding? Because right now you’re saying to us there’s no—

Mr. Robert Metz: Well, it’s in my report. As long as they’re reasonable and equal.

Ms. Soo Wong: What is reasonable? How do you define reasonable?

Mr. Robert Metz: Well, by using reason. Everyone agrees to it and consents to it in advance, generally. It’s not imposed.

Ms. Soo Wong: All the three candidates? All the candidates?

Mr. Robert Metz: Everyone should. That’s how we get along democratically.

Ms. Soo Wong: The other question I want to ask you, Mr. Metz, is with regard to the whole issue of disclosure, because right now all parties that receive donations over \$100 need to disclose within 10 business days of receipt.

Mr. Robert Metz: Yes. It’s a disgrace. That came with Bill 214 under the pretense of real-time reporting. What we’re forced to do is put the names of people who give us money online—\$100.01. Here we are, in a country that is supposed to have a secret ballot, and people’s names are online. Do you know that anybody in any part of the world can go online, including our enemies overseas, and see who is supporting whose party by how much money they gave? I find this unconscionable.

Ms. Soo Wong: I want to ask you a question about the—

Mr. Robert Metz: Why would you have to do that? I just don’t understand why a person who gives \$100.01 to any political party should have his name splashed out everywhere. That’s like telling who you vote for.

Ms. Soo Wong: Am I hearing correctly that your party does not support any kind of disclosure with regard to any type of donation?

Mr. Robert Metz: Only for tax credit purposes. That’s a tax matter, and that goes into the tax department. That’s what we were told. Before, it used to be the Commission on Election Finances; they were a branch of the tax department. Tax matters are a personal matter between a taxpayer and the taxman.

The other issue is that a lot of people can’t use those tax credits. That’s why I wouldn’t mind if we abolished tax credits and everybody just worked on volunteer financing. But to put people’s names online who support a religion or a political party is so undemocratic that I find it unconscionable that we’ve been doing it this long.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Sattler?

Ms. Peggy Sattler: My question was answered in the question from MPP Clark.

The Vice-Chair (Mr. Lou Rinaldi): Perfect. Thank you.

Well, Mr. Metz, thank you so much for being here today, for the literature left behind and your contribution to the process.

Mr. Robert Metz: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): The next presenter—is Joyce Balaz here? I know we’re five minutes early, but we’ll wait. We’ll recess for five minutes. We’ll reconvene at 3:10.

The committee recessed from 1507 to 1515.

The Vice-Chair (Mr. Lou Rinaldi): We’re going to call the committee back to order.

MS. JOYCE BALAZ

The Vice-Chair (Mr. Lou Rinaldi): We have Ms. Joyce Balaz here with us. Welcome.

Ms. Joyce Balaz: Thank you.

The Vice-Chair (Mr. Lou Rinaldi): May we call you Joyce? Is that okay?

Ms. Joyce Balaz: Yes.

The Vice-Chair (Mr. Lou Rinaldi): You have up to 10 minutes—you don’t have to take all 10; it’s up to you—for your presentation, and then committee members will have up to 15 minutes to ask you any questions and clarifications. As you start, please say your name for Hansard so it will be recorded. The floor is yours.

Ms. Joyce Balaz: I’m Joyce Balaz. I’m just here to present my views on what should happen. I live here in London.

Thank you for allowing me to add my voice to this very important issue. I come here today as an ordinary Ontarian, concerned about my tax dollars and the programs and services that they make possible. I speak as somebody who believes very strongly in social justice. Inequality has created very harsh divides in society and, unfortunately, we are seeing the effects of this throughout the world today. I see this very clearly when it comes to the entire political process, election financing being just a small piece of the problem.

To help you understand where I am coming from, I believe I am more in tune with the political landscape

than the ordinary Ontarian, mainly because I saw grave problems with a system that I was forced into because I cared about another individual. This led me to try to effect change. I believe the only way to make change is to become active in the process that is responsible for policies and law. This is what brings me here today.

I want to start by saying that our democratic process is broken. We elect our representatives based on the values and principles which best represent our own. In most cases, that representative has aligned themselves with a political party, based on which party best represents their own values, interests and principles. However, once seated in the Legislative Assembly, the party lines are so strong that there is more division. I have seen amendments that would make legislation better able to serve the majority of people being dismissed, simply because it doesn't fit into the government of the day's agenda.

Election reform must happen so that there are no longer any false majorities, which enable this skewed representation of the voices of Ontario people. The way we finance elections is a good starting point.

But I ask you to look at the makeup of this committee. It is clear to me that the voices of many Ontarians will not be heard because the government of today holds a majority of seats on this committee. This consultation, then, becomes a mockery of social justice because the government will do what it wants in the end. The only solace I have is that our voices become a permanent record—not that that really helps, but we can try.

I often hear about levelling the playing field, so I want to bring forward a totally different perspective on how best to do that. Let's keep it simple, so that everyone will understand. Each electoral district is created to serve a similar proportion of the population. Why not simply fund each eligible party to a maximum amount and not allow any fundraising to take place? Only then will there be true equality.

We have all heard the adage, "Money is the root of all evil." Unfortunately, the people with the most money always seem to get heard while those with little get swept by the wayside. This is the reality of the current system.

By funding parties equally, we will become a more inclusive Ontario. In order to avoid the lust for power to influence how the funding is dispersed, it would be important to allow for a portion of the funding to be directed to the central party, but that an equitable portion be allocated to all of the various constituency associations. This way, each constituency association has the same opportunity to reach out to the constituents and bring forward the issues and their proposed resolutions to those issues. The face of elected officials will become the face of society because each person will have the same opportunity to put their name forward to serve the people.

Being able to seek office should never be based on financial capacity, but should be based on the willingness and ability to serve. By eliminating the need for people who volunteer with the various parties to spend an inordinate amount of time and energy on fundraising,

their efforts can then be focused on reaching out to the people in the constituency. By spending more time talking to people, there is more opportunity to see the electorate become more engaged in the issues.

1520

In terms of a per-vote subsidy, I can see this as an incentive to engage the electorate. That per-vote subsidy should be based on the percentage of vote received by the party, but again distributed equitably, with a portion going to the central party and a defined amount to each constituency association. This way, each party is rewarded for the work they have done, but more importantly, it will allow each constituency association to have operating funds which allow them to do the necessary outreach to the constituents in between campaigns.

In terms of advertising, my personal opinion is that too much money is being spent on advertising in the media, which easily reaches a large section of the population, but often those advertisements are so repetitive that people tend to tune out. However, in the meantime, they've been brainwashed into believing, and therefore do not question the reality of what is being said. Instead, the advertising dollars would be better spent locally, to truly engage more of the electorate.

There is currently an imbalance when the government uses tax dollars to advertise various programs to influence the electorate. These advertisements often glorify the work of the government, but do not paint the entire picture. This is why it is so important that there are restrictions placed on government advertising leading up to and including election campaigns. For this reason, it is extremely important not to tie the hands of advocacy groups and organizations that emerge to counter that rosy picture that we are being exposed to.

For example, we are daily being told that the government is building for a better tomorrow, building new hospitals, when the reality is that small communities are losing specific services within their hospitals, or the entire hospital. This means that some health care is no longer available locally, and people must travel to larger communities in order to access that necessary care. But there is no transportation to get people from point A to point B, and therefore they are denied care.

I could go on and on about how we are not being told the whole story, but that would take up all of my time, so again, I would reiterate that it is important that groups and organizations are able to counter that misleading message.

Unfortunately, parties who are not in power are disadvantaged because they do not have access to these advertising funds and, therefore, in any election, they start the race from behind the starting line. They must rely on the various advocacy groups and organizations to level the playing field. It is only through these efforts that the people of Ontario become fully informed. That is how I received details about this committee process. Where were the government advertisements to let people know that this and other consultations are taking place?

Speaking of the various rules and regulations connected with electoral processes, it is important that they

be easy to understand, concise so that they are not left open to interpretation, and fair and consistent between federal and provincial sectors. This will reduce the possibility of contravention of these rules and regulations, be it—what’s the word I’m looking for?—deliberate or just accidental. We must remember that not everyone who volunteers with a political party is a lawyer, an accountant, a strategist or a policy guru. In reality, they are just Ontarians wanting to make a difference.

In my opinion, by streaming the rules and regulations and publicly funding political parties, there will be some reduction in the costs. There will be no need for issuing tax receipts. Less time will be spent tracking donations, ensuring that people have not contributed more than is allowed. Eliminating the need for a tax credit for political contributions will thus simplify the income tax process, with less time spent on tracking improper donations etc.

All Ontarians will have the same opportunity to become involved in the political process, with their voices heard. All Ontarians will have the same opportunity to step up and serve the people. Political parties of all stripes will have the same opportunity to reach out to the electorate, and with the increased outreach, more electorates will feel that their vote is important.

So as an Ontarian wanting to make a difference, I ask, in the interests of humanity, true inclusion and fairness, that you consider publicly funding political parties on an equitable basis to truly level the playing field. Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Thank you so much for your presentation. Now we’ll go to questions. Ms. Vernile.

Ms. Daiene Vernile: Thank you very much for coming here today, Joyce, and giving us your information. It was a very thoughtful presentation. You’ve described yourself as an ordinary Ontarian. You belong to the Ontario NDP, do you not? You’re an executive?

Ms. Joyce Balaz: Yes, I do.

Ms. Daiene Vernile: Well, that’s not really too ordinary, to sit on the executive of a political party.

Ms. Joyce Balaz: Except it was my choice to do that, so I could make change.

Ms. Daiene Vernile: Okay. You also said that money is the root of all evil. I think the actual saying is, “The love of money is the root of all evil,” but very similar.

I agree with you that it’s important for candidates to get out there and knock on doors and meet people. This is a way of connecting with individuals and getting them to know who you are and what you’re all about. But I totally agree with you: That’s an important thing that we need to do.

Now, I want to ask you about disclosure of donations. Bill 201 is looking at banning corporations and unions from making any kind of a donation to political parties or to political candidates. There is a concern, though, that if we do this, businesses and unions might try to funnel money to their employees or members. As a way of mitigating this backdoor way of getting money over to political parties or to candidates, having everyone who

makes a donation disclose who their boss is, who they work for, what union they represent and where they live—what are your thoughts on that? Do you agree with that?

Ms. Joyce Balaz: I agree that that would allow for more accountability, but in what I’m explaining, where it’s publicly funded, there would be no need for that, so we would not have to do any of that policing at all.

Ms. Daiene Vernile: So you would go for a model where campaigns are completely funded by taxpayers. The gentleman who came in just before you was—you weren’t here, but he was very much against that, and felt that it was inappropriate for people to do that, simply because, as a taxpayer, how would you feel knowing that your money is going to represent a political party that you didn’t support?

Ms. Joyce Balaz: That would be the same for every Ontarian. It becomes a level field again. The same thing happens for everybody. It doesn’t mean that I have to worry about my money going to support another party, but that it supports the electoral process in general.

Ms. Daiene Vernile: I want to ask you about real-time disclosure. You’re familiar with this?

Ms. Joyce Balaz: No.

Ms. Daiene Vernile: This is when you make a contribution, whether you are an individual, a corporation or a union, and within days, that information has to be publicized. We’re looking at expanding that. What are your thoughts on that?

Ms. Joyce Balaz: Well, I believe in accountability. When we see where the money is coming from, that’s a good thing. But again, if we go to the publicly funded piece, that won’t be necessary. So we’re going to be eliminating some of that cost in policing that.

Ms. Daiene Vernile: Joyce, thank you very much for your comments.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Sattler.

Ms. Peggy Sattler: Thank you very much, Joyce, for coming here today and sharing your thoughts as to changes that should be made to promote democracy in Ontario. You talked about the need to restrict government advertising, and you also talked about the fact that government advertising tends to paint a rosy view of what the government is doing.

Now, there are different approaches can be taken to restrict government advertising. Some other provinces—Saskatchewan, for example, prohibits ministries from advertising their activities during an election period or in the 30 days prior to an election period, with very minor exemptions. In Manitoba, government and crown agencies are prohibited from advertising in the 90 days prior to the election and throughout the campaign. Is that the kind of approach that you think Ontario should also take to restrict government advertising?

Ms. Joyce Balaz: Absolutely, because, as I said in my presentation, the other parties that are not in power are already starting behind the line that you start with. People are being given the information that the government wants us to see and hear, yet the other parties don’t have that opportunity, because they don’t have the funding

that's being used to do this advertising. I'm not even sure if 90 days is enough.

Ms. Peggy Sattler: Okay. I guess the other option that some have talked about is to place a dollar cap on the amount of advertising that government can do. Or do you think that a prohibition on government advertising during the writ period and in advance of the writ period would be a better approach?

Ms. Joyce Balaz: I think it would be better to have it in advance of the writ period, just to level that playing field a little bit more.

Ms. Peggy Sattler: Okay. And previous presenters have talked about the Auditor General's report on government advertising and the impact of the changes that were recently introduced which allow the government to be even more partisan in the kind of advertising that they produce. Do you think that the Auditor General should be returned to her ability to provide oversight of government advertising, to make sure that it's not crossing any partisan boundaries before it's able to be disseminated?

1530

Ms. Joyce Balaz: Yes, I think that's an important piece. I'm not sure if it's just the Attorney General or the Auditor General who would do that piece. There has to be some oversight. It's very easy—I think we saw that with the federal election, starting with the billboards looking very similar to the Conservative piece, and then people are equating those billboards with that party, etc. So I think there has to be some oversight on that advertising.

Ms. Peggy Sattler: Okay. Thank you.

The Vice-Chair (Mr. Lou Rinaldi): Mr. Clark.

Mr. Steve Clark: Thanks for your presentation.

Because you've chosen to take the position that you want all the parties publicly funded, I'm not going to ask you about contributions or whatever, but I do believe that Ms. Sattler did have a good point. One of the concerns that we've heard from some deputants was the fact that the government had some political ads regarding, for example, the ORPP, and also had some government ads as well. I think it's important that she made that point, because we've had many deputants ask, as part of this process, will we give the Auditor General back those powers.

One of the people who came yesterday was the Chief Electoral Officer for our country. One of the things they do federally, I think he said through the ethics commissioner, is to really control the access that lobbyists have to cabinet ministers. One of the suggestions that I've heard from people is that that would be a good thing, to separate those who would lobby from cabinet.

Right now, as you know, there are many stories about cash-for-access fundraisers that the government has had. The example that my colleague, Mr. McNaughton, gave this morning was that seven wind companies had paid, I think he said, \$255,000. They all got contracts. The three wind companies that didn't give money, didn't give a donation to the Liberal Party, didn't get anything. They were shut out.

Do you think that, as part of this process, perhaps we should look at the bill we have that governs our operation and the cabinet ministers' operations, called the Members' Integrity Act? Do you think it's a good thing for us to look at that bill, in addition to Bill 201, to really focus on lobbyists' access to cabinet ministers?

Ms. Joyce Balaz: Yes, I do agree that there needs to be some kind of control on that piece. I can't say that I specifically looked at those issues, because I was focusing mainly on the funding piece. It is really hard for somebody who is looking to make change to see—I don't have the money to go out there and buy that change, and that's what it seems like is happening: The money buys that change.

Mr. Steve Clark: Thank you very much.

The Vice-Chair (Mr. Lou Rinaldi): Ms. Wong.

Ms. Soo Wong: Thank you very much for coming here today. My question deals specifically with third-party advertisement. As you probably heard, Ontario is proposing that we put in some limits in terms of third-party advertisement, something that's been recommended by witnesses coming before this committee, as well as the Chief Electoral Officer.

I'd like to hear your opinion—I know you belong to the NDP party, but also from yourself as an Ontarian. What's your position on the limits, considering that some for-profit companies can be seen as third parties as well? What is your view of third-party advertisement in terms of limits?

Ms. Joyce Balaz: The thing that I struggle with is, what is third-party advertising? If it's a small group that's coming out about an issue, that doesn't have a lot of funding, for them to even buy that advertising is quite a stretch for them to do, but to get that message out, they can choose to do that.

I think it's really important to determine the level of third parties and what that third party is. A big corporation funding a movement, which I think is something that they try to hide so that they can get that happening—I think that's probably part of the problem, being able to hide that in an advocacy group.

Ms. Soo Wong: What I'm hearing is that you just told the committee that you want the committee to consider having a very clear, explicit definition of what is meant by "third party." Okay. I want to make sure we heard that for the record's purposes.

I also hear that for NGOs, non-profit organizations—because we really want more diverse Ontarian views, because we live in a very diverse community. What you're saying is that if you're limiting the limits to third-party advertisements, it may prohibit that voice to be heard, especially for those smaller non-profit groups. Am I correct?

Ms. Joyce Balaz: That's correct.

Ms. Soo Wong: Okay. Thank you very much for being here. I really appreciate it.

The Vice-Chair (Mr. Lou Rinaldi): Thank you so much. If there are no further questions, Ms. Balaz, thank you so much for taking the time to come in today. Cer-

tainly every input counts, and we appreciate you being here. Thank you very much.

Ms. Joyce Balaz: Could I just add one comment before I close?

The Vice-Chair (Mr. Lou Rinaldi): Sure.

Ms. Joyce Balaz: That was because you sort of opened the door when you talked about the fact that you wouldn't talk about levels of contribution and everything. When I looked at things, if we did have to not do the base funding, which I know is pretty dreamy on my part, the

lower the contribution is, I think, is important because then we don't have money buying change.

The Vice-Chair (Mr. Lou Rinaldi): Great. Thank you so much. Have a great day.

Ms. Joyce Balaz: Thank you. You too.

The Vice-Chair (Mr. Lou Rinaldi): The last presenter, Len Elliott, as you probably know by now, is not going to be here, so the meeting is adjourned until tomorrow in Windsor.

The committee adjourned at 1535.

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Mr. Greg Essensa, Chief Electoral Officer of Ontario

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