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**Official Report
of Debates
(Hansard)**

F-6

**Journal
des débats
(Hansard)**

F-6

**Standing Committee on
Finance and Economic Affairs**

Restoring Trust, Transparency
and Accountability Act, 2018

1st Session
42nd Parliament

Tuesday 4 December 2018

**Comité permanent
des finances
et des affaires économiques**

Loi de 2018 visant à rétablir
la confiance, la transparence
et la responsabilité

1^{re} session
42^e législature

Mardi 4 décembre 2018

Chair: Stephen Crawford
Clerk: Timothy Bryan

Président : Stephen Crawford
Greffier : Timothy Bryan

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES**

Tuesday 4 December 2018

Mardi 4 décembre 2018

The committee met at 1401 in room 151.

**RESTORING TRUST, TRANSPARENCY
AND ACCOUNTABILITY ACT, 2018
LOI DE 2018 VISANT À RÉTABLIR
LA CONFIANCE, LA TRANSPARENCE
ET LA RESPONSABILITÉ**

Consideration of the following bill:

Bill 57, An Act to enact, amend and repeal various statutes / Projet de loi 57, Loi édictant, modifiant et abrogeant diverses lois.

The Chair (Mr. Stephen Crawford): Good afternoon, everybody. We're assembled here today for clause-by-clause consideration of Bill 57, An Act to enact, amend and repeal various statutes.

Julia Hood, from Legislative counsel, is here to assist us with our work, should we have any questions for her.

A copy of the numbered amendments filed with the Clerk is on your desk. The amendments have been numbered in the order in which the sections and schedules appear in the bill.

Are there any questions before we start?

We also have written submissions, which are on your desk as well.

As you will notice, Bill 57 is comprised of three sections and 45 schedules. In order to deal with the bill in an orderly fashion, I'm going to suggest that we postpone the three sections in order to dispose of the schedules first.

Interjection.

The Chair (Mr. Stephen Crawford): We'll deal with the three sections first. Is there unanimous consent to stand down the sections and deal with the schedules first? Yes.

There are no amendments to schedule 1, sections 1 and 2. I propose that we bundle sections 1 and 2 of schedule 1 together and then consider them. Is there agreement? Agreed.

Is there any debate on sections 1 to 2 of schedule 1? No debate? Are the members ready to vote? Okay.

Shall sections 1 and 2 of schedule 1 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 to 2 of schedule 1 are accordingly carried.

Shall schedule 1 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 1 is accordingly carried.

There are no amendments to sections 1 and 2 of schedule 2. I propose that we bundle sections 1 and 2 of

schedule 2 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 to 2 of schedule 2? No debate?

Are the members ready to vote? Shall sections 1 and 2 of schedule 2 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 and 2 of schedule 2 are accordingly carried.

Shall schedule 2 carry? Any debate? Are members ready to vote? All in favour of schedule 2 carrying, please raise your hand. All those opposed, please raise your hand. Schedule 2 accordingly is carried.

There are no changes to schedule 3, section 1. Is there any debate? Are members ready to vote? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 3, section 1, is carried.

We're now on to a government-suggested change on section 2 of schedule 3 to the bill.

Ms. Sandy Shaw: Chair, could you repeat that?

The Chair (Mr. Stephen Crawford): Yes. We're currently on schedule 3, section 2, amendment 1. Mr. Piccini?

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by striking out subsections 5(1) to (4) of the Auditor General Act and substituting the following:

"Removal or suspension

"5(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the Auditor General from office for cause.

"Suspension if assembly is not in session

"(2) If the assembly is not in session, the board may on unanimous agreement suspend the Auditor General for cause.

"Duration of suspension

"(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the Auditor General is removed from office pursuant to subsection (1).

"Same

"(4) Unless the board revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the Auditor General is removed from office pursuant to subsection (1)."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? No debate? Are the members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

We're now moving along to the government. Section 2 of schedule 3, government amendment number 2: Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by adding "and review annually" after "shall determine" in subsection 5.1(1) of the Auditor General Act.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving along to government amendment number 3, section 2 of schedule 3 to the bill: Mr. Piccini.

1410

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by adding the following subsection to section 5.2 of the Auditor General Act:

"Removal or suspension

"(5) Section 5 applies in respect of an individual who assumes the powers and duties of the Auditor General under subsection (1)."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? No debate. Are the members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving along to government amendment number 4 of section 2 of schedule 3: Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by striking out subsection 5.3(2) of the Auditor General Act and substituting the following:

"Same, conditions

"(2) An order shall be made under subsection (1) only if,

"(a) the Auditor General,

"(i) has not made a designation under subsection 5.2(1), or

"(ii) has made a designation under subsection 5.2(1), but,

"(A) the Auditor General has been removed or suspended under section 5, or

"(B) the person designated is unable or unwilling to act or has been removed or suspended under section 5;

"(b) unless decided otherwise by unanimous consent of the Assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member; and

"(c) the Chair of the standing public accounts committee of the assembly has been consulted."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? No debate. Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving along to government amendment number 5 of section 2 of schedule 3: Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by adding the following subsection to section 5.3 of the Auditor General Act:

"Same

"(3.1) Clauses (2)(a) and (c) apply with respect to an appointment under subsection (3)."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving along to government amendment number 6 of section 2 of schedule 3 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by striking out subsection 5.7(1) of the Auditor General Act and substituting the following:

"Nature of office

"5.7(1) The Auditor General holds office for a fixed term."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? No debate. Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving along to government amendment number 7 of section 2 of schedule 3 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 3 to the bill be amended by striking out section 5.8 of the Auditor General Act and substituting the following:

"Protection from liability

"5.8(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 3 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

"Same

"(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

"Proceedings set aside

"(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? No debate—are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

The NDP has filed notice on section 2 of schedule 3 to the bill. Is there any discussion or debate? Mr. Arthur.

Mr. Ian Arthur: The reason for filing the motion: If the committee wishes to remove an entire section from the bill, the rules of parliamentary procedure require that the committee vote against the section rather than pass a motion to delete it.

The Chair (Mr. Stephen Crawford): Any further debate?

Shall schedule 3, section 2, as amended, carry? All those in favour, please raise your hand. All those opposed, please

raise your hand. Section 2 of schedule 3, as amended, is accordingly carried.

There are no amendments to schedule 3, section 3. Is there any debate? Not at this time. Are the members ready to vote? Shall schedule 3, section 3, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 3, section 3 is accordingly carried.

The NDP has filed notice on section 4 of schedule 3 to the bill. Is there any discussion or debate? Are members ready to vote? Shall schedule 3, section 4, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 3, section 4 is accordingly carried.

The NDP has filed notice on section 5 of schedule 3 to the bill. Is there any discussion? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 3, section 5, accordingly, is carried.

1420

The NDP has filed notice on section 6 of schedule 3 to the bill. Is there any discussion?

Are the members ready to vote? Shall schedule 3, section 6, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 3, section 6 is accordingly carried.

There are no amendments to sections 7 and 8 of schedule 3. I propose that we bundle sections 7 and 8 of schedule 3 and consider them together. Is there agreement?

Mr. David Piccini: Agreed.

The Chair (Mr. Stephen Crawford): Any further debate? Are members ready to vote? Shall sections 7 and 8 of schedule 3 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 7 and 8 of schedule 3 are accordingly carried.

Shall schedule 3 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 3, as amended, is carried.

There are no amendments to sections 1 to 3 of schedule 4. I propose that we bundle sections 1 to 3 of schedule 4 and consider them together. Is there agreement? Okay. Is there any debate on sections 1 to 3 of schedule 4?

Mr. Doug Downey: Just a moment.

The Chair (Mr. Stephen Crawford): Yes, Mr. Downey?

Mr. Doug Downey: Just on my list, I want to double-check: I have 1, 2 and 4. I just want to make sure: It's 1, 2 and 3?

The Chair (Mr. Stephen Crawford): Schedule 4, sections 1, 2 and 3.

Mr. Roberts.

Mr. Jeremy Roberts: A question for the Chair or the Clerk: Forgive my ignorance, but are we able to bundle schedules?

The Chair (Mr. Stephen Crawford): No, only sections.

Any further debate? Are members ready to vote? Shall sections 1 to 3 of schedule 4 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 to 3 of schedule 4 are accordingly carried.

Shall schedule 4 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 4 is accordingly carried.

There are no amendments to sections 1 and 2 of schedule 5. I propose that we bundle sections 1 and 2 of schedule 5 and consider them together. Is there agreement?

Mr. Doug Downey: Yes.

The Chair (Mr. Stephen Crawford): Any further debate? Are members ready to vote? Shall sections 1 and 2 of schedule 5 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 and 2 of schedule 5 are accordingly carried.

Any debate on schedule 5? Are members ready to vote? Shall schedule 5 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 5 is accordingly carried.

There are no amendments to sections 1 and 2 of schedule 6. I propose that we bundle sections 1 and 2 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 and 2 of schedule 6? No debate. Are members ready to vote? Shall sections 1 and 2 of schedule 6 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 and 2 of schedule 6 are accordingly carried.

Any debate on schedule 6? Shall schedule 6 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 6 is accordingly carried.

There are no amendments to sections 1 through 5 of schedule 7. I propose that we bundle sections 1 to 5 of schedule 7 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 through 5 of schedule 7? Are members ready to vote? Shall sections 1 through 5 of schedule 7 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 5 of schedule 7 are accordingly carried.

Is there any debate on schedule 7? Shall schedule 7 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 7 is accordingly carried.

There are no amendments on schedule 8, sections 1 through 4. I propose that we bundle sections 1 through 4 of schedule 8 and consider them together. Is there agreement?

Mr. Jeremy Roberts: Can we not bundle them all the way to 22?

The Chair (Mr. Stephen Crawford): Correct. We can bundle them all together. Let me correct that. Schedule 8, sections 1 through 22: I propose that we bundle sections 1 through 22 of schedule 8 and consider them together. Is there agreement? Agreed. Any debate?

Shall sections 1 through 22 of schedule 8 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 22 of schedule 8 are accordingly carried.

Is there any debate on schedule 8? Shall schedule 8 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 8 is accordingly carried.

There are no amendments to sections 1 through 15 on schedule 9. I propose that we bundle sections 1 through 15 and consider them together. Is there agreement? Okay.

1430

Is there any debate on sections 1 through 15 of schedule 9? Are members ready to vote? Shall sections 1 through 15 of schedule 9 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 15 of schedule 9 are accordingly carried.

Is there any debate on schedule 9? Shall schedule 9 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 9 is accordingly carried.

We now move on to schedule 10. There are no amendments to schedule 10, sections 1 to 2. I propose that we bundle sections 1 and 2 and consider them together. Is there agreement?

Is there any debate on sections 1 to 2 of schedule 10? Are the members ready to vote? Shall sections 1 and 2 of schedule 10 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 and 2 of schedule 10 are accordingly carried.

Is there further debate on schedule 10? Shall schedule 10 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 10 is accordingly carried.

There are no amendments to sections 1 through 18 of schedule 11. I propose that we bundle sections 1 through 18 and consider them together. Is there agreement?

Mr. David Piccini: Sorry, sections 1 through—

The Chair (Mr. Stephen Crawford): Sections 1 through 18.

Interjection: Agreed.

The Chair (Mr. Stephen Crawford): Okay. Is there any debate on sections 1 through 18 of schedule 11? Are the members ready to vote? Shall sections 1 through 18 of schedule 11 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 18 of schedule 11 are accordingly carried.

Any further debate on schedule 11? Shall schedule 11 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 11 is accordingly carried.

There are no amendments to section 1 of schedule 12. Is there any debate on section 1? Are the members ready to vote? Shall section 1 of schedule 12 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Section 1 of schedule 12 is accordingly carried.

There is amendment number 8 from the government, section 2 of schedule 12 to the bill. Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 12 to the bill be amended by striking out subsections 3.3(1) to (4) of the Election Act and substituting the following:

“Removal or suspension

“3.3(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the Chief Electoral Officer from office for cause.

“Suspension if assembly not in session

“(2) If the assembly is not in session, the board may on unanimous agreement suspend the Chief Electoral Officer for cause.

“Duration of suspension

“(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the Chief Electoral Officer is removed from office pursuant to subsection (1).

“Same

“(4) Unless the board revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the Chief Electoral Officer is removed from office pursuant to subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 9, from the government: section 2 of schedule 12 to the bill. Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 12 to the bill be amended by adding the following subsection to section 3.5 of the Election Act:

“Removal or suspension

“(4.1) Section 3.3 applies in respect of an individual who assumes the powers and duties of the Chief Electoral Officer under subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 10, from the government: section 2 of schedule 12. Mr. Piccini?

Mr. David Piccini: I move that section 2 of schedule 12 to the bill be amended by striking out subsection 3.6(2) of the Election Act and substituting the following:

“Same, conditions

“(2) An order shall be made under subsection (1) only if,

“(a) the Chief Electoral Officer,

“(i) has not made a designation under subsection 3.5(1), or

“(ii) has made a designation under subsection 3.5(1), but,

“(A) the Chief Electoral Officer has been removed or suspended under section 3.3, or

“(B) the person designated is unable or unwilling to act or has been removed or suspended under section 3.3; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 11, from the government: section 2 of schedule 12. Mr. Piccini?

Mr. David Piccini: I move that section 2 of schedule 12 to the bill be amended by adding the following subsection to section 3.6 of the Election Act:

“Same

“(3.1) Clause (2)(a) applies with respect to an appointment under subsection (3).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 12, from the government: section 2 of schedule 12 to the bill. Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 12 to the bill be amended by striking out section 3.12 of the Election Act.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 13, from the government: section 2 of schedule 12 to the bill. Mr. Piccini.

Mr. David Piccini: I move that section 2 of schedule 12 to the bill be amended by striking out section 4 of the Election Act and substituting the following:

“Protection from liability

“4.(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 12 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 12, section 2, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand.

1440

Ms. Sandy Shaw: Could you read the motion again?

The Chair (Mr. Stephen Crawford): It’s schedule 12, section 2, as amended. I’ll repeat that—all those opposed, please raise your hand. Schedule 12, section 2, is accordingly carried.

There are no amendments to schedule 12, sections 3 through 8. I propose that we bundle sections 3 through 8 of schedule 12—

Mr. David Piccini: Agreed.

The Chair (Mr. Stephen Crawford): Is there any debate on sections 3 through 8 of schedule 12? Are members ready to vote? Shall sections 3 through 8 of schedule 12 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 3 through 8 of schedule 12 carry.

Any further debate on schedule 12? Shall schedule 12, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 12, as amended, is accordingly carried.

There are no amendments to sections 1 through 7 of schedule 13. I propose that we bundle sections 1 through 7 of schedule 13 and consider them together. Is there agreement?

Interjections: Agreed.

The Chair (Mr. Stephen Crawford): Okay. Is there any debate on sections 1 through 7 of schedule 13? Mr. Arthur?

Mr. Ian Arthur: I’ll just say one more time that going back to a cash-for-access model simply isn’t a step forward for the province of Ontario. The fact that people don’t have to prove where the money is coming from opens the door for private funding of political parties in a way we haven’t seen in a long time. It’s the Wild West of fundraising, and I would just like to reiterate what a bad direction I think this is for the province to go in again. We moved away from that with the previous legislation that was put in place to block this.

The Chair (Mr. Stephen Crawford): Any further debate? Are the members ready to vote? Shall sections 1 through 7 of schedule 13 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 7 of schedule 13 carry.

Any further debate on schedule 13? Shall schedule 13 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 13 is accordingly carried.

There are no amendments on sections 1 through 4 of schedule 14. I propose that we bundle sections 1 through 4 of schedule 14 and consider them together. Is there agreement?

Mr. David Piccini: Agreed.

The Chair (Mr. Stephen Crawford): Is there any debate on sections 1 through 4 of schedule 14? Are members ready to vote? Shall sections 1 through 4 of schedule 14 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 4 of schedule 14 are accordingly carried.

Any further debate on schedule 14? Shall schedule 14 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 14 is accordingly carried.

There are no amendments between sections 1 and 4 of schedule 15. I propose that we bundle sections 1 through 4 of schedule 15—

Mr. Jeremy Roberts: I believe you’ll find 1 to 5, Chair.

The Chair (Mr. Stephen Crawford): My apologies. There are no amendments to sections 1 through 5 of sched-

ule 15. I propose to bundle sections 1 through 5 of schedule 15 and consider them together. Is there agreement? No? Okay.

Going to schedule 15, section 1, is there any debate? Shall schedule 15, section 1, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 15, section 1, is accordingly carried.

Schedule 15, section 2: Is there any debate? Shall schedule 15, section 2, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 15, section 2, is accordingly carried.

Schedule 15, section 3: Is there any further debate? Are members ready to vote?

Mr. Doug Downey: Yes.

Mr. Jeremy Roberts: Same vote?

Mr. Ian Arthur: Recorded vote. I want a recorded vote.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

Ms. Sandy Shaw: Point of order, Chair?

The Chair (Mr. Stephen Crawford): Yes, Ms. Shaw?

Ms. Sandy Shaw: Sorry, finish your ruling on that one.

The Chair (Mr. Stephen Crawford): Schedule 15, section 3, carries.

Ms. Sandy Shaw: I believe that Mr. Arthur asked for a recorded vote on the previous sections of schedule 15, and that wasn't a recorded vote—on the first bundle of sections.

The Chair (Mr. Stephen Crawford): I didn't hear that. That was—I didn't hear that. I heard on schedule 15, section 3, a recorded vote.

Ms. Sandy Shaw: On all the sections of schedule 15.

Interjections.

The Chair (Mr. Stephen Crawford): The question was regarding the bundling. I think there may have been a misunderstanding. If you want a recorded vote, you have to request that each time, okay?

Mr. Ian Arthur: Okay, I will request it each time. That's fine.

The Chair (Mr. Stephen Crawford): You still have to state it, though.

Mr. Ian Arthur: Yes.

The Chair (Mr. Stephen Crawford): Mr. Downey?

Mr. Doug Downey: Point of order: Just for convenience, we'll stipulate that the vote would have been the same on sections 1 and 2 as well.

Mr. Ian Arthur: Thank you very much.

The Chair (Mr. Stephen Crawford): Moving along to schedule 15, section 4, is there any debate? Are members ready to vote?

Mr. Ian Arthur: A recorded vote, please.

The Chair (Mr. Stephen Crawford): Recorded vote.

Mr. Ian Arthur: Yes, okay. Thank you. I'm catching on.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 15, section 4, is accordingly carried.

Moving along, schedule 15, section 5: Is there any debate? Are members ready to vote?

Mr. Ian Arthur: Can I have a recorded vote, please?

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 15, section 5, is accordingly carried.

Moving along to amendment number 14, from the government, section 6 of schedule 15 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 6 of schedule 15 to the bill be amended by striking out subsections 50(1) and (2) of the Environmental Bill of Rights, 1993 and substituting the following:

“Commissioner of the Environment

“50(1) The Auditor General shall appoint a Commissioner of the Environment who shall be an employee of the Office of the Auditor General.

1450

“Duties

“(2) The Commissioner of the Environment shall exercise the powers and perform the duties delegated to the commissioner by the Auditor General under this act.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Mr. Arthur.

Mr. Ian Arthur: I would just like to voice my opposition to this move. Again, you are very clearly making the Environmental Commissioner an employee of the Office of the Auditor General. They are losing their independence. This is diminishing the ability they have to report to the Legislature. It's a terrible move. I understand what the amendment is trying to do. It's to provide some clarity that they are an employee. They are no longer an independent commissioner of the Legislature, and that is a massive problem.

The Chair (Mr. Stephen Crawford): Thank you. Any further debate? Are the members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving along to amendment number 15 from the government, section 6 of schedule 15 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 6 of schedule 15 to the bill be amended by striking out “shall” in subsection 51(2) of the Environmental Bill of Rights, 1993, in the portion before clause (a) and substituting “may”.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are the members ready to vote?

Mr. Ian Arthur: Recorded vote.

The Chair (Mr. Stephen Crawford): A recorded vote.

Please just speak a little louder, so I make sure that I hear, okay?

Mr. Ian Arthur: Yes.

The Chair (Mr. Stephen Crawford): Sometimes, I don't hear.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Moving along to amendment number 16 from the government, section 6 of schedule 15 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 6 of schedule 15 to the bill be amended by striking out subsection 52(1) of the Environmental Bill of Rights, 1993, and substituting the following:

“Employees continued

“52.(1) The employees who work in the Office of the Environmental Commissioner immediately before the day section 6 of schedule 15 to the Restoring Trust, Transparency and Accountability Act, 2018 comes into force and who are offered and accept employment with the Office of the Auditor General shall continue to be employed on such terms as may be determined under section 20 of the Auditor General Act.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Mr. Arthur.

Mr. Ian Arthur: This small little change is actually quite significant here. The government added in the words “who are offered” employment. That implies that there may be employees in the current Environmental Commissioner's office who are not given that offer to continue. This is another word for cuts. It's opening the door to significantly decreasing the staffing ability of the Office of the Environmental Commissioner, and it's just a backdoor way of putting cuts into this legislation.

The Chair (Mr. Stephen Crawford): Any further debate? Mr. Piccini.

Mr. David Piccini: I just wanted to add that the Auditor General recommended this change, and we've decided to propose it here in order to give her the independence she requires in the operation of her office.

The Chair (Mr. Stephen Crawford): Any further debate? Are the members ready to vote?

Ms. Sandy Shaw: Recorded vote.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Moving to amendment number 17 from the government, section 6 of schedule 15 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 6 of schedule 15 to the bill be amended by striking out section 53 of the Environmental Bill of Rights, 1993 and substituting the following:

“Transfers

“53.(1) Subject to subsection (2), the rights, obligations, assets and liabilities relating to the Office of the Environmental Commissioner, as they exist immediately before the day section 6 of schedule 15 to the Restoring Trust, Transparency and Accountability Act, 2018 comes into force, become rights, obligations, assets and liabilities relating to the Office of the Auditor General on that day.

“Exception

“(2) Subsection (1) does not apply in respect of the rights, obligations, assets or liabilities relating to the employees who work in the Office of the Environmental Commissioner immediately before the day section 6 of schedule 15 to the Restoring Trust, Transparency and Accountability Act, 2018 comes into force.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Mr. Arthur.

Mr. Ian Arthur: I'll just voice again that it's an attack on workers. You're ensuring that you don't have to commit to the previous obligations from when they worked for their previous employer. These people have no control over what's happening to them. They're going to be shifted into a new place. They're having their rights as workers stripped from them. It's a terrible decision.

The Chair (Mr. Stephen Crawford): Any further debate? Are the members ready to vote?

Ms. Sandy Shaw: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Amendment number 18: government section 6 of schedule 15 of the bill. Mr. Piccini.

Mr. David Piccini: I move that section 6 of schedule 15 to the bill be amended by adding the following section to part III of the Environmental Bill of Rights, 1993:

“Non-application of successor rights and sale of business rules

“53.1 Any rules respecting successor rights or the sale of a business set out in the Crown Employees Collective Bargaining Act, 1993, including but not limited to section 10 of that act, and the Labour Relations Act, 1995, including but not limited to section 69 of that act, do not apply with respect to the transfer described in subsection 53(1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Mr. Bourgouin.

M. Guy Bourgouin: Encore, on voit que ce sont des attaques envers les travailleurs en essayant de leur enlever leur droit de succession. C’est une journée qui est vraiment triste—qu’on traite avec des sujets de même.

The Chair (Mr. Stephen Crawford): Any further debate? Are members ready to vote?

Interjection: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Moving along to amendment number 19, from the government: section 6 of schedule 15 to the bill. Mr. Piccini.

Mr. David Piccini: I move that section 6 of schedule 15 to the bill be amended by striking out section 54 of the Environmental Bill of Rights, 1993 and substituting the following:

“Protection from liability

“54.(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 15 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote?

Ms. Sandy Shaw: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Stan Cho, Downey, Piccini, Roberts, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Shall schedule 15, section 6, as amended, carry? All those in favour, please raise your hand.

Interjection.

The Chair (Mr. Stephen Crawford): No. This one is the whole—okay.

All those opposed, please raise your hand.

Schedule 15, section 6, as amended, carries.

1500

There are no amendments to sections 7 through 14 of schedule 15. I propose that we bundle sections 7 through 14 and consider them together. Is there agreement?

Any further debate? Are the members ready to vote? Shall sections 7 through 14 of schedule 15 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 7 through 14 carry.

There is an NDP notice on schedule 15 of the bill. Any discussion?

Mr. Ian Arthur: Yes, absolutely.

The Chair (Mr. Stephen Crawford): Mr. Arthur.

Mr. Ian Arthur: I cannot overstate enough how important it is to have an independent commissioner of the environment in Ontario. Rolling it into the Auditor General’s office is a significant mistake. There have been many people who have come in and testified to the committee and far more written submissions as to all the reasons why this is such a drastic mistake. We are facing a climate crisis. We have very, very little time in order to figure out how to deal with this, and we are giving away the only independent avenue that is available for the people of Ontario to know what the government is doing with regard to the environment, the only independent avenue that holds the government to account on the environment.

The argument that it’s simply being moved into the Auditor General’s office is false, because the reporting requirements are different in the Auditor General’s office. They’re not required to report on the breadth and width of what the Environmental Commissioner was required to report on. They’re not going to have the resources. You’ve laid the groundwork for cuts to the actual staffing of that office under the pretense that that is what the Auditor General would like. But the reality is that you’re gutting an independent officer of the Legislature at a time when it is one of the greatest issues facing our province and our country.

I think it’s a massive mistake to move in that direction.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Shall schedule 15, as amended, carry?

Ms. Sandy Shaw: Recorded vote.

Ayes

Downey, Piccini, Roberts, Sandhu, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 15, as amended, carries.

Moving along to schedule 16, section 1, amendment 20 from the government: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 16 to the bill be amended by striking out subsections 4(1) to (4) of the Financial Accountability Officer Act, 2013 and substituting the following:

“Removal or suspension

“4(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the Financial Accountability Officer from office for cause.

“Suspension if assembly not in session

“(2) If the assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the Financial Accountability Officer for cause.

“Duration of suspension

“(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the Financial Accountability Officer is removed from office pursuant to subsection (1).

“Same

“(4) Unless the Board of Internal Economy revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the Financial Accountability Officer is removed from office pursuant to subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? No debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Government amendment number 21, section 1 of schedule 16 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 16 to the bill be amended by adding the following subsection to section 4.2 of the Financial Accountability Officer Act, 2013:

“Removal or suspension

“(5) Section 4 applies in respect of an individual who assumes the powers and duties of the Financial Accountability Officer under subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Government amendment number 22, section 1 of schedule 16 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 16 to the bill be amended by striking out subsection 4.3(2)

of the Financial Accountability Officer Act, 2013 and substituting the following:

“Same, conditions

“(2) An order shall be made under subsection (1) only if,

“(a) the Financial Accountability Officer,

“(i) has not made a designation under subsection 4.2(1), or

“(ii) has made a designation under subsection 4.2(1), but,

“(A) the Financial Accountability Officer has been removed or suspended under section 4, or

“(B) the person designated is unable or unwilling to act or has been removed or suspended under section 4; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Government amendment number 23, section 1 of schedule 16 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 16 to the bill be amended by adding the following subsection to section 4.3 of the Financial Accountability Officer Act, 2013:

“Same

“(3.1) Clause (2)(a) applies with respect to an appointment under subsection (3).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Government amendment number 24, section 1 of schedule 16 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 16 to the bill be amended by striking out subsection 4.7(1) of the Financial Accountability Officer Act, 2013 and substituting the following:

“Nature of office

“4.7(1) The Financial Accountability Officer holds office for a fixed term.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand—

Mr. Ian Arthur: Did you want to have a speed-reading competition—

Mr. Doug Downey: He’s the closest to Bill Walker.

The Chair (Mr. Stephen Crawford): You have to speak through the Chair, please.

The motion is accordingly carried.

Government amendment number 25, section 1 of schedule 16 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 16 to the bill be amended by striking out section 4.8 of the

Financial Accountability Officer Act, 2013 and substituting the following:

“Protection from liability

“4.8(1) No cause of action arises, no proceeding may be brought and no remedy is available or damage, costs or compensation payable in connection with any amendment made by schedule 16 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Ms. Shaw.

Ms. Sandy Shaw: I do actually want to go back to the record. Mr. Piccini, here it says, “no remedy is available or damages,” in the plural, and I believe Mr. Piccini said “damage.” I just wanted to go back to the Hansard and check which it was he said. Was it singular or plural? I couldn’t tell.

The Chair (Mr. Stephen Crawford): Mr. Piccini?

Mr. David Piccini: Just to clarify, Chair: plural.

Ms. Sandy Shaw: Is that what’s in the record, because I misheard what he said.

The Chair (Mr. Stephen Crawford): Any further debate? Are the members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 16, section 1, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 16, section 1, as amended, carries.

1510

There are no amendments to sections 2 and 3 of schedule 16. I propose that we bundle sections 2 and 3 and consider them together. Is there agreement?

Any further debate? Are the members ready to vote? Shall schedule 16, sections 2 and 3, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 16, sections 2 and 3, carry.

Is there any debate on schedule 16? Shall schedule 16, as amended, carry? All those in favour—

Ms. Sandy Shaw: Excuse me.

The Chair (Mr. Stephen Crawford): Yes, Ms. Shaw.

Ms. Sandy Shaw: One moment, please. Recorded vote.

Ayes

Downey, Piccini, Roberts, Sandhu, Dave Smith.

Nays

Arthur, Bourgoiuin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 16, as amended, carries.

Moving along to schedule 17, there are no amendments for sections 1 through 9 of schedule 17. I propose that we bundle sections 1 through 9 and consider them together. Is there agreement?

Ms. Sandy Shaw: Sorry, Chair. We’re just confirming—

The Chair (Mr. Stephen Crawford): Schedule 17, sections 1 through 9: There are no amendments. I suggest that we bundle them together. Are you in agreement?

Mr. Ian Arthur: That’s fine.

The Chair (Mr. Stephen Crawford): Okay. Is there any debate on sections 1 through 9 of schedule 17? Are members ready to vote? Shall sections 1 through 9 of schedule 17 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 9 of schedule 17 carry.

Any further debate on schedule 17? Are members ready to vote? Shall schedule 17 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 17 carries.

Moving along to section 1 of schedule 18 to the bill, amendment number 26 from the government: Mr. Piccini.

Mr. David Piccini: I move that section 1 of schedule 18 to the bill be amended by striking out “this part” in subsection 41(2.1) of the Fire Protection and Prevention Act, 1997 and substituting “sections 46.4 and 52.2”.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Any further debate on schedule 18, section 1, as amended? Are members ready to vote? Shall schedule 18, section 1, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 18, section 1, as amended, carries.

There are no amendments to sections 2 through 10 of schedule 18. I propose that we bundle sections 2 through 10 and consider them together. Is there agreement?

Mr. Ian Arthur: Yes, we agree.

The Chair (Mr. Stephen Crawford): Okay. Any further debate? Are the members ready to vote? Shall sections 2 through 10 of schedule 18 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 2 through 10 of schedule 18 carry.

Any further debate on schedule 18?

Mr. Ian Arthur: Yes, Chair.

The Chair (Mr. Stephen Crawford): Mr. Arthur.

Mr. Ian Arthur: There are a couple of things. On the topic of double-hatting and the firefighters, I think the deeper issue is the proper funding for training and stuff. I think this is a temporary solution. I don’t think it really will address the problems that the sector is facing. I think that repealing the framework for training for volunteer firefighters was a mistake previously, and that this isn’t going to move a lot in the direction of fixing that.

But more importantly, I want to talk about the arbitration. You are taking a sector that doesn't have the right to strike or lock out, and imposing a new arbitration method on them. I think that's wrong. From someone who comes from a background of supporting labour, I think that any time you impose those changes, that's unreasonable. I'm not sure that the firefighters were given a reasonable voice at the table when discussing what this was going to look like, and I'd just like to voice my opposition to this section. Thank you.

The Chair (Mr. Stephen Crawford): Any further debate? Mr. Downey.

Mr. Doug Downey: Recorded vote, please.

The Chair (Mr. Stephen Crawford): Recorded vote. Shall schedule 18, as amended, carry?

Ayes

Downey, Piccini, Roberts, Sandhu, Dave Smith.

Nays

Arthur, Bourgoïn, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 18, as amended, carries.

There are no amendments to sections 1 and 2 of schedule 19. I propose that we bundle sections 1 and 2 of schedule 19 and consider them together. Is there agreement? Agreed.

Any further debate on sections 1 and 2 of schedule 19? Are members ready to vote? Shall sections 1 and 2 of schedule 19 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 19, sections 1 and 2, carry.

Moving along within schedule 19 to amendment 27: section 3 of schedule 19 of the bill, from the government. Mr. Piccini.

Mr. David Piccini: I move that section 3 of schedule 19 to the bill be amended by striking out subsections 6(1) to (4) of the Freedom of Information and Protection of Privacy Act and substituting the following:

“Removal or suspension

“6(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the commissioner from office for cause.

“Suspension if assembly not in session

“(2) If the assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the commissioner for cause.

“Duration of suspension

“(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the commissioner is removed from office pursuant to subsection (1).

“Same

“(4) Unless the Board of Internal Economy revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the commissioner is removed from office pursuant to subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 28 from the government, section 3 of schedule 19 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 3 of schedule 19 to the bill be amended by adding the following subsection to section 7.1 of the Freedom of Information and Protection of Privacy Act:

“Removal or suspension

“(5) Section 6 applies in respect of an individual who assumes the powers and duties of the commissioner under subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 29 from the government, section 3 of schedule 19 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 3 of schedule 19 to the bill be amended by striking out subsection 7.2(2) of the Freedom of Information and Protection of Privacy Act and substituting the following:

“Same, conditions

“(2) An order shall be made under subsection (1) only if,

“(a) the commissioner,

“(i) has not made a designation under subsection 7.1(1), or

“(ii) has made a designation under subsection 7.1(1), but,

“(A) the commissioner has been removed or suspended under section 6, or

“(B) the person designated is unable or unwilling to act or has been removed or suspended under section 6; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 30—

Mr. Guy Bourgoïn: Excuse me, Mr. Chair?

The Chair (Mr. Stephen Crawford): Yes, Mr. Bourgoïn.

Mr. Guy Bourgoïn: Is there a possibility of getting a health break? I know we want to rush through this, but can we have a five-minute health break?

The Chair (Mr. Stephen Crawford): Do we have unanimous consent for a five-minute break?

Interjections.

The Chair (Mr. Stephen Crawford): Do you want a five-minute break?

Interjections.

The Chair (Mr. Stephen Crawford): Okay. We'll take a five-minute break. We'll recess for five minutes.

The committee recessed from 1521 to 1526.

The Chair (Mr. Stephen Crawford): We'll start with amendment 30 from the government: section 3 of schedule 19. Mr. Piccini.

Mr. David Piccini: I move that section 3 of schedule 19 to the bill be amended by adding the following subsection to section 7.2 of the Freedom of Information and Protection of Privacy Act:

"Same

"(3.1) Clause (2)(a) applies with respect to an appointment under subsection (3)."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving to amendment 31, government section 3 of schedule 19 of the bill: Mr. Piccini.

Mr. David Piccini: I move that section 3 of schedule 19 to the bill be amended by striking out subsection 7.6(1) of the Freedom of Information and Protection of Privacy Act and substituting the following:

"Nature of office

"7.6(1) The commissioner holds office for a fixed term."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 32, government section 3 of schedule 19 to the bill: Mr. Piccini.

Mr. David Piccini: I move that section 3 of schedule 19 to the bill be amended by striking out section 7.7 of the Freedom of Information and Protection of Privacy Act and substituting the following:

"Protection from liability

"7.7(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 19 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

"Same

"(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

"Proceedings set aside

"(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day."

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Piccini. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 19, section 3, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 19, section 3, as amended, carries.

There are no amendments to sections 4 to 7 of schedule 19. I propose that we bundle sections 4 to 7 of schedule 19 and consider them together. Is there agreement? Okay. Is there any debate on sections 4 through 7 of schedule 19? Are the members ready to vote? Shall sections 4 through 7 of schedule 19 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 4 through 7 of schedule 19 carry.

Shall schedule 19, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 19, as amended, carries.

There are no amendments to sections 1 through 5 of schedule 20. I propose that we bundle sections 1 through 5 of schedule 20 and consider them together. Is there agreement?

Mr. Guy Bourgouin: No—and a recorded vote.

The Chair (Mr. Stephen Crawford): Okay. We'll deal with section 1, schedule 20. Is there any debate? Are members ready to vote? All those in favour, please raise your hand. All those opposed, please raise your hand.

Mr. Guy Bourgouin: I asked for a recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 1, carries.

Shall schedule 20, section 2, carry?

Mr. Guy Bourgouin: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 2, carries.

Shall schedule 20, section 3, carry?

Mr. Guy Bourgouin: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 3, carries.

Shall schedule 20, section 4, carry?

Mr. Guy Bourgouin: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 4, carries.

Shall schedule 20, section 5, carry?

Mr. Guy Bourgouin: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 5, carries.

Amendment 33, government, section 6 of schedule 20 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 6 of schedule 20 to the bill be amended by striking out section 12.5 of the French Language Services Act and substituting the following:

“Annual Report of the French Language Services Commissioner

“12.5(1) The Ombudsman shall ensure there is an annual report to the Speaker of the assembly on the activities of his or her office under this act.

“Recommendations

“(2) The report shall be known as the Annual Report of the French Language Services Commissioner and shall include the commissioner’s recommendations for improving the provision of French language services.

“Copy of report

“(3) Upon the report being provided to the Speaker, the Ombudsman shall provide a copy of the report to the minister.

“Tabling of report

“(4) The Speaker shall lay the report before the assembly at the earliest reasonable opportunity.

“Inclusion in Ombudsman report

“(5) The annual report may, in the Ombudsman’s discretion, be included in the Ombudsman’s annual report prepared under section 11 of the Ombudsman Act.

“Definition

“(6) In this section, ‘French Language Services Commissioner’ means the French Language Services Commissioner appointed under subsection 12.9(1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate?

Mr. Guy Bourgouin: Yes, there is.

The Chair (Mr. Stephen Crawford): Mr. Bourgouin.

M. Guy Bourgouin: Je peux vous dire que la communauté francophone est vraiment dévastée par ça. On a eu des journées de résistance et près de 15 000 personnes ont démontré au gouvernement que ce n’est pas correct, ce qui se passe, et que les projets, ce que vous proposez, est inacceptable pour les francophones. On part derrière. Ce sont des acquis qu’on avait, puis qu’on veut maintenir.

Le gouvernement est revenu avec une proposition, dont on traite aujourd’hui, qui est trop peu, puis qui est trop tard. On a entendu des personnes. On a entendu le commissaire. On a entendu l’AFO. M. Jolin a parlé. Il a dit qu’il n’y a eu aucune consultation avec les groupes francophones. C’est déplorable pour la communauté francophone.

Ce qui fait que, ça va sans dire qu’on s’oppose, puis qu’on ne devrait pas partir derrière. Le gouvernement devrait faire la bonne chose, puis être à l’écoute des francophones.

The Chair (Mr. Stephen Crawford): Any further debate?

Mr. Guy Bourgouin: Recorded vote, please.

The Chair (Mr. Stephen Crawford): Recorded vote. Shall the motion carry?

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Shall schedule 20, section 6, as amended, carry?

Mr. Ian Arthur: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 6, as amended, carries.

Moving along to schedule 20, section 7, amendment 34 from the government: Mr. Downey.

Mr. Doug Downey: I move that section 7 of schedule 20 to the bill be amended by striking out section 12.9 of the French Language Services Act and substituting the following:

“French Language Services Commissioner

“12.9(1) The Ombudsman shall appoint a deputy ombudsman who shall be known as the French Language Services Commissioner.

“Duties

“(2) The French Language Services Commissioner may exercise the powers and shall perform the duties of the

Ombudsman under this act, subject to the direction of the Ombudsman.

“Employee

“(3) The French Language Services Commissioner is an employee of the office of the Ombudsman.

“French proficiency

“(4) The French Language Services Commissioner shall be proficient in French.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate?

Mr. Guy Bourgouin: Yes.

The Chair (Mr. Stephen Crawford): Mr. Bourgouin.

M. Guy Bourgouin: Encore sur la question de la transparence : je peux vous dire que le commissaire, il a témoigné qu’un est proactif, puis un est réactif. Le commissaire était là. C’était comme notre chien de garde pour la langue française. Il était là pour répondre, puis faire certain que le gouvernement adresse les « concernés » des francophones dans la santé, dans l’éducation et autres. Ce qui fait que ce n’est définitivement pas la même chose.

On s’oppose à ces changements-là. Je voulais faire certain que ça soit—puis je demande un « recorded vote ».

The Chair (Mr. Stephen Crawford): Are members ready to vote? Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Amendment 35 from the government, section 7 of schedule 20 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 7 of schedule 20 to the bill be amended by striking out section 12.10 of the French Language Services Act and substituting the following:

“Protection from liability

“12.10(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 20 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

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The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate?

Interjection: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Is there further debate on schedule 20, section 7, as amended? Shall schedule 20, section 7, as amended, carry?

Ms. Sandy Shaw: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 7, as amended, carries.

Moving along to amendment number 36 from the government: section 8 of schedule 20. Mr. Downey.

Mr. Doug Downey: I move that section 8 of schedule 20 to the bill be struck out and the following substituted:

“8. The act is amended by striking out ‘commissioner’ wherever it appears and substituting in each case ‘Ombudsman’ except in the following provisions:

“1. The definition of ‘commissioner’ in section 1.

“2. Subsections 12.5(2) and (6).

“3. Subsection 12.7(1).

“4. Section 12.8.

“5. Section 12.9.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate?

Mr. Guy Bourgouin: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): The motion is accordingly carried.

Any further debate on schedule 20, section 8, as amended? Are the members ready to vote?

Ms. Sandy Shaw: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 8, as amended, carries.

There are no amendments for sections 9 and 10 of schedule 20. I propose that we bundle sections 9 and 10 of schedule 20 and consider them together. Is there agreement?

Interjection: No.

The Chair (Mr. Stephen Crawford): No? Okay. Is there any debate on schedule 20, section 9? Shall schedule 20, section 9, carry?

Mr. Guy Bourgouin: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 9, carries.

Moving to schedule 20, section 10: Is there any debate? Are members ready to vote?

Ms. Sandy Shaw: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, section 10, carries.

NDP notice on schedule 20 of the bill: Any discussion?

M. Guy Bourgouin: Oui.

The Chair (Mr. Stephen Crawford): Mr. Bourgouin.

M. Guy Bourgouin: On a entendu la ministre nous dire que c'était la même chose, que le commissaire avec l'ombudsman va être la même chose. Mais on a entendu la déposition du commissaire, par contre. Puis le commissaire a été très clair que ce n'est pas la même chose. Un commissaire indépendant ne fait pas le même travail quand il va se rapporter à un ombudsman. Ce n'est pas la même chose : il faut qu'il se rapporte à l'ombudsman.

C'est pour ça qu'on n'est pas d'accord. Cela affecte les droits qu'on avait acquis. On est parti—je vais dire le terme en français—à reculons, ce qui est très peu trop tard pour la francophonie.

The Chair (Mr. Stephen Crawford): Any further debate, discussion? Shall schedule 20, as amended, carry?

Ms. Sandy Shaw: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 20, as amended, carries.

There are no amendments to sections 1 through 3 of schedule 21. I propose that we bundle sections 1 through 3 of schedule 21 and consider them together. Is there agreement? Is there any debate on sections 1 through 3 of schedule 21? Are members ready to vote? Shall sections 1 through 3 of schedule 21 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 3 of schedule 21 carry.

Any further debate on schedule 21? Are members ready to vote?

Mr. Dave Smith: Recorded vote, please.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 21 carries.

There are no amendments to sections 1 through 7 of schedule 22. I propose that we bundle sections 1 through 7 of schedule 22 and consider them together. Is there agreement? Is there any debate on sections 1 through 7 of schedule 22? Are members ready to vote? Shall sections 1 through 7 of schedule 22 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 7 of schedule 22 are accordingly carried.

Any further debate on schedule 22? Are members ready to vote? Shall schedule 22 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 22 is accordingly carried.

There are no amendments to sections 1 through 3 of schedule 23. I propose that we bundle sections 1 through 3 of schedule 23 and consider them together. Is there agreement? Is there any debate on sections 1 through 3 of schedule 23? Are members ready to vote? Shall sections 1 through 3 of schedule 23 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 3 of schedule 23 are accordingly carried.

Schedule 23, section 4, amendment 37: Mr. Downey.

Mr. Doug Downey: I move that section 4 of schedule 23 to the bill be amended by striking out subsections 77.1(1) to (4) of the Legislative Assembly Act and substituting the following:

“Removal or suspension

“77.1(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the Clerk of the Legislative Assembly from office for cause.

“Suspension if assembly not in session

“(2) If the assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the Clerk for cause.

“Duration of suspension

“(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the Clerk is removed from office pursuant to subsection (1).

“Same

“(4) Unless the Board of Internal Economy revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the Clerk is removed from office pursuant to subsection (1).”

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The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote?

Interjections.

The Chair (Mr. Stephen Crawford): This is amendment number 37 from the government, section 4 of schedule 23.

Ms. Sandy Shaw: Thank you.

The Chair (Mr. Stephen Crawford): Is there any further debate? No? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 38, government, section 4 of schedule 23: Mr. Downey.

Mr. Doug Downey: I move that section 4 of schedule 23 to the bill be amended by adding the following subsection to section 77.2 of the Legislative Assembly Act:

“Removal or suspension

“(5) Section 77.1 applies in respect of an individual who assumes the powers and duties of the Clerk under subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any further debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 39 from the government, section 4 of schedule 23: Mr. Downey.

Mr. Doug Downey: I move that section 4 of schedule 23 to the bill be amended by striking out subsection 77.3(2) of the Legislative Assembly Act and substituting the following:

“Same, conditions

“(2) An order shall be made under subsection (1) only if,

“(a) the Clerk,

“(i) has not made a designation under subsection 77.2(1), or

“(ii) has made a designation under subsection 77.2(1), but,

“(A) the Clerk has been removed or suspended under section 77.1, or

“(B) the person designated is unable or unwilling to act or has been removed or suspended under section 77.1; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 40 from the government, section 4 of schedule 23: Mr. Downey.

Mr. Doug Downey: I move that section 4 of schedule 23 to the bill be amended by adding the following subsection to section 77.3 of the Legislative Assembly Act:

“Same

“(3.1) Clause (2)(a) applies with respect to an appointment under subsection (3).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Any further debate on schedule 23, section 4, as amended? Shall schedule 23, section 4, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 23, section 4, as amended, carries.

Schedule 23, section 5: Is there any debate? Are members ready to vote? Shall schedule 23, section 5, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 23, section 5, carries.

Amendment 41 from the government, section 6 of schedule 23 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 6 of schedule 23 to the bill be amended by striking out “physical security within” in subsection 103(2) of the Legislative Assembly Act and substituting “the physical protection and security of”.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 42, from the government, section 6 of schedule 23: Mr. Downey.

Mr. Doug Downey: I move that section 6 of schedule 23 to the bill be amended by striking out “the physical security” in subsection 103(4) of the Legislative Assembly Act and substituting “the physical protection and security”.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any further debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 43, from the government, section 6 of schedule 23 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 6 of schedule 23 to the bill be amended by striking out “security” in subsection 103(5) of the Legislative Assembly Act.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 44, from the government, section 6 of schedule 23 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 6 of schedule 23 to the bill be amended by adding “and the basement” after “floors” in clause (c) of the definition of “legislative precinct” in subsection 103(9) of the Legislative Assembly Act.

The Chair (Mr. Stephen Crawford): Okay, a motion has been moved by Mr. Downey. Is there any debate? No? Okay. Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Is there any further debate on schedule 23, section 6, as amended? Are members ready to vote?

Mr. Dave Smith: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

The Chair (Mr. Stephen Crawford): Schedule 23, section 6, as amended, carries.

There are no amendments to sections 7 and 8 of schedule 23. I propose that we bundle sections 7 and 8 of schedule 23 and consider them together. Is there agreement?

Is there any debate on sections 7 and 8 of schedule 23? Are members ready to vote?

Mr. Dave Smith: Recorded vote, please.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

The Chair (Mr. Stephen Crawford): Sections 7 and 8 of schedule 23 are accordingly carried.

Any further debate on schedule 23, as amended? Shall schedule 23, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 23, as amended, carries.

Schedule 24, section 1: Is there any debate on schedule 24, section 1? Are members ready to vote? Shall schedule 24, section 1, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 24, section 1, carries.

Amendment 45, from the government, section 2 of schedule 24 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 24 to the bill be amended by striking out subsections 23.2(1) to (4) of the Members’ Integrity Act, 1994 and substituting the following:

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“Removal or suspension

“23.2(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the commissioner from office for cause.

“Suspension if assembly not in session

“(2) If the assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the commissioner for cause.

“Duration of suspension

“(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the commissioner is removed from office pursuant to subsection (1).

“Same

“(4) Unless the Board of Internal Economy revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the commissioner is removed from office pursuant to subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any further debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 46 from the government, section 2 of schedule 24: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 24 to the bill be amended by adding the following subsection to section 23.4 of the Members’ Integrity Act, 1994:

“Removal or suspension

“(5) Section 23.2 applies in respect of an individual who assumes the powers and duties of the commissioner under subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any further debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment number 47 from the government, section 2 of schedule 24 of the bill: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 24 to the bill be amended by striking out subsection 23.5(2) of the Members’ Integrity Act, 1994 and substituting the following:

“Same, conditions

“(2) An order shall be made under subsection (1) only if,

“(a) the commissioner,

“(i) has not made a designation under subsection 23.4(1), or

“(ii) has made a designation under subsection 23.4(1), but,

“(A) the commissioner has been removed or suspended under section 23.2, or

“(B) the person designated is unable or unwilling to act or has been removed or suspended under section 23.2; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 48 from the government, section 2 of schedule 24 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 24 to the bill be amended by adding the following subsection to section 23.5 of the Members’ Integrity Act, 1994:

“Same

“(3.1) Clause (2)(a) applies with respect to an appointment under subsection (3).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 49 from the government, section 2 of schedule 24 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 24 to the bill be amended by striking out subsection 23.9(1) of the Members’ Integrity Act, 1994 and substituting the following:

“Nature of office

“23.9(1) The commissioner holds office for a fixed term.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any further debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 50 from the government, section 2 of schedule 24 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 24 to the bill be amended by striking out section 23.10 of the Members’ Integrity Act, 1994 and substituting the following:

“Protection from liability

“23.10(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 24 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Any further debate on schedule 24, section 2, as amended? Are members ready to vote? Shall schedule 24, section 2, as amended, carry? All those in favour, please raise your hand.

Ms. Sandy Shaw: Can you just read the motion again?

The Chair (Mr. Stephen Crawford): Sorry, Ms. Shaw?

Ms. Sandy Shaw: Can you read the motion again?

The Chair (Mr. Stephen Crawford): Yes. This is schedule 24, section 2, as amended. We’re voting on that. All those opposed, please raise your hand. Schedule 24, section 2, as amended, carries.

There are no amendments to sections 3, 4 and 5 of schedule 24. I propose that we bundle sections 3 to 5 of schedule 24 and consider them together. Is there agreement? Okay. Is there any debate on sections 3 to 5 of schedule 24? Are the members ready to vote? Shall sections 3 through 5 of schedule 24 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 3 through 5 of schedule 24 carry.

Is there any further debate on schedule 24, as amended? Shall schedule 24, as amended, carry?

Mr. Dave Smith: Recorded vote.

Ayes

Downey, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 24, as amended, carries.

There are no amendments to sections 1 through 21 of schedule 25.

Interjection.

The Chair (Mr. Stephen Crawford): Sorry? What was that?

Mr. Dave Smith: There are no amendments to 24.

Mr. Jeremy Roberts: No, 25.

The Chair (Mr. Stephen Crawford): I propose that we bundle sections 1 through 21 of schedule 25 and consider them together. Is there agreement?

Interjections.

The Chair (Mr. Stephen Crawford): Let me just clarify: We’re referring to schedule 25 and there are no amendments from sections 1 through 21 of schedule 25. So we’re in agreement that we will vote on this together. Is there any debate on sections 1 through 21 of schedule 25? Okay. Are members ready to vote? Shall sections 1 through 21 of schedule 25 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 21 of schedule 25 are accordingly carried.

There is notice on schedule 25 from the NDP. Is there discussion? Yes, Ms. Shaw?

Ms. Sandy Shaw: Thanks, Mr. Chair, for recognizing me. I just want to take the opportunity to talk about this bill. It’s called “trust, transparency and accountability.” The irony of that is not lost on many people in Ontario. This is an omnibus bill, which many members of the governing party were outraged by when they were in this position.

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I just want to speak to the fact that there are so many provisions in here that we have not had a chance—not only the opposition, but the members of the public have not had a significant chance to weigh in on this. This section really would dissolve Metrolinx. It fits into the whole theme of this government talking about trust, transparency and accountability, but all of the provisions and schedules in this bill do the exact opposite. They roll back accountability.

They roll back independence. They limit the kind of transparency that the government is speaking about.

I would just put forward that, in fact, the actions speak louder than the words in this bill. I think that the idea that they're dissolving Metrolinx—there are many people that are very, very concerned about what this signals for the people of Ontario. There was no consultation on this change. We were here yesterday. We had one day—one day—of public hearings on this gigantic omnibus bill that makes changes that significantly impact the everyday lives of people in Ontario, and from those people that made their testimony, we heard time and time again that they were not consulted. They were not consulted.

It's really important to underscore the fact that the independent officers—most significantly, the child and youth advocate, Irwin Elman, was not consulted. In fact, he was here and in his testimony said that he found out about that change, the axing of that independent voice for children and youth, through the media. The Ombudsman's office also was quite clear that they weren't consulted.

The fact that we're now dissolving Metrolinx—there are people that are concerned that now, making this the direct accountability of the minister, it's quite clear that this is no longer an arm's-length organization. Signalling things like uploading the TTC, breaking up the TTC and uploading it gives people a lot of concern about the direction of privatization that this government is signalling.

I think that those are the statements that I want to make on why we vehemently oppose this schedule 25.

The Chair (Mr. Stephen Crawford): Any further debate or discussion on schedule 25? Are members ready to vote? Shall schedule 25 carry?

Mr. Ian Arthur: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote. Raise your hands, please.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 25 is accordingly carried.

There are no amendments to sections 1 through 8 of schedule 26. I propose that we bundle sections 1 through 8 of schedule 26 and consider them together. Is there agreement? Okay.

Is there any further debate on sections 1 through 8 of schedule 26? Are members ready to vote? Shall sections 1 through 8 of schedule 26 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 8 of schedule 26 are accordingly carried.

Any further debate on schedule 26? Are members ready to vote? Shall schedule 26 carry? All those in favour, please raise your hand. Schedule 26 is accordingly carried.

There are no amendments to sections 1 and 2 of schedule 27. I propose that we bundle sections 1 and 2 of schedule 27 and consider them together. Is there agreement?

Is there any debate on sections 1 and 2 of schedule 27? Mr. Arthur?

Mr. Ian Arthur: Just yesterday, one of the deputants who came in raised a concern just about the language used here, whether it was cannabis or the smoking of tobacco, and wanted to expand it to be slightly more comprehensive, because it's very hard to narrow down what folks are smoking. I just wanted to say that I thought that was one of the friendliest, tamest amendments I have seen proposed.

Just on record, again, a group came in and asked for a small change, which I don't think would dramatically change this legislation, and the government did not take that into consideration and did not introduce an amendment to that effect.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Shall sections 1 and 2 of schedule 27 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 and 2 of schedule 27 are accordingly carried.

Is there any further debate on schedule 27? Shall schedule 27 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 27 is accordingly carried.

Moving along to schedule 28, section 1: Is there any debate on schedule 28, section 1? Are members ready to vote?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 28, section 1 is accordingly carried.

Moving to amendment 51 from the government, subsection 2(1) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 2(1) of schedule 28 to the bill be amended by striking out subsections 4(1) to (4) of the Ombudsman Act and substituting the following:

“Removal or suspension

“4(1) The assembly may, by order passed by a vote of at least two thirds of the members of the assembly, remove or suspend the Ombudsman from office for cause.

“Suspension if assembly not in session

“(2) If the assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the Ombudsman for cause.

“Duration of suspension

“(3) A suspension under subsection (1) continues until revoked by order of the assembly or until the Ombudsman is removed from office pursuant to subsection (1).

“Same

“(4) Unless the Board of Internal Economy revokes the suspension before the next sitting of the assembly, a suspension under subsection (2) continues until revoked by order of the assembly or until the Ombudsman is removed from office pursuant to subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? No. Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 52 from the government, subsection 2(1) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 2(1) of schedule 28 to the bill be amended by adding the following subsection to section 6 of the Ombudsman Act:

“Removal or suspension

“(5) Section 4 applies in respect of an individual who assumes the powers and duties of the Ombudsman under subsection (1).”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Moving to amendment 53 from the government, subsection 2(1) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 2(1) of schedule 28 to the bill be amended by striking out subsection 7(2) of the Ombudsman Act and substituting the following:

“Same, conditions

“(2) An order shall be made under subsection (1) only if,

“(a) the Ombudsman,

“(i) has not made a designation under subsection 6(1), or

“(ii) has made a designation under subsection 6(1), but,

“(A) the Ombudsman has been removed or suspended under section 4, or

“(B) the person designated is unable or unwilling to act or has been removed or suspended under section 4; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party, chaired by the Speaker who is a non-voting member.”

The Chair (Mr. Stephen Crawford): The motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 54 from the government, subsection 2(1) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 2(1) of schedule 28 to the bill be amended by adding the following subsection to section 7 of the Ombudsman Act:

“Same

“(3.1) Clause (2)(a) applies with respect to an appointment under subsection (3).”

The Chair (Mr. Stephen Crawford): The motion has been moved by Mr. Downey. Is there any debate? Are

members ready to vote? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

1620

Amendment 55 from the government, subsection 2(1) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 2(1) of schedule 28 to the bill be amended by striking out subsection 7.4(1) of the Ombudsman Act and substituting the following:

“Nature of office

“7.4(1) The Ombudsman holds office for a fixed term.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Amendment 56 from the government, subsection 2(1) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 2(1) of schedule 28 to the bill be amended by striking out section 7.5 of the Ombudsman Act.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Is there any further debate on schedule 28, section 2, as amended? Are members ready to vote? Shall schedule 28, section 2, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 28, section 2, as amended, carries.

There are no amendments to sections 3 through 12 of schedule 28. I propose that we bundle sections 3 through 12 of schedule 28. Is there agreement? Okay. Any further debate? Shall sections 3 through 12 of schedule 28 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 3 through 12 of schedule 28 carry.

Amendment number 57 from the government, section 13 of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 13 of schedule 28 to the bill be amended by striking out section 30.2 of the Ombudsman Act and substituting the following:

“Protection from liability

“30.2(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 28 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 28, section 13, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 28, section 13, as amended, carries.

There are no amendments to sections 14 and 15 of schedule 28. I propose we bundle sections 14 and 15 of schedule 28 and consider them together. Is there agreement? Okay.

Is there any debate on sections 14 and 15 of schedule 28? Are members ready to vote? Shall sections 14 and 15 of schedule 28 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 14 and 15 of schedule 28 are accordingly carried.

Amendment 58 from the government, subsection 16(2) of schedule 28 to the bill: Mr. Downey.

Mr. Doug Downey: I move that subsection 16(2) of schedule 28 to the bill be amended by adding “13” after “6”.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 28, section 16, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 28, section 16, as amended, carries.

NDP notice on schedule 28 of the bill, for discussion. No? Any further debate on schedule 28? Okay. Shall schedule 28, as amended, carry?

Mr. Ian Arthur: Recorded vote, please.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 28, as amended, carries.

There are no amendments to sections 1 to 4 of schedule 29. I propose that we bundle sections 1 through 4 of schedule 29 and consider them together. Is there agreement?

Mr. Doug Downey: Agreed.

The Chair (Mr. Stephen Crawford): Is there any debate on sections 1 through 4 of schedule 29? No? Okay. Are members ready to vote? Shall sections 1 through 4 of schedule 29 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 4 of schedule 29 are accordingly carried.

Any further debate on schedule 29?

Mr. Ian Arthur: Yes, Chair.

Mr. Stephen Crawford: Yes, Mr. Arthur.

Mr. Ian Arthur: The idea of creating a fund to borrow \$1.9 billion with no indication of where that money is going to go or what it's going to be used for, I think goes against the very ideals that this party claims to espouse. They bring up the billion-dollar gas plant scandal several times, but the wording here, “to discharge any indebtedness or obligation of Ontario or to make any payment authorized or required by any act to be made out of the Consolidated Revenue Fund”—it's not very clear what this is for. I don't think it takes a lot to figure out that there are some potentially massive liabilities that this government has opened Ontario to and that we are going to need a significant amount of money to deal with some of the repercussions of actions taken by this government.

I just want it on the record that putting into an omnibus bill the right to borrow another \$1.9 billion when we are facing a massive deficit, when we have incredible debt already—I mean, we hear the government rail against the debt daily in the House and yet they're setting themselves up to be able to borrow more when it suits them.

Thank you very much. That's all I have to say on that.

The Chair (Mr. Stephen Crawford): Any further debate? Are members ready to vote? Shall schedule 29 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 29 is accordingly carried.

There are no amendments to sections 1 through 3 of schedule 30. I propose that we bundle sections 1 through 3 of schedule 30 and consider them together. Is there agreement?

Mr. Doug Downey: Agreed.

The Chair (Mr. Stephen Crawford): Is there any debate on sections 1 to 3 of schedule 30? Any further debate? No? Are members ready to vote? Shall sections 1 to 3 of schedule 30 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 30, sections 1 to 3, are accordingly carried.

1630

NDP notice on schedule 30 of the bill is up for discussion. Ms. Shaw.

Ms. Sandy Shaw: This is yet another schedule that really belies the trust, transparency and accountability name of this bill. Dissolving the corporation of Ontario Place without any consultation, yet again, really just—it's clear to everyone that this just sets the stage for more privatization.

This bill really, essentially, transfers the assets and the liabilities of Ontario Place to the crown. This is an example of a significant jewel, which is Ontario Place, that has been available to the public. I mean, people have been going to Ontario Place to visit it free of charge. It is a public asset, and without any consultation whatsoever, the government has dissolved the corporation and moved it to the crown. This is privatization, really, at its worst, moving assets without any kind of consultation.

We all know that Premier Ford, when he was a councillor—really, his pet project was to put a casino on the waterfront. I think that's a significant change that the

people of Ontario, let alone the people of Toronto, should have had something to say about.

Also, we've had Minister Fedeli, who said that nothing is off the table. For a government that has a fall economic statement that has, really, no details—it just says other revenues, other expenses; there are very few details—a government that talks about cutting all the independent officers because this is a cost savings and, in fact, a room full of 60 ministers told me that the cost savings have yet to be identified.

Yet again, you can talk a good game, but when you actually look at the actions of this government, it speaks to the kind of privatization agenda, the lack of accountability, the lack of consultation and the lack of transparency that is quite clear with this schedule.

The Chair (Mr. Stephen Crawford): Any further debate? Mr. Arthur.

Mr. Ian Arthur: Just to kind of reiterate, I think that the appropriation of public assets, whether it's the TTC or Ontario Place, and moving them under for future uses which so far are unknown—I don't think it takes a lot to follow the next three steps of where these initial decisions are going to go and what the government is planning on doing with these public assets. It's the pillaging of the public trust, and it is completely wrong. It's wrong to put it in an omnibus bill; it's wrong to not have consultations; and it's wrong to rush it through committee as quickly as you possibly can. It's not how government should operate, and I think it's a big problem with how this government is approaching it, and it says a lot about the respect that they actually have for the people of Ontario.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Are members ready to vote? Shall schedule 30 carry?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 30 is accordingly carried.

Moving along to schedule 31, there are no amendments to sections 1 to 6 of schedule 31. I propose that we bundle sections 1 to 6 of schedule 31 and consider them together. Is there agreement? Okay.

Is there any debate on sections 1 to 6 of schedule 31? Are the members ready to vote? Shall sections 1 to 6 of schedule 31 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 6 of schedule 31 are accordingly carried.

NDP notice on schedule 31 of the bill for discussion. No? Okay. No further debate? Shall schedule 31 carry?

Mr. Ian Arthur: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 31 is accordingly carried.

Moving along to schedule 32: There are no amendments to sections 1 and 2 of schedule 32. I propose that we bundle sections 1 and 2 of schedule 32 and consider them together. Is there agreement?

Mr. Doug Downey: Agreed.

The Chair (Mr. Stephen Crawford): Is there any debate on sections 1 and 2 of schedule 32? Ms. Hunter.

Ms. Mitzie Hunter: Thank you, Chair, for the opportunity to address this committee.

This is an important committee. The work that you do involves the expenditures of the province and the entire budget. Bill 57 that is before you today is in support of the government's fall economic statement. The government's fall economic statement outlines the government's priorities for the province and its intentions, and it's very revealing. I think the discussions that we've been having today have shown that there are serious concerns. Bill 57 gives insights into what it is that this government believes is important and what it cares about, and also the things that it fears.

Mr. Dave Smith: Point of order, Mr. Chair.

The Chair (Mr. Stephen Crawford): Mr. Smith?

Mr. Dave Smith: We're discussing schedule 32. Debate needs to be around schedule 32. There's an opportunity to discuss the entire bill at the end.

The Chair (Mr. Stephen Crawford): Yes, the debate right now is centred on, specifically, sections 1 and 2 of schedule 32. So if you want to focus on that, you can continue to discuss; otherwise, there will be debate at the end.

Ms. Mitzie Hunter: Absolutely, Chair. I'm speaking specifically to schedule 32, and my comments are very much about schedule 32.

The Chair (Mr. Stephen Crawford): Okay.

Ms. Mitzie Hunter: Oversight, independence and evidence—schedule 32 refers to the Pay Transparency Act, and thus far in the conversation and in the debate on Bill 57, we have not paid much attention to this, but I believe that it is really important. The planned changes are sweeping and they affect many people. Any delay in the enactment of the Pay Transparency Act, which was scheduled to be enacted on January 1, 2019, is of concern because this impacts many people; in particular, it impacts women.

When we think about the concerns that were being addressed in the Pay Transparency Act—the gender pay gap in this province is a well-known issue. There are many groups that have been addressing this concern for many years, like the Equal Pay Coalition. Many groups have fought for many years for equal pay for equal work, and the gender wage gap is a concern. In fact, we were to begin

with the OPS as the first group to be addressed by this act, followed by large employers.

In schedule 32, section 1, where the act is to be proclaimed at a later date, there is no date. The date was January 1, 2019, and that has been removed. It's a small line change, but it's a sweeping change. It's an enormous change in terms of the priorities for pay equity in this province, for pay transparency in this province. This act really addressed concerns of reprisal. It addressed concerns of reporting by employers. It even addressed concerns around the opportunity for people to negotiate wages without the threat of reprisal.

1640

So I want to register this concern. There are many others that have been debated in different forms by the public, in the Legislature, during debate and during questions, but I think that this one, while it seems like a small change to take away the immediate proclamation that would have been forthcoming on January 1, 2019, to some other date that is unknown to this Legislature, raises a great degree of concern, Mr. Chair.

I wanted to raise that because, as I listened to the clause-by-clause in this omnibus bill, there are tremendous changes in this bill in terms of how we live in this province. You could say that some of that is based on different ideologies or different perspectives, but I think that the movement around gender pay and gender equity—equal pay for equal work—has been well discussed in this province. The repealing of this date and any delay that will be caused by this will affect people in this province, and predominantly women in this province who perform work or who are in a situation where they would need to negotiate pay with their employer. We've delayed this tool. I wanted to register that on record today and really urge the government to not wipe this out, to not destroy this. It's been hard-fought and carefully considered, and it impacts a number of people in this province and how they live, by being recognized for the work that they do.

Thank you for the opportunity to address this committee. I just wanted to make sure to register, for schedule 32, on the Pay Transparency Act, "Subject to subsection (2), this act comes into force on a day to be named by proclamation of the Lieutenant Governor," but the date is not reflected, which was to be January 1, 2019. That raises a significant concern for me.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Are members ready to vote?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Sections 1 and 2 of schedule 32 are accordingly carried.

Any further debate on schedule 32? Are members ready to vote?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 32 is accordingly carried.

There are no amendments to sections 1 through 14 of schedule 33. I propose that we bundle sections 1 through 14 of schedule 33 and consider them together. Is there agreement?

Is there any debate on sections 1 through 14 of schedule 33? Are members ready to vote? Shall sections 1 through 14 of schedule 33 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 14 of schedule 33 carry.

Any further debate on schedule 33? Shall schedule 33 carry? Please raise your hand, those in favour. All those opposed, please raise your hand. Schedule 33, accordingly, is carried.

There are no amendments on sections 1 through 7 of schedule 34. I propose we bundle sections 1 through 7 and consider them together. Is there agreement?

Is there any debate on sections 1 through 7 of schedule 34? Are the members ready to vote?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 34, sections 1 through 7, carry.

NDP notice on schedule 34 of the bill is open for discussion. Ms. Shaw.

Ms. Sandy Shaw: You know, it's hard. Here this government goes again, talking about trust, transparency and accountability, and we have a schedule that defies understanding. There has been put forward absolutely no credible justification for removing the independent voice for the most vulnerable people, kids: children and youth, children in care, our Indigenous youth. There has not been one credible reason for doing this.

There has been a lot of discussion about how this government appears to be afraid of scrutiny, how it does not want to hear an independent voice. I'm a new MPP and I am deeply disappointed to see how this government is enacting the business of the people of Ontario. They have been rushing legislation through the House. We have seen omnibus bills, such as the one before us. We have had

numerous time allocations. Limiting debate on such important issues for the people of Ontario doesn't speak about trust, transparency and accountability. It really speaks to a government that seems unwilling to listen to the voices of the people.

There is nothing more egregious than removing the independent advocate, the person who advocates, for the most vulnerable children and youth in our community. I've said it before and I will say it again: How in any good conscience could the government be removing this independent voice, this advocate, this person who is fighting for children in our province when they had no consultation? In addition to it being outrageous, it's actually rude that they would not take the time to inform Irwin Elman that he was being fired, that his position was being axed. I mean, it is just not even the civil thing to do, never mind speaking to what the implications of this will be.

We had one day of testimony on this bill, one day of testimony for a bill that makes such significant changes to the lives of people and especially the lives of our young, vulnerable people. We had testimonials from youth who described how important this office was for them. It seems to me that we have a government that doesn't seem to understand the difference between someone who advocates and someone who responds to complaints. The fact that this is being rolled into the Ombudsman's office—really, there is absolutely no credible explanation and no one believes that this will in any way ensure that children continue to be listened to, that children continue to be treated in the way that they need to be.

1650

The independent advocate is just that. They're independent. It seems to me that the government just doesn't want to hear any voices of opposition. And it's not just opposition; this government doesn't even want to listen to the people of Ontario. They didn't travel this bill. They limited public input into this and they limit debate. They don't send bills to committee very often, as well. It's not even just opposition that you are going to hear; it may be that you hear from experts, from people who have lived experience who tell you something, that you could actually say, "You know what? We hadn't thought of that."

Guess what? Not one Premier has all the answers. Not one government has all the answers. If you're really trying to govern this province in a way that is for the people, why wouldn't you listen to the people? Why wouldn't you want to improve your legislation to make sure that the impact is positive for the people of Ontario?

I just have to end with, this just seems to be that the reason put forward—and I've said it before and I'll say it again. The reason put forward that they were going to be amalgamated under the Ombudsman's office was that it's a cost-saving measure. Well, quite clearly, there is no cost identified, there is no number in the fall economic statement, there's no number in this bill in terms of how much you're planning to save, and a roomful of bureaucrats couldn't identify it. We were told that those savings would be identified later on down the road. Clearly this is a government that seems to want to understand the cost of

everything but the value of nothing. What is the value of putting children's lives—precarious children—at risk?

Finally, I would like to end and say that I don't know how it is we can make sure that the term "independent" is understood. We had the minister in the House—Minister MacLeod—who said that she would be the fiercest advocate for the children of Ontario. How is it not clear how inappropriate that is? I would like to hear that in fact she will be fighting for children, but she's not their advocate. This is the government. Quite clearly, by your actions—you know, you can talk a good game, you can put any title that you want on a bill, but the schedules and your actions say a different thing. This is not about accountability. I believe that the children and the youth of Ontario understand that this is not about transparency and accountability. Believe me, they do not trust this government.

The Chair (Mr. Stephen Crawford): Any further debate? Mr. Arthur.

Mr. Ian Arthur: Thank you very much for hearing me. The problem with omnibus bills often is that so much is wrapped up into them and that the government will try to trap out an opposition by putting a few good things in there and forcing them to vote against it.

There's not really anything I want to vote for in this bill. We were being critiqued earlier today for not putting forward any amendments to this omnibus bill but, quite frankly, Chair, you can't polish a turd.

The child advocate office is being cancelled for budgetary reasons? That is abhorrent. It really is. What did you do? A value-for-money audit on children's lives? I'm sorry. That, to me, is just so absurd. You can talk about rolling it into the Ombudsman's office as much as you want but the reality is you're taking away their independence and their ability to do advocacy work. The programs that the youth advocate ran helped make the lives of children in Ontario better and you are taking away that ability. That is not within the parameters of the Ombudsman's office to do that advocacy work; it is complaint-driven, which means that some child's life already has to be terrible for any action to be taken. We are losing the proactive ability to go out and help protect these children and to make their lives better.

The government has started to backtrack a little bit on the cancellation of the francophone commissioner, one of the other independent commissioners. They backtracked because of the massive public opposition to that move—well, opposition within the Legislature but also by the public. They're backtracking; they're stepping back on that.

They're not stepping back on the cancellation of this particular office because I don't know that children have the ability to make their voices heard in the same way. Again, it is egregious that the government is doing this—and children don't vote.

It's absolutely shocking to me. I don't, frankly, know how members of this government can live with themselves and sleep when they vote in favour of this move. It is going to make the lives of children and youth in Ontario worse. When the repercussions of this start to come home, which they will—you will hear the stories down the road while you are still in government about the repercussions of this

decision—I want you to think carefully about how you voted on this today.

The Chair (Mr. Stephen Crawford): Any further debate? Mr. Bourgouin?

Mr. Guy Bourgouin: On this, also, the child and youth advocate is very important for northern communities. We represent a lot of northern communities, Kashechewan and other communities up north. We've heard of a lot of suicides, youth suicides, in the community. We heard mon confrère Sol Mamakwa speak in the House about this, and yet we're still removing the child and youth advocate and the independence and transparency that comes with that. Shameful. It's shameful that we are dealing with that today.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Are members ready to vote?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 34 is accordingly carried.

Moving along to schedule 35, section 1, is there debate on schedule 35, section 1? Okay. Are members ready to vote? Shall schedule 35, section 1, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 35, section 1, carries.

Amendment 59, from the government, section 2 of schedule 35 to the bill: Mr. Downey.

Mr. Doug Downey: I move that section 2 of schedule 35 to the bill be amended by striking out section 20 of the Public Service of Ontario Act, 2006 and substituting the following:

“Protection from liability

“20(1) No cause of action arises, no proceeding may be brought and no remedy is available or damages, costs or compensation payable in connection with any amendment made by schedule 35 to the Restoring Trust, Transparency and Accountability Act, 2018 to this act or anything done or not done in accordance with those amendments.

“Same

“(2) Subsection (1) applies whether the cause of action on which a proceeding is based arose before or after the day that subsection comes into force.

“Proceedings set aside

“(3) Any proceeding referred to in subsection (1) commenced before the day that subsection comes into force is deemed to have been dismissed, without costs, on that day.”

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 35, section 2, as amended, carry? All those in favour, please raise your hand. All those opposed,

please raise your hand. Schedule 35, section 2, as amended, carries.

There are no amendments from sections 3 to 13 of schedule 35. I propose we bundle sections 3 through 13 of schedule 35 and consider them together. Is there agreement? Agreed.

1700

Is there any debate on sections 3 through 13 of schedule 35? Are the members ready to vote? Shall sections 3 through 13 of schedule 35 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 3 through 13 of schedule 35 carry.

Amendment 60 from the government, section 14 of schedule 35 of the bill: Mr. Downey.

Mr. Doug Downey: I move that section 14 of schedule 35 to the bill be amended by striking out paragraph 4.

The Chair (Mr. Stephen Crawford): A motion has been moved by Mr. Downey. Is there any debate? Are members ready to vote? Shall the motion carry? All those in favour, please raise your hand. All those opposed, please raise your hand. The motion is accordingly carried.

Shall schedule 35, section 14, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 35, section 14, as amended, carries.

There are no amendments to sections 15 through 17 of schedule 35. I propose we bundle sections 15 through 17 of schedule 35 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 15 through 17 of schedule 35? Any further debate? Are members ready to vote? Shall sections 15 through 17 of schedule 35 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 15 through 17 of schedule 35 carry.

Any further debate on schedule 35, as amended? Shall schedule 35, as amended, carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 35, as amended, carries.

Moving along to schedule 36, there are no amendments to sections 1 and 2 of schedule 36. I propose we bundle sections 1 and 2 of schedule 36 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 and 2 of schedule 36? Are the members ready to vote? Shall sections 1 and 2 of schedule 36 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 and 2 of schedule 36 carry.

NDP notice on schedule 36 of the bill: debate?

Mr. Ian Arthur: Yes.

The Chair (Mr. Stephen Crawford): Mr. Arthur.

Mr. Ian Arthur: I'd just like to say one more time—it was brought up during committee yesterday, when people came forward to talk about the problems facing the rental market. I just want to state for the record that there certainly could very well be some red tape that could be lifted in the area of creating more supply for the housing market, and using that to create more opportunity for housing in Ontario.

The problem is, lifting rent controls isn't actually going to help with that, and combining those two issues into one is a mistake. The changing of regulations and updating them, and looking at the building code and the approval process and zoning, is all well and good, but to equate the outcome from doing those things with the outcome of lifting rent controls on new builds doesn't hold water for me. It's not going to help with the supply of housing. In particular, it's going to damage the supply of affordable housing, which is really the crisis that we have right now in Ontario. You're lifting protections that tenants rely on to be able to stay in their homes.

We know that there is not enough supply out there, and I applaud the government for trying to do something about that, but I think that the practical outcomes of this particular part of this legislation will be that housing will continue to be more unaffordable and that fewer and fewer people have access to it at an affordable rate.

I fully support the Ontario NDP's decision, our decision, to vote against this.

The Chair (Mr. Stephen Crawford): Any further debate? Okay.

Shall schedule 36 carry? All those in favour, please raise your hand.

Mr. Ian Arthur: Recorded vote, please.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgouin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 36 is accordingly carried.

Moving to schedule 37. There are no amendments to sections 1 through 5 of schedule 37. I propose we bundle sections 1 through 5 of schedule 37 and consider them together. Is there agreement? Okay.

Is there any debate on sections 1 through 5 of schedule 37? Are the members ready to vote?

Shall sections 1 through 5 of schedule 37 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 5 of schedule 37 accordingly are carried.

Any further debate on schedule 37?

Shall schedule 37 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 37 is accordingly carried.

Schedule 38: There are no amendments for section 1 through section 5 of schedule 38. I propose we bundle sections 1 through 5 of schedule 38 and consider them together. Is there agreement? Okay.

Is there any debate on sections 1 through 5 of schedule 38? Are the members ready to vote?

Shall sections 1 through 5 of schedule 38 carry? All those in favour, please raise your hand. All those opposed,

please raise your hand. Schedule 38, sections 1 through 5 are accordingly carried.

Any further debate on schedule 38?

Shall schedule 38 carry?

Mr. Dave Smith: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

The Chair (Mr. Stephen Crawford): Schedule 38 is accordingly carried.

Schedule 39, sections 1 through 4: There are no amendments to sections 1 through 4 of schedule 39. I propose we bundle sections 1 through 4 of schedule 39 and consider them together. Is there agreement? Okay.

Any further debate? Are the members ready to vote?

Shall sections 1 through 4 of schedule 39 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 4 of schedule 39 accordingly carry.

Any further debate on schedule 39? Mr. Arthur.

Mr. Ian Arthur: I said earlier that there wasn't anything good in this bill, but I guess this is okay. While I'm happy for it, again, I think the fact that this bill is accomplishing something like that in the same bill that's gutting all these other services—if I was advocating for a national hockey day, I think I would like it untarnished by the rest of what was folded into this bill. So while I think I support this one small section of the bill, I think that the people who advocated for it might be unsure of the repercussions of having it folded into this omnibus bill.

1710

The Chair (Mr. Stephen Crawford): Any further debate? Mr. Smith.

Mr. Dave Smith: I would just like to say that I think this is fabulous. It shows that Progressive Conservatives have heart. That's something that the NDP have been saying that we don't have. Declaring a day specifically for our special needs community I think is fabulous.

The Chair (Mr. Stephen Crawford): Any further debate? Ms. Shaw.

Ms. Sandy Shaw: While I appreciate the sentiment and I do feel, in the spirit of the thing, I'm going to get my elbows up a little bit—how about that? I think we need to also look at this, as you said, in the light of the changes that we're making to ODSP and to the social assistance for children. I don't think we can look at those—

Interjection.

Ms. Sandy Shaw: Pardon me?

Mr. Guy Bourgouin: Francophones.

Ms. Sandy Shaw: And the francophone families as well. I don't think we can look at those in isolation.

The member from Toronto—Danforth, MPP Peter Tabuns, said that an omnibus bill—and I will quote him, because it was pretty funny. He said that this is “like a box of chocolates,” but he said that in this instance this is a box of chocolate-covered “Tide Pods and mystery meat.” So I

think that I would like to be on the record as saying there are a lot more Tide Pods and mystery meat than there are positive things.

But this certainly is something that we see a positive impact of, so thank you for putting something in the bill that will actually benefit the people of Ontario.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Are members ready to vote? Shall schedule 39 carry? All those in favour, please raise your hand. All those—you tricked me there. You tricked me. Schedule 39 carries.

Moving along to section 40: There are no amendments from sections 1 through 3 of schedule 40. I propose we bundle sections 1 through 3 of schedule 40 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 to 3 of schedule 40? Are the members ready to vote? Shall sections 1 through 3 of schedule 40 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 3 of schedule 40 accordingly carry.

Any further debate on schedule 40? Shall schedule 40 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 40 accordingly carries.

Moving along to schedule 41: There are no amendments to sections 1 through 6 of schedule 41. I propose that we bundle sections 1 through 6 of schedule 41 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 through 6 of schedule 41? Are members ready to vote? Shall sections 1 through 6 of schedule 41 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 6 of schedule 41 accordingly carry.

Any further debate on schedule 41? Are members ready to vote? Shall schedule 41 carry? All those in favour, please raise your hand. All those opposed, please raise your hand.

Ms. Sandy Shaw: Chair, which schedule are we on? Schedule 41?

The Chair (Mr. Stephen Crawford): We are voting on schedule 41. We've just voted in favour, and I've just asked for those that are opposed to raise their hand on schedule 41.

I'll repeat myself: All those voting opposed to schedule 41, please raise your hand. Okay. Schedule 41 is accordingly carried.

Moving to schedule 42: There are no amendments from sections 1 through 8 of schedule 42. I propose we bundle sections 1 through 8 of schedule 42 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 through 8 of schedule 42? Are members ready to vote? Shall sections 1 through 8 of schedule 42 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 42, sections 1 through 8, carry.

Any further debate on schedule 42? Shall schedule 42 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 42 is accordingly carried.

Schedule 43: There are no amendments to sections 1 through 4. I propose we bundle sections 1 through 4 and consider them together. Is there agreement?

Any further debate on schedule 43, sections 1 through 4? Are members ready to vote? Shall sections 1 through 4 of schedule 43 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 4 of schedule 43 carry.

NDP notice on schedule 43 of the bill: Debate? Ms. Shaw.

Ms. Sandy Shaw: Thank you, Mr. Chair, for recognizing me.

Here we go again. This refers to changes to the Trillium Trust. I would just like to mention that I sit on the Select Committee on Financial Transparency and there has been significant talk about how the previous Liberal government—there were hidden figures. The Premier has been saying things like, “This is the biggest political cover-up in Ontario’s history.” The Premier also said that lots of Liberals got rich off of this, so I think it needs to be pointed out that the devil is in the details.

This Trillium Trust: Essentially what this is is when Hydro One was partially privatized, the sale from that went into the Trillium Trust and was intended to be spent on infrastructure. We had former Premier Kathleen Wynne testify yesterday and I specifically asked her about the Trillium Trust—the monies that were put into the Trillium Trust and the monies that were spent on infrastructure. One of the things that this government keeps talking about is being able to identify where funds went in and went out, and the Trillium Trust, at the outset tracked exactly where this infrastructure money went.

It was then a little further diluted to it not being so much an accounting measure as much as it was a measure that was essentially a report card to see how the previous Liberal government was spending money on infrastructure. That wasn't really accountable. We expected to see, when we sell the bricks and mortar of an asset—Hydro One was something that was bought and paid for by our grandparents and our parents. Really, it was something that should have been held in trust for future generations, but the privatization, the beginning of it—actually, privatization began with Mike Harris, who is actually on record as saying that the one thing he regrets is his inability to complete the privatization of Hydro One during his term. So it began with Mike Harris and it continued on with the previous Liberal government. But they did put the money into a trust, the Trillium Trust, where we could see how the money was being spent on infrastructure.

Schedule 43 basically blows that up. It dissolves the trust to the degree that now, we will never be able to track how the Hydro One proceeds are being spent.

The sacrifice that we made for future generations by, as they say, selling the furniture to heat the house—which is what a privatization measure is; clearly, that seems to be the intention of this government, to privatize a lot of our public assets. At the very least, we should be able to track, when our public assets are sold, when we give them up for one-time revenue. When we give up future revenue, and there's no clear business case articulated for doing such a

thing, the very least is that we should be able to track the impact of those dollars.

Even though, with the previous changes, the trust was sort of opaque—it wasn't quite clear to see where they were spent—this promise is now completely gone with dissolving the trust.

1720

I would like to say that the former Premier, Kathleen Wynne, did say she regrets that the Trillium Trust wasn't able to be made quite clear as to where the monies that belonged to the people of Ontario went, in terms of selling Hydro and spending on infrastructure.

This government is just going to go from bad to worse. We won't even begin to be able to track the dollars that are being spent on infrastructure.

Yet again, I just wanted to say that the name of this bill is so ironic: Restoring Trust, Transparency and Accountability Act. It's "trust," but in fact this bill dissolves the Trillium Trust, so the actions of this government in no way are befitting what the name of this bill is.

The Chair (Mr. Stephen Crawford): Any further debate? Okay. Shall schedule 43 carry? All those in favour—

Mr. Ian Arthur: Recorded vote.

The Chair (Mr. Stephen Crawford): Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgooin, Shaw.

The Chair (Mr. Stephen Crawford): Schedule 43 accordingly carries.

Moving to schedule 44, there are no amendments to sections 1 through 3 of schedule 44. I propose we bundle sections 1 to 3 of schedule 44 together and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 through 3 of schedule 44? Are members ready to vote? Shall sections 1 through 3 of schedule 44 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 3 of schedule 44 accordingly carry.

Any further debate on schedule 44? Are members ready to vote? Shall schedule 44 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Schedule 44 is accordingly carried.

There are no amendments to sections 1 through 16 of schedule 45. I propose we bundle sections 1 through 16 of schedule 45 and consider them together. Is there agreement? Agreed.

Is there any debate on sections 1 through 16 of schedule 45? Are members ready to vote? Shall sections 1 through 16 of schedule 45 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Sections 1 through 16 of schedule 45 carry.

Any further debate on schedule 45? Okay. Shall schedule 45 carry? All those in favour, please raise your

hand. All those opposed, please raise your hand. Schedule 45 is accordingly carried.

Now, to go back: Is there any debate on section 1 of the bill? Shall section 1 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Section 1 is accordingly carried.

Is there any debate on section 2? Shall section 2 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Section 2 is accordingly carried.

Section 3: Is there any debate on section 3?

Mr. Doug Downey: No.

The Chair (Mr. Stephen Crawford): Shall section 3 carry? All those in favour, please raise your hand. All those opposed, please raise your hand. Section 3 is accordingly carried.

We're now on to the title of the bill and reporting. Shall the title of the bill carry? Is there any debate?

Mr. Doug Downey: No.

The Chair (Mr. Stephen Crawford): Okay. Shall the title of the bill carry? All those in favour, please raise your hand. All those opposed, please raise your hand.

Mr. Ian Arthur: Just in principle.

Ms. Donna Skelly: What do you want to call it?

The Chair (Mr. Stephen Crawford): Okay, the title of the bill will carry.

Shall Bill 57, as amended, carry? Any debate?

Mr. Ian Arthur: Yes.

The Chair (Mr. Stephen Crawford): Mr. Arthur?

Mr. Ian Arthur: In summary, there is so much to go through in this bill, and we've been through a lot of it. But to touch on what my colleague said about trust and accountability and the actual practical outcomes of this bill, I don't think that the content of this bill speaks to the title at all.

There are so many problems all the way through here. We can talk about the switches to Ontario Place. We won't hear about Ontario Place for a while. We'll let it die. I suspect you can bet your bottom dollar that, come an election year budget, we'll suddenly hear about Ontario Place again, when they need a whole bunch of money, because as previous experience has shown us, Progressive Conservatives in Ontario are only capable of balancing budgets when they sell assets, to do so temporarily.

The purported \$500 million in savings that is touted by this government—it would have been significantly more if we weren't already paying for the rushed manner in which this government is pursuing legislation.

We can talk about the White Pines. Schedule 44, to me, feels like a follow-up section, like we didn't quite legislate well enough to protect ourselves from the company that had the White Pines contracts and now we're going to add on just a little bit more legislation to really make sure that we are protected in how we pay out—again, borrowing \$1.9 billion for some sort of miscellaneous expenditure that's going to come later. We can guess pretty easily what that's going to look like.

Again, it is not a financially responsible omnibus bill. It does not achieve the government's stated objectives, and

it's going to make lives worse across Ontario. The cancelling of the independent officers should not have been done and should not be done. It's a dark day in Ontario that you're making us vote on cancelling these offices.

The Chair (Mr. Stephen Crawford): Any further debate?

M. Guy Bourgouin: Oui.

The Chair (Mr. Stephen Crawford): Mr. Bourgouin?

M. Guy Bourgouin: Merci, monsieur le Président. Ça va sans dire que quand on parle d'un projet de loi nommé « Confiance, transparence, » puis—c'est « accountability » en anglais—je peux vous dire que ça ne l'est pas. La transparence, c'est quand tu demandes de la consultation publique. Tu veux avoir le plus de consultations publiques pour faire les bonnes décisions, pour avoir la confiance du peuple. Pas imposer—on n'impose pas; on est supposé avoir de la transparence, puis aussi de travailler avec le monde. On se dit « le gouvernement du peuple » mais ce n'est pas de la transparence. Ça ne reflète pas ce qu'on veut dire dans ce titre-là.

Je peux vous dire, avec les francophones, tout ce que vous avez fait avec les coupures de notre commissariat, qui était notre chien de garde pour la langue française, pour la faire avancer—qu'on parte à reculons comme ce que vous nous proposez, je peux vous dire que c'est un jour sombre en Ontario pour les francophones, et pas rien que pour les francophones, mais pour le reste de la province. Je peux vous dire, c'est une vraie honte.

The Chair (Mr. Stephen Crawford): Any further debate? Ms. Shaw?

Ms. Sandy Shaw: Thank you. I'm just going to reiterate what I have been saying with all the schedules in this bill: This does nothing to restore trust, transparency and accountability in the province of Ontario. I can butcher French, but, "Plus ça change, plus ça reste le même."

Really, as mentioned before, many of us in the room, I think almost all of us, are new MPPs with the exception of maybe a few of us, but this government won a majority. You are the government and you have the right to pass legislation. No one is challenging that. But I am just so deeply disappointed that—what we all value, or I think we all value, is democracy and democratic protocols and principles to get to decisions, and what I see is really an erosion of supporting truly democratic practice in the province of Ontario.

1730

You know, 60% of Ontarians did not vote for this government or this government's particular view of Ontario. This government has the responsibility to govern for all of us, not just the people that voted for you, not just Ford Nation. You have the right to govern for 100% of the population of Ontario, and when you have omnibus bills like this that do not give people the opportunity or the time to digest this, to give valuable and meaningful input, that's not democratic. You're not fulfilling your obligation.

I know we all just came out of an election. We all stood at people's doors as MPPs and said, "We are going to go to Queen's Park and we're going to fulfill our duty. We're going to listen and we're going to do this to the best of our ability." But when you limit debate, when you don't allow

the citizens of Ontario to have a say on the measures in this bill that are going to substantially change their lives, I don't understand how you can even think that this is democracy.

I have mentioned before that I sit on the special committee for financial transparency. The government talks about getting to the bottom of what happened and trying to discover some of the deficit numbers and how we got to that point. But if this government were truly looking to get transparency and accountability answers, they wouldn't use their majority, as they do every time, to block witnesses that have material information to provide to this committee. It's hard for me to understand why the government would block the testimony from the former CEO of Hydro One, Mayo Schmidt. This was mentioned in the commission report. It was a substantial point. Why they would block the former controller, Cindy Veinot—

Mr. Doug Downey: Point of order.

The Chair (Mr. Stephen Crawford): Point of order.

Mr. Doug Downey: Point of order. I know it's getting into the record, but it really has nothing to do with this. It's a different committee.

The Chair (Mr. Stephen Crawford): Yes, we are focused specifically on this bill.

Ms. Sandy Shaw: Well, then I'll return to that. How about I return to that? The discussion about trust, transparency and accountability has not been on display in the House, has not been on display at committees, and certainly the limiting of debate or limiting public input on this bill does not display any trust, transparency and accountability.

My question to the government side is, what are you afraid of? Why are you afraid to listen to the people of Ontario? Why are your minds so closed to listening to people who want to bring good recommendations, good amendments to make this bill better? I don't understand why you are shuttering out the people of Ontario and their voices. At the end of the day, you will pass this legislation. But at the end of the day, wouldn't you be able to be prouder of this if you knew that people had input into this, that it really did represent what they wanted for the province of Ontario?

I hope, going forward, that each individual MPP will take back the lessons of this, that this is their responsibility, it's their obligation, to ensure that the people of Ontario—this is their House—get to talk about this bill, that they get advance notice and that fulsome debate from the loyal opposition is not continually shut down.

I've learned a lot from this bill. The government has shown a lot of, as has been mentioned before, what they value and what they don't, and in many ways this is a theological document.

Mr. Dave Smith: Point of order.

The Chair (Mr. Stephen Crawford): Mr. Smith?

Mr. Dave Smith: You're imputing motive. You can't impute motive.

Ms. Sandy Shaw: In what regard, Chair?

The Chair (Mr. Stephen Crawford): Explain, Mr. Smith.

Mr. Dave Smith: She was saying that the government was doing something specifically through our ideological beliefs. That is imputing motive.

Ms. Sandy Shaw: None of those words came out of my mouth.

The Chair (Mr. Stephen Crawford): Let's stay focused on Bill 57, if we could, and no imputing motives, as in the House.

Ms. Sandy Shaw: I'm not clear on how I imputed motive, but if I did, I apologize. But you know, a bill like this really is a theological document. It shows what this government values and, more clearly, it shows what they don't value.

Interjection.

Ms. Sandy Shaw: What this bill is proposing shows what is important to this government and what they will value and what they will allocate—

Mr. Dave Smith: Again, imputing motive.

Ms. Sandy Shaw: Through the Chair—

The Chair (Mr. Stephen Crawford): Carry on. Are you done?

Ms. Sandy Shaw: Yes—you know, this member's point of order is a perfect example of how this government seems to be afraid to hear what the people of Ontario have to say, and seems to be unwilling to listen to what the loyal opposition has to say. If you do not have a strong loyal opposition, you have nothing near democracy. This is not just a frill; this is something that is fundamental to parliamentary democracy since Confederation.

I was almost wrapping up what I had to say, but I'm concerned that the government can put its concerns forward, but does not want to hear the truth about what this bill will do for the people of Ontario.

Thank you, Chair. I appreciate it. If it's not obvious, we're very disappointed by this bill and will continue to oppose it in our communities as well.

The Chair (Mr. Stephen Crawford): Any further debate on Bill 57? Yes, Ms. Hunter?

Ms. Mitzie Hunter: Thank you, Chair, for the opportunity to speak. Today, in answer to a question that I put to the House, the Minister of Energy said that Ontario's economy was a "basket case."

I thought about those words, because Ontario has one of the most robust economies in Canada. When you look at our sources of revenue, the size of our economy, the size of our population, we've had one of the fastest-growing economies in the G7. We currently have one of the lowest unemployment rates certainly in two decades—I've recently heard 40 years. Yet—

The Chair (Mr. Stephen Crawford): Is this related to Bill 57?

Ms. Mitzie Hunter: This is absolutely relating to Bill 57 because this is the view that the government has of Ontario's finances and Ontario's economy. If this government believes that Ontario's economy is a basket case, what is being presented here? This list is not the answer. It's not the solution. Because all Bill 57 does is tear down, break apart, dissolve and destroy. It's not creating anything. It's not solving anything. It's not building anything.

In fact, last week, when the young people were here—these were young people who had spent time in the care of children's aid, who had experiences as Indigenous youth in this province—they put out a really important caution

and a warning about Bill 57. What they said is that when you have an office like the Provincial Advocate for Children and Youth that is working, that is meeting the needs of vulnerable children in this province, that is giving voice to the voiceless, why would you take it away? It's not broken; it's working.

But the government has said in its own acts and words that it is about finances. Really, for a government to think about balancing its finances on the backs of vulnerable children, what does that say? What does that say about the times that we're in? That's pretty ruthless.

I was out in London, Ontario, this weekend and there was such a protest about Bill 57 and the fact that French-language rights are a part of the heritage of this province of Ontario. They're part of who we are, and yet the independence of the French-language commissioner, the plan for enhancing French-language education by having a university that is governed by francophone for francophone is being cut, taken away. It's not building anything up. It's not offering a solution.

1740

You talk about the economic opportunity for French language in this province. Has anyone looked at the need and the demand? No. It's just a cut. It's just taking away without building for the future.

When we look at the various acts and the actions of this government, it is of concern. Why the rush? Why not take the time to improve the delivery of services and programs and build policy? Why take away something without replacing it with something better, without improving it?

That's the question our young people asked. Really, the question they were asking was of the government. I don't know if anyone was really, truly listening to them and the wisdom they were imparting to the government.

But when you look at how much is being done in these pages without consultation—certainly the limiting of the debate of the Liberal members, deliberately so. In fact, this bill seeks to take away the voice of 1.1 million people, one in five, 20% of the voting population that voted Liberal in the last election, by framing the official party status as if it was something that the government had to do. The government had to change those numbers, but it didn't have to do that. It was really about fear. What is the government afraid of?

If you look at governments across this country and globally, that's not the direction they're headed in. They're actually looking to be more inclusive of representative democracy, giving people more rights to speak, giving people more opportunity to question the government, not taking away those rights, not diminishing those rights, not using the power because it is there in a way that oppresses.

I would say that this government has a lot of thinking and reflection to do. What is the rush? Why does this bill have to include so many offices, so many policies, so many programs that the government wants to get rid of, that the government wants to silence? You can't say that that's not the case. We just went through clause-by-clause of this bill,

and there is a theme. There is a pattern that has emerged, and that pattern is about taking away. What are you building? What are you replacing it with?

You might not think that these programs, institutions and offices have had any importance or that they've done anything, but have you talked to the people who have participated in them? Have you talked to those young people who believe that their lives have improved because of the services that have been provided by these offices?

I stood with those people in London. They talked about their aspirations for their children to be educated in French language and to have the opportunity to study in French language at the university level in this province, where we have hundreds of thousands of francophones who want to have their culture and their heritage recognized, appreciated and valued.

I haven't even touched on the Environmental Commissioner and the professionalism of her office and the work that has been done. I can tell you—because as the previous government, we were criticized as well by these officers—it's not always easy to hear the criticism, but oftentimes when you hear them, you seek to improve. You seek to do things better. Why does this government not want to hear? Why is it so challenging that it would take every opportunity to remove oversight, to diminish accountability, to make things more opaque, not less?

My colleagues from the NDP talked about a portion in this bill that is being added, in fact, making access to members of government, to ministers and members, something that is done. Fine; that's your choice to create that opportunity. But why not make it transparent by having people who give to political parties and members—associations—sign, attest that they, as individuals, have made that donation and that that source of income and money has not come from anywhere else but them as individuals? Why take away that transparency? Why take away that attestation? The only conclusion I have is that it makes it more hidden and it makes it more difficult to see what is really happening with this government.

I see here not a remedy to boost Ontario's economy, Ontario's economic opportunities or to lift people up who need to be lifted up. I just see a series of undoing what this government believes was done by a past government that it wants to do away with, and I don't think that's the way to lead in this province. The best way to lead in this province is to make decisions that benefit all the people, that represent the best interests of all Ontarians, because that's the responsibility of governing.

We are no longer in an election. We are in the space where we have to be responsible for the decisions that are made while you're in government. I hope that the government members who are here will take this back to their respective caucuses and teams and talk about what we are doing to build, not just take away or undo what was done previously. I think that's the responsibility we all have, but especially those who are on the government side.

The Chair (Mr. Stephen Crawford): Thank you. Any further debate? No? Okay.

Shall Bill 57, as amended, carry?

Mr. Ian Arthur: Recorded vote.

Ayes

Downey, Roberts, Sandhu, Skelly, Dave Smith.

Nays

Arthur, Bourgooin, Shaw.

The Chair (Mr. Stephen Crawford): Bill 57, as amended, will carry.

Shall I report the bill, as amended, to the House? All those in favour, please raise your hand. All those opposed, please raise your hand. I will report the bill, as amended, to the House.

This has wrapped up our debate on Bill 57, so we will actually not require a meeting tomorrow. The meeting tomorrow is cancelled.

That will conclude our meeting for today. Thank you very much, everyone, for coming here and participating.

The committee adjourned at 1750.

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Also taking part / Autres participants et participantes

Ms. Mitzie Hunter (Scarborough–Guildwood L)

Clerk / Greffier

Mr. Timothy Bryan

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Ms. Julia Hood, legislative counsel