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**Official Report
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(Hansard)**

SP-21

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des débats
(Hansard)**

SP-21

**Standing Committee on
Social Policy**

Modernizing Ontario's Municipal
Legislation Act, 2017

2nd Session
41st Parliament

Tuesday 2 May 2017

**Comité permanent de
la politique sociale**

Loi de 2017 sur la modernisation
de la législation municipale
ontarienne

2^e session
41^e législature

Mardi 2 mai 2017

Chair: Peter Tabuns
Clerk: Jocelyn McCauley

Président : Peter Tabuns
Greffière : Jocelyn McCauley

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Tuesday 2 May 2017

Mardi 2 mai 2017

The committee met at 1600 in room 151.

MODERNIZING ONTARIO'S MUNICIPAL
LEGISLATION ACT, 2017

LOI DE 2017 SUR LA MODERNISATION
DE LA LÉGISLATION MUNICIPALE
ONTARIENNE

Consideration of the following bill:

Bill 68, An Act to amend various Acts in relation to municipalities / Projet de loi 68, Loi modifiant diverses lois en ce qui concerne les municipalités.

The Chair (Mr. Peter Tabuns): Committee is now back in order to resume clause-by-clause consideration of Bill 68. Welcome back, everyone. When the committee was adjourned yesterday, we were at government motion number 41 and Mr. Hardeman had the floor. Mr. Hardeman?

Mr. Ernie Hardeman: Mr. Chair, just to make sure I have them all in order, where we left it off, in fact, the motion was ruled out of order at one point, and there was unanimous consent received to put it in order.

The Chair (Mr. Peter Tabuns): Correct.

Mr. Ernie Hardeman: With that, I would like to move an amendment to that motion. I think it's being passed out as we speak.

The Chair (Mr. Peter Tabuns): And that's PC motion 41.1?

Mr. Ernie Hardeman: No.

The Chair (Mr. Peter Tabuns): Sorry; we've numbered it 41.1.

Mr. Ernie Hardeman: It's government motion 41.

The Chair (Mr. Peter Tabuns): Yes, and you're moving an amendment to number 41.

Mr. Ernie Hardeman: I'm moving an amendment. It's being passed out now: PC v. 1.

The Chair (Mr. Peter Tabuns): Right, and we've numbered it 41.1 for our purposes.

Mr. Ernie Hardeman: Okay: 41.1. Before I read it into the record, if I could, Mr. Chair, for the benefit of the government members, this motion is the difference between the motion that we're debating and the next motion, which would have to go through the same process to get to debate. I think it was agreed upon that we would do the same thing again to try and—so this will deal with the next motion, which is a PC motion, but just change that one part of the motion. The end result will

not be any different than what was addressed and, I think, is what the government wants. It just saves going through the process again.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi?

Mr. Lou Rinaldi: So this is different. If I get this right, there's motion 42, which is a PC motion. Is that not trying to achieve the same thing?

The Chair (Mr. Peter Tabuns): My apologies, Mr. Rinaldi and Mr. Hardeman. For purposes of process, Mr. Hardeman, you actually have to read it into the record, and then we will go forward. My oversight.

Mr. Lou Rinaldi: Chair, point of order: What happens to motion 41? Why—

The Chair (Mr. Peter Tabuns): It will be debated once the amendment is dealt with.

Mr. Ernie Hardeman: This is amending motion 41.

Mr. Lou Rinaldi: Okay. Yes, 41.

The Chair (Mr. Peter Tabuns): Yes. So we haven't forgotten about you, Mr. Rinaldi.

Mr. Hardeman?

Mr. Ernie Hardeman: I move that government motion number 41 be amended by striking out "20 consecutive weeks" in subsection 228(2.1) of the Education Act, as set out in the motion, and substituting "24 consecutive weeks".

Mr. Chairman, part of the discussion was what I should have done after reading it into the record. I apologize for that. The difference between the next motion and motion 41 that we are debating is in fact this amendment. They're identical motions, except that the next motion would want to move the time from 20 to 24 weeks. We can have the debate on the amendment. The result of that, of course, will relate to what the motion, in the end, says.

I think we've had this debate for a while, in a number of cases going through here. It seems, particularly for school boards and more rural local councils, that 24 weeks or six months—generally, because they only meet based on a monthly cycle, it makes more sense. So we believe that the right timing for that is 24 weeks, and that's why we're putting this amendment forward to this motion.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: It's clear as mud, Chair, but we'll attempt it. We'll attempt it.

We've dealt with these motions in the past to do with, not the City of Toronto Act, but the Municipal Act and the City of Toronto Act. So I guess I'm asking why it

would be different for school board trustees. I guess I'm somewhat confused.

Having said that, Chair, while I've still got the floor, I think through this process, the motions that we've passed, with 20 weeks, and so forth, the municipality or, in this case, the school boards are able to change. If they want 24 weeks, if they want 30 weeks, there are provisions in the bill that will allow that to happen. Frankly, the reason why we included the school boards is because we were asked to do that to match their municipal counterparts.

The Chair (Mr. Peter Tabuns): Further debate? Mr. Hardeman and then Mr. Hatfield.

Mr. Ernie Hardeman: I guess my question is that if the school boards can do this, if they want to change it from 20 to 24, then I would question why it's 20. Why does it have to be there at all? Where in this policy does it say that they can change that from what the motion is suggesting they have to do?

The Chair (Mr. Peter Tabuns): I'll go to Mr. Hatfield. Mr. Rinaldi, if he's interested, will speak.

Mr. Percy Hatfield: As I recall, this door was opened when we agreed to do unanimous consent on 41, which would allow for school board trustees to be treated equally. When the door was opened, the question came, "Why are we limiting it to 20 when we had the option to go to 24, which is six months?" To me, it just seems like the arguments we made before—just because somebody asked for 20 and other provinces have 20 doesn't mean that Ontario can't lead the rest of the country and can't raise the bar and set higher standards. If we go to 24, perhaps there's another motion that has to come forward to treat all interested parties in the same way. It's just elevating the standard from 20 to 24. You need unanimous consent to do it, the same as you need unanimous consent to do what we've agreed to already on changing the act. I fully support going to 24 from 20.

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

Mr. Lou Rinaldi: To go back to the discussion, as we mentioned, the reason for the 20 weeks—I'm not sure we need to be hung up on the process, but the reality is, why the 20 weeks? The one member of council from a municipality just west of here—

Ms. Daiene Vernile: Kitchener.

Mr. Lou Rinaldi: Kitchener—requested that. The mayor of the municipality requested that. AMO supported wholeheartedly that it should be 20 weeks. When the legislation was drafted, that was the intent and that's why we're here today.

The other piece, because I'm going to stop after this, is that within a five-year period—first of all, municipalities and school boards are able to change that. But secondly, in five years this will be reviewed again. I will leave it at that.

The Chair (Mr. Peter Tabuns): Mr. Hatfield and then Mr. Hardeman.

Mr. Percy Hatfield: I thank Ms. Vernile for bringing in the private member's bill on this issue for council

members and then the equal treatment for school board trustees. Ms. Vernile, as I recall, said that her private member's bill was at 20 weeks because that's what the city councillor in Kitchener had requested. She had done some research and had seen that in other parts of the country, 20 weeks was an agreed-upon thing. She wasn't out to set any new ground; she was just trying to say, as an example, "They do it elsewhere at 20, so why don't we?" That is fine, but that doesn't mean, because that was the original request, that that's our limit, that we can't go beyond the limit. Why was it 20? I don't know. Somebody somewhere along the line said, "Let's go for 20 weeks."

Mr. Ted McMeekin: Why should it be 24?

Mr. Percy Hatfield: Why should it be 24? Why shouldn't it be as long as you want? We're just suggesting that there are six months, more or less, in 24 weeks. I don't see any need to get too technical about it.

As you know, right now school board trustees can get time off if they ask for and are granted permission from the other trustees. Right now, if the other trustees say no, then you can't do it. This just allows it to happen, and it just allows it for a longer period of time than the original request. It's as simple as that.

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The Chair (Mr. Peter Tabuns): We'll go to Mr. Hardeman.

Mr. Ernie Hardeman: I think this motion has been discussed a number of times in different venues. I just want to point out a couple of facts I see in the situation. The people who spoke to the 20 weeks: The magic was not that it should be 20 or 22 or 24; the magic was that they believed, and rightfully so, that they shouldn't have to ask the body proper for time off for maternity leave, regardless of what the number of weeks was. The original private member's bill was 20 weeks, and I think that's why it was 20 weeks all the way through.

In reply to the parliamentary assistant, I think it would be unfair, after all the efforts I put in to try to get them all at 24, to suggest that I wouldn't put that same effort forward to do it in the school board compared to everybody else. That's the only reason I'm doing it. If the government is insisting that they want them all the same, then the best thing they could do would be to vote against this amendment. It's that simple.

The Chair (Mr. Peter Tabuns): Further discussion? There being no further discussion, people are ready for the vote?

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Peter Tabuns): A recorded vote has been requested.

Mr. Lou Rinaldi: This is on the amendment?

The Chair (Mr. Peter Tabuns): That is correct. It is on the PC motion.

Ayes

Hardeman, Hatfield, McMeekin.

Nays

Dhillon, Mangat, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It has lost.

We go to the main motion, number 41. Any further discussion?

Mr. Lou Rinaldi: No, Chair. I think we have had enough discussion on this and, in light of what the member opposite said, that we have kind of discussed this to no end.

The Chair (Mr. Peter Tabuns): Anyone else? There being none—no. Mr. Hardeman?

Mr. Ernie Hardeman: I think this amendment has had considerable discussion as we've gone through the whole bill, except for the amendment that didn't pass. I think it's the right thing to do, so I will be supporting this motion.

The Chair (Mr. Peter Tabuns): Thank you. You're ready to vote?

Interjection.

The Chair (Mr. Peter Tabuns): That was a pre-vote, or you wanted to say something?

Mr. Percy Hatfield: I just wanted to quickly say that the NDP did propose a similar motion prior to this and the government turned it down, but now I will support the government on the identical proposal that I had suggested.

The Chair (Mr. Peter Tabuns): No further discussion? You're ready for the vote? All those in favour of government motion number 41, please indicate. All those opposed? It is carried.

We now go to PC motion number 42. Mr. Hardeman.

Mr. Ernie Hardeman: I move that section 3 of schedule 4 to the bill be amended by adding the following subsection:

“(0.1) Section 228 of the Education Act is amended by adding the following subsection:

“Exception

“(1.1) Clause (1)(b) does not apply to vacate the seat of a member of a board who is absent for three consecutive meetings or more that occur within a period of up to 24 consecutive weeks if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.”

The Chair (Mr. Peter Tabuns): Mr. Hardeman and members of the committee, I'm ruling this amendment out of order as it is, in my opinion, beyond the scope of the bill.

Mr. Ernie Hardeman: Can I ask for unanimous consent to—

The Chair (Mr. Peter Tabuns): Mr. Hardeman has asked for unanimous consent to have it debated. Do I have unanimous consent? I heard a no. I'm afraid that that did not get consent. It is out of order.

We now go to voting on the section as a whole. Are people ready for the vote?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote has been requested. Shall schedule 4, section 3, as amended, carry?

Ayes

Dhillon, Hatfield, Mangat, McMeekin, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): All those opposed, please indicate. It is carried.

Members of the committee, we do not have amendments in sections 4, 5, 6 and 7. I propose to bundle them. Is there any objection? There's none. Ready to vote? Shall schedule 4, sections 4, 5, 6 and 7, carry? They are carried.

We now go to PC motion number 43 in section 8. Mr. Hardeman.

Mr. Ernie Hardeman: I withdraw the motion.

The Chair (Mr. Peter Tabuns): The motion is withdrawn.

We go to government motion number 44. Mr. McMeekin.

Mr. Ted McMeekin: I move that section 8 of schedule 4 to the bill be amended by adding the following subsections:

“(1.1) Section 6 of the act is amended by adding the following subsection:

“Transition

“(1.1) Despite subsection (1), with respect to the 2018 regular election, the term of all offices to which this act applies shall begin on December 1, 2018 and end on November 14, 2022.”

“(1.2) Subsection 6(2) of the act is amended by striking out ‘Subsection (1) prevails’ at the beginning and substituting ‘Subsections (1) and (1.1) prevail’.”

The Chair (Mr. Peter Tabuns): Any speakers? Mr. Rinaldi.

Mr. Lou Rinaldi: It addresses a transition issue related to the potential for a two-week overlap between the term of the office for the outgoing and incoming councillors and school board members during the 2018 regular election year.

The Chair (Mr. Peter Tabuns): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: We will be supporting this amendment. But I just want to point out again that the previous bill that created the need for this amendment went through the same type of process that we're presently involved with and that the government did very little homework to decide what one amendment would do to the rest of the bill. In fact, when they created the changes in the timelines for the election dates—the time of the nomination date and the time of the election date, trying to shorten up periods of time—they ended up having two councils in the same period of time. That would have happened in the next municipal election.

I agree with this, but I think government should start looking at their bills before they introduce them and not

then insist that we have to do it all in a week's time, when in fact the bill has been on the order paper for nigh on a year and never got called. And then, all of a sudden, when they call it, they think, in a week and a half, it should be all completed. I think this is another perfect example of what can go wrong when you don't do a proper job of preparing the bill.

The Chair (Mr. Peter Tabuns): Further discussion? You're ready for the vote? All those in favour of government motion number 44, please indicate. Those opposed? It is carried.

We go to NDP motion 44.1. Mr. Hatfield.

Mr. Percy Hatfield: I move that section 8 of schedule 4 to the bill be amended by adding the following subsection:

“(1.1) Subsection 33(1.1) of the Municipal Elections Act, 1996 is amended by adding ‘of a municipality with a population of 5,000 persons or more’ after ‘on a council’.”

The Chair (Mr. Peter Tabuns): Mr. Hatfield and members of the committee, I'm ruling this amendment out of order as it is, in my opinion, beyond the scope of the bill.

Mr. Percy Hatfield: Chair, how about I ask for unanimous consent on it?

The Chair (Mr. Peter Tabuns): You can do that.

Mr. Percy Hatfield: Can I have unanimous consent?

The Chair (Mr. Peter Tabuns): Do I have unanimous consent? Okay, granted. Proceed.

Mr. Percy Hatfield: Thank you. I think we heard from several small municipalities. I believe we heard from FONOM and ROMA and municipalities with fewer than 5,000 people, of the issues they sometimes would have to gather 25 signatures when running for council.

As we know, we heard from a mayor of a township in the riding of Timiskaming–Cochrane that I believe had a population of 671, who said he would have to drive miles and miles over dirt and gravel roads to find 25 people. At the time, you may recall, we talked about how 25 people in his population would be about 4% or 5% of the population to sign his nomination papers. At the time, I mentioned that if you just did the math, for a municipality with a population of 100,000, that candidate would have to gather for the same percentage, for the same fairness issue, 4,000 or 5,000 signatures on the nomination form in order for a candidate to run for office. I pointed out at that time that that was the unfairness of the bill, in thinking that that was a cookie-cutter approach to municipal councils and populations across the province.

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What this amendment would be is that if you have a population of 5,000 or smaller, you wouldn't need the 25 signatures in order to be nominated. I think it's as simple as that. I can see it still there for larger municipalities, but such criteria don't really make sense for smaller municipalities. That's why I think it's something we can consider, and I would hope we get support for it.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: I certainly appreciate where the member is going with this. That's why it requires some discussion. Some of the arguments that Mr. Hatfield put forward, I agree with, I would say, 100%. The challenge is that out of the 60 or 70 letters or motions that we got from some of those municipalities, there were a number of them over 5,000. Zorra has got 6,500, and they specifically wrote to us. Kirkland Lake has 6,300. Puslinch has 5,700. Then we had some with, I think, 75 electors.

The following motion by the government side is leaving that. We agree that we need to do something, so the minister is prepared to do some consultation, and we'll establish some kind of—we agree that you need to get some kind of signature, but because of what I just explained, we need to go back and find out with AMO and some of these other municipalities, to have that discussion on how we determine the number of signatures required, whether it's some kind of a rolling scale or whatever the case may be.

The Chair (Mr. Peter Tabuns): Mr. Hatfield.

Mr. Percy Hatfield: As I understand it, then, Chair, this motion won't pass, and the subsequent motion would see a consultation period. Does it have a beginning and an end? Are we going to know in a short period of time, or definitely prior to the next nomination period, how long the consultation period is going to be, who has to adopt it and how it's going to be presented? We have to work some of that out, I would think. Is that in the regulation somewhere?

Interjection.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi, you wanted to speak to that on the record?

Mr. Lou Rinaldi: Yes, before the next municipal election it will come into force. Once the bill is passed, if it's passed, then that will kick in—the consultation piece, with the resolve.

The Chair (Mr. Peter Tabuns): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: I just want to get it clear here: The parliamentary assistant suggested that the next motion that we're going to deal with, in fact, is a motion that would do the job better, because the minister would then by regulation set the number at 5,000, rather than the motion we're presently dealing with? Is that right?

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: Not to 5,000; based on the size of municipalities.

Mr. Ernie Hardeman: Yes, that's what I mean.

Mr. Lou Rinaldi: The 5,000 is really irrelevant, because, for example, some of the municipalities that I mentioned are over 5,000. Through consultation, we'll determine what the right number of signatures is, and it might be on some type of rolling scale. I don't want to preamble that or presume that, but after the consultation—and that would be in effect prior to the next election.

The Chair (Mr. Peter Tabuns): Mr. Hardeman, did you have further comments or questions?

Mr. Ernie Hardeman: I think in this case the parliamentary assistant makes a good point, that in fact

the number 5,000 is not a magic number for the size of a municipality where it would be advantageous or where it wouldn't. I think a rolling scale—or actually a higher number, or any other type of number—would do the job better.

I guess the reason I asked the question was more as to what would be the appropriate thing to do with this motion because the next one would not be an amendment to it. I guess the suggestion is that we should not vote for this motion, and deal with it in the next motion.

The Chair (Mr. Peter Tabuns): Mr. Hatfield?

Mr. Percy Hatfield: I just would like to thank Reeve Merrill Bond from Charlton and Dack, with a population of 671, who came all the way down here from the riding of Timiskaming—Cochrane to make that presentation to us, to drive home the point that 25 signatures in small rural municipalities didn't make a lot of sense. I'm glad the government listened. I'll support the government amendment that will see a consultation period so that smaller and especially smaller northern municipalities don't have to go through the 25 nomination period.

I think, in your riding, I believe you have an island with seven people on it or something like that.

Mr. Lou Rinaldi: They're part of a larger municipality.

Mr. Percy Hatfield: Part of a larger municipality. Thank you, Chair.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: I want to just echo what the member from the New Democratic Party suggested. We did have consultations, and talked to the mayor prior to the hearings. He not only came that far to speak to the committee; he knew it was not part of the bill that we were discussing. He decided to come all of that way anyway because he said that this was his only opportunity to talk to the government who could make that change, so he decided to make it through this committee.

In fact, that's how this committee is supposed to work. When somebody comes in and tells us something that needs doing, and if it's possible for us to do it in this bill, that's what we should be doing.

I commend the mayor for doing it and the members of the government side for seeing the need for that and coming forward—and the third party for putting forward the original amendment to facilitate this so that person can say, "What I did to try to make municipal government work better was worth the trip from Wawa." Not many of us in this room would have come that far just to save them from having to find 25 signatures.

The Chair (Mr. Peter Tabuns): Further discussion? There being none, you're ready for the vote? All those in favour of NDP motion 44.1, please indicate. All those opposed? It is lost.

We go to government motion number 45: Mr. McMeekin.

Mr. Ted McMeekin: I move that section 8 of schedule 4 of the bill be amended by adding the following subsections:

"(1.3) Subsection 33(1.1) of the act is amended by adding at the beginning 'Subject to subsection (1.4)'.

"(1.4) Section 33 of the act is amended by adding the following subsections:

""Exception, number of electors

""(1.4) Subsection (1.1) does not apply to a nomination in a municipality in which the number of electors who were eligible to vote in the previous regular election in the municipality is less than the prescribed number.

""Same

""(1.5) For the purposes of subsection (1.4), the number of electors who were eligible to vote shall be the number determined from the voters' list from the previous regular election as it existed at the close of voting on voting day.'

"(1.5) Clause 33(2)(a.1) of the act is amended by adding 'that must be endorsed by at least 25 persons' after 'on a council'."

The Chair (Mr. Peter Tabuns): Mr. McMeekin and members of the committee, I'm ruling this amendment out of order as it is, in my opinion, beyond the scope of the bill.

Mr. Lou Rinaldi: Chair, can I ask for unanimous—sorry.

The Chair (Mr. Peter Tabuns): Mr. McMeekin, you moved it. Are you going to ask—

Mr. Ted McMeekin: Yes, I'll move unanimous consent.

The Chair (Mr. Peter Tabuns): As requested, unanimous consent for consideration. Do I have unanimous consent? I don't hear any noes. I hear a yes. Let's proceed.

Would anyone like to discuss this? Mr. Rinaldi?

1630

Mr. Lou Rinaldi: Chair, I think we dealt with this. The previous motion was defeated, and I'm not sure we want to go through it. We know what the intent is and what the outcomes should give us at the end of the day. I suggest, unless there's further debate, a call for a vote.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: I do have a question, and I think it's appropriate to have it on the record. In the previous one, we decided that 5,000 was too rigid a number, and that the government felt that we should have the minister set that number in place. But the bill does nothing to say that the number isn't set so low or that, in fact, we're still right back where we started from that everybody has to get it. I just want it on the record that the issue we discussed here today was that the 5,000 was too rigid. We were going to try and prescribe a number that would be more applicable to more municipalities. Is that fair to say on the record?

The Chair (Mr. Peter Tabuns): Any further discussion? I have no further commentary, Mr. Hardeman.

Mr. Ernie Hardeman: I'm just wondering if the parliamentary assistant could say if I was describing what you were intending.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi, you want to speak? Go ahead.

Mr. Lou Rinaldi: Sure. I think I made it very, very clear in my previous commentary that if this legislation is passed and this amendment is endorsed, there will be a consultation process to determine what that number is. I don't want to predetermine what the number is. I don't think it should be up to us. We listened to the folks that—including Mr. Vanthof, a letter that he wrote to the minister.

Mr. Ted McMeekin: We appreciate your advice.

Mr. Lou Rinaldi: Yes. I think we're going to talk about this again.

The Chair (Mr. Peter Tabuns): No further discussion? You're ready for the vote? All those in favour of government motion number 45, please indicate. None opposed. It is carried.

We go on now to NDP motion 45.1: Mr. Hatfield.

Mr. Percy Hatfield: I move that subsection 8(3) of schedule 4 to the bill be struck out.

The Chair (Mr. Peter Tabuns): Mr. Hatfield, if you'd like to speak to that.

Mr. Percy Hatfield: If I'm correct, Chair, this removes the provision in Bill 68 that increases the maximum contribution to candidates from \$750 to \$1,200. This obviously would favour bigger spenders. I just don't see why it's needed.

The Chair (Mr. Peter Tabuns): Further discussion? Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, the only comment I would make is that we've passed legislation to do that provincially—a \$1,200 limit—and also to do away with corporate and union donations. I think that if it's good for us here at Queen's Park, it should be good for municipalities as well.

The Chair (Mr. Peter Tabuns): Further commentary? Mr. Hardeman.

Mr. Ernie Hardeman: I have a problem with the government trying to change—last year, I happened to have the privilege of serving on the committee that reviewed and set those standards. There was much presentation and much debate on the numbers.

In my opinion, there hasn't been an election since then and there hasn't been anything happen since then that would create the requirement to change the numbers to allow different contribution levels. That was decided when all the people who knew what we were discussing and what the bill was about—they came in and made presentations, and they got their answer when the bill was passed. Now it's not necessarily the same group of people who are watching these proceedings or dealing with these proceedings, and all of a sudden the numbers are changing that the same people don't know about.

If changing the contribution levels—this should have been in the campaign financing bill, where the same people were paying attention. I think this is the wrong way to approach this issue, so I will be supporting the motion.

The Chair (Mr. Peter Tabuns): Further discussion? I see none—

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote is requested.

Ayes

Coe, Hardeman, Hatfield.

Nays

Dhillon, Mangat, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

We go to NDP motion 45.2: Mr. Hatfield.

Mr. Percy Hatfield: I believe it's the same principle as 45.1.

I move that subsection 8(4) of schedule 4 to the bill be struck out.

The Chair (Mr. Peter Tabuns): Mr. Hatfield, did you want to speak any further?

Mr. Percy Hatfield: Only to say that it's the same principle: We're trying to get away from whatever the media called the cash-for-access scandal, if you will. We're trying to get big money out of elections. We're trying to get unions from funding campaigns and corporations from funding campaigns, and bring it down to a more acceptable level. When you bring it down, you have lower spending limits. Just because there's a provincial limit, it doesn't mean that the municipal limit has to be the same. If anything, perhaps that provincial limit should be lowered to the lower municipal limit.

The Chair (Mr. Peter Tabuns): Further discussion?

Mr. Ernie Hardeman: Again, my debate on this one is the same as the last one, but I just wanted to point out that there seems to be some indication that somehow the reason for the government putting this forward—the amount change, not this amendment—for putting the amount change forward is to deal with the limits that are provincial limits.

I just want to point out that the bill that was passed last year that created the amount of \$750—at that time, the provincial level was already set. If the government's intent was to be consistent with the provincial, then that would have been in that bill at that time. But what they heard and what the committee discussed and what the Legislature decided at that time was that the \$750 was the right number. Nothing that I've seen—circumstances have not changed in any material way. We don't know what that quite means, "material," but in a material way, not much has changed. I would just say that I haven't heard anything that would suggest that the government has any rationale for making these changes, so I will be voting for this amendment against changing it.

The Chair (Mr. Peter Tabuns): Further discussion? There being none, are you ready for the vote?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote is requested.

Ayes

Coe, Hardeman, Hatfield.

Nays

Dhillon, Mangat, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

We go to NDP motion 45.3: Mr. Hatfield.

Mr. Percy Hatfield: I move that subsection 8(7) of schedule 4 to the bill be struck out and the following substituted:

“(7) Subsection 88.13(1) of the act is repealed and the following substituted:

“Maximum contributions to registered third parties

“(1) A contributor shall not make contributions in excess of the following amounts to a registered third party in relation to third-party advertisements that appear during an election in a municipality:

“1. For a contributor who is an individual, a total of \$750.

“2. For a contributor that is a corporation or a trade union, a total of \$750 unless the municipality has passed a bylaw that provides that neither corporations nor trade unions are permitted to make contributions to a registered third party in relation to third-party advertisements that appear during an election in a municipality.”

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hatfield. Would you like to speak to that?

Mr. Percy Hatfield: Very briefly, Chair. The city of Toronto requested the ability to further restrict third-party election advertising. This motion allows municipalities to ban contributions by corporations and unions to third-party election advertising campaigns. This will allow municipalities to keep what’s known as “dark money” out of municipal election advertising.

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The Chair (Mr. Peter Tabuns): Further discussion? I see none. You’re ready for the vote? All those in favour of NDP motion 45.3, please indicate. All those opposed, please indicate. It is lost.

We go to NDP motion 45.4: Mr. Hatfield.

Mr. Percy Hatfield: In the interest of getting out of here in the next few minutes, I withdraw 45.4.

The Chair (Mr. Peter Tabuns): It is withdrawn.

We go to government motion 46: Mr. McMeekin.

Mr. Ted McMeekin: Mr. Chairman, I move that section 8 of schedule 4 to the bill be amended by adding the following subsection:

“(14.1) Section 94.2 of the act is amended by adding the following subsection:

“Transition

“(1.1) Despite subsection (1), no prosecution for an offence under this act in relation to the 2014 regular election shall be commenced after December 1, 2018.”

The Chair (Mr. Peter Tabuns): Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, this motion proposes a consequential change related to the transition provision in

motion 44 respecting the start date for the 2018-22 term of office for council and school board members. This is more of a technical amendment.

The Chair (Mr. Peter Tabuns): Further discussion? Mr. Hardeman?

Mr. Ernie Hardeman: Chair, I’m not sure that I’ve figured out yet, in my order of things here, what it is we’re actually dealing with. Is it amendment 46?

The Chair (Mr. Peter Tabuns): It is government motion 46, yes.

Mr. Ernie Hardeman: If I could have some explanation on what it actually does. Maybe we can ask legislative counsel what this section does.

The Chair (Mr. Peter Tabuns): Mr. Counsel, if you could speak to that.

Mr. Bradley Warden: I’m not sure if someone from the ministry might be in a better position to explain.

The Chair (Mr. Peter Tabuns): You’ve asked legislative counsel. You’ve deferred. I will ask the parliamentary assistant: Can you bring counsel forward?

Mr. Lou Rinaldi: The ministry counsel can deal with it.

The Chair (Mr. Peter Tabuns): Welcome. If you’d introduce yourself for Hansard, and then we’ll proceed with the questions.

Ms. Jacqueline Wigle: Hello. My name is Jacqueline Wigle.

The Chair (Mr. Peter Tabuns): Okay. Mr. Hardeman?

Mr. Ernie Hardeman: Yes, my question is on the amendment. What does it do? What is the amendment?

Ms. Jacqueline Wigle: What the amendment does is it just provides a transition rule. Recall that there’s going to be a transition—the earlier government motion that proposes a change to address the potential for a two-week overlap between the current term of council and the 2018-22 council. This is just a consequential amendment related to that motion. It just ensures that the rules that apply to the current term of council—that nothing changes with respect to that. It just maintains the status quo with respect to the current term of council.

Right now, the act provides that no prosecution in relation to a regular election shall be commenced after December 1 of the fourth year following the year in which the regular election was held. That’s what the act says now. But because we’re making the change to the start date for term of council, and because we’ve got that transition rule that we’re doing, it just makes sure that that rule continues to apply to the current term of council. It’s just a transition rule.

The Chair (Mr. Peter Tabuns): Mr. Hardeman?

Mr. Ernie Hardeman: That’s fine. Thank you.

The Chair (Mr. Peter Tabuns): Thank you. We appreciate your assistance.

Any further discussion on this matter? I see none. People are ready to go to the—

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote is requested.

Ayes

Coe, Dhillon, Hardeman, Hatfield, Mangat, McMeekin, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): We now go to government motion number 47: Mr. McMeekin.

Mr. Ted McMeekin: Mr. Chairman, I move that section 8 of schedule 4 to the bill be amended by adding the following subsection:

“(16) Section 94.2 of the act is amended by adding the following subsection:

“Transition

“(2.1) Despite subsection (2), no prosecution for an offence under this act in relation to a by-election held after the 2014 regular election and before the 2018 regular election shall be commenced after December 1, 2018.”

The Chair (Mr. Peter Tabuns): Thank you, Mr. McMeekin.

Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, this is another technical change. It's a consequential change that complements the transition provisions contained in motion 44 respecting the start date for the 2018-22 term of office for council and school board members.

The Chair (Mr. Peter Tabuns): Further discussion? I see none. You're ready for the vote?

All those in favour of government motion 47, please indicate. Opposed? It is carried.

Members of the committee, we now go to vote on the section as a whole. You're ready to vote?

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Peter Tabuns): A recorded vote is requested. Shall schedule 4, section 8, as amended, carry?

Ayes

Dhillon, Hatfield, Mangat, McMeekin, Rinaldi, Vernile.

Nays

Coe, Hardeman.

The Chair (Mr. Peter Tabuns): It is carried.

Members of the committee, we now have—

Mr. Percy Hatfield: Chair?

The Chair (Mr. Peter Tabuns): Sorry. Mr. Hatfield?

Mr. Percy Hatfield: I'm just looking at number 48. I wonder if we need a half-hour break so Mr. McMeekin can get ready to introduce the next one.

Mr. Lou Rinaldi: We're not there yet.

Mr. Percy Hatfield: I'm just thinking ahead. Look at those numbers and those brackets.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hatfield.

We now have a number of sections where we have no amendments. Those are sections 9 to 14, inclusive. I propose to bundle them together. Are members of the committee comfortable with that?

Mr. Ernie Hardeman: Not yet.

The Chair (Mr. Peter Tabuns): Not yet.

Mrs. Amrit Mangat: Yes yet. Come on.

Mr. Lorne Coe: For clarity, Chair, it's 9 through to 14?

The Chair (Mr. Peter Tabuns): Inclusive.

Mr. Lorne Coe: Thank you. We're fine.

The Chair (Mr. Peter Tabuns): Okay. Everyone is comfortable. Shall schedule 4, sections 9 to 14, inclusive, carry? Carried.

Excellent. Thank you, members of the committee. We now go to government motion number 48: Mr. McMeekin.

Mr. Ted McMeekin: Mr. Chairman, this is my favourite one. We call it the bracket adjustment motion. I've been practising in front of the mirror for three days now on this one.

The Chair (Mr. Peter Tabuns): We look forward to your performance.

Mr. Ted McMeekin: I hope I can do it.

I move that subsection 15(4) of schedule 4 to the bill be amended by striking out “Subsections 8(6), (7), (11), (12) and (13)” at the beginning and substituting “Subsections 8(1.3), (1.4), (1.5), (6), (7), (11), (12) and (13)”.

If this passes, I'm going to have it framed and put up in my office.

The Chair (Mr. Peter Tabuns): Thank you, Mr. McMeekin. Is there any discussion? Mr. Hatfield.

Mr. Percy Hatfield: Speaker, I fell asleep during part of that. I wonder if the member would read it again.

Mr. Ted McMeekin: Dispense. Dispense.

Laughter.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hatfield.

Any other discussion? Mr. Rinaldi.

Mr. Lou Rinaldi: Just that this is technical, Chair, to make sure that things line up with the amendments that the member indicated on this motion.

The Chair (Mr. Peter Tabuns): Thank you.

Further discussion? There being none, you're ready to vote?

All those in favour of government motion 48, please indicate. Opposed? It is carried.

We now go to the section as a whole. You're ready to vote?

Mr. Vic Dhillon: Recorded vote.

The Chair (Mr. Peter Tabuns): Recorded vote? Sorry. Recorded vote requested?

Mr. Vic Dhillon: On the bill? Oh—

The Chair (Mr. Peter Tabuns): We're on section 15 of schedule 4.

Mr. Vic Dhillon: No. No recorded vote; sorry.

The Chair (Mr. Peter Tabuns): Okay. Thank you. You're ready to vote?

Shall schedule 4, section 15, as amended, carry? It is carried.

We now go to vote on the schedule as a whole. You're ready?

Mr. Ernie Hardeman: Before we do, I have another amendment.

The Chair (Mr. Peter Tabuns): You have another amendment?

Mr. Ernie Hardeman: Yes, sir.

The Chair (Mr. Peter Tabuns): Fair enough. Do you have copies there, Mr. Hardeman?

Mr. Ernie Hardeman: I think so.

Interjections.

The Chair (Mr. Peter Tabuns): Members of the committee, I'm going to suggest a 10-minute recess while the Clerk reviews and copies the motion. Is that acceptable to all? Good. The committee is recessed for 10 minutes.

The committee recessed from 1650 to 1658.

The Chair (Mr. Peter Tabuns): Committee is back in session. Mr. Hardeman.

Mr. Ernie Hardeman: As you will have noticed earlier, I was looking through the sections when we asked if they should be bundled, and I said I was waiting. It turns out that I missed the section that I was looking to put an amendment to, so I ask for unanimous consent to reopen subsection 11.

The Chair (Mr. Peter Tabuns): Unanimous support for schedule 4, section 11, to be opened?

Mr. Ernie Hardeman: Yes.

The Chair (Mr. Peter Tabuns): Do I have unanimous consent? I hear a no.

We now go to the vote on schedule 4. Shall schedule 4, as amended, carry? Carried.

You'll remember that at the very beginning I set aside the votes on the sections. I have sections 1, 2 and 3.

Interjection.

The Chair (Mr. Peter Tabuns): Ah. I'll go section by section.

Section 1: Is there any debate?

Interjection.

The Chair (Mr. Peter Tabuns): Sorry, section 1 of the bill. Thank you, Mr. Clerk. Any debate? There being none, shall section 1 carry? Carried.

To section 2: Any debate?

Mr. Percy Hatfield: Section 2 of the bill?

The Chair (Mr. Peter Tabuns): Yes, section 2 of the bill; thank you. Shall section 2 carry? Carried.

We'll go to section 3 of the bill. Any debate? Shall section 3 carry? Carried.

We go back to the last few items.

We have the title of the bill. Any debate on the title of the bill?

Mr. Ted McMeekin: That's my favourite part.

The Chair (Mr. Peter Tabuns): I know it is. Shall the title of the bill carry? Carried.

Mr. Lou Rinaldi: Chair, a recorded vote on the next one, please.

The Chair (Mr. Peter Tabuns): Well done, Mr. Rinaldi.

Mr. Lou Rinaldi: I didn't want to miss it.

The Chair (Mr. Peter Tabuns): I understand that. There has been an eagerness.

Mr. Lou Rinaldi: You hold that fine line, so I just wanted to make sure I was on the right side of the line.

Mr. Percy Hatfield: What's the next one?

The Chair (Mr. Peter Tabuns): We're voting next on the bill as a whole, and that's Bill 68, as amended. You're ready for the vote? A recorded vote has been requested. Shall Bill 68, as amended, carry?

Ayes

Dhillon, Hatfield, Mangat, McMeekin, Rinaldi, Vernile.

Nays

Coe, Hardeman.

The Chair (Mr. Peter Tabuns): Lastly, shall I report Bill 68, as amended, to the House? Opposed? Good. I shall.

SUBCOMMITTEE REPORT

The Chair (Mr. Peter Tabuns): We still have to go through the subcommittee report. Mr. Dhillon, you were going to move that.

Mr. Vic Dhillon: Your subcommittee on committee business met on Tuesday, April 25, 2017, and Wednesday, April 26, 2017, to consider the method of proceeding on Bill 96, An Act to enact the Human Trafficking Awareness Day Act, 2017 and the Prevention of and Remedies for Human Trafficking Act, 2017, and recommends the following:

(1) That the committee meet in Toronto on Monday, May 8, 2017, and Tuesday, May 9, 2017, during its regular meeting times, for the purpose of holding public hearings.

(2) That the committee Clerk, in consultation with the Chair, post information regarding public hearings on the Legislative Assembly website, the Ontario parliamentary channel, Canada NewsWire, and Turtle Island News.

(3) That interested parties who wish to be considered to make an oral presentation contact the committee Clerk by 12 noon on Thursday, May 4, 2017.

(4) That if not all requests can be scheduled, the committee Clerk provide the subcommittee members with the list of requests to appear; and that the subcommittee members prioritize and return the list to the committee Clerk by 9 a.m. on Friday, May 5, 2017.

(5) That the deadline for written submissions be 6 p.m. on Tuesday, May 9, 2017.

(6) That witnesses be offered 10 minutes for their presentation followed by 10 minutes for questions divided equally among the three parties.

(7) That proposed amendments to the bill be filed with the committee Clerk by 12 noon on Friday, May 12, 2017.

(8) That the research officer provide the committee with a summary of submissions as soon as possible and no later than 12 noon on Thursday, May 11, 2017.

(9) That the committee meet for clause-by-clause consideration of the bill on Monday, May 15, 2017, and Tuesday, May 16, 2017, during its regular meeting times.

(10) That the committee Clerk, in consultation with the Chair, be authorized prior to the adoption of the subcommittee report to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

The Chair (Mr. Peter Tabuns): Any discussion? Are people ready to vote to adopt? All those in favour of adopting the recommendations of the subcommittee? It is adopted. Thank you all.

Mr. Lou Rinaldi: Chair, a point of order.

The Chair (Mr. Peter Tabuns): Yes, Mr. Rinaldi.

Mr. Lou Rinaldi: I would recommend that we present MPP Hardeman with the trophy for the best person to rag the puck. I know he played hockey in his previous life, and he's doing a great job. I would like to recognize that.

The Chair (Mr. Peter Tabuns): Mr. Hardeman, will you accept the award?

Mr. Ernie Hardeman: I will graciously accept the award because I can't think of anyone less deserving.

Since we're making the statement, I have been told in my life that flattery is the most rewarding thing for someone when they steal your items. When they steal what you have done for their own, that's the greatest form of flattery. I want to say that I feel really flattered that so many of the amendments that we presented to the Clerk before anyone else ended up being copied and presented as their own. So I'm willing to take that. Hopefully that did make the bill a little better, even though they weren't willing to accept that maybe one, maybe two of those could have been used from our side instead of from their own. They didn't need to be so greedy in taking it all for themselves. They could have left one or two so that I wouldn't have spent 10 or 12 hours in committee to see every single amendment. I can't believe that the legislative counsel would have written that many amendments that weren't going to make the bill an improvement.

With that, we'll take the debate upstairs for third reading.

The Chair (Mr. Peter Tabuns): Thank you all for your civility and your co-operation. With that, the committee stands adjourned.

The committee adjourned at 1708.

STANDING COMMITTEE ON SOCIAL POLICY

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Mr. Peter Tabuns (Toronto–Danforth ND)

Vice-Chair / Vice-Président

Mr. Jagmeet Singh (Bramalea–Gore–Malton ND)

Mr. Lorne Coe (Whitby–Oshawa PC)

Mr. Vic Dhillon (Brampton West / Brampton-Ouest L)

Mr. John Fraser (Ottawa South L)

Mrs. Amrit Mangat (Mississauga–Brampton South / Mississauga–Brampton-Sud L)

Mrs. Gila Martow (Thornhill PC)

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Westdale L)

Mr. Lou Rinaldi (Northumberland–Quinte West L)

Mr. Jagmeet Singh (Bramalea–Gore–Malton ND)

Mr. Peter Tabuns (Toronto–Danforth ND)

Substitutions / Membres remplaçants

Mr. Ernie Hardeman (Oxford PC)

Mr. Percy Hatfield (Windsor–Tecumseh ND)

Ms. Peggy Sattler (London West ND)

Ms. Laurie Scott (Haliburton–Kawartha Lakes–Brock PC)

Ms. Daiene Vernile (Kitchener Centre / Kitchener-Centre L)

Also taking part / Autres participants et participantes

Ms. Jacqueline Wigle, counsel,
municipal law section, Ministry of Municipal Affairs

Clerk / Greffière

Ms. Jocelyn McCauley

Staff / Personnel

Ms. Laura Anthony, research officer,
Research Services

Mr. Bradley Warden, legislative counsel