

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

2ND SESSION, 42ND LEGISLATURE, ONTARIO
71 ELIZABETH II, 2022

Bill 121

**An Act to enact the Climate Crisis Health Action Plan Act, 2022,
the Ontario Climate Crisis Strategy for the Public Sector Act, 2022 and the
Select Committee on the Climate Crisis Act, 2022**

Co-sponsors:

Ms B. Karpoche

Mr. P. Tabuns

Private Members' Bill

1st Reading April 28, 2022

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 CLIMATE CRISIS HEALTH ACTION PLAN ACT, 2022

The Schedule enacts the *Climate Crisis Health Action Plan Act, 2022*, which requires the Minister of Health to do the following:

1. Develop and publish a strategic action plan that aims to ensure that Ontario's public health and health care systems are prepared for the health risks caused by the impacts of the climate crisis.
2. Establish the Climate Crisis and Health Secretariat whose responsibilities include assisting the Minister with the development, revision and implementation of the strategic action plan.
3. Establish a science advisory board to advise the Minister with respect to climate change science and health sciences and the impacts of the climate crisis on public health.

The Act requires that the strategic action plan be reviewed and, if necessary, updated at least every four years.

SCHEDULE 2 ONTARIO CLIMATE CRISIS STRATEGY FOR THE PUBLIC SECTOR ACT, 2022

The Schedule enacts the *Ontario Climate Crisis Strategy for the Public Sector Act, 2022*, which requires the Lieutenant Governor in Council to establish the Ontario Climate Crisis Strategy for the Public Sector. The Minister responsible for the administration of the Act is also required to prepare reports with respect to energy consumption by the public sector and other related matters.

SCHEDULE 3 SELECT COMMITTEE ON THE CLIMATE CRISIS ACT, 2022

The Schedule enacts the *Select Committee on the Climate Crisis Act, 2022*, which establishes a select committee of the Legislative Assembly to be known as the Select Committee on the Climate Crisis. The Select Committee's mandate is to develop a comprehensive proposal to address climate-change related threats facing the society, environment and economy of the province of Ontario.

**An Act to enact the Climate Crisis Health Action Plan Act, 2022,
the Ontario Climate Crisis Strategy for the Public Sector Act, 2022 and the
Select Committee on the Climate Crisis Act, 2022**

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Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022*.

SCHEDULE 1
CLIMATE CRISIS HEALTH ACTION PLAN ACT, 2022

Preamble

It is increasingly clear that the climate crisis will have a substantial impact on human health and that health crises can be profoundly debilitating for our society, as evidenced by the impact of COVID-19.

Health care and public health planning have so far been based on an assumption that tomorrow will be much like today. It is increasingly apparent that this assumption is false. In order to protect human life and property and to provide as much stability for our society as possible it will be important to understand and plan for the changes that are expected. The appearance of novel diseases or the destruction of homes by extreme weather events are examples of risks to human life. Now is the time to develop our understanding of and our plans to minimize the damage caused by these kinds of risks.

Definition

1 In this Act,

“Minister” means the Minister of Health or such other member of the Executive Council as may be assigned the administration of this Act under the *Executive Council Act*.

Climate crisis and health initiatives

2 (1) The Minister shall,

- (a) on or before the second anniversary of the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent, develop and publish a strategic action plan that aims to ensure that Ontario’s public health and health care systems are prepared for the health risks, including those relating to mental health, to Ontarians caused by the impacts of the climate crisis, including a significant rise in extreme heat incidents, an increase in vector-borne diseases, the appearance of novel contagious diseases, negative impacts on air quality due to increased heat, forest fires and other causes, escalating ice, wind and other storm-related activity, flooding and negative impacts on water quality;
- (b) establish the Climate Crisis and Health Secretariat to perform the functions assigned to the Secretariat by this Act; and
- (c) establish a science advisory board, consisting of public health professionals and climate scientists, to perform the functions assigned to the board by this Act.

Review of strategic action plan

(2) On or before the fourth anniversary of the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent and every four years after that, the Minister shall review the strategic action plan and make any changes to the plan that the Minister considers necessary to ensure that the plan best meets its stated aims.

Strategic action plan to be public

(3) The Minister shall ensure that the strategic action plan and any amended plan are published on a website of the Government of Ontario.

Contents of strategic action plan

3 (1) The strategic action plan shall,

- (a) identify key health risks to Ontarians caused by the impacts of the climate crisis;
- (b) identify communities and populations vulnerable to the identified health risks;
- (c) set out a plan to communicate to public health organizations, community health organizations, health care facilities, health professionals and the public strategies to mitigate the negative effects of the climate crisis on health;
- (d) establish government programs that aim to advance research on the impacts of the climate crisis on mental and physical health;
- (e) identify and assess existing strategies to prepare for and deal with the risks and impacts of the climate crisis on health;
- (f) identify health care infrastructure projects that are of critical priority for addressing the impacts of the climate crisis on health;
- (g) prepare a plan to provide funding and guidance to public health units and health care facilities to enable them to assess their vulnerabilities and develop climate adaptation plans;
- (h) set out modelling and forecasting tools to be used to assess the impacts of the climate crisis on health; and
- (i) provide for measures to support the development of academic and regional centres of excellence that will be capable of identifying, assessing and improving best practices for assuring the wellbeing of Ontarians in the face of the climate crisis, as well as providing input to the Minister on related issues of public policy.

Strategic action plan to include monitoring

(2) The strategic action shall also provide for the development, continual improvement and integration of systems to monitor the impacts of the climate crisis on health and the capacity to respond to those impacts.

Same

(3) Without limiting the generality of subsection (2), the systems shall provide for the monitoring of the following matters:

1. Water-borne, food-borne and vector-borne infectious diseases.
2. The appearance of a novel contagious disease.
3. Respiratory and cardiovascular health, including responses to aeroallergens, air pollution and toxic exposures.
4. The impacts of extreme temperatures on health, including premature deaths, hospital admissions and morbidity.
5. The health effects of air pollution, including heightened sensitivity to air pollution.
6. Mental and behavioural health related to extreme weather events and incremental changes in climate.
7. The health of Indigenous people, Black and racialized people, migrants, refugees, displaced persons, members of low-income communities and members of any other communities vulnerable to the impacts of the climate crisis on health.
8. Harmful algal blooms.
9. Extreme heat and weather events, including drought, storms and flooding events.
10. Food insecurity resulting from shrinking access to food, potential disruptions to food supplies and decreasing agricultural output, as well as any decreased nutritional value of crops.
11. Disruptions in access to routine and acute medical care.
12. Any other prescribed matter.

Mandate of the Climate Crisis and Health Secretariat

4 (1) As directed by the Minister and the Environment Minister, the members of the Climate Crisis and Health Secretariat shall,

- (a) assist with the development, revision and implementation of the strategic action plan;
- (b) gather and disseminate information on the physical, mental and behavioural health consequences of the climate crisis in Ontario;
- (c) track data on environmental conditions that are indicators of health risks related to the climate crisis;
- (d) expand capacity for modelling and forecasting health effects that may be climate related;
- (e) perform research on the relationship between the climate crisis and health outcomes;
- (f) identify locations and population groups at greatest risk for specific health threats, such as increased heat stress, degraded air and water quality, food- or water-related illnesses, vector-borne illnesses, threats to pulmonary or cardiovascular health or to mental and behavioural health and food, water and nutrient insecurity;
- (g) communicate the health-related impacts of the climate crisis, including risks and costs associated with the climate crisis and ways to reduce them, to the public;
- (h) develop partnerships with other levels of government, the private sector, non-governmental organizations, organizations representing health care professionals and those representing health care providers, universities and international organizations in order to more effectively address domestic and global health aspects of the climate crisis;
- (i) provide advice, data or information to any of the organizations referred to in clause (h) relevant to the development and implementation of preparedness measures related to the health effects of the climate crisis;
- (j) provide technical assistance and support to municipalities and First Nations, Inuit and Métis communities in assessing preparedness to deal with the negative risks and impacts of the climate crisis on health and strategies to respond to those risks and impacts;
- (k) develop and implement preparedness response plans for health-related threats, such as heat waves, severe weather events and infectious diseases;
- (l) develop training programs for public health and health care professionals to better enable them to respond to the health threats posed by the climate crisis and communicate health risks to the public; and
- (m) perform any other function that the Minister or the Environment Minister considers advisable.

Definition

(2) In this section,

“Environment Minister” means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the *Environmental Protection Act*.

Functions of the science advisory board

5 (1) The science advisory board shall,

- (a) provide scientific and technical advice to the Minister on the domestic and international impacts of the climate crisis on public health, including populations and regions particularly vulnerable to the effects of the climate crisis, and strategies to prepare for and respond to the impacts of the climate crisis on public health; and
- (b) advise the Minister on the most recent scientific developments in climate change science and health sciences for the purposes of developing and revising the strategic action plan.

Composition

(2) The science advisory board shall be composed of not less than 10 and no more than 20 members appointed by the Minister.

Members

(3) Members of the board shall have expertise in public health or the provision of health care services or expertise in climate science.

Development and revision of strategic action plan

6 (1) In developing or revising the strategic action plan, the Minister shall,

- (a) have regard to the most recent scientific developments in climate change science and health sciences as identified by the science advisory board; and
- (b) ensure that the persons and organizations referred to in subsection (2) are consulted with.

Consultation

(2) The following are the persons and organizations referred to in clause (1) (b):

1. Other members of the Executive Council as the Minister considers appropriate.
2. Representatives of First Nations, Inuit, Métis and Black communities.
3. Municipalities and other organizations responsible for public health.
4. Members of the scientific community.
5. Representatives of communities most at risk of experiencing negative health outcomes as a result of the climate crisis.
6. Organizations representing health care professionals and those representing health care providers.
7. Any other person or organization that, in the view of the Minister, should be consulted.

Regulations

7 The Lieutenant Governor in Council may make regulations respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act, and without limiting the generality of the foregoing, may make regulations,

- (a) governing the implementation of the strategic action plan;
- (b) prescribing matters for the purposes of paragraph 12 of subsection 3 (3);
- (c) governing the procedures of the science advisory board, including procedures for making any recommendations to the Minister as well as the duties and responsibilities of members of the board.

Commencement

8 The Act set out in this Schedule comes into force on the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent.

Short title

9 The short title of the Act set out in this Schedule is the *Climate Crisis Health Action Plan Act, 2022*.

SCHEDULE 2
ONTARIO CLIMATE CRISIS STRATEGY FOR THE PUBLIC SECTOR ACT, 2022

Preamble

The public sector in Ontario can play a leadership role with regard to action on the climate crisis. Developing a climate crisis strategy for the public sector will encourage action on the climate crisis in society at large. By putting its own house in order, the Government of Ontario will establish a commitment to encouraging the use of innovative technologies and techniques throughout Ontario. Implementation of the strategy will demonstrate the advantages of early action and result in the development of solutions that can be broadly shared. It is important to establish objectives that reflect the urgency of taking action on the climate crisis.

Definitions

1 In this Act,

“public sector” means the public sector within the meaning of the *Public Sector Salary Disclosure Act, 1996*; (“secteur public”)

“regulations” means the regulations made under this Act; (“règlements”)

“Strategy” means the Ontario Climate Crisis Strategy for the Public Sector established under subsection 2 (1). (“stratégie”)

Strategy

2 (1) The Lieutenant Governor in Council shall, on or before the first anniversary of the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent, establish the Ontario Climate Crisis Strategy for the Public Sector.

Effective date

(2) The Strategy takes effect on the date specified in the Strategy, which shall be no later than one year after the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent.

Contents

(3) The Strategy shall set out a plan for achieving the following goals:

1. Capping, within 12 months after the Strategy takes effect, emissions of greenhouse gases from activities engaged in by the public sector, including activities engaged in that relate to the following:
 - i. Facilities leased, owned, operated or primarily funded by the public sector, including housing facilities.
 - ii. Vehicles owned by the public sector.
 - iii. The integrated power system within the meaning of the *Electricity Act, 1998*.
2. Reducing the emissions mentioned in paragraph 1 by a minimum of 5 per cent annually until they reach net zero.
3. Reducing the energy consumed at every new facility mentioned in subparagraph 1 i that is constructed such that,
 - i. for every facility for which construction commences on or after the second anniversary of the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent, energy consumption is, as determined in accordance with the regulations, at least 50 per cent less than the energy consumption of an average comparable new private sector facility in operation in the year the construction of the public sector facility commences, and
 - ii. for every facility for which construction commences on or after the fifth anniversary of the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* received Royal Assent, net energy consumption is zero.
4. Achieving such other goals as may be prescribed by the regulations.

Same

(4) The Strategy shall provide for the following initiatives:

1. The establishment of programs through which the Government of Ontario encourages retrofitting facilities mentioned in subparagraph 1 i of subsection (3) and making vehicles owned by the public sector more environmentally friendly.
2. The development of purchasing guidelines for use by the public sector that,
 - i. promote the provision of services by the public sector, including purchases made by the public sector, in a manner that eliminates or substantially reduces greenhouse gas emissions,
 - ii. establish, as an evaluation criteria for a proposal, the amount of greenhouse gas emissions that will result from a given proposal, as determined in accordance with the regulations, and
 - iii. provide that a proposal that will result in the emission of a given percentage of greenhouse gases more than other proposals be disqualified.
3. Such other initiatives as may be prescribed by the regulations.

Percentage

(5) The percentage mentioned in subparagraph 2 iii of subsection (4) shall not exceed 10 per cent.

Legislation Act, 2006

(6) Part III (Regulations) of the *Legislation Act, 2006* does not apply to the Strategy.

Reporting

3 (1) The Minister responsible for the administration of this Act shall annually prepare and make available to the public reports respecting,

- (a) the consumption of energy by the public sector;
- (b) reductions in the consumption of energy by the public sector;
- (c) the energy consumption at new or retrofitted facilities mentioned in subparagraph 1 i of subsection 2 (3); and
- (d) such other matters as may be prescribed by the regulations.

Same

(2) A report prepared under this section shall be prepared and made available to the public in accordance with the regulations.

Audit

(3) Each report prepared under this section shall be audited in accordance with the regulations.

Regulations

4 The Lieutenant Governor in Council may make regulations,

- (a) prescribing the method for making a determination under subparagraph 3 i of subsection 2 (3);
- (b) prescribing goals for the purposes of paragraph 4 of subsection 2 (3);
- (c) prescribing the manner of determining the amount of greenhouse gases that will result from a proposal referred to subparagraph 2 ii of subsection 2 (4);
- (d) prescribing initiatives for the purposes of paragraph 3 of subsection 2 (4);
- (e) governing amendments and updates to the Strategy;
- (f) prescribing the manner in which notice of the Strategy and any amendments and updates to the Strategy must be made available to the public;
- (g) governing audits of reports prepared under section 3;
- (h) respecting any matter that it considers necessary or advisable to carry out the purpose of this Act.

Commencement

5 The Act set out in this Schedule comes into force on the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent.

Short title

6 The short title of the Act set out in this Schedule is the *Ontario Climate Crisis Strategy for the Public Sector Act, 2022*.

SCHEDULE 3
SELECT COMMITTEE ON THE CLIMATE CRISIS ACT, 2022

Select committee established

1 (1) A select committee of the Legislative Assembly is established to be known as the Select Committee on the Climate Crisis in English and Comité special de l'action relative à la crise climatique in French.

Members

(2) The Select Committee shall consist of no more than nine members and, despite Standing Order 116 (a), shall consist of an equal number of members from each of the recognized parties in the House and a number of independent members equivalent to the number of members from each recognized party.

Mandate

2 (1) The Select Committee on the Climate Crisis shall develop a comprehensive proposal to address climate-change related threats facing the society, environment and economy of the province of Ontario.

Same

(2) Without limiting the generality of subsection (1), the proposal shall address the particular threats facing Indigenous, racialized and low-income Ontarians.

Report back

3 The Select Committee on the Climate Crisis shall prepare a report setting out its proposal no later than six months after the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent.

Commencement

4 The Act set out in this Schedule comes into force on the day the *No Time to Waste Act (Plan for Climate Action and Jobs), 2022* receives Royal Assent.

Short title

5 The short title of the Act set out in this Schedule is the *Select Committee on the Climate Crisis Act, 2022*.