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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Friday 8 June 2012**

**Journal  
des débats  
(Hansard)**

**Vendredi 8 juin 2012**

**Standing Committee on  
Finance and Economic Affairs**

Strong Action for Ontario Act  
(Budget Measures), 2012

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

Loi de 2012 sur une action  
énergique pour l'Ontario  
(mesures budgétaires)

Chair: Bob Delaney  
Clerk: Valerie Quioc Lim

Président : Bob Delaney  
Greffière : Valerie Quioc Lim

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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**

Friday 8 June 2012

Vendredi 8 juin 2012

*The committee met at 1100 in room 151.*

**STRONG ACTION FOR ONTARIO ACT  
(BUDGET MEASURES), 2012**

**LOI DE 2012 SUR UNE ACTION  
ÉNERGIQUE POUR L'ONTARIO  
(MESURES BUDGÉTAIRES)**

Consideration of the following bill:

Bill 55, An Act to implement Budget measures and to enact and amend various Acts / Projet de loi 55, Loi visant à mettre en oeuvre les mesures budgétaires et à édicter et à modifier diverses lois.

**The Chair (Mr. Bob Delaney):** Good morning, everybody, and welcome to our casual Friday consideration of Bill 55, An Act to implement Budget measures and to enact and amend various Acts.

**CHATHAM-KENT HEALTH COALITION**

**The Chair (Mr. Bob Delaney):** Our first presentation this morning will come from the Chatham-Kent Health Coalition. Shirley Roebuck, come on up and kick us off. You'll have 10 minutes to make your remarks this morning, followed by up to five minutes of questioning. Our first round of questioning will begin with the official opposition. Just state your name for Hansard and commence.

**Ms. Shirley Roebuck:** Thank you. Mr. Chairman and honoured committee members, thank you so much for allowing me to appear before you today.

The Chatham-Kent Health Coalition is a volunteer group that looks to maintain health care services and publicly funded health care in Ontario. Our main focus these days certainly is to make sure that rural hospital services are maintained and are not disseminated any further than they have been over the past years.

I have prepared a written presentation for you today, and I know you are all very dedicated public servants and that you will all read every word of this. I'm not going to just read it to you; I'm just going to précis down what I feel is extremely important.

The deal that has been made between the opposition and the Liberal government, in my opinion and in the Chatham-Kent Health Coalition's opinion, falls short of what is needed to maintain rural health services and indeed all health services in Ontario. I feel that the

monies that were given for rural hospitals, the \$20 million that was put aside for rural hospitals, is actually aimed at finding efficiencies. I'm afraid that that's another term for cuts and downsizing.

I need you to hear this if you tune me out for everything else: Rural hospitals need protection under legislation for basic, needed health services. They need protection from closure and further downsizing so larger hospitals cannot shut them down.

What I mean by that is, hospital amalgamations, hospital consolidations, are feeling the pinch for funding, and they are looking to try to balance their budgets, which are now legislatively mandated, and it's easier sometimes simply to close the smaller hospital than to downsize or close a larger service in a larger centre.

Now, I don't know how many of you have ever visited a smaller hospital. I know one of you has. Small hospitals play a pivotal role in Ontario's health system. They allow people to recuperate and recover in their own communities, with their families. That is a compassionate thing, isn't it, and we cannot run a province or the finance part of a provincial budget on compassion, but here's what that does for the province: It frees up a bed in a larger centre. We've all heard the stories about people lying in emergency in large cities, for hours, days, sometimes up to a week. Keep the smaller hospitals open. Keep the rural hospitals open, give them in-patient beds, and you can cut the wait times in larger centres.

The other thing that I think personally, being an emergency room nurse, is really the priority for me is small, rural hospitals give people a chance to get where they need to go. Think of farm accidents; think of motor vehicle accidents on the 401 that are close to small, rural hospitals. We take those patients, we stabilize them, and we get them where they need to go, whether that's a larger-community centre or a tertiary care centre. It equalizes the playing field for all Ontarians to have equal access to care and an equal chance at survival. Now, that's all I'm going to say about that.

The other thing I want to talk to you about this morning is section 28 of Bill 55. It's the budget bill's privatization clause. This is certainly a new power for cabinet, and there's a new privatization minister who has sweeping power to order privatization of public services. This includes health care services in hospitals.

Premier McGuinty doesn't have a mandate from the Ontario electorate to do this or to put it into the budget

bill; the Conservatives do not have a mandate from their supporters for a privatization bill; neither do the NDP.

This change in direction certainly, I would hope, would spark deep and complete debate about whether or not this is the proper thing for Ontario to do. Please don't. I know that there is support for privatization of services, but please don't do it this way. Please don't slip this into the budget as an afterthought. Have the discussion, have the debate in the House. Let the Ontario public decide whether they want privatization of services or not. This is a grave threat to public health care, and section 45 at this point in time must be withdrawn.

Now, I never like to come to meetings like this unless I have suggestions. Maybe some of you will like these; maybe some of them will make you scream.

I would like you to initiate measures to restore balance and fairness to our tax system. I'd like you to eliminate employer health tax loopholes and cancel corporate tax cuts. I would like you to restore hospital funding to meet hospital inflation and to stop service cuts. I want you to protect rural hospitals from service cuts and closure. I want you to cancel competitive bidding, P3s and pay-for-performance hospital funding. And I want you to remove the budget bill's privatization clause from Bill 55.

Thank you.

**The Chair (Mr. Bob Delaney):** And thank you. Mr. McNaughton.

**Mr. Monte McNaughton:** Thank you, Shirley, very much for coming all the way to Toronto to present this morning, and thank you for all the work that you do in the Chatham-Kent area. I know we've spoken many times over the years and share the commitment to stand up for our rural hospitals.

I just wanted to ask you—because I forget the numbers at the Sydenham hospital in Wallaceburg—the number of beds that are there today versus the number of beds, say, 10 years ago.

**Ms. Shirley Roebuck:** Ten years ago there were at least 25 in-patient beds, including a small intensive care unit. Today, there are five in-patient beds that can only accept certain types of patients.

**Mr. Monte McNaughton:** I guess along that line, I saw this morning before I left home in the London Free Press, on the front page, many health cuts going on in London and across the southwest. It's sort of being done in a sneaky way by this government. I wondered if you could expand on maybe why they're doing it in sort of a backdoor approach, or if you agree even with my statement.

**Ms. Shirley Roebuck:** I can't really speak to whether or not this is all being done in an underhanded way, but I don't think the public is really aware of many changes. Everybody in Ontario just believes that they walk into a hospital and the services are there, that that's it. This is what we've all grown up with.

Unfortunately, because of the way things are becoming more competitive for funding, services are being amalgamated in one hospital and taken away from another. This is all being done based on efficiency sta-

tistics. Now, efficiency, you'll be told, is quality care, decreased mortality rates, decreased length-of-stay rates. This is not good for the average person. If you can receive health care in your own community, with a little bit of compassion as well as good business sense, I think it's a fair deal.

You know, probably everyone in this room is very lucky. Here in metro Toronto, you could drive from the east end to the west end for service without much angst.

**Mr. Peter Shurman:** We have very little time, and I'd like to get a question in. You're very passionate about your concern for privatization.

**Ms. Shirley Roebuck:** Yes.

**Mr. Peter Shurman:** Privatization exists now. Every single private practice doctor is an example of privatization. Many clinics, labs or radiology clinics are privatized. In my view, they work fairly well, and I think that we should continue in that area. That's not at the expense of hospitals. Would you agree with my characterization?

**Ms. Shirley Roebuck:** No, I wouldn't.

**Mr. Peter Shurman:** Okay. Tell me why.

**Ms. Shirley Roebuck:** Let's talk about physiotherapy. It was delisted by OHIP, and now there are private physio clinics. I'm not an emergency nurse anymore. I actually work for Service Canada, Canada pension plan disability. There are so many workers who cannot afford physio, so they don't go, so they become disabled—

**Mr. Peter Shurman:** But that's not about privatization; that's about delisting. If physio had been privatized, as it is, but still was paid for by OHIP, that situation would be different, wouldn't it?

1110

**Ms. Shirley Roebuck:** Well, I would hope so, unless there was a surtax on top of what the OHIP rates were.

You talk about private labs. LifeLabs is almost hitting its limit as far as what it can do. LifeLabs makes its profits based on volumes. They want to do all of the simple tests—the hemoglobins, the electrolytes, things like this—because those tests are done every day in great, great volume. What hasn't been done is that LifeLabs' computerized system is not connected at all with hospital systems. So yes, you'll go, you'll have your tests done, and there's about a 48-hour turnaround before a result is made available to the doctor.

**Mr. Peter Shurman:** I hear what you're saying, but if I can just get you to give me a kind of a yes or a no. In the event that we had capacity, in the event that we had the appropriate listing under OHIP for—your example was physiotherapy. Is privatization still a dirty word?

**Ms. Shirley Roebuck:** Yes, sir.

**Mr. Peter Shurman:** Thank you.

**The Chair (Mr. Bob Delaney):** Thank you.

#### COLLEGE STUDENT ALLIANCE

**The Chair (Mr. Bob Delaney):** Our next deputation is the College Student Alliance, Ciara Byrne. Good morning and welcome.

**Ms. Ciara Byrne:** Good morning. Thank you for giving me this opportunity today. As mentioned—

**The Chair (Mr. Bob Delaney):** Before you get going, I'm just going to remind you of the ground rules. You have 10 minutes with which to make your remarks, followed by up to five minutes of questioning. This round of questioning will come from the NDP. Begin by stating your name for Hansard, and then continue.

**Ms. Ciara Byrne:** As mentioned, my name is Ciara Byrne, and I am a recent graduate of Conestoga College, in my second term as president at Conestoga Students Inc. and the newly elected president of the College Student Alliance.

Today I speak to you as the president of the College Student Alliance, a 35-year-old advocacy-driven group that represents 135,000 students from 16 of the 24 colleges in Ontario. We've strived to improve access, affordability, transferability, accountability and quality for colleges and college-university students. I believe that the working relationship we've created with both the government and opposition parties has helped us voice our student concerns.

The CSA has been well aware of the government's fiscal constraints, and the 2012 Ontario budget reflected the austerity measures needed to reach a balanced budget by 2017-18. It also reflected the government's intention to protect education with minimal cuts to programming.

One significant component of the 2012 Ontario budget was the continuation of the Ontario tuition grant, which acts as a major step forward for affordability and accessibility in post-secondary education in Ontario. Ontario colleges enrol a very diverse student group, with the average age of students being 23 years old. Furthermore, in the 2010-11 academic year, Colleges Ontario reported in their environmental scan that 40% of college students were less than 21 years of age. The financial benefit of this program for secondary students transitioning into post-secondary is significant, as college students receive \$730 and university students receive \$1,600.

CSA has been fortunate to be included in the discussion of this program since November 2011. Although several recommendations have been implemented, such as the extension for students with disabilities and including applied degrees being recognized as university degrees, there still remains opportunity for further advancements in this program.

First and foremost, the requirement that students are out of high school for less than four years to receive the new tuition grant and Ontario access grants is a logical condition to ensure money is spent on those with the highest need. However, we are very concerned that it will be shutting out several sub-populations that are already financially vulnerable.

Aboriginal students are already severely underrepresented in post-secondary education. Only 9% of Ontario's aboriginal population aged 25 to 64 has a university degree, compared to 26% of non-aboriginal populations, a gap that has widened in recent years. There are a number of reasons for this underrepresent-

ation, but significant financial barriers are chief among them. Aboriginal students are more likely to come from low-income families, while federal band funding has not kept up with the demand. Most concerning for the purposes of the tuition grant is that more than half of aboriginal students are mature and would thus be ineligible. There are a number of reasons for this, including wait times for post-secondary student support program funding, the increased likelihood of attending college prior to transferring to university, and nearly one in three students report caring for a dependant.

Like aboriginal students, students with dependants are already underrepresented in higher education and are more likely to be mature. For example, individuals who have children before the age of 26 are less than half as likely to attend post-secondary education as those with no children. The presence of a dependant particularly impacts women, as women under 25 with a dependant child are only 20% as likely to attend post-secondary education as the general woman.

While many individuals with children would be eligible for the new tuition grant in the four years after they completed high school, students with children still have significant unmet needs, as the funds provided for child care dramatically underestimate real costs. This need has been found to be particularly acute for those with children under the age of 12.

When individuals with dependants are unable to access higher education, this has broader economic and social repercussions. We propose that independent students who indicate they are aboriginal or have a child under the age of 12 on their OSAP application receive the new tuition grant regardless of how long they've been out of high school.

It should be noted that this will necessitate adding on an aboriginal self-identification question to the OSAP application, but that process is already under way to bring the aboriginal bursary over to OSAP. Based on approximate calculations, we do anticipate the cost of such an extension would be \$4 million for aboriginal students, \$2 million for students with disabilities and \$1 million for students with children.

Another equally important financial aid tool is the Ontario student opportunities grant, which forgives any amount over \$7,300 per two-term academic year and \$10,950 per three-term academic year. In the 2010-11 academic year, over 80,000 college students accessed OSAP, with most coming out graduating with over \$10,000. This program is worth more than the OTG to most students. There are no recommendations on this program other than, please continue it.

As debt rises, it is crucial to have programs such as these. College students are fortunate to have some of the lowest tuition costs in all of Canada and still experience some of the highest-quality education in the OECD countries. With 70% of future jobs requiring a post-secondary education, it is more than important that Ontarians obtain a post-secondary education. Similarly, Rick Miner's report, *People Without Jobs, Jobs Without*

People, highlights an impending labour shortage, and it is up to all of us to ensure Ontarians, young and old, have access to an affordable and high-quality education.

The CSA looks forward to continuing a constructive dialogue with the government to ensure the voices of our future are heard and Ontario prospers. Thank you for your time, and I'm happy to answer any questions.

**The Chair (Mr. Bob Delaney):** Thank you. Mr. Prue.

**Mr. Michael Prue:** I just want to make sure that I've got this down. You are not asking for additional money; you're just asking mostly that it be apportioned in the right ways, because it's not getting to the right people at this point—

**Ms. Ciara Byrne:** Yes.

**Mr. Michael Prue:** Okay. The failure—and we've heard this from other groups and we've even talked about this in the Legislature—of the government program is that it largely leaves out great swaths of people—those who are not four years out of high school, those who are mature students, aboriginals, and you've touched on that. Could you just explain how many people this may involve?

**Ms. Ciara Byrne:** I have it in here. We do understand that the tuition grant was to encourage students coming from secondary education to pursue a post-secondary education. However, like I said, only 9% of the aboriginal population that can pursue a post-secondary education is pursuing one. That leaves 91% of the population that's not. I don't know the actual number—it's a big population—but it's about 91% of the population in aboriginal students who are not pursuing an education.

1120

**Mr. Michael Prue:** Do you have any idea how many students—I mean, I know a lot of students, including me all those many years ago, who went straight from high school to university. But I also know when I got there, there was a pretty large number of people who had taken a year or two years off, some of whom had gone to work in order to build up some funds to allow them to go to university. What is it like today? Do you have any numbers?

**Ms. Ciara Byrne:** On how many take a year off or how many access the tuition grant?

**Mr. Michael Prue:** A year or two years. How many don't go straight from high school? Because anybody who doesn't go straight from high school will find out that they may not be eligible, certainly towards the end.

**Ms. Ciara Byrne:** We don't have any solid numbers on how many don't go straight from high school, but we know that there are only 160,000 students that are eligible to get the grant.

**Mr. Michael Prue:** And how many students are there in total?

**Ms. Ciara Byrne:** About 600,000 with college and university.

**Mr. Michael Prue:** So this is only about one out of four students who's even eligible for the grant?

**Ms. Ciara Byrne:** Yes.

**Mr. Michael Prue:** And these are the ones who more than likely are still at home or are young enough that their parents would still be providing.

**Ms. Ciara Byrne:** Yes.

**Mr. Michael Prue:** Okay. Anything else you need to say?

**Ms. Ciara Byrne:** Any other questions?

*Interjection.*

**Mr. Michael Prue:** Go ahead.

**The Chair (Mr. Bob Delaney):** Okay, Ms. Forster.

**Ms. Cindy Forster:** Two questions: I was very concerned about the issue you raised about single parents, who generally are women, right?

**Ms. Ciara Byrne:** Yes.

**Ms. Cindy Forster:** In my view, it actually creates a discriminatory practice within this tuition grant piece, because it's young women with children who aren't able to actually access this because they've been out of high school for—was it longer than four years?

**Ms. Ciara Byrne:** Yes.

**Ms. Cindy Forster:** Do you have any sense of magnitude of the numbers in that case?

**Ms. Ciara Byrne:** No, but it would be very good to get. I don't think they've come up, so thank you.

**Ms. Cindy Forster:** Could I have one more question?

**The Chair (Mr. Bob Delaney):** You've got about a minute and a half, if you wish.

**Ms. Cindy Forster:** Okay. I've had a number of university and college groups in over the past six months, and in both of those levels of education, they've raised the issue of part-time teachers, part-time professors, and how that impacts students. Can you maybe expand a bit for us about the issue of part-time versus full-time or tenured professors?

**Ms. Ciara Byrne:** Yes. We have had the concerns raised with part-time where it takes away from the quality of education, where the professor is not accessible to the students on a full-time basis. We do know that a lot of institutions are hiring part-time professors in terms of cost. It does cost a lot less. However, full-time teachers are, when we talk about quality—the CSA has a stance that full-time teachers do provide more access to the student where they can get that help as much as they need it, 24/7 almost, so we do have that stance.

**Ms. Cindy Forster:** Okay. Thank you.

**The Chair (Mr. Bob Delaney):** And thank you very much for having come in this morning.

**Ms. Ciara Byrne:** Thank you.

#### COUNCIL OF ONTARIO UNIVERSITIES

**The Chair (Mr. Bob Delaney):** Our next deputation is the Council of Ontario Universities, Jennifer Grass. Good morning and welcome. Just a quick recap of the ground rules: You'll have 10 minutes for your remarks followed by up to five minutes of questioning. This round of questioning will come from the government. Please begin by stating your name for Hansard, and continue.

**Ms. Jennifer Grass:** Jennifer Grass is my name. Good morning, and thank you very much for this opportunity to speak to you today on behalf of the Council of Ontario Universities.

The president and chair and vice-chair of the council regret that they are not able to be with you today, but as you can imagine, this is a very busy and exciting time on university campuses. As I speak, there are parades of university students going across stages collecting their degrees. If you're a parent, you will remember or you will be able to imagine the sense of pride that you feel in the accomplishment of your son or your daughter, your husband or your wife or other family graduate.

University leaders and faculty members also share in that sense of pride because they helped to provide those graduates with the skills in critical thinking, problem solving, communications and technology—skills that will help them to be successful in their careers and in their lives. As Ontarians, I think we can also all be proud because of the public good that these graduates provide to our workforce and to our society.

The Ontario government has acknowledged the importance of post-secondary education as an economic driver, and we are very grateful for that. We welcomed the government's continued commitment to respond to the growing demand for higher education in the budget bill. Our students appreciate the government's ongoing efforts to improve access to higher education and the commitment to student financial assistance.

We also know that these are tough times, that tough choices had to be made, and we appreciate that this budget bill protects the gains that have been made in our sector through the modest increase in funding provided.

Universities are doing their part to operate efficiently and effectively while providing high-quality education to Ontario students that makes them internationally competitive, both academically and in the workforce. Indeed, Ontario universities are more efficient than their competitors in other provinces. Since 2003-04, Ontario universities have added more than 75,000 students, bringing total enrolment to over 434,000 students. This amounts to an average growth rate of 3% per year and almost 25% on a cumulative-growth basis since 2003-04.

Universities accommodated that growth with nearly the lowest per-student revenue base in Canada, and even under these constraints, our student-faculty ratio has held steady, as part of our commitment to ensuring that students receive the best education we can provide.

Universities are taking a leadership role in finding financial and operational efficiencies. Last year, we sponsored a symposium for the broader public sector on financial innovation on how and where to find efficiencies. Most recently, this conference was actually acknowledged at a gathering of the Toronto Board of Trade as an exemplary practice. We will continue to look for ways to reduce costs individually and collectively through bulk purchasing and shared services.

For example, our Scholars Portal provides digital research to students and faculties all around the province,

our inter-university transit system ensures that books and documents can move efficiently and effectively across the province, and the Ontario Universities' Application Centre is an internationally recognized model of efficiency in the central processing of university applications. We have many visitors from around the globe who come to us for advice on how to set it up.

Ontario universities responded quickly to the government's 10% cut to executive office expenses and will continue to maintain a keen eye on administrative expenses. It is the right thing to do at any time to ensure that our universities are able to maximize the resources available to them for the education of our students and the research enterprise. Indeed, administrative costs, as a percentage of total operating costs, have consistently been held below 5% and are lower now than they were in 2003-04.

For years, universities have been doing more with less, but in these difficult times, it is going to be important, going forward, that there is sufficient revenue for the sector. Higher education is both a private and a public good, and universities will need to have sufficient resources to support the public good.

University participation rates in Ontario are among the highest in Canada, even with relatively high tuition, because Ontario's financial aid system is one of the strongest and most generous in the country. Every willing and qualified student is able to attend university in Ontario.

Universities themselves also provide funding: over \$700 million each year in non-repayable scholarships and bursaries. Universities also provided over \$135 million last year through the student access guarantee, an ongoing program that supports students who have the most serious financial needs.

The Ontario government has capped the annual OSAP debt that a student can incur. Recent improvements to the repayment assistance plan mean that students can allocate no more than 20% of income to student loans, and unpaid OSAP debt is forgiven after 15 years, and 10 for those with disabilities.

Moreover, research overwhelmingly suggests that because of the generous financial aid system in Ontario, financial issues and the cost of tuition are not the biggest barriers to access anymore. Whether a child's parents have attended post-secondary education and cultural attitudes toward higher education are much greater determinants going forward.

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Our commitment to quality and the student experience is demonstrated by the fact that our universities have increased student services funding on a year-over-year basis. Ontario universities have higher retention rates and graduation rates than colleges and universities in other provinces and in the US. Moreover, our graduates have lower loan default rates than any other educational level and consistently see positive outcomes in employment rates. Even in a recession, there are more jobs available

for university graduates. University graduates also see higher earnings over their lifetime. It is the most important investment a student can make in their future.

To protect and enhance that investment, the quality assurance framework for university programs, which has recently been enhanced, is firmly focused on learning outcomes. A new report called *Beyond the Sage on the Stage* is designed to promote a dialogue around faculty and teaching staff that will create more innovative teaching methods in the classroom.

It's important to recognize that beyond creating a talented workforce for the province in a very cost-effective way, universities have other broad economic and social impacts. Our universities operate in 35 communities in the province, and university involvement in communities is helping to fundamentally improve economic stability and cultural and social well-being. University research is also changing lives, improving health, developing new products and shaping public policy.

In the coming years, we hope that not only the government but you as well will continue to recognize the very fundamental role that universities play in building a better Ontario. We will need the continuing support of government to continue to transform and innovate in the years ahead. Thank you.

**The Chair (Mr. Bob Delaney):** Thank you very much. Mr. Naqvi.

**Mr. Yasir Naqvi:** Jennifer, thank you very much for coming. It's good to see you again. I really appreciate your presentation today.

It is indeed a very exciting time of the year, with all the graduations that take place. I collected a few degrees in my own education career and loved every one of them, and attending those ceremonies.

One of the things I wanted to talk to you about and get your views on is the measure around reducing tuition fees, making post-secondary education more accessible, with the introduction of the 30%-off-tuition grant. Despite tough economic times and the fiscal situation, the government made the decision of continuing with that particular tuition grant. Your views, from the point of view of universities, on that grant and whether it's going to help attain higher post-secondary levels within our universities or not?

**Ms. Jennifer Grass:** Students certainly appreciate this, and I think there is no doubt that there's a higher awareness of universities and the opportunities or the access point for students as a result of it. I think that when you're young the sticker shock may seem a bit challenging, and so there's no doubt that the optics of that have been improved by this. I think that there is a recognition, hopefully, that the ROI on a university education is worth the cost, and over the long term we hope that that will resonate with students.

**Mr. Yasir Naqvi:** Very good, thank you.

The other question I wanted to ask you is around your organization's suggestion as to what else universities can do to control and manage rising post-secondary costs.

**Ms. Jennifer Grass:** As I said, this is a priority of every meeting that is held by all of our various affiliates—how can we do that?—and there are many working groups that are looking at different methods to achieve that, both on an institutional basis and a collective basis. I feel very strongly, though, that we have a very strong track record in this regard already. We know that it's the right thing to do. We are already keeping our administrative costs as a percentage of operating costs well under 5%, and they are lower now than they were in 2003-04. I think that speaks volumes. We will continue to keep a keen eye on that, but I think that is a very strong statement of both our commitment and our track record in being able to do it.

**Mr. Yasir Naqvi:** Great.

Chair, MPP Wong would like to ask a question.

**The Chair (Mr. Bob Delaney):** Okay.

**Ms. Soo Wong:** Thank you for coming to speak to us today. I have a quick question. The previous speaker talked about the concern about the aboriginal population accessing post-secondary education. My question to you, through the Chair, is: What is it that universities are doing in terms of encouraging and supporting the aboriginal community to bring them into post-secondary education, particularly at the university level?

**Ms. Jennifer Grass:** One of the things, as I indicated earlier, is that we know that parental background and cultural attitudes are now actually the prevailing obstacle we need to overcome. As a result of that, university recruitment efforts are now starting much lower. Instead of introducing students to universities in grades 11 and 12, which has been customary, we are now going into aboriginal schools much earlier. We were focusing on grades 8 and 9; we are now realizing that a sort of trend is set much, much earlier, that we need to be able to help students in grade school, 5 and 6, see themselves in post-secondary education in order to really have them be successful in moving on to post-secondary. So it's making sure that we reach down much further. Those are the individual university efforts with aboriginal groups that are near to them.

The COU also has been having discussions with the Ministry of Training, Colleges and Universities and the Ministry of Education around this, because it seems that there's an opportunity to have a kind of coordinated approach whereby we may look at outreach to a much lower educational level in order to create awareness—

**The Chair (Mr. Bob Delaney):** And that about sums it up. Thank you very much for your time this morning and for coming in to offer your thoughts.

## EARTHROOTS

**The Chair (Mr. Bob Delaney):** Our final presentation for the morning is from Earthroots: Josh Garfinkel. Nice timing.

**Mr. Josh Garfinkel:** Yes. I just got in.

**The Chair (Mr. Bob Delaney):** Catch your breath.



**Mr. Josh Garfinkel:** Yes. I cycled here, so I'll take a second.

**The Chair (Mr. Bob Delaney):** You'll have 10 minutes to offer your remarks, followed by up to five minutes of questioning. This round of questioning will come from the opposition. Begin by stating your name for Hansard, and continue.

**Mr. Josh Garfinkel:** My name is Josh Garfinkel, and I work for Earthroots.

Good morning, committee members. I'd like to thank you for the opportunity to speak in this forum. I'm representing Earthroots. We're a not-for-profit environmental group dedicated to protecting Ontario's wilderness, wildlife and watersheds through research, education and action. We act on behalf of 12,000 supporters, and we empower thousands of Canadians each year to advocate for stronger environmental protection. I sincerely hope that our comments on Bill 55, Strong Action for Ontario Act (Budget Measures), will be taken into consideration in amending this bill.

It's imperative that schedules 15, 19, 23, 34, 58 and 59 are removed from this bill. Earthroots has well-founded concerns about the implications this bill has on Ontario's vital natural resources. It is our submission that if the bill passes without proper public consultation, there will be even greater strain on our invaluable ecosystems, and citizens' rights will be undermined, as Bill 55 circumvents the Environmental Bill of Rights, the EBR, an essential component in the process of public consultation in Ontario.

The costs of biodiversity on a global scale are incalculable. Globally, we're experiencing species extinction at a faster rate than ever before, and Ontario is no exception to this increased rate. This province is home to more than 200 endangered species, having more species at risk than any other province.

Bill 55 makes substantial changes to six very important environmental laws: the Endangered Species Act, 2007—Bill 55, schedule 19; the Provincial Parks and Conservation Reserves Act, 2006—Bill 55, schedule 58; the Crown Forest Sustainability Act, 2004—Bill 55, schedule 15; the Public Lands Act—Bill 55, schedule 59; the Fish and Wildlife Conservation Act—Bill 55, schedule 23; and the Lakes and Rivers Improvement Act—Bill 55, schedule 34.

The implications of the proposed changes to the policies cannot be overstated. Today, I'd like to talk about two of these policies, both of which Earthroots was involved in lobbying for.

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I'd like to address schedule 19, amendments to the Endangered Species Act, 2007, the ESA. The process of revising Ontario's ESA entailed extensive public consultation and expert opinion from leading scientists and lawyers on what was needed to ensure that species at risk survived and recovered in Ontario. The legislation received a lot of praise, as it included science-based listings of species, mandatory habitat protection, manda-

tory recovery planning and strong support for stewardship. The fact that all three major political parties showed their support in passing the ESA is now being completely undermined by the proposed schedule 19 amendments. If this schedule is not removed from the bill, Ontario will severely contradict its promise to improve and restore biodiversity and critically dilute mandatory habitat protection and mandatory recovery planning.

These amendments include:

- significant expansion of the government's power to exempt non-commercial activities on private lands "within 50 metres of the person's primary residence or in any other area prescribed by the regulations";

- extension and/or removal of deadlines to complete recovery strategies and government response statements—that's section 2; and

- removal of the legal tests in section 18 of the ESA, which allows development to proceed that will harm a species or its habitat.

Those tests require: (1) action to provide an overall benefit to these species; (2) consideration of reasonable alternatives—example: "Could the activity proceed in a different location, at a different time or in a different manner that would not harm the species or its habitat?"; and (3) mitigation of adverse effects.

These amendments will have grave consequences on the effectiveness of the ESA. When considering the exponentially high rate of biodiversity loss, these amendments prove to be even more unacceptable.

The other component to this bill that I would like to focus on is schedule 58, amendments to the Provincial Parks and Conservation Reserves Act, 2006. Management plans are critical tools that ensure that the objectives of the parks are incorporated during the process of implementing land use decisions. These plans also help to assess what land uses are appropriate and ensure that new activities or developments are congruent with the long-term management of the area.

The proposed amendments will remove the legislated time frame to produce management plans for protected areas, will remove the requirement to examine whether management plans need to be reviewed and will reduce the number of required opportunities for public consultation when plans are amended. These changes are at odds with our government's ability to effectively manage Ontario's park system. Parks are vital sanctuaries for the remaining wildlife in Ontario.

In a time of limited resources, legislated timelines are needed to ensure that plans are produced and updated to reflect the best and most current knowledge about the management of protected areas. Without management plans, park staff will not have clear direction on how to balance ecological protection and visitor use with decisions about road building, commercial operations and other potentially damaging activities.

These changes will also result in less transparency as well as less public scrutiny and oversight. With respect to public participation, it is my submission that the

proposed amendments be brought forward in a separate process with EBR notice and consultation. Failure to do so completely contradicts any claims to provide transparent and accountable government.

The EBR provides an essential framework for public participation. It allows the public to participate in the decisions that impact all residents of Ontario. Bill 55 poses a barrier towards the public's right to participate in environmental decision-making by circumventing the statutory process for public consultation that is normally guaranteed under the EBR. Typically, proposed amendments to environmental legislation are posted for a minimum of 30 days on the EBR to solicit public comments. The government then considers these comments and makes the decision, which it also posts. However, the Ministry of Finance is not prescribed under the EBR, and Bill 55's schedules are not posted for public comment. The public has thus been denied the opportunity to review and comment on significant changes to environmental law as described above. It is Earthroots' submission that any revisions to these acts should be part of a process separate from Bill 55.

In closing, we have well-founded concerns about the government's proposed changes to very important pieces of environmental legislation, pieces of legislation that the public lobbied in a steadfast manner for. If enacted, these changes will open up the doors for unregulated developments, further fragmenting habitat and negatively impacting species.

Earthroots contends that schedules 15, 19, 23, 34, 58 and 59 should be removed from Bill 55. The measures currently being deliberated will significantly undermine the provincial government's ability to sustainably manage Ontario's forests, watersheds and wildlife. There is an intrinsic link between healthy ecosystems, healthy economies and healthy communities. It is our hope that when considering the weight of these proposed amendments, you share our view and do your part to help conserve Ontario's biodiversity. If the committee members are not willing to remove schedules 15, 19, 23, 34, 58 and 59 from Bill 55, then we urge you at the very least to make the priority amendments to these schedules recommended by Ecojustice in their recent analysis. Thank you.

**The Chair (Mr. Bob Delaney):** Thank you. Mr. Shurman.

**Mr. Peter Shurman:** Thank you, Josh. I appreciate your appearance here. I represent the opposition, the Progressive Conservative Party, as you know. We're not voting for Bill 55 to begin with, but we are participants in the process here in terms of amendments. We're interested in the six schedules that you cite, as you are, because we feel that oversight is essential. However, I think it's safe to say we're not as strong as you are on the fact that they should necessarily be withdrawn.

I'm interested in your reaction with regard to some of the aspects of the legislation, where we say—I don't apologize for them that they're going to do what they're

going to do. I see the elements of the schedules as being more towards the housekeeping side than towards an affront to environmental concerns. In other words, I have read the bill in full, obviously, and I conclude that what they're trying to do is make things a little bit easier to administer in line with the budgetary provisions that they brought in, as opposed to threatening environmental legislation to the extent that, quite frankly, you and a number of other people who have appeared before this committee seem to feel is the case. Can you react to that? I mean, you already have in your presentation, but amplify a little bit more for me. If there's no change in what is contained in Bill 55, but there are some provisions for oversight, could you feel somewhat more satisfied?

**Mr. Josh Garfinkel:** That's a good question, but a complicated one. It really depends on what those provisions are. Not to be so vague in my response, but it's hard to effectively answer that question without knowing what these provisions are.

I really think that the proposed changes are more than just about administering. I think there are essential elements to legislation—especially the Endangered Species Act. It was considered the gold standard for environmental protection in Ontario and, in some people's perspectives, in Canada.

I think one of the things that my organization does effectively is act as a watchdog and kind of assess how policies are unfolding on the ground. We're already aware of budget cuts—budget cuts dating back over 20 years—to the Ministry of Natural Resources, the Ministry of the Environment. There are already issues of lack of implementation to do with—

**Mr. Peter Shurman:** Well, there are issues of how do you pay for everything, which they're wrestling with right now.

**Mr. Josh Garfinkel:** I understand that. It's a tough question, but I think these policies are so important and the proposed changes are so significant that they would essentially make these pieces of legislation ineffective. If you're talking about significant provisions, then we'd be interested in seeing them. But as the bill currently stands, and the amendments, they are very significant—

**Mr. Peter Shurman:** Talk to me for a moment about species. You're involved with this on an everyday basis; I'm involved in moving money around on an everyday basis and trying to reflect the concerns of not just you and your group, but everybody. That's a tough job too. I hear things, for example, like how we have a species here called the bobolink—not native to Ontario, but we have about a million of them. Because we have about a million of them, I hear from people who, for example, are legitimately trying to develop properties in line with the various legislative pieces that permit the development, who are held up for years because they might be in the flight path of the bobolink, a non-native species. What do we do about things like that?

**Mr. Josh Garfinkel:** I personally don't deal with non-native species in my job, but—I'm not sure what your

party's position is. Has there been discussion about providing incentives for landowners who have—

**Mr. Peter Shurman:** Well, we have discussions like that all the time because people approach us. The reason that I bring it up is because—and I'm saying this in the nicest way—you throw words like “endangered species” around, and I'm hard put to understand what is and what is not an endangered species. It sounds to me like that bird isn't endangered.

**Mr. Josh Garfinkel:** But the vast majority of the endangered species are native species. To be fair, it's a good example, but it's more of an isolated example or an example that's in the minority. I know the bobolink—

**The Chair (Mr. Bob Delaney):** I'm sure you gentlemen can pick up this discussion offline.

I thank you all for your time and your effort in coming in on this lovely Friday morning, and to you, sir, for having made your presentation.

Just two little notes for our committee members: The clerk advises there is no need for a subcommittee meeting, so there's no need to have your Chair try to schedule one at 6:15 in the morning or anything like that on a Monday.

We will next reconvene at 9 o'clock Monday morning, right here in room 151. This meeting is adjourned.

*The committee adjourned at 1152.*

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