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**Official Report
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(Hansard)**

Monday 2 December 2013

**Journal
des débats
(Hansard)**

Lundi 2 décembre 2013

**Standing Committee on
Finance and Economic Affairs**

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

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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**

Monday 2 December 2013

Lundi 2 décembre 2013

The committee met at 0900 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr. Kevin Daniel Flynn): Okay, it is 9 o'clock. Let's get the committee going. Most members will know that we don't have any delegations this morning, but we are going to start by reading the subcommittee report. Ms. Hunter.

Ms. Mitzie Hunter: Your subcommittee on committee business met on Thursday, November 28, 2013, to consider the method of proceeding on Bill 105, An Act to amend the Employer Health Tax Act, and recommends the following:

(1) That pursuant to the order of the House dated Thursday, November 28, 2013, the committee meet from 9 a.m. to noon and from 1 p.m. to 4 p.m. on Monday, December 2, 2013, to conduct public hearings, subject to witness demand.

(2) That the Clerk of the Committee post information regarding public hearings on Bill 105 on the Ontario parliamentary channel, the committee's website and on Canada NewsWire.

(3) That witnesses be scheduled on a first-come, first-served basis.

(4) That all witnesses be offered 10 minutes for their presentation and five minutes for questioning from the members of the committee, and that questioning be done on a rotational basis by caucus.

(5) That the deadline for written submissions on Bill 105 be 4 p.m. on Monday, December 2, 2013.

(6) That amendments to Bill 105 be filed with the Clerk of the Committee by 12 noon on Tuesday, December 3, 2013.

(7) That pursuant to the order of the House, the committee meet for clause-by-clause consideration of Bill 105 on Wednesday, December 4, 2013, from 1 p.m. to 4 p.m.

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

The Chair (Mr. Kevin Daniel Flynn): Super. Thank you very much. Any comments? Any speakers? Mr. McNaughton.

Mr. Monte McNaughton: I have an amendment to this motion. When do I do that? At the end?

The Chair (Mr. Kevin Daniel Flynn): Do it right now.

Mr. Monte McNaughton: The Clerk will pass it out. I move that the following be added at the end of the subcommittee report: "That following the completion of the committee's consideration of Bill 105, An Act to amend the Employer Health Tax Act, 2013, the committee begin consideration of Bill 56, Aggregate Recycling Promotion Act, 2013."

The Chair (Mr. Kevin Daniel Flynn): Speakers to the amendment? Mr. Prue.

Mr. Michael Prue: Yes, just the same reason I gave in subcommittee: The finance committee is about to embark on a six- or eight-week journey around this province for the deliberations of the budget. I don't see how we can be putting this bill into place until we have finalized that, until we know exactly when the committee is going to be meeting. I've been asking this question for weeks, as the Chair knows. As soon as we have finalized when we'll be out of the Legislature travelling, as soon as we've finalized when we're going to be meeting for public deputations, probably, in this room, then I would entertain this, but not until.

The Chair (Mr. Kevin Daniel Flynn): Any further speakers? Mr. McNaughton.

Mr. Monte McNaughton: Well, just a question to the Chair and to the Clerk as well: Is it even possible? Will time permit what Mr. Prue is talking about?

The Chair (Mr. Kevin Daniel Flynn): Anything is possible, I would state, if the House leaders come to some sort of an agreement, or if we come to some sort of an agreement as a committee. Certainly, without entering into the debate, there was discussion about trying to get out earlier in December and doing some of the public hearings using the time here in the House during the regularly scheduled time. That hasn't been resolved yet, but there was some appetite to do that, I think, from previous discussions.

Any other speakers?

Mr. Monte McNaughton: I'll ask for a recorded vote for this.

The Chair (Mr. Kevin Daniel Flynn): All those in favour of the amendment?

Ayes

Fedeli, McNaughton, Pettapiece.

Nays

Bartolucci, Fife, Hunter, Prue, Wong.

The Chair (Mr. Kevin Daniel Flynn): That motion is defeated.

Returning to the main motion, which was a draft report of the subcommittee. All those in favour?

Mr. Victor Fedeli: Hang on. Are we going to have discussion on it?

The Chair (Mr. Kevin Daniel Flynn): Yes, absolutely, if you have something to say.

Mr. Victor Fedeli: The only thing I would have to say, Chair, is, as you know, we were asked very, very late on Thursday, the last day of sitting last week, to meet and discuss this. I could not attend the meeting as my trip home is scheduled for 7 o'clock, which means I leave here around 5 o'clock to get to the international airport on time. I found the speed at which this is trying to move to that particular committee—while I applaud it—it leaves no time for the public to react.

I understand that in this draft report, we're scheduling hearings, according to this—that we meet from 9 to noon today and from 1 to 4 today to conduct public hearings. Are we indeed meeting from 9 to noon today and from 1 to 4 today? That's my first question.

The Chair (Mr. Kevin Daniel Flynn): We certainly started our meeting at 9. Whether we'll be meeting—

Mr. Victor Fedeli: No, this is the subcommittee meeting at 9 that we're in now, aren't we? This is the draft report?

The Chair (Mr. Kevin Daniel Flynn): No.

Mr. Victor Fedeli: Are we having hearings from 9 to 12 and from 1 to 4?

The Chair (Mr. Kevin Daniel Flynn): The intent was to hear from the public this morning, or this afternoon if necessary.

Mr. Victor Fedeli: And my point is, are we?

The Chair (Mr. Kevin Daniel Flynn): We are here subject to witness demand as it's set in the motion—

Mr. Victor Fedeli: I understand we're here; is the public here?

The Chair (Mr. Kevin Daniel Flynn): No, the public's not here, obviously. That was made clear, I think, over the weekend.

Mr. Victor Fedeli: To my point: You're rushing this. All of a sudden, Thursday at the eleventh hour, before we're catching our flights home, there's an emergency meeting scheduled to ramrod this and insist that the public show up on Monday morning, with no advertised notice and no paid advertising notice whatsoever.

I contacted one. This is from one of the largest manufacturers in North Bay, who said: Good gosh, "Our payroll is over \$5 million.

"I have to ask my finance group what the actual dollar impact will be.

"One thing for certain ... once we are driven out of the province, the impact of these things will be zero.

"The more I read about Ontario's financial situation, the bleaker the future looks."

I received this this morning from one of the manufacturers. That's the best that we could muster with this incredibly short notice.

My question to you, Chair, is: What are you trying to do?

The Chair (Mr. Kevin Daniel Flynn): What am I trying to do? What I'm trying to do is, I'm trying to ensure that the order of the House that was supported by all three parties—my understanding—is complied with. If you have some other ideas or you'd like to disobey the House, I would love to hear them. But right now we're complying with what the House has ordered us to do, with the support of the party you belong to.

Mr. Victor Fedeli: Do you think that the speed at which you're trying to do it, by usurping the public, is the right way to do this?

The Chair (Mr. Kevin Daniel Flynn): I am not trying to do anything. What I'm doing is obeying—

Mr. Victor Fedeli: It's obvious—no, that's the best answer. You are not trying to do anything. Thank you, Chair; I appreciate it.

The Chair (Mr. Kevin Daniel Flynn): That's enough.

Ms. Soo Wong: Mr. Chair?

Mr. Rick Bartolucci: I change flights all the time when—

The Chair (Mr. Kevin Daniel Flynn): Okay.

Interjections.

The Chair (Mr. Kevin Daniel Flynn): Order. No, you don't have the floor anymore, after a comment like that.

Ms. Wong.

Ms. Soo Wong: Mr. Chair, I want it to be on record to say that on Thursday, the opposition House leader put this motion forward. It was read on the floor, asking for this committee to be struck at 9 o'clock this morning. So let's be on the record with that. It was their House leader who asked for Bill 105 to be brought before this committee and that the meeting commence this morning at 9 o'clock. He read a clause about what the instruction was for this committee. So if there's any criticism, Mr. Chair, I want it to be on record that Mr. Fedeli's comments to this committee—and to you, the Chair—are inappropriate.

Second of all, if he has a concern about this short notice, maybe he should check with his House leader, because it is unacceptable to criticize the Chair and the activities of this committee.

The Chair (Mr. Kevin Daniel Flynn): Fortunately, I have very thick skin and it's early in the morning on a Monday.

Mr. Prue.

Mr. Michael Prue: I just want to weigh in on this. I attended the meeting. I saw my friend as he was off to his plane. I understand that, but they were ably represented by a Conservative member. We talked about this because we had an order from the House leaders, and I do know that my House leader, the Conservative House leader and the Liberal House leader all agreed to this. As Ms. Wong stated, this was introduced by the Conservatives, that it be done this rapidly.

I would concur with Mr. Fedeli that I find these things a little untoward when it's done so quickly, but the decision was not made by this finance committee or by this Chair. I want to be right on the record: The decision was made by the House leaders, who in their wisdom, thought it essential that this be put at a rapid pace for this morning. Having done that, with the greatest of respect, Mr. Fedeli, if you want to attack the House leaders, be my guest. Be my guest, but do not attack this Chair or this committee because we have to do that bidding.

So I just want to be on the record to that, and I think that given the time constraints, the subcommittee came up with the best report we could.

The Chair (Mr. Kevin Daniel Flynn): Mr. Fedeli.

Mr. Victor Fedeli: Look, I may be the new guy here, but all I'm saying to you is, the fact that there's nobody here, the fact that we knew there would be nobody here, that's the point I'm trying to make. Whether we had to agree to it or not isn't the point. The point is, there's nobody here. We're going to have this legislation. We're going to go to clause-by-clause on Thursday—at least I hope we're still going to do that, at which point we will

file our amendments, duly on time tomorrow, the three amendments that we have planned for this particular piece of legislation.

All I can say is, my constituents at home, when I approached them on Friday, were shocked that they hadn't heard that their taxes were going to be raised by this government. That's the point that I'm trying to make. These are companies whose payroll is greater than \$5 million. You're robbing Peter to pay Paul with this bill, and that's the point I want to make, that it's being done unbelievably quickly without any input from the public.

Ms. Mitzie Hunter: Chair?

The Chair (Mr. Kevin Daniel Flynn): Ms. Hunter.

Ms. Mitzie Hunter: Chair, I call the question on the motion on the floor.

The Chair (Mr. Kevin Daniel Flynn): Has everybody spoken who wishes to speak to this?

Mr. Michael Prue: Yes, but before the vote, we would like a 20-minute recess, please.

The Chair (Mr. Kevin Daniel Flynn): Okay. A 20-minute recess before the vote.

The committee recessed from 0910 to 0930.

The Chair (Mr. Kevin Daniel Flynn): Okay, if we can come to order again.

Ladies and gentlemen, we had a 20-minute recess before the vote, so let's put the vote that the draft report of the subcommittee be adopted. All those in favour? Those opposed? That motion is carried.

Any further business? Seeing none, we're adjourned.

The committee adjourned at 0931.

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