



ISSN 1180-4386

**Legislative Assembly
of Ontario**

First Session, 41st Parliament

**Assemblée législative
de l'Ontario**

Première session, 41^e législature

**Official Report
of Debates
(Hansard)**

Thursday 28 May 2015

**Journal
des débats
(Hansard)**

Jeudi 28 mai 2015

**Standing Committee on
Finance and Economic Affairs**

Building Ontario Up Act
(Budget Measures), 2015

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

Loi de 2015 pour favoriser
l'essor de l'Ontario
(mesures budgétaires)

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Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

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

Thursday 28 May 2015

Jeudi 28 mai 2015

The committee met at 0901 in room 151.

**BUILDING ONTARIO UP ACT
(BUDGET MEASURES), 2015
LOI DE 2015 POUR FAVORISER
L'ESSOR DE L'ONTARIO
(MESURES BUDGÉTAIRES)**

Consideration of the following bill:

Bill 91, An Act to implement Budget measures and to enact and amend various Acts / Projet de loi 91, Loi visant à mettre en oeuvre les mesures budgétaires et à édicter et à modifier diverses lois.

The Chair (Ms. Soo Wong): Good morning. As ordered by the House on Wednesday, May 13, 2015, we are assembled here today for clause-by-clause consideration of Bill 91, An Act to implement Budget measures and to enact and amend various Acts.

Julia Hood, legislative counsel, sitting next to the Clerk, is here to assist us with our work. The committee is scheduled to sit today from 9 to 10:15 a.m., 2 to 6 p.m. and 6:30 to 9:30 p.m.

A copy of the numbered amendments received at the Tuesday at 10:30 a.m. deadline is on your desks. The amendments have been numbered in the order in which the schedules appear in the bill.

Committee members will know that at 4:30 p.m. today, I'm required to interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of Bill 91 and any amendments thereto. At that time, I will allow a 20-minute waiting period if requested, pursuant to standing order 129(a). From that point forward, those amendments which have not yet been moved shall be deemed to have been moved, and I will take the vote on them consecutively.

Do we have any questions before we begin?

Okay. As you probably notice, Bill 91 is comprised of only three sections, which enact 45 schedules. In order to deal with the bill in an orderly fashion, I'm going to suggest, as suggested by the Clerk, that we postpone the three sections in order to dispose of the 45 schedules first.

Do we have agreement? Are there any questions, comments?

Interjections.

The Chair (Ms. Soo Wong): Agree? Okay.

On section 1 of schedule 1, there's no amendment to this section. Do we have any debates, comments on this section?

Mrs. Laura Albanese: Madam Chair, I would like to request unanimous consent to consider schedule 44 first.

The Chair (Ms. Soo Wong): Do we have unanimous consent to this?

Mr. Victor Fedeli: What is it? Do you know what number it is?

The Chair (Ms. Soo Wong): Number 44. Okay, I'm just going to get schedule 44. The Clerk says the first motion is 76.

Mrs. Laura Albanese: Motion 76.

The Chair (Ms. Soo Wong): Motion 76. Do we have unanimous consent to this motion? I heard a no. Okay, so we've got to go on.

Mr. Arthur Potts: Any debate before unanimous consent?

The Chair (Ms. Soo Wong): Any time we do unanimous consent, all I need as the Chair is to hear one no. That's the order of the House. I heard a no. I'm going to go forward.

Schedule 1, section 1: Is there any debate?

Mr. Victor Fedeli: Where are we?

The Chair (Ms. Soo Wong): Schedule 1, section 1. There's no motion, okay? I just wanted to check.

Schedule 1, section 1: Is there any debate?

Mr. Victor Fedeli: I have to be honest. We're not going by these pages, then—

The Chair (Ms. Soo Wong): We are, but when there are motions. There is no motion for schedule 1, section 1. Mr. Fedeli.

Mr. Victor Fedeli: This is not a motion?

Interjections.

The Chair (Ms. Soo Wong): There's no motion put forward for schedule 1, section 1. I just want to be on record, okay?

Are we ready to vote? Shall schedule 1, section 1 carry? Carried.

We're going to schedule 1, section 2. There's no motion. Any debate? Seeing none, shall schedule 1, section 2 carry? Carried.

Schedule 1, section 3: Now I believe there is a motion, right? It's motion number 1 by the opposition party. Mr. Fedeli, do you want to read it for the record?

Mr. Victor Fedeli: I move that—do I just jump into that part?

The Chair (Ms. Soo Wong): Yes.

Mr. Victor Fedeli: I don't need the preamble?

The Chair (Ms. Soo Wong): No.

Mr. Victor Fedeli: I move that paragraph 1 of subsection 22(3) of the Alcohol and Gaming Regulation and Public Protection Act, 1996, as set out in subsection 3(2) of schedule 1 to the bill, be amended by striking out "50,000 hectolitres" wherever it occurs and substituting in each case "75,000 hectolitres".

The Chair (Ms. Soo Wong): Any debate, comments? I see Ms. Fife.

Ms. Catherine Fife: New Democrats are very supportive of this motion, Madam Chair.

The Chair (Ms. Soo Wong): Okay. Mr. Potts.

Mr. Arthur Potts: Do we have any indication of what the revenue impacts of doing this are? Do we have any indication of what the industry thinks about doing this—not just the craft industry, but the others involved?

The Chair (Ms. Soo Wong): Do you want to answer that?

Mr. Victor Fedeli: He's asking you a question?

The Chair (Ms. Soo Wong): No, he's asking a question.

Mr. Arthur Potts: I have no information in front of me about what the tax implications are, so I think we'll have to vote against this.

The Chair (Ms. Soo Wong): Mr. Fedeli.

Mr. Victor Fedeli: You have the file in your office. This has been debated and presented by the craft industry on several occasions. It affects very few firms. It primarily affects two who were here at the committee meeting. It is an opportunity to allow the companies to expand. Once they reach a certain level of hectolitres, their tax credits fall off and it prohibits them from expanding. There's no value for those two companies to expand any further until they can have a mega-expansion, but you can't get to that this way. That's why we've asked for that—

Mrs. Laura Albanese: Madam Chair?

The Chair (Ms. Soo Wong): Ms. Albanese.

Mrs. Laura Albanese: Yes—

Mr. Victor Fedeli: I guess I'm finished.

Mrs. Laura Albanese: Yes. I just wanted to say that the act does provide for a preferential tax rate for microbrewers, and a consultation and revenue impact analysis has been conducted to arrive at the 50,000-hectolitre threshold. This is a consideration that would require additional consultation. The act will provide many benefits to the microbrewers—added competition and a new retail growth opportunity—as it stands.

The Chair (Ms. Soo Wong): Mr. McDonell.

Mr. Jim McDonell: Well, I think we've heard clearly that the craft brewers need a hand. They're really restricted in where they can go. I know this is a step, but it's just not enough to allow them to go to that next step, which allows them to have a sufficient market share and be truly successful.

Mrs. Laura Albanese: As I said, this would require additional consultation.

The Chair (Ms. Soo Wong): Okay. Do you have any additional comments, questions? Can I call the question?

Shall motion number 1 of schedule 1, section 3 be carried?

Interjection.

The Chair (Ms. Soo Wong): All those in favour?

Ms. Catherine Fife: Recorded vote.

Ayes

Fedeli, Fife, McDonell.

Nays

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): The motion is lost.

I'm going to go back to this. Shall schedule 1, section 3 be carried? Carried.

All right. I'm going to schedule 1, section 4. I believe there is a motion put forward. Mr. Fedeli, do you want to move your motion?

0910

Mr. Victor Fedeli: I move that paragraph 2 of subsection 26(1.1) of the Alcohol and Gaming Regulation and Public Protection Act, 1996, as set out in section 4 of schedule 1 to the bill, be amended by striking out "3 cents per litre" and substituting "2 cents per litre".

The Chair (Ms. Soo Wong): Any questions, comments? Ms. Fife.

Ms. Catherine Fife: Just a question for the PC Party: How did they determine that the two cents per litre was more appropriate than the three cents? I mean, we're in favour of it because we see it as a tax break for small businesses, but I was wondering if there was some rationale that they could give us.

Mr. Victor Fedeli: We've never seen a tax increase that creates jobs.

The Chair (Ms. Soo Wong): Ms. Albanese.

Mrs. Laura Albanese: Yes, decreasing the rate of the tax increase would lower the revenue that is generated, and that is going to be used to fund important government priorities that will create jobs and that will support our health care, education and skills training, as well as infrastructure and transit.

The Chair (Ms. Soo Wong): Any other comments? Mr. McDonell.

Mr. Jim McDonell: I kind of disagree with that, because we've seen a government that has doubled its revenue in 10 years, and we aren't seeing any positive impacts, other than businesses leaving. So I think that the additional tax just gets squandered, like everything else.

The Chair (Ms. Soo Wong): Any other comments? Seeing none, I'm going to call the question.

For motion number 2 for schedule 1, section 4: Shall it be carried? I hear a no.

Ms. Catherine Fife: Did you say "in favour"? Do I have to ask for a recorded vote every single time?

The Chair (Ms. Soo Wong): Do you want a recorded vote?

Ms. Catherine Fife: I think I'd like a recorded vote on this one, Madam Chair.

The Chair (Ms. Soo Wong): All right. Can I call the question?

Ayes

Fedeli, Fife, McDonell.

Nays

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): Motion number 2 is lost. I'm going to go back: Shall schedule 1, section 4, be carried? Carried.

We're now on schedule 1, section 5. There is no motion before us. Any questions or comments before I call the question? Seeing none, shall schedule 1, section 5, be carried? Carried.

There is no motion for schedule 1, section 6. Any questions or comments? Seeing none, I'm going to call the question. Shall schedule 1, section 6, be carried? Carried.

Shall schedule 1 be carried? Carried.

All right. We're now in schedule 2, section 1. There is no motion put forward. Any questions or comments? Seeing none, shall schedule 2, section 1, be carried? Carried.

Schedule 2, section 2: There are no motions before us. Any questions or comments? Seeing none, shall schedule 2, section 2, be carried? Carried.

Shall schedule 2 be carried? Carried.

All right, we're dealing with schedule 3, section 1. There is no motion for this particular section. Are there questions and comments before I call the question? Mr. Baker?

Mr. Yvan Baker: Could I ask for a recorded vote on this one?

The Chair (Ms. Soo Wong): Okay, you want a recorded vote for schedule 3, section 1?

Mr. Yvan Baker: Yes.

The Chair (Ms. Soo Wong): All right. Any questions or comments? Because this is a recorded vote. Okay, folks, I'm just putting it on the table.

Schedule 3, section 1: Mr. Baker has asked for a recorded vote for schedule 3, section 1. There are no motions put forward to us.

Mr. Jim McDonell: So where is this exactly?

The Chair (Ms. Soo Wong): This is schedule 3, section 1. There's no motion. There's only a request from Mr. Baker that this is a recorded vote. Before I call the question, I want everybody to know what they're voting on.

Ms. Catherine Fife: Only schedule 3, section 1.

The Chair (Ms. Soo Wong): This is schedule 3, section 1. There's no motion. Mr. Baker has asked that

this will be a recorded vote. Okay? Everybody understands what I'm asking for? I'm going to call the question.

Nays

Albanese, Baker, Fedeli, Fife, Hoggarth, McDonell, Milczyn, Potts.

The Chair (Ms. Soo Wong): This section is lost.

Schedule 3, section 2: The opposition has a motion, motion number 3. Mr. McDonell.

Mr. Jim McDonell: I move that subsection 13(1) of the Auditor General Act, as set out in section 2 of schedule 3 to the bill, be amended by striking out "on and after the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions and comments? Ms. Fife.

Ms. Catherine Fife: New Democrats can't support this motion. Changing the timing of the provisions won't change the fact that the government does not have a mandate to sell Ontario's Hydro One, and so we won't be supporting this motion.

The Chair (Ms. Soo Wong): Mr. Baker?

Mr. Yvan Baker: As Hydro One transitions into a publicly traded company, we're, first of all, committed to making sure it's continually regulated, it's accountable, it's transparent. But at the time of the IPO, and as soon as the first tranche of shares is sold, Hydro One would cease to be a crown corporation. It is at that time that it becomes a public company. As a public company, it will have a different set of oversight mechanisms, but it will have oversight mechanisms.

As we know, officers of the Legislature don't have oversight over publicly traded companies, and so that's why we would oppose this motion.

The Chair (Ms. Soo Wong): Any comments and questions? I see none.

Ms. Fife?

Ms. Catherine Fife: Recorded vote.

The Chair (Ms. Soo Wong): Recorded vote. I see no comments and questions, so I'm going to call the question.

Ayes

Fedeli, McDonell.

Nays

Albanese, Baker, Fife, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): Motion number 3 is lost.

Now we're dealing with motion number 4. Mr. McDonell, do you want to read that motion?

Mr. Jim McDonell: Sure. I move that subsection 13(7) of the Auditor General Act, as set out in section 2 of schedule 3 to the bill, be amended by striking out "on the first anniversary of the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on the first anniversary of the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions and comments? Mr. Baker?

Mr. Yvan Baker: The reason we intend to broaden the ownership of Hydro One is to improve its long-term performance; it's to unlock billions of dollars in value for investment in major infrastructure projects. It will allow Ontario's economy to grow for years to come. It will improve Ontarians' quality of life in many different ways, as we know. This approach is going to create an improved company. It will allow the company to operate more efficiently and better serve the interests of rate-payers and Ontarians.

We've welcomed the feedback that we've received from many witnesses, including the Auditor General, on this, and we've taken that input into account. Oversight mechanisms will continue to be in place. Hydro One will continue to have a dedicated ombudsperson, similar to what you would have at other public companies that investigate customer complaints.

The Chair (Ms. Soo Wong): Mr. McDonell?

Mr. Jim McDonell: I think we've seen a government here that has made a mess of Hydro One with its policies, and so far their whole strategy has been trying to discredit the Auditor General on the file, somebody that has much experience and is very qualified. We just think, especially with the state of how people in Ontario are upset and furious with what has happened here, the extra year of oversight just allows for transition and allows a second set of eyes here that has much experience on the file, having worked for Manitoba Hydro for many years, to look at this and provide the public with the needed feedback on just how the transition is going.

0920

The Chair (Ms. Soo Wong): Ms. Fife?

Ms. Catherine Fife: Thank you, Madam Chair. Again, this motion is tinkering with, really, a flawed premise on the sale of Hydro One. We saw an unprecedented coming together of all the independent officers of the Legislature. They wrote to the government. It was a public letter calling the government out on removing the responsibility of oversight over Hydro One. We all know that those internal oversight mechanisms are never as thorough and as unbiased as the independent officers of the Legislature. New Democrats, again, will not support

this motion because we fundamentally disagree with the sale of Hydro One.

The Chair (Ms. Soo Wong): Mr. Fedeli?

Mr. Victor Fedeli: Thank you very much, Chair. Look: This Bill 91, in the section on hydro, strips all oversight that we have been accustomed to for decades, if not generations, including the Auditor General, the privacy commissioner, the ethics commissioner—all of these will cease to have an opportunity to weigh in. Sunshine list, freedom of information—all gone, all stripped.

We know they're going to ram this through; we understand that. That's what they are going to use their majority to do. This amendment at least changes the auditor's phase-out of the utility to be a year from the day that a majority of Hydro One is sold, so that while the people of Ontario cling to a little bit of Hydro One, we should still have the oversight of our Auditor General and others. It gives us at least a little bit of oversight during the transition period.

The Chair (Ms. Soo Wong): Mr. Baker?

Mr. Yvan Baker: I'd just like to add: If the budget passes, transitional measures are in place that would give the Auditor General time to complete the investigations ongoing, to exercise her statutory powers with respect to special audits, special assignments, on the consolidated financial statement, etc. Officers of the Legislature do not have oversight over publicly traded companies. As a business person, I know how important it is that we have oversight, but it's also important that the appropriate oversight be put in place. That's why we oppose the motion.

I also want to speak very briefly to the role of the Auditor General. I just wanted to respond to a comment that was made earlier about that. We definitely recognize the important role that the Auditor General plays in ensuring fairness in government and accountability in government. In fact, just previously—I don't know if it was one vote or two votes ago—we voted down a section in response to feedback that we received from the Auditor General. I think that demonstrates the government's commitment to listening, in general, to all stakeholders, but in particular the Auditor General, taking in her feedback and working with her collaboratively. So we'll be opposing this motion.

The Chair (Ms. Soo Wong): I see Mr. Potts.

Mr. Arthur Potts: I just want to also take issue with this notion or suggestion that we're in any way discrediting the role of any of the oversight officers of this Legislature. There's not another public corporation in Ontario that the Auditor General and the Ombudsman have oversight over. This makes this consistent throughout. All the regular oversight of the Ontario Securities Commission, the Ombudsman and others continue to play in force. You may disagree with the decision to take this company public; however, the Auditor General does not have oversight over General Motors, nor would she over this public corporation.

The Chair (Ms. Soo Wong): Mr. Fedeli.

Mr. Victor Fedeli: Thank you very much. Just the fact that you call this a public corporation—let's just

understand what this means. The moment one share is sold of Hydro One, of the 100% that we own, all of this kicks in. You can pretend it's a public corporation all you want, but you're talking about the moment that one share is sold. So this is a very—I'm going to have to think of a parliamentary word—questionable action to get around public scrutiny. Even at the end of the day, if we still own 40%—we don't own 40% of other public companies, but in the worst case here, we'll own 40% of Hydro One. All of our taxpayer scrutiny that we're used to when we owned such a huge percentage of what was once 100% owned is gone. We're stripping this away.

I want you to just think deeply for a second about this. Take the politics out of it for one second and think about the public owning 99.9% of a company that we, the people, would still own the first day that a share is sold: We don't have any scrutiny anymore. No more Integrity Commissioner, no more freedom of information, no way to understand what's there. I just think that's egregious.

The Chair (Ms. Soo Wong): Mr. McDonell.

Mr. Jim McDonell: I look back at the number of complaints we've received over billing issues totally ignored by this government and Hydro One until the Ombudsman released his paper just a year ago, and a CEO who refused to even meet with us. Then, all of a sudden, he was curiously interested in meeting with all of us within a week, individually.

It just goes to show that this is an important corporation. The people have no choice. If they want to operate a business, if they want to live in this province, they have to go through Hydro One. We see a corporation to date that has been very unconcerned with the complaints of their customers. They basically turned a blind eye. Only when they get embarrassed—and of course, I take exception to your comment, because when the Auditor General's report came out, the only defence we had from your government was, "Here's somebody who doesn't know what they're talking about"—very disrespectful of somebody who has a lot of information and actually has been in the industry much longer than the current energy minister. So I guess I would question those comments.

The people of Ontario and in my riding are telling me that they want to see some oversight here; they don't believe it's going to be continued. Sure, private companies around the world have some rules to follow, but we all see how that works. We just think there needs to be a little more oversight here.

The Chair (Ms. Soo Wong): Okay. I have no more speakers, so I'm going to call the question. All those in favour of motion number 4? All those opposed to motion number 4? The motion is lost.

I'm going to call the question for schedule 3, section 2. Shall schedule 3, section 2 be carried? Carried.

We're dealing with schedule 3, section 3. There were no motions put forward. Any questions and comments?

Mr. Victor Fedeli: What about the notices we have? How do those fit into your calling of these things?

The Chair (Ms. Soo Wong): They're not motions.

Mr. Victor Fedeli: They're notices.

The Chair (Ms. Soo Wong): They're just notices to let all the members of the committee know how your party intends to vote. It's not a motion; it's just for—

Mr. Victor Fedeli: I understand that.

The Chair (Ms. Soo Wong): All right. I just wanted people to—this is not a motion.

Mr. Victor Fedeli: Do you expect us to pipe up about those or—

The Chair (Ms. Soo Wong): Before I call the question, I always ask, "Are there any questions and comments?" You can say what you want.

Ms. Fife?

Ms. Catherine Fife: Just a point of clarification: You're going to call the vote on schedule 3; right?

The Chair (Ms. Soo Wong): Yes.

Ms. Catherine Fife: You haven't done that yet. We'll speak to it, and then we vote on it.

The Chair (Ms. Soo Wong): Yes.

Ms. Catherine Fife: I want a recorded vote on this, please.

The Chair (Ms. Soo Wong): Okay. As long as we know in advance of the vote that you want a recorded vote, we'll make sure we get that.

Mr. Victor Fedeli: So have we passed over our objection to section 2 of schedule 3?

The Chair (Ms. Soo Wong): We already passed schedule 3, section 2. We just did a vote.

Mr. Victor Fedeli: Section 2 of schedule 3?

The Chair (Ms. Soo Wong): Yes. We just did a vote.

Mr. Victor Fedeli: We don't expect a recorded vote on every one of these, but—

The Chair (Ms. Soo Wong): As long as we know in advance, we will do a recorded vote, before the vote. Okay?

Right now, I'm on schedule 3, section 3. Are there any questions and comments? Ms. Fife.

Ms. Catherine Fife: We have taken a very strong stance against the privatization of Hydro One. It's just incredible to us and to the people who we've heard from across the province that this is even part of this bill and that the Auditor General is no longer part of the process. To listen to the government talk about the oversight and the lack thereof—they protest too much I think, Madam Chair.

New Democrats will be voting against schedule 3 in its entirety.

The Chair (Ms. Soo Wong): All right. Any more questions and comments? I'm dealing with schedule 3, section 3.

Ms. Fife wants a recorded vote. Mr. Fedeli and Mr. McDonell, I'm just giving you guys a heads up: I'm about to call the question for schedule 3, section 3, and Ms. Fife has asked for a recorded vote.

Mr. Victor Fedeli: Can we have a two-minute recess? Literally, two minutes.

The Chair (Ms. Soo Wong): Everybody okay with it? Two minutes.

Interjection.

The Chair (Ms. Soo Wong): What's that?

Mrs. Laura Albanese: We can have a recess after the vote has been called?

Interjections.

The Chair (Ms. Soo Wong): I haven't called the vote yet.

There's a request for a two-minute recess. Is it agreeable with everybody? Two minutes.

The committee recessed from 0931 to 0934.

The Chair (Ms. Soo Wong): Okay, I'm going to resume the committee. I'm on schedule 3, section 3. I'm about to call the question. Are there any comments? I know Ms. Fife already made her comment.

Seeing none, I'm going to call the question. There is a request for a recorded vote from Ms. Fife. All those in favour of schedule 3, section 3?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, McDonell.

The Chair (Ms. Soo Wong): Schedule 3, section 3 is carried.

The next question is schedule 3, the entire schedule. Are there any questions and comments before I go forward? Seeing none, I'm going to call the question. Shall schedule 3 be carried?

Ms. Catherine Fife: Sorry, recorded vote. I was just too slow. Sorry.

The Chair (Ms. Soo Wong): Shall schedule 3 be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, McDonell.

The Chair (Ms. Soo Wong): Schedule 3 is now carried.

We're on schedule 4, section 1. There is no motion before us. Are there any questions or comments on this particular schedule and this section? Seeing none, I'm going to call the question. Shall schedule 4, section 1 be carried? Carried.

Schedule 4, section 2: Any questions, any comments? There is no motion for this particular section. Seeing none, I'm going to call the question. Shall schedule 4, section 2 be carried? Carried.

I believe there is a motion here from the opposition, motion number 5. Mr. Fedeli, do you want to read it for the record?

Mr. Victor Fedeli: I move that subsection 7.5(5) of the Broader Public Sector Accountability Act, 2010, as

set out in section 3 of schedule 4 to the bill, be amended by striking out "as of the day the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on the earlier of the date named by proclamation under this section and the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50% of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions or comments? Mr. Baker?

Mr. Yvan Baker: Sorry; you're done?

The Chair (Ms. Soo Wong): He finished reading the motion.

Mr. Yvan Baker: I just want to reiterate some of the points I made before and maybe add a few others. I think this is similar to some of the other motions that the PCs have introduced.

As Hydro One transitions into a public company, it absolutely needs to have oversight. It needs to have appropriate oversight. The government continues to be committed to that, to accountability, to regulation, to transparency. But at the time of the IPO and when the first 15% of the shares are sold, Hydro One ceases to become a crown corporation, so it's at that time that different mechanisms for oversight are required. There will be a number of mechanisms for oversight. I have to say that the government is committed that Hydro One will continue to be regulated. I don't want that to be lost. The government is committed to the fact that Hydro One will remain regulated.

Let me give you a few points to illustrate what I mean. First of all, Denis Desautels, who is the former Auditor General of Canada, will ensure fairness throughout the IPO process; that's the first. The Ontario Energy Board, the OEB, will continue to have oversight of the company and approve its rates. It's the OEB that approves rates, and the OEB will continue to have oversight over Hydro One. We will introduce legislation to strengthen the OEB. Hydro One will continue to be regulated by the Ontario Business Corporations Act and the Ontario Securities Act and will continue to file information with the Ontario Securities Commission.

Hydro One will disclose compensation of the CEO, the CFO and three of the other highest-paid executives of the corporation every single year.

Mrs. Laura Albanese: And all the members of the board.

Mr. Yvan Baker: And all the members of the board; thank you. And we're proposing to allow some transition time for officers of the Legislature to continue the work that is already under way.

Ontario will remain the largest shareholder of Hydro One, by far. We will nominate 40% of the board of directors. Any major decisions of the board would require a two-thirds vote and therefore the government's agreement, the board members' agreement. We will have the power to unilaterally dismiss the board. These are a series of mechanisms that allow us to make sure that we

continue to regulate Hydro One, that we continue to ensure accountability and transparency. That is why we will be opposing the PC motion.

The Chair (Ms. Soo Wong): Any other comments? Mr. Fedeli.

Mr. Victor Fedeli: Look: You can talk about transparency or you can actually be transparent. When you suggest that the people of Ontario would still be the single largest shareholder at 40%—while that is correct, we are not the majority shareholder. There are 60% of the shares that will be owned by other people, other institutions. We lose the hammer. We lose the 100% that we're at today.

Again, we can't be lulled into this security of "Don't worry; we're still going to have the securities commission." Of course, all private companies have those. But this isn't a private company.

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Today, this is a public company owned by the people of Ontario. When we still own 90%, 80%, 70%, 60%, 50% and even down to 40%—the minority shareholder. We have no more oversight from the Auditor General, the Integrity Commissioner, Management Board of Cabinet, the Ombudsman, freedom of information and the Municipal Act as well. The list goes on and on of what they're cutting from us.

Make no mistake: These are drastic cuts to the oversight that we have today. I cannot stress this enough. What this amendment does is change the phase-out date. Look, it's a half measure, but to give us a little—we're clinging here. In this majority government, we're desperately clinging to some semblance of transparency before they take it all away from us.

The Chair (Ms. Soo Wong): Okay. I've got Ms. Albanese.

Mrs. Laura Albanese: I just wanted to clarify that no other individual, group or entity will be able to own more than 10% of the company. There is not a major shareholder that will hold 60%. The government will certainly be the largest shareholder of Hydro One and will nominate 40% of the board of directors. This is to the reference that there will be no control.

I want to reiterate that two thirds of the board vote is required for any major decision. We will have the power also to unilaterally dismiss the board. I just want to make that clear.

Also, this framework is the one that the government has been advised on by the experts to maintain and retain effective control and to still be the major shareholder.

The Chair (Ms. Soo Wong): All right. Two more speakers. Mr. McDonell?

Mr. Jim McDonell: Just some concern, because I don't know anybody's math that would think that 40% of 100% would ever carry a deciding vote. We see, in the case of Ornge, as an example, where the government was responsible directly for the payments to a company and where we had a Minister of Health who said she had no way of knowing what was going on.

In a case like this, where Hydro One will be doing its own billing, there's no control over the billing. We talk

about the energy board. All the energy board can do is pass on costs. We have had a lot of, I guess, what people in my riding call crazy policies of this government that have added huge costs. The energy board is forced to pass those on. They have no choice. They can't comment on something, and if they do add any criticism, I guess this government has the threat of dismissing members. So in a way, we have less control than we do over some of these other corporations, because they could at least stand up and disagree with the policy of the government. This board here will be basically brow-beaten into "Agree or remain quiet or we may just dismiss you as a shareholder." Anyway, it's a concern.

I don't buy the energy board having any say, because they are only forced to pass on costs. Whatever policies or requirements that come through based on the policies of this government the energy board will be forced to pass on to customers, just like we see with less revenue, where the shares have been sold out to the power union corporations. That is less revenue coming back, so less money to pay off the debt. The energy board will be forced to increase rates to cover that loss of revenue, as well as the revenue lost to these other private corporations.

Anyway, it's a concern, and I think people are furious. I think you know that. You've seen the articles and you've talked to your own residents. You know people are furious about the selling off of Hydro One. It's a catastrophe just waiting to get worse.

The Chair (Ms. Soo Wong): Okay. Ms. Fife?

Ms. Catherine Fife: I appreciate in principle what the PC caucus is trying to do. We just fundamentally disagree that this government has a mandate to sell off Hydro One. Quite honestly, you are taking the people of this province, who are owners of a major public asset, and you're going to make them tenants and you're not protecting them throughout the process. You're making false promises of security to them.

The recent appointments to the Ontario Energy Board I think confirm that the people's interests, the citizens of this province, will not be foremost at the top of the minds of the shareholders or the board. We are not going to support this motion because we just think that it's participating in a process that is fundamentally undemocratic, Madam Chair.

The Chair (Ms. Soo Wong): Mr. Baker?

Mr. Yvan Baker: Can I just request a recorded vote on this?

The Chair (Ms. Soo Wong): You want a recorded vote? There is a request for a recorded vote. There are no more speakers. I'm going to call the question.

Ayes

Fedeli, McDonell.

Nays

Albanese, Baker, Fife, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): The motion is lost.

I'm going to call the question on schedule 4, section 3. Any questions and comments before we vote on this particular section, schedule 4, section 3?

Mr. Victor Fedeli: Which one?

The Chair (Ms. Soo Wong): No, no; that's your motion. Now I'm going to call the question to the entire section and this schedule; that's what I'm trying to do. Shall I call the question? All those in favour of schedule 4, section 3? Opposed? Schedule 4, section 3 is now carried.

Schedule 4, section 4: Are there any questions and comments? There are no motions put forward. Any questions or comments? Seeing none, I'm going to call the question. Shall schedule 4, section 4, be carried? All those opposed? Carried.

All right. Now I'm dealing with schedule 4, section 5. I believe there's a motion from the opposition. Mr. Fedeli or Mr. McDonell, do you want to read it for the record?

Mr. Jim McDonell: I move that subsection 7.19(4) of the Broader Public Sector Accountability Act, 2010, as set out in section 5 of schedule 4 to the bill, be amended by striking out "as of the day the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions and comments to the motion? Mr. Milczyn?

Mr. Peter Z. Milczyn: I'll just reiterate the remarks made by Mr. Baker earlier. As this company transitions from being solely owned by the province of Ontario to becoming a publicly traded company, it will operate in the manner that every publicly traded company in this province operates under the regulations of the Ontario securities and trade commission, the Business Corporations Act and so on. There will be numerous safeguards there. It would not be appropriate for it to continue to be under the auspices of these officers.

We don't need to go over this again and again; it's pretty clear that when a company moves to being a publicly traded company there are a whole series of regulatory provisions that protect shareholders and the public in terms of how that company will be operating.

The Chair (Ms. Soo Wong): I see a hand from Mr. McDonell.

Mr. Jim McDonell: I certainly disagree with that logic because I look at this somewhat like the telecommunications companies, where they have a regulatory process. Any time any decision is made, they're responsible for doing research, making that public, allowing people to come in and interrogate them. These proceedings take sometimes as much as a year before you can get any rate increase. This one here will simply go to the energy board, which will be forced to pass on costs. There's no discussion; the costs are highlighted. They

have to keep it solvent. That's their only choice. There's quite a difference in process. Both are monopolies where there's very little choice. In the telecommunications field there is substantial choice, but we still have those protections in place.

This is Hydro One, where you have no other choice for your power. We see many places even wanting to shift between distribution companies. There's no choice given to them. They must buy their power from the local distribution company. Here, all we're doing—there's no oversight, no regulatory process, other than an energy board that would be forced to pass on any changes or any costs to hit the industry. I think it's fundamentally different. Public companies generally don't look after essential services like we have here.

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The Chair (Ms. Soo Wong): Okay. Mr. Fedeli.

Mr. Victor Fedeli: The people have a right to know what's happening within an organization that they own a majority of. At the moment, we own 100% of hydro. They talked about how a publicly traded company has many other oversights, but what we're talking about is day one. We lose one share of hydro, and all of a sudden it falls out of everything. So what this particular amendment does is change the schedule so that all those protections that we have can stay while we own at least 50% of hydro. If we're the true majority owner and majority shareholder, then at least let us cling to some semblance of transparency while we own half of it. It makes hydro remain a public company until more than half is privatized. That's what this particular motion does.

The Chair (Ms. Soo Wong): Any other comments and questions?

Seeing none, I'm going to call the question to motion number 6. All those in favour of motion number 6? All those against? The motion is lost.

Schedule 4, section 5: Shall it be carried?

Ms. Catherine Fife: Recorded vote.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, McDonell.

The Chair (Ms. Soo Wong): Section 5, schedule 4, is now carried.

Schedule 4, section 6: There's no motion before us. Any questions and comments before I call the question?

Ms. Catherine Fife: On schedule 4 as a whole?

The Chair (Ms. Soo Wong): No. Schedule 4, section 6. It's not the entire section yet.

Ms. Catherine Fife: Yes.

The Chair (Ms. Soo Wong): We still have a section.

So schedule 4, section 6: Are there any questions and comments?

Seeing none, I'm going to call the question. Shall schedule 4, section 6 be carried? All those in favour? All those opposed? So schedule 4, section 6 is now carried.

I'm going to call the question to the entire schedule 4.

Ms. Catherine Fife: This is a recorded vote.

The Chair (Ms. Soo Wong): Okay. Any questions and comments to the entire schedule 4? Seeing none, I'm going to call the question.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, McDonell.

The Chair (Ms. Soo Wong): Schedule 4 is carried.

We're now on schedule 5, section 1. I believe there are a couple of motions put forward.

Mr. Fedeli, do you want to read it into the record?

Mr. Victor Fedeli: I do.

The Chair (Ms. Soo Wong): Okay. So this is motion number 7, everybody. Mr. Fedeli.

Mr. Victor Fedeli: I move that subsection 1(1) of schedule 5 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions and comments to this particular motion?

Mr. Victor Fedeli: Again, Chair, if I may.

The Chair (Ms. Soo Wong): Okay.

Mr. Victor Fedeli: What this amendment does is ensure that Hydro One is not exempt from the broader public sector salary caps that were instituted in 2014.

The Chair (Ms. Soo Wong): Okay. Any questions and comments? Ms. Fife.

Ms. Catherine Fife: We're going to be supporting this motion. But this government has proven that they cannot get broader public executive salaries under control. It's a long-standing issue, and we appreciate the fact that the PCs have brought forward this motion.

The Chair (Ms. Soo Wong): All right. Any questions and comments? Ms. Hoggarth.

Ms. Ann Hoggarth: Let me be clear that publicly traded companies have different oversight mechanisms. We've said this over and over. Also, I think Mr. Baker and Mr. Milczyn said that Hydro One will annually disclose its compensation for the CEO, every member of the board of directors, the chief financial officer and the three other highest-paid executives of the corporation. We still want it to have accountability, regulation and transparency.

The Chair (Ms. Soo Wong): Mr. McDonell.

Mr. Jim McDonell: It's clear that we have some concern. Even when Hydro One was under public measures, we saw a huge abuse of salaries and pension benefits.

This is not a typical public company where they're worried about keeping costs down because they have to compete. This is a company that does not have to

compete. Their costs are passed on through the energy board, which looks at and agrees with changes. If they make bad decisions, the general public will not be aware of them, because these are all under closed hearings. Salaries will not be disclosed anymore. We won't have an opportunity to scrutinize these. And if they do a bad job, unless you're willing to just go without power, you have no choice.

We think it's much different than a normal private corporation that must deal with the market. This is a company that does not have to deal with the market.

The Chair (Ms. Soo Wong): Mr. Baker? No?

All right, I'm going to call the question, seeing no more speakers.

All those in favour of motion number 7? I'm calling the question. All those in favour? All those opposed to motion number 7? The motion is lost.

I believe there's another motion: motion number 8. Mr. McDonell, do you want to read it for the record?

Mr. Jim McDonell: I move that subsection 1(2) of schedule 5 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions or comments for this particular motion? I'm going to call the question—

Mr. Victor Fedeli: I have a comment.

The Chair (Ms. Soo Wong): Oh, sorry. Mr. Fedeli.

Mr. Victor Fedeli: Just to be perfectly clear, our amendment that we're bringing forth would remove the exemption for the ORPP Administration Corp. from those employees to be removed from the broader public sector salary caps that were instituted in 2014.

Here we are, with the ORPP Administration Corp. not even formed yet—it hasn't even been discussed with us yet; I don't think the Liberals even have a clue of how this thing is going to go—and already they're trying to remove the transparency from the ORPP, which hasn't even been formed. This one boggles my mind.

The Chair (Ms. Soo Wong): I've got Ms. Albanese first.

Mrs. Laura Albanese: I think we do have a clue of how we want the ORPP to be truly effective, and that entails attracting the right talent.

But more importantly, we need to be closely aligned with the industry standards for accountability and compensation that are in place in other leading public pension plans. That's what we're doing. Those pension plans uphold an extremely high standard of accountability and transparency, and we want to do exactly that. The ORPP will build on these successful accountability measures. I want to say that some of these measures include establishing a governance committee to develop and review the compensation framework, and producing an annual report that clearly outlines the compensation framework.

The Chair (Ms. Soo Wong): I have Ms. Fife on the list to speak.

Ms. Catherine Fife: I think it's incredible that the government has tried to remove the oversight around public sector compensation for the ORPP Administration Corp. I think that it's shameful, Madam Chair.

If we look at what happened in BC, where this same model was applied for a provincial plan, the top administrators in the BC plan were pulling out \$2.5-million salaries because they had negotiated their framework and they tied performance of the fund to their salaries.

The top public servants in BC are actually the people who are managing the pension fund, and that's not the goal of the fund. The fund is supposed to benefit the people who, based on the plan, are actually contributing to it, not the managers at the top.

This government has a record of not controlling public sector executive salaries. They do not. So removing them from the oversight is just incredible. It's basically an insult to the people of this province, and it certainly isn't anything to laugh about.

The Chair (Ms. Soo Wong): Okay, I'm going to turn to Mr. McDonnell.

Mr. Jim McDonnell: We're looking at benefits here that, in the last review, the Auditor General revealed are the highest in the industry. We're not looking to protect—these pension benefits were obscene, with the contributions being made by the public.

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We just think that this is another issue where as soon as one share, 1%, is sold, we lose all control over oversight. This may take quite a period of time before the final board is put in place. During that whole period of time, there is no oversight. This is just another one that we're losing, and we think it's wrong.

If you want to be devious, the government could go out and sell 1% and then remove it from all oversight, because there's no question the oversight that the independent officers have been providing has been very embarrassing to this company because of the reckless overview that they've done with these. We just think it's wrong.

The Chair (Ms. Soo Wong): Any more questions and comments? I'm going to call the question. All those in favour of motion number 8? All those opposed to motion number 8? The motion is now lost.

I believe there's another motion: number 9. Mr. Fedeli, do you want to read it for the record?

Mr. Victor Fedeli: I move that subsection 1(3) of schedule 5 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions and comments to motion number 9? I see none. Can I call the question? All right. All those in favour of motion number 9? All those against motion number 9? The motion is lost.

I'm going to go to the question now. Shall schedule 5, section 1 be carried? All those against schedule 5, section 1? Schedule 5, section 1 is now carried.

I believe there are more motions coming forward, motion number 10 for schedule 5, section 2. Mr. McDonnell or Mr. Fedeli, do you want to move the motion?

Mr. Victor Fedeli: I move that subsection 2(1) of schedule 5 to the bill be amended by striking out "Subject to subsection (2)".

The Chair (Ms. Soo Wong): Any questions and comments to this motion? Ms. Hoggarth.

Ms. Ann Hoggarth: We oppose this, and the reason we do is because you have to attract the right talent. You need to be closely aligned with industry standards in this situation for accountability and compensation.

Very clearly, my personal experience is with the Ontario Teachers' Pension Plan and how wonderful it was that we were able to have Claude Lamoureux take the plan from \$16 billion to \$60 billion. It's now at \$157 billion. You have to get the best people for the job. It's very important that we do that.

The Chair (Ms. Soo Wong): Mr. Fedeli.

Mr. Victor Fedeli: I don't think we need be secretive to be effective in hiring the right people.

The Chair (Ms. Soo Wong): Any more questions and comments? Seeing none, I'm going to call the question. All those in favour of motion 10? All those opposed to motion 10? The motion is lost.

I believe there is another motion: motion 11. Mr. Fedeli, do you want to read it into the record? Oh, Mr. McDonnell.

Mr. Jim McDonnell: I move that subsection 2(2) of schedule 5 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions and comments to motion number 11? I see none. I'm going to call the question. All those in favour of motion number 11? All those opposed to motion number 11? The motion is now lost.

Shall schedule 5, section 2 be carried? All those opposed to schedule 5, section 2? It's now carried.

The question now is, shall schedule 5, the entire schedule, be carried?

Ms. Catherine Fife: A recorded vote.

The Chair (Ms. Soo Wong): Now we've got a recorded vote.

Mr. Yvan Baker: Point of order, Chair: You called the question. A number of members expressed their views, and then a recorded vote was called for.

Ms. Catherine Fife: No, it's on the whole section. She just said "on the whole section," and then—

Mr. Yvan Baker: But in my view, Chair, humbly, you called the question. A number of members expressed how they were going to vote, then the recorded vote was requested. I believe the recorded—you've—

Ms. Catherine Fife: What have you got against recorded—

Mr. Yvan Baker: If I may finish. I believe you ruled that a recorded vote has to be requested before the question is called.

The Chair (Ms. Soo Wong): I just want to be very clear to everybody. I always ask, "Are there any questions and comments?" before the schedule or the sections get voted on. If you want a recorded vote, it is every member's responsibility to ask that before I go into the question. For this particular one, I already asked the question, so we're not going to be doing a recorded vote because I already asked the question.

I'm going to call the question again. All those in favour that schedule 5 be carried? It's now carried. All those opposed? Okay. All right, schedule 5 is now carried.

Dealing with schedule 6, section 1, there are no motions. Any questions or comments before I call the question? Seeing none, can I call the question? Shall schedule 6, section 1 be carried? All those in favour? Carried. All those opposed? It's carried.

Schedule 6, section 2: There are no motions put forward. Any questions and comments? Seeing none, can I call the question? Shall schedule 6, section 2 be carried? Carried.

Shall schedule 6, the entire schedule, be carried? Carried. All those opposed? Schedule 6 is now carried.

We are now on schedule 7, section 1. There are no motions put forward. Any questions and comments? Seeing none, I'm going to call the question. Shall schedule 7, section 1 be carried? Carried.

Mr. Arthur Potts: Chair?

The Chair (Ms. Soo Wong): Yes, Mr. Potts?

Mr. Arthur Potts: Can we bundle the sections that have no motions attached?

The Chair (Ms. Soo Wong): I could, but it's the will of the committee. What is the will of the committee?

Interjection.

The Chair (Ms. Soo Wong): You're fine with that? Okay. There's no motion. Is it okay with everybody? Okay, all right.

I'm going to go back now. Shall schedule 7, section 1 through to schedule 7, section 3, inclusive, be carried? Carried.

I'm going to ask the question: Shall schedule 7 be carried? Carried. Schedule 7 is now carried.

There is no motion put forward for schedule 8, so I'm going to bundle the entire section, 1 through 5, for the votes. Shall schedule 8, section 1 through to schedule 8, section 5, inclusive, be carried? Carried.

Shall schedule 8 be carried? Carried.

We're now on schedule 8, section 1. Are there any questions and comments?

Mr. Arthur Potts: Schedule 9?

The Chair (Ms. Soo Wong): Schedule 9, section 1: Any questions and comments? Seeing none, I'm going to call the question. Shall schedule 9, section 1 be carried? Carried.

I believe there is a motion before us: motion number 12. Ms. Albanese, do you want to read it for the record?

Mrs. Laura Albanese: I move that section 48.1 of the Electricity Act, 1998, as set out in section 2 of schedule 9 to the bill, be amended by adding the following sub-section:

“Internal transactions

“(7.1) Subsections (6) and (7) do not prevent or limit any transactions between Hydro One and any of its subsidiaries or between any of its subsidiaries.”

The Chair (Ms. Soo Wong): Any questions or comments to the motion put forward by Ms. Albanese? Seeing no more speakers to this item, I'm going to call the question.

All those in favour of motion number 12? All those opposed to motion number 12? The motion is now carried. Motion 12 is carried.

Shall schedule 9, section 2, as amended, be carried? Any questions and comments first? Seeing none, all those in favour of schedule 9, section 2, as amended? Carried. All those opposed? Okay.

I'm now on schedule 9, section 3. I believe there are some motions here. Mr. Fedeli, do you want to move motion number 13?

Mr. Victor Fedeli: I move that section 48.2 of the Electricity Act, 1998, as set out in section 3 of schedule 9 to the bill, be amended by adding the following section:

“Cost-benefit analysis

“(0.1) The Minister of Finance shall prepare a cost-benefit analysis of the proposed sale of common shares of Hydro One Inc. by the Minister of Energy on behalf of Her Majesty in right of Ontario and shall table the analysis in the Legislative Assembly before December 31, 2015.”

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The Chair (Ms. Soo Wong): Any questions or comments to this motion? Mr. Fedeli.

Mr. Victor Fedeli: I'll be as brief as I can, seeing the time. Look: When the Green Energy Act was passed—in November 2011, the Auditor General told us that the biggest reason for its catastrophic failure is the fact that no business plan was written.

When we saw the smart meter program being addressed by the newer Auditor General, she, too, said that the biggest reason this thing failed miserably and cost \$2 billion instead of \$1 billion was that no business plan was written.

So here we are. We're asking that a cost-benefit analysis, a business plan, be written for the sale of Hydro One. This is the biggest sale in our history, and we don't have a plan.

The Chair (Ms. Soo Wong): Ms. Albanese.

Mrs. Laura Albanese: Yes, I just wanted to add that the government has already conducted independent analysis in regard to the cost and the benefits attendant upon the IPO and its impacts on the government's fiscal position. So all necessary relevant information has been received and it has been evaluated.

Further, the wording of the government's proposed bill would not prevent the conducting of a further cost-benefit analysis if more work in this regard is desired. So the proposed motion could actually delay the implementation of the government's policy by requiring further duplicative work. We don't want to duplicate the work that has been done already.

The Chair (Ms. Soo Wong): Thank you. Ms. Fife.

Ms. Catherine Fife: Thank you, Madam Chair. New Democrats have already called into question the current assessment on the sale of Hydro One, based on the work that Mr. Clark has done, and several well-known economists have challenged the assessments and evaluations as they are already put forward.

The fact of the matter is that this is the largest transfer of wealth from the public sector to the private sector in

the history of this province. Regardless of whether or not you do a cost-benefit analysis, the people of this province are losing at the end of it. So we're not going to support this motion and, obviously, not this bill.

The Chair (Ms. Soo Wong): Mr. McDonell.

Mr. Jim McDonell: We're looking at a project here, a corporation that has rung up a huge debt over the last 25 years, or—I'm sorry; the last 12 years. We just don't see the analysis showing it's getting paid off without raising rates.

Again, because we're selling off a number of these shares to the Power Workers' Union, using them to fund their pension, and now we're turning around and giving away 60% of the revenue for a debt that has been increasing, I think, almost \$20 billion over the last 12 years—what's going to pay this off? Again, rates will have to go up. We've been told, "Don't worry. The energy board will have to approve them." They have no choice but to approve these costs. The government cannot let this company fail. Interest rates go up. If they stay stable, they still have to pay off the debt, and we're not seeing this.

We're not seeing enough information to tell us if the government has looked at it. I think that if that information is there, it should be made public. We should be able to see that.

The Chair (Ms. Soo Wong): Mr. Baker.

Mr. Yvan Baker: What we're talking about here is a cost-benefit analysis. This issue received a tremendous amount of analysis oversight from some of the leading experts on the topic. The advice was received from the Premier's advisory council, led by Ed Clark, as well as from expert advisers, ministries and government. These are some of the most qualified people to be running this kind of analysis, and I think we've demonstrated through that process that we were serious about bringing in some of the most qualified people to review this, to running those cost-benefit analyses. That work has most certainly been done.

The Chair (Ms. Soo Wong): Ms. Fife.

Ms. Catherine Fife: Just on that: Mr. Clark promised to work pro bono. It actually cost the taxpayers of this province \$7 million in consulting fees to some very well-connected Liberal consulting agencies. There's a great disparity between the November analysis that Mr. Clark put forward and then the recommendation as it pertains to Bill 91.

Mr. Clark originally, in November, did not recommend the extent of the privatization of Hydro One in the fall. He did not. So there are great inconsistencies in the messaging from the government side on this, as there is with Mr. Clark's report.

The Chair (Ms. Soo Wong): Ladies and gentlemen, seeing that it's 10:15, by order of the House, I have to recess the committee until 2 o'clock this afternoon.

Mrs. Laura Albanese: We can't even vote on this yet?

The Chair (Ms. Soo Wong): It's 10:15. The clock ticks. That's what the rules of engagement are. I'm very sorry.

We'll resume the discussion at 2 o'clock this afternoon. Thank you.

The committee recessed from 1015 to 1400.

The Chair (Ms. Soo Wong): Good afternoon. When we recessed this morning, we were at motion number 13. My question for the committee members: Is there further debate on this particular motion, number 13? Do we have any more debate?

Mr. Victor Fedeli: This was my recorded vote.

The Chair (Ms. Soo Wong): Yes. Ms. Hoggarth?

Ms. Ann Hoggarth: I'll be suggesting that we vote against this motion because, as was said previously, the government already conducted an independent analysis regarding the costs and benefits attendant upon the IPO and its impact on the government's fiscal position. All necessary relevant information has been received and evaluated. The wording of the government's proposed bill will not prevent the conducting of further cost-benefit analysis if more work in this regard is desired.

Also, the requirement to table more analysis could cause further delay and could interfere with the processes which are intended to maximize the value in the market. I will be voting against this amendment.

The Chair (Ms. Soo Wong): Do we have any further discussion on this particular motion? Seeing none, I'm going to be calling the question. Mr. Fedeli has asked for a recorded vote; I just want everybody to know what we're about to do.

Ayes

Fedeli.

Nays

Albanese, Fife, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): The motion is defeated. Ms. Albanese?

Mrs. Laura Albanese: I would like to respectfully ask once again for unanimous consent to consider schedule 44 now. I may not have been clear this morning, so I just want to illustrate why.

Schedule 44 contains amendments to the Trillium Trust Act, and the government is putting forward amendments to confirm in law our commitment to dedicating all net proceeds gained from the sale of qualifying assets to the Trillium Trust. In addition, the government has put forward amendments that will make it clear that all net proceeds from broadening the ownership of Hydro One and from the sale of the LCBO head office lands, OPG head office properties and Lakeview generating station lands go to the Trillium Trust. These amendments—

Ms. Catherine Fife: Point of order, Madam Chair.

Mrs. Laura Albanese: Excuse me, can I finish, please?

Ms. Catherine Fife: On unanimous consent, we don't get—

Mrs. Laura Albanese: These are the amendments that the members opposite specifically requested—

Ms. Catherine Fife: No, there's no debate on unanimous consent. The member is actually introducing debate into this.

Mrs. Laura Albanese: No, no. I just wanted to explain why.

Ms. Catherine Fife: That would be debating. That's debating.

Mrs. Laura Albanese: No, it's not debating.

Ms. Catherine Fife: Yes, it is.

Mrs. Laura Albanese: It's because this morning it seemed that other members didn't understand why I was asking for unanimous consent for schedule 44—

Ms. Catherine Fife: It's debating. We understand.

Mrs. Laura Albanese: You agree with this too. I think you said that the funding that is supposed to be dedicated for infrastructure—

Ms. Catherine Fife: Again, Madam Chair, she's debating this unanimous consent motion. I'm saying no right now to unanimous consent.

The Chair (Ms. Soo Wong): Okay. Let's stop right here. Ms. Albanese is seeking unanimous consent to consider schedule 44. I just need to know, do we have unanimous consent?

Ms. Catherine Fife: No.

Interjection.

The Chair (Ms. Soo Wong): Okay. That's it.

We're going back to motion number 14. Mr. Fedeli, do you want to move your motion?

Mr. Victor Fedeli: No, it's not mine.

The Chair (Ms. Soo Wong): It's the government—sorry. Government side: Mr. Potts.

Mr. Arthur Potts: I move that subsection 48.2(1) of the Electricity Act, 1998, as set out in section 3 of schedule 9 to the bill, be struck out and the following substituted:

“Restriction on share ownership

“(1) No person or entity, and no combination of persons or entities acting jointly or in concert, may beneficially own or exercise control or direction over more than 10 per cent of any class or series of voting securities of Hydro One Inc. However, this restriction does not apply with respect to voting securities of Hydro One Inc. held by the minister on behalf of Her Majesty in right of Ontario.”

The Chair (Ms. Soo Wong): Okay. Are there any questions or comments to motion number 14? Ms. Fife?

Ms. Catherine Fife: Madam Chair, Hydro One should not be for sale. This government did not indicate to the people of this province that they were going to privatize Hydro One. This motion is just trying to throw a smokescreen on what they are actually doing. The NDP will not be supporting this government motion.

The Chair (Ms. Soo Wong): Mr. Potts.

Mr. Arthur Potts: I just want to clarify: This is really a technical amendment if we're changing the words “voting shares” for “voting securities.” It's pretty much what was already in the bill except for that minor tech-

nical change, and you'll see more of the same. Thank you.

The Chair (Ms. Soo Wong): Ms. Fife.

Ms. Catherine Fife: Madam Chair, if it was supposed to be in the bill, then you should have put it in the bill. Secondly, the bigger issue is that Hydro One should not be for sale.

The Chair (Ms. Soo Wong): Okay. Any other questions or comments? Mr. Fedeli.

Mr. Victor Fedeli: We'll be commenting on that change on one of the upcoming motions.

The Chair (Ms. Soo Wong): Okay, not for this. Do we have any questions or comments before I call the question? Seeing none, I'm going to call the question. All those in favour of motion number 14? All those opposed? Okay. The motion is passed.

We now have motion number 15. I believe it's the government side. Who will be reading this particular motion?

Mr. Arthur Potts: I'm happy to carry on.

The Chair (Ms. Soo Wong): I think Ms. Albanese is going to.

Mrs. Laura Albanese: Yes. I move that subsections 48.2(2), (3) and (4) of the Electricity Act, 1998, as set out in section 3 of schedule 9 to the bill, be amended,

(a) in subsection (2), by striking out “shares” wherever it appears and substituting in each case “voting securities”;

(b) in subsection (3), by striking out “voting shares” and substituting “voting securities”; and

(c) in subsection (4), by striking out “voting shares” wherever it appears and substituting in each case “voting securities”.

The Chair (Ms. Soo Wong): Any questions or comments? Ms. Fife.

Ms. Catherine Fife: Madam Chair, it's ironic that the government is going to such lengths to protect voting shares, otherwise known as the shareholders of this new public-private organization, when you didn't take this to the people of this province. You have no mandate to sell Hydro One, but you're willing to include amendments to make sure that voting shares and voting securities are all protected.

The Chair (Ms. Soo Wong): Any other questions or comments? All right. So I'm going to call the question.

All those in favour of motion 15? All those opposed? Motion 15 is carried.

I believe it is motion 16 that is before us; let me just check. Mr. Fedeli, do you want to move that motion?

Mr. Victor Fedeli: Thank you. I move that subsections 48.2(5), (6) and (7) of the Electricity Act, 1998, as set out in section 3 of schedule 9 to the bill, be struck out and the following substituted:

“Restriction on province's sale, etc.

“(5) The minister on behalf of Her Majesty in right of Ontario shall not sell, dispose of or otherwise divest any common shares of Hydro One Inc. if the sale, disposal or divestment would result in the minister on behalf of Her Majesty in right of Ontario owning a number of common

shares that is less than 50 per cent of the outstanding number of common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force.”

The Chair (Ms. Soo Wong): Any questions or comments to this particular motion? Mr. Fedeli.

Mr. Victor Fedeli: I had asked for a recorded vote on this.

The Chair (Ms. Soo Wong): Okay. Mr. Milczyn first and then Ms. Fife.

Mr. Peter Z. Milczyn: We’re not going to be supporting this amendment. It’s contrary to the advice that we received from the advisory committee on the disposal of government assets. We had a number of experts look at it, and they looked at what the appropriate structure of this corporation should be. They advised us that selling up to 60% is the right thing to do to maximize the value, and that’s what I think we should stick with: the advice of experts.

The Chair (Ms. Soo Wong): Ms. Fife.

Ms. Catherine Fife: Thank you, Madam Chair. I would have liked to have heard the mover speak to the motion. My take on this, though, is that the motion allows Hydro One to issue shares to its employees for free, and this would be against the law for any other Ontario corporation. But this section creates a special exemption for the Business Corporations Act for Hydro One, so we won’t be supporting it.

The Chair (Ms. Soo Wong): Mr. Fedeli.

Mr. Victor Fedeli: Yes. I understand what Mr. Milczyn said, but I wanted to know: Was this the advice that the government was given by Ed Clark in November 2014 or when he turned 180 degrees around and gave contrary advice in 2015? Which one was that in?

1410

The Chair (Ms. Soo Wong): Mr. Milczyn.

Mr. Peter Z. Milczyn: It’s the best advice that we received, and we’re acting on it.

The Chair (Ms. Soo Wong): Mr. Milczyn, do you have any comments?

Mr. Peter Z. Milczyn: I just gave my comment: It’s the advice that we’re acting on.

The Chair (Ms. Soo Wong): Okay. Do we have any more questions and comments to motion number 16? It’s a recorded vote, according to Mr. Fedeli, so I’m going to be calling the question.

Ayes

Fedeli, Pettapiece.

Nays

Albanese, Baker, Fife, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): The motion is defeated.

I believe we have motion 17 before us. Who would like to speak on record? Ms. Albanese?

Mrs. Laura Albanese: Sure. I move that subsections 48.2(5), (6) and (7) of the Electricity Act, 1998, as set out in section 3 of schedule 9 to the bill, be struck out and the following substituted:

“Restrictions on province’s sale, etc.

“(5) The minister on behalf of Her Majesty in right of Ontario shall not sell, dispose of or otherwise divest any voting securities of Hydro One Inc. of any class or series of voting securities of Hydro One Inc. if the sale, disposal or divestment would result in the minister on behalf of Her Majesty in right of Ontario owning less than 40 per cent of the outstanding number of voting securities of that class or series.

“Maintaining provincial ownership

“(6) If, as a result of the issuance of additional voting securities of any class or series by Hydro One Inc., the minister on behalf of Her Majesty in right of Ontario owns less than 40% of the outstanding number of voting securities of that class or series, then the minister shall, subject to the approval of the Lieutenant Governor in Council and subject to the requirements set out in this section, take steps to acquire as many voting securities of that class or series of voting securities as are necessary to increase the minister’s ownership to not less than 40% of the outstanding number of voting securities of that class or series.

“When may acquire voting securities

“(7) The minister shall acquire voting securities in accordance with subsection (6) only if,

“(a) the Lieutenant Governor in Council has determined the manner by which, and the time by or within which, the voting securities shall be acquired and the minister acquires them in accordance with that determination; and

“(b) the minister’s actions and the acquisition comply with the Securities Act and any other applicable act or regulation.

“Funding

“(7.1) The money required for the purposes of subsection (6) shall be paid out of the money appropriated for those purposes by the Legislature.

“Reports

“(7.2) The minister shall table reports in the assembly from time to time regarding the steps the minister has taken under subsection (6).”

The Chair (Ms. Soo Wong): Okay. Any questions, comments to this motion number 17? Ms. Fife.

Ms. Catherine Fife: Clearly the government has realized that they haven’t protected themselves around the 40%. Under subsection 48.2, the government can only take steps to rectify a situation where it owns less than 40% of the shares, subject to the approval of the LG in Council. This is another unknown. What happens if the approval is not granted? That was a question. Sorry; this is for debate.

The Chair (Ms. Soo Wong): Ms. Albanese?

Mrs. Laura Albanese: The proposed amendments are to strengthen the requirement that the province own at least 40% of the voting securities at all times. By

removing the reference to the province's ownership dropping below 10% in 48.2(7) and by requiring the minister to buy additional shares to maintain that 40% level, this would prevent the province's interest becoming diluted.

The Chair (Ms. Soo Wong): Ms. Fife.

Ms. Catherine Fife: As a follow-up, though, the language is such that you are still leaving interpretation for the LG. If the Lieutenant Governor does not approve, there's still an unknown there.

Also, under subsection 48.2(7.2), it reads: "The minister shall table reports in the assembly from time to time" in regard to maintaining the 40% of the government ownership. Why isn't the language strengthened here to show clear lines of accountability? For example, it could read: "The minister shall table reports in the assembly 15 days after the proportion of provincial ownership falls below 40%." This amendment has missed an opportunity to actually demonstrate that the government is serious about the minister truly being accountable as it relates to the reporting structure. The NDP will not be supporting this amendment.

The Chair (Ms. Soo Wong): I've got two more to speak. Ms. Hoggarth.

Ms. Ann Hoggarth: Very clearly, in our hearings, we heard that there were concerns about the 10%—falling below—and we have addressed that with this amendment. Very clearly, we are listening. This amendment changes that. In addition, this motion would demonstrate the province's intention to take actions to return to the 40% in the event that the province's ownership is diluted. The amendments are required to signal the province's commitment to maintaining 40% ownership of Hydro One, even when ownership may become diluted in the future. We were listening.

The Chair (Ms. Soo Wong): Any other questions? Ms. Fife.

Ms. Catherine Fife: Just to that point: Very clearly, you haven't made it very clear, because there are two outstanding questions on this. Once again, we can't support it.

The Chair (Ms. Soo Wong): Any more speakers?

Ms. Ann Hoggarth: A recorded vote.

The Chair (Ms. Soo Wong): Okay, you want a recorded vote. I just to want make sure everybody knows: Motion 17 is a recorded vote.

Any more speakers? Seeing none, all those in favour of motion 17?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fife.

The Chair (Ms. Soo Wong): The motion is carried.

Motion number 18: Mr. Baker, do you want to move the motion?

Mr. Yvan Baker: I move that subsection 48.2(11) of the Electricity Act, 1998, as set out in section 3 of schedule 9 to the bill, be struck out.

The Chair (Ms. Soo Wong): Any questions or comments to motion 18? Mr. Baker.

Mr. Yvan Baker: The proposed amendment is basically technical in nature. It would make terminology consistent with other terminology used in the Electricity Act, 1998, and will help avoid confusion of interpretation.

The Chair (Ms. Soo Wong): Any more questions and comments? Ms. Fife.

Ms. Catherine Fife: Once again, it's just amazing to us that the government is so concerned about terminology when the basic privatization of Hydro One is an act that is clearly undemocratic because you have no mandate to sell Hydro One—just to be consistent.

The Chair (Ms. Soo Wong): Any more comments and questions to motion 18? I'm going to call the question. All those in favour of motion 18? All those against motion 18? The motion is carried.

Shall schedule 9, section 3, as amended, be carried? All those in favour? All those opposed? Schedule 9, section 3, as amended, is carried.

I believe there is no motions for schedule 9, section 4, 5—because if you want, we could move this faster. Shall schedule 9, section 4 be carried? Any questions? Any comments? None. I'm going to call the question then. Shall schedule 9, section 4 be carried? Carried.

We're on schedule 9, section 5. Do we have any comments or questions to schedule 9, section 5?

Mr. Victor Fedeli: Isn't there an amendment?

The Chair (Ms. Soo Wong): No. That is a new subsection.

I'm talking about schedule 9, section 5. There are no motions for that section. Are there any comments and questions before I call the question? Seeing none, shall schedule 9, section 5 be carried? Carried.

Now we've got a new subsection here. I believe motion number 19 is before us. Mr. Baker, do you want to move the motion?

1420

Mr. Yvan Baker: I move that schedule 9 to the bill be amended by adding the following section:

"5.1. The act is amended by adding the following section:

""Holding corporation

""50.2.1(1) Despite subsection 48.2(5), if Her Majesty in right of Ontario is the only holder of voting securities of Hydro One Inc., the minister may transfer all of those voting securities to a corporation established under section 50.1, and if the minister does so, then the following rules apply on and from the completion of the transfer despite anything else in this act, but subject to the regulations under subsection (2):

""1. Every reference in this part and in the regulations under this part to Hydro One Inc. shall be deemed to be a

reference to that corporation established under section 50.1.

“2. Every other reference to Hydro One Inc. in this act and in the regulations and in any other act or regulation shall be deemed to include a reference to that corporation established under section 50.1.

“Regulations

“(2) The Lieutenant Governor in Council may make regulations clarifying or modifying the application of the rules set out in paragraphs 1 and 2 of subsection (1).”

The Chair (Ms. Soo Wong): Do you have questions and comments to motion number 19? Mr. Fedeli?

Mr. Victor Fedeli: I’m not even sure how to begin this one, Chair. This may be the single most heinous thing I have ever seen a government do.

Interjection.

Mr. Victor Fedeli: You can chuckle all you want; you may not even fully understand what you’re about to do here. There are people in your party who do.

The surprise move, if you will, allows a new corporation to be created to sell Hydro One. This government is poised to ram through a bill, through these amendments, allowing a holding corporation, which would be immediately free from public scrutiny, to sell Hydro One at their leisure in secrecy. That’s what you’re about to do today, so you fully understand that. You can shake your heads all you want. This is what you’re doing with this amendment. Between this one and the next one, these are major amendments that fundamentally change the entire transaction.

You can imagine our horror when we received this amendment package on Tuesday afternoon and looked at it. In fact, if you recall, you were driving us to Mount Forest at the time when I was reading the amendments in the vehicle. I called the office. I said, “This has to be wrong. This can’t be what I’m reading.”

The plan by this government all along, it would appear, is what I’ll go so far as to call a secret plan. That’s why they didn’t put this transfer of Hydro One into a holding corporation in the budget. They absolutely did not want the Legislature debating this all through the end of April and all of May and realizing how heinous this is, to bring this major change, and the next one as well, to a committee to have a few minutes of discussion when this fundamentally changes the deal.

This government will now be able to transfer Hydro One into a corporation away from all public scrutiny immediately—not later, but immediately—with no legislative debate about it. This is absolutely unbelievable, the trickery that this government has gone through, to, at the eleventh hour, bring pages, very detailed pages, that fundamentally change the deal. We’ve said it before, but now the seriousness of this comes to light: no more Auditor General, Ombudsman, Financial Accountability Officer, or Freedom of Information and Privacy Commissioner, amongst others. This is something that needed to be debated extensively: the transfer of this largest public asset into a holding corporation that we have no control over. Now all the negotiations can be done in

secret. We may never be able to get a hint of the deal. This is a shocking and embarrassing way for a democratic government to be functioning.

The Chair (Ms. Soo Wong): I’ve got Ms. Fife.

Ms. Catherine Fife: I would like to echo the concerns that Mr. Fedeli has eloquently put into the Hansard, because ultimately what this amendment does is change the history of public power and electricity distribution in the province of Ontario. Also, the very fact that it came to us via an amendment and was not part of the budget bill, so that we could actually thoroughly have a debate, a discussion and consultation on what happens here—essentially what happens here is that, even if the government retains all of the shares of Hydro One—which we know that they don’t want to do; they’re dead set on selling—all shares will be given to a corporation that is not yet established. It is precedent-setting. No other government has ever done anything like this in our history.

Basically we are handing this major public strategic asset to Bay Street in this amendment. This amendment should be defeated if you value the democracy of this province, if you value the shareholders who are the people who currently own Hydro One, the citizens of this province. They have not had a say in this transaction. As far as parliamentary language goes, this is a shady deal, very clearly. That’s very clear. You can’t deny it: You are moving the shares of a public asset to a corporation that has not yet even been created, and then you’re removing all oversight. You’re removing the people of the province from their right to have a say in how public power is distributed in the province of Ontario.

When we got this amendment, I have to tell you, the conversations that we had about where this government is—we never thought, and I’m pretty sure the people of this province never thought, that this government would stoop so low as to move an amendment on a budget bill that does this, that transfers shares to a corporation with no oversight, no accountability and no transparency.

You should not vote for this. On behalf of the people of this province, I’m pleading with you to vote down this amendment.

The Chair (Ms. Soo Wong): I’m going to Mr. Baker.

Mr. Yvan Baker: I’m disappointed to hear some of the language that was used. I think it’s unparliamentary, frankly, but—

Mr. Victor Fedeli: This amendment is unparliamentary.

The Chair (Ms. Soo Wong): Mr. Fedeli, Mr. Baker has the floor.

Mr. Yvan Baker: It’s unparliamentary, and I also think it’s unfair to the members on this side.

There are a few things I would like to say. First of all, the government has been open and transparent about our plan to maximize the value of our assets. It was included in the 2014 Liberal platform and the 2014 Ontario budget. In fact, the NDP ran on a very similar plan.

In October, the advisory council released their interim report. The final report was made public before the budget. We have been debating this issue in this House

for months; that will continue, and legislation will be subject to public hearings and debate.

Since forming the Premier's Advisory Council on Government Assets—

Interjection.

Mrs. Laura Albanese: We listened to you, so we want to finish.

Interjection.

The Chair (Ms. Soo Wong): Okay. Just let me get Mr. Baker finished first.

Mr. Yvan Baker: Since forming the Premier's Advisory Council on Government Assets in April 2014, the council has consulted widely. The panel's report is not ideological. It is evidence-based, and there's support from all sides of the political spectrum, including the Power Workers' Union and former NDP cabinet minister Frances Lankin. That's speaking to the issue of transparency and openness that was addressed, and the issue of valuing democracy as well.

1430

With regard to the amendment itself, this is really a technical amendment. It just basically facilitates the IPO. That's the purpose. So this proposed corporate structure that's included in this amendment is consistent with other publicly traded utilities.

The reason, I understand, that there are concerns about the government's adoption of the Premier's advisory council's recommendations—the opposition has made that clear. But the reason the government is proceeding with this is to make those necessary investments in infrastructure that we all know are required to support our economy and to support our quality of life.

While all that's happening—and I want to go back to something that I mentioned before—Hydro One will continue to be regulated, and there are a number of measures that we've taken to make sure that there's oversight and make sure that there's regulation, first of all.

Denis Desautels, the former Auditor General of Canada, will ensure that there's fairness throughout the IPO process. The Ontario Energy Board will continue to have oversight of the company and approve its rates. It's the OEB that sets rates. We will introduce legislation to strengthen the OEB, to reinforce that.

Hydro One will continue to be regulated by the Ontario Business Corporations Act and the Ontario Securities Act and will continue filing information with the Ontario Securities Commission. Hydro One will disclose compensation of the CEO, CFO and three other highest-paid executives of the corporation each year.

We have proposed some transition time for officers of the Legislature to conclude the work that they have under way, and the government will retain a significant control in a number of ways. First of all, we retain a minimum of 40% of the board of directors, a minimum of 40% ownership. That's what we just discussed in one of the previous motions. Any major decisions require a two-thirds vote of the board, and that would, therefore, require that the government agree to those major decisions, and the government retains the power to unilaterally dismiss the board.

This has been a transparent process. This is a process that allows us to make those investments in infrastructure while making sure that oversight and regulation of Hydro One remains in place.

The Chair (Ms. Soo Wong): I have Mr. Fedeli.

Mr. Victor Fedeli: If you think the words “heinous” or “sneaky” are unparliamentary, this amendment is unparliamentary. They talk about this whole Hydro One sale being open and transparent, except the single greatest change in our public ownership came in the form of an amendment on a Tuesday where we're only debating this on a Thursday. There is absolutely nothing open or transparent about this.

I've got to say, Chair, I'm not entirely sure that the committee fully understands what the government is doing, and I'm referring, respectfully, to the government members of the committee. I don't know if they told you what you are doing, but you are taking Hydro One in an amendment, not in the budget bill—in an amendment. You can't tell me this was only discovered Tuesday. “Oh, we better transfer the entire multi-billion-dollar corporation into a holding company, and we'd better do it on Tuesday with an amendment.”

This is the biggest transfer of a government asset that's going to happen, and you're doing it with an amendment. That's what's happening here. You said we've been debating this issue for months. Well, no. We got this on Tuesday.

This is not the issue we've been debating. We've been debating the sale of Hydro One. You have made this, the transfer of Hydro One, overnight, snap of a finger, and the biggest single transfer in our assets will be done by a couple of amendments. That, to me, is unparliamentary.

The Chair (Ms. Soo Wong): Ms. Fife.

Ms. Catherine Fife: I was going to make some of the same points as Mr. Fedeli. When you get an amendment of this nature so late on a Tuesday—we've never seen anything like this. This is my third go-round of a budget bill.

It's passed off as some sort of technicality, and it's not. This is not specifically just a technicality. It should have been put forward a long time ago. I can see that some of the members are a little bit surprised. It's even more ambiguous than it was in the beginning. We have raised concerns around the lack of oversight as a whole going forward. I'm not sure that you as members even understood the weight of this amendment, but when we got it, we did.

If this amendment had been allowed to be debated in the Legislature, the public would have come in. This is something that they understand. They don't understand the 60% to 40%. When the government says, “We're going to maintain a majority,” I'm not sure in what lexicon 40% out of 100% is a majority. It just is not.

The assurances that Mr. Baker has given us—you're moving forward with some action where there's already such great mistrust right now with this government and the people of the province. I don't think that we could be any more clear on why we disagree with this amendment. I'm not sure why the government thinks it's okay.

I think it should be ruled out of order because it's so drastic, Madam Chair. When the Clerk's office received this amendment, were they not concerned? This is a procedural question for the Clerk's office. The Clerk has the responsibility to the Legislature to make sure that everything that happens in this finance committee and in this bill is actually legal. Has any other government ever tried to transfer a public asset to a corporation that doesn't exist?

Interjection.

The Chair (Ms. Soo Wong): Ms. Fife, to the question you have asked, I was informed that procedurally, the motion is not illegal.

Ms. Catherine Fife: It's not legal.

The Chair (Ms. Soo Wong): Illegal.

Ms. Catherine Fife: It's not illegal. That's a big difference.

The Chair (Ms. Soo Wong): Procedurally.

Are there any comments, Ms. Fife, before we go on?

Ms. Catherine Fife: No, I think I've said everything I had to say.

The Chair (Ms. Soo Wong): Mr. Baker.

Mr. Yvan Baker: I stand by what I said.

The Chair (Ms. Soo Wong): Mr. Fedeli.

Mr. Victor Fedeli: Recorded vote, please.

The Chair (Ms. Soo Wong): A recorded vote is being asked for. Are there any more questions and comments before I call the question?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, Pettapiece.

The Chair (Ms. Soo Wong): Motion number 19 is carried.

Ms. Albanese.

Mrs. Laura Albanese: Yes, I'd like to withdraw motion number 20.

The Chair (Ms. Soo Wong): Okay. Motion 20 is now withdrawn.

We're now on schedule 9, section 6. I just want to check with the committee because we have no motions for schedule 9, sections 6, 7 and 8. Is it all right with the committee that we bundle them together? Is that good with everybody? I see yes.

I'm going to say schedule 9, sections 6, 7 and 8, inclusive. Shall that particular schedule 9, sections 6, 7 and 8, be carried? Carried. Thank you.

I believe there is a motion before us, motion number 21 on schedule 9, section 9. Mr. Baker.

1440

Mr. Yvan Baker: I move that subsection 9(2) of schedule 9 to the bill be amended by striking out "5, 7" and substituting "5, 5.1, 7".

The Chair (Ms. Soo Wong): Okay. Any comments? Mr. Fedeli.

Mr. Victor Fedeli: I'm going to make a comment, but I will ask for a recorded vote.

The Chair (Ms. Soo Wong): Recorded vote, okay.

Mr. Victor Fedeli: This amendment allows whichever of the last two amendments that passed to be proclaimed. That's basically what this amendment does. I just want to make a comment because this pertains to those two, even though one was withdrawn. The one that was withdrawn is the lighter of the two. It specifically named the officers who would no longer have access to this new company. This 21 that we're voting for enacts the one that captures everybody in case there happens to be a new office that would be created. It excludes offices that haven't even been created yet to keep an eye on these guys, where the one that was withdrawn would have cut only the Auditor General, the Broader Public Sector Accountability Act, the Broader Public Sector Executive Compensation Act, the Financial Accountability Officer, the Financial Administration Act, the Freedom of Information and Protection of Privacy Act and the Management Board of Cabinet. That was 20, which was withdrawn; 19, the one that we did, is more overarching and captures more of things that haven't even been created yet. What we're about to do, then, is give the blessing to the one that is the one that I refer to as heinous.

The Chair (Ms. Soo Wong): Any comments? Any further comments or questions? Mr. Baker?

Mr. Yvan Baker: I'm just going to say it again: This is a technical amendment.

The Chair (Ms. Soo Wong): Okay. Any more questions or comments? Ms. Fife.

Ms. Catherine Fife: This argument around technical amendments—I don't know if you just heard the member from Nipissing. If we want to have a sober second thought, if you will, about the privatization of Hydro One, even future governments—you're tying the hands of future governments.

Put this in the context of the 407. Wouldn't you like, as a government, to have had a chance to go back and revisit the terms and conditions of that contract? Of course you would, because that was not a contract that was negotiated in the best interest of the people of this province. When this motion passes, and obviously it's going to pass, even if we wanted to create a specific electricity officer independent of the Legislature who could actually inject themselves into this corporation which now has shareholders at the forefront instead of the citizens—you're tying the hands of future governments, including yourselves, including us and the PCs. That's what's happening with this amendment.

I'm not sure if people understand the gravity of what's happening here today. I don't know if I'm making myself clear. Anyway, of course we're not going to support this.

The Chair (Ms. Soo Wong): Okay. Any more comments or questions? I believe there is a recorded vote.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, Pettapiece.

The Chair (Ms. Soo Wong): Okay. The motion is carried.

Shall schedule 9, section 9, as amended, be carried? Carried.

I'm going to call the next question. Shall schedule 9, as amended, be carried?

Ms. Catherine Fife: Recorded vote.

The Chair (Ms. Soo Wong): What was that? Oh, you want a recorded vote. Okay.

Mr. Yvan Baker: Chair—

Ms. Catherine Fife: She was looking down. She wasn't looking up. She didn't have an opportunity to look at the audience.

Mr. Yvan Baker: Chair, I thought your ruling previously was pretty clear that if someone wants a recorded vote, they have to do it before you call the vote, and you called the vote.

The Chair (Ms. Soo Wong): Okay. I'm just going to be on the record: Please tell both the Clerk and myself in advance, like Mr. Fedeli did earlier, as we go into each section and schedule, which ones you want for a recorded vote. Okay? I'm going to let it go. I hear that there's a recorded vote for schedule 9, as amended. Please raise your hands.

Shall schedule 9, as amended, be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, Pettapiece.

The Chair (Ms. Soo Wong): Schedule 9, as amended, is now carried.

Mr. Victor Fedeli: I have a question.

The Chair (Ms. Soo Wong): Yes, Mr. Fedeli?

Mr. Victor Fedeli: It's more for the Clerk, if you don't mind.

The two, Bill 91, NDP, and Bill 91, PC—that's the one we just handled—they were notices only? That's the one we just voted on?

The Clerk of the Committee (Mr. Katch Koch): Yes.

Mr. Victor Fedeli: And we're moving on to 22?

The Chair (Ms. Soo Wong): Yes. We're going to be going to 22. Just to remind everybody, if it's a notice, it's just to inform everybody in the committee what your intention is as your party. It's not a motion, so there's nothing to talk about.

Right now, we're dealing with motion 22. Mr. Fedeli, do you want to move the motion?

Mr. Victor Fedeli: I move that section 16.1(1) of the Financial Accountability Officer Act, 2013, as set out in section 1 of schedule 10 to the bill, be amended by striking out "on and after the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions and comments to motion 22? Mr. Potts?

Mr. Arthur Potts: This is another one of the same type of amendment we've already dealt with numerous times. The same rationale stands. We can't support this motion.

The Chair (Ms. Soo Wong): Any other comments? Mr. Fedeli.

Mr. Victor Fedeli: This gives us a shot, if you will, Chair, after all of the other ramming-through, that the Financial Accountability Officer does not lose oversight of the utility until after it becomes more than 50% private. The budget, the way it is now, currently removes this oversight the day the bill passes.

The Chair (Ms. Soo Wong): Any more questions and comments to motion 22? I'm about to call the question. All those in favour of motion 22? All those opposed? It's defeated.

Mr. Pettapiece, do you want to move motion 23?

Mr. Randy Pettapiece: I move that section 16.1(3) of the Financial Accountability Officer Act, 2013, as set out in section 1 of schedule 10 to the bill, be amended by striking out "on the first anniversary of the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on the first anniversary of the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions or comments on motion 23? Seeing none, I'm going to call the question. All those in favour of motion 23? All those opposed to motion 23? It's defeated.

Shall schedule 10, section 1, be carried? Carried.

There is no motion for schedule 10, section 2. Are there questions or comments on that particular section? Seeing none, I'm going to call the question. Shall schedule 10, section 2, be carried? Carried.

Shall schedule 10 be carried? Carried.

We're now on schedule 11, section 1. Motion 24: Mr. Pettapiece?

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Mr. Randy Pettapiece: I move that subsection 1(2) of schedule 11 to the bill be struck out.

The Chair (Ms. Soo Wong): Okay. Any questions and comments to motion 24? Mr. Fedeli.

Mr. Victor Fedeli: Just an explanation of what that is: This amendment removes those newly created exemptions for the ORPP Administration Corp. and Hydro One that allow them not to be deemed public companies. By keeping them within the act, these companies would have to publish their financial statements, as well as be subject to the financial regulations imposed by the minister. That's why we're presenting this amendment.

The Chair (Ms. Soo Wong): Any more questions and comments? Ms. Hoggarth?

Ms. Ann Hoggarth: I advise that we vote against this—

Interjection.

Ms. Ann Hoggarth: Pardon me?

The Chair (Ms. Soo Wong): Please, no crosstalk. Ms. Hoggarth, you have the floor.

Ms. Ann Hoggarth: Thank you. The purpose of the nominating committee is to identify individuals with the skills and expertise required to fulfill the responsibility of board members. Our legislation does not prevent a labour representative from being appointed. We have been actively engaging with representatives from labour throughout the development of this plan.

Murray Gold, a prominent lawyer and the managing partner at Koskie Minsky, is a member of our Technical Advisory Group on Retirement Security and has extensive experience working with labour. He is a senior practitioner in the pension and benefits area and advises pension funds, trade unions and employee groups on pension governance and restructuring, with a special emphasis on jointly sponsored and governed plans.

We are working to ensure that we're identifying the best candidates, based on their experience, in recruitment, and we think this is the best way to go.

The Chair (Ms. Soo Wong): Any more questions and comments to motion 24? All right, I'm going to call the question. All those in favour of motion 24? All those opposed to motion 24? Motion 24 is defeated.

Shall schedule 11, section 1, be carried? Carried.

I notice that—yes, Ms. Hoggarth?

Ms. Ann Hoggarth: Can we bundle these all the way down to 12?

The Chair (Ms. Soo Wong): Thank you. I notice that for schedule 11, section 2, all the way down to section 12, there are no motions put forward. Is that all right with the committee, that we bundle them together and vote inclusively? Okay. Shall schedule 11, section 2 to section 12, inclusive, be carried? Carried. Thank you.

I believe we have some motions on schedule 11, section 13. Motion number 25: Mr. Pettapiece, do you want to move your motion?

Mr. Randy Pettapiece: I move that subsection 13(1) of schedule 11 to the bill be amended by striking out "Subject to subsections (1) and (2)" and substituting "Subject to subsection (3)".

The Chair (Ms. Soo Wong): Okay. Any questions and comments to motion 25? Seeing none, I'm going to call the question.

All those in favour of motion 25? All those opposed to motion 25? The motion is defeated.

Mr. Pettapiece, do you want to move the next motion, motion 26?

Mr. Randy Pettapiece: Yes. I move that subsection 13(2) of schedule 11 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions or comments to motion 26? Ms. Albanese.

Mrs. Laura Albanese: I think that this relates to motions 24 and 26, and basically could prevent the ORPPA from being excluded from the definition of a public entity. We're trying to design the ORPP in the best possible way and to have the best possible plan for the people of Ontario. As Ms. Hoggarth said before, we've listed all the reasons. This goes against that same principle.

The Chair (Ms. Soo Wong): Any other comments and questions to motion 26? Can I call the question? All those in favour of motion—yes?

Ms. Ann Hoggarth: Is this 25 or 26?

The Chair (Ms. Soo Wong): It's 26. We're at motion 26.

Ms. Ann Hoggarth: Thank you.

The Chair (Ms. Soo Wong): All those in favour of motion 26? All those opposed to motion 26? Motion 26 is defeated.

Shall schedule 11, section 13, be carried? Carried.

Shall schedule 11 be carried?

Ms. Catherine Fife: Recorded vote.

The Chair (Ms. Soo Wong): I hear that there is a request for a recorded vote for schedule 11.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Fife, Pettapiece.

The Chair (Ms. Soo Wong): Schedule 11 is carried.

With schedule 12, section 1, there are no amendments. I believe that for schedule 12, sections 1 and 2, there are no motions put forward. Can we do it together, inclusive? Shall schedule 12, sections 1 and 2, be carried? Thank you.

Shall schedule 12 be carried? Thank you.

We are now on motion 27. Mr. Fedeli or Mr. Pettapiece.

Mr. Randy Pettapiece: I'll do it.

The Chair (Ms. Soo Wong): Mr. Pettapiece.

Mr. Randy Pettapiece: I move that subsection 1(1) of schedule 13 to the bill be struck out.

The Chair (Ms. Soo Wong): We're on motion 27. Are there any questions or comments? Mr. Fedeli.

Mr. Victor Fedeli: This amendment, Chair, removes the exemption for Hydro One and the ORPP Administration Corp. from freedom-of-information requests and the privacy commissioner's purview.

The Chair (Ms. Soo Wong): Ms. Albanese?

Mrs. Laura Albanese: I just wanted to point out that our rationale is that the exemption from FIPPA is necessary for the ORPPAC to align with existing pension plans. We are benchmarking our accountability measures against others in the industry; therefore, the legislation contains provisions to protect the privacy of personal information. This also allows for plan members to have access to information about their contributions.

We've been working closely with the Information and Privacy Commissioner to ensure that the most appropriate information and privacy regulations are put in place, and we will continue to do so going forward.

The Chair (Ms. Soo Wong): Ms. Fife?

Ms. Catherine Fife: We're going to be supporting this motion. We've raised some serious concerns around accountability and transparency, especially at the ORPP, especially at the higher level around executive compensation. We want to know what's going on in the ORPP Administration Corp. We think that the people of this province have the right to know what's happening and have full disclosure, so we appreciate the fact that the PCs have brought forward this motion and we will be voting for it.

The Chair (Ms. Soo Wong): Okay. Any more comments and questions to motion 27? All right, I'm going to call the question. All those in favour of motion 27? All those opposed to motion 27? It's defeated.

Motion 28: Mr. Pettapiece?

Mr. Randy Pettapiece: I move that subsection 65.3(2) of the Freedom of Information and Protection of Privacy Act, as set out in subsection 1(2) of schedule 13 to the bill, be amended by striking out "on and after the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions and comments to motion 28? Mr. Milczyn?

Interjection.

The Chair (Ms. Soo Wong): Mr. Milczyn first.

Mr. Peter Z. Milczyn: We'll be opposing this, for the same reasons as stated before. We had very clear advice from the Premier's advisory council on how to structure the new Hydro One, to position it to be a growth company and to maximize its value through the share offering.

There will continue to be strong accountability measures through the Ontario securities and exchange commission and other laws that govern publicly traded companies. This would undermine our efforts.

The Chair (Ms. Soo Wong): Mr. Fedeli?

Mr. Victor Fedeli: The Premier did indeed get very clear advice. She heard, as all the Legislature heard very loudly and clearly, from the eight legislative officers.

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This amendment would change the commencement provision to after Hydro One became 50% private. This would allow for freedom-of-information requests and privacy commissioner oversight until then. This is exactly what the eight legislative officers—we're talking about the Auditor General, the privacy commissioner, the Integrity Commissioner, the Ombudsman, FIPPA—all of these officers, in an historic letter, got together and jointly signed it, asking for these changes. This is the one that is included in it.

The Chair (Ms. Soo Wong): Any more comments and questions? Are we ready for the vote on motion 28? All those in favour of motion 28? All those opposed to motion 28? It's defeated.

Okay, we're dealing with motion 29. Mr. Pettapiece.

Mr. Randy Pettapiece: I move that subsection 65.3(7) of the Freedom of Information and Protection of Privacy Act, as set out in subsection 1(2) of schedule 13 to the bill, be amended by striking out "on the first anniversary of the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on the first anniversary of the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

The Chair (Ms. Soo Wong): Any questions and comments to motion 29? Mrs. Albanese.

Mrs. Laura Albanese: Again, as we reiterated earlier, to maximize the value of Hydro One, the recommendation has been to put Hydro One Inc. on an equal footing with other publicly traded corporations. This requires removing some of the government's oversight mechanisms that are unique to corporations owned or controlled by the crown.

It doesn't mean that Hydro One will not have oversight. It will be subject to the same oversight as all other publicly traded companies. That's to give it an equal footing with those companies.

The Chair (Ms. Soo Wong): Any more comments or questions? No? Anybody? I'm going to call the question. All those in favour of motion 29? All those opposed to motion 29? Motion 29 is defeated.

Motion 30: Mr. Pettapiece.

Mr. Randy Pettapiece: I move that subsection 1(2) of schedule 13 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions or comments to motion 30? Can I call the question? All those in favour of motion 30? All those opposed to motion 30? Motion 30 is defeated.

Motion 31: Mr. Pettapiece, do you want to move the motion?

Mr. Victor Fedeli: It's a government motion.

The Chair (Ms. Soo Wong): Oh, government; sorry. Mrs. Albanese?

Mrs. Laura Albanese: It's a government one.

I move that subsections 65.3(5), (6) and (7) of the Freedom of Information and Protection of Privacy Act, as set out in subsection 1(2) of schedule 13 to the bill, be struck out and the following substituted:

“Same, transition

“(5) Despite subsection (2), for a period of six months after the date described in that subsection,

“(a) the commissioner may continue to exercise all of his or her powers under section 52 (inquiry) and clause 59(b) (certain orders) in relation to Hydro One Inc. and its subsidiaries with respect to matters that occurred and records that were created before that date; and

“(b) Hydro One Inc. and its subsidiaries continue to have the duties of an institution under this act in relation to the exercise of the commissioner’s powers mentioned in clause (a).

“Continuing authority to issue orders, etc.

“(6) The powers and duties of the commissioner to issue orders under section 54 and clause 59(b) with respect to matters mentioned in subsection (5) continue for an additional six months after the expiry of the six-month period described in that subsection.

“Orders binding

“(7) An order issued within the time described in subsection (6) is binding on Hydro One or its subsidiaries, as the case may be.

“Repeal

“(8) Subsections (4), (5), (6) and (7) and this subsection are repealed on a day to be named by proclamation of the Lieutenant Governor.”

The Chair (Ms. Soo Wong): Any questions or comments to motion 31? Mr. Baker.

Mr. Yvan Baker: I just wanted to ask for a recorded vote, when you call the vote.

The Chair (Ms. Soo Wong): A recorded vote has been asked for. Okay. Any questions and comments? Mr. Potts?

Mr. Arthur Potts: I just wanted to put it on the record that clearly we were listening, and this is one of those occasions when one of the administrative bodies came to us with a very clear, reasonable request for why the timeline should be extended. We listened, and we acted.

The Chair (Ms. Soo Wong): Mr. Fedeli?

Mr. Victor Fedeli: I have to respond. If you were listening, you would have passed one of our previous amendments that take it all the way. This is a half-baked solution, yet again.

The Chair (Ms. Soo Wong): Okay. Mr. Baker?

Mr. Yvan Baker: I just wanted to reiterate the point that my fellow member Mr. Potts has made. I do think this is an example of our listening to Ontarians. We’re proud of the balanced amendments that we have brought forward in this budget.

I also note that there are several motions relating to the Liquor Control Act we’ll be covering later on. Again, they’ll assist in the modernization of alcohol regulation in Ontario, while confirming the historic authority for some past practices, such as the LCBO’s setting of different prices for beer sold to licensees under the

Liquor Licence Act. Again, those are more examples of how we’re listening.

The Chair (Ms. Soo Wong): Mr. Pettapiece?

Mr. Randy Pettapiece: Sorry, I was stretching.

The Chair (Ms. Soo Wong): Oh. I saw a hand up. Okay.

Any more speakers? I’m going to call the question. This is now a recorded vote.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): Okay, so the motion carries.

Shall schedule 13, section 1, as amended, be carried? Carried.

We’re now dealing with motion 32. Mr. Pettapiece?

Mr. Randy Pettapiece: I move that subsection 2(1) of schedule 13 to the bill be amended by striking out “Subject to subsection (2)”.

The Chair (Ms. Soo Wong): Any questions, comments to motion 32? Can I call the question? All those in favour of motion 32? All those opposed to motion 32? Motion 32 is defeated.

Motion 33: Mr. Pettapiece.

Mr. Randy Pettapiece: I move that subsection 2(2) of schedule 13 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions or comments to motion 33? I see none. I’m going to call the question. All those in favour of motion 33? All those opposed to motion 33? It’s defeated.

Shall schedule 13, section 2 be carried? Carried.

Shall schedule 13, as amended, be carried?

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): Mr. Tabuns, just so you know, I’ve said it very clearly—I’m sorry you came in late—that both the Clerk and I need to know before. I’m going to let you go and we’re going to do a recorded vote, but here on forward, please advise us early, because I will—

Mr. Peter Tabuns: I’ll advise you very early, Chair, and I appreciate your courtesy.

The Chair (Ms. Soo Wong): Thank you.

Okay. As a courtesy, this is a recorded vote for schedule 13, as amended.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Okay. The schedule is now carried.

We're now dealing with schedule 14. I believe there are no motions for schedule 14, sections 1 and 2. Can we do that—

Mr. Peter Tabuns: Early on, I will want a recorded vote.

The Chair (Ms. Soo Wong): For this schedule?

Mr. Peter Tabuns: Yes.

The Chair (Ms. Soo Wong): Okay, for schedule 14.

Interjection: That's early.

Mr. Peter Tabuns: That's early, yes. I'm giving you a lot of notice, Chair.

The Chair (Ms. Soo Wong): Thank you. I appreciate that. This is good notice.

So for schedule 14, sections 1 and 2, there are no motions. Can we vote on both of these inclusively? Is that the will of the committee?

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Mr. Peter Tabuns: We can as long as we have a recorded vote.

The Chair (Ms. Soo Wong): A recorded vote. That's fine.

Mr. Tabuns has requested a recorded vote for schedule 14, sections 1 and 2.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 14, sections 1 and 2, is now carried.

I believe there is a motion 34. Mr. Pettapiece or Mr. Tabuns, do you want to—it's motion 34.

Mr. Randy Pettapiece: All right.

The Chair (Ms. Soo Wong): Mr. Pettapiece.

Mr. Randy Pettapiece: I move that section 3 of schedule 14 to the bill be struck out and the following substituted:

“3. Subsection 2(1) of the act is repealed and the following substituted:

“Requirements re: advertisements

“Application

“(1) This section applies with respect to any advertisement that a government office proposes to pay to have,

“(a) published in a newspaper or magazine;

“(b) displayed digitally or on a billboard;

“(c) broadcast on television, radio or any similar medium;

“(d) displayed on a public transit advertisement; or

“(e) broadcast in a cinema.”

The Chair (Ms. Soo Wong): Any comments or questions? Mr. Fedeli.

Mr. Victor Fedeli: Well, this opens a whole new chapter of debate now, Chair, and I thank you for the opportunity. This is an amendment that was actually re-

quested in the Auditor General's commentary. It specifically lays out what type of ads the auditor can review, and the auditor feels that this particular arrangement of the section is less restrictive. It's very clear that their office should review all ads from the government.

We are presenting this as an amendment, not simply as a courtesy to the Auditor General, but it is our core belief that she is right to challenge the change that is being made. This change leads to so much opportunity for partisan advertising that for her to come out with a report specifically on this—that's quite surprising for an auditor to have to do.

If you don't even know anything about this, then at least, at the very least, we should be considering thoughtfully what the Auditor General is suggesting to this Legislature. Indeed, this amendment is one of those very thoughts.

The Chair (Ms. Soo Wong): Okay. I've got Mr. Baker first.

Mr. Yvan Baker: I would argue that we should not support this motion. I think we need clear, objective definitions of digital advertising through regulation, to make sure we can be adaptable to digital media in the future. Additionally, the PC amendment creates ambiguity by adding television, radio or a similar medium, in brackets, without clarifying what such a similar medium might be. It's unclear.

I also wanted to address something that Mr. Fedeli said. Ontario is the first and only jurisdiction in Canada, and actually one of the few in the world, to enact legislation that bans government-paid partisan advertising in newspapers, magazines, radio and television. The government passed this legislation because we are against the government using taxpayer dollars for partisan advertising. That was the position in 2004 when that legislation was passed, and that is the position today.

The 2015 budget would modernize the act. The changes that we're proposing give the Auditor General oversight of digital advertising, as well as transit and movie theatre ads. The Auditor General herself has called for this. Earlier, the members opposite were talking about how we're not listening and we're not consulting. That's an example of how we're consulting. We're doing that. We respect the Auditor General and her perspective, and that's why we're doing that.

The government has a responsibility, I believe, to communicate information about the programs and services that people need. Examples are things like children's vaccines, tax changes, transit programs etc. The public has a right to know how tax dollars are being spent, and why the government is bringing forward policy changes. I think I've explained the background on the government's position on advertising and why we're opposed to this particular motion.

The Chair (Ms. Soo Wong): Okay. I've got Mr. Milczyn, then Mr. Tabuns.

Mr. Peter Z. Milczyn: I want to echo what Mr. Baker said, especially on the issue of digital advertising. As we all know, digital media continually evolve, so putting

into legislation one particular way of describing it isn't necessarily going to work a year or two or three from now. That's why there's a need for the minister to be able to define through regulation as new and evolving media are developed.

Beyond that, I have to say, I think this amendment was incorrectly placed with our Clerk. I really think it should have been placed in the House of Commons to Mr. Harper's government, asking them to actually come up with legislation that would define partisan advertising and put a stop to it.

The Chair (Ms. Soo Wong): Mr. Tabuns.

Mr. Peter Tabuns: I'm going to be supporting this amendment put forward by the PCs. I think it makes sense to expand the Auditor General's purview into digital media.

But I have to say to Mr. Baker and Mr. Milczyn that what you're doing with this bill today is gutting everything progressive that you announce you've done in this area. The Auditor General was quite correct in saying that you have made her position untenable. You will be writing the rules on what's partisan or not, telling her what she can rule as partisan or not. I think you've learned very deeply from Mr. Harper's approach; you're incorporating it into this bill. I think that you will regret this in years to come.

The Chair (Ms. Soo Wong): Before I call the question, Mr. Tabuns, you asked for a recorded vote for each of the sections—

Mr. Peter Tabuns: I did for each of the sections; this is an amendment.

The Chair (Ms. Soo Wong): Okay, the motions. This is not a recorded vote. All those in favour of motion 34? All those opposed to motion 34? Motion 34 is defeated.

Shall schedule 14, section 3 be carried?

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): Okay, recorded vote, sorry. Mr. Fedeli, do you want to talk about this?

Mr. Victor Fedeli: I really do.

The Chair (Ms. Soo Wong): Okay.

Mr. Victor Fedeli: Again, Chair, as I've sadly had to say so many times on so many of these amendments, here we go again. The government says one thing, but they turn around and they do exactly the opposite. They say they're listening to the Auditor General, but she had to write a report that clarifies this, that she doesn't agree with any of this and that it is harmful. We hear one thing, and we have all the nice buzzwords, but in reality, it ain't so.

The Chair (Ms. Soo Wong): I believe Ms. Albanese wants to comment. This is dealing with schedule 14, section 3.

Mrs. Laura Albanese: I'm confused. I thought we had voted on the motion and we were moving forward, so I didn't understand exactly what we were debating or commenting on.

The Chair (Ms. Soo Wong): That was dealing with the amendment. Now we're dealing specifically with the schedule and the section.

Mrs. Laura Albanese: So Mr. Fedeli's comments were directed to the section and the schedule in general.

The Chair (Ms. Soo Wong): Yes.

Interjection.

The Chair (Ms. Soo Wong): Oh, you're not finished. Mr. Fedeli, continue on.

Mr. Victor Fedeli: Again, if you actually look at the auditor's report here, The Government's Proposed Amendments to the Government Advertising Act, the auditor goes so far as to have to tell us why she is issuing this special report. Then she goes on to say that she's allowed, under subsection 9(3) of the Government Advertising Act, to make a special report to the Legislature. She says, "I believe [it] should not be deferred." This is so important, she put together a report that says—and I'm quoting here: "[C]oncerns I have with the government's recently proposed amendments to the GAA," the Government Advertising Act. "I believe they may well impact the credibility of my office."

This is the Auditor General talking to us now, somebody who we—well, most of us—absolutely respect. "If the proposed amendments under Bill 91, the Budget Measures Act, schedule 14, are passed by the Legislature without change, I may be put in the untenable and unacceptable position of having to approve an advertisement as being in compliance with the GAA because it conforms to the proposed ... even though in my opinion it is clearly a partisan advertisement. I would no longer be able to consider such factors as political context, the use of self-congratulatory messages, factual accuracy or an advertisement's criticism of other political parties in my review to help determine whether an ad is partisan."

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What she's saying is that this government, with taxpayer dollars, can criticize other political parties. They don't need to be factually accurate. They can basically say whatever they want and literally, with taxpayer dollars, get away with it. She's asking for "substantive changes to the proposed amendments," and those are the changes that we brought forward. When we're talking about the entire schedule 14—obviously we're going to be voting against the entire schedule 14.

There are so many other parts of this, Chair. I know that time is basically at a premium today, but the way she's talking in here, if you actually took the time—and it's not a big report; the English section is only 27 pages, and there are a lot of whereases and appendices and wherefore-afters. Even if you just looked at the bottom of page 5 and pages 6 and 7—it's only a little bit of a chart—this is the part that you really need to read. This is important.

Why she's commenting, for instance, on subsections 8(3) and 8(4), and why she disagrees with it, is whether or not an advertisement could run during an election period. "This change removes the Auditor General's discretion and empowers the government to run any ad it chooses during an election period." That's on page 6 of the Auditor General's report. That's what's happening here, Chair.

The Chair (Ms. Soo Wong): Mr. Baker?

Mr. Yvan Baker: I think I've spoken to this issue. Of course, first of all, I can say unequivocally that we recognize the important role that the Auditor General plays in ensuring fairness, particularly in government advertising. We're committed to a collaborative relationship with the Auditor General. I think that's evidenced by the way we approached this.

As a result, the government is proposing an amendment that would add another indicator of what counts as partisan advertising: namely, that an ad that directly identifies and criticizes a recognized party or member of the assembly would be prohibited. We're taking steps to listen to the Auditor General.

In 2004, this government introduced, as I said, groundbreaking legislation, the Government Advertising Act. We're still the first and only jurisdiction in Canada to have legislation that bans government-paid advertising. We did this because we're against government using taxpayer dollars for partisan reasons. That was the case then. It's still the case now.

The Chair (Ms. Soo Wong): Mr. Pettapiece?

Mr. Randy Pettapiece: I don't have any speaking notes in front of me, so I'm going to actually tell you people what my constituents are saying about some of this business.

I'm glad the government has said that they have respect for the Auditor General's role, and I see that as one of the reasons they're taking her role away from her. They know what she can do to them, so they're taking this role away. This is what's going on here. There's no respect at all for the Auditor General, because if they left her to do her job as she should be doing it, or as she could be doing it, I think they'd be in a lot of trouble.

I've been to two meetings in the riding in the last couple of weeks. While I was down here, I drove back to the riding. In fact, Mr. Fedeli was with me. We went there to talk about something else which concerns my constituents in the riding, the ORPP; it's just a hated thing in the riding. Invariably, it got down to Hydro One. They said, "What is this government doing to Hydro One? We didn't know that they were doing that. They never spoke about that in the election. We didn't know what they were doing."

Mr. Arthur Potts: Chair, a point of order.

The Chair (Ms. Soo Wong): Yes, Mr. Potts?

Mr. Arthur Potts: I think we need to speak to the motion in front of us and not a whole rehash of a debate in the Legislature on the entire bill.

Mr. Randy Pettapiece: With all due respect, I think I am.

The Chair (Ms. Soo Wong): We need to stay focused on schedule 14, section 3. We cannot be discussing anything beyond schedule 14, section 3.

Mr. Randy Pettapiece: I believe I'm speaking about people listening to people here. This is about the Auditor General. There was nothing in the last election—before, after, whenever; until this came up—that you're going to get rid of the Auditor General's powers. How are the people of Ontario supposed to trust any government that

does this? It looks like you're going to start hiding things to get your way.

You see this report that Mr. Fedeli was taking quotes out of? That just proves our point here.

The Chair (Ms. Soo Wong): Mr. Pettapiece, we've got to stay focused. Schedule 14 deals specifically with government advertising. Unless you have more comments and questions dealing with government advertisement—

Mr. Randy Pettapiece: Are we not speaking about the Auditor General, Chair?

The Chair (Ms. Soo Wong): No. We have to stay focused, okay? If you have any more comments dealing with schedule 14—schedule 14, if you look at the act, deals specifically with government advertisement. Unless you have more comments dealing with government advertisement and pertaining to that schedule and the section, then I am prepared to rule.

Mr. Randy Pettapiece: I thought I was. The Auditor General's powers are being cut when it comes to advertising—

The Chair (Ms. Soo Wong): Mr. Pettapiece, I'm going to stop you right now because I have said it twice. You will not be allowed to speak.

Any more comments and questions? I'm going to call the question. It's a recorded vote, as requested by Mr. Tabuns.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts, Tabuns.

Nays

Fedeli, Pettapiece.

The Chair (Ms. Soo Wong): Carried.

Schedule 14, sections 4, 5—

Interjection.

The Chair (Ms. Soo Wong): Yes, there's going to be a recorded vote for all of them, because you told us.

Because there are no motions to sections 4, 5, 6 and 7 of schedule 14, can we bundle them? It is a recorded vote. I just want people to know that. So schedule 14, sections 4, 5, 6 and 7 inclusive: All those in favour, please raise your hands.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): These sections are now carried.

I believe there is a motion 35 from the government side. Ms. Albanese.

Mrs. Laura Albanese: I move that subsection 6(2) of the Government Advertising Act, 2004, as set out in section 8 of schedule 14 to the bill, be amended by striking out “or” at the end of clause (b) and by adding the following clause:

“(b.1) it directly identifies and criticizes a recognized party or a member of the assembly; or”

The Chair (Ms. Soo Wong): Any questions and comments? Mr. Fedeli.

Mr. Victor Fedeli: Again, the Auditor General is critical. When you look at the exemptions, whether it’s time-sensitive or revenue-generating, those exemptions are not defined. What the auditor says: “As well, more exceptions by regulation may be created by the government of the day, leaving this open-ended.”

Again, Chair, we’re not fully following the requests of the Auditor General. We’re tinkering at the edges. We’re dabbling in some of them but not all of them. You take a little bit of one of them and go a little bit partway. The others you completely ignore, but then you’re able to say, “Well, we listened to the Auditor General.” We listened to a fraction of the Auditor General.

She disagrees with these amendments, plain and simple. She’s got a book that she published on May 12 just to tell us that she disagrees with these. Good heavens.

We employ the position of the Auditor General for this very reason: When politics enters the fray, bring the Auditor General in and let her resolve the issue. But for heaven’s sake, when she resolves the issue, listen to her.

1530

I know, when she gave her report on energy, she was belittled by the government. I understand that. So they don’t have respect for the Auditor General. That was very clear that day—very, very clear. Have some respect for the document that she created, is what we’re asking here. Thank you.

The Chair (Ms. Soo Wong): All right. Ms. Albanese?

Mrs. Laura Albanese: First of all, I would like to put on the record, Madam Chair, that I too have read the book that Mr. Fedeli is referencing. We have the utmost respect for the Auditor General. I don’t see why he would think that we would belittle this officer of the Legislature in any way. Absolutely, at times, we may not agree on everything, but on this motion, she does agree. This is something that she has called for. This motion would expand the definition of a partisan ad to include an ad that identifies and criticizes a party or a member of the assembly.

Upon further consideration, and in response to the comments of the Auditor General, the government is now bringing forward this motion that would add an additional element to the definition of a partisan ad.

The Chair (Ms. Soo Wong): I’ve got two more speakers. Mr. Tabuns.

Mr. Peter Tabuns: I just note that the Auditor General herself has said, “The new wording doesn’t prohibit the government from using public money to run ads that

give off a negative impression of critics who aren’t other MPPs.”

Madam Chair, the simple reality is that the government is reversing everything that it did in the past to try to depoliticize government advertising. It may take steps that make that a bit fuzzier, but the heart of it still remains that we are going back to the use of publicly-paid-for advertising to help the political party that is in power. It is a mistake.

The Chair (Ms. Soo Wong): Okay. Ms. Hoggarth?

Ms. Ann Hoggarth: I just want to say I believe that we need to support this amendment, and I’ll tell you why. I do not believe that we are intending to do what MPP Tabuns said. As a matter of fact, I am very pleased that these amendments will, hopefully, stop things—and I understand why the PCs don’t want this to go through. These amendments will ensure that the kind of partisan advertising that was used by the Harris government to attack teachers—

Interjections.

Ms. Ann Hoggarth: Excuse me; I listened to you—to attack teachers and health care workers and any other people in the province, can never be repeated, no matter which party it is or which group in Ontario. I believe we need to support this recommendation.

The Chair (Ms. Soo Wong): Okay. Mr. Baker?

Mr. Yvan Baker: I just want to ask for a recorded vote on this.

The Chair (Ms. Soo Wong): Okay, there’s a recorded vote. Mr. Tabuns, you want to—

Mr. Peter Tabuns: Yes, I just want to say—Ms. Hoggarth just talked about the Harris government putting public money into ads attacking teachers. This amendment doesn’t end that. This is talking about a recognized party or member of the assembly. The Auditor General’s comments still stand: that public money could be used to run ads and give a negative impression of critics of the government who aren’t MPPs.

This amendment is completely irrelevant to the comments that the member made, and leaves this province wide open to that kind of negative partisan advertising in the future.

The Chair (Ms. Soo Wong): Okay. Any more—sorry. Mr. Pettapiece?

Mr. Randy Pettapiece: Just a short comment. The Auditor General’s report came out on this business because she saw what the government was trying to do to her and to her office.

Really, this amendment is—they’re trying to satisfy the Auditor General’s concerns, but after the fact, after they got their hands slapped. Really, that’s what it is. Unfortunately, it doesn’t go far enough. We understand that.

As far as going back in history—I don’t know how far we have to go back, but it’s today we’re talking about. We’re not talking about things that happened 20 years ago. It’s today we’re talking about, and what you guys or what the government is doing to this province. That’s what we’re talking about here. Thank you.

The Chair (Ms. Soo Wong): All right, I'm going to call the question. It is a recorded vote, folks.

Interjection.

The Chair (Ms. Soo Wong): No, no. Mr. Baker asked for the motion. We're voting on motion 35. Mr. Baker has asked for a recorded vote.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): All those opposed to motion 35? Okay. The motion is carried.

I'm now going to ask: The question here is, shall schedule 14, section 8—I believe it's a recorded vote—as amended, be carried? This is a recorded vote, so I want to make sure everybody hears it. Shall schedule 14, section 8, as amended, be carried? It's a recorded vote.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 14, section 8, as amended, is now carried.

There are no motions for sections 9 and 10 of schedule 14. Is it okay for the committee if we bundle them?

Mr. Peter Tabuns: Have a recorded vote.

The Chair (Ms. Soo Wong): A recorded vote. Okay.

Mr. Peter Tabuns: Yes. Thank you.

The Chair (Ms. Soo Wong): I'm going to call the question. Shall schedule 14, section 9 and section 10, be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Those two sections now carry.

I believe motion 36 is before us. Mr. Tabuns, do you want to read it for the record?

Mr. Peter Tabuns: I move that clause 12(a.3), as set out in subsection 11(1) of schedule 14 to the bill, be struck out.

This clause allows the government to set up regulations on the definition of “digital items,” mainly to exempt certain items from the Auditor General's purview. This move is characteristic of one step forward by the government and two steps back.

The Chair (Ms. Soo Wong): Any questions or comments? Mr. Fedeli?

Mr. Victor Fedeli: We are going to join Mr. Tabuns and the NDP on this motion. It removes that exemption that allows the government to circumvent the preliminary auditor review on certain advertisements.

Mr. Peter Tabuns: And I'd like a recorded vote on this—advance notice.

The Chair (Ms. Soo Wong): Mr. Tabuns wants a recorded vote on this. Ms. Albanese?

Mrs. Laura Albanese: I just wanted to say that, as Mr. Fedeli pointed out, this motion would remove regulation-making authority in respect of exempting items from preliminary review under this act.

The AG does not support having mandatory preliminary review of all government advertising. She has stated that. The preliminary review stage is intended to cover the more expensive types of advertising—such as television, for example, or any other type of advertising that would see a big expense—so that significant production costs are not incurred without notifying the Auditor General. That is what is proposed that would meet this act's standards.

The Chair (Ms. Soo Wong): It's a recorded vote for this particular motion.

Ayes

Fedeli, Pettapiece, Tabuns.

Nays

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): Motion 36 is defeated.

I'm going to call the question. It's a recorded vote, yes. I'm just going to put it on the table. Every section of schedule 14 is a recorded vote, okay? I'm just going to put it out. Shall schedule 14, section 11, be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 14, section 11 is now carried.

We are on schedule 14, section 12. There is no motion put forward. Are there any questions or comments before I call the recorded vote? Seeing none, I'm going to call the question.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 14, section 12, is now carried.

Shall schedule 14, as amended, be carried? It's a recorded vote. Please raise your hand.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 14, as amended, is now carried.

We are now on schedule 15. I don't see any motions, so can I bundle them right through the entire schedule, 1 through to 21? Is that good with everybody? Just so everybody's clear, schedule 15, sections 1 through 21, inclusive. Are we voting?

1540

Mr. Peter Tabuns: I'm happy to vote. I don't need it to be recorded.

The Chair (Ms. Soo Wong): No recorded vote? Okay.

Shall schedule 15, sections 1 through 21, be carried? Carried.

Shall schedule 15 be carried? Carried.

We also have no motions before us on schedule 16.

Mr. Peter Tabuns: I'd like a recorded vote on schedule 16.

The Chair (Ms. Soo Wong): You want a recorded vote. Okay. On each section, or can we bundle them together?

Mr. Peter Tabuns: Against schedule 16 as a whole.

The Chair (Ms. Soo Wong): As a whole. Okay. So that everybody knows, Mr. Tabuns has asked for a recorded vote for the schedule as a whole.

Shall schedule 16, sections 1 through 3, be carried? It's now a recorded vote. Please put your hands forward if you're voting in support of schedule 16.

Mr. Arthur Potts: No, no, just on the section, not on each subsection on the schedule.

Mr. Peter Tabuns: We're talking about the sections right now. You're not calling a vote on the schedule as a whole; correct?

The Chair (Ms. Soo Wong): Because there's no motion—I'm going to check to make sure there's clarity. On schedule 16, sections 1 through 3, there are no motions.

Mr. Peter Tabuns: I'm not calling for a recorded vote on that. I will want a recorded vote on the schedule as a whole, and I will want to comment on that.

The Chair (Ms. Soo Wong): Okay. Just so we're clear, there is no recorded vote for sections 1 through 3 of schedule 16.

Shall schedule 16, sections 1 through 3, inclusive, be carried? Carried.

Now, shall schedule 16—I believe Mr. Tabuns wants to speak to this.

Mr. Peter Tabuns: Yes. I just wanted to put on the record that what's in this bill doesn't address the issues that people are dealing with with Highway 407 ETR, nor do they ensure that we won't be subject to repetition of the same mistakes that we have had arise on the 407 in the future, so I recommend that people vote against schedule 16.

The Chair (Ms. Soo Wong): Okay. And I believe it's a recorded vote. Am I correct?

Mr. Peter Tabuns: Yes, correct.

The Chair (Ms. Soo Wong): All right. Are there any more speakers? Questions or comments? Mr. Baker.

Mr. Yvan Baker: I just wanted to say that Highway 407 East is really important to a number of communities: Durham, Peterborough, Kawartha Lakes region etc. It's critical for economic growth. It's critical for quality of life in the region. It's critical to reduce congestion. That's why 407 east is an important project, and that we provide a seamless customer experience for people who are using the 407.

As an example, the schedule allows the Minister of Transportation to effectively settle any debts owed by users of Highway 407. Voting against this schedule basically runs counter to this important objective to serve these communities, so we have to support this schedule.

The Chair (Ms. Soo Wong): Any more comments with regard to schedule 16 before I call the question? I believe it's a recorded vote.

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Tabuns.

The Chair (Ms. Soo Wong): Schedule 16 is now carried.

We're now on to schedule 17. I believe there is a motion. Mr. Tabuns, do you want to read it into the record?

Mr. Peter Tabuns: I move that schedule 17 to the bill be amended by adding the following section:

"0.1 The Insurance Act is amended by adding the following section:

"Limitation re catastrophic injuries

"121.0.1 A regulation under section 121 shall not amend the definition of "catastrophic impairment" set out in the regulations as they read on April 23, 2015."

Chair, a number of us were here for presentations at the finance committee from people who are dealing with

this whole matter of catastrophic impairment. The government is slashing the benefits for catastrophic victims by 50%. So it's not surprising they're taking steps to further narrow the definition of catastrophic impairment. It just ensures that fewer people who need benefits—

The Chair (Ms. Soo Wong): Mr. Tabuns, I will not be allowing you to debate this because this particular motion before us is now going to be ruled out of order, because it proposes amending the section to a parent act that is not before this committee. I do apologize. This particular motion is now out of order.

We'll now go on to—

Mr. Peter Tabuns: I'll accept your ruling. I appreciate the fact that I had a chance to say something about it.

The Chair (Ms. Soo Wong): I just wanted to let you know.

I believe, for Mr. Tabuns and for the committee, that motion 38 is also out of order. I just want people to know that. It's the same as the previous motion before us.

Interjection.

The Chair (Ms. Soo Wong): Mr. Tabuns, the Clerk wants me to let you move it, and then I will move it out of order. Mr. Clerk wants you to read it into the record.

Mr. Peter Tabuns: I move that schedule 17 to the bill be amended by adding the following section:

“0.1 The act is amended by adding the following section:

“‘Limitation re benefit caps

“121.0.2 A regulation under section 121 shall not lower the amount of benefits that are payable to or for an insured person who sustains a catastrophic impairment or an impairment that is not a minor injury below the amounts set out in the regulations as they read on April 23, 2015.’”

As I've said before, I think what the government is doing is really going to damage all those who suffer—

The Chair (Ms. Soo Wong): Mr. Tabuns, you cannot debate on a motion that is now ruled out of order. You can read it onto the record, but there's no debate.

We're now at schedule 17, section 1. There are no motions for sections 1, 2 and 3. Is it the will of the committee that we bundle them together? I hear a yes, so I'm going to call the question. Shall schedule 17, sections 1 through 3, inclusive, carry? It's now carried.

I believe there is a motion from the opposition: motion 39. Mr. Fedeli.

Mr. Victor Fedeli: I move that schedule 17 to the bill be amended by adding the following section after section 3:

“3.1 Section 268 of the act is amended by adding the following subsection:

“‘Catastrophic impairment, interim determination

“(9) The Lieutenant Governor in Council may”’—

Mr. Arthur Potts: Point of order.

The Chair (Ms. Soo Wong): Mr. Potts?

Mr. Arthur Potts: Is this motion in order?

Mr. Victor Fedeli: I haven't even read it yet.

The Chair (Ms. Soo Wong): I'm going to let him finish first.

Mr. Fedeli, finish.

Mr. Victor Fedeli: “‘Catastrophic impairment, interim determination

“(9) The Lieutenant Governor in Council may, by regulation, authorize or require an insurer to determine on an interim basis, for the purposes of providing statutory accident benefits, whether an insured person may have sustained a catastrophic impairment.”’

The Chair (Ms. Soo Wong): This motion is similar to the previous two motions. It is now ruled out of order.

Mr. Victor Fedeli: Just so I understand, all three of them—I didn't quite understand what makes that out of order.

The Chair (Ms. Soo Wong): The proposed amended section being proposed by the opposition—because it is amending a section of the parent act that is not before the committee. Therefore, it's now ruled out of order. That's what I've been advised.

Mr. Victor Fedeli: Just so I know—I'm not trying to debate it—is that the catastrophic injury? Is that what we're referring to?

The Chair (Ms. Soo Wong): Yes. So it's now ruled out of order.

Mr. Victor Fedeli: I have one more question, just procedurally: When we submit these, would we not know then—does somebody not give them back to us and say, “This is going to be out of order”? Do we know? Did we know?

The Chair (Ms. Soo Wong): Everybody sends it to the Clerk. They don't send it to me.

Mr. Clerk, do you want to clarify for Mr. Fedeli?

1550

The Clerk of the Committee (Mr. Katch Koch): Yes. While you were drafting your motion you could have consulted the Office of the Clerk. We would have given you some advice.

Mr. Victor Fedeli: Thank you. I really appreciate that.

The Chair (Ms. Soo Wong): For the purpose of the committee, if you are drafting motions, you can consult the Clerks.

Now I have schedule 17, sections 4, 5 and 6. There are no motions before us. Is it all right with the committee if we bundle them and then call—I don't think there's a recorded vote. Right?

Mr. Peter Tabuns: I'll ask for a recorded vote on 17 as a whole, and I will speak to 17 as a whole.

The Chair (Ms. Soo Wong): All right. Shall schedule 17, 4 to 6, inclusive, carry? It's now carried.

Mr. Tabuns, you have some comments to make dealing with schedule 17?

Mr. Peter Tabuns: Yes. We're going to be voting the schedule down in its entirety. The government's amendments involve an increasing threshold of tort deductibles—that's out-of-pocket expenses for Ontarians—and indexing it to inflation. Benefits, however, will not increase at all. In fact, the government is proposing slash-

ing benefits to a segment of Ontario's most vulnerable population, those with catastrophic and serious impairment as a result of an auto-related accident.

We think that the government's actions should be reversed. We believe that we had credible testimony before finance committee that these cuts will increase the burden on our publicly funded health care system, on our long-term-care system. It effectively moves an expense from the insurance sector, which has been receiving money to provide those benefits, to the public system. It's going to be much more heavily burdened.

The Chair (Ms. Soo Wong): Are there any questions and comments? Mr. Potts?

Mr. Arthur Potts: All members of this committee, I think, were moved by the testimony of some of the participants during the debate, but we also saw and heard from some of the legal community who are involved. I think maybe there was a professional bias and motivation behind their concerns here as well. The legal costs that are tied up in pursuing these things are horrendous; they're very expensive. We're trying to strike a very important balance between the cost of insurance premiums with providing benefits. These benefits continue to be, particularly with respect to catastrophic, the most progressive and far-reaching in the country. We've left them there as the most progressive. We'll be supporting this section for that reason.

The Chair (Ms. Soo Wong): Any other comments and questions? This is a recorded vote, so I just want to make sure.

Shall schedule 17 be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Tabuns.

The Chair (Ms. Soo Wong): Schedule 17 is now carried.

There are no motions put forward for schedule 18, 1 through 7. Is it all right with the committee that we bundle them and vote? I don't believe I heard any requests for a recorded vote. There are no comments or questions on those sections? Okay. I'm going to call the question. Shall schedule 18, sections 1 through 7, inclusive, be carried? Carried.

Shall schedule 18 be carried? Carried.

We're moving on. For schedule 19, sections 1 through 12, there are no motions before us. Is it all right with the committee that we bundle this and vote on it? Schedule 19, sections 1 through 12: There are no motions before us. This is schedule 19, sections 1 through 12.

Interjection.

The Chair (Ms. Soo Wong): I asked several times. I said that there are no motions. Is it the will of the committee? All right? I'm so sorry, Mr. Fedeli.

So for schedule 19, sections 1 through 12, there are no motions before us. Is it all right with the committee that we bundle this? We're going to call the question. Shall schedule 19, sections 1 through 12, be carried? Carried.

I believe there is a motion, motion 40, before us. Mr. Tabuns.

Mr. Peter Tabuns: I move that section 13 of the act be amended by adding the following subsection:

"Composition of nominating committee

"(2.1) A by-law under subsection (2) shall specify that at least 50 per cent of the individuals appointed to the nominating committee shall be members of a trade union and shall represent workers' interests."

We're talking here about union representation on the investment management corporation—

Mr. Arthur Potts: Excuse me. This motion doesn't appear to be in order either, so we can't have debate on it. It also is amending a section of the act that is not opened up by the bill.

Interjection.

The Chair (Ms. Soo Wong): The ruling is that it's not out of order.

Mr. Tabuns has already spoken. Do you have further comments?

Mr. Peter Tabuns: Yes, I do, actually—

The Chair (Ms. Soo Wong): Are you finished? No. Okay, Mr. Tabuns, continue.

Mr. Peter Tabuns: Chair, the corporation will be responsible for investing the assets of a pension plan or other investment funds. Corporations that are investing employees' hard-earned dollars—that's their pension funds—should ensure that the individuals' voices are heard. This can be achieved through union representation on the board. I urge people to vote for this amendment.

The Chair (Ms. Soo Wong): I have Mr. Baker.

Mr. Yvan Baker: No, actually, I have nothing to say.

The Chair (Ms. Soo Wong): Any other questions or comments dealing with motion 40? Mr. Tabuns.

Mr. Peter Tabuns: All I ask is a recorded vote.

The Chair (Ms. Soo Wong): Recorded vote, okay. Any more questions or comments to motion 40? Seeing none, I'm going to call the question.

Ayes

Tabuns.

Nays

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): The motion is defeated.

Any questions or comments for schedule 19, section 13? Any questions or comments? All right, seeing none, I'm going to call the question. Shall schedule 19, section 13, be carried? All right, it's carried.

I believe that for schedule 19, sections 14 to 30, there are no amendments. Is it okay with the committee if we bundle them together? We're going to vote on sections

14 through 30 inclusive, all right? Shall schedule 19, sections 14 through 30, inclusive, be carried? Carried.

Mr. Victor Fedeli: Chair, is it possible to take a five-minute bio-break? Is that the nice way of saying it? Five minutes, tops.

The Chair (Ms. Soo Wong): Okay, five minutes. We'll come back at five after 4. The committee is recessed.

The committee recessed from 1600 to 1605.

The Chair (Ms. Soo Wong): I'm going to resume the committee. Before the recess we were dealing with schedule 19. I believe, Mr. Tabuns, you asked for a recorded vote.

Interjection.

The Chair (Ms. Soo Wong): No, no. The whole schedule. The entire schedule, because we're voting on the entire schedule 19.

Interjection.

Mr. Arthur Potts: No, we just got up to the section—

The Chair (Ms. Soo Wong): All right, I'm going to say: Shall schedule 19 be carried? Carried.

We're now on schedule 20. There are no motions put forward for sections 1 and 2 for schedule 20. Is it the will of the committee that we bundle them and vote on them together? Okay. Shall schedule 20, sections 1 and 2, inclusive, be carried? Carried.

I believe there are motions for section 3. Motion 41: Mr. Baker, do you want to move the motion?

Mr. Yvan Baker: I move that section 3 of the schedule be amended by adding the following subsection:

“(1.1) Clause 3(1)(i) of the act is repealed.”

The Chair (Ms. Soo Wong): Any questions or comments to this particular motion, 41? Mr. Baker?

Mr. Yvan Baker: Chair, there are several motions relating to the Liquor Control Act. Basically, what they will do is they will assist in the modernization of alcohol regulation in Ontario while confirming the historic authority for some past practices, such as the LCBO setting of different prices for beer sold to licensees under the Liquor Licence Act.

The Chair (Ms. Soo Wong): Any more questions and comments? I'm going to call the question. All those in favour of motion 41? All those opposed? Motion 41 is carried.

Mr. Baker, do you want to move motion 42?

Mr. Yvan Baker: I move that section 3 of the schedule be amended by adding the following subsection:

“(2.1) Section 3 of the act is amended by adding the following subsection:

“Same, prices

“(1.1) The board's purposes and powers also include, and are deemed always to have included, the purpose and power to fix the prices at which the various classes, varieties and brands of liquor are to be sold, and such prices shall be the same at all government stores except,

“(a) liquor sold through an outlet designated by the Minister of National Revenue under the Excise Act (Canada) as a duty-free sales outlet; and

“(b) liquor sold to holders of a licence under the Liquor Licence Act, which may be sold at a price that is different from the price at which it is sold to the general public.”

The Chair (Ms. Soo Wong): Any questions or comments to motion 42? Seeing none, all those in favour of motion 42? All those opposed? It is now carried.

Shall schedule 20, section 3, as amended, be carried? Carried.

We are now dealing with motion 43. Mr. Baker, do you want to move that?

Mr. Yvan Baker: I move that paragraph 3 of section 4 of schedule 20 to the bill be struck out.

The Chair (Ms. Soo Wong): Any questions or comments to motion 43? Mr. Baker?

Mr. Yvan Baker: Once again, Chair, there are several motions relating to the Liquor Control Act. They will assist in the modernization of alcohol regulation in Ontario while confirming the historic authority for some past practices, such as the LCBO setting of different prices for beer sold to licensees under the Liquor Licence Act.

The Chair (Ms. Soo Wong): Any more questions or comments to motion 43? Seeing none, I'm going to call the question. All those in favour of motion 43? Motion 43 is now carried.

Shall schedule 20, section 4, as amended, carry? Carried.

We're now on motion 44. Mr. Baker, do you want to move the motion?

Mr. Yvan Baker: I move that clause 8(1)(d.1) of the act, as set out in subsection 5(1) of schedule 20 to the bill, be amended by adding “and may make regulations providing that liquor may be sold to holders of a licence under the Liquor Licence Act at a price that is different from the price sold to the general public” at the end.

1610

The Chair (Ms. Soo Wong): Any questions or comments to motion 44? Seeing none, I'm going to call the question. All those in favour of motion 44? All those opposed? Carried. Motion 44 is carried.

Motion 45: Mr. Baker.

Mr. Yvan Baker: I move that section 5 of schedule 20 to the bill be amended by adding the following subsection:

“(3) Section 8 of the act is amended by adding the following subsection:

“Power to make regulations governing prices

“(2) The authority to make regulations under clause 8(1)(d) of the act, as it read immediately before section 5 of schedule 20 to the Building Ontario Up Act (Budget Measures), 2015 came into force, is deemed always to have included the authority to make regulations governing the prices at which liquor is sold to various classes of licence holders under the Liquor Licence Act, including regulations providing that liquor may be sold to holders of a licence under the Liquor Licence Act at a price that is different from the price sold to the general public.”

The Chair (Ms. Soo Wong): Any questions or comments to motion 45? Seeing none, all those in favour of motion 45? All those opposed? Carried.

Shall schedule 20, section 5, as amended, be carried? Carried.

We're now on schedule 20, section 6. Sections 6 and 7: There are no motions. Is it the will of the committee that we bundle them and call the question? Okay. Shall schedule 20, sections 6 and 7, be carried? Carried. Thank you.

All right, I know that there are motions—46, Mr. Baker.

Mr. Yvan Baker: I move that section 10 of the Liquor Control Act, as set out in section 8 of schedule 20 to the bill, be amended by striking out subsections (1) and (2) and substituting the following:

“Agreements with crown re sale of beer

“(1) One or more of the following may enter into agreements with the crown in relation to the crown’s or a crown agent’s regulation and control of the sale of beer in Ontario:

“1. Brewers Retail Inc.

“2. One or more shareholders of Brewers Retail Inc., individually or jointly.

“Agreements with crown agent re sale of beer

“(2) One or more of the following may enter into agreements with a crown agent in relation to the crown’s or a crown agent’s regulation and control of the sale of beer in Ontario, if the Lieutenant Governor in Council directs the crown agent to enter into such an agreement:

“1. Brewers Retail Inc.

“2. One or more shareholders of Brewers Retail Inc., individually or jointly.

“June 2000 framework

“(2.1) The board is deemed to have been directed, and Brewers Retail Inc. is deemed to have been authorized, to enter into the June 2000 framework in relation to the crown’s or a crown agent’s regulation and control of the sale of beer in Ontario.”

The Chair (Ms. Soo Wong): Any questions or comments to motion 46? Seeing none, I’m going to call the question. Shall motion 46 be carried? Carried.

Motion 47 is coming before you. Mr. Baker.

Mr. Yvan Baker: I move that subsection 10(4) of the act, as set out in schedule 20 to the bill, be amended by adding the following paragraph:

“3.1 Any matter addressed in the June 2000 framework.”

The Chair (Ms. Soo Wong): Any questions or comments to motion 47? Seeing none, shall motion 47 be carried? Carried.

Shall schedule 20, section 8, as amended, be carried? Carried.

I believe there are no motions before us for schedule 20, sections 9 through 12. Can we bundle them together? Okay. We’re going to call. Shall schedule 20, sections 9 through 12, inclusive, be carried? Carried.

Interjection.

The Chair (Ms. Soo Wong): Do you want a recorded vote for the entire schedule? Okay.

Mr. Peter Tabuns: As do I, and I want to make comments.

The Chair (Ms. Soo Wong): Okay. There is a request for a recorded vote for schedule 20. Mr. Tabuns, do you want to make comments to schedule 20?

Mr. Peter Tabuns: Thank you, Chair. We believe that beer and wine sales should increase selection, value and access, and create good jobs. While this act partly addresses access, it doesn’t address selection or value, nor does it do anything to create secure and good-paying jobs.

If we’re going to expand accessibility to alcohol, the best solution is LCBO kiosks in existing grocery and retail stores. The government and LCBO have already laid the groundwork. It makes sure that new retail jobs are well paid and secure, not low-wage Walmart jobs. It ensures that alcohol is sold responsibly in a proven framework, and it puts money in the bank that we can invest in schools, hospitals and infrastructure.

For those reasons, I’d suggest that everyone vote against schedule 20.

The Chair (Ms. Soo Wong): Mr. Potts?

Mr. Arthur Potts: It gives me great pleasure to actually rise to support this section. This is the greatest movement in alcohol distribution sales, particularly as it affects a growing segment of the marketplace in craft beer.

There is widespread stakeholder approval of what we’re doing here. Some difficult negotiations—and at the same time, it keeps intact the very valuable Beer Store infrastructure as it applies to things like refillable bottles and take-back and such. It’s a great deal we’ve struck, and I’m delighted to be able to support it.

The Chair (Ms. Soo Wong): Okay. Any more questions and comments? It is a recorded vote, everybody.

Shall schedule 20, as amended, be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Tabuns.

The Chair (Ms. Soo Wong): Schedule 20, as amended, is now carried.

We are now on schedule 21, section 1. I believe there are no motions. Is it the will of the committee that we can bundle them together and vote on them? I hear yes. Okay. Shall schedule 21, sections 1 through 3, be carried? Carried.

Shall schedule 21 be carried? Carried.

I also see there are no motions before us for schedule 21 through section 4. Is it okay with the committee that we bundle them together? Okay, I just wanted to make sure.

Mr. Tabuns, you know where we are, right?

Mr. Peter Tabuns: On 21.

The Chair (Ms. Soo Wong): Schedule 22, sections 1 through 4, because there are no motions before us. Okay? I'm going to call—

Interjections.

The Chair (Ms. Soo Wong): Schedule 22, Mr. Tabuns.

Mr. Peter Tabuns: Yes.

The Chair (Ms. Soo Wong): Schedule 22, sections 1 through 4: There are no motions. I'm going to bundle them. Shall schedule 22, sections 1 through 4, inclusive, be carried? Carried.

Motion 48: Mr. Pettapiece, do you want to move that motion?

Mr. Randy Pettapiece: Yes. I move that section 5 of schedule 22 to the bill be struck out and the following substituted:

“Commencement

“5. This schedule comes into force on the day on which the Minister of Energy on behalf of Her Majesty in right of Ontario owns less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force.”

The Chair (Ms. Soo Wong): Okay. Mr. Fedeli?

Mr. Victor Fedeli: So we're back to the ones that we had been debating since this morning at 9 o'clock. They're in no particular order.

Again, this brings it back to the point where we're trying to get over that 50% threshold, so that the lobbyist changes can only come into effect once Hydro One goes over 50% private ownership, so that when they transfer Hydro One into this new corporation, none of this will still take place. It's when we stop owning 50% that the lobbyists, the Auditor General, the sunshine list and all of the other—go into force. It's the same as the one I've been arguing for the last eight hours.

Mrs. Laura Albanese: Madam Chair?

The Chair (Ms. Soo Wong): Ms. Albanese.

Mrs. Laura Albanese: I would just reiterate what we have been saying since this morning, and that is that as Hydro One transitions into a publicly traded company, the government remains committed to its continued regulation, accountability and transparency.

I also would like to point out that we are proposing to allow some time to ensure that officers of the Legislature could continue any work that they have under way. But the principle is that at the time of the IPO and the sale of the first 15% of shares of Hydro One, Hydro One ceases to be a crown corporation, and officers of the Legislature do not have jurisdiction over a publicly traded company.

1620

The Chair (Ms. Soo Wong): Mr. Fedeli?

Mr. Victor Fedeli: I have a question, if I may go through you, Chair, to Ms. Albanese. We're talking about the Lobbyists Registration Act, and you said there's a time lag between when it happens and when that happens. Is that for the lobbyists as well?

Mrs. Laura Albanese: My understanding is that that applies to all of the officers of the Legislature, so—

Mr. Victor Fedeli: But this number 48 is—

Mrs. Laura Albanese: The lobbyists, if I'm correct, report to the Integrity Commissioner. There's a registry.

Mr. Victor Fedeli: Again, this is the Lobbyists Registration Act. We're talking about having the lobbyists be able to still register up until this 50% number, as opposed to immediately. So my question is, are you telling us now—that would be a change, by the way—that this won't count?

Mrs. Laura Albanese: Can I ask for a recess for that? Can I have two minutes?

The Chair (Ms. Soo Wong): How long is the recess? There's a request for a recess.

Mr. Victor Fedeli: Well, we're going to go and vote in a couple of minutes anyway.

Mrs. Laura Albanese: Just two minutes.

The Chair (Ms. Soo Wong): Two minutes. I heard there's a request for two minutes.

Mrs. Laura Albanese: Or until the vote?

Mr. Victor Fedeli: We're about to go and vote.

Mrs. Laura Albanese: We have received notice that there should be a vote at 4:25.

The Chair (Ms. Soo Wong): Just so people understand: Once we stop at 4:30, there is only one 20-minute break, and there will be no discussion. We're just going to keep moving the votes. That's it. There's no debate. There's no discussion. If there is a vote in the House, we'll suspend—but I just want everybody to be clear: If you want to recess, you can recess, but once 4:30 comes, that's by order of the House. It's not my rules; it's the order of the House.

Mr. Victor Fedeli: I'll forgo my question, then. I think I already know the answer. It was not quite a rhetorical question, but pretty close.

Mrs. Laura Albanese: I'll endeavour to find the answer.

The Chair (Ms. Soo Wong): Okay. Do we have any more questions and comments? Seeing none, I'm going to call the question. All those in favour of motion 48? All those opposed to motion 48? The motion is defeated.

I'm going to go back. Shall schedule 22, section 5, be carried? Carried.

Shall schedule 22—

Mr. Peter Tabuns: Recorded vote on schedule 22.

The Chair (Ms. Soo Wong): Mr. Tabuns has now asked for a recorded vote.

Shall schedule 22 be carried?

Ayes

Albanese, Baker, Hoggarth, Milczyn, Potts.

Nays

Fedeli, Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 22 is now carried.

We're now doing schedule 23. There are no motions before us. Can we bundle sections 1 and 2 together? Is that good with everybody? Okay. Shall schedule 23, sections 1 and 2, inclusive, be carried? Carried.

Shall schedule 23 be carried? Carried.

Schedule 24, sections 1 and 2: There are no motions before us. Can I put them together? Shall schedule 24, sections 1 and 2, be carried? Carried.

Shall schedule 24 be carried? Carried.

Schedule 25, sections 1 through 3: There are no motions before us. Can we bundle them together? All right. Shall schedule 25, sections 1 through 3, inclusive, be carried? Carried.

Shall schedule 25 be carried? Carried.

Shall schedule 26, 1 through 3, inclusive, be carried? Carried.

Shall schedule 26 be carried? Carried.

Shall schedule 27, sections 1 through 2—there are no amendments or motions—be carried? Carried.

Shall schedule 27 be carried? Carried.

I believe there are some motions before us. Mr. Pettapiece, do you want to read motion 49, please?

Mr. Randy Pettapiece: I move that subsection 52.1(1) of the Municipal Freedom of Information and Protection of Privacy Act, as set out in section 1 of schedule 28 to the bill, be amended by striking out “on and after the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent” at the end and substituting “on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50% of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force.”

The Chair (Ms. Soo Wong): Mr. Fedeli?

Mr. Victor Fedeli: Number 49 here is all about being open and transparent. This is very similar to the arguments we've made since 9 o'clock this morning. In this particular case, it's not about the Auditor General or the Integrity Commissioner or the privacy commissioner or the Ombudsman or the sunshine list. This one now, for the first time, is about the municipal freedom-of-information requests—that they would still be valid until Hydro One goes more than 50% private.

Given the fact that it's still a majority of a public company, it should be subject to the oversight rules of the auditor and the Integrity Commissioner and all of the others we mentioned earlier, including the municipal freedom-of-information requests that are received. That's what this is for, similar to the others.

The Chair (Ms. Soo Wong): Any questions and comments dealing with motion 49? I see none. I'm going to call the question.

Mr. Peter Z. Milczyn: Recorded vote.

The Chair (Ms. Soo Wong): I hear there's a recorded vote.

Ayes

Fedeli, Pettapiece.

Nays

Albanese, Baker, Hoggarth, Milczyn, Potts.

The Chair (Ms. Soo Wong): The motion is defeated. Motion 50: Mr. Pettapiece, do you want to read the motion?

Mr. Randy Pettapiece: I move that subsection 52.1(6) of the Municipal Freedom of Information and Protection of Privacy Act, as set out in section 1 of schedule 28 to the bill, be amended by striking out “on the first anniversary of the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent” at the end and substituting “on the first anniversary of the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force.”

The Chair (Ms. Soo Wong): Any questions and comments? Mr. Fedeli?

Mr. Victor Fedeli: Chair, again, this particular amendment to section 1, schedule 28 of the bill will basically increase what I call the exemption or the wrap-up period for the municipal freedom-of-information requests to one year after a majority of the company becomes private.

Again, in our opinion, a public company should be subject to oversight. Think about this now: On day one, you've got probably the most valuable—if not listed financially, certainly from a practical reason—asset that is today owned by the people of Ontario. We are about to take all of the oversight in this particular one, the Municipal Freedom of Information and Privacy Act—I brought this to the Legislature the first possible day we could.

Monday, in our boardroom—I'm quite sure the NDP had the same thing—all of the people from the Ministry of Finance, the various segments, came in and they showed us the budget bill, the actual 45 sections of the bill. I have to tell you how surprised I was when I read that this particular one, the Municipal Freedom of Information and Protection of Privacy Act, but also the freedom of information—not just the municipal section but the general one that the public would be more familiar with, FIPPA—was no longer covered under this. Auditor General: gone. Integrity Commissioner: gone. All of these officers of the Legislature are excluded immediately from the opportunity to comment. So this—

The Chair (Ms. Soo Wong): Mr. Fedeli, I'm going to cut you short. Just for the committee's purposes, pursuant to the order of the House dated Wednesday, May 13, 2015, I am now required to interrupt the proceedings and shall, without further debate or amendment, put every

question necessary to dispose of all the remaining sections of Bill 91 and any amendments thereto.

At this time, I'm going to allow a 20-minute waiting period, if requested, pursuant to standing order 129(a), and from this point forward, those amendments which have not yet been moved shall be deemed to have been moved, and I will take the vote on them consecutively.

We're going to recess because we have a vote ahead of us. We may as well do the 20 minutes as well. Is that good with everybody? Because we can only do one 20-minute break from here on.

Mr. Yvan Baker: Sorry, what time are we returning?

Mrs. Laura Albanese: In 20 minutes?

The Chair (Ms. Soo Wong): You can take the full 20 minutes, because when we come back a little bit later, there will be no more 20-minute breaks.

We now have to go for the vote.

Mrs. Laura Albanese: So 20 minutes?

Interjections.

The Chair (Ms. Soo Wong): Ten to 5, unless the vote takes a lot longer. So 10 to 5 p.m. Thank you.

The committee recessed from 1631 to 1652.

The Chair (Ms. Soo Wong): All right, folks, we're resuming the committee. I believe we're on motion number 50.

Is there a recorded vote? I can't recall. Can I call the question?

All those in favour? All those opposed? It's defeated.

Motion 51.

Mr. Yvan Baker: Recorded vote.

The Chair (Ms. Soo Wong): Recorded vote.

Motion 51 is now deemed moved by Ms. Albanese. I will be reading it for the record.

I move that subsections 52.1(5) and (6) of the Municipal Freedom of Information and Protection of Privacy Act, as set out in section 1 of schedule 28 to the bill, be struck out and the following substituted:

"Transition

"(5) Despite subsection (1), for a period of six months after the date described in that subsection,

"(a) the commissioner may continue to exercise all of his or her powers under section 41 (inquiry) and clause 46(b) (certain orders) in relation to Hydro One Inc. and its subsidiaries with respect to matters that occurred and records that were created before that date; and

"(b) Hydro One Inc. and its subsidiaries continue to have the duties of an institution under this act in relation to the exercise of the commissioner's powers mentioned in clause (a).

"Continuing authority to issue orders, etc.

"(6) The powers and duties of the commissioner to issue orders under section 41 and clause 46(b) with respect to matters mentioned in subsection (5) continue for an additional six months after the expiry of the six-month period described in that subsection.

"Orders binding

"(7) An order issued within the time described in subsection (6) is binding on Hydro One or its subsidiaries, as the case may be.

"Repeal

"(8) Subsections (5), (6) and (7) and this subsection are repealed on a day to be named by proclamation of the Lieutenant Governor."

This is a recorded vote.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): The motion is now carried.

I'm going to call the question now. It's a recorded vote?

Mr. Peter Tabuns: On schedule 28, as a whole.

The Chair (Ms. Soo Wong): Okay. I'm dealing with schedule 28, section 1.

Mr. Peter Tabuns: No problem. Roll on, Chair.

The Chair (Ms. Soo Wong): Okay. Schedule 28, section 1, as amended: Will it be carried? Carried.

I'm dealing with schedule 28, section 2. There are no motions. Can I call the question for that? Shall schedule 28, section 2, be carried? Carried.

I believe there's a recorded vote for schedule 28 as a whole, as amended.

Shall schedule 28, as amended, carry? It's a recorded vote.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Pettapiece, Tabuns.

The Chair (Ms. Soo Wong): Schedule 28, as amended, is now carried.

I believe we're now on schedule 29. Sections 1 and 2: There are no motions. I'm going to call the questions. Shall schedule 29, sections 1 and 2, be carried? Carried.

Shall schedule 29 be carried? Carried.

There is a motion before us—motion 52, I believe. Mr. Pettapiece, I'm going to have to read this on record, because it's now deemed moved.

The motion is being moved by Mr. Pettapiece. I'm going to read it out now:

I move that subsection 13(5) of the Ombudsman Act, as set out in section 1 of schedule 30 to the bill, be amended by striking out "on and after the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent" at the end and substituting "on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): It's a recorded vote? Okay.

Ayes

Fedeli, Pettapiece.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Okay, so the motion is lost.

Shall schedule 30, section 1, be carried? Carried.

There are no motions for schedule 30, section 2. Shall schedule 30, section 2, be carried? Carried.

Shall schedule 30 be carried? Carried. All right.

I'm at schedule 31, section 1. There is a government motion here. Ms. Albanese, I'm going to move that motion on your behalf. I believe it's motion 53, right?

Okay, it is deemed moved that section 79.2 of the Ontario Energy Board Act, 1998, as set out in section 1 of schedule 31 to the bill, be amended by adding the following subsection:

“Verification of eligibility

“(16.1) Section 11 of the Ministry of Revenue Act applies with respect to the Ontario Electricity Support Program as a government assistance program administered by the board.”

All those in favour of the motion? All those opposed? The motion is now carried.

Shall schedule 31, section 1, as amended, be carried? Carried.

Shall schedule 31, section 2, be carried? Carried.

Shall schedule 31, as amended, be carried? Carried. Okay.

We're now on schedule 32. There are no motions put forward. I'm going to bundle them, okay? Shall schedule 31, section 1 through 4, inclusive—

Interjection.

1700

The Chair (Ms. Soo Wong): Oh. Schedule 32, section 1 through schedule 32, section 4, inclusive—shall it be carried? Carried.

Shall schedule 32 be carried? Carried.

We are now on schedule 33. I believe there is a motion before us.

Ms. Albanese, I'm going to be moving it for you.

It is now moved that the definition of “Ontario Retirement Pension Plan” in section 1 of schedule 33 to the bill be amended by striking out “section 1 of Bill 56 (Ontario Retirement Pension Plan Act, 2015) introduced on December 8, 2014” and substituting “section 1 of the Ontario Retirement Pension Plan Act, 2015”.

All those in favour of motion 54? All those opposed? It's now carried.

Shall schedule 33, section 1, as amended, be carried? Carried.

There are no motions from schedule 33, sections 2 through 6. I'm going to bundle them and I'm going to call the question. Shall schedule 33, sections 2 through 6, inclusive, be carried? Carried.

I believe there are motions before us. Motion 55, deemed moved by Mr. Tabuns—I'll read it for the record—that paragraph 1 of subsection 7(2) of schedule 33 to the bill be struck out and the following substituted:

“1. Two individuals appointed by the Lieutenant Governor in Council, at least one of whom shall be a member of a union who is representative of workers and such others as the Lieutenant Governor in Council considers appropriate.”

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): Recorded vote. Okay. There is a call for a recorded vote for motion 55.

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): The motion is lost.

We're now on motion 56, everyone. I'm going to deem Mr. Tabuns moving motion 56, that subsection 7(4) of schedule 33 to the bill be struck out and the following substituted:

“Establishment of nomination criteria

“(4) The nominating committee shall establish criteria for the nomination of directors, taking into account the importance of reflecting the diversity of Canada's population in the composition of the board of directors.”

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): Okay. It's a recorded vote.

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): It's now defeated.

Shall schedule 33, section 7, be carried? All those in favour? Opposed? It's carried.

I believe for schedule 33, sections 8 through 13, there are no motions. Can I bundle them together? Okay. Shall schedule 33, sections 8 through 13, inclusive, be carried? Carried.

I believe there is a motion 57 before us. Mr. Tabuns, I'm going to move your motion, that section 14 of schedule 33 to the bill be struck out and the following substituted:

“Financial records

“14(1) The corporation shall maintain financial records for the corporation and its subsidiaries, if any, and shall ensure that financial and management control and information systems and management practices are maintained at the corporation and each of its subsidiaries.

“Manner in which records etc. to be kept

“(2) The records, systems and practices required by subsection (1) shall be kept and maintained in such manner as will enable the corporation to prepare financial statements in accordance with generally accepted accounting principles, and that will provide reasonable assurance that,

“(a) the board’s assets and those of its subsidiaries are safeguarded and controlled; and

“(b) the board’s financial, human and physical resources and those of its subsidiaries are managed economically and efficiently and that the board’s operations and those of its subsidiaries are carried out effectively.

“Special examination

“(3) The minister shall cause a special examination to be carried out at least once every six years in respect of the corporation and any of its subsidiaries to determine if the systems and practices referred to in subsection (1) were, in the period under examination, maintained in a manner that provided reasonable assurance that they met the requirements of clauses (2)(a) and (b).”

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): Motion 57 is a recorded vote.

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Motion 57 is lost.

I’m now dealing with schedule 33, section 14: Shall schedule 33, section 14, be carried? Carried.

Now there’s another motion, motion 58. Mr. Tabuns, I’m going to move your motion. I move that subsection 15(2) of schedule 33 to the bill be struck out and the following substituted:

“Special audit

“(2) The minister may, at any time he or she considers it necessary, appoint an auditor to conduct a special audit, as defined in the Auditor General Act, of the corporation or any of its subsidiaries.

“Qualified privilege—defamation

“(3) Any statement or report made under this act orally, in writing or in another format by an auditor or former auditor appointed by the corporation or by the minister has qualified privilege.”

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): A recorded vote has been asked.

Interjection.

The Chair (Ms. Soo Wong): We are at motion 58, Mr. Fedeli. There’s a recorded vote asked for motion 58.

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Motion 58 is defeated.

Shall schedule 33, section 15, be carried? Carried.

I believe there is a motion 59. I am going to move your motion, Mr. Tabuns. I move that the heading before section 16 be struck out and the following substituted:

“Quarterly and Annual Reports and Annual Meeting

“Quarterly report

“15.1(1) The board of directors shall submit to the minister copies of the corporation’s financial statements for the first, second and third quarters of the financial year, prepared in accordance with generally accepted accounting principles, within 45 days after the end of the three-month period to which they relate.

“Report to be publicly accessible

“(2) The corporation shall ensure that the financial statements for a quarter are available to the public within seven days after they are submitted to the minister.”

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): A recorded vote has been asked for motion 59.

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Motion 59 is defeated.

Because there is no motion for schedule 33, section 16 and section 17, I’m going to be bundling them for the vote. Shall schedule 33, sections 16 and 17, be carried? Carried.

1710

There is a motion before us, motion 60, which I’m going to move on behalf of Mr. Tabuns. I move that section 18 of schedule 33 to the bill be amended by adding the following subsection:

“By-laws to be given to minister

“(5) The corporation shall give a copy of every resolution that makes, amends or repeals a by-law to the minister.”

Mr. Peter Tabuns: Recorded vote.

The Chair (Ms. Soo Wong): There’s a recorded vote being asked for motion number 60.

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): The motion is lost. Shall schedule 33, section 18, be carried? Carried. I notice that from schedule 33, section 19—

Interjection.

The Chair (Ms. Soo Wong): Forty-three? Is it? Let me double-check first. I'm still on schedule 33, okay? So, ladies and gentlemen, schedule 33, sections 19 through 43: There are no motions. Is it all right with the committee if I bundle them?

Interjection.

The Chair (Ms. Soo Wong): Schedule 33, sections 19 through 43, inclusive, okay? Shall schedule 33, sections 19 through 43, inclusive, be carried? Carried.

Shall schedule 33 be carried—no, as amended.

Mr. Victor Fedeli: Is this the whole schedule?

The Chair (Ms. Soo Wong): The whole schedule 33.

Mr. Victor Fedeli: Recorded vote.

The Chair (Ms. Soo Wong): There is a recorded vote being asked for. I just want everybody to know what they're dealing with. Shall schedule 33, as amended, be carried?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli.

The Chair (Ms. Soo Wong): Schedule 33, as amended, is now carried.

Schedule 34: I believe there are no motions put forward by all three parties, so I'm going to bundle them—schedule 34, sections 1 through 11 inclusive. Shall schedule 34, sections 1 through 11 inclusive, be carried? Carried.

Shall schedule 34 be carried? Carried.

I believe for schedule 35, sections 1 through 3, there are no motions. I'm going to bundle them. Shall schedule 35, sections 1 through 3 inclusive, be carried? Carried.

Shall schedule 35 be carried? Carried.

Schedule 36, section 1: There is no motion. Can I call the question? Shall schedule 36, section 1, be carried? Carried.

There is a motion 61. Mr. Fedeli, I'm going to read your motion for the record. I move that section 8 of the Poverty Reduction Act, 2009, as set out in section 2 of schedule 36 to the bill, be amended by adding the following subsection:

“Quarterly reports

“(3) The minister shall table quarterly reports in the assembly that provide details about the grants made under this section.”

I'm going to call the question: All those in favour of motion 61? All those opposed to motion 61? It's defeated.

Shall schedule 36, section 2, carry? Carried.

Schedule 36, section 3: There are no motions. Shall schedule 36, section 3, be carried? Carried.

Shall schedule 36 be carried? Carried.

We're now on schedule 37. There are a couple of motions put forward. Motion 62: I will move that for Mr. Fedeli. I move that subsection 1(1) of schedule 37 to the bill be struck out.

This is motion 62. All those in favour of motion 62? All those opposed to motion 62? Motion 62 is lost.

I believe there is a motion 63. Mr. Fedeli, you're moving that? Okay. Everybody is on motion 63? I move that subsection 11(2) of the Public Sector Expenses Review Act, 2009, as set out in subsection 1(2) of schedule 37 to the bill, be amended by striking out “on and after the day the Building Ontario Up Act (Budget Measures), 2015 received royal assent” at the end and substituting “on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force.”

All those in favour of motion 63? All those opposed to motion 63? The motion is lost.

Motion 64: I move that subsection 11(4) of the Public Sector Expenses Review Act, 2009, as set out in subsection 1(2) of schedule 37 to the bill, be amended by striking out “on the first anniversary of the date on which the Building Ontario Up Act (Budget Measures), 2015 received royal assent” at the end and substituting “on the first anniversary of the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50% of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force”.

All those in favour of motion 64? All those opposed to motion 64? Motion 64 is defeated.

Motion 65: I move that subsection 1(2) of schedule 37 to the bill be struck out.

All those in favour of motion 65? All those opposed to motion 65? Motion 65 is defeated.

Shall schedule 37, section 1, be carried? Okay.

We are now dealing with motion 66. I move that subsection 2(1) of schedule 37 to the bill be amended by striking out “subject to subsection (2)”.

All those in favour of motion 66? All those opposed to motion 66? Motion 66 is defeated.

Motion 67: I move that subsection 2(2) of schedule 37 to the bill be struck out.

All those in favour of motion 67? All those opposed to motion 67? The motion is defeated.

Mr. Peter Tabuns: Chair?

The Chair (Ms. Soo Wong): Yes?

Mr. Peter Tabuns: Just to be sure—because sometimes I don't know how many other sections there are—I want a recorded vote on the schedule as a whole.

The Chair (Ms. Soo Wong): Okay, the entire schedule.

I'm now dealing with schedule 37, section 2, only. Shall schedule 37, section 2, be carried? Carried.

Now it's a recorded vote, as requested by Mr. Tabuns. All those in favour of schedule 37?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 37 is now carried.

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Now we're dealing with schedule 38. There is a motion before us, motion 68. I'm going to move the motion on behalf of Mr. Fedeli. I move that schedule 38 to the bill be amended by adding the following section:

"0.1 The definition of employer in subsection 2(1) of the Public Sector Salary Disclosure Act, 1996 is amended by striking out 'and' at the end of clause (b), by adding 'and' at the end of clause (c) and by adding the following clause:

"(d) the Housing Services Corporation and each of its subsidiaries."

Interjection.

The Chair (Ms. Soo Wong): The motion is out of order. It's beyond the scope of the bill.

Shall schedule 38, section 1, be carried? Carried.

We have motion 69. I move that subsection 3(6) of the Public Sector Salary Disclosure Act, 1996, as set out in section 2 of schedule 38 to the bill, be struck out and the following substituted:

"Transition re: Hydro One Inc.

"(6) This section does not apply to Hydro One Inc. and its subsidiaries with respect to salary and benefits paid after December 31 of the year in which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

All those in favour of motion 69? All those opposed to motion 69? The motion is defeated.

Shall schedule 38, section 2, be carried? Carried.

We have more motions put forth. It is now motion 70, deemed moved by Mr. Fedeli. I move that subsection 3(1) of schedule 38 to the bill be amended by striking out "Subject to subsection (2)".

All those in favour of motion 70? All those opposed to motion 70? Motion 70 is lost.

I'm dealing with motion 71, deemed moved by Mr. Fedeli. I move that subsection 3(2) of schedule 38 to the bill be struck out.

All those in favour of motion 71? All those opposed to motion 71? Motion 71 is defeated.

Shall schedule 38, section 3, be carried? Carried.

Mr. Peter Tabuns: Now can we have a recorded vote on the schedule as a whole?

The Chair (Ms. Soo Wong): A recorded vote is being asked for. All those in favour of schedule 38? Raise your hands.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 38 is now carried.

We're now dealing with schedule 39. There are no motions put forward for schedule 39. Can I bundle them?

Mr. Peter Tabuns: No. I would like to have section 3 of schedule 39 set aside. I want to have a recorded vote. But for sections 1 and 2, I don't care.

The Chair (Ms. Soo Wong): Okay. Just so everybody knows, in schedule 39, 1 and 2 will be bundled in the vote. Shall schedule 39, sections 1 and 2, be carried? Carried.

I now hear there's a recorded vote asked for; right?

Mr. Peter Tabuns: Yes, for 3.

The Chair (Ms. Soo Wong): There is a recorded vote for schedule 39, section 3. All those in favour of schedule 39, section 3?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn, Tabuns.

The Chair (Ms. Soo Wong): Schedule 39, section 3, is now carried.

There are no motions for schedule 39, sections 4 through 6. Is it the will of the committee that I can bundle them? Okay. I will now call the question. Shall schedule 39, sections 4 through 6, inclusive, carry? Carried.

I'm dealing now with the entire schedule.

Shall schedule 39 carry? Carried. Thank you.

We're now at schedule 40—

Interjection.

The Chair (Ms. Soo Wong): I'm faster than the Clerk.

There are no motions put forward by any of the parties, so schedule 40, sections 1 through 11—can I bundle them? Mr. Tabuns.

Mr. Peter Tabuns: I'd like to have section 9 taken out.

The Chair (Ms. Soo Wong): Okay. Can I bundle sections 1 through 8?

Interjections: Yes.

The Chair (Ms. Soo Wong): Okay. Just so everybody knows what they're voting on, schedule 40, sections 1 through 8: I'm going to bundle them in the vote. Schedule 40, sections 1 through 8. Okay? Mr. Fedeli, are we good? Okay, guys, I'm going to go forward.

I'm dealing with schedule 40, sections 1 through 8, inclusive.

Shall schedule 40, sections 1 through 8, carry? Carried.

I'm dealing specifically, because there's a request for a recorded vote for schedule 40, section 9. Right, Mr. Tabuns?

Mr. Peter Tabuns: Correct.

The Chair (Ms. Soo Wong): All those in favour of schedule 40, section 9?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, section 9, is now carried.

There are no motions put forward to us for schedule 40, sections 10 and 11.

Mr. Tabuns?

Mr. Peter Tabuns: I'd like to have a recorded vote on section 10, please.

The Chair (Ms. Soo Wong): There's a recorded vote for section 10. Schedule 40, section 10, is a recorded vote.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, section 10, is now carried.

There is no motion put forward for schedule 40, section 11.

Mr. Peter Tabuns: I'd like a recorded vote on section 11.

The Chair (Ms. Soo Wong): Okay. There's a recorded vote requested, folks.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, section 11, is now carried.

There is a motion, motion 72—

Mr. Yvan Baker: Recorded vote, Chair.

The Chair (Ms. Soo Wong): Recorded vote. This is motion 72. I'm going to move, on behalf of Ms. Albanese, that subsection 12(1) of schedule 40 to the bill be amended by adding the following subsection:

“Transitional

“(2.1) Despite subsection (2), the amount of a qualifying corporation's Ontario computer animation and special effects tax credit for a taxation year is 20 per cent of its qualifying labour expenditures for the year for expenditures incurred after April 23, 2015 and before August 1, 2016 in respect of an eligible production if all of the following criteria are satisfied:

“1. Before April 24, 2015, the corporation has entered into at least one written agreement in respect of a qualifying labour expenditure for the eligible production with a person that deals at arm's length with the corporation and any of the following criteria are satisfied:

“i. The agreement is in respect of digital animation or digital visual effects for use in the eligible production.

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“ii. The agreement demonstrates, in the opinion of the Minister of Tourism, Culture and Sport, that the corporation has made a significant commitment to production activities related to the eligible production in Ontario.

“2. Before August 1, 2015, the corporation has notified the Ontario Media Development Corporation in writing of its intent to apply for a certificate under subsection (5) in respect of the eligible production.

“3. Before August 1, 2016, the corporation has applied to the Ontario Media Development Corporation for a certificate under subsection (5) in respect of the eligible production.

“4. Principal photography or key animation for the production commenced before August 1, 2015.”

This is a recorded vote for this particular motion, motion 72.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn, Tabuns.

The Chair (Ms. Soo Wong): Motion 72 is carried.

Mr. Peter Tabuns: And then we'll have a separate vote on section 12 as a whole? Sorry, to the amended 12.

The Chair (Ms. Soo Wong): Yes. I'm going to call the question now.

Shall schedule 40, section 12, as amended, carry?

Mr. Peter Tabuns: Recorded vote.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, section 12, as amended, is carried.

We're now dealing with motion 73. I'm going to move it, on behalf of Mr. Milczyn. I move that section 13 of schedule 40 to the bill be amended by adding the following subsection:

“(1.1) Section 92 of the act is amended by adding the following subsection:

“Transitional

“(3.1) Despite subsection (3), a qualifying corporation's eligible credit for a taxation year in respect of an eligible production includes 25 per cent of the portion of its qualifying production expenditures in respect of the production for the year that relates to expenditures incurred after April 23, 2015 and before August 1, 2016 if all of the following criteria are satisfied:

“1. Before April 24, 2015, the corporation has entered into at least one written agreement in respect of a qualifying production expenditure in respect of the production with a person that deals at arm's length with the corporation and any of the following criteria are satisfied:

“i. The agreement is in respect of services of a producer, a director, a key cast member, a production crew or a post-production crew.

“ii. The agreement is in respect of a studio located in Ontario, or a location in Ontario.

“iii. The agreement demonstrates, in the opinion of the Minister of Tourism, Culture and Sport, that the corporation has made a significant commitment to production activities in Ontario.

“2. Before August 1, 2015, the corporation has applied to the Ontario Media Development Corporation under subsection (6) for a certificate in respect of the production.

“3. Principal photography or key animation for the production commenced before August 1, 2015.”

Mr. Yvan Baker: Recorded vote.

The Chair (Ms. Soo Wong): There is a recorded vote requested. This is dealing with motion number 73.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn, Tabuns.

The Chair (Ms. Soo Wong): Motion 73 is now carried.

Mr. Peter Tabuns: And, Madam Chair, we're now going to vote on section 13, as amended?

The Chair (Ms. Soo Wong): Yes.

Mr. Peter Tabuns: I'd like a recorded vote on that.

The Chair (Ms. Soo Wong): Recorded vote? Okay. Schedule 40, section 13, as amended.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, section 13, as amended, is now carried.

We're now dealing with motion 74. I move that schedule 40 to the bill be amended by adding the following section:

“13.1 Section 93 of the act is amended by adding the following subsection:

“Restriction on regulations re “eligible product”

“(14.1) A regulation prescribing conditions in connection with clause (a) of the definition of “eligible product” in subsection (14) shall not require,

“(a) that 80 per cent of total labour costs for eligible products be attributable to qualifying wages and qualifying remuneration paid to individuals or corporations that carry on a personal services business; or

“(b) that 25 per cent of total labour costs for eligible products be attributable to qualifying wages of employees of the qualifying corporation.”

Mr. Peter Tabuns: Recorded vote.

Interjections.

The Chair (Ms. Soo Wong): This motion is out of order. Motion 74 is now out of order. It will not be voted on.

Mr. Peter Tabuns: Then we are going to be voting on section 14 in its entirety. Is that correct?

The Chair (Ms. Soo Wong): Yes, later. Soon.

Mr. Peter Tabuns: Then I would like a recorded vote on section 14.

The Chair (Ms. Soo Wong): Towards the end.

Now, just so everybody knows, for schedule 40, sections 14 through 22, there are no motions, so I'm going to bundle them—

Mr. Peter Tabuns: Except 14. I would like to have it taken out.

The Chair (Ms. Soo Wong): Just section 14, Mr. Tabuns?

Mr. Peter Tabuns: Yes, section 14, and then I'd like to have a vote on schedule 40 in its entirety.

The Chair (Ms. Soo Wong): Okay. So then, if I have everybody's attention, Mr. Tabuns has requested a recorded vote for schedule 40, section 14.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, section 14, is now carried.

Schedule 40, sections 15 through 22: There are no motions, so I'm going to be bundling them, okay? Shall schedule 40, sections 15 through 22, inclusive, be carried? Okay. Carried.

There's a request for a recorded vote for schedule 40. Am I correct? Okay. All those in favour for schedule 40?

Interjections.

The Chair (Ms. Soo Wong): Let me put the question back, so everybody understands. There is an amendment to schedule 40, so I'm going to call the question. It's a recorded vote.

All those in favour—

Mr. Victor Fedeli: This is 40 in its entirety?
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The Chair (Ms. Soo Wong): For the entire schedule, as amended.

All those in favour of schedule 40, as amended?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Tabuns.

The Chair (Ms. Soo Wong): Schedule 40, as amended, is now carried.

We're now dealing with schedule 41, sections 1 and 2. There are no motions put forward, so can I bundle them?

Mr. Peter Tabuns: Sections 1 and 2, I'm fine with. When we vote on the schedule as a whole, 41, I'd like a recorded vote.

The Chair (Ms. Soo Wong): Okay. I'm going to call it. Shall schedule 41, sections 1 and 2, be carried? Carried.

Now there's a request for a recorded vote. All those in favour of schedule 41?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Tabuns.

The Chair (Ms. Soo Wong): Schedule 41 is now carried.

We are now dealing with schedule 42. I see no motions put forward. Is it all right with everybody that we bundle them together?

Shall schedule 41, sections 1 through 10—

Mr. Peter Tabuns: Section 42?

The Chair (Ms. Soo Wong): Yes. I'm just doing the section.

Mr. Peter Tabuns: I heard you say "schedule 41."

The Chair (Ms. Soo Wong): No, no. I'm saying: Shall schedule 42, sections 1 through 10, inclusive, be carried?

Mr. Peter Tabuns: Okay.

The Chair (Ms. Soo Wong): I have to do that first. Okay, let me do that one more time. Shall schedule 42, sections 1 through 10, inclusive, be carried? Carried.

I believe Mr. Tabuns wants a recorded vote. No? Okay.

Shall schedule 42 be carried? It's carried. Schedule 42 is now carried.

We're now on schedule 43, everybody. Shall schedule 43, section 1, be carried? Carried.

I believe there is a motion 75. Am I correct?

Mr. Peter Tabuns: I'd like a recorded vote.

The Chair (Ms. Soo Wong): A recorded vote, okay. I move that section 2 of schedule 43 to the bill be amended by adding the following subsection:

"(1) Section 23 of the act is amended by adding the following subsection:

"Provincial offences officers

"(1.1) A person authorized by the minister under subsection (1) has the powers of a provincial offences officer for the purposes of the enforcement of this act."

I heard there is a recorded vote.

Mr. Peter Tabuns: Yes.

The Chair (Ms. Soo Wong): Okay. All those in favour of motion 75?

Ayes

Tabuns.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Motion 75 is defeated.

Now I'm dealing with schedule 43, section 2. Schedule 43, section 2: Shall it be carried? Carried.

There are no motions for sections 3 through 6, inclusive. Is it all right with everybody that I bundle them? Schedule 43, sections 3 through 6, inclusive.

Shall schedule 43, sections 3 through 6, inclusive, be carried? Carried.

Shall schedule 43 be carried? Schedule 43 is now carried.

There is a motion before us, motion 76. I move that schedule 44 to the bill be amended by adding the following section—

Interjection.

The Chair (Ms. Soo Wong): I've been told to stand motion 76 down. I just want everybody to know.

Mr. Victor Fedeli: What was that?

The Chair (Ms. Soo Wong): Motion 76 has been stood down. Mr. Clerk?

The Clerk of the Committee (Mr. Katch Koch): Motion 76 is dependent on motion 78 carrying, so we need to deal with 78 first. If 78 carries, then 76 is in order.

The Chair (Ms. Soo Wong): All right. So did everybody get that? I'm standing down motion 76.

We're now dealing with motion 77. It's motion 77: I move that subsection 1(2) of the Trillium Trust Act, 2014, as set out in section 1 of schedule 44 to the bill, be amended by striking out "on and after the date on which section 1 of schedule 44 to the Building Ontario Up Act (Budget Measures), 2015 comes into force" at the end and substituting "on and after the date on which the Minister of Energy on behalf of Her Majesty in right of Ontario owned less than 50 per cent of the outstanding common shares of Hydro One Inc. as of the date that section 3 of schedule 9 to the Building Ontario Up Act (Budget Measures), 2015 came into force."

A recorded vote has been asked for.

Ayes

Fedeli.

Nays

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Motion 77 is defeated. Now we're doing motion 78: I move that schedule 44 to the bill be amended by adding the following section—

Mr. Peter Z. Milczyn: Point of order.

The Chair (Ms. Soo Wong): Yes?

Mr. Peter Z. Milczyn: Should we not have voted on schedule 44, section 1, as amended?

The Chair (Ms. Soo Wong): No. This is all pertaining to schedule 44, section 1, okay?

I'm going to go back. I move that schedule 44 to the bill be amended by adding the following section:

"1.1 Section 1 of the act is amended by adding the following subsection:

"Net proceeds of disposition

"(3) For the purposes of this act,

"net proceeds of disposition", when used in respect of the disposition of a qualifying asset, means an amount equal to the amount paid into the Consolidated Revenue Fund or to a public entity in respect of the asset's disposition, less,

"(a) the book value of the asset as of the date it was disposed of,

"(b) any costs incurred by the crown or a public entity in disposing of the asset, and

"(c) the value of any obligations assumed by the crown or a public entity in respect of the disposition."

Mr. Yvan Baker: Recorded vote, Chair.

Interjection.

The Chair (Ms. Soo Wong): I've been advised that motion 78 is out of order. It's beyond the scope of the committee, so it's out of order.

Mr. Yvan Baker: Can we call for a recess, Chair?

The Chair (Ms. Soo Wong): No. There's no recess.

Mr. Yvan Baker: So why is it out of order?

The Chair (Ms. Soo Wong): It's beyond the scope. Motion 78 is considered out of order, which means the previous one, motion 76, is now also out of order.

Yes, Mr. Tabuns.

Mr. Peter Tabuns: No, I'm fine. Keep going.

The Chair (Ms. Soo Wong): Okay. I'm going to keep going.

I believe there is a motion 79. Am I correct? There's motion 79. I'm going to read it into the book: I move that schedule 44 to the bill be amended by adding the following section:

"1.1 Subsection 4(2) of the act is repealed and the following substituted:

"Timing of regulation

"(2) A regulation under clause (1)(a) designating an asset as a qualifying asset may be made before or after the disposition of the relevant asset, but not later than 90 days after the disposition of the asset.

"Same

"(2.1) A regulation under clause (1)(b) may be made before or after the disposition of the relevant asset.

"Same

"(2.2) A regulation under clause (1)(c) in respect of a qualifying asset may be made before or after the disposition of the relevant asset, but not later than 90 days after the disposition of the asset."

All right. The motion is out of order. Motion 79 is out of order.

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Now we're dealing with motion 80. I move that schedule 44 to the bill be amended by adding the following section:

"1.2 The act is amended by adding the following section:

"Disposition of securities in Hydro One Inc., etc.

"2.1(1) If an amount is payable into the Consolidated Revenue Fund in respect of the disposition by a ministry of any securities in Hydro One Inc., an amount equal to the amount described in subsection (2) shall be credited to the Trillium Trust after the payment is made into the Consolidated Revenue Fund.

"Amount

"(2) The amount referred to in subsection (1) is an amount equal to the amount payable into the Consolidated Revenue Fund in respect of the disposition of the securities, less amounts equal to,

"(a) the book value of the securities as of the date they were disposed of; and

"(b) any costs incurred by the Crown in disposing of the securities."

Motion 80 is also deemed out of order.

I am dealing with motion 81. I move that schedule 44 to the bill be amended by adding the following section:

“1.2 The act is amended by adding the following section:

“Auditor General’s report

“4.1 Without limiting the generality of subsection 9(1) of the Auditor General Act, the Auditor General shall report annually to the Speaker of the Legislative Assembly,

“(a) concerning the disposition of qualifying assets and identifying how their net proceeds of disposition have been allocated under this act; and

“(b) concerning the disposition of non-qualifying assets and identifying how their net proceeds of disposition have been allocated under this act.”

This motion is also deemed out of order.

Mr. Yvan Baker: Chair, that was 81?

The Chair (Ms. Soo Wong): Motion 81 is out of order.

Mr. Yvan Baker: Can you just walk me back—sorry, I’m just trying to keep with you—in terms of 79 and 80? Were they also out of order?

The Chair (Ms. Soo Wong): Okay, 79 is deemed out of order because it proposed to amend a section of a parent act that is not before the committee. All those I have ruled out of order are all because of the same reason. Okay? I just want people to know.

I’m dealing with motion 82 now, everybody. I move that schedule 44 to the bill be amended by adding the following section:

“1.3 Subsection 3(1) of the act is amended by striking out ‘the amount that is required to be credited to the Trillium Trust under the regulations’ at the end and substituting ‘the net proceeds of disposition of that asset.’”

Again, motion 82 is deemed out of order for a similar reason as before.

I’m dealing with motion 83. I move that section 1.3 of schedule 44 to the bill be amended by adding the following subsection:

“(2) Paragraph 1 of subsection 3(2) of the act is amended by striking out ‘disposition of a qualifying asset’ and substituting ‘disposition of all or part of a qualifying asset’.”

Again, motion 83 is out of order.

Motion 84: I move that subsection 1.3 of schedule 44 to the bill be amended by adding the following subsection:

“(3) Paragraph 2 of subsection 3(2) of the act is repealed and the following substituted:

“2. In the case of a disposition of all or part of a qualifying asset by a ministry, an amount equal to the net proceeds of disposition.”

The motion is also deemed out of order.

Motion 85: I move that schedule 44 to the bill be amended by adding the following section:

“1.4 The act is amended by adding the following section:

“Certain assets

“3.1 The following are deemed to be qualifying assets for the purposes of this act:

“1. Real property owned by the Liquor Control Board of Ontario located at 55 Lake Shore Boulevard East, 43 Freeland Street and 2 Cooper Street, all in the city of Toronto, and the Liquor Control Board of Ontario’s interest in adjacent property, if any.

“2. Real property owned by Ontario Power Generation Inc. located at 700 University Avenue and 40 Murray Street, both in the city of Toronto.

“3. Real property owned by Ontario Power Generation Inc. located at 800 Hydro Road in the city of Mississauga, and including adjacent water lots owned by Ontario Power Generation Inc.”

I believe motion number 85 is also deemed out of order.

Motion 86: I move that schedule 44 to the bill be amended by adding the following section:

“1.5 Clauses 4(1)(b) and (c) of the act are repealed and the following substituted:

“(b) for the purpose of the definition of ‘net proceeds of disposition’ in subsection 1(3), prescribing rules for determining the book value of a qualifying asset, the costs incurred in disposing of a qualifying asset and the value of obligations assumed in respect of the disposition of a qualifying asset;”

Motion 86 is also deemed out of order.

Motion 87: I move that section 1.5 of schedule 44 to the bill be amended by adding the following subsection:

“(2) Subsection 4(2) of the act is amended by striking out ‘clause (1)(a), (b) or (c)’ and substituting ‘clause (1)(a) or (b)’.”

Motion 87 is also deemed out of order.

We’re now dealing with schedule 44.

Mr. Peter Tabuns: Now you’re going to amendment 88?

The Chair (Ms. Soo Wong): No, that’s a different section, Mr. Tabuns.

Shall schedule 44, section 1, be carried? Okay, it’s carried.

Now we’re dealing with schedule 44, section 2. There’s a motion before us, motion 88.

Interjection.

The Chair (Ms. Soo Wong): Oh, I’ve got to recess.

Mr. Victor Fedeli: Can we do it by unanimous consent to stay?

Mr. Peter Tabuns: No, I can’t.

The Chair (Ms. Soo Wong): Sorry; I can’t. It’s by order of the House. We’re recessed until 6:30 p.m.

The committee recessed from 1800 to 1830.

The Chair (Ms. Soo Wong): Okay. I’m going to resume the committee clause-by-clause. I believe we were at motion 88. Ms. Albanese.

Mrs. Laura Albanese: Thank you, Madam Chair. We would like to withdraw that motion.

The Chair (Ms. Soo Wong): All right. Motion 88 is now withdrawn.

I am still going to have to ask: Shall schedule 44, section 2 be carried?

Mr. Jagmeet Singh: Recorded vote.

The Chair (Ms. Soo Wong): Here we go. I have to educate everybody now. Mr. Singh, just so you know, your predecessor had been told that you have to let both myself and the Clerk know in advance. I'm going to give you slack—

Mr. Jagmeet Singh: Thank you.

The Chair (Ms. Soo Wong): —but that's it.

Mr. Victor Fedeli: Did she say “slack” or “slap”?

Mr. Jagmeet Singh: Thank you, Madam Chair. Thank you to all my colleagues for the “slack.”

The Chair (Ms. Soo Wong): There's a recorded vote being asked for for schedule 44, section 2.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Singh.

The Chair (Ms. Soo Wong): Schedule 44, section 2 is carried.

Now we're dealing with schedule 44 as a whole, ladies and gentlemen.

Mr. Jagmeet Singh: Recorded vote.

The Chair (Ms. Soo Wong): Mr. Singh is asking for a recorded vote. Mr. Fedeli?

Mr. Victor Fedeli: No, I'm fine.

The Chair (Ms. Soo Wong): I'm going to call the question.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Singh.

The Chair (Ms. Soo Wong): Schedule 44 is carried. Schedule 45.

Mr. Jagmeet Singh: Recorded vote.

The Chair (Ms. Soo Wong): Okay.

Mr. Jagmeet Singh: How's that timing now? I'm doing the timing now, right?

The Chair (Ms. Soo Wong): We've got the timing good. There are no motions—in past practice, just so you know, Mr. Singh, if there's no motion put forward, I just say, “Shall schedule that and the section be carried?” There's no motion before you for schedule 45. Is it okay with the committee if I bundle sections 1 and 2 together? Thank you. Shall schedule 45, sections 1 and 2 be carried? Carried.

Shall schedule 45 be carried? Schedule 45 is carried. Thank you, ladies and gentlemen.

I just want to remind everybody—Mr. Singh, you came in a little bit later, but we will give you some instruction here.

Mr. Jagmeet Singh: You're the best.

The Chair (Ms. Soo Wong): We need to do section 1. Shall schedule—

Mr. Jagmeet Singh: Wait. Are we doing a vote right now?

The Chair (Ms. Soo Wong): We have to. Yes, we are.

Mr. Jagmeet Singh: I would love the vote to be recorded, if I may, Madam Chair.

The Chair (Ms. Soo Wong): Okay. Recorded vote for section 1.

Mr. Victor Fedeli: Do you even know what section 1 is?

Mr. Jagmeet Singh: No, but I would love for it to be recorded. I want to know what everyone votes, why they're voting. I might even get some credit out of this, right?

The Chair (Ms. Soo Wong): I'm just doing the vote for section 1, ladies and gentlemen.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Okay. I am now voting on section 2. Mr. Singh, is it a recorded vote?

Mr. Jagmeet Singh: Yes, please.

Mr. Victor Fedeli: And what's it on?

Mr. Jagmeet Singh: It's on the Assessment Act—

The Chair (Ms. Soo Wong): Okay. All those in favour of section 2, please raise your hand.

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): Okay. Section 2 is now carried.

Interjection.

The Chair (Ms. Soo Wong): All those opposed to section 2? Seeing none.

Section 3, I believe that's a recorded vote.

Mr. Jagmeet Singh: Recorded vote on this one.

The Chair (Ms. Soo Wong): Okay. All those in favour of section 3?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Singh.

The Chair (Ms. Soo Wong): Section 3 is now carried.

Shall the title of the bill be carried?

Mr. Jagmeet Singh: Recorded vote.

The Chair (Ms. Soo Wong): All those in favour of the title?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

The Chair (Ms. Soo Wong): The title of the bill is now carried.

Shall Bill 91—

Mr. Jagmeet Singh: Recorded vote on this one for sure. This is the bill; right? This is important.

The Chair (Ms. Soo Wong): All those in favour of Bill 91, as amended?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Singh.

The Chair (Ms. Soo Wong): Bill 91, as amended, is now carried.

The next question—I guess this is a recorded vote.

Mr. Jagmeet Singh: Yes, please.

The Chair (Ms. Soo Wong): Shall I report the bill, as amended, to the House?

Ayes

Albanese, Baker, Berardinetti, Hoggarth, Milczyn.

Nays

Fedeli, Singh.

The Chair (Ms. Soo Wong): Carried.

We're adjourned.

The committee adjourned at 1835.

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