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# Official Report of Debates (Hansard)

Monday 27 June 2016

# Journal des débats (Hansard)

Lundi 27 juin 2016

## Standing Committee on General Government

Election Finances Statute Law  
Amendment Act, 2016

## Comité permanent des affaires gouvernementales

Loi de 2016 modifiant des lois  
en ce qui concerne  
le financement électoral

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Monday 27 June 2016

Lundi 27 juin 2016

*The committee met at 0925 in the Four Points by Sheraton, Kingston.*

I would like to welcome Mr. Rinaldi on crutches. Welcome, sir. I hope you're well.

**Mr. Lou Rinaldi:** I'm well.

**ELECTION FINANCES STATUTE LAW  
AMENDMENT ACT, 2016**

MR. JOEL USHER

**LOI DE 2016 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE FINANCEMENT ÉLECTORAL**

Consideration of the following bill:

Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007 / Projet de loi 201, Loi visant à modifier la Loi sur le financement des élections et la Loi de 2007 sur les impôts.

**The Chair (Mr. Grant Crack):** We're ready to get going, so at this time I would like to call Mr. Joel Usher before committee. If you want to take a seat in front of that microphone, we'd be more than happy. Again, you have 10 minutes, followed by up to 15 minutes of questioning and/or comments from members of the committee. Welcome.

**The Chair (Mr. Grant Crack):** Good morning, everyone. I'd like to call the Standing Committee on General Government to order. I can see that everyone travelled safely to the great city of Kingston, here in eastern Ontario. Again, I welcome all members of the committee, members of Hansard staff and support staff. Mr. Essensa, it's great to have you here as well—legislative research, Clerk's office.

**Mr. Joel Usher:** Thank you. Hello, committee, others in attendance today, and everyone who takes the time to turn their attention to this submission. Thank you for having me here to present this morning.

We're here today to hear public consultations with regard to Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007.

My name is Joel Usher. I'll start by putting all my cards on the table: I am an active member of the Ontario Public Service Employees Union. I am a mobilizer with the Citizens Coalition Against Privatization. I am a delegate with both the Northumberland Labour Council and the Durham Region Labour Council. I am a member of the New Democratic Party. I am a paramedic who works for one of our province's upper-tier municipalities. I am a graduate from Durham College. Prior to that, I received a combination of a Roman Catholic and public school education. If anyone feels inclined to investigate, hotel, fuel chain and automotive memberships aside, I am certain you will find this to be an honest account of my organizational affiliations.

This morning we have six presenters, the first of which will be provided 10 minutes for their presentations, followed by up to 15 minutes of discussion. Hopefully, all three parties will try to be fair and equalize that 15 minutes; otherwise, I will do what I have to do to ensure some fairness in the proceedings here.

With no further ado, I would like to call—

**Mr. Randy Hillier:** Chair?

**The Chair (Mr. Grant Crack):** Mr. Hillier?

**Mr. Randy Hillier:** I would just request that we be permitted to videotape today's proceedings.

I realize that my affiliations could potentially skew your perception of what I have to say here. I hope that is not the case. Please keep in mind that I'm not representing any of those groups today. I am here as an engaged citizen who resides at 9 Bloom Avenue in the town of Newcastle, Ontario. I am here as a proud member of a working-class family, specifically a grandson, a son, a nephew, a cousin, a brother, an uncle, a husband and a father. I am here as an individual.

**The Chair (Mr. Grant Crack):** There has been a request to have videotaped proceedings, by Mr. Hillier. Is there any discussion on this? I see that we probably have consent. Is that correct?

**Mr. John Fraser:** As long as you don't edit it.

**Mr. Randy Hillier:** Pardon?

**Mr. John Fraser:** As long as you don't edit it.

**The Chair (Mr. Grant Crack):** Okay. So it looks like we have unanimous consent. There will be a recording of the proceedings. Thank you, Mr. Hillier.

Today is a first for me. While it is my intention to gradually become more and more involved in the world around me, I have yet to stretch many of my civic engagement muscles. I truly appreciate the opportunity to stretch some of them and participate in this democratic process here today.

Bill 201, Election Finances Statute Law Amendment Act, 2016, the reason we showed up this morning: I perceive a great deal of potential for this bill. From what I understand, corporations contribute far more to political parties than trade unions do. Therefore, whether or not one believes that unions effectively promote democracy and do good work, eliminating contributions from both entities should lead to our electoral system being influenced less by corporate agendas and more by everyday constituents. That is certainly a winning sentiment and is regarded by this Ontario voter as movement in the right direction.

Having identified that key progressive inclusion, I would also like to turn your attention to a few aspects of this bill that I am apprehensive about.

One of those is the inclusion of new third-party advertising restrictions. I worry that, should those new restrictions be accepted as proposed, the bill offers potential for organizational censoring and increased voter apathy. As well, I have a concern that this bill does not treat our increasingly corporately driven and narrowly owned media with the same third-party advertising restrictions as the other aforementioned entities. Additionally, I am uncertain if the enforcement enhancement will be adequate in effectiveness or when it comes to enforcement cost recovery.

**0930**

Further, I am going to address an ambiguity that I perceive in this bill. The proposed legislative language changes leave me uncertain about what entities are able to apply as third parties for the purpose of political advertising. I'll elaborate more on that shortly, but what I'm getting at regards entities that are composed of numerous other groups.

I would also like to address a theme that is missing from Bill 201. That theme is election surveying. What better chance is there than now to consider expanding on the election surveying blackout period offered in the Election Finances Act?

Here we go. Third-party political advertising restrictions in general—section 40 of the bill, amending section 37.10.1 of the Election Finances Act: I offer that these proposed changes could lead to organizational censoring and, further, could potentially remove certain organizations from serving their entire purpose during the six months leading up to an election or during the election period. Proposed are spending caps of \$600,000, plus or minus, during the six-month pre-election period and \$100,000 during the election period. I am curious as to the reason for these caps. To me, in a perfect world, an election winner would be the party that succeeded in balancing the priorities of the largest number of constituents. It would not be the party that succeeded in veiling the issues enough to make some constituents too apathetic to vote and others to vote favourably based on lack of information or misinformation available. Knowledge is power. By shutting down, slowing or narrowing the information flow, democracy does not prevail. Prior to casting my ballot in an election, I want to gather every scrap of information that is readily available to me.

That brings me to my concerns with the media. It is imperative to get this part of the legislation right, to make it fair. Popular media is able to offer a spin on pretty well anything, and that certainly includes politics. Please consider that many of the media outlets that distribute daily news to Ontario citizens are multi-conglomerate organizations. They are well positioned to do the bidding for their wealthy boards and shareholders. Allowing them to broadcast unrestricted regarding election issues during periods when other organizations are silenced will create a significant imbalance in power.

Further, I would like to shine a light on section 53 of this bill. It offers what appears to be a lofty penalty for violating subsection 37.10(1) of the Election Finances Act, a section that adds additional penalties for third-party election advertising. I certainly am not aware of why the specific amount of the penalty was chosen—up to five times the amount by which the third party exceeded the applicable limit. It is my sincere hope that the high penalty should work to deter violations and should adequately recover the cost of enforcing the act. Perhaps that has been scientifically studied and pondered at length. If so, I commend you all. If not, however, please consider the time and expense of patrolling all distribution outlets, including promoted political advertising in newer mediums such as social media.

There is legal language offered in this bill, specifically subsection 40(3), that I do not fully grasp. That established, I'm not sure if this proposed legislation addresses multiple groups within one entity or not. In the event that multi-group organizations are to be considered as a single entity, I offer the following: My concern is that a union, or a corporation for that matter, can be composed of many different sectoral components. With more sectors, there are more issues that an entity would likely want to address. Allowing a single-sector entity the same third-party political advertising leeway as a multi-sector entity could, again, create an imbalance that does not currently exist. Take, for instance, a potential campaign issue like allowing paramedics to work for fire services in this province. The Ontario Professional Fire Fighters Association would, under this proposed legislation, be able to register as a third party and have the entire plus-or-minus-\$700,000 advertising fund to promote their position on the matter. In contrast, a paramedic union that registers as a third party would have much less access to the union's allotted money since Ontario paramedics only represent a small fraction of the total members in each union that they belong to. Another example would be a conglomerate organization such as Unilever. Would each of Unilever's companies be able to spend the full \$700,000 allotment, or would Unilever have to divvy the third-party political advertising money up amongst Lipton or Ben and Jerry's etc.?

Subsection 36.1(1) of the Election Finances Act prohibits election surveys from being made available to the public before the polls are closed on polling day. I am a very big advocate for that legislation. Often, I have pondered the expansion of it and the potential conse-

quences of that expansion. I remember, back when I was a new voter, I suffered from having the urge to pick the winning horse. Fortunately for me, I resisted, but I wonder if others felt the same affliction. Over the years, I have brought the subject up with friends, neighbours and family. I have also done some door-to-door political canvassing. I've heard Ontarians tell me all sorts of reasons for voting the way they do—some righteous, some not so much. Not everyone is honest, but some are. People vote for all kinds of reasons. From my admittedly very anecdotal collection of data, amongst those reasons is that almost instinctive urge to want to be on the winning side. Could placing further restrictions on election surveys limit at least one unvirtuous reason for voting? I would argue, yes. Should it? Given the other advertising restrictions that this legislation proposes, it may be something for you to consider.

I hope that I've been successful in giving you some citizen perspective and maybe even a little something new to contemplate. On behalf of me as an individual, thank you very much for your time and consideration. I look forward to trying to answer any questions that you have.

**The Chair (Mr. Grant Crack):** Thank you very much, Mr. Usher. We appreciate your comments.

We'll begin with Ms. Hoggarth.

**Ms. Ann Hoggarth:** Thank you very much, Mr. Usher, for your presentation. It was very well thought out and it has brought up some areas that I had not thought of, and I thank you for that.

The reason that we're doing this, of course, is that our government is committed to working with everyone to reduce the role of money in politics and to try to make the playing field a little more level.

We have had significant discussion about the fact that Bill 201 does not explicitly prevent unions or corporations from sending paid employees to work on campaigns and be compensated from their employer. Have you ever been involved in a campaign where you were compensated by your employer for working on a campaign, and if so, what campaign and for what party?

**Mr. Joel Usher:** Yes, I have been. I worked on the Jennifer French campaign in the Oshawa riding, for the NDP. I also spent some time volunteering my time with Mary Fowler's NDP campaign in Oshawa and Niki Lundquist's campaign in Whitby-Oshawa. Those two campaigns were volunteer time. The other one was a paid book-off, so to speak.

**Ms. Ann Hoggarth:** What are your thoughts about the issue of paid labour? How could this be addressed in the proposed legislation?

**Mr. Joel Usher:** If we want to continue to move forward with a system where parties can put together a team and can hit the ground running and have equal ability to do so, I think it's important that we are able to get people out to do that political canvassing, whether by telephone or on foot. If people can't do it because they're working two, three or sometimes four jobs—a lot of precarious

work out there—then it becomes more and more difficult to get volunteers out to do that.

In some of the organizational campaigning, I guess, that I've worked on, I've encountered a lot of retirees who are interested in being part of the movement. Then I realize that there are limitations that come with that, in that, when you get 70-something-year-old individuals, they might not be able to climb several sets of steps every day. That was a very real thing for some of the organizing that I've done. As much as their heart is in it, there are limitations there as well. They might have the time to do it because they're retired and because they have an income coming in, but there are limitations there.

**Ms. Ann Hoggarth:** Thank you. We have a recommendation from one presenter that only people performing professional services such as polling research, advertising etc. be prevented from being sent to work on a campaign while being compensated by their employer, while allowing people performing campaign tasks like phone banking, canvassing and sign installation to be able to receive compensation from their employer or union. What are your thoughts on this distinction?

**0940**

**Mr. Joel Usher:** Sorry. I guess I missed the first part of that question.

**Ms. Ann Hoggarth:** We've had a presenter who says that only people performing professional services like polling research and advertising should be prevented from being sent to work on a campaign, while other people performing campaign tasks like phone banking, canvassing and sign installation should be able to receive compensation from their employer or their union. What are your thoughts on this distinction?

**Mr. Joel Usher:** First, I don't really know enough about the entirety of the campaigning process when it comes to political campaigns to be able to make a really fair comment on this one.

From my perspective, which has always been the boots-on-the-ground, door-to-door guy, I see that as being somewhat of a limitation being placed, I suppose. I get my directions from the organizer, who tells me what area to go to. That area is obviously selected by people that that individual is proposing be prevented from doing that. So I guess I see it as somewhat of a detriment, somewhat of a negative thing.

**Ms. Ann Hoggarth:** Is there not an unlevel playing field, though, if corporations—for instance, I've had an issue where someone with a big corporation and lots of money and has people who work evening shifts has sent them out during the day and paid them to work on campaigns. That's not counted in campaign contributions, so they have a lot more money than other groups might. Is that not uneven?

**Mr. Joel Usher:** I would think that you would have to count monies like that toward campaign contributions. That's my limited-knowledge response.

**Ms. Ann Hoggarth:** Thank you.

**The Chair (Mr. Grant Crack):** Mr. Clark?

**Mr. Steve Clark:** Thanks, Mr. Usher, for your presentation and your openness. I know Ms. Hoggarth asked a

couple of questions and you mentioned the words “paid book-off,” that you were paid to book off and work for Ms. French’s or Ms. Lundquist’s campaign.

In other words, some of the discussion that we’ve been having—don’t you believe, in the openness and transparency that we should have in elections, that that should be ultimately, under this legislation, treated as a direct campaign donation to those campaigns, that you and/or your employer be somehow acknowledged as part of a donation to a campaign?

**Mr. Joel Usher:** I really and truly do not feel that.

**Mr. Steve Clark:** So if I could, Chair, through you to Mr. Usher, you mentioned Unilever. It’s a big corporation. If Unilever decided they were going to populate campaigns with their employees, don’t you think they should be used as a campaign contribution and that it be open and transparent?

**Mr. Joel Usher:** I believe it should be open and transparent, that that’s what is happening.

**Mr. Steve Clark:** But if Unilever decides, “I’m going to put 15 employees into Mr. Rinaldi’s campaign office,” shouldn’t those people be recorded and shouldn’t that donation of employee time, booked and paid off time, be recognized as a campaign donation under Elections Ontario?

**Mr. Joel Usher:** I would say no. The reason that I would suggest no is that you have to look at different segments of society, different class levels, and if it’s open and transparent, that’s absolutely perfect. But should those contributions be restricted? Should they be viewed as contributions? I’m not certain that they should. A lot of times what you get, whether it’s a corporation paying people’s time off or unions booking times off or any organization out there, is that compiling of people who may not otherwise have the opportunity to get out and do the work for the campaign.

**Mr. Steve Clark:** But, Mr. Usher, for example, if a renewable energy company decided to populate Bob Chiarelli’s campaign office with paid staff, I would think that’s exactly the same pay for access that we’re seeing with large fundraising donations. Do you not agree that those donations of staff time are just as important to be disclosed as donations to a campaign fundraiser?

**Mr. Joel Usher:** I believe so. Like I said, the transparency, I believe, is important, but I’m not following the line of questioning beyond that. I believe that it should be open, that it should be disclosed. But should that be considered a contribution that is eliminated from the Election Finances Act? I don’t believe so.

**Mr. Steve Clark:** Go ahead, Mr. Hillier.

**Mr. Randy Hillier:** Thanks. What my colleague is saying here: If Unilever gives \$100 in financial contribution, that must be disclosed and they must be disclosed. If they pay 10 people to work in a campaign, which would be a significantly greater amount financially, at the present time, it’s not disclosed and it’s not recognized as a contribution. So the question is, do you not think that that contribution should be recognized as such and also disclosed, just as if it was a cash donation?

**Mr. Joel Usher:** I believe it should be disclosed, but not disclosed in the same sense as it being a cash donation.

**Mr. Randy Hillier:** You don’t recognize it as the same value as money? Labour and money is not of the same value?

**Mr. Joel Usher:** I recognize it as being a different type of value.

**Mr. Randy Hillier:** Okay. Do you get paid when you work?

**Mr. Joel Usher:** Sometimes.

**Mr. Randy Hillier:** Sometimes. Okay. Thanks.

**The Chair (Mr. Grant Crack):** Any further questions? Ms. Fife.

**Ms. Catherine Fife:** You can see the challenge that we’re going to have here, right? We’re here because we found out that ministers had quotas of fundraising. The Minister of Energy was charged with raising \$800,000, and those donations that were going towards him were very much directly connected to his portfolio.

There are two issues here. One is that we have to track the money in between election periods, to try to find out if that money is in fact impacting government policy—some of us feel very strongly about that—and then there’s the election campaign period.

You said something really interesting, Mr. Usher, around some of the recommendations that are contained within Bill 201 affecting voter apathy. There was, in 2004, a Supreme Court ruling, *Harper v. Canada*, where the justice wrote, “Electoral fairness is key.” That’s what our work is here. We’re trying to instill some confidence back into the democratic process. He said, “Where Canadians perceive elections to be unfair, voter apathy follows shortly thereafter.”

You mentioned that the new third-party advertising, for instance, especially that six-month period before an election to shut down the voices of citizens—you said that that is essentially censoring those voices. Then you went on to say that this would impact civic engagement and apathy, in that people don’t see that the government is reflecting their values because they haven’t had an opportunity to weigh in on the election. Do you want to touch on that point a little bit more, please?

**Mr. Joel Usher:** It goes back to what I said in my speech that I gave: that knowledge really is power. If people are being fed from a certain number of sources an incomplete version of the truth or perhaps a veiled version of the truth, or a version of the truth that they don’t trust, which is perhaps the most important thing here, then that, I think, is going to lead them to be apathetic about the entire process. I think that it risks lowering voter turnout. It risks that horrible term, “voter suppression.” I think that’s the real risk of censoring organizations from being able to contribute—the third parties.

**0950**

**Ms. Catherine Fife:** Yes, and I think that there’s a fundamental issue of trust here, as well, for the government to define who a third party is. I mean, a third party

could be 10 parents who are fighting for autism reforms, and they're not going to be able to weigh in.

I do want to tell you, though, that the electoral officer has recommended that that six-month period prior to an election not be applicable, because it is essentially suppressing the voices of Ontarians.

Your other points that were connected to the censorship and the voter apathy as it relates to Bill 201 also had to do around enforcement and who will enforce those rules. Your point about the penalties, actually, is very well taken. So thank you very much for being here today.

**The Chair (Mr. Grant Crack):** Thank you very much, Mr. Usher, for sharing your views and comments with us this morning. We appreciate it.

**Mr. Joel Usher:** Thanks a lot.

#### MR. MATTHEW GVENTER

**The Chair (Mr. Grant Crack):** Next, we have Mr. Matthew Gventer. We welcome you, sir. I hope I said your name right.

**Mr. Matthew Gventer:** That was great, thank you.

**The Chair (Mr. Grant Crack):** Good. Again, you have up to 10 minutes for your presentation, followed by 15 minutes of questions and comments from members of the committee. The floor is yours, sir. Welcome.

**Mr. Matthew Gventer:** Thank you. I really appreciate the opportunity to speak, and I appreciate the importance of what you're trying to address. I'm going to speak on amendment 37.10.1 of Bill 201, which has to do with third-party financing.

I'm not an expert, but rather a lay witness. On the other hand, I wouldn't claim to be naive or a randomly selected witness. While I was restricted in my public political engagement through most of my working career due to my employment in federal corrections, I was a keen observer and also an active participant at the municipal level. After my retirement 16 years ago, I have managed election campaigns, written articles for a community newspaper and actively advocated on various issues.

Bottom line: It is a serious challenge to get the electorate to pay attention to any non-monetary issue for more than a few weeks. Much of this is due to the din of voices and communication styles that blast out images and noises of the most recent crisis or excitement-generating event. During elections, it is rare to get the media and the electorate to give serious consideration to options and choices that are not part of the campaign rhetoric, image marketing and sound bites.

Now I admit that occasionally an issue, such as the pipeline issue or poverty and homelessness, rises above the controlled tumult, but the responses are not very profound and do not involve a shift in policy direction. And perhaps it can't be otherwise. Platforms are developed over time and manufactured to respond to electorate priorities and concerns. Also, we should have some expectation that policy conventions of a party should influence the platform—for me, probably to determine

the platform, in my view, but parties are not working that way right now, so that's the reality. However, at least issues are aired and some sense of expectation for future action is generated. From time to time, promises are made that provide a basis to raise the issue after the election.

One issue that I push is that of affordable housing. In Kingston, about 15% of the population falls into the core-housing-need population. "Core housing need" means that people pay an exorbitant amount of their income for housing and/or are living in substandard housing. That doesn't mean that housing is not a challenge for all of the other 85%, just that their life situations may be sufficient to allow them to find secure and satisfactory housing within the current market system. The lower-income portion of that aggregation might slip into the core-housing-need sector from time to time; however, the issue of keeping a roof that is not rotten over their heads does not preoccupy them day to day.

So how do we get that issue to influence election outcome? How do we get the candidates to commit to a national housing strategy that includes sufficient resources and innovative and effective program strategies? More of a problem, how do we get the public to promote the diversion of resources into this critical social and economic justice issue? We need to make it real for them. We need to appeal to their common values. We need to make them aware of how this can be implemented. And we need to show them how they personally benefit from a society that has low-income housing solutions as part of the economically productive system.

That is a tall order. We try to do that between elections, sure. But elections are the time for choice. A vote may be for many reasons, and it is difficult to claim that a discussion of one issue during an election proves that this issue was important to the voting decision of the electorate. Nonetheless, the more prominent an issue is in the election, the higher the expectation that it will be part of the program after the election, which brings me to the point of this presentation.

I think you need to reassess the amount of money allowed for advocates not representing a party or a candidate. It doesn't matter whether or not a campaigning party—or a registered party—holds a position on the issue. What matters is that issues need to be aired and given more attention than occur in debates. Party platforms are usually more detailed and offer a basis for discussion and choice, but most of the electorate do not probe those sources. Further, even if they do, they may give more attention to such content by topic if they have been clued in to their importance. We need to have the opportunity to promote that attention.

So how much is enough? And just as important: How much is too much? I appreciate greatly your attempt to deal with the inequities of financial advantages and financial distortions of the electorate's attention and perceptions. We don't want super PACs dominating decision-making. However, we do want to enable good discussion of issues. We do want effective systems of

aggregation that allow those committed to addressing some specific concern to be heard.

My most knowledgeable input is about the local riding picture. A minimum riding campaign budget is in the area of \$30,000—that is the minimum. That amount provides for an inadequate amount of publicity and advertising. Of course, a third-party advocacy does not usually require office staff, an office, or three pieces of literature. However, a sign campaign may be useful: \$10 a sign for 100 signs provides for marginal visibility. A newspaper advertisement of six inches by four inches in size costs in the area of \$1,000. Preparing flyers and printing them for an electorate of 60,000 households runs easily \$6,000. Distributing them through the postal walk system is another \$9,000. I haven't accounted for radio and TV advertising and website preparation and hosting, but you can see already that just to get an issue out there at all is well above \$4,000.

I have run successful municipal ward campaigns—in Kingston they're districts, but they're equivalent to a ward—for about \$4,000, but a ward is about 4,000 households. With 12 districts in Kingston, that amounts to \$36,000. This did not include office space, and all work was on a totally volunteer basis. Distribution of campaign literature is free because in the case of 4,000 households, the candidate can get to every household and distribute the literature individually, personally.

Since my last such campaign seven years ago, inflation and more sophisticated campaign methods would have increased costs considerably. Of course, social networking costs less and has replaced some other methods. Bottom line: \$4,000 is inadequate to effectively communicate a message in the competitive environment of a single constituency election.

#### 1000

It seems to me that in a large city environment the challenge is greater, and the amount that should be allowed should reflect this difference. Media are more likely to be serving the entire metropolitan area. Directing advertisement to the local riding is, therefore, more of a challenge. Further, social connections are more universalistic and diffuse for city dwellers.

In the context of a riding similar to Kingston, I estimated that \$10,000 is a more reasonable limit. Volunteer work involved in the campaign of the advocacy third party should not be counted in that cost.

For a local organization, raising the money to engage in such a campaign will be a struggle. It is the unfortunate reality of our society that affluent interest groups will have an advantage. Therefore, for third-party advocacy, contributions from corporations and unions should not be prohibited under certain conditions. The third-party publicity should be strictly non-partisan and give all parties the opportunity to respond to the advocacy and explain their take on the policy being promoted.

I see that one challenge for this committee is to come up with other boundaries to ensure that third-party advertising be specific-issue oriented and not part of a campaign in favour of an individual party. Perhaps collusion

between a third-party advertiser and other campaigns could be negatively sanctioned.

While preparing this presentation, an idea struck me. I am not sure it is operational in the Ontario legal context, but I suggest this kind of creative thought might provide for a more responsive and just solution. What if the expenditure limits were assigned to regulations rather than starting with a rigid legislated amount? What if a method was mandated that included consultation between representatives of the registered parties and the Chief Electoral Officer? What if—preferably through a consensus method, but ultimately by final decision of the Chief Electoral Officer—the amounts were set prior to each election and the amounts varied according to the class of ridings, geographical size, number of voters and how many ridings are in the metropolitan area containing the riding? It would give some flexibility to deal with unique situations.

I tend to think that my comments on the individual riding can be generalized to province-wide campaigns. It is not clear how the limiting figure of \$100,000 was determined. If a campaign in a single riding was assessed as being \$4,000, and a third party wanted to have an impact on all voters in every riding, why wouldn't the cost be a multiple of 107 ridings? On one hand, I realize that there are cost savings in mass purchases of signs and campaign literature and bulk advertising. I realize that campaigns can be targeted so not every riding need receive the same level of attention. However, the cost of running a province-wide campaign must be even greater than doing so at the local level. Being heard at that level, in what will be an even more noisy message environment, will be difficult. While I suggest the spending limit be higher than \$4,000 at the riding level, it is reasonable to discount the amount in savings in running a province-wide campaign. On balance, a spending limit of something like \$400,000 province-wide would seem more justifiable.

Thank you for considering these comments.

**The Chair (Mr. Grant Crack):** Thank you very much, Mr. Gventer.

Mr. Fraser.

**Mr. John Fraser:** Mr. Gventer, thank you very much for being here this morning and for your presentation, and thank you for your work in corrections. My father spent most of his career in corrections at the federal and the provincial level, so I can appreciate that, probably while you were working there, as with him, you couldn't be politically involved. When you're a person who is politically involved in your head, it's hard. Thank you for your work after retiring.

I'm very interested in your presentation and by a couple of things that you had to say there, but I want to start with a little bit of a preamble about why we're here. We're here because the rules that we've established for ourselves, or that had been established over the years, all parties have used to whatever extent that they could, and now we're looking at changing those rules and trying to set up another framework.

It can be a bit of a complicated thing, as you can see as you were going through and trying to sort out the third-party stuff. You want to get it right because you know a small action one way or the other way may disadvantage people. One of the things that I've learned over a period of time in politics is that, generally, it's hard to hear the voices of the less affluent. That's not to say that each party does not represent the less affluent or that less affluent people are more prone to one party or another.

As you were saying, talking about the noise, it's trying to turn down the volume a little bit so you can hear some of those other voices that are there that are saying, "This is what's important to me." That's how I view the exercise. So when it comes to third-party advertising, that's an effort, as well as with political contributions and the other things in the bill, to try to turn down that volume a little bit. I'm interested in what you have to say. It is an interesting idea about looking—I don't think we should make things any more complicated, but through regulation, I'm not sure how quickly we could come to a consensus in all three parties before each election on what we were going to do, but it is a recognition that there are differences in different places.

Given that we put some restrictions on third-party advertising in the bill—on before and during the election period—there are other activities that aren't included in that restriction that's currently in the bill, and those are around the transmission of news or op-eds or an editorial, mailings to union members or shareholders or company employees, making telephone calls to get out the vote, and just day-to-day political advocacy and operation. Do you think that those should be restricted in any way, those four things that I just mentioned? Do you think that they should be included in that?

**Mr. Matthew Gventer:** My initial response is that it sounds like it's going to become too complicated. There are challenges. Every time we turn around in our world now, there are new challenges; there are new technologies. I don't know if you're going to solve them all.

*Interjection.*

**Mr. Matthew Gventer:** Sorry.

**The Chair (Mr. Grant Crack):** No, go ahead.

**Mr. John Fraser:** He's just telling me not to ask another question. But you can finish your answer.

**Mr. Matthew Gventer:** I don't have much more to say about that. I appreciate that you're deliberating these kinds of issues. I should stick to what I have thought about and know. I agree with where you're headed, that is, where the committee is headed, and what we're trying to do to restrict large corporate and union interests so they don't dominate the conversation. However, you do want to allow the dynamics of elections to occur. That includes phoning and gathering resources to help you do those things. It has got to be balanced, and that's what you're trying to do. I understand that.

**Mr. John Fraser:** Thank you very much.

**The Chair (Mr. Grant Crack):** Thank you. Mr. Clark.

**Mr. Steve Clark:** Thank you very much for your presentation. I appreciate you taking time to give us your

thoughts. I also was aware from my colleague that you were here last year when the other standing committee was travelling, so I appreciate you taking time to give us your comments. I think the last time we saw each other, we were both having two different protests. I think you were doing one on the \$15 minimum wage while I was over at MPP Kiwala's office talking about autism funding. So it's nice to see you again.

I appreciate especially the fact that you've limited your comments to things that you know in your experience. I really appreciate the breakdown from a local riding perspective. It reminded me of my first campaign when I ran municipally as mayor of Brockville at 22. I think I spent 800 bucks and had a dozen signs. I had to keep my funds very lean because I didn't have a lot of funds.

I also appreciate your comments about super PACs and about third parties in relationship to campaigns. I guess, looking at the last provincial election, for example, one of the third parties that had registered province-wide did some work in eastern Ontario, installing signs in different ridings. I can remember, in my riding, that a group of people in a pickup truck blanketed my riding with signs. Some of them were placed illegally.

**1010**

I guess my feeling was that that third party should have disclosed that sign campaign in my riding as opposed to being part of a third party across the province. Given your local experience and given that example, if that was something that continued, would you think that that third party should have a separate rule for the riding for a campaign like a lawn sign campaign?

**Mr. Matthew Gventer:** It seemed to me that you were addressing that by distinguishing how much could be spent on each riding and what the total amount would be in the province. How you keep track of that is a major problem, as you realize. You'd have to wonder how you expect the third party to distinguish how much they spend in this riding and that riding, but you seem to be expecting some kind of accounting of that kind.

**Mr. Steve Clark:** Well, no. I'll just give you the example. There were citizens that were calling Mr. Essensa's local officer, asking whether this group had registered in the local riding and whether there was a contact person, because there were some illegal activities under municipal bylaws. Because you're so focused on a local campaign, do you think in that case, if there was a third party operating in one of Ontario's—right now—107 ridings, should they go to the Chief Electoral Officer or go to the local office of Elections Ontario and have to register prior to doing that local activity, whether it be in Leeds-Grenville or in a riding of one of the MPPs around the table? I certainly think that there should be some record of that and some accounting of that. I just wondered whether, given your vast experience at the local level, you agree or disagree or have another suggestion.

**Mr. Matthew Gventer:** My previous comment is the same. I agree it would be great to keep track, but I'm trying to think of the dynamics of 107 ridings and an

organization communicating its point of view and trying to parse out how much is spent in this riding and how much in that riding, and for you to keep track of that also and to expect it. It's going to be a challenge. I'm not saying I have the answer to that. I'm saying that you're raising the issue from your experience, and a critical experience, in your riding. I'm trying to see how you'd deal with that on a legislative basis. I don't have a clear answer. Ideally, I think the proposed distinction should apply. It would be great if it could work to some extent—to the extent that it doesn't get too oppressive. But I'm not sure how that dynamic would work. It's a challenge.

**The Chair (Mr. Grant Crack):** Thank you. Ms. Fife.

**Ms. Catherine Fife:** Thank you very much for coming in and giving us some additional thoughts on Bill 201. I think you can see what we're challenged with. Right now, as the system is designed, there is a genuine lack of transparency in the way that parties raise money and especially, I guess, from the government side as to how they can draw more money into affecting policy. Regardless of the teachers' support for MPP Hoggarth or the wind turbine folks' support of the PC Party or the environmentalists supporting us, there is a genuine need, obviously, for transparency.

BC mandates disclosure. That disclosure is actually built into the fundraising framework in that province. I think it is doable, but you do raise some concerns about who sets the limits around donations, whether they are cash donations or gifts in kind or phoning or mailing or professional services like lobbying and research.

The challenge of this committee is to try to level the playing field, if you will. We're supposed to be keeping the elector at the centre of this debate. One of the issues that we have heard about has to do with government advertising. You didn't necessarily touch on government advertising, but you will note that there is a lot of government advertising and that this legislation does not limit governments advertising and promoting government initiatives prior to an election or even during an election. Would you like to share any thoughts on that with us?

**Mr. Matthew Gventer:** Honestly, you can try to control too much.

**Ms. Catherine Fife:** Governments have power, though. You would agree that governments have power.

**Mr. Matthew Gventer:** I understand that. I think government advertising, especially in the previous federal government, was quite distorting, unfair and misrepresented many things.

**Ms. Catherine Fife:** So you agree that there's risk?

**Mr. Matthew Gventer:** It is a problem, but do you deal with that in the election legislation or do you deal with that by putting some restrictions on the process of the use of public money for advertising?

The problem with government advertising is that it's difficult to distinguish when an advertisement is for a legitimate purpose and when an advertisement is for propaganda reasons.

**Ms. Catherine Fife:** Yes, and the Auditor General has indicated that that is an issue in the province of Ontario

because the government already changed the Government Advertising Act in 2015. So it does impact the conversation that we're having around communicating government policy before elections and during elections.

My takeaway from your presentation is that there's always risk, especially when partisanship is involved.

**Mr. Matthew Gventer:** Exactly. That's true.

**Ms. Catherine Fife:** Thank you very much.

**Mr. Matthew Gventer:** But I think what I want you to take away, if you don't mind, is that we need to get specific issues well thought out. If you suppress too much the capacity of organizations and people concerned with trying to get a specific issue well thought out and considered in the electorate, then you're interfering with an effective democratic process.

**Ms. Catherine Fife:** That's exactly our concern. Thank you very much, Matthew.

**The Chair (Mr. Grant Crack):** Thank you very much, Mr. Gventer, for coming before the committee this morning. We much appreciated your comments.

**Mr. Matthew Gventer:** I appreciate your work. Thank you.

#### MS. DIANNE DOWLING

**The Chair (Mr. Grant Crack):** Next we have on the agenda Ms. Dianne Dowling. Do we have Ms. Dowling with us this morning?

Ms. Dowling, we welcome you this morning. You have up to 10 minutes for your presentation, followed by 15 minutes of questioning by members of the committee. Again, thank you for coming this morning and taking the time. The floor is yours.

**Ms. Dianne Dowling:** Thank you very much. I wanted to begin by saying that I'm speaking as a citizen who's involved in a lot of community actions and groups, primarily at the local level. I do not have experience in running for election or with party politics and the details of spending.

I'm speaking here more as a citizen who absorbs a lot of news. I read the paper, follow news online and care passionately about community issues. I guess I'm speaking a lot more generally than Matthew did. I greatly appreciate the detail and the analysis that Matthew brought with his numbers and so on.

My presentation has been handed out to you. I'll just read from it.

I'm pleased that the Ontario government is reviewing the terms of the Elections Finances Act and holding hearings to receive feedback from the public. Fair and transparent elections are essential in a democracy. Without appropriate limits on contributions and spending, the outcome of an election can depend on who has the most money to spend on advertising and other forms of influence.

Many of the proposed amendments put reasonable limits on spending by parties and candidates, as well as limiting the amounts that can be contributed by individuals. However, I am concerned about the amendments

related to third-party advertising on three counts: the spending limits, the definition of “political advertising,” and the time period in which the spending limits apply.

**1020**

Dealing with each of those three: Considering the cost of mass media advertising on topics of province-wide interest, the spending limit for third-party advertising, \$100,000, is too low to effectively reach voters throughout the province.

Secondly, Bill 201 redefines “political advertising” not only as direct support of, or opposition to, a political party or candidate, but also as advertising on an issue associated with the position of a registered party or candidate. As a result, likely every issue of public concern will be included in that definition. Consequently, public interest organizations will be severely limited in their capacity to reach out to voters on issues they have identified as important.

Thirdly, the limits apply not only during the election period but also during the six months preceding a scheduled election, a considerable restriction on public debate.

Political parties are well equipped and practised in reaching the public through mass and targeted advertising, and have developed techniques for evaluating, reinforcing and altering public opinion—all the more reason that other civic voices need to be heard before and during elections.

I am active in a number of organizations related to food and farm issues, and to social justice and environmental concerns. These groups are constantly working to reach more people with information about our activities and our objectives. Limits on third-party political advertising, as outlined in the proposed amendments to Bill 201, will be a barrier to informing the public about important issues.

I respectfully ask the members of the Standing Committee on General Government to recommend changes in Bill 201 that allow for more advocacy and participation by third-party participants in meaningful public discourse during and leading up to elections.

That’s my statement for you.

**The Chair (Mr. Grant Crack):** Thank you very much. We appreciate that.

We’re going to start with my friends on the left. Mr. Hillier.

**Mr. Randy Hillier:** We’re always to the left of you, Mr. Chair.

**Mr. John Fraser:** In what alternate universe?

**Mr. Randy Hillier:** Good morning, Dianne. Thanks for being here and thanks for your presentation.

You do speak to a conundrum that is apparent to everybody. We’ve talked about it at this committee. We’re not quite sure how best to resolve it. I think this idea of issues advocacy is important to ensure that people can advocate for an issue, and really, there’s very seldom—I can’t think of any time when any organization was advocating for an issue that wasn’t already, or wanting to become, a political issue.

You’ve been involved in a few campaigns, and every grassroots organization, every local organization, wants politicians to hear their message and then hopefully embrace it and advocate for it as well.

**Ms. Dianne Dowling:** I would just add to that: Yes, we want to reach the politicians during the term of governments, but also the candidates, of course, during an election.

But we also want to reach the public and gauge the public’s interest. If we can’t get the word out, then we don’t know what the response might be or we don’t know what the potential is for our issue to reach widespread public agreement—or disagreement, I guess.

**Mr. Randy Hillier:** But even in wanting to engage the public, it’s for that political purpose as well: to demonstrate that campaigns or people seeking office recognize and value that issue, and be a champion for it.

**Ms. Dianne Dowling:** Yes, and I think that’s part of the concern I have with the definition of what is limited in this bill as political advertising, because, considering that it’s defined as an issue associated with the position of a registered party or candidate, that’s probably going to include every possible issue that there is and so therefore all of these topics come under this legislation.

**Mr. Randy Hillier:** I’m sure you’re familiar with or have heard the term Working Families. They were the biggest spenders in the last couple of provincial elections; an umbrella group of various private and public sector trade unions. I think—what was it?—over \$6 million they spent in the last election.

**Mr. Jeff Parker:** It was \$2.5 million.

**Mr. Randy Hillier:** It was \$2.5 million. Those ones are easy to deal with when they purposely look to be a partisan ad, but it doesn’t take much to disguise a partisan ad and cloak it with some issues. I’m not sure if you’ve got any suggestions or recommendations yourself on how we split out—because from what I was hearing, you’re fine with limiting that partisan political third-party advertising.

**Ms. Dianne Dowling:** Yes. I’m concerned about what we call civil society, people who are aware of issues and are concerned about them maybe because of personal experience or concern for friends and neighbours or whatever it might be, a general social conscience.

I would hope that in this legislation there could be some flexibility or some levelling of the field, as was said before, to allow these smaller groups. When I look at this \$100,000 limit, actually the groups that I’m involved in wouldn’t have that kind of money, period. We certainly wouldn’t be spending over the limit, so it wouldn’t be a problem. But then it also means that our voice doesn’t carry very far. There could be coalitions or organizations that are supporting what I would consider good policy for Ontario that do have the money to spend on it and I would like to think that those ideas could be put out there for discussion.

**Mr. Randy Hillier:** Thank you very much.

**The Chair (Mr. Grant Crack):** Ms. Fife?

**Ms. Catherine Fife:** Thank you for coming in today and for sharing your perspectives. I find it really interesting because we've heard from a lot of people who are very engaged in the professional state of politics, if you will. To hear from you on issues that you actually care about from a grassroots perspective, if you will, is very important.

You use one of your examples around farming, for instance, trying to get issues that affect the agricultural industry and sector. As the act is crafted right now, six months prior to an election those voices would be limited. Fortunately, the electoral officer has said in his report to us that he recommends that the definition of political advertising proposed in the bill apply only during the writ periods; in other words, that it not apply to the six months preceding the call of a scheduled general election. That's a recommendation that New Democrats are supportive of and it sounds like you're supportive of as well.

The government advertising piece is the other side of that. The Auditor General has said to us that when the government changed the Government Advertising Act in 2015, it actually allowed more partisan commercials to play at a cost to the taxpayers. There are no limits right now on government advertising six months prior to an election.

Do you have any concerns about the government being able to spend as much money as they want on advertising, be it around the politics, around issues and around elections?

**Ms. Dianne Dowling:** I guess I would if it's coming across as advertising that is holding up the governing party as the champions of all these good things they're advertising. Obviously, the government needs to advertise lots of things that are in the public interest.

**Ms. Catherine Fife:** Yes. Right now there's an advertisement around texting and driving. I'm completely supportive of that.

**Ms. Dianne Dowling:** Yes.

**Ms. Catherine Fife:** But they also released commercials on the climate change plan that hadn't yet been released. That's a problem for us.

1030

**Ms. Dianne Dowling:** I have seen the analysis that these limits on advertising in the six-month period, which I guess is still a proposed amendment—I'm happy to hear that the Chief Electoral Officer is recommending changing that, but the government's advertising is not covered by that regulation. I think we saw with the previous federal government that there was a great deal of advertising that was done, I think, to promote their party as opposed to the government of Canada.

**Ms. Catherine Fife:** I appreciate your perspective on trying to ensure that the public has the information that they need to make an informed decision before going in to an election. We are supposed to be keeping the elector at the centre of this debate; not us as individual candidates and how it will impact our future campaigns or our parties. It's supposed to be instilling confidence back into

the electoral process. So we see lots of changes that need to happen with Bill 201.

Thank you very much for coming in.

**Ms. Dianne Dowling:** Just to add to that, I think that if there could be some kind of mission statement in front of your committee, "Remember the elector," and maybe "Remember the citizen"—I don't know; I am concerned that the citizen is forgotten in between elections, and then they're the almighty voter during the election. So remember the citizen. Remember that we're doing this for the people of Ontario and what would bring the most benefit to the people of Ontario.

**The Chair (Mr. Grant Crack):** Thank you very much. Mr. Rinaldi.

**Mr. Lou Rinaldi:** Thank you, Ms. Dowling, for being here today. I think it's important that you took the time out to express your concerns. I always say that I wish there were more people like you.

**Ms. Dianne Dowling:** I also want to congratulate the committee members for doing these hearings. I know you've just finished your legislative sitting, and here you are at meetings again.

**Mr. Lou Rinaldi:** For sure. That's what we live for, sometimes. That's what we live for.

Anyway, I have a couple of questions, if you could maybe enlighten us a little bit. I know that you've been involved with the Save Our Prison Farms campaign.

**Ms. Dianne Dowling:** That's right.

**Mr. Lou Rinaldi:** You also would know that in Bill 201 some of the legislation geared to third-party advertising is modelled after the federal regulatory process.

**Ms. Dianne Dowling:** Yes.

**Mr. Lou Rinaldi:** So can you maybe tell us how working within those federal regulations of third-party advertising—and the province is wanting to do the same thing, or we're proposing roughly the same thing—how did that work out for you during the 2011 campaign?

**Ms. Dianne Dowling:** When I heard about these hearings—I do have experience as a third-party advertiser. The Save Our Prison Farms campaign that was active here in the Kingston area and the whole wider region, during the 2011 federal election, did run ads in our own local papers in a couple of ridings. It was very limited. The spending was nowhere near \$100,000; more like less than \$1,000 probably. Because it was seen as an issue that was known locally and that we wanted to identify our position on—I actually am the person who registered our group and received the paperwork and so on. Because we had such a small-scale effort on it, it was not that hard to register or to submit our expenses afterwards and so on.

**Mr. Lou Rinaldi:** So you would consider that was a satisfactory way of doing it?

**Ms. Dianne Dowling:** Yes, I would.

**Mr. Lou Rinaldi:** Great. Thank you.

**Ms. Dianne Dowling:** I repeat that we were on a very small scale.

**Mr. Lou Rinaldi:** Sure. Thanks for that.

The other piece is, I think amongst all of the parties we do have some planks that we agree on how we'll get there; maybe we have some differences. I'd be interested in hearing some of your comments, for example, on what we're proposing, to end corporate and union advertising. Is that something that you, as an individual or when you were part of a group or if you are part of a group, would support, that kind of initiative?

**Ms. Dianne Dowling:** Specifically what?

**Mr. Lou Rinaldi:** To end corporate and union donations.

**Ms. Dianne Dowling:** Yes, I agree with that. I think the individual who contributes money to a party should be doing that strictly as their individual choice.

**Mr. Lou Rinaldi:** I'll make this a question-and-answer session. I've got a couple of more.

One of the suggestions is the piece about public contributions per voter that the federal government initiated and is phasing out. Would you support something to that extent?

**Ms. Dianne Dowling:** The thing where, depending on how many votes you got in the last election, your party gets a relatively small amount per voter?

**Mr. Lou Rinaldi:** Yes.

**Ms. Dianne Dowling:** I would support that. I wouldn't want to see the amounts be huge, but I think it gives smaller parties an opportunity to have a little more financial support for their campaign to get their message out.

**Mr. Lou Rinaldi:** And the reduction to individual limits? We're suggesting lowering that.

**Ms. Dianne Dowling:** Can you remind me what they are now and what they could be?

**Mr. Lou Rinaldi:** Maybe the Chief Electoral Officer can help us. What are the exact spending limits that we have now for individual donations?

*Interjections.*

**Mr. Greg Essensa:** It's in the bill. It's \$7,750. Yes, that's correct.

**Ms. Dianne Dowling:** For an individual.

**Mr. Lou Rinaldi:** For individuals.

**Ms. Dianne Dowling:** Is that lower or higher than the limit now, or is there no limit?

**Mr. Lou Rinaldi:** It's a little bit lower, correct?

**Mr. Greg Essensa:** It is lower. Currently, it's over \$9,350, I believe.

**Mr. Lou Rinaldi:** That's what it is now. So it's about \$2,000 less, roughly.

**Ms. Dianne Dowling:** I'm not sure. I think those two numbers are pretty close. There's not a great deal of difference between them. I wouldn't want anyone to think that I think \$2,000 isn't much, but—

**Mr. Lou Rinaldi:** It is.

**Ms. Dianne Dowling:** It's still a fair amount of money for an individual. In my optimistic world, I would love to see everybody involved in politics and issues, and everyone contributing according to their means—with limits—and, therefore, more people donating to campaigns or to issues.

**Mr. Lou Rinaldi:** Recognizing that there's a need to fund-raise to run campaigns—I think we all agree on that—do you have any final thoughts on how we could do that in a fair way, looking at the bigger picture? I know it's a huge question, but do you have any suggestions for us?

**Ms. Dianne Dowling:** Not specifically. As I said at the beginning, I'm speaking as a person who follows politics, who cares about it, who bores her family members some days, although I'm happy to say that most in my family are actively involved in issues too. I just would love to see more people actually trying to find out information and more information out there for people that helps them make decisions on issues.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Dowling, for coming before committee this morning.

**Ms. Dianne Dowling:** Thank you, everyone. Have a good day.

MS. SARA LABELLE

**The Chair (Mr. Grant Crack):** Next on the agenda we have Sara Labelle.

Good morning, Ms. Labelle. How are you today?

**Ms. Sara Labelle:** I'm good.

**The Chair (Mr. Grant Crack):** Good. We welcome you before committee this morning. You have up to 10 minutes for your presentation, followed by approximately 15 minutes of questioning from the three parties. We welcome you, and the floor is yours.

**Ms. Sara Labelle:** Thank you. As you mentioned, my name is Sara Labelle. I'm a medical laboratory technologist. I work in Oshawa, in the Lakeridge Health facility. I also serve as OPSEU's hospital professionals division chair, representing 24,000 hospital professionals across the province. I am very active with my local health coalition. In that role, in that capacity—you'll find out I have quite a passion for health care and I've been involved in a number of community-based campaigns over the years in my involvement about issues that matter to me. I believe strongly in the importance of community members speaking out on issues that affect their lives. From that perspective, I want to talk to you today particularly about the third-party advertising component in Bill 201. There are three significant concerns that I have with the way that issue advertising is handled in the proposed bill. I will echo some of the things from the previous speaker.

**1040**

My first concern is the way that all issue advertising, whether it tells someone how to vote or not, is treated the same. It's not only for the election period but for the six months leading up. For me, there's a clear difference between a community that is rallying to save its local hospital or services when the government threatens to close it versus a group of companies—or unions, for that matter—running a series of ads that are telling you how to vote in an upcoming election. But when I read the proposed legislation, I'm not sure that there is a clear difference between that kind of advertising, as written.

As I mentioned, I live in Oshawa. What that means is that if my government proposes cutting back on health care in my community and closing a hospital there, which affects my health and impacts on the community members' health, then I should be able to speak out against those issues. I should be able to stand up and my whole community should be able to rally and stand behind their community hospital, regardless of whether the next election is in three years or three months. I work in Oshawa as a medical laboratory technologist, and that decision would not only impact my health, but it could potentially impact my livelihood.

I do believe that I have the right to speak out against issues that impact my livelihood, as well as my health. In that case, if my fellow union members want to stand up and rally to protect their community, they should be allowed to do that. I'd expect them to because I pay dues to my union. I would expect my union to stand up and fight for issues that are important to me.

If the government wants to make cuts to hospitals across Ontario, and my union wants to make sure that Ontarians know what impact those cuts would have on the health of communities and on thousands of good jobs across the province, it should be able to. But the way this law is written now, if there was an upcoming election in the next six months, my union wouldn't be able to say much.

There are 130,000 members in the Ontario Public Service Employees Union, many of whom work in hospitals; 45,000 people work in health care in OPSEU. If they wanted to spend \$5 per member on a campaign to tell Ontarians about the risk of those cuts, they would already be over the limit. We're not just talking about expensive TV ads. In fact, just sending a single postcard to each home in Ontario to tell them how these hospital closures might impact those who live and work in those communities would already be well over the limit that's allowed under this proposed legislation. Meanwhile, the government would have no limit on its ability to tell Ontarians why these cuts are needed, and that brings me to my second concern about how third-party advertising is treated in this bill.

While this bill drastically limits what community groups can spend or say, even outside of an election, it puts no such limits on the sitting government. Under this legislation, while my union or community advocacy group couldn't even mail a single postcard to each home in the province, the government could take out millions of dollars in TV ads to tell their side of the story.

Now imagine that we're in the middle of negotiating a collective agreement. Under the broad definition of the type of advertising that is limited, we wouldn't even be able to talk to the public about most of the issues that we face in a round of bargaining if it was within six months of an election. If we wanted to speak about issues about workload, which impacts on patient safety in hospitals, we would be tied. On the other hand, the government could spend whatever it wanted in order to support its arguments at the bargaining table. This bill ties one hand

behind my back while placing no limits on the government, and that hardly seems like a level playing field.

My third and final point is that these limits on issue advertising are so broad that they're basically unenforceable. This isn't just about limiting freedom of speech, though that's a real concern; it's also just a question of how you would even begin to police this without it simply turning into a waste of tax dollars.

Do we really want to pay for Elections Ontario investigators to chase down receipts from everyone who holds a rally in the public square? Do we truly believe that groups of parents who want to save their school or groups of seniors running a letter-writing campaign to raise awareness about underfunding of long-term-care homes are the groups that have too much influence in our province?

As you look at this bill, I would ask you to find a solution that creates a level playing field for everyone but doesn't create a chill on the ability of the public to speak out, especially when there isn't even an election under way.

If we need to have a broader definition of what constitutes third-party advertising during an election period to make sure that loopholes aren't exploited to get around the limits we've set on advertising, I can accept that. What I have trouble accepting is a law that tells people that because there's an election coming half a year away, they can no longer talk about anything that's in the public interest, just in case it becomes an election issue. After all, if a community is successful in making something become an election issue, isn't that just further proof that it truly was a matter of public interest?

I believe that we need limits on third-party election advertising, just like we have limits on donations, so that when it comes time to vote, those with the most money aren't the only ones who are heard. But I would urge you to find a solution that doesn't put a chill on the ability of citizens to tell government how they feel and what they feel. After all, that seems a pretty important part of any functioning democracy.

Thank you for your time and attention today.

**The Chair (Mr. Grant Crack):** Thank you very much, Ms. Labelle, and we'll start with Mr. Milczyn.

*Interjection.*

**The Chair (Mr. Grant Crack):** He had his hand up first. You can go last.

**Mr. Peter Z. Milczyn:** Good morning, Ms. Labelle. Thank you for coming out this morning and for your presentation and some points well taken.

There's another aspect of third-party involvement in election campaigns that we're also looking into as part of the deliberations over this bill, and that is the use of paid volunteers in committees, essentially, when an organization might pay its employees to go out and work on a particular campaign.

One of the things that we want to delve into, and I certainly would appreciate your views on this, is how should that be treated? Does that need to be disclosed?

Does that need to be valued? Does that also need to be subject to some limits on the amount of contribution of labour that would be provided?

I wonder if you have any personal experience, whether you've ever been directed to go and work on a campaign while being paid for that. It's not a bad thing if you were; it's just for context and for your views.

**Ms. Sara Labelle:** I've never been directed. Anybody who knows me personally knows I don't take well to direction. But have I volunteered on campaigns? Yes, I have, and I do so because I believe in the electoral process and I believe that the people who are out campaigning need people who will help knock on doors. So I absolutely have volunteered to campaign, and I do believe that all of the above, what you've mentioned—setting limits, disclosing, all of that stuff—should be open and transparent, that information, and if you're going to have limits, just make sure it's a level playing field for everybody.

**Mr. Peter Z. Milczyn:** What I was getting at is if an employer tells 10 of their employees, "We want you to go out tomorrow and spend the entire day knocking on doors. You don't have to come to work; you're still going to get paid for your labour." That's what I was getting at. Should that be subject to limits? Should that be disclosed? Should that be prohibited?

**Ms. Sara Labelle:** All of the above. If it's going to happen, if you are going to allow it to happen under the legislation, there should be limits on it and it should be a level playing field and disclosed so that people are aware of who's volunteering. It's the same as a donation, or similar, right?

**Mr. Peter Z. Milczyn:** So this would fall under, I guess, a third-party involvement. Should that be a separate amount of labour that could be donated, or would it fall under the overall rules for third-party involvement? Do you have any views on that?

**Ms. Sara Labelle:** The rules as proposed on third-party are restrictive at this point, so unless there were changes to how that's written, I'm not sure it would make sense to roll it in—maybe separate. But I was concerned about the limits on the third-party to begin with.

1050

**Mr. Peter Z. Milczyn:** Okay. Another thing that's somewhat related is that some have raised the concern that certain organizations, certain companies, might funnel donations through their employees because of the lowering of the limits; they might view that as a loophole. Is that a concern of yours? Do you have any views on that, on how that could be addressed?

**Ms. Sara Labelle:** Aside from it being completely onerous to track that kind of donation, I don't know that that's a good investment of tax dollars. But it is a concern because I'm pretty sure there are a lot of CEOs who have bigger pockets than I do, and perhaps their organizations could deal with siphoning money off through individual donations. As far as the individual spending donations, I know they've lowered them in the proposed legislation, but it still is not a level playing field.

I think that it has been proven in the States through the Bernie Sanders campaign and Obama that if you have low donations, it's very easy to raise a lot of money. It's a lot of individual donations but it's not a bunch of rich corporations, like the Koch brothers, that are funding the PACs and super PACs in the States. That would be a concern.

**Mr. Peter Z. Milczyn:** What I've heard throughout your deputation this morning is a concern that reasonable rules be put in place that are effective and that can be reasonably enforced. It's not putting in place rules for the sake of putting rules in place but things that can actually be enforced reasonably. How do we balance having strong rules and some real enforcement with what might be deemed to be excessive regulation and potentially excessive costs on individuals, companies, unions and the public purse?

**Ms. Sara Labelle:** I don't know the answer to that question, to be honest with you, because I think that would be difficult to police. You could set limits, but without getting full disclosure of the full financials of every single organization in the province you're never going to be able to find out who gave to whom and who gave money to their employees or to their family members to then donate. It wouldn't necessarily mean that you couldn't have that rule in place; I just think it would be onerous and expensive to police.

**Mr. Peter Z. Milczyn:** The assumption is most organizations would follow the rules. It would be the case when it appears that somebody was breaking them that a complaint could be filed and then there would be the ability to really investigate and go through financials. That would be a reasonable thing, in your mind?

**Ms. Sara Labelle:** Yes.

**The Chair (Mr. Grant Crack):** Thank you very much. Ms. Fife?

**Ms. Catherine Fife:** Thank you very much, Sara, for coming in. Your points around government advertising are one of our main concerns, obviously, with Bill 201. In budget 2015, there were changes made to the Government Advertising Act. The auditor described the changes as gutting the restrictions on partisan advertising and said that it would allow the government to run partisan ads. We've seen some examples of that recently around the climate change plan, for instance.

Earlier today, there was another delegation that spoke to the impact of government advertising from a censorship perspective and a negative impact around voter engagement because they're just inundated with these advertisements. Do you want to touch on that a little bit?

**Ms. Sara Labelle:** Yes, although I think I touched on it a bit in my presentation as well.

**Ms. Catherine Fife:** You did.

**Ms. Sara Labelle:** This should not be a one-sided conversation. There should be limits on the existing government, which will be using tax dollars to run partisan advertising on all of the issues that they will be campaigning on. They should not be able to do that leading up into an election.

I'll give you an example. The Ontario Health Coalition ran a very big public referendum on health care and got communities mobilized. The whole time that there was a small group of volunteers in about 40 communities in Ontario that were knocking on doors and getting votes and sitting at farmers' markets and engaging their community, the government was releasing ads and articles in the paper about all of the investments they had made in health care in the budget this year. Meanwhile, every single community in the province of Ontario is very well aware that those investments are not being seen in their communities because they are seeing closures to their local hospitals, cuts to services, transfers of services and even wholesale closure of hospitals.

Again, it's that one-sided piece where a small group of people with very little money are doing what they can to protect and stand up for their local communities while the government is spending thousands, hundreds of thousands and millions of dollars on advertising on the other side, saying how great they are doing in that portfolio.

**Ms. Catherine Fife:** I think that the health care example is a really good example for people because it affects their day-to-day lives, it is a huge issue and it's also the number one budget item in the province of Ontario. I appreciate that you brought that up.

The Chief Electoral Officer has recommended that that six-month period not be part of Bill 201. If that is removed and people can still weigh in and citizens' voices can still be heard—would that satisfy you as a citizen that that six-month period is removed, or is there still the imbalance between the voice of government versus the voices of citizens?

**Ms. Sara Labelle:** I think that there is still an imbalance, but if you limited the limits on third parties to be just during the writ period, it would obviously level the playing field significantly. If people, leading up to that writ period, were able to still speak to issues, it would level the playing field a bit more, rather than just having a one-sided argument for six months leading into an election.

**Ms. Catherine Fife:** I think the concern going forward is that any issue can be political, right? Especially these days, every issue can become political during an election. So that's our challenge as a committee: to ensure that we're finding the balance for those voices of citizens to be engaged in the electoral process going forward.

The issue of disclosure: I really appreciate the fact that you've said that disclosure has to be a part of this conversation as well. BC does have disclosure as part of their transparency framework around elections, so it can be done. It's important that you came here today and raised that issue. Thank you very much.

**Ms. Sara Labelle:** Thank you, Catherine.

**The Chair (Mr. Grant Crack):** Thank you very much. Mr. Hillier.

**Mr. Randy Hillier:** Thank you, Sara, for being here today, and thanks for your presentation. A couple of things: It was nice to hear you say that the disclosure and

openness of contributions is something that you recognize is important. Transparency and openness should be what we strive for all the time in politics.

Your focus was on third-party advocacy, and that is important. You used a term: that you felt that you'd have one hand tied behind your back while government would be able to throw bucketsful of money around.

I think what this bill, Bill 201, and its genesis come down to is that there have always been rules in place—if not in fact but certainly in appearance, there was an abuse of the rules, and now we see Bill 201. What we're hoping to do is to put in enough constraints so that the rules will not be abused. I think it is important that we encourage and facilitate third-party advocacy, but not in a manner that gets abused and is little more than a disguised partisan advertising campaign.

I do want to ask you one thing. We've seen that a lot of this bill is a result of significant union and corporate donations at private fundraisers and with ministers and their stakeholders. I just want to get your view as a union member. Do you think that, if we get rid of those union and corporate donations, your union would be able to then dedicate more of its money to advocacy instead of into fundraisers—maybe not necessarily your specific union, but unions in general?

**Ms. Sara Labelle:** It wouldn't have much of an impact on my union, to be honest, because there isn't a lot being spent on that.

I think that corporate and union donations absolutely should be banned. It should not be happening. I also think that the limits that have been proposed right now should be lowered. If you want to level the playing field, it should not be the bigger pockets that can afford to give more. It should be \$30, \$40, \$50 or whatever, so that everybody could potentially be involved in the electoral process through a donation. It has been proven in the States, again, that millions of people donating \$30 will get you where you need to be, versus a small few donating thousands.

**Mr. Randy Hillier:** So going back here, on the disclosure of labour—paid or volunteer labour—should that appear as a contribution by the individual who was paid in doing that work for the campaign, or should that contribution be identified as from the corporation or from the organization?

**Ms. Sara Labelle:** I guess that depends if there are credits attached, like incentives, right? Usually under a personal donation, you would receive a tax credit, in which case if someone else—if you were working and getting paid, then you shouldn't benefit from a tax credit as well. You shouldn't be able to double dip.

**Mr. Randy Hillier:** Right. Thank you very much.

**The Chair (Mr. Grant Crack):** Okay. Thank you, Ms. Labelle, for coming before committee this morning. We appreciate your comments.

**Ms. Sara Labelle:** Thank you.

**The Chair (Mr. Grant Crack):** To the members of the committee and everyone, we are a bit ahead of schedule. Mr. McCann, who was scheduled for 11:05,

will not be able to make it this morning. As a result, we've asked Mr. Gerretsen if he would be able to come earlier and he has.

However, I would like to ask the committee, are you interested in a five-minute health break? We will recess for five minutes.

*The committee recessed from 1102 to 1112.*

#### MR. JOHN GERRETSEN

**The Chair (Mr. Grant Crack):** I'd like to call the committee back to order. We'll continue our presentations. We have the honour of having with us this morning a former minister holding many portfolios, the final one as the Attorney General for the province of Ontario. It gives me great pleasure to welcome Mr. John Gerretsen.

Sir, you have 20 minutes for your presentation, followed by up to 40 minutes of questioning. The floor is yours.

**Mr. John Gerretsen:** Well, thank you very much, Chair. It's good to see everyone, particularly the people that, of course, I served with for many years in the Legislature.

I understand that my presentation is about an hour and a half earlier, so being the good former mayor that I hope I was, I would encourage you, in the next hour and a half, once the presentation is finished, to visit our downtown and see our historic city hall, which was built during that short period of time when we were the capital of Canada. There are a lot of nice limestone public buildings and private homes that were all built in the 1840s. Tourism is one of our main attractions in the summer and we want your tourist dollars, so do not leave town right away and head on to Ottawa; please stay here for a while.

Let me welcome you to our city as well. I'm sure many of you have been here before, but it's always great to see a legislative committee come to Kingston. Let me thank you—I mean this quite seriously—on behalf of myself and maybe the people of this riding in Ontario for the work that you do on a day-to-day basis: the government side to give us good governance in this province, and on the opposition side to make sure there's great accountability in the system.

I had the honour and privilege of serving in public office for over 40 years. I got into it just by pure happenstance. I was a councillor for eight years, a mayor for eight years—which is still the best elected office to have in any community, including Kingston—and then I served in the Legislature for 19 years: eight years in opposition, when you know who your real friends are, and 11 years on the government side, when everybody is your friend unless they don't like what you're doing, and then they demonstrate in front of your office or at Queen's Park.

I think the system itself is extremely important and that each one of you plays an extremely important role in that.

You're dealing with an issue today that I feel very passionately about. Any staffer who has ever worked for

me, going right back to when I was in opposition, always knew what my motto was: Take the money out of politics. Take the money out of politics. If I ever write a book—I'm sort of putting some things together right now—that will certainly be a chapter, because whether it's in reality or in perception, there's always the feeling out there that those who contribute the most will get their way with government. Of course, if they're smart enough, they will also fund the opposition parties because they may be in government the next time around.

I don't have anything in a formal presentation—your Clerk asked me about this beforehand, and I do not have it. I just want to throw some random thoughts at you and maybe give you a little bit of my background.

When I first ran for council in 1972, I spent 200 bucks out of my own money for some leaflets and maybe one newspaper ad. When I ran for mayor in 1980 after eight years as councillor, I think we collected about \$4,000, and the election cost about \$8,000, and the other \$4,000 came out of my pocket. In the next election, I had a token university student as a candidate in 1982, and I think it was the other way around. We still spent \$8,000 and I probably collected \$12,000, so I was even again with what I had over-expended out of my own pocket in 1980. I ran provincially in 1995 after having been out of government voluntarily. I didn't run for mayor again in 1988. After eight years, my wife said, "That's enough. We've got three teenage kids. I need you at home."

I was fortunate enough during that period of time to be chair of the Ontario Housing Corp., which of course in those days ran the public housing stock in the province of Ontario, which was on a part-time basis, which was a great, great—I'd always been interested in affordable housing. I've done some projects here in town. We set up a municipal non-profit during my time as mayor and what have you. So I was somewhat involved, particularly with the Ministry of Housing, during that period of time.

Then I was somehow sucked back into the system again, in 1995, in an election that the Liberals couldn't lose, under Lyn McLeod, but as everybody knows, of course, we did, to Mike Harris. I was the only Liberal elected between Ottawa and Toronto during that election period of time. I always attributed it to the fact that I had been out of local politics long enough that people had forgotten the bad stuff and only remembered the good stuff.

I hate fundraising. I have never been shy about asking people for their personal support. I will ask them for their vote any day of the week, but I do not like raising money. This was well known around Queen's Park, both when I was in opposition and in government, because there are obligations there, even if they are only perceived obligations. I don't care whether it's on the corporate side or the union side. So I am a great believer in the public financing of our electoral system.

I don't know what your budget is nowadays in the province—about \$150 billion, I think, a year. We get so caught up in the minutiae—not that these numbers aren't real and they don't mean an awful lot to people etc., but

when you look at what we're really looking at in the totality of things, it's quite small. Now, I realize that you need money to run an election campaign, to get your message out, whether you're in government or in opposition. It has been like that since time immemorial. When I say, "Take the money out of politics," I know that that's a very idealistic comment and it isn't very realistic.

So the real issue is, where does that money come from? Does it come from the private sector? Does it come from organizations? Does it come from all of these associations that you're all dealing with on a day-to-day basis, that are lobbying you on a day-to-day basis about a position and this, that and the other thing? Whether they're teachers, they're nurses or they're construction workers, you can go through a whole gamut of all the people that you meet with, and they usually meet on an association basis, particularly at Queen's Park, not so much on an individual basis, from my experience anyway. So where does that money come from? The more of the money that comes from the private sector, whether it's through associations, whether it's individuals or whether it's through corporations or unions etc., the more it's going to influence the decisions that are being made.

Now, I know somebody will probably ask you, "Have you ever been influenced by it?" I don't know. Nobody ever directly came up to me at any time and said, "Our association or this organization will give you X number of dollars if you change that law or regulation." It doesn't work that way, we all know that, because that would be too blatant and that would become well known out there and it simply wouldn't wash. But you know, there are perceptions there.

**1120**

When I first became a cabinet minister in 2003, I can remember a meeting—and I'm not going to give you any cabinet confidentialities, okay? But there was a meeting with our chief fundraisers. All of the parties here have chief fundraisers. They only have one obligation, and that's to raise as much money as possible for your party so that you can fight the next election or get your message out between elections. That's their job. So they put pressure on the people who they think can get them that money, whether you're in cabinet or whether you're a backbencher or what have you. That's how it's done. It ain't rocket science. You need money to run the election campaigns, and the question is, where does it come from?

I've always firmly believed that the public purse should fund elections to the greatest extent possible. I've read your legislation and all the various formulas and things like that, and I realize it's about \$2 a vote. And then of course you get into, "Well, should the parties that get the most votes get the most money?" Obviously, there has to be some sort of a trade-off there. The Green Party and the other parties in Ontario should be funded as well, and maybe there's some sort of a ceiling level or a lower ceiling level that you fund them at so that they can get their message out as well.

I can tell you, no matter what legislation you're going to come up with, the financial spin doctors in each one of

your parties—and I mean each one of your parties—are going to try to come up with ways as to how to circumvent that or how to find the loopholes. It's just the reality of the situation.

Before I go any further, let me just make it absolutely certain, particularly to the opposition members, that I support the government in this effort. Does it go far enough? I don't know. I support the government in general. I think the Premier, our Premier, is doing a fantastic job. I'll just get that on the record. I've got a great respect there for the NDP. I think they've got some great ideas as time goes along, and my friends from the Conservative Party as well. But I'm a supporter of this government, as I have been over the last 20 years or so.

I know how widely I've got into this situation. The suggestion that was made to me, I think, when I was first Minister of Municipal Affairs and Housing, was, "Can you raise about \$20,000?" Of course, I never raised, except for once—I tried a fundraiser here for the provincial party and it didn't go all that far. I've always tried to raise it in Toronto, because in Toronto a fundraiser is totally different than any you have in your own local riding. In your local riding, you basically get people who believe in you. Yes, they believe in your party as well, but they believe in you. You know as well as I do that at the fundraisers in Toronto you get the lobbyists. One day they're at the red event, the next day at the blue event, and the next day at the orange event.

I always used to get a great kick out of these great, big dinners that we had. You'd look around and the same people who were there were also at the Tory events, and probably many of them at the NDP events as well. The lukewarm applause that people used to give—it's not the kind of applause you'd get locally, when you're there with your own supporters who really want to contribute to that.

I realize it's idealistic, what I'm talking about, but the only way we get there is by making more and more of the public funds available for political parties to get their message out. Now, what that is finally going to look like, I don't know, but please remember the smaller parties as well. Maybe you do it on a percentage basis across the province, as to how they got the vote, not just on a riding-by-riding basis. Let me tell you, it's a lot easier for the governing parties, whether they're the NDP back in the early 1990s, or the Harris-Eves days, and of course now the McGuinty-Wynne days, to raise money than when you're in opposition, although most organizations and individuals are smart enough to maybe give some money to the opposition as well, just in case they form the next government.

Now, I know there is a credit system that is widely available for people who make donations. I think the problem with that is that people make a donation today but they don't really see the effect of that until they file their taxes next April. No matter what you can say—"Give me \$100 at a little fundraiser etc. and you get \$75," or whatever the amount by way of a tax break, a tax credit—it doesn't sound real. There's no immediacy

to it. The system is being subsidized to a large extent even by private donations or by corporate donations right now, particularly the private, individual donations, because people do get tax credits. We kind of forget about that. That was a good attempt in its day, when it started, but it hasn't gone far enough.

There are a couple of other issues that I want to just briefly talk about that may or may not be part of this bill that you're talking about, and that's the obligation of a riding association. I'm sure that it's the same in all parties. If you want to be a candidate, the first thing you do when you sign your candidate papers is you sign over whatever relief you're going to get from the electoral office later on, whereby half of the money goes back to the central party organization. I think that is wrong. I don't care whether it's the Liberals, the Conservatives or the NDP that does it; I think that the money that goes back to a riding association as a result of election results etc., should stay with that riding association.

Similar—and I don't know how many parties are actually doing it—is the notion of transferring money out of your global budgets that you've got left over to the leaders' offices. And don't tell me it isn't done; it is done. Each and every party does it, and it's wrong, as far as I'm concerned. If you run a frugal office and you pay your staff well but you still run a frugal office, you as an individual member should get credit for that. Whatever money you've got left over at the end of the year shouldn't be transferred to the central office. That's done; don't tell me it's not. I know it's done because I've talked to enough of you off the record for doing that.

Third-party advertising—I heard the earlier presentation. You've got to be very careful with that. Sure, there should be limits on it. I agreed with the earlier presentation that even individual limits of \$1,500—or twice \$1,500 to two separate ridings—is way too high. I guess my main argument with you is: If we truly want public policy decisions to be made for the right reasons, limit the amount of private money—whether it comes from unions, whether it comes from corporations, whether it comes from the associations—I guess they're included in here as well. The teachers' association, the nursing association, what have you—I believe that that's included. Maybe somebody can correct me if I'm wrong. Make sure that that is limited to the greatest extent possible.

We're on the right track. We all know why we got here. When I was Attorney General, I think I was asked to raise \$50,000 in my last year. I don't know whether I ever did it or not; I just let my staff look after it. They'd make calls from the Liberal offices on St. Mary Street to get people to—not local fundraising; I think locally I only had about four of five fundraisers during the entire period of time—maybe a few more; maybe half a dozen during my 19 years. What I used to do, quite frankly, is send a begging letter around December 1 to tell people what their tax advantages were if they donated before the end of the year. That usually raised me enough money that saw the association carry out its obligations or its stuff over the next year or so.

I'll just leave it at that. I'll be willing to answer any questions at all. I have no axe to grind with anybody on this issue. I support the government fully in its effort to do something about it. Whether or not this doesn't go far enough is, I guess, for you to determine after you've listened to everybody—and to get the great advice that you get from the various ministries that may be involved in this.

**The Chair (Mr. Grant Crack):** Thank you very much, Mr. Gerretsen. Ms. Fife, are you interested in going first?

**Ms. Catherine Fife:** Yes. Thank you very much.

Why don't you tell us what you really think?

**Mr. John Gerretsen:** My views were well known within cabinet and within caucus.

**Ms. Catherine Fife:** No one has ever accused you of not being candid.

This is an opportunity to craft a piece of legislation and make it stronger. We look at Bill 201 and we see gaps. Some of those have been articulated around the accountability perspective—and transparency, quite honestly.

You referenced the fact that you were a cabinet minister. If this legislation had been in place in 2014, potentially the items in the budget would have been off limits because they obviously would have been tied to a party position. As a former cabinet minister, should there be limitations to public critique on budget items? I'm referencing the piece on the six months prior to the election.

**1130**

Conceivably, for instance—this year, we had a very early budget. If this happens in 2018, we're going to have an election in the spring. The budget would potentially be considered political, and so people would not be able to weigh in on a political issue; in this instance, it would be the budget.

The electoral officer has already said that that six-month period prior to the election should not apply to civic voices, to citizens. Do you share that concern, Mr. Gerretsen?

**Mr. John Gerretsen:** Okay, just so I understand it correctly: The legislation—and I just thumbed through it over the weekend, okay?—currently provides, according to what you're saying, that for the six months immediately prior to an election, what cannot occur?

**Ms. Catherine Fife:** Third parties and citizens can't—there are strict limits on what they can advocate for around issues, and issues often are political. So the electoral officer has said that he recommends that the definition of political advertising proposed in the bill apply only during the writ period. In other words, it would not apply to the six months preceding the call of a scheduled general election, which we do know is a certain period.

My point to you is that, conceivably, the budget would be captured in that. I'm asking you: Do you share the concern of the electoral officer of Ontario?

**Mr. John Gerretsen:** Yes, I do.

**Ms. Catherine Fife:** Thank you very much. I wanted to touch on, because you give a unique perspective—

**Mr. John Gerretsen:** But you know—

**Ms. Catherine Fife:** Sorry; I'm just on to my next piece. There's a culture shift, because you described a quota of, say, \$50,000, I think you said, that you were asked to raise. The Minister of Energy just this last spring revealed that his quota was \$800,000. Did you see a significant shift in the ask of the party in your time at Queen's Park?

**Mr. John Gerretsen:** Not in my time at Queen's Park. I guess I was surprised by some of the numbers that I heard earlier this spring, and that's why I went public on it on a number of—The Current, I think, and As It Happens and various other organizations that phoned me. I said, "Yes, I was surprised at it."

Look, the fundraisers in each party want to raise as much money as possible to get enough money in the kitty so that they can get their word out. That's their job. If they think that certain ministers can raise more money than other ministers, they will try to do that. But that is no different than during the Harris days. I can remember during the Harris days that there was a great big kerfuffle one time when, basically, out of a minister's office—I think it was the Minister of Agriculture, emails were sent out asking people to come to a certain fundraiser. I think the minister almost had to resign. That shouldn't happen.

**Ms. Catherine Fife:** There has to be a separation between the work of an MPP and then the political side of it around the riding association.

**Mr. John Gerretsen:** Absolutely. I totally agree with that.

**Ms. Catherine Fife:** I appreciate the fact that you feel strongly about getting big money out of politics. As you said, this has historically been your position. But Bill 201 has a new donation cap of \$7,750 in an election year. That's a huge amount of money. As you've heard, the current limit is closer to \$9,000, so they've lowered it somewhat. But there's still the ability—I consider \$7,750 to be a lot of money. Do you think that limit should be lowered?

**Mr. John Gerretsen:** I'm assuming, for what I'm going to say, that what you're telling me is correct, that it has gone from \$9,000 to \$7,500. If that is so, that's too high. That's all I will say. Don't put words in my mouth—if that is so. If I hear from somebody else that it really isn't \$7,500, then that's—I thought that the current limit is much higher than that, because can individuals not give to any riding association they want? If they do that—how many ridings do we have—108 ridings? I may be wrong on that.

**Ms. Catherine Fife:** We have 107 ridings.

**Mr. John Gerretsen:** A hundred and seven.

**Ms. Catherine Fife:** But your point is that if the current donation cap is \$7,750, that's still too high.

**Mr. John Gerretsen:** I think it is.

**Ms. Catherine Fife:** I think so as well.

The government advertising piece: I appreciate the fact that you have this history at Queen's Park. You

ended your career on the government side of the House. The Auditor General said that in 2015, the changes to the Government Advertising Act, which allow for greater partisanship, gutted that act. Do you have any concerns about governments using—

**Mr. John Gerretsen:** I'm not familiar with the changes that were made in 2015, but what I am familiar with is that when that act first came into existence a number of years ago, I believe all ads had to be approved by somebody—is it the Auditor General?

**Ms. Catherine Fife:** It was the Auditor General.

**Mr. John Gerretsen:** It was the Auditor General?

**Ms. Catherine Fife:** Yes.

**Mr. John Gerretsen:** I think it's the right way to go—by somebody. If the Auditor General is not the appropriate person, it should be somebody. The government has the right to advertise the new programs that are out there so that the general public knows what's available for them now that wasn't there before.

**Ms. Catherine Fife:** Do you think the government has the right to advertise an act, a piece of legislation or a plan that hasn't been released to the public yet, as they did with the climate action plan?

**Mr. John Gerretsen:** I'm not going to make any comments on that because I'm not familiar with what you're talking about.

**Ms. Catherine Fife:** Okay. Do you think that—for instance, when the government spent \$600,000 advertising the ORPP during the last federal election, the auditor said that she would have ruled that to be too partisan.

**Mr. John Gerretsen:** Well, the Auditor General has her own opinion and she's obviously reflected on it, so I think that speaks for itself.

**Ms. Catherine Fife:** You still know how to answer a question, Mr. Gerretsen.

**Mr. John Gerretsen:** Well, no. I know what this is all about. You're all trying to get me to say something that will be used in Hansard at some point in time or on the legislative floor. Look, I've been there. I know that. I'm just here to tell you what I think should happen. Now, if you come up with individual situations, half of which I'm not familiar with—remember, although I do watch question period from time to time, usually when I'm doing some other work etc. I know. My wife doesn't think I have a life. Then, of course, with my son being a federal politician, I have to watch him in the afternoon as well, or at least his government. I also think he's doing a great job.

**Ms. Catherine Fife:** I just want to say I appreciate your perspective and I appreciate the fact that you have said that the current donation level is too high.

**Mr. John Gerretsen:** Yes.

**Ms. Catherine Fife:** And that's not a gotcha moment. That's just the fact. Thank you very much, Mr. Gerretsen.

**Mr. John Gerretsen:** Thank you very much, Ms. Fife.

**The Chair (Mr. Grant Crack):** We'll go to Mr. Fraser.

**Mr. John Fraser:** John, thank you very much for being here today and for your candour. It has never changed. I think I've probably known you for about 15 or 16 years. I really appreciate what you have to say in terms of trying to take as much private money out of political fundraising as possible. I do think, just from my perspective, that there is a role in terms of people participating in that way. How you actually make those influences equal so you can hear all those voices I think is really key, so that all those voices are heard there.

As we're moving toward limiting those contributions and making them more equal, when we're looking at third-party advertising, as we just talked about a little while ago—the risk is, when you limit on the political side the individual contributions, that the actual influence of those contributions will transfer themselves to third parties. So if you don't put some sort of restriction or limitation on those, you run the risk of—as you were saying before—maybe the fundraisers will be focusing on support that's not directly accountable in the public domain. I guess that's what my question is.

The other question is about the restrictions in advance of the election period—pre-writ, I should say—on third-party advertising, any other comments you have on third-party advertising. I guess the question is, would you agree that there is a risk, if you limit the contributions on the political side, that if you do put some restriction or limitation on the third-party side, you're just going to get displacement?

**Mr. John Gerretsen:** First of all, we live in a democracy and the first going-in principle is that everybody should have a right to say, whether you're an individual or an organization. The whole notion of limiting something kind of goes against the inherent democratic principle. Having said that, I think it is important that we level the playing field. In the same way that government advertising goes through an approval process, perhaps third-party advertising should go through exactly the same process. Hopefully, the people who are ahead of this process—whether it's the Auditor General or whatever that individual or individuals are called—you'll rely on them to use their best judgement that, yes, both the pro side and the anti side on an issue can be presented in an equal fashion. That's really what it's all about.

1140

As far as fundraising limits are concerned: Look, we all know there's a big difference between you holding a local fundraiser and the little old lady down the street, who has known you for 50 years, wanting to give you \$100 toward a fundraiser. She believes in you as a person and maybe she's a Liberal too. I don't know. But that's totally different than the kind of situation that Ms. Fife was talking about, where the limits can be X number of dollars to all sorts of different organizations.

I think that we really have to watch for the third-party advertising and I know that the bill kind of tries to address that. How many different organizations can you create that basically have the same point of view, but they all have a slightly different name, a slightly different

membership etc.? There will be spin doctors around in each one of your parties who will come up with these notions as to how you can maybe not circumvent, but find the loopholes in the system, or how we can create more organizations.

Maybe the best way to do it is that for any kind of government or third-party advertising, it has to go through the same mechanism of being approved by an approval body. You love that when you're in opposition and you hate it when you're in government.

We were all in favour, when we were in opposition, of setting up all of these legislative officers etc. Many of my colleagues in cabinet didn't particularly care for them. I was environment minister for a while and—what was his name?—Gord Miller was the environmental officer. I used to tell him, “Gord, you've got to give me the toughest reports possible, so that I could convince cabinet to do this, that or the other thing.”

The man was shocked. He said, “Jeez, I've never heard this. Most of you, the former environment ministers, didn't like me very much because they always thought that I was criticizing what was happening in their ministry.”

I said, “Well, look, if we really want to change the world, we have to get the message out there. You, as an independent third person, carry a much stronger weight within the partisan world that we live in on a lot of issues than I ever would as minister.” We had a great relationship.

Did I answer your question or not?

**Mr. John Fraser:** Yes, you did. As a bit of a preamble to the next question, I do think that participation by individuals making a small financial contribution is actually critical to the process because it's a commitment that people make, as you say, in your ridings. As it has been said, I think, by members across here, a whole whack of \$100, \$50 or \$30 donations means a lot.

But I want to go back to provisions in the bill that deal with leadership. I know that you ran for leader—

**Mr. John Gerretsen:** Worst mistake I've ever made there, John. Worst mistake ever.

**Mr. John Fraser:** I don't know—

**Mr. John Gerretsen:** I didn't know enough people. But the right guy won, by the way.

**Mr. John Fraser:** I don't know. I'm actually pretty glad that you did, as one of those series of small events that put you somewhere.

What do you think about the provisions in the bill around leadership? Did you have a chance to take a look at them? Do you think, given your experience—not just in your own leadership campaign, but just viewing it—whether we should apply credits or limits?

**Mr. John Gerretsen:** When I hear some of the numbers being bandied about as to what it costs to run for leader right now, particularly with Mr. Brown just recently, it just boggles the mind. I think that when I ran for leader, we spent 100,000 bucks, and about \$20,000 of that came out of my own pocket. That was probably in the Stone Age, in 1996. But when I hear about the

millions that they're talking about, I can't relate to that, you know?

Let me just tell you: I can remember when Dalton was in opposition. He went through some pretty rough times and the party was running out of money. He or somebody on his behalf would have to call the banks etc. to lend us some more money or whatever the situation was. I used to think, "Okay. We all think we're pure and everybody thinks they're pure, but the next time something comes up with the banking industry and you're in government, are you going to be influenced by the way you were treated when you were in opposition etc.?" I don't know. I'm not saying that there was. I've never seen anything untoward in that regard at all when I was in government. But then, of course, I only saw my limited involvement in it etc. They knew my position on fundraising quite well, so maybe they stayed away from me for that reason. I don't know. But, you know, it's not right: Government and opposition have the right to get their message out. How we get that costs money, whether it's in an election campaign or not. How is that funded? You could fund it privately or through corporations or unions—whatever—or you can do it publicly. What I'm saying is: Please put as much money into it publicly as you possibly can, and spread it out evenly amongst all the various parties, including the little parties that hardly exist right now, on some sort of basis, by having a ceiling etc. How you do it, we'll leave to legislative counsel and to other people to work out the parameters.

The way I understand the way the bill is set up right now as well is that the public money, in effect, over a period of time, is going to be less. Am I right in that?

**Ms. Ann Hoggarth:** Yes.

**Mr. John Gerretsen:** Is that just a way in which the bill could be sold a little bit better? Maybe. I'm not sure. I don't understand that. You either believe in publicly funded political systems or you don't. Why are we trying to limit that over a period of time? I haven't read the bill in detail, so don't quote me on this in any other setting, but if my assessment of that is right, you're just asking for trouble again five or six years down the road.

**Mr. John Fraser:** Just as a matter of pointing, the bill reduces it by 75% in five years—in the fifth year, right?

**Mr. Randy Hillier:** Yes.

**Mr. John Gerretsen:** In the fifth year, and then a review. So it doesn't necessarily eliminate that.

**Mr. John Gerretsen:** Reducing it by 75% is quite substantial.

**The Chair (Mr. Grant Crack):** Mr. Rinaldi.

**Mr. Lou Rinaldi:** John, it's good to see you again.

**Mr. John Gerretsen:** The best mayor Northumberland county ever had. Brighton area was so lucky to have you as mayor, Lou.

**Mr. Lou Rinaldi:** It still is the best place in the province.

**Mr. John Gerretsen:** And it's a tough place now, Queen's Park: Look what they've done to you.

**Mr. Lou Rinaldi:** That's right. That's my new ammunition.

Anyway, John, just a comment—I know you touched a little bit on it, but I want your advice. The legislation we have in front of us here tends to be our federal election finances legislation, to the most extent. I know you touched on the piece of leadership races and the cost. You were somewhat involved in Prime Minister Trudeau's leadership race, and I believe you were involved in a fundraiser locally. Those limits that are in place federally and we're talking about provincially: Is it something you'd want to see changed, or is it something you could live with?

**Mr. John Gerretsen:** Actually, I was never involved in the Prime Minister's fundraiser. My son was, when I was out of town in Arizona for a week playing golf. He made the comment in our house that the last time he had such a crowd of 70 or 80 people was when he was 16 years old and his father wasn't present either. I was never involved. This is well before he became leader etc. They had a fundraiser. I think it was 75 bucks: "Meet the third-party candidate" or what have you. I think he was running for leader then.

I've never been involved on the federal side, although I do give Prime Minister Chrétien a lot of credit for doing away with major fundraisers many years ago. The way I understand, that has been diluted during the latter part of the Harper years, but I think he was on the right track by putting more public funding into the political party system.

**Mr. Lou Rinaldi:** Thanks, John.

**The Chair (Mr. Grant Crack):** Okay, we'll go over to my friends on the left. Mr. Clark.

**Mr. John Gerretsen:** Are they the friends on the left?

**The Chair (Mr. Grant Crack):** My left.

**Mr. Steve Clark:** Whatever. Anyway, John, I just want to thank you for your candid comments today. I think your public comments in the media really led to Bill 201. I firmly believe that if you and others hadn't come forward, there wouldn't have been changes. It would have been business as usual. So I think we should thank you for being so vocal, just like you acknowledge that you were vocal when you were a member.

I do think we would like to get some of your thoughts on the record. I know that other members have asked you about the advertising side of things. In Manitoba, they just finished a provincial election. They've banned advertising under certain sections for a 90-day period prior to elections. They allow emergency advertisements if there was something that risked the province's health or well-being. If there were tenders or if there were employment advertisements, obviously those continued. But they had that mechanism in place that was complaint-driven. It wasn't their Auditor General. In their case, under their new bill, it was their election commissioner, as I think they call the person out in Manitoba.

**1150**

But I don't care whether it was Mike Harris or Stephen Harper or Dalton McGuinty or Kathleen Wynne: We had a system in place that I don't think anyone was arguing about. It was a surprise to me when the govern-

ment changed the rules. It was obviously disappointing to the Auditor General. I sat in on her press conference where she expressed her concern.

So I do think this bill needs to have that discussion at first reading, and I hope at second reading as well.

I just want you to reiterate: You support having some person, whether it be the Auditor General or the Chief Electoral Officer, to be able to deal with complaints based on advertising. But do you not also agree that there should be a more comprehensive bill included in this to get the politics out of advertising, whoever it is? It should strictly be that the government should not be able to influence the election because of their advertising, no matter which party.

**Mr. John Gerretsen:** During the election period?

**Mr. Steve Clark:** Correct, or leading up to it. In Manitoba, it's 90 days. Some people have suggested six months. I think there needs to be something.

**Mr. John Gerretsen:** Well, I haven't studied that, but it sounds to me like, logically, without going into details of that—Mr. Clark and I have known each other for a long time. As a matter of fact, when I first got to know him, I was mayor of the city and he was an unemployed cartoonist being mayor of Brockville. I think it was 1985. He had hair then, believe it or not.

**Mr. Steve Clark:** It was 1982 and I had a long Afro.

**Mr. John Gerretsen:** The hair went down to his shoulders.

**Mr. Steve Clark:** That's right; it did.

**Mr. John Gerretsen:** We've been colleagues, even though on the other side of the political fence, and neighbours for a long period of time.

I kind of get the impression you're trying to put some words into my mouth that you may want to use later on. I'm not sure about that.

Look, what I basically want to say is that if there are rules in place that prevent some sort of third-party advertising for a certain period of time before an election, that should apply to the government as well. That seems to me, from where I sit, a fair thing.

I also don't think there is anything wrong in a government advertising new programs, new ways of doing things, and encouraging people to maybe follow whatever the new rules and regulations are. Some people might say that's sort of a partisan thing. I do not think so. I think there's a difference between a partisan political ad and a government ad clearly stating what a new program is all about. That's the reality of the situation.

I'm not familiar with the Manitoba regulations, but if what you're saying is that basically most of that should stop 90 days before an election campaign, I have no problem with that. I support that.

**Mr. Steve Clark:** The other question that sort of started us off today was with a presenter, and I had asked him about paid employees who would work on a campaign. So my question is around a corporation, a lobby firm or a union—it doesn't matter. If they placed people in a campaign office for a period of time and they were paid by that company, by that lobby firm or by the union

or association, should that donation—I consider it a donation; you might not. I believe that that should be recorded and should be treated the exact same way as just a cheque that would be cut to the riding association. Some disagree, so I'd love to hear your candid comments.

**Mr. John Gerretsen:** I don't have any comment with respect to the province-wide campaigns. I was involved in 12 campaigns myself. I was fortunate enough to win every one of them. We never paid somebody who worked in my campaign as far as I am aware. I'm quite sure that nobody was ever paid, because it would have caused a heck of a lot of problems with the unpaid people, I can tell you.

What happens at the province-wide level, I'm not so sure. When you ask somebody to be involved for, let's say, three months in the lead-up to a campaign and that person works for the party, whichever party it is, for a three-month period of time, is that a donation to the election campaign? I'm not sure about that. I can see what you're driving at. I'm not sure whether that is accounted for right now. I know there are many union leaders that have worked in NDP campaigns. There are many other people that have worked in Conservative and Liberal campaigns etc. Some of them, obviously, are paid. I don't know how you separate that out and, since those people are being paid by the party, whether or not that should count as part of the election expense. I'm not familiar with that.

**Mr. Steve Clark:** But I guess the concept is, if we're to use your opening words, "You need to take the big money out of politics," you certainly don't want to have a law that has a loophole that allows the big money to stay in; only, instead of having it as a donation, it's a body in an office.

**Mr. John Gerretsen:** Look, as I mentioned before, each one of the parties—particularly the financial folks—as soon as this law gets passed, will immediately have little conclaves, which will meet with other people and find: "Where can we find a loophole or how we can still do this, that or the other thing?"

What you're saying makes sense. I think there's a difference between somebody working in the back office, coming up with some strategy about something, and actually putting an ad out there saying, "We're good and the other guys are bad," sort of thing. I'll just leave it at that.

**Mr. Steve Clark:** I'm going to defer to Mr. Hillier, but I do want to thank you. We've been friends for a long time. Mr. Chair, I spoke at Mayor Gerretsen's retirement party and at MPP Gerretsen's retirement party. I'm glad he's enjoying his good life.

**Mr. John Gerretsen:** The Tories in my association made sure that you had a speaking opportunity, and I said, "Well, why not?"

**Mr. Randy Hillier:** Thank you very much, John, for being here and for your candour and frankness. I also wanted to say that it has been a pleasure to hear some of your other thoughts on subjects that aren't included in the

bill. That's, I think, important for those statements that you've made out there about money going to central parties, global budgets and different things.

**Mr. John Gerretsen:** Does that happen in the Conservative Party still?

**Mr. Randy Hillier:** Do you know what? I've never been in cabinet, so I can't—

**Mr. John Gerretsen:** No, I'm talking about the way you run your party operation.

**Mr. Randy Hillier:** How things are run—I think it's important that you brought up these different matters. Hopefully we'll be able to discuss them and address some of them as well. So thanks for that.

You used the term that it's never a blatant request for policy that comes with the fundraiser or whatnot, but you also said that there is some pressure, and it's natural. Did you notice any difference in evolution in your time in provincial politics? Did the pressure become more overt or did it become more recognizable?

**Mr. John Gerretsen:** I don't know what pressure you're talking about. It's totally different being in opposition than in government, from that viewpoint. No, I think that—

**Mr. Randy Hillier:** I guess where I'm going there is that you mentioned that there would be all the conclaves happening shortly after this bill—and I don't disagree—but those conclaves would have been going on at all times.

**Mr. John Gerretsen:** If a party wants to put out its position, whether it's during an election or before an election or in between elections, it needs money to get that message out, folks. The question is: How do we pay for that? The more that comes out of the public purse, the less likely there's going to be undue influence by the private or corporate or union or association contributors to that. That is really the sole point that I'm trying to make.

1200

Did some people get quicker access because they happened to be at my fundraiser? You'd have to talk to my staff about that. I usually didn't arrange for that. Did it make a difference on a particular policy matter because you got money from association A? I can categorically say, as far as I'm concerned, it did not. Did it affect other people, both when the Liberals were in power or the Conservatives were in power? You'd have to ask them; I don't know. But the perception is certainly there that if you give money to a particular government, you may have quicker access, and the general public, particularly in some of the numbers that have been raised here earlier, may get the impression that some people get preferential treatment with having their issue at least heard or debated.

During my 11 years in government, from where I sat at the cabinet table and at the various cabinet committee tables, I cannot tell you that I ever felt that a decision was made because of money that came from one particular source or another. I can honestly tell you that.

**Mr. Randy Hillier:** In your presentation, John, and in the discussions, you really made a distinction between Toronto fundraisers and local fundraisers. For any of us who are involved in politics, I think we know that there is a distinction, and it needs to be emphasized.

Just about your comments that Bill 201 really alters things at the local level for candidates in ridings and puts them under the same scrutiny and the same thresholds that they're not presently involved with—I don't know if you've looked at that element of the bill. If you have, do you think that the John Gerretsen of 20 years ago running for the Liberal nomination in Kingston should be under the same set of rules as John Gerretsen, Minister of the Environment?

**Mr. John Gerretsen:** I was very fortunate. I was acclaimed in 1995, but the previous candidate who had won here in 1985, a wonderful individual, Ken Keyes, who was the member for four years and then was defeated by an NDPer, was persuaded by other people not to run for the nomination. I was nominated, I believe, in late April as one of the last people to be nominated, and the election was in the first part in June. So I didn't spend any money. I think I signed up two people: my parents, if I remember correctly.

**Mr. Randy Hillier:** Regardless of your personal specifics—

**Mr. John Gerretsen:** Local fundraisers are totally different. They are people who believe in you. Yes, there are some people who have been long-time Liberal members. I don't know what you charge nowadays. I never charged more than \$150 because we couldn't get any more. Lou Rinaldi came to many spaghetti dinners that were probably about \$25 or \$30, and we raised maybe \$4,000 or \$5,000 a shot in those days. That's totally different from the Toronto fundraiser, where most of the people that come are primarily lobbyists from different organizations, particularly if you're a minister, that have something to do with your ministry in one way or another. I basically just let my staff look after that and they made their calls from St. Mary Street and people showed up. We probably never got more than 75 or 80 of them, and then that was it. I just left the money in Toronto. Central party would do with it what they want. Quite frankly, I never knew whether or not I met my quotas or suggested high quotas or not.

**Mr. Randy Hillier:** I assume that you did, because you stayed in cabinet all the time.

**Mr. John Gerretsen:** Well, you know—

**Ms. Ann Hoggarth:** Oh, that's below the belt.

**Mr. Randy Hillier:** I was being facetious a little bit.

**Mr. John Gerretsen:** I'll be honest with you. There was never, at any time when I was there, during the 11 years, a suggestion made by either the senior staff in the Premier's office, by any of the party people, by any of the other cabinet ministers, that I'd better raise the money or else I won't be in cabinet. That never, ever happened.

**Mr. Randy Hillier:** I want to apologize if that came across, in any fashion, John. I apologize for being flippant.

**Mr. John Gerretsen:** No, that's fine.

**Mr. Randy Hillier:** It wasn't meant to be hurtful in any fashion.

**Mr. John Gerretsen:** Oh, I'm not hurt at all.

**Mr. Randy Hillier:** By the way, going back, Mr. Clark brought up the point about paid volunteers, and you gave some insights on that.

Just for clarification, if a lobbyist is providing paid volunteers on the campaign—you said you didn't have any paid volunteers on your campaigns, but just your personal view on this: If a lobbyist or whoever—a company or a union—brings paid volunteers into a campaign, do you think that ought to be disclosed?

**Mr. John Gerretsen:** Well, there's a difference between it being disclosed and being a charge against a campaign, I suppose. I really haven't given that any thought at all. I think probably all parties are doing it now at the provincial level to some extent. I'm not sure what's happening at the local level in a lot of the campaigns; certainly not in eastern Ontario, that I'm aware of, are people getting actively paid, but they probably have been over time. You get a good campaign manager and you pay that person for two or three months before an election campaign. I really haven't given any thought as to how that should be accounted for in the overall expenditures that you're allowed during that campaign. I really have no opinion on that.

The more rules and regulations we put into place, the tougher it gets. But you may have a good argument; I don't know. I'll have to think about that.

**Mr. Randy Hillier:** We've heard of different jurisdictions that require disclosure of—

**Mr. John Gerretsen:** Disclosure, I think, would be a good idea.

**Mr. Randy Hillier:** —of that name and the employer so that people can see what's going on.

**Mr. John Gerretsen:** That may be all right.

**Mr. Randy Hillier:** One final thing: We've also heard that in other jurisdictions—and this would be in large part limited under Bill 201—individuals who contribute to direct campaigns, political campaigns, are also limited or prevented for a period of time from receiving government contracts. Any thoughts on those sorts of limitations or restrictions?

**Mr. John Gerretsen:** So in other words, if a company in a riding were to contribute to a—

**Mr. Randy Hillier:** If I contributed \$7,000, then my company is prevented from getting a contract.

**Mr. John Gerretsen:** Well, that would certainly stop the donations to that individual candidate pretty quickly, I think. You may have a point there. But I would hope that for all of the contracts that are let out at the government level—and from what I've seen in all my years, they are on both sides of the political fence—it was always done according to strict rules and regulations set out by the Ontario government as to how procurement was done. The fact that one company may have given money to a candidate and not company B really shouldn't go into the consideration as to which company was going

to be chosen at all. Presumably, some sort of criteria are in place: the lowest amount of money for those services, provided they reach a certain standard.

I'm not sure whether you can put that kind of limitation on it, quite frankly, if and when—and I believe it to be the case that the government has some pretty good procurement rules and regulations in place that are watched over quite carefully by our excellent civil service.

**Mr. Randy Hillier:** One last question, John. I like your idea about that third-party advertising and finding some mechanism for vetting that that you threw out. You're a big proponent of public financing of the political process. We have heard comments, and people question the rationale or the merit of a per-vote subsidy. Most of the arguments centre on, "I received so many votes four years ago." The person voting may not think the same of that party or that person a year or two or three later.

**Mr. John Gerretsen:** Well, if you do it on a per-vote basis, then obviously the incumbent candidate has usually a greater advantage, because they get more money. That's why I suggested that you've got to come up with some sort of a middle ground, because I firmly believe that the Green Party has an awful lot to offer in Ontario as well and they probably should have two or three members in our Legislature.

**1210**

I've been a great proponent of proportional representation. I think when that came out in 2007, I was one of only three candidates—Smitherman and Bryant being the other two—who actively promoted proportional representation. It didn't go anywhere, but that's that. I firmly believe that the system we have in place right now, whereby 35% or 39% can get you a majority government, isn't the democratic way of doing it. Just because we've always done it that way, first past the post—there's got to be another system. It will be very interesting to see what's going to happen federally in that regard, by the way.

**Mr. Randy Hillier:** But have you given any further consideration about, if not on a per-vote basis, what would be the measuring stick, John?

**Mr. John Gerretsen:** I don't know. I will leave that to the Chief Electoral Officer, to legislative counsel and to the wisdom that is embedded in each and every one of you to come up with a system there, but it obviously has to be some sort of blended mix. In some ridings, where one particular candidate gets 65% of the vote, like what used to happen in Brockville at one time—not anymore—and the next candidate gets 25% of the vote, you can't give him the majority of the public financing money. He'll win anyway, but that's beside the point.

**The Chair (Mr. Grant Crack):** Thank you very much. Final question: Ms. Hoggarth.

**Ms. Ann Hoggarth:** Thank you, Mr. Gerretsen. Again, I'd like to thank you publicly for helping us through our situation with Georgian College and the Laurentian situation. Thank you so much.

My question is about candidates and the money that they spend. Should there be a limit on the amount that candidates can spend on their own campaigns? For instance, if I have lots and lots of money, I can use as much money as I want or borrow as much money as I want, and somebody else is not able to use that amount of money. Should that be allowed?

**Mr. John Gerretsen:** Well, you know, that's a very interesting question. I suppose Donald Trump right now is financing his entire campaign, and look at the possible result down there.

It always reminds me of my 1982 election campaign when I ran against a civic activist who spent \$27 and she was going to become mayor and not charge a penny to the city. I used to say, "Well, you know, that means that only retired people or people who are extremely well-off could ever run to be mayor of this city," which of course isn't right.

But on the other hand, if a person wants to spend their own money—as I mentioned before, in 1980, when I ran for mayor, I was \$4,000 short at the end of my campaign. We'd spent \$8,000, and only \$4,000 had come in. Well, who is going to pay for it? I was. There weren't any rules and regulations in place at the time, and the next time around I kind of was able to pay myself back.

You have a limit in here right now. I'm not sure whether that's the right limit or not. I think a person should be able to spend their own resources to some extent, perhaps more than is the case right now. But you do not want a system where basically wealthy individuals or better-off individuals can in effect buy their own election. That doesn't sound right to me either.

So I don't know what the magic limit is there, but the average person would say, "Well, if you want to spend your own money, why shouldn't you be able to?" There's some relevance of truth to that until you look at the Donald Trump experience.

**Ms. Ann Hoggarth:** Thank you very much.

**Mr. Grant Crack:** Thank you very much, Mr. Gerretsen, for appearing before committee this morning.

**Mr. John Gerretsen:** Thank you very much, Mr. Chair, for giving me this opportunity. As a retired politician, it is helpful to the soul sometimes to be able to vent and get some of the things you've always felt strongly about out of your system.

Keep up the great work. I think you're on the right track with this kind of legislation. Obviously there are going to be amendments etc. I would really and truly hope that each and every one of you—and I know you're going to be influenced by your parties' positions; I understand all that—look at it from the point of view not

just of where you sit, whether it's on the government side or the opposition side. Just remember, every so often we do change governments here, and the position you may take now may not agree with the position on the other side.

Now, it used to be that every—well, except in Ontario, where the Tories were in power for 42 years. But if you look federally, it changes every 10 years or so, because people say, "We like the other guys better," or, "Throw the bums out" etc. So you may be just on the other side of the position.

Put a lot of independent thought into this, each and every one of you. Do not become totally beholden—and I say this to all three parties—to whatever the leader's office wants in this regard, or all the wise individuals who are there. If you have a good idea as to how this can be improved, fight for it.

I really wish you well in this effort. Keep up the great work on both sides of the House. Thank you very much.

**The Chair (Mr. Grant Crack):** Thank you very much, Mr. Gerretsen. We appreciate having you come before committee this morning.

**Mr. Randy Hillier:** Chair?

**The Chair (Mr. Grant Crack):** Sorry?

**Mr. Randy Hillier:** I was going to put a motion.

**The Chair (Mr. Grant Crack):** You're putting a motion forward?

**Mr. Randy Hillier:** Yes. Just a request.

**The Chair (Mr. Grant Crack):** Okay. Mr. Hillier has a request.

**Mr. Randy Hillier:** If the committee would invite the Integrity Commissioner and the Auditor General to attend committee hearings when they're available.

**The Chair (Mr. Grant Crack):** We can certainly send the invite. I don't see an issue with that. Is that an issue? Okay, we will, through the Clerk's office, send invites to both commissioners, as you've requested.

**Mr. Randy Hillier:** Thank you.

**The Chair (Mr. Grant Crack):** Having said that, I do have an announcement after we adjourn, but I will do my official stuff right now. I'd like to thank Hansard for all the work that you all did, coming here and setting this up—off to Ottawa very shortly. I would also like to thank the translation services for their hard work that they've done today.

It's great to have with us the Chief Electoral Officer, Mr. Essensa; and legislative research, Mr. Parker; and, of course, Brad, sitting to my right.

At this point, I will adjourn this meeting until tomorrow at 9 a.m. in Ottawa.

*The committee adjourned at 1217.*



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### Also taking part / Autres participants et participantes

Mr. Greg Essensa, Chief Electoral Officer of Ontario

### Clerk / Greffière

Ms. Sylwia Przedziecki

### Staff / Personnel

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