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**Official Report
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(Hansard)**

Thursday 7 June 2001

**Journal
des débats
(Hansard)**

Jeudi 7 juin 2001

**Standing committee on
finance and economic affairs**

Subcommittee report

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

Rapport du sous-comité

Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
Greffière : Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Thursday 7 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES

Jeudi 7 juin 2001

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr Marcel Beaubien): Good morning, everyone. If everyone would take their seats, I would like to bring the committee to order.

The purpose of the meeting this morning is to consider the subcommittee report on Bill 45, which is An Act to implement measures contained in the 2001 Budget and to amend various statutes. I think all members have a copy of the subcommittee report in front of them. I will need someone to move the subcommittee report.

Mr Rosario Marchese (Trinity-Spadina): I'd like to move this subcommittee report. Mr Chair, do you want me to read it for the record?

The Chair: For the record, please.

Mr Marchese: Your subcommittee on committee business met on Tuesday, June 5, 2001, and on Wednesday, June 6, 2001, and recommends the following with respect to Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes, 2001:

(1) That an advertisement be placed for one day in the major paper of each of the cities and the catchment area to which the committee intends to travel. That advertisements be placed in both English and French papers, if possible.

(2) That an advertisement be placed on the Ontario parliamentary channel and on the committee's Internet page.

(3) That the newspaper advertisement be sent out as soon as possible.

(4) That each party submit a prioritized list of witnesses and that the number of witnesses be divided amongst the three caucuses (25% each) with 25% of the witnesses being chosen by random ballot by the Chair and committee clerk.

(5) That each party submit a prioritized list for witnesses for St Catharines at the full committee meeting on Thursday, June 7, 2001.

That, Mr Chair, might need some review as soon as this subcommittee report is presented.

(6) That reimbursement for travel be at the discretion of the Chair and based on the witnesses' ability to attend the hearings.

(7) That the Minister of Finance be offered 15 minutes in which to make a presentation to the committee on Monday, June 11.

(8) Following the minister's presentation, each of the three parties be allowed five-minute replies.

(9) That the committee meet from 9 am to 5 pm with an hour for lunch in St Catharines (June 8).

(10) That the committee meet from 9 am to 9 pm with an hour for lunch and an hour for dinner in London (June 15).

(11) That the committee meet from 9 am to 4:30 pm with an hour for lunch in Sudbury (June 18).

(12) That the committee meet from 9 am to 5 pm with an hour for lunch in Ottawa (June 19).

(13) That the committee meet from 9 am to 12 noon and from 4 pm to 9 pm in Toronto on June 11, 12, 13 and 14.

(14) That the deadline for amendments be the morning of Wednesday, June 20, 2001, before the commencement of clause-by-clause consideration.

(15) That the deadline for written submissions be 5 pm, Tuesday, June 19, 2001.

(16) That groups be offered 30 minutes in which to make a presentation, and individuals be offered 20 minutes in which to make a presentation.

The Chair: Thank you. Mr Marchese has moved the adoption of the subcommittee report. Is there any discussion?

Mr Ernie Hardeman (Oxford): As the subcommittee will be aware, I did not support the report or some of the items in the report during the subcommittee meetings, and I will be voting against the subcommittee report.

The Chair: Any further comments or discussion? If not, then all those in favour of the subcommittee report? Those opposed? The motion is not carried.

Mr Gerry Phillips (Scarborough-Agincourt): Tell us what we're going to do.

Mr Hardeman: I'd like to propose a motion.

Mr Marchese: Do you have a copy of the motion?

Mr Hardeman: Yes, we do.

Interjection: It's all prepared.

Mr Hardeman: This is not something that was just spur of the moment; this is a serious issue.

If I could, Mr Chairman, I believe the report has been distributed, so for the record I'll read it into the record.

1010

I'd like to present the following motion with respect to the business of this committee:

I move that the committee conduct its business as follows:

(1) That on the dates set out in the order of the House dated June 4, 2001, with respect to Bill 45, the committee meet during the following hours:

Friday, June 8, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Monday, June 11, 2001: 9 am to 9:30 am for a statement by the Minister of Finance; 9:30 am to 10 am for a technical briefing by Ministry of Finance officials; 10 am to 12:40 pm for hearings; 4 pm to 6:40 pm for hearings;

Tuesday, June 12, 2001: 9 am to 12:30 pm for hearings; 4 pm to 6 pm for hearings;

Wednesday, June 13, 2001: 9 am to 12:30 pm for hearings; 4 pm to 6 pm for hearings;

Thursday, June 14, 2001: 9 am to 12:30 pm for hearings; 4 pm to 6 pm for hearings;

Friday, June 15, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Monday, June 18, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Tuesday, June 19, 2001: 10 am to 12 pm for hearings; 1 pm to 4:30 pm for hearings;

Wednesday, June 20, 2001: 10 am to 12 pm for clause-by-clause; 4 pm to 6 pm for clause-by-clause;

Thursday, June 21, 2001: 10 am to 12 pm for clause-by-clause; 4 pm to completion of clause-by-clause.

(2) Each presentation shall be 20 minutes. Any time remaining after the presenter's oral presentation shall be divided equally among the caucuses for questions.

(3) The Minister of Finance will make a presentation to the committee and answer questions on Monday, June 11, 2001, for 30 minutes, followed by a technical briefing conducted by Ministry of Finance officials for 30 minutes.

(4) That the deadline for receipt of requests to make oral presentations be 12 noon on Monday, June 11; and that the deadline for receipt of written submissions be 5 pm on Wednesday, June 19, 2001.

(5) That the Chair and the clerk of the committee schedule witnesses on the advice of the subcommittee, with the following conditions:

(a) If not already done so, by 12 noon on Thursday, June 7, 2001, the clerk of the committee provide each subcommittee member with a list of potential witnesses who would like to appear before the committee in St Catharines.

(b) By 1:30 pm on Thursday, June 7, 2001, the clerk of the committee provide each subcommittee member with a list of potential witnesses who would like to appear before the committee in Toronto on Monday, June 9, 2001, and Tuesday, June 10, 2001.

(c) By 2:30 pm on Monday, June 11, 2001, the clerk of the committee provide each subcommittee member with a list of potential witnesses who would like to appear before the committee in Toronto on June 13, 2001;

Toronto on June 14, 2001; London on Friday, June 15, 2001; Sudbury on Monday, June 18, 2001; Ottawa on Tuesday, June 19, 2001.

(d) Witnesses shall be scheduled according to lists provided to the clerk by each member of the subcommittee.

(e) For the purposes of these lists, each member of the committee, not including the Chair, shall be allowed to select two witnesses, plus one alternate, from the list provided by the clerk.

(f) The official opposition caucus and the third party caucus shall each be permitted to select one additional witness for each day.

(g) The subcommittee members shall return their list for Friday, June 8, 2001, to the clerk by 1 pm on Thursday, June 7, 2001.

(h) The subcommittee members shall return their lists for Monday, June 9, 2001, and Tuesday, June 10, 2001, to the clerk by 3:30 pm on Thursday, June 7, 2001.

(i) The subcommittee members shall return their lists for the remainder of the days to the clerk by 5 pm on Monday, June 11, 2001.

(j) Witnesses shall be scheduled according to the lists provided to the clerk by each member of the subcommittee.

(k) Cancelled slots will be filled at the discretion of the Chair from the alternates proposed on the appropriate caucus lists.

(1) As much as possible within these parameters, final scheduling authority shall be delegated to the Chair of the committee.

(6) That notice of hearings be provided by advertising on the Ontario parliamentary channel and the Legislative Assembly Web site.

(7) That notice of hearings be provided by advertising once as soon as possible in English and/or French as appropriate in the daily newspaper of each community outside of Toronto that the committee will visit for public hearings.

(8) That the text of the advertisement be as follows:

"Bill 45, Responsible Choices for Growth and Accountability Act (2001 Budget), 2001.

"The standing committee on finance and economic affairs will meet to consider Bill 45, An Act to implement measures contained in the 2001 budget and to amend various statutes.

"Hearings on Bill 45 are scheduled for St Catharines on Friday, June 8, 2001; Toronto from Monday, June 11 to 14, 2001; London on Friday, June 15, 2001; Sudbury on Monday, June 18, 2001; and Ottawa on Tuesday, June 19, 2001.

"People interested in commenting on the bill in writing may send written submissions to the committee clerk at the address below by 5 pm on Wednesday, June 19, 2001.

"Copies of the bill may be purchased through Publications Ontario at 1-800-668-9938 or 416-326-5300 in Toronto, or viewed on the Web site of the Legislative

Assembly of Ontario (www.ontla.on.ca),” and the address and phone number of the clerk.

The Chair: Mr Hardeman has moved the motion. Is there discussion?

Mr Phillips: There are a lot of groups and people who want to present to the Legislature. Why would we not want to sit beyond 6 o'clock?

Mr Hardeman: The hearings outside the metropolitan area are being put in place so that people in those areas can be heard. There is obviously a need to move from place to place. To make sure we're all there and attentive, we think it's appropriate to set a reasonable length of working days of hearings so we can then move on to the next place. We think the dates and times we've put forward are appropriate for the circumstances.

Mr Phillips: I'm just looking at Toronto here. We're in Toronto for four days. Why would you want to end at 6 o'clock in Toronto?

Mr Hardeman: We think that's a reasonable length of day. I suppose for all other functions of government certain times are set, and it's reasonable to assume that when members of the committee start early in the morning, by late afternoon they've had a full day. We think it's an appropriate cut-off to say that in Toronto we will meet till 6 o'clock. That's when the normal House day would be finished and we deem that appropriate.

Mr Phillips: I feel we're doing the public a big disservice. Our committee meets maybe 10 days a year. I'm prepared to work a little bit harder. I'd move that in the days we're in Toronto, the committee sit until 9 o'clock instead of 6 o'clock.

Interjection.

Mr Phillips: That's an amendment, Mr Chair. Maybe just to make it simpler: as well as for the four days in Toronto and the one day in London, I would move that we sit until 9 o'clock. I would just add that the House often sits at night, so I think we can do that.

The Chair: Mr Phillips has moved an amendment that the committee sit until 9 o'clock in Toronto and in London. Any discussion on this amendment?

Mr Marchese: I'll be speaking to the entire motion and I'll address this amendment, which I support. There's no point debating it long because I'll make other comments. I'm convinced M. Hardeman and gang are going to oppose it, obviously.

1020

Mr Doug Galt (Northumberland): If I may, Chair, it is interesting to look at what's been laid before us. I've added it up. It is 44 hours of hearings plus the two days over and above—11 hours. Mr Phillips was asking for more time. As I look at 44 hours, with the presenters on the 11th, and dividing it up three per hour, that's well over 100 presenters, probably in the neighbourhood of 120 or so. If we don't understand the problem after 100-plus presenters have come before us, then I think we have difficulty, as a committee, sorting everything out as it relates to this particular bill.

If you look at the tradition and the number of hours that our government has had in consultations, it's way in

excess of any of the other governments. I have to ask Mr Phillips, when they were in government, why would they only have had 343 hours in total of consultations? They asked for 370 hours on this particular bill when in fact they didn't even have that many in total for all of the bills that they put through. It is obvious they did not want that particular amendment to the motion to go through on Monday. They're just playing games and being silly. The NDP wanted 80 days. They must have got it from the film *Around the World in 80 Days*—pretty silly, what they were asking for. Their government didn't have that many hours in consultations.

What has been put forward by Mr Hardeman is more than generous in getting an understanding of what's going on on this particular issue. We've heard a lot already. By the way, the motion did go through unanimously in the Legislature on Monday after all of the debate. So I think what we are discussing here is rather frivolous. We should get on with the amendment and the motion, and get on with the hearings.

Mr Joseph Spina (Brampton Centre): I understand Mr Phillips's amendment and can appreciate it. But there is a fundamental difference between the time that each of the presenters will have in the subcommittee's motion, which was 30 minutes, versus this motion, which calls for 20 minutes. I haven't done the math to the minute, but I would suspect that, because of the shorter time frame, if you added it up over the roughly 128 presentations that would be allowed to be into this, we would be able to accommodate, by the shorter 20-minute time frame, as many people as you would in the longer time frame for the longer time period. In other words, we could end at 6 o'clock and still accommodate the same number of presentations approximately as we would if we had gone till 9 o'clock. Therefore, I would not support the amendment based on that logic.

The Chair: Any further discussion?

Mr Phillips: I'm not sure how you want to deal with it, Mr Chair, as others will go on, but I understand the politics of all of this. Five hundred groups and people have asked to appear before us. We are a democratic institution. People think that we are—and should expect that we are—here to listen to them. This is a fundamental issue on both sides for people.

My background is school board; many of you were municipal politicians. You'd never get away with this. Municipally, you would make sure you listened to everybody who wanted to speak on issues. I understand the way this works. You will vote this through. I just say to you, if you step back from the politics for a moment, people have a right—the maximum number—to be heard on this. I truly believe that. If you choose, rather than allow a significant additional number of individuals or groups to express their views—that's your decision. It is a political mistake if that's your decision. I just want to let you know it is wrong.

The Chair: Any further discussion? If not, I'll call the question on Mr Phillips's amendment that the committee

sit until 9 o'clock for the hearings in Toronto and for the one hearing in London.

All those in favour of the amendment? Opposed?

Mr Phillips: Recorded vote.

Ayes

Marchese, Phillips.

Nays

Galt, Hardeman, O'Toole, Spina.

The Chair: The amendment is defeated.

Mr Phillips: I gather that the way this will work is each committee member submits a list of two witnesses and one alternate. How does that work? In Toronto, you submit a list. Explain how you foresee this working.

Mr Hardeman: My understanding is that the list that will be coming from the clerk's office will include—on the list they will suggest which venue they would like to present at. Because of the shortness of the time and the need to notify the people who are going to be at tomorrow's hearing, they need to move on and get them notified. We are suggesting that we have different times for picking the delegates for the different venues to make sure we give as much time to all the participants as we possibly can.

The general thrust is that each member of the committee would get to pick two delegations that they would like to have present to the committee. In case there are more slots than would be picked if every member of the committee just picked two, we are suggesting that in those areas the opposition would get the extra.

The alternate would be picked if the one that is picked can't fill the slot. The clerk would then contact the alternate rather than look in the basket for a new presenter.

I think that explains the process.

The Chair: Mr Hardeman, I'd like something clarified myself, because all the presenters are listed by the city they come from. There are four requests from the city of Guelph. Would the city of Guelph be allocated to the London hearings or would they be allocated to the Toronto or St Catharines hearings? How would you differentiate—

Mr Hardeman: As the list goes out, the members can make their selection based on—for tomorrow's committee meeting, every committee member would be able to select two delegates they would like to be invited. They can be from anywhere. If one of those delegates does not want to appear in St Catharines, then the clerk would be asked to contact the alternate. That's why the alternate process is in place. One cannot guarantee that, after they've made application to be heard, they would be willing to be heard in any location, so it would give each member of the committee the opportunity to pick an alternate. That's the call that would be made if the original two do not want to be heard in that venue.

Mr Phillips: Just so I understand the principle that drives this, is it that the government has now determined that it always wants to control a majority of witnesses coming before a committee and that you will always have control over a majority of people presenting to our committee?

Mr Hardeman: This is about each member of the committee having the same ability and the same privileges as any other member of the committee.

Mr Phillips: It is an all-party legislative committee. The government can set the number of committee members. It always has the majority. By following this new principle, I gather that now the government's approach to committee work is that they will control a majority of the witnesses. Is that the principle we are following now?

Mr Hardeman: The principle we are following here is that every member of this committee, whether you're in opposition or whether you're on government, has the same rights as any other member of the committee. If someone is going to make selections based on the type of evidence or the type of presentations they would like to hear, every member of this committee gets the same opportunities. They get to select the type of delegations.

Mr Phillips: If you control the size of the committee, then you control the witnesses.

Mr Hardeman: There's no attempt here at all of controlling anything. This is providing the ability for every member of the committee to participate in this process.

Mr Phillips: You have the majority on it. This is getting a bit out of hand. Why do you feel you need to control the majority of the witnesses? What's the rationale for that?

1030

Mr Hardeman: As I said, Mr Chairman, this process being put forward is not to control; this process is to provide the ability of every member of this committee to have the same rights and privileges as other members. So in this case it's strictly based on the committee members. We are all going to hear the presenters, those who have put their names forward who would like to present; we are all going to hear every presenter. I think every member of this committee has equal rights as to the type and the areas of the province and the areas of jurisdiction they wish to hear from in order to help us make decisions in the best interests of the people of Ontario.

Mr Phillips: I'll say publicly that first you will limit the time for the debate; second, you will guarantee that you have a majority of witnesses coming to speak in favour of your bill. You are essentially trying to control everything.

I gather you've got your marching orders from the Premier's office on this, but I don't understand why you would want to control and have a majority of witnesses in your hands. I don't know why you would not want to follow what we've done on this committee.

Mr Chair, as you know, for years and years I've sat on this committee, for 11 years now, and we've always

followed the process. Then, today you've decided you're going to take a different approach. We've always followed the process that Mr Marchese proposed in his motion.

The Chair: I have to go to Mr Marchese, who is next.

Mr Marchese: I don't mind listening to Mr O'Toole first, then come back to me, Mr Chair, if that's OK with him?

The Chair: OK.

Mr John O'Toole (Durham): I've just got a quick response to Mr Phillips.

I understand that Mr Phillips, as the point person for the Liberal Party, who have clearly voted opposed to every education reform—in fact every tax reform and every tax cut, they voted against it. So I just disagree with his premise that there's some change here.

I suspect that he's implying things that arguably are not exactly the way it really is. I understand he's been told to do that by Dalton McGuinty, so I'll probably vote against that premise because they've voted against every single reform and to improve the quality of education.

They voted against every reform that saved hard-working Ontarians their tax money, so I think he's going out of his way here to—there's certain words you can't use in this forum, but to wrongfully inform, or misinform, the people of Ontario. I'm prepared today to sit and listen to Mr Phillips at any time.

I think it should be clear that everyone either listening today or following this debate has an opportunity to write to the clerk. All of that information will be synthesized and collected and reviewed, and at the end of the day the people of Ontario have every right to be heard.

That means there are two sides to the issue. Mr Phillips is on one side and he is not going to change his particular attitude, as I have seen him demonstrate it over the last, as he says, 11 years; I've only watched him for six or seven. He's against any kinds of tax reductions. He's against education quality and accountability—

Interjection.

Mr O'Toole: No. You're clearly on the record as voting against all of those things, and today he will demonstrate once again that he's going to follow Dalton McGuinty's ambiguous leadership on this issue.

Your friend Monte Kwinter probably was told not to be here today because he is for this education tax credit. He's clearly on the record on that. I put to you a question, a straightforward question: is it not true that Mr Kwinter and Mr Bryant have both, in public forums, supported this funding of independent schools?

The Chair: Actually, we're here to discuss—

Interjections.

The Chair: Excuse me. I think we're here to discuss the subcommittee report. We have to realize that we have—hopefully we have hearings tomorrow. So I think we have to keep in mind that the clerk—they do have some work to do this afternoon in order to contact people, so I would hope that all members would keep this in mind.

With this I'll go to Mr Marchese.

Mr Marchese: I don't have any questions for the members. I don't. I just want to denounce Mr Hardeman and denounce the entire Conservative group that is in this room with the presentation of the motion they made today. It was well prepared. They clearly yesterday knew they had something else in mind and they proposed it here today.

I denounce it for many reasons. One, Mr Galt says, "If we can't get an understanding of this issue after 100 presenters, I'm not quite sure what we're doing." The matter is not whether or not 100 presenters will do it, because probably five might do it. That's not the point. The point is that this is a finance bill that people will comment on. I'm sure you'll have your people covering that angle as well as the other angle, which is to make sure you've got supporters for your position on the tax credit.

This is a big bill that you're obviously presenting to the public. But I suspect that the majority of the people want to come and speak to the tax credit solely. It isn't a matter that you won't be able to understand it by hearing two or three people; it is a matter of how many people you need to hear from who are going to tell you, "We're opposed to the tax credit." That's what it is all about. This is an opportunity not for you but for the public to respond.

The point we were making for the subcommittee report was that we wanted the maximum amount of time, from 9 o'clock in the morning till 9 o'clock in the evening, to permit people, and working people, to be able to come to those meetings. The point of having the meetings beyond 4:30, as you recommended, Mr Hardeman, is that a whole lot of people work. Many of those people who are working would love to come and won't be able to through the timelines you've established. That's the point. You're shutting them out. You know you're doing that. You're shutting out the majority of people who work. They work until 5, they work until 6 and many work until 7, so they won't be able to come to this committee. You know that.

You have also changed the process that has been quite clear for quite some time in this place. We have always divided the list according to number (4) in my subcommittee report, "That each party submit a prioritized list of witnesses and that the number of witnesses be divided amongst the three caucuses (25% each) with 25% of the witnesses being chosen by random ballot by the Chair and committee clerk." As far as I can recollect, that's what we've always done, and all of a sudden you're changing that.

I get the impression, Mr Hardeman, that all of a sudden you're concerned about the fact that your members will not have an equal say. But you're the government. You get your say all the time. Your government gets to say what it wants to tell us, the opposition, and what it wants to tell the public. You make it appear as if your poor members are not going to get their fair say. You get your fair say by being part of a caucus that is part of a government that decides which bills get

passed or not passed. You've got a majority, so you decide. Then you want to control that majority, even in these hearings. Do you see how totalitarian this whole process is?

Interjections.

The Chair: Directed at the Chair, please. Let's have some order.

Mr Hardeman: You're so far off in left field, you're not even in the ball game.

Mr Marchese: Is that right, Mr Hardeman? I am off in left field, not even in the ball game. You are in government. You are a member of government. You presented this bill. You make it appear like you poor boys over there didn't get a fair say in your caucuses. Now you want a fair say in these hearings by selecting who comes to these committees. You almost make it seem like you are a minority in this place that needs to have a voice. You're not. You're part of a majority. Don't forget it. You seem to be forgetting, by the way you're presenting it.

What you're doing is, you are prescribing and instructing this committee on the nature of its work. You have instructed us in prescribing the way it will work.

What are you shrugging for, Hardeman? Normally the subcommittee meets and we decide, and normally we hammer out our differences in subcommittees. By the end of it, we all come out and we present a report that committees usually accept. That's the way it has been working for the last—Ernie, I don't know where you've been, but you certainly haven't been around here.

I'm urging you to come back to what we've been doing in this place for so long. You have decided as a government to decide for the rest of us how these committee hearings will run.

What you've decided by your second page—not numbered, (d) and (e)—is that you're going to stack the hearings with your people and you're going to stack them on the basis of what you want us to hear, because if each one of your members has two and the NDP gets one and the Liberals get one, that means the majority of people who come to the hearings will take a position that supports your bill—mostly on the tax credit, and I suspect you'll have some people to speak to some of the finance issues connected to this bill.

1040

I denounce the fact that you have prescribed how these hearings will come about, I denounce the fact that you have prescribed the hearings according to the timelines you deem to be fair, and I denounce the fact that you have changed the process that we have all by and large agreed to in the last 11 years that I've been here and you have decided, for the first time, to give the members of the Conservative Party of this committee more of a say about who comes to these hearings. That is, in my view, wrong. We'll denounce it today and we'll denounce it for as long as we can throughout these whole hearings.

Mr Peter Kormos (Niagara Centre): Very briefly, I know that both the Liberal representatives on the committee and the New Democratic Party representatives on

the committee who participated in the subcommittee process supported the subcommittee's recommendations. Clearly—and that was anticipated, quite frankly, during the course of the subcommittee meeting—the government had no interest in the subcommittee process. The telegraphing of that was loud and clear to all who were there, and it's made transparent by virtue of the motion that's been prepared, which contradicts virtually everything the subcommittee proposed.

One of the other more interesting things is the fact that opposition members, Liberal and New Democratic Party members, put to Mr Hardeman during that subcommittee meeting the question, "What is your agenda here? What have you got in mind? Surely you've got something in mind, because we understand, we can read what you're telegraphing to us with respect to your responses to the proposals being made by opposition members during the subcommittee hearing." He clearly had something in mind and, with all due respect, he was less than candid at that subcommittee hearing. I find that a very regrettable instance. I can say that because I was here, along with my colleague Rosario Marchese, who is a member of that subcommittee who pushed for full hearings and pushed for meeting times and places that would accommodate as many of the hundreds, indeed thousands, of people who want to participate in this public process as possible.

This isn't about parties having their say. This is about the public having its say. It's about people. It's about voters and non-voters, about young people and parents and grandparents across this province, being able to participate in the committee process. I can tell you that over the course of the 13 years I've been here now, there have been many moments in which I've felt cynicism and displeasure about the committee process, but I've never felt more cynical and more betrayed than I do now. Clearly the government regards these hearings as a sham.

Take a look at the advertisement that's proposed to be put in the newspapers referring only to Bill 45, the Responsible Choices for Growth and Accountability Act. There is no opportunity there whatsoever for people reading that advertisement to be made specifically aware that it's the private school funding with public tax dollars that is the critical part of this budget, that that is what has generated the concern about the inadequacy of these public hearings. That advertisement in itself and the manner in which it's worded is a ruse, is a scam, is a sham. Quite frankly, we predicted that what is going to happen, and it is going to happen, is that this government is going to use their power to hand-pick presenters during that compressed period of time, one that will be addressing the broad and various issues contained in that budget bill, Bill 45. The government will do everything it can to distract people and deflect attention away from the funding of private schools with public tax dollars and the gutting of public education as a result of that.

Look, St Catharines, June 8: the government wasn't even prepared to spill the beans on the fact that it had booked the Holiday Inn. Interestingly, the St Catharines Standard found out about that on its own and was able to

publish that venue as of today. This government wasn't even prepared to acknowledge that the Holiday Inn had already been booked so people would have some sense of where the hearings are.

Look how the government wants to advertise these hearings—only in the cities in which the hearings are being held. Four cities: St Catharines, London, Ottawa, Sudbury. That means this government is scorning and mocking the people of, let's say in the north, Timmins, North Bay, Sault Ste Marie, Thunder Bay, Kenora, Cochrane; the list could go on and on and on. I don't know whether you know this, Chair, but I've spent enough time in northern Ontario to know that the people in Timmins don't read the Sudbury Star; they read the Timmins newspaper. The people in Kenora don't read the Sudbury Star; they read the Kenora newspaper. It is an incredible insult to the people of those northern communities that they are even being denied notice of this incredibly important hearing that's to be taking place in Sudbury.

The same can be said about Ottawa, because you know as well as I do that the Ottawa Citizen or the Ottawa Sun is not the daily paper being read by the people in Cornwall or Kingston or Pembroke or any number of those communities in eastern Ontario that this government purports to be accommodating by virtue of the Ottawa one-day session. London, same deal. The direction is very clear. There is going to be no notice to the people of Windsor, no notice to the people of Sarnia, no notice to the people of Delhi or Tillsonburg, no notice to the people of Kitchener-Waterloo. Those people are going to be outraged. This is a recipe for disaster.

You've now compressed the time frames in which the committee is going to sit. What's this break down to? This breaks down to half a dozen submissions a day. Is that what it breaks down to? I'm telling you, Chair, you'd better be prepared, because I know that there are hundreds, if not by now thousands, of people lined up, demanding participation in this public process in St Catharines. They know where it is now and they're going to be there. They're going to be parking themselves there as early as 8 am tomorrow morning, Friday, June 8, at the Holiday Inn in St Catharines. There are going to be people from Hamilton, across Niagara region and, quite frankly, beyond.

I'm telling you, Chair, you—not you, because you are impartial; you sit merely as the Chair. But you're creating a recipe for disaster here. I don't want to sound negative, but I'm telling you, you are risking—

Interjection.

Mr Kormos: Mr Spina, you laugh. You are risking some awful tumultuous public events. There are going to be incredibly large numbers of very angry people, rightly angry. All I can say to you is I hope that you've made adequate preparations to safeguard everybody. I'm telling you that I hope you've made adequate preparations to safeguard everybody, because you are concocting a recipe for some really palpable anger.

Mr Spina: On a point of order, Mr Speaker: Is this a threat from the member to the personal security of the

members and people of this committee and of the Legislative Assembly? Because that's the way I am interpreting it.

The Chair: I find that type of talk is not really conducive to what we are supposed to be talking about here this morning. It's certainly off the subject.

While I have the microphone on, Mr Kormos, I would inform you that the St Catharines newspapers did contact my office yesterday. They were informed that the meetings were to be held, hopefully, at the Holiday Inn. However, the room had not been booked at that particular point in time.

I would also like to make the record very straight, Mr Kormos, that I, as Chair, will try to be as objective and fair as I possibly can. I think my record will show that. However, my job is to maintain decorum and order, and I will guarantee you that decorum and order will be maintained throughout the entire consultation process. I will guarantee you that. Now, if you want to short-circuit people from making presentations in front of this committee, that's your option. But as Chairman of this committee, I will maintain order and decorum. I want to be on the record.

Mr Phillips.

1050

Mr Kormos: No, I'm not finished yet, Chair.

The Chair: OK.

Mr Kormos: Please, I'm speaking as of right. Let's make that perfectly clear, Chair—as of right—and nothing you think about what I'm saying is going to impact on my right to speak here and now.

I'm telling you that I find your comment about the booking of the Holiday Inn rather peculiar, because I telephoned them yesterday morning and I determined that yes, indeed, the government had booked the ballroom at the Holiday Inn. I canvassed several of the hotel convention venues in St Catharines, simply one at a time, to see who had had a room booked by the government of Ontario. The Holiday Inn was courteous enough to acknowledge it was booked, and then some wag tipped off the St Catharines Standard. I for the life of me can't imagine who that would be. In any event, it's interesting. I hope the Chair has better sources and better links of information, because the government indeed had booked that room. Again, my contact with the Holiday Inn confirmed that early yesterday.

But I'm telling you, regardless of what Mr Spina wants to reflect on and regardless of the Chair's macho display of bravado, I'm telling you that you're going to have committee rooms with hundreds, indeed thousands, of people in them who are going to be outraged. I'm telling you that New Democrats share that outrage, understand the anger and the sense of betrayal of people out there across this province, and I'm telling you that New Democrats will be standing with taxpayers, voters and residents of this community of Ontario. I'm telling you, Chair, that when those people seek opportunities to express their concern and their outrage at this government, New Democrats will be standing with those

people, protecting their right to express that outrage, that indignation and that sense of betrayal.

The Chair: Mr Phillips.

Mr Phillips: I think we all acknowledge that the debate at the hearings will be around the extending of funding to private religious schools. I think all of us would acknowledge it did come straight out of the blue. When we first looked at the budget, that's what jumped out, and it was a complete surprise to us. I do think if any of the members on the committee choose to read the brief that the Ontario government presented to the United Nations just recently, within months, it argued strenuously on the other side of this issue and made some very telling points, in my mind. I've quoted them in the House. They are exactly as I feel about the extension. So the government is on record 180 degrees different than this proposal, with very, very strong language. Some of the members who represent rural communities may want to read that, because it's got very strong language around the impact on rural communities.

I don't think anyone on the committee can deny that this came as quite a surprise and quite out of the blue. I think it will fundamentally impact education in Ontario in a very substantive way. I believe that, and the government's own brief in response to the United Nations said that. It made reference to significantly undermining public education. So no one can deny the importance of this issue. In my mind it has immense implications. I realize there are strong views on both sides of it. I said in the Legislature I had a good discussion with the leadership in the Jewish community and I expressed my view on it. They obviously had their view on it. But in my mind, this will dramatically fragment our public education system and will fundamentally change it.

My point is this: I don't think anybody on this committee will deny—maybe they will, but I think it would be wrong and I think the government's already said—this is huge. This, for all of us, will reshape—and it will not happen today or tomorrow, but in five years it will be quite different, and in 10 years, dramatically different—public education, and in a way that I personally think is very destructive. Others have different views. But the point is, here we are changing what Ontario has developed for 100 years. I really think that if you look down the road on this, it's fundamental.

I realize that when you're in government, one of your jobs, I guess, is to help get these bills through with a minimum of fuss. But I think on this one, firstly, the public are just becoming aware of the implications of this. The ones who know the implications of this are the ones who perhaps already have their young people in these schools or are associated with them. They know the benefits, but the rest of people are just beginning, I think, to appreciate the other side of it. I know that the plan is to get this thing through before they wake up. It's ironic, in many respects, that we start hearings tomorrow, and we haven't even told people who are going to appear tomorrow that they will come; we've got to do that sometime this afternoon. But all of this was planned by the govern-

ment so that the hearings start literally within hours of this committee making a decision.

I would just urge the government committee members to step back a little bit, if you believe this is as important as it is. By the way, I gather this does not really become a financial matter until you're filing your tax returns for the year 2002, which means 2003 is when the financial implications begin to flow. So there can be no reason why we've got to get this done, other than for political expediency.

It was an usual subcommittee. Normally, the subcommittee members try to find out, "OK, government, what do you want to do and let's see if we can accommodate it?" But the government subcommittee members, even when we asked, "What's your opinion on it?" had no opinion. It was just, "I'm not going to vote for what you people are doing, but I won't tell you what I want to do." It was very unusual.

I understand in a few minutes, Mr Chair, you'll call the vote. The government members will vote in favour, the opposition will vote against it, and the government will have its way. But I think people who would like to present will be interested to know that government members weren't prepared to extend the time. Mr Kormos mentioned the ad. You have to be kind of an insider to realize that this is a hearing about tax credits to private and religious schools, because the ad will say nothing about it.

The government, for the first time ever on this committee, has decided it's going to stack the witnesses so that they can have a majority of the witnesses. It frankly is a mistake, because the public have concerns very much about the policy. When they see the process that's being used to implement the policy, I think they can get doubly angry.

Mr Galt: I was listening very carefully to Mr Kormos and also to Mr Phillips. I see the proposal before us. If there's anything wrong with the proposal before us, it's in excess of 44 hours. I think it's very, very generous. Maybe we should be reducing it, rather than talking about extending it.

I just can't believe what I'm hearing coming across from them, particularly from their performance and from what went on in the House the other day. When it comes to, in their words, "stacking the witnesses," I have some real difficulty with that, because in the past it's been a third, a third and a third, yet the government side represents over 50% of the members in the Legislature. Surely to goodness, we, as members, as backbenchers, should have the opportunity to select and ask for more of the witnesses coming forward. It's been very, very wrong in the past. I see this as a balance and the way it should have been right from the beginning.

I think the NDP would be very, very generous and very interested in this happening, particularly when at the beginning of this session they didn't have party status. They have since been recognized as having party status, so I think they would be very, very supportive of moving in this direction.

Mr O'Toole: We have had considerable discussion. I would like you to put the question, please.

The Chair: I think, Mr O'Toole, I'm not prepared at this point in time to put the question. I think Mr Hardeman is next on the list.

Mr O'Toole: I put the question and you have to put the question, if you check with your clerk.

1100

The Chair: No. I think, Mr O'Toole, it's up to the Chair to decide whether there's been enough debate on the subject matter. At this point in time, I feel there's more we probably should discuss, because there are still a few outstanding issues that we have not discussed.

I'll go on to the next speaker, Mr Hardeman.

Mr Hardeman: Thank you very much, Mr Chairman. I agree with my colleague that we've had considerable debate about the substance of what is here.

I'd just like to correct for the record a couple of points that were made relating to the subcommittee meeting and the implications from across the floor about what was or wasn't said, what was or wasn't done. I think I made it quite clear during subcommittee deliberations that I disagreed with the opposition's, positions which appeared not to be directed to good public hearings, to effective and efficient public hearings, but more to get a view presented that was not necessarily a broad section of the population, but their section of the population to be heard.

I think it was mentioned that most of the debate so far has been about the issue of how the presenters will be selected. It was mentioned that this came out of the blue. Well, the committee and you, Mr Chairman, will be aware that was exactly the item that I discussed with the committee, that the government thinks it's appropriate that all members on the committee have input into the type of information that will be put forward to the committee so we can get a broad-based view of the public's perception or the public's interpretation of what the legislation says and what the legislation will do. I think it would be unparliamentary to suggest that someone was telling less than the truth, so I won't do that, but the comments made by Mr Kormos are definitely a long way from the facts, particularly being made by Mr Kormos, who was not at the subcommittee meeting where these discussions took place. I take exception to his making such statements before the committee.

I think it's also important to recognize that, in my opinion—and I'm sure that the members opposite view this differently—the public hearings are to hear what the public has to say and the selection is to make sure we get as many different views or as much information as one can gather about the issue, to help the committee and, in turn, to help government put forward the best possible legislation for the people of this province. So it would seem to me that allowing the selection to be much broader based than what it has been in the past will do more of that to make sure that what each presenter is bringing forward is reflective of as many different views as we possibly could find.

This is not a program to see how many people, individuals or parties we can bring in to speak to their view. I really think this selection process takes away from a public hearing if you've already decided that the people are going to come forward with the same view because the party has decided that's the way it should be, because you don't have a representative sample of presenters. With this proposal that is before us, we will hear from a much broader base of public presenters and different views on the whole budget bill.

I also point out, and I'm not disagreeing with the opposition on the issue, that it would appear at this point in time that the issue in the budget bill that's going to garner the largest number of presenters will be the fairness in education tax credit—or the tax credit for parental choice—but that's not to say there's nothing else in the budget bill that people may be wanting to make presentations on. So I think it's very important that we do have a broad base of selection. It would be unfair to the people of this province if, through the process that we've put in place here, all that's going to be discussed in this important budget bill is one particular issue. I think we're going out to hear from the people. We should hear what the people have to say.

I think it's so important that it is a process to hear what the people have to say, not for the members of the committee to talk to the people and what they think is good or bad or is important in the bill. It's important that we start off with the vision of going out to consult with the public and let's hear what a cross-section of the public has to say. I think that's one of the most important parts of this whole process.

I have had the opportunity to serve on a number of different committees since I've been at Queen's Park, going through committee hearings. I find many times that the selection of the presenters is done based on what the political makeup of the committee wants to hear, as opposed to what we, all members of the Legislature, on behalf of the Legislature want to hear from the public, that we're using it for political purposes as opposed to improving legislation and of course informing the public about what is in the legislation. Committee members have their opportunity to debate here in committee and they have their opportunity to debate the issue in the Legislature. These public hearings are for the benefit of the public to speak, and as I said earlier, we need to make sure that we have as broad a base of the public as we can possibly get.

I think the proposal that we've put before the committee is fair. Of the time that has been set aside for the hearing process, we're trying to make the best possible use of all the time that's available, recognizing that we do have the time frame, that we must be completed at a certain time. In our proposal we have shortened the presentation time, as was mentioned earlier, to make sure that we can get in as many people as possible in that time to be heard. This takes us where we need to go to get as much as we can out of the public consultation process.

I would also like to point out the need to move along in the committee to make sure that of the limited time available, we give the staff as much of that time that's available to have the arrangements for the hearings that will start tomorrow morning in St Catharines. Obviously, the longer we discuss and use the time, the less time that will be available for presenters, who will be asked to present tomorrow, for getting ready as to what their views are and how they will present them to us.

Mr Chairman, I know you ruled not too long ago that you thought more debate was necessary, but I believe we have a good motion before us. I would suggest that we put the question because I think everyone here on the committee has had an opportunity to speak to the motion. I would at this point suggest that we put the question so we can move along.

The Chair: Mr Hardeman, I may take your advice after I hear from the next speaker listed on my list.

1110

Mr Marchese: I was prepared to vote because I was exhausted. After listening to Hardeman I am emotionally drained. But after M. Galt and M. Hardeman spoke, it's so hard to just keep your mouth shut and move on. It was interesting. Mr Hardeman finishes his remarks and then he says, "Now it's time to end debate."

First of all, it was quite clear, Mr Hardeman, yesterday in subcommittee that you had no interest in what we, as opposition members, had to say. It was obvious you had your own agenda.

Mr Hardeman: To you. It wasn't to me.

Mr Marchese: It may not have been apparent to you, I understand that, but it was apparent to the both of us on this side.

Mr Hardeman: That was your perception.

Mr Marchese: Sanity can be a very difficult thing.

I understood yesterday that you were going to present something this morning that had nothing to do with what we had discussed in subcommittee. I knew that. Gerry Phillips of the Liberals knew that. We were just waiting in anticipation of this report. For the record, I just wanted to let people know.

Second, Mr Galt, sometimes it is better to be short in one's remarks or even not say anything. I think it is better. You're saying that this is generous to us and that we should, as opposition parties, particularly the NDP, accept the crumbs that you throw us. It's not smart. It's just not very intelligent to say things like that because then you provoke the other side. When you say, "We should perhaps reduce, not extend, the hearings," again, you're provoking. When you say that the poor backbenchers need to have their say and that this is balanced, again, by virtue of being government all of you have a big say. Then to come to the committee hearings and decide that you need more of a say is just shameful on your part, shameful on all of you.

The tables of course will turn. Someday you'll be on the other side and you'll have to live with some of these, in my view, dumb procedural motions that you're presenting. When Mr Hardeman says, "It's an opportunity

for the public to be heard," I agree with him. That's what I said in my remarks when you were not here earlier on. You stepped out for a little bit and came back. I'm saying this is not for us, it is for the public. When you say, "We should limit it even more," I'm saying no. The public needs to have a say and wants to have a say. Now you've curtailed the number of hours that we proposed in order to give working people an opportunity to come after 4:30. Those who work won't be able to come to the meeting. I think you understand that. If they're working somewhere—we are working here as members, but other people work elsewhere—they won't be able to get out of work before 4:30. You certainly must agree with me on that.

Mr Hardeman says it is for the public. He's right. I agree with him. We were allowing, as opposition parties, time for people to be heard and you guys are limiting it. What you're also doing is stacking the deck. You're stacking it in the way—

Mr Galt: No.

Mr Marchese: Why do you feel so offended by it, Doug? Listen to the logic of it. Each one of you guys want to be able to select two people and you want the opposition to select one. Doesn't this sound to you like—I know you're intelligent; you're a doctor for God's sake—stacking the deck, versus the traditional way of giving each party a third—

Mr Galt: I think the deck got stacked when we gave you party status.

Mr Marchese: I understand. I genuflect in front of you for the kindness you have given us, that you've given us status. How many times can one thank you? We thank you, but, please, don't just give us crumbs and say, "Because we give you that, when we come to these hearings all we're going to give you is one appointment because each one of us needs two for balance purposes." Please.

I've denounced what you are doing, denounced the fact that you've changed the subcommittee process, denounced that you're prescribing it in a way that I haven't seen in the last 11 years that I've been here, denounced the fact that we had proposed that we would have a five-minute response, as opposition parties, to your minister coming in and then you come in saying, "The Minister of Finance will make a presentation to the committee and answer questions on Monday, June 11, for 30 minutes, followed by a technical briefing," which we didn't request but presumably you obviously feel the need to give us a technical briefing. We proposed a five-minute response, as opposition parties. You took that out.

Clearly, as my colleague Mr Kormos pointed out, the text of the advertisement will simply say, "Bill 45, Responsible Choices for Growth and Accountability Act," when you know that the vast majority of people who come to these hearings will want to speak to a component of that bill which is your desire to give public dollars to private schools. You wanted to be sure you prescribed how it was out so that the public has no sense of what it is they should be talking about.

Then you prescribe it further by your number 7, which says, “Only in those communities where we’re going will we advertise.” No one else should know because no one else is interested, but just in those cities. Again, you preclude the fact that many across Ontario, other than those cities, will want to have a say.

I denounce your entire approach to this. I believe it’s wrong-headed. I believe you’re making a mistake, even for yourselves. I can’t protect you from yourselves, but you’re making a political mistake. I know with the arrogance that is typical of people who are in power, you don’t believe it, but you’re making a serious mistake. That’s it. I’m ready to oppose it on a recorded vote.

The Chair: I have no other speakers listed, so I will put the question on Mr Hardeman’s motion. He has already read the motion into the record and Mr Marchese has requested a recorded vote.

Ayes

Galt, Hardeman, O’Toole, Spina.

Nays

Marchese, Phillips.

The Chair: The motion is carried.

This meeting will reconvene tomorrow morning at 10 o’clock at the Holiday Inn, 2 North Service Road, St Catharines, Ontario.

Mr Hardeman: Mr Chairman, I don’t know whether it’s required—we’ll take your direction—but the com-

mittee is scheduled to meet again this afternoon and I would move that we adjourn the meeting until tomorrow morning.

The Chair: That’s what I read into the record.

Mr Galt: Do you have travel arrangements set up? Is there any coordination? Can that be shared with us at this point?

The Chair: We’ll make sure that each caucus receives the travel arrangements some time today.

Clerk of the Committee (Ms Susan Sourial): There will be a bus leaving from Queen’s Park tomorrow morning at 7:30.

Mr Phillips: Do I have to sit in the back?

The Chair: That’s your choice. Any other questions? If not, we’re adjourned until—

Mr O’Toole: I have a question. What is the scheduled or expected time that that bus will return to Queen’s Park? I have an appointment in my riding tomorrow evening at 7 and my riding is Durham, which on a Friday evening is about two hours from here. Do you have any idea what time it will be back here?

Clerk of the Committee: The hearings finish at 4:30. I imagine the bus will leave St Catharines between 4:30 and 5 and be back here, depending on traffic, around 7, I would think.

Mr O’Toole: So I can go myself. I’ll let you know this afternoon.

The Chair: We are now adjourned until tomorrow morning.

The committee adjourned at 1118.

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Mr Peter Kormos (Niagara Centre / -Centre ND)

Clerk / Greffière

Ms Susan Sourial

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