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Q P B R I E F I N G

May 29, 2017

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Articles

1). Tories call on chief electoral officer to probe government budget ads

By: Geoff Zochodne

The Progressive Conservatives want the province's electoral watchdog to weigh in on the Liberal government's latest advertising campaign, which name-drops several opposition-held ridings.

PC ethics critic Steve Clark sent a letter to chief electoral officer Greg Essensa's office Monday morning asking for an official ruling on the ads. Another watchdog of the legislature, the auditor general, has already said the commercial could suggest the places named in it "were targeted" — because those places are in ridings represented by the Tories and New Democrats.

"The notion that a government would use taxpayer funded advertising to win over voters in opposition held seats is offensive, not just to the opposition parties, but to our democracy," Clark wrote. "As a result, I am writing to request an official opinion on whether these advertisements are offensive to the spirit of fair elections, and whether there should be changes to government legislation to address this clear abuse of taxpayer dollars."

<https://soundcloud.com/qpbriefing/balanced-budget-ad>

The Tories claim there are "inappropriate gaps" in the existing laws, but Elections Ontario said they do not comment on their investigations or even the complaints they receive.

"When the Chief Electoral Officer recommends legislative changes, he does so via a report to the Legislative Assembly," a spokesperson said in an email.

But the ad the Tories are complaining about boasts of "new investments" the Liberal government can make because of their recently balanced budget. The English version mentions Wawa, Petawawa, Owen Sound and Parry Sound, Ont., — all represented at Queen's Park by an NDP or PC MPP — as places where residents will enjoy the government's largesse, such as more hospital funding and shorter wait times in the emergency room. The French version mentions Nipissing and Kapuskasing, which are also in opposition ridings.

<http://www.qpbriefing.com/wp-content/uploads/2017/05/stevec-lark.jpg>

Auditor general Bonnie Lysyk has had a recurring problem with government advertising since the Liberals limited her power to reject commercials for being too partisan or self-promoting. Her office also said that: "The messages in the ad led us to conclude that a primary objective is to foster a positive impression of the government."

PC Leader Patrick Brown and Premier Kathleen Wynne sparred over government ads during Monday's question period, with the leader of the official Opposition saying the commercials should be cancelled.

"Without a doubt, the Liberal government is campaigning, using taxpayer dollars in opposition ridings," Brown said. "It's unethical. It should be illegal."

Wynne responded that Ontario is the only province that has a law on the books restricting government advertising.

"We've made it very clear that partisan advertising is not allowed," Wynne said. "The benchmark that's used for partisan advertising is what that party did when it was in office. It's quite clear that because of our legislation, we have moved very far away from that partisan advertising."

Wynne added that Brown was trying to stifle news of the Liberal government's big plans, such as the introduction of free prescription medication for Ontarians under the age of 25.

NDP Leader Andrea Horwath had concerns about a different sort of government advertising Monday, noting there is a regulation that would force utilities to put inserts into electricity bills that would tout the benefits of the Liberals' Fair Hydro Plan, which aims to reduce rates by an average of 25 per cent.

Both the NDP and the PCs have also said they would restore the auditor general's old discretionary powers in rejecting ads the watchdog finds too partisan.

"It's ... highly inappropriate to have public dollars be utilized to sell a partisan idea of the government as opposed to actually provide the services," Horwath said.

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2). Opposition cries foul on government order to promote hydro

By: Christopher Reynolds

The opposition is up in arms over a new regulation that will require electricity vendors to tout the Liberals' hydro plan on bills to millions of Ontario residents until just past the 2018 election.

The regulation, proposed on May 19, came nine days after the auditor general chided the government for violating the spirit of provincial ad laws by mailing previous hydro plan inserts en masse to ratepayers.

The Liberals' Fair Hydro Plan will offer short-term savings on soaring hydro bills, but ultimately longer-term rate hikes, using a "refinancing" scheme that some critics have compared to borrowing cash to pay the rent. Also included in the plan is an already announced and enacted 8-per-cent rebate on hydro bills and the uploading of the cost of some social assistance programs from electricity ratepayers to more numerous taxpayers.

If the government's Fair Hydro Act passes and the proposed regulation is approved, ratepayers will see following lines on their invoice starting July 1: "Ontario's Fair Hydro Plan substantially lowers electricity bills for typical residential consumers. This includes the 8-per-cent rebate introduced in January 2017 and builds on previous initiatives to deliver broad-based relief on all electricity bills."

The proposal would also require vendors — both local distribution companies and sub-meter providers — to tack on a quarterly "descriptive bill insert" to turn customers on to the key points of the plan: a 25-per-cent drop on average for residential bills this year; rate increases capped at inflation for four years; lower bills for some farms and small businesses; and an up to 50-per-cent drop for low-income and rural residents.

NDP Leader Andrea Horwath called the Liberal measure "sneaky" and "disgraceful."

"They'll go to the length of actually putting in a regulation to force the electricity companies to do the government's advertising," she told QP Briefing.

Horwath pointed to a Financial Accountability Office (FAO) report last week that pegged the cost of the hydro plan at \$45 billion over three decades. Ratepayers would save \$24 billion on their bills, however, resulting in a net \$21-billion price tag for the program, the FAO found.

The budget watchdog projected bills would begin to rise 7 per cent a year starting in 2021, and climbing even more steeply as of 2027, when the interest on debt incurred by Ontario Power Generation and the province starts to kick in.

"Did she put any of that information inside the inserts? No," Horwath said. "They put a half-truth inside that regulation and it's despicable."

Energy Minister Glenn Thibeault said informing families, not partisan politicking, was the sole driver behind the new order.

"It's important that they know what's coming off their bill, otherwise they're not going to have an understanding of what's changed," Thibeault said.

"We've been doing that in the past when rates are going up. We need to do the same thing when rates are going down."

Progressive Conservative energy critic Todd Smith took issue with that.

"There was no warning in my neck of the woods when electricity rates were soaring by double-digit percentage points year over year," he said. "There was no pretty red arrow ... It's just the Liberals using hydro bills to do partisan advertising again."

In 2016, the Ontario Energy Board opted to avoid singling out the cost of the government's cap-and-trade plan on natural gas bills, averting a separate line item. Rather than highlight charges related to the Liberal push to reduce greenhouse gas emissions, the board folded them into the "delivery" line.

Utilities and industrial natural gas users had pushed for a separate line item in the name of greater transparency about the cost of cap-and-trade, and opposition members later accused the government of trying to "bury the evidence."

Earlier this month, auditor general Bonnie Lysyk scolded the Grits for going against the essence of the Government Advertising Act with promos that highlight the 8-per-cent rebate on the provincial portion of HST for residential ratepayers.

"While the letter of the law was not broken, the intent or spirit of the act was," Lysyk wrote in a May 10 letter to Smith, who had reached out to the watchdog back in April about the inserts.

They were mailed out between January and March, following the January rebate announcement.

The auditor also highlighted how current legislation allowed the government to circumvent her office, since mail-outs sent to individual addresses — via utility bills, for example — do not technically constitute “bulk mail” under ad act.

The dressing down was the latest round in an ongoing skirmish between the legislative watchdog and the Liberal government over allegedly partisan advertising paid for by the public. Multiple shots have been fired since 2015, when new rules diluted the auditor general’s power to spike ads she deems are too promotional for the ruling party.

Government ads are now considered partisan only if they include the name, voice or image of an MPP; feature a party name, logo or associated colour; or call out a specific MPP.

The Liberals’ proposed regulation, made under the Ontario Fair Hydro Plan Act — poised to pass third reading this week — would be in effect from July 1, 2017, until July 1, 2018, expiring three weeks after next year’s June 7.

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3). Liberals to table law creating ‘safe access zones’ around a

By: Christopher Reynolds

Women will soon be able to walk into abortion clinics unburdened by protesters and placards, the Ontario government announced Monday.

Attorney General Yasir Naqvi said a new law introduced this fall would create “safe access zones” around reproductive health facilities to “help ensure the safety and privacy of women, visitors and health care workers.”

The new rules would trace the path of “bubble zone” legislation rolled out in British Columbia and Newfoundland and Labrador. Violators of the 30- to 50-metre buffer around clinics in both provinces can be fined or sent to jail.

“If a woman wants to access abortion services, that’s her decision to make, and that’s a decision that she will make in consultation with her health-care provider. It should not be anybody’s concern,” Naqvi said.

“Our job is to protect the dignity of the woman who is trying to access those services.”

Naqvi said the government recognizes demonstrators’ right to protest, “but it has to be exercised in a manner that is not resulting in harassment or intimidation, that is not denying a woman her right to choose the kind of health-care services they need.”

The upcoming law will be fleshed out following input from health-care, legal and advocacy groups, the government said.

The issue has neared a boiling point in Ottawa, where staff at the Morgentaler Clinic claim protestors touting grotesque signs are intimidating and harassing their patients. In one incident, a couple whose fetus had already died was allegedly spit on after approaching the clinic, which offered faster service than a hospital.

A 1994 court injunction keeps demonstrators at bay by 150 metres at three abortion clinics in Toronto. The downtown Ottawa clinic opened after that ruling and thus falls outside the ruling.

NDP Leader Andrea Horwath saw the announcement as a cynical ploy for votes in the lead-up to next year’s election

“It seems to me that every time the government tries to do something that appears to be really progressive it’s because they’re losing ground somewhere else ... If the Ottawa clinic was left out in 1994, why does it take until 2017 to include the Ottawa clinic?” Horwath said.

"It's something that I think has been a long time coming. I think there have been hundreds if not thousands of women who have been facing all kinds of negativity and abuse trying to access a completely legal service, and one they have a right to."

More than two decades ago, confrontations in Vancouver spurred safe-zone legislation after abortion provider Dr. Garson Romalis was severely wounded in a shooting at his home in 1994.

While the right to protest abortion is protected, the bubble-zone law aims to protect vulnerable women and thus justifies "limited infringement of freedom of expression," according to a B.C. Court of Appeal decision from 2008 that upheld the law.

Newfoundland introduced a law last November that block protesters from coming closer than 50 metres from an abortion clinic.

The bill also keeps protesters at least 160 metres from abortion providers' homes and bans photographing or filming people within those exclusion zones.

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4). *Expect no 'U-turn' from Andrew Scheer, Ontario campaign c*

By: Geoff Zochodne

In the end, the nice guy finished first.

And Progressive Conservative MPP Monte McNaughton, who chaired the Ontario arm of Andrew Scheer's successful bid to replace Stephen Harper as the full-time federal Tory leader, said Monday that this was "nice to see."

"He truly is a genuinely nice, honest person and he's very authentic," McNaughton said in an interview with QP Briefing at Queen's Park. "In politics, I've long held the belief that you can't pretend to be somebody that you're not, you need to run on your core beliefs, your convictions, your principles. Andrew clearly did that in the leadership campaign. He never once spoke negatively about any of the other candidates or camps, and essentially, that helped him win."

McNaughton was Scheer's sole supporter in the PC caucus and served as the Saskatchewan MP's campaign chair in Ontario. The candidate racking up the most Tory MPP endorsements was Erin O'Toole, who wound up finishing third in the federal Conservative leadership race. PC Leader Patrick Brown remained neutral in the affair.

But Scheer outpaced Maxime Bernier by wide margins in several Ontario ridings; in McNaughton's southwestern Ontario riding of Lambton—Kent—Middlesex it was a 71-29 split in Scheer's favour, according to the federal Conservative party's figures. McNaughton said the Scheer campaign won 67 ridings and 52 per cent of the vote in Ontario. The end result across Canada was Scheer, the former Speaker of the House of Commons, winning with 51 per cent.

Scheer's support of supply management helped him along as well, McNaughton said. The runner-up in the federal leadership race, Quebec MP Bernier, said he would phase out supply management for Canada's milk, cheese and egg producers, among others.

"Andrew's position on supply management brought a lot of people to his team," McNaughton said. "We signed up a lot of members, so obviously, it was the right position to take on the issue and it's beneficial to food safety and people in the agri-food business."

But Scheer's win keeps the Ontario PCs and the federal Tories at odds over carbon pricing. Scheer ran for the leadership on a pledge to scrap the federal Liberal government's plan to impose carbon taxes or cap-and-trade systems across Canada, while Brown, McNaughton's leader, has supported putting a price on greenhouse gas emissions as a way to mitigate climate change. Ontario already has a cap-and-trade system in place to reduce its carbon pollution.

"Look, the issue is that Justin Trudeau is mandating a carbon tax," McNaughton said. "He's

forcing every province to enact a carbon tax. I look forward to the day when Andrew Scheer is the prime minister of Canada and repeals the carbon tax.”

McNaughton was optimistic Scheer may someday save the PCs from having to impose a carbon price, should they form government after the 2018 Ontario election.

“I certainly hope so,” he said. “Andrew was very clear in his victory speech that he’s going to abolish the Justin Trudeau carbon tax. I’m a conservative. I believe in lower taxes. I think affordability issues are a main concern for the people of Canada.”

Asked if he thinks the PCs should be pursuing a carbon price, McNaughton kept his comments focused on the federal framework.

“Justin Trudeau’s bringing in a carbon tax and he’s forcing provinces to enact one,” the PC MPP said. “I am with Andrew Scheer in vowing and supporting Andrew to repeal Justin Trudeau’s carbon tax.”

McNaughton also said he wouldn’t waver from Scheer’s platform, which included threats of defunding post-secondary institutions “that do not foster a culture of free speech and inquiry on campus” and phasing out “corporate welfare,” such as the federal government’s support of Bombardier.

“I supported Andrew Scheer’s platform,” McNaughton said. “I went out, sold thousands of memberships and brought people to the Andrew Scheer conservative coalition based on his policies of lower taxes, supporting free speech, school choice, balanced budgets, all those things. That’s what brings a conservative family together. He was clear in his victory speech what he’s going to pursue.”

Scheer also took several social conservative stances with his platform, such as a vow to “always fight for and protect the rights of parents as first educators to their children.” McNaughton had protested an update to the province’s sex-ed curriculum when he was running for the PC leadership in 2014 and 2015, a campaign he ultimately lost to Brown.

“I supported Andrew Scheer because he is a real conservative,” McNaughton said. “He believes that all conservatives belong in the conservative movement. I had the very same views when I ran my leadership.”

“What he said in the leadership campaign will stand,” McNaughton added later. “He’s not going to take a U-turn.”

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