

QP Briefing: March 30, 2017

From: "Law, Sally (CAB)" <sally.law@ontario.ca>
To: "@CAB-QP Briefing" <cab-qpbriefing@msgov.gov.on.ca>
Date: Thu, 30 Mar 2017 17:41:48 -0400
Attachments: 20170330 - QP Briefing.doc (160.26 kB)

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Articles

1). Wynne doubles down on bid for exemption to proposed 'buy

By: Sabrina Nanji

With New York state lawmakers set to pass a "buy American" policy, Premier Kathleen Wynne has doubled down on a bid to exempt Canadian business from a proposal that could lead to a procurement war along the border.

"New York state's political leaders need to understand the risks of adopting protectionist procurement policies and consider what that would do to our broader partnership," Wynne said Thursday following a U.S.-Ontario roundtable in Windsor.

The "buy American" policy is part of New York state's budget and will be voted on March 31. New York Governor Andrew Cuomo first announced the proposal in his January state of the state address and said all state entities would have to give preference to "American-made" goods and products in any new procurements of more than \$100,000.

Wynne said the proposal has the potential to "seriously undermine" Ontario's trade relationship with nearby New York, but that she was "hopeful" Canadian businesses will get the exemption she and her cabinet ministers have been pushing New York legislators to enshrine.

If that doesn't happen, Economic Development Minister Brad Duguid – who was in Albany, N.Y., last week alongside International Trade Minister Michael Chan and Monique Smith, the province's representative in Washington, to convince lawmakers of the exemption – said the province would "immediately engage" U.S. policymakers on other options, including a separate bilateral agreement.

"It is an uphill battle to get that kind of exemption at the outset," Duguid told reporters in Windsor. "Make no mistake about it, we will do what we need to do to stand up for the businesses and workers here in Ontario."

The premier didn't elaborate on what those "other options" would be.

"[If] that then makes its way into the legislation, then we're looking at other options, and it's not necessarily that that's where we want to go but ... I will defend Ontario's interests, I will defend the businesses in Ontario, I will defend Ontario jobs every time we're in these conversations," Wynne said.

Ontario exported nearly \$10.7 billion worth of goods to New York and imported more than \$14.1 billion in 2015.

Earlier on Wednesday, Wynne issued a lengthy statement on the proposed "buy American" scheme and named John Gero – former Canadian ambassador to the World Trade Organization and chair of its General Council – as a special adviser on trade to Ontario.

Gero will report to Chan, and "provide strategic advice and expertise to the Premier, the Secretary of the Cabinet and broader Ontario government to advance Ontario's trade relationship with the U.S.," Wynne said in the statement.

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2). PCs call for Hydro One execs to be put back on Sunshine L

By: Geoff Zochodne

The Progressive Conservatives, struck by sticker shock after the release of Hydro One's executive pay packages, want to put the now-privatized utility's employees back on the Sunshine List.

PC energy critic Todd Smith tabled a private member's bill on Thursday that aims to undo the Liberal government's decision to exempt Hydro One from disclosing salaries over \$100,000, which was done as part of the Grits' sell-off of up to 60 per cent of the company. The private member's bill also comes after it was revealed earlier this week that five executives at Hydro One shared more than \$11 million in compensation last year, including nearly \$4.5 million for CEO and president Mayo Schmidt.

"This is likely only the tip of the iceberg but we can't fully know," said Smith at Queen's Park. "The government doesn't want the people of Ontario to know that their rates have helped created a new millionaire's club at Hydro One."

Smith's bill is unlikely to pass in the Liberal-dominated legislature.

However, while the salaries of Schmidt and four other executives were required to be disclosed under securities law, Hydro One can still keep the rest of its payroll confidential, unlike when it was owned entirely by the province. Schmidt's pay package is six times what the CEO of a publicly owned Hydro One had made, Smith noted.

Dating back to November 2015, the Liberals have sold approximately 30 per cent of Hydro One in stock offerings, with the last tranche being put on the market last spring. Premier Kathleen Wynne said Thursday in Windsor that the Liberals would continue with the plan to sell another 30 per cent of the utility, as part of their 12-year, \$160-billion infrastructure funding plan.

"One of the pieces of the financing is coming from broadening the ownership of Hydro One,"

Wynne said.

As for when the next share sale may be, Wynne said "that is something that the market controls in terms of when it's a good opportunity."

"We have to take advice from our business advisers," she added.

Treasury Board President Liz Sandals said Thursday that the Sunshine List, which discloses the salaries of all public-sector employees pulling down more than \$100,000 a year, will be published Friday, albeit without any Hydro One salaries for the second year running.

"Clearly, that's a very large amount," said Sandals of Schmidt's \$4.5-million compensation. "We all recognize that."

Sandals tried to direct reporters' attention to the Liberal government's "Fair Hydro Plan," which the Grits say will reduce the average hydro bill by about 25 per cent, including a previously announced 8-per-cent rebate.

"The CEO's salary is not part of the equation of will we able to make the cut," Sandals insisted. "Regardless of salary, we will be making a 25-per-cent-off cut for the residents of Ontario."

NDP Leader Andrea Horwath said the executive compensation was "outrageous."

"It's a terrible situation and it shows how out of touch the Liberals are," she told reporters. "It just shows the duplicity of this government, because when this whole thing was going down, they pretended that they were going to keep control over Hydro One. It's clear that they're not and they have refused to admit it."

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3). Provincial youth advocate urges committee to bolster child

By: Sabrina Nanji

Irwin Elman, Ontario's Advocate for Children and Youth, is urging an all-party legislative committee studying Bill 89, the Supporting Children, Youth and Families Act, to seize a "historic opportunity" and beef up child protection services in the province.

Elman was at Queen's Park Thursday to present his office's submission and recommendations to the legislation, which was tabled in December and updates the Child and Family Services Act and overhauls the children's aid system following months of review and criticism over high-profile deaths of children in provincial care, such as Katelynn Sampson and Jeffrey Baldwin.

"This bill can be significantly improved to ensure that we create the conditions where young people can exercise their rights, and feel respected, safe and supported. But this will take tremendous courage and leadership," Elman said in a release. "I urge the government and the legislative committee to accept our amendments and introduce a stronger bill that is truly grounded in children's rights."

The bill changes protection laws to the rights of the children and says their race, ancestry, place of origin, ethnic origin, citizenship, family diversity, disability, creed, sex, sexual orientation, gender identity, and gender expression are all taken into consideration when they are placed in care.

Among the proposed amendments in the 60-page submission, Elman recommends Bill 89 be amended to include children and youth in the decision-making process, particularly around decisions over where they'll be placed.

"Although section 7 includes the right to be heard, an amendment should be made to include the right to participate in all decision-making that affects the child or young person," the submission reads.

His office is also recommending any reports made to the Minister of Child and Youth Services,

presently Michael Coteau, be made publicly available.

Elman also said any reviews should address African Canadian issues when necessary, in addition to First Nations, Inuit and Metis issues.

Some social conservative groups have rallied against Bill 89, saying they feared it would give the government power to seize kids from Christian homes and “push gender ideology into the family home.”

The minister has previously said that's not true.

Coteau said the bill does not change the reasons - abuse and neglect - for removing or apprehending a child from a home. That said, he would consider it abuse under the law if, for example, an LGBT teen was told their identity was wrong.

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4). Ontario's 'care co-ordination' for assisted dying to begin t

By: Geoff Zochodne

At least one piece of Ontario's concierge service for patients seeking a doctor-assisted death could be in place as early as May, according to the health minister.

The care co-ordination service, as it is called, will give patients and their families somewhere to turn for information and direction without first having to go through their physician.

“I think it's going to begin as early as May,” said Health Minister Eric Hoskins on Thursday at Queen's Park. “And then of course ... there's a number of steps required obviously to make sure that it is available in its entirety.”

Out west, Alberta already runs a “Medical Assistance In Dying Care Co-ordination Service,” which the province says acts as a one-stop shop for those who want to discuss end-of-life options, including assisted death. The service offers information and connects patients to the care they're searching for, as well as supporting health-care workers.

One of Hoskins' aides said that an “info-line” – presumably a phone number or email address patients can contact – would be available in May. Ontario has already set up a referral service for doctors that would help them send patients elsewhere for medical assistance in dying.

“I think you can appreciate there's some logistical elements involved as well,” Hoskins said of the care co-ordination service. “And also, in terms of ensuring we have all the components well co-ordinated, so that that pathway can be offered effectively.”

The other purpose of the care co-ordination service is also to ease pressure on doctors or other health-care professionals who may be approached for medical assistance in dying, but who object to the practice on conscience or religious grounds. The service gives patients a way to access the care they want without first going through a doctor.

Some doctors also take issue with the “effective” referral they're expected to provide by their regulatory body, as they feel it could make them an accessory to the medically assisted death.

The matter of conscience rights has come up in recent committee hearings being held for legislation that the Liberal government has put forward to accommodate medical assistance in dying. Bill 84, the Medical Assistance in Dying Statute Law Amendment Act, is intended to ensure legal protections for health-care professionals, as well as to safeguard insurance benefits for patients. Several doctors and groups have asked that the government insert language around conscience rights into the bill, but Hoskins has said that has already been addressed at the federal level.

Medical assistance in dying has been legal in Canada since last summer.

“Medical assistance in dying has been legal for some time in this province, and is being carried out by those who choose that pathway,” Hoskins said. “And I'm confident that with

these additional measures they'll provide additional protections and create a regime which will enjoy the confidence of all parties."

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