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Wednesday 31 October 2001

**Journal
des débats
(Hansard)**

Mercredi 31 octobre 2001

**Standing committee on
regulations and private bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 31 October 2001

Mercredi 31 octobre 2001

The committee met at 1002 in committee room 1.

237661 BUILDERS LIMITED ACT, 2001

Consideration of Bill Pr10, An Act to revive 237661 Builders Limited.

The Vice-Chair (Mr Garfield Dunlop): Ladies and gentlemen, we'll call the meeting to order. I'd like to welcome everyone here this morning.

The first order of business is Bill Pr10, An Act to revive 237661 Builders Limited. The sponsor is Mr Bartolucci. Mr Bartolucci, you can bring forth your applicants to the table, and probably you'd like to make a few comments on this.

Mr Rick Bartolucci (Sudbury): Sure. The corporation was dissolved under the Business Corporations Act on August 27, 1999, for default in complying with the Corporations Information Act. The applicant was in default inadvertently because he did not receive notice of the default at the address he was at. He has certainly agreed to all the government stipulations, and there does not appear to be anyone from the Ministry of Consumer and Commercial Relations who is opposed to this revival. I'll leave it at that.

The Vice-Chair: Thanks, Mr Bartolucci. Would the applicant like to make any comments on the bill?

Mr Awanish Sinha: Thank you, Mr Vice-Chair. My name is Awanish Sinha. I act as agent for the corporation and Mr Joseph Kielek. My only submission is to echo Mr Bartolucci's comments and to say, as Mr Bartolucci said, that the dissolution of this company arose as a consequence of inadvertence in failure of compliance on the part of the corporation. I would simply make as my only submission that I would give my assurance to this honourable committee that the corporation and Mr Kielek understand the importance of compliance, and this committee should rest assured that in the future they will ensure that such compliance is met.

The Vice-Chair: Thank you very much. Are there any other interested parties in the audience who would like to make any comment? Would the parliamentary assistant like to make any comments?

Mr Morley Kells (Etobicoke-Lakeshore): My only comment is to echo what the honourable member said. The ministry has no objections whatsoever to this application.

The Vice-Chair: Are there any comments or questions from the committee members?

Mr Gilles Bisson (Timmins-James Bay): By way of suggestion, we had a long time ago in this committee talked about finding some kind of process to deal with these issues so you don't have to come back before a committee to get this rectified. I'm just wondering where that's at. We've had this a number of times now.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): You mean, to cut through the red tape?

Mr Bisson: There was a discussion here at the committee at one point last spring, and maybe the clerk can bring me up to date, but we had talked about the possibility of looking at finding some process so we didn't have to go through this dog-and-pony show every time a corporation ends up with that type of problem.

Clerk Pro Tem (Ms Lisa Freedman): I think I can probably help out here. About 10 years ago, anybody who was on this committee then would realize that when we did revivals we were doing about 100 or 200 a year, and this committee spent most of its time doing revivals. There was an amendment to the act that allowed a lot of these revivals to be done administratively. There's still a small category of revivals. I think there's a five-year window and certain requirements where people have to come to the committee. I think we're down to about three or four a year, and it's just that they don't quite meet the requirements.

I believe a letter was sent out to see if those could still be caught administratively, but there hasn't been any change in that category. But we're down to only about three or four a year that come through this committee.

The Vice-Chair: Are the members ready to vote?

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the title carry?

Mr Gill: There's an amendment.

The Vice-Chair: Sorry, committee. I'd ask Mr Hoy to move a motion on the preamble.

Mr Pat Hoy (Chatham-Kent Essex): Yes. I do have an amendment to the preamble.

I move that the preamble of the bill be amended by striking out "The corporation was dissolved under the Business Corporations Act on August 27, 1999 for default in complying with the Corporations Information

Act” and substituting “The corporation was dissolved under the Business Corporations Act on August 27, 1999 for default in complying with section 115 of that act.”

Mr Bisson: The corporation was dissolved under the Business Corporations Act? Yes, but c’est quoi, la différence?

M^{me} Claudette Boyer (Ottawa-Vanier): Là c’est « Corporations » et là c’est « Business Corporations. »

Mr Bisson: Oh, OK. Excuse me. I was reading the wrong section.

The Vice-Chair: You’ve all heard the motion on the preamble? All in favour? OK.

Shall the title carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Carried.

Thank you so much, Mr Bartolucci.

Mr Bartolucci: Thank you, committee.

1205458 ONTARIO LTD. ACT, 2001

Consideration of Bill Pr23, An Act to revive 1205458 Ontario Ltd.

The Vice-Chair: Our next bill is Bill Pr23, An Act to revive 1205458 Ontario Ltd. The sponsor is Mr Levac and the applicant is James Disapio. I’d like to ask the sponsor, Mr Levac, if you have any comments and then turn it over to Mr Disapio.

Mr Dave Levac (Brant): The applicant is here to get on with work that is necessary for the reintroduction of this corporation, and it’s done with my full support. I would introduce my applicant.

The Vice-Chair: Mr Disapio, would you like to make any comments?

Mr James Disapio: Good morning, Mr Vice-Chairman and members of the committee. I apologize for the reason this company was dissolved. There were a few forms that were not filled out. It will never happen again. And it is affecting day-to-day business.

Mr Bisson: It’s OK. You don’t have to grovel.

Interjections.

The Vice-Chair: Don’t apologize to us.

Any other comments from the committee or would anyone else in the audience like to make comments on this? OK.

Mr Kells: Just a very minor comment from the ministry; it has no objection as long as you file proper forms showing directors. I assume that’s being done.

Mr Disapio: It’s not a problem.

Mr Kells: So we have no objections whatsoever.

The Vice-Chair: OK. Are the members ready to vote on this?

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Agreed.

Thank you, Mr Disapio.

COMMITTEE BUSINESS

The Vice-Chair: The second item on our agenda is a discussion on Bill Pr15, An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre. I’d like the clerk to make some comments on that.

Clerk Pro Tem: This is just to update the committee on the status of Bill Pr15. The subcommittee met and had some discussions on whether the committee would travel up to Sioux Lookout. After that was all resolved, it looks like this committee will be travelling to Sioux Lookout. The House leaders, all the House leaders together, will decide tomorrow on the day we’re actually going to go to Sioux Lookout. I should be able to contact the members tomorrow to let them know about this private bill going out to public hearings for one day in Sioux Lookout.

Mr Kells: May I just make one comment on that, if I could, please? I wasn’t at the subcommittee meeting, so I have to apologize for not being there in person. It is my understanding that the concern and the reason for the request to travel that far is the composition of what they are setting up. There doesn’t appear to be any objection whatsoever, that I know of. I’m just wondering, if the native peoples are concerned, can’t that be resolved up there at some kind of public hearing on the matter which would help facilitate what we’re trying to do here? I don’t object to going that far, but the input from the government members particularly would be minimal, I would think. I’m just wondering what is triggering the necessity to go there. I understand that it’s very vital to the people involved, that the composition of the ruling body would be a concern. I’m just wondering what triggers our need to be there.

Mr Bisson: I would love to explain.

The Vice-Chair: Yes, Mr Bisson?

Mr Bisson: I didn’t want to take the floor unless I was allowed to.

You understand what the issue is. There’s a transfer of a federal hospital that is basically there to serve the aboriginal communities in and around northwestern Ontario, around the Sioux Lookout area. The federal hospital now services not only Sioux Lookout but all the fly-in communities in the area. The federal government is basically transferring that hospital over to the province. There is much worry on the part of First Nations people because of not really understanding what that means to them. Does that mean we’re somehow going to lose aboriginal rights they feel they’re entitled to as First Nations people under federal authority? Is there going to be some sort of loss in their treaty rights if they transfer that hospital over?

So there is much debate in and around Sioux Lookout and area. The leadership of the First Nations communities is onside to make this happen, by and large; the leadership at both the federal and provincial government levels want to make this happen. But there is a certain amount of concern within the community, and it’s felt by

the players on both sides, the federal and provincial levels of government, that this would be a good idea. It gives the community an opportunity to come and voice their concerns so they at least have been heard and that we're clear, when this transfer happens, that all the objections, if any, have been taken into account. It's really necessary.

Let me tell you, I'm going through the same thing in James Bay and it is virtually ripping communities apart. There are huge fights within the First Nations communities on the James Bay coast with the transfer we're doing. You need to have this kind of public process to give people a bit of comfort about what's going on, that they're not being trampled by higher levels of government. This is a good attempt to try to make this happen in a very smooth manner.

Mr Kells: I assume that one of the benefits flowing from that would be that we have it officially on the record. How are we recording the events up there?

Clerk Pro Tem: We'll be travelling with the full—

Mr Bisson: With full Hansard.

Mr Kells: I better understand now. I thought it was an airing. But if they officially want to get it on the record and it has long-term implications—

Mr Bisson: It needs to be done this way for the reasons I explained. I very much expect, in a couple of years' time, when ours is transferred, to do the same thing. As I say, it's been a huge, huge battle within the communities, splitting families and friends.

Mr Kells: OK, then let's have it out.

The Vice-Chair: Are there any other questions?

Mr Hoy: To the clerk, did you say that the House leaders were going to be discussing this?

Clerk Pro Tem: The House leaders discussed it last week, and the House leaders were going back to their caucuses to try to narrow down a date. I think they're fairly close on a date and tomorrow they're going to actually firm up a date.

The Vice-Chair: Anything else, anyone? The meeting is adjourned. Thank you very much.

The committee adjourned at 1014.

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