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## **Official Report of Debates (Hansard)**

**Thursday 6 December 2001**

## **Journal des débats (Hansard)**

**Jeudi 6 décembre 2001**

**Standing committee on  
general government**

Oak Ridges Moraine  
Conservation Act, 2001

**Comité permanent des  
affaires gouvernementales**

Loi de 2001 sur la conservation  
de la moraine d'Oak Ridges

Chair: Steve Gilchrist  
Clerk: Anne Stokes

Président : Steve Gilchrist  
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Thursday 6 December 2001

Jeudi 6 décembre 2001

*The committee met at 1004 in room 151.*

OAK RIDGES MORAINÉ  
CONSERVATION ACT, 2001  
LOI DE 2001 SUR LA CONSERVATION  
DE LA MORAINÉ D'OAK RIDGES

Consideration of Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.

**The Chair (Mr Steve Gilchrist):** Good morning. I call the meeting to order for clause-by-clause consideration of Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan.

First off with section 1: shall section 1 carry? Section 1 is carried.

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Chair: As you know, there are a lot of maps that have been part of this bill and plan. Would we know whether there's been any changes to the maps and their designation as settlement areas or core areas? Is that anything that has taken place by the ministry as part of these amendments, or have the maps basically not been amended? That's all.

**The Chair:** I think what might be appropriate, Mr Colle, is that we'll ask one of the ministry—excuse me one sec.

The clerk informs me that would probably be outside the House order, which has said that we cannot have debate. I'm afraid that question will have to go unanswered.

**Mr Colle:** No, I was just asking if there were any changes and if there's anything before us, that's all—there might not have been—on the maps.

**The Chair:** My understanding is that nothing we do here today in any way freezes any map in any particular order, but again that's—

**Mr Colle:** No, did the government, say, make any changes to the map? That's what I've asked for.

**The Chair:** My understanding is that nothing we are doing here ties the map and in fact that's something that will continue to evolve. However, since we're not allowed to have debate, I didn't even say that.

Section 1 was carried.

Moving on to section 2, I will simply refer to them by the packet number. The House motion does not require we even have a movement.

So the first amendment: NDP, marked as motion number 1, to section 2. All those in favour? Opposed?

**Ms Marilyn Churley (Toronto-Danforth):** Could we have a recorded vote, please?

**The Chair:** Ms Churley has asked for a recorded vote. All those in favour?

Actually, the clerk advises me we have to stack any recorded votes, so we will defer that one.

**Ms Churley:** May I have a clarification? Does that mean that we ask for each one still that we want recorded but they'll be stacked at the end?

**The Chair:** That's correct.

**Ms Churley:** OK. And can I be clear that the House order is that we can't explain our reasons for these amendments?

**The Chair:** That is correct.

**Ms Churley:** We simply read them all out?

**The Chair:** No, we don't even read them.

**Ms Churley:** And I was up half of the night writing my explanations for these. OK.

**Mr Colle:** May I get that clear? In other words, government amendments or our amendments cannot be explained; the rationales can't be explained?

**The Chair:** No, they're already deemed to be moved and we are not allowed to have debate.

**Mr Colle:** This is incredible. Anyway, I'm not sitting, Mr Chairman, but is this the House rule? OK.

**The Chair:** The next amendment is the one marked number 2 in your packet to section 2 of the bill. Actually, that one is identical so it is deemed to be withdrawn.

**Ms Marilyn Mushinski (Scarborough Centre):** That's Liberal motion 2?

**The Chair:** That would be the Liberal motion number 2. So we will defer the vote on section 2 because we deferred the vote on the amendment to section 2.

The next amendment is the NDP motion, marked number 3, to section 3. All those in favour? Opposed? It is lost.

**Ms Churley:** Mr Chair, on a point of privilege or order or whatever: I just want it on the record that I'm walking out in protest, that I refuse to stay and participate in this sham. As I said, I was up half the night working on these resolutions. Perhaps it's my own fault that I didn't read the House order thoroughly enough, but I

thought that we were going to be able to at least, in a few seconds or minutes, explain the reasons for amendments. There's no point in my being here, so in protest I'm walking out.

**Mr Colle:** Basically, Mr Chairman, I concur that if we can't speak or the government can't speak to even the rationale or read the amendment into the record—I have never seen this before. I think it's totally undemocratic and it is making a farce of what could be a good bill by not even allowing us to read our comments on our amendments that we've worked all night on. I just find this totally unacceptable, and I will withdraw in protest also.

**Ms Mushinski:** On a point of order, Mr Chairman: I take it that the process as established this morning was concurred in by the House leaders for all three parties?

**The Chair:** I can't speak to that, Ms Mushinski. All I can tell you is that was the motion that was passed in the House.

**Ms Mushinski:** So for those members who have been here for six years at least and still don't know the process, they'd better learn pretty quickly.

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**The Chair:** Thank you for that comment.

Given the circumstance, I'll return to the first amendment in your package, the NDP motion, number 1, to section 2. All those in favour? Opposed? It is lost.

Shall section 2 carry? Section 2 is carried.

Back to section 3. We have dealt with amendment number 3.

The next amendment is the Liberal motion, marked number 4, to section 3. All those in favour? Opposed? That amendment is lost.

The next amendment, number 5, is a government motion, an amendment to section 3. All those in favour? Opposed? It is carried.

The next amendment, number 6, is a government amendment to section 3. All those in favour? Opposed? It is carried.

The next amendment, marked number 7, is a government amendment to section 3. All those in favour? Opposed? It is carried.

Shall section 3, as amended, carry? It is carried.

Section 4: the next amendment, marked number 8 in your package, is an amendment to section 4 by the government. All those in favour? Opposed? It is carried.

The next amendment is an NDP motion to section 4, marked number 9 in your packet. All those in favour? Opposed? It is lost.

The next amendment is the Liberal motion, marked number 10 in your packet, to section 4.

*Interjection.*

**The Chair:** Let's just redo number 9, the NDP motion to section 4. All those in favour? Opposed? It is lost.

Number 10, the Liberal motion.

**Ms Mushinski:** It's the same as 9.

**The Chair:** You are correct. So it will be deemed to be withdrawn.

Shall section 4, as amended, carry? Section 4 is carried.

Section 5: the first amendment is a Liberal motion, marked as page 11. All those in favour? Opposed? It is lost.

The next amendment is a Liberal motion, marked number 12, to section 5. All those in favour? Opposed? It is lost.

Shall section 5 carry? It is carried.

Shall sections 6 and 7 carry? Sections 6 and 7 are carried.

Section 8: there's a Liberal amendment, marked number 13 in your packet. All those in favour? Opposed? It is lost.

Shall section 8 carry? It is carried.

Moving on to section 9, the first amendment is a government motion, marked number 14 in your packet, to section 9. All those in favour? Carried.

The next amendment is an NDP motion, marked number 15, to subsection 9(2). All those in favour? Opposed? It is lost.

The next amendment, marked number 16, is a government amendment to subsection 9(2). All those in favour? Opposed? It is carried.

The next amendment is a government motion, marked number 17, to subsection 9(3). All those in favour? Carried.

The next amendment is a government motion, marked number 18, to subsections 9(5) and 9(6). All those in favour? Carried.

The next amendment is a government motion, number 19, to clause 9(9)(a). All those in favour? It is carried.

The next amendment is a Liberal motion, marked number 20, to subsection 9(11). All those in favour? Opposed? It is lost.

Shall section 9, as amended, carry? It is carried.

Section 10: the government amendment, marked number 21, to subsection 10(1). All those in favour? Opposed? It is carried.

The next amendment is a Liberal motion, number 22, to subsection 10(3). All those in favour? Opposed? It is lost.

The next amendment, number 23, is a government motion to subsection 10(3). All those in favour? Carried.

The next amendment is a government amendment, marked number 24, to subsections 10(4), 10(4.1) and 10(4.2). All those in favour? It's carried.

The next amendment is an NDP motion, marked number 25, to clause 10(6)(b). All those in favour? Opposed? It is lost.

The next amendment is a Liberal motion, number 26, to 10(6)(b). All those in favour? Opposed? It is lost.

The next amendment is an NDP motion, number 27, to subsection 10(6.1). All those in favour? Opposed? It is lost.

The next amendment is a government motion, number 28, to subsections 10(9) and (10). All in favour? Carried.

Shall section 10, as amended, carry? It is carried.

Section 11: the next amendment, number 29, is a government amendment to subsection 11(2). All those in favour? Carried.

Shall section 11, as amended, carry? It is carried.

Section 12: the first amendment is a Liberal motion, number 30, to section 12 of the bill. All those in favour? Opposed? It is lost.

The next amendment is an NDP motion, marked number 31, to subsection 12(5). All those in favour? Opposed? It is lost.

The next amendment is a government motion, number 32, to subsection 12(11). All those in favour? Opposed? It is carried.

Shall section 12, as amended, carry? It is carried.

Section 13: government motion, number 33, to subsection 13(7). All those in favour? Carried.

Shall section 13, as amended, carry? Carried.

New section 13.1 is an NDP motion, marked number 34. All those in favour? Opposed? It is lost.

Section 14: number 35 is not a motion and number 36 is not a motion, which begs the question, shall section 14 carry? It is carried.

New section 14.1, marked 37 in your package, an NDP motion. All those in favour? Opposed? It is lost.

The next amendment is number 38, a Liberal motion, creating new sections 14.1, 14.2 and 14.3. All those in favour? Opposed? It is lost.

Moving on to section 15, the first amendment is an NDP motion, marked number 39, to subsections 15(1) and (2). All those in favour? Opposed? It is lost.

The next amendment is an NDP motion, number 40, to subsection 15(4). All those in favour? Opposed? It is lost.

The next amendment, marked number 41, is an NDP motion, to subsection 15(5). All in favour? Opposed? It is lost.

The next amendment is a government motion, marked number 42, to clauses 15(5)(a) and (b). All those in favour? It is carried.

The next amendment is a government motion, number 43, to clause 15(5)(i). All those in favour? Carried.

Shall section 15, as amended, carry? It is carried.

Shall sections 16 and 17 carry? They are carried.

Section 18: number 44 is not a motion.

Shall section 18 carry? It is carried.

Shall section 19 carry? Section 19 is carried.

New section 19.1, marked number 45 in your package, a Liberal motion. All those in favour? Opposed? It is lost.

Moving to section 20, government motion number 46, subsection 20(7). All in favour? Opposed? It is carried.

Shall section 20, as amended, carry? Carried.

Shall section 21 carry? It is carried.

Section 22: there is a Liberal motion, marked number 47 in your package. All those in favour? Opposed? It is lost.

Shall section 22 carry? It is carried.

Section 23: the first amendment is a Liberal amendment, marked number 48 in your package. All those in favour? Opposed? It is lost.

The next amendment, marked number 49, is an NDP motion to clause 23(1)(c). All those in favour? Opposed? It is lost.

The next amendment is a government motion, number 50, to clause 23(1)(c). All those in favour? Opposed? It is carried.

The next amendment is an NDP motion, marked number 51, to clause 23(1)(g). All those in favour? Opposed? It is lost.

Shall section 23, as amended, carry? It is carried.

The next amendment is a Liberal motion, number 52, to subsection 24(7). All in favour? Opposed? It is lost.

Shall section 24 carry? It is carried.

Shall sections 25 through 27 carry? Sections 25 through 27 are carried.

Shall the title of the bill carry? It's carried.

Shall Bill 122, as amended, carry? It is carried.

Shall I report the bill, as amended, to the House? Agreed. Thank you. I shall report the bill, as amended, to the House.

With that, the committee stands adjourned until 3:30 next Monday.

*The committee adjourned at 1020.*





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