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Monday 24 April 2006

Lundi 24 avril 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 24 April 2006

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 24 avril 2006

The House met at 1845.

ORDERS OF THE DAY

EMERGENCY MANAGEMENT STATUTE
LAW AMENDMENT ACT, 2006
LOI DE 2006 MODIFIANT DES LOIS
EN CE QUI A TRAIT À LA GESTION
DES SITUATIONS D'URGENCE

Resuming the debate adjourned on April 10, 2006, on the motion for second reading of Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

The Acting Speaker (Mr. Michael Prue): I'm given to understand that on the last occasion Ms. Martel, the member from Nickel Belt, had the floor. She's not here.

Further debate? Is there any further debate?

Is the mover of the motion here? Mr. Kwinter was the mover of the motion and he also is not here.

Therefore, the bill would then be for second reading.

Interjection: We've got to vote on it.

The Acting Speaker: Yes, as soon as I get to it. We're going to do it right.

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): Maybe we should adjourn.

The Acting Speaker: We can, but we've got to do this stuff first. We'll see where we get.

Mr. Kwinter has moved second reading of Bill 56, the Emergency Management Statute Law Amendment Act. Is it the pleasure of the House that the bill pass? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. There being more than five members, please call in the members. This will be a 30-minute bell.

There will not be a 30-minute bell. I have here a motion from Dave Levac, the chief government whip, which reads as follows:

"That the Speaker of the Legislative Assembly, pursuant to standing order 28(h), request that the vote on the motion by Minister Kwinter for the second reading of Bill 56, An Act to amend the Emergency Management

Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997, be deferred until the time of deferred votes." It's dated April 24, 2006, signed by Mr. Levac.

PROVINCIAL PARKS AND
CONSERVATION RESERVES ACT, 2006
LOI DE 2006 SUR LES PARCS
PROVINCIAUX ET LES RÉSERVES
DE CONSERVATION

Resuming the debate adjourned on April 18, 2006, on the motion for second reading of Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2005, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts / Projet de loi 11, Loi édictant la Loi de 2005 sur les parcs provinciaux et les réserves de conservation, abrogeant la Loi sur les parcs provinciaux et la Loi sur la protection des régions sauvages et apportant des modifications complémentaires à d'autres lois.

The Acting Speaker (Mr. Michael Prue): It's my understanding that on the last occasion the member from Timmins-James Bay had the floor. You may resume.

Mr. Gilles Bisson (Timmins-James Bay): As I was saying before I was so rudely interrupted by adjournment of the House the last time—I've always wanted to say that.

Mr. Dave Levac (Brant): We'll give you 13 minutes, then.

Mr. Bisson: It's 13 minutes, 33 seconds and counting.

It's a little bit odd when you come back after almost a week. It was Tuesday of last week that I had an opportunity to debate this particular bill, and I guess I've got to give a bit of a synopsis of where we're at as New Democrats with it, because some of the members who were in the chamber then are not on House duty today and others are here.

First of all, we support in principle and we support generally what the government is trying to do here. I'm going to put that on the record.

Interjection.

Mr. Bisson: Every now and then, Bill, it happens. Every now and then, once every 10 years, they bring something to this Legislature that we can agree on.

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): We used to call that the bedwetters' accord.

Mr. Bisson: Yes, I know, the bedwetters' accord. Exactly.

Interjections.

Mr. Bisson: Speaker, I'm not going to start debating with these guys. They're going to throw me off.

I want to say the following thing: We generally agree with what the government is trying to do. Simply put, this bill would take the policies by which we manage provincial parks and put them into legislation. I think most of us as members and I think most of the public would look at that in a way and say, "Makes some sense. Why would we take a chance with our provincial parks, where a minister of the crown in any government can decide to come in to work one day and say, 'I want to change a park policy' that would negatively or positively affect the park without having some kind of process where the public would know and there'd be some kind of a legislative accountability etc.?"

1850

The government generally is saying, "We're going to take park policy and we're going to make it legislation." The point I was making in debate on Bill 11 the other day was that generally that's a good thing. But what people need to do is read the legislation. I really encourage those people who were watching the debate last week, and again today, to read the legislation. Go to the Ontario Legislative Assembly website, do a search for "Bills before the House" and take a quick read of Bill 11.

I've laid out a couple things that I thought were worthy of mention as far as what needs to be looked at from the perspective of not really being opposed to it but making sure we don't do something that ends up being entrenched in legislation that we then can do nothing about. You know as well as I do that once something becomes law, it is much harder to change it than if it was regulation. For example, if there is a policy that is a problem for citizens, they can go to the Ministry of Natural Resources and have an easier time trying to convince the ministry and the minister to make a change than if it was legislation.

That was the point I was making the other day. I was saying, for example, that there are a number of things that I think most people can agree on. For example section 7, on page 5 of this bill, sets out the various classes of parks that will be created under this legislation. You've got wilderness class parks, nature reserve parks, cultural heritage class parks, natural environment class parks, waterway class parks and recreational class parks.

Under subsection 7(2), under wilderness parks, it says that you're not going to be allowed to use any kind of motor vehicle within those parks. I think most people agree with that. I would think environmentalists and cottagers and others would probably agree that a wilderness park is meant to be set aside as a wilderness; therefore you shouldn't be allowed in most circumstances—I wouldn't say all—to go running in there with an ATV or whatever because they're trying to maintain the natural heritage that is in the park.

What I said to people in the debate the other day was that you need to look at the rest of section 7, everything from subsection 7(3) all the way over to (8) or (9) or

whatever it might be. Take a look at all of section 7 to make sure we don't throw the net out so far that we put that restriction on other classes of parks that shouldn't be caught by this particular rule.

For example, Mr. Speaker, you and I are afflicted with the same problem: We love to fish. There is nothing wrong with getting in a boat with your one-and-a-half or nine-and-a-half Johnson on your boat, going up a river and catching a couple of fish. You and I have done it many times, and we've had an opportunity to do catch-and-release. I've done it with other members of the caucus we've had the opportunity to do that with. You would know there is nothing wrong with using a small motor to go up a river to catch a couple of fish. We don't want to throw the net so far—pardon the pun; we're talking about fishing—that all of a sudden we find ourselves in a situation where we put a restriction on the utilization of a motorized boat for fishing.

I brought my colleague Mr. Kormos up the Kamiskotia River one year, not to fish—we didn't even bring fishing rods—but we went with some cameras and I brought him up what I consider to be a wilderness river. We went to take a look at what we could see as far as the natural habitat of that river. That day we saw moose, we saw lynx, we saw all kinds of birds, we saw all kinds of really beautiful things that the northern area offers. But we did it with a boat and motor. Can you imagine me paddling a boat all the way up current? I couldn't do it. I need my motor to get me up there. I'm a little bit bigger than most, right? I don't have the energy of some of my friends on the other side who might be in better shape. So I make fun of myself.

My point is, and I think most northern members know what I'm talking about, that we need to make sure the legislation doesn't capture or restrict other areas that northerners and others are used to doing that would impede their traditions of being able to go out and enjoy the outdoors. For example, I know all northern members will share this experience: Every time there's a place that is closed down to access, like closing down a road or not allowing an ATV in or a Ski-Doo or whatever it might be, we get like 15 or 20 people phoning that day. People get upset and say, "For 20, 30, 40 or 50 years our families have been using this area and now all of a sudden we can't go anywhere."

All I wanted to do was to make sure that we indeed do in the legislation what we're talking about, which is saying that only in wilderness parks are we going to put a restriction and we're not going to put it beyond that. I think people need to read the bill and need to look at section 7 on page 5 of Bill 11, an act to amend the parks act. People should look at that.

The other thing I talked about was the really quirky kind of an amendment in here that I think we should look at in committee. I know that my good friend Bill Wrye, who used to be a member in this Legislature, would be really interested in this point because he now works in the government House leader's office. He's the guy who's really the avid—he's walking away now—out-

doorsman in that office. That is in section 9 of the bill. Under section 9, we're saying that the minister has—I believe it's five years; I don't want to read the entire section. Yes, the government has five years after enactment of the legislation to come up with what the regulation is going to be to this legislation. The interesting part is, after five years, if nothing is done, we enact the current policy into regulation. That seems to be kind of wonky. We're kind of saying that if a minister doesn't want to do his or her job, don't worry, we've got an escape clause under section 9 of the bill that says, "Whatever now is policy will become legislation."

Most of the policy is pretty good, but there are a couple of policies that are pretty bad; for example, 21-day camping, an issue that members have heard me raise in this Legislature before, where, for good reason, the Ministry of Natural Resources said, "We're going to stop people from camping more than 21 days in one location and hoarding all the good spots." We understand that in places of pressure, but there are places in my riding where one person will camp the whole summer because nobody else goes there.

For example, I had a constituent in Kapuskasing who with his wife, every year for a number of years, would take his camper-trailer and go up on the Saganash road and camp at a gravel pit that was right by the lake because at the gravel pit you had a really nice view of the lake and it was kind of a nice spot. They were worried about bears and they figured that if they were in a gravel pit, nobody was going to bug them. Anyway, nobody else camps there. Not a person camped there in the years they were there, but under the parks policy 21-day camping is enforced. So that means to say that if after 21 days they don't move their trailer, they get charged. So yes, the policy was a good idea when it came to saying, "In those places where there's big pressure to get the choice spots, you've got to limit people to 21 days so the same people don't keep them all the time," but in a case like this, clearly the 21-day camping policy didn't make sense.

This legislation, under section 9, says that if the Minister of Natural Resources—David Ramsay, Gilles Bisson, Michael Prue, whoever it might be—didn't do their job, the consultation that they needed to do in order to draft the regulation under this new act, the old policy will be enacted as a regulation. Well, do you really want that policy enacted?

I think people need to come to the committee and they've got to talk to us about section 9 of the bill and say, "Shouldn't there be an amendment to section 9 that says that the minister must—not 'shall'—by the fifth day of the act have the new policies done, they have to be posted in the Ontario Gazette, and people have got to have an opportunity to comment on it and, if not, there's some sort of remedy?" I don't believe, at the end of the day, that the minister should be off the hook. That section 9 is a big off-the-hook kind of policy.

The other issue is the issue of parks being created in and around First Nations: Winisk, which is now Peawanuck, in my riding; Polar Bear Provincial Park in my

leader Mr. Howard Hampton's riding; I believe in Pikangikum and, I believe, in one of the other communities—I forget now, but there are a number of communities where the province, over the years—rightfully so—said, "We want to create some new provincial parks," and have gone out and done so. But when they created the parks some years ago, they didn't do a very good job of consulting the First Nations. All of a sudden, the First Nations woke up one day, found out—for thousands of years they'd been hunting in that area, they've been using it for traditional uses, and all of a sudden it became a park. So they no longer were able to do their traditional activities in that area because the province created a park.

We need to have legislation that says, "There's a non-derogation clause," so that First Nations are not impacted negatively on the part of the crown for doing something because they failed to consult. We need something in this legislation that deals with the whole issue of a non-derogation clause.

1900

There was another section that I thought was interesting and that people needed to comment on, and that was the issue of the minister under this act. The government makes a big thing of this, saying that under this act no minister will be able to undo a park. That's not quite true, because in the legislation a minister can undo 2% or up to 100 hectares of land in a provincial park without having to come to the Legislature. Obviously, there would be some political ramifications if he or she tried to do that, but the point is that you have the ability to undo or add or delete 2% of a provincial park or up to 100 hectares, whatever is greater, under this legislation.

But here's the kicker: If a minister decides to basically undo a bigger part of the park, all he has to do is table what he wants to do in the Legislature and have a vote here. People will say that's a check and balance, and I agree. But don't try to sell this as what it's not, because at the end of the day a government has a majority and a government's going to do what it's going to do. Yes, it will pass the scrutiny of the Legislature—I don't argue that point—but don't try to pretend that because the government has a majority, they won't do crazy things. I've seen governments in my 16 years in this place do some pretty darned crazy things. It's sometimes quite shocking as to who did it and why they did it.

I'd just say to the members, again, I think this bill needs to go to committee. I encourage all people who are paying attention to this debate to read Bill 11. Be clear: Once the bill becomes law, and five years later if the minister doesn't do his or her job, the policies of parks in Ontario will become legislation. That could be a problem if we've got bad policy. People really need to look at the legislation and come back and comment to us by committee, either by sending e-mails, presenting themselves before the committee or sending letters to let us know if we've got it right. I have learned, after being here for a number of years, that with the best intentions any government can at times draft bad legislation. I look at

the Municipal Act done by Mr. Harris, which I disagreed with wholeheartedly, and seven pieces of legislation have tried to fix what was the initial problem. This government now has to deal with the problems of the original legislation from eight pieces of legislation ago.

It's important that people pay attention to this bill. I encourage people to read it and give us their comments.

The Acting Speaker: Questions and comments?

Mr. Khalil Ramal (London–Fanshawe): I listened to the member from Timmins–James Bay last week and today for 15 minutes. I listened to his concerns and comments. Relatively, it's not too bad. Actually, he's not opposed to the bill. He has some concerns, but I'm happy to hear the member reading the bill again and identifying subsection 7(2), which talks about motor vehicles not being allowed in parks because it's not good for the trees, the environment, animals and species etc. But I was confused when he was talking about where motorboats can go. I think it's the same thing with a vehicle. We should be prohibiting all motors, engines or machines from going into parks, because it will have the same impact and the same effect on the environment.

In general, I think it's a very good bill and that's why I'm speaking in support of it. I think if this bill is passed, it will have a great impact on the environment in parks and on the people who benefit from the parks, especially the public, who go for fun for one day or a week or a month, to enjoy nature. I think it's our duty as elected officials to do whatever possible to protect the parks.

Hopefully, I'll get the chance in 10 minutes to explain why I'm supporting this bill and what are the important elements of the bill, and hopefully I'll be able to convince all the members from the different parties to support our government's and our minister's initiative in order to pass this bill. It's good for our environment, good for our nation and good for our province. I think it's good for the people of Ontario. That's why it's important every once in a while to come up with some bills and laws to protect what we have, especially our natural resources. Nature gives us clean air and it's our duty to protect it. I'll be talking again in a few minutes.

Mr. Garfield Dunlop (Simcoe North): I'm pleased to rise this evening and make a few comments on Bill 11. Knowing the provincial parks we have and the way they've been handled by the Ministry of Natural Resources over the last I believe it's close to 100 years now, I think we've done a good job of controlling and monitoring our provincial parks. I have four provincial parks in my riding. It's certainly a group of parks in Ontario that are well received. People like to camp at them. They're all on beautiful bodies of water within the riding of Simcoe North.

I do, though, want to point out that there are other parts of the bill that there are some concerns about. I would like to think that the government would like to include a lot of people in committee hearings, particularly groups like our conservation clubs, our federation of anglers and hunters—of course, that may not be just the Ontario federation; that may be a series of groups that we

have across the province that may or may not see things exactly the way the overall federation sees it.

I think that there are a lot of good things in this bill—like the Algonquin forestry industry, for example; I think that's a positive thing—but I do want to make sure that everyone is given an opportunity to make comment, to make potential amendments to the bill. We have a culture of environmental awareness in Ontario, and the people who support the parks are all part of that culture. I would hope that many people would be invited to attend and to take part in those committee hearings, and that they would be held throughout the province.

Mr. David Oraziotti (Sault Ste. Marie): It's a pleasure to respond this evening to the comments of the member from Timmins–James Bay and add my comments to the member from London–Fanshawe and the member from Simcoe North. With respect to Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, I think this is one of the many steps that our government is taking to improve and protect our environmental quality here in Ontario. In partnership with this particular bill, we've committed \$2 million in grants to the Trees Ontario program to support reforestation. In addition, \$6 million was granted to the heritage trust to acquire significant natural heritage properties, as well as steps to protect the Duffins Rouge Agricultural Preserve, protecting environmentally sensitive land. As well, our extremely significant and, I think, historic steps to protect a large parcel of land in Ontario with our greenbelt legislation protecting nearly two million acres of property: important assets to ensure that future generations are able to enjoy what we've come to know and come to enjoy so well in this province.

Fifty years ago, there were only eight provincial parks. Today we have 319 provincial parks, as well as 280 conservation reserves and 10 wilderness areas. We are making the importance of protecting and making environmentally sensitive areas, the importance of planning and managing these areas, a cornerstone of Bill 11. For too many years, I think we've overlooked the importance of our parks and wilderness areas in this province. We have not taken the time to ensure that, in legislation, these parks and wilderness areas are protected in perpetuity. That's a step that our government is proud to take.

The Acting Speaker: Questions and comments? The member for Parry Sound–Muskoka.

Mr. Norm Miller (Parry Sound–Muskoka): Thank you, Mr. Speaker. I thought all your questions and comments were used up, but I'm pleased to jump up for a couple of minutes just to add some comments regarding Bill 11, the parks bill.

I've heard from a number of different groups to do with Bill 11. I know that the member from Timmins–James Bay, the parts of his speech that I heard, seemed to be mainly concerned with the area he represents, Timmins–James Bay, and the access that the people of that area would want to maintain to areas they've traditionally had access to. I certainly understand that. In the

beginning of his speech, he was talking about how people who have, in many cases for two or three generations, hunted or fished in a particular area should still be allowed to hunt or fish in that particular area. As I say, I recognize that that is something that we shouldn't forget about: the people who have lived a long time in a particular area.

1910

I think park legislation is all about balance. We have groups like the Wildlands League. I know one of the things they want to see is environmental integrity become stronger in this bill. We have groups like First Nations, which don't want to lose economic opportunities. In particular, they want to be able to derive some economic activity and benefit from hydroelectric generating projects that might be in areas nearby them that could be in a park. We have groups like the Ontario Federation of Anglers and Hunters which are concerned with access, particularly ATV access, and concerned that conservation reserves might just become parks with this legislation when you have zoning that would be part of this bill come more into effect.

So, lots of concerns. We'll certainly want to see it go to committee.

The Acting Speaker: The member for Timmins–James Bay.

Mr. Bisson: I guess a couple of things. My good friend from Mississauga, I was not suggesting for one second that we should ban using motorized vehicles in all classes—

Mr. Dunlop: London.

Mr. Bisson: London–Fanshawe; I'm sorry. In 16 years in this place, I still don't know people's ridings. I know who you all are.

Mr. Dunlop: That's because your riding is bigger than France.

Mr. Bisson: Exactly. My riding is bigger than most put together, bigger than France.

My comment is that we need to make sure that we don't go beyond wilderness classification in banning of motorized vehicles, boats or whatever it is, in other types of areas because that could become very problematic in northern Ontario. I think, generally, most people understand why we want to do that in wilderness areas. But for other classes of parks there is good reason to be able to use your one-and-a-half Merc to go up the river to take a look at whatever or even to drive an ATV. I don't think there's anything that can harm if you're not trying to preserve an area as far as a wilderness classification.

To my good friend the member from Sault Ste. Marie, I would only say: Let's keep this straight. Governments have done a fairly good job over the years—I agree with you—in, first, promoting the development of the park system and then making sure that the park system is properly maintained. I think we both agree, but let's not pretend that this is the first government to ever do anything. The reality is that all governments over the past 100 years have had some hand in either creating, developing or maintaining parks. What we're doing now is

taking park policy and putting it into legislation. My only point is, that's not a bad thing. I think that's a good thing. However, as a northerner, you understand as well as I do that people have to read this to make sure we haven't made a mistake, because if we've made an error, we're going to have to live with it for a long time, and we're the guys who are going to have to field the calls.

To my other colleagues, I thank you for your contributions in this debate.

I would just ask the House to indulge me for two minutes to give you a bit of an update on Kashechewan. For those people who might be interested, I'm asking for unanimous consent for about 30 seconds.

The Acting Speaker: I have a request for unanimous consent, seeking two minutes to talk about Kashechewan. Is it agreed? I heard a no.

Mr. Bisson: Why? I just want to brief members on what's going on in Kashechewan.

The Acting Speaker: Order, please. There was a no.

Mr. Bisson: I'm going to try again, because they didn't understand. Point of order—

The Acting Speaker: Is it the same point of order?

Mr. Bisson: This is a new point of order. I would ask for unanimous consent for the House to allow me one minute just to update people on what's happening in Kashechewan. No political barbs; no nothing. People should know what's going on. That's all I'm asking.

The Acting Speaker: The member is seeking unanimous consent. Is there unanimous consent? Agreed.

Mr. Bisson: I want to thank members because I know they didn't mean to—I'm not even going to take a shot. People need to know. The community, as people might know, is being evacuated as of Saturday because of the flooding. Unfortunately, the ice has taken out the lagoon system. The sewage has backed into the community. A big part of the housing has been contaminated by sewage. The nursing station is contaminated by sewage. The power lines are down. The airstrip is no longer operational. It looks like we're going to be evacuating people for anywhere from six to eight weeks. I know members in the House would want to know that. We need to do what we can in order to assist these people so they don't have to live in arenas for six weeks, because that's tough.

The other thing people should know is that Fort Albany is now on watch. It looks like they may end up being evacuated—we're not quite sure yet. And the community of Attawapiskat has lost its power. So we're having a heck of a spring on James Bay. I just thought I'd let people know.

The Acting Speaker: Further debate?

Mr. Ramal: As I mentioned in my two minutes, I want to talk for 10 minutes about why I'm supporting this bill. I think this bill is very important. I was listening to the member for Simcoe North when he was talking about this area being treated fairly through the history of this province by all kinds of governments because it's important to all of us. It's important to the people of Ontario, especially now, because in the past we only had eight provincial parks in 50 years. At the present time,

we have 319 provincial parks, more than 280 conservation reserve areas and 10 wilderness areas. So it's important to us as a government, and important to the province, that we, as elected officials, revisit this act, since it has not been touched in 50 years. It's important to protect the environment and to protect provincial parks, because provincial parks are great assets for the environment and great assets for the province of Ontario.

I learned, when I was reading this bill, of many different jurisdictions, many different parks with different authorities and different directions. This bill would put all the provincial parks and all the conservation areas under one authority, under one direction. I think it's very important. We have to have one mandate and one direction in order to hold the government and the minister responsible and accountable for provincial parks. That's why it's important for the minister to put all the assets under one direction and then report to the people of Ontario every five years about the state of the provincial parks and protected areas.

I think it's important for us as Ontarians to protect nature. I have very important news to tell you. On Saturday, we had Earth Day. Many people in this province celebrate that day. They went out with the community, with many different groups—with the Scouts, with many reforestation groups in Ontario—to plant trees; to go to conservation areas, to parks, to many different places to plant trees. Every Ontarian wants to be a part of reforesting this beautiful province, because they know the importance and value of maintaining the forests in this province. As you know, trees play a pivotal role in protecting our environment, protecting nature, protecting species and protecting birds and animals. They also play a big role in protecting our water resources.

I had the chance yesterday to go with Scouts Canada, the Upper Thames River Conservation Authority, TD Bank and Sunoco to plant thousands of trees at Westminster park in London, Ontario. Let me tell you, it was a big celebration, a big event. More than 1,000 community members came out and planted trees. We even had 85 exchange students from China come, along with 1,000 community members, to plant trees at Westminster park in order to celebrate Earth Day. This is the kind of event we celebrate in Ontario to protect our environment: going to a park, going to a conservation area, going to wilderness and protected areas and planting more trees.

I listened to a person who raises birds, who told me and the people attending that day about how important it is to create native trees and plants in the parks and many areas to be nests and homes for many different birds and species that cannot live in an environment with a road cut in the forest and motor vehicles going through it. That's why it's very important for us to revisit this bill, which has not been touched for the last 50 years. We're not aiming at or attacking any government or any party. We said it's about time to reopen it, to revisit it, in order to enhance it to protect the environment. As I mentioned, it's important to hold the minister and the government accountable for the whole issue. When we revisit it and

put in one direction, then the minister, the government and the people of this province can know exactly what is going on when they get the report from the Minister of Natural Resources every five years.

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The provincial parks have been home for millions of people every year. People like to camp, visit and enjoy one-day outings, or one week or one month, whatever. It's our duty to provide this environment for people so they can go back to nature and enjoy the trees, the birds, the animals, the fish and whatever exists in those parks. I think it's our duty to have the provincial parks protected and accessible for the great people of Ontario.

I heard many speakers talking about not changing the statute and the traditions of the many different people who have lived in those areas for years and years. But our government will not move to establish any authority or change any laws without consulting with the great people of Ontario, especially the aboriginal people who have lived in and beside the parks for many years, and have used those parks as places to collect their food and fish and hunt, etc. But we as a government and the Minister of Natural Resources have to take into consideration our duty. When we got elected to this position by the people of Ontario, we got the power to protect these areas and make sure they are being protected for many years to come.

As we know, we need the environment, the parks and trees more than ever in these times because of global warming and pollution going into the sky. It's proven by science that trees are great assets and play a pivotal role by cleaning the air we breathe on a daily basis. Also, trees create a good environment for many different birds, play a pivotal role by making our environment beautiful and giving us some enjoyment when we want to be alone, away from the traffic, away from the city and the busy schedules of our lives and our days. You want to go for a day or a week to rest and relax. Our duty as a government is to create that environment. We have to create it.

I don't agree with the member from Timmins–James Bay when he says we should allow motorboats. The motorboat is like a car. It scares the animals, the fish and the birds. The same things that apply to a car or truck or whatever vehicle is run by a motor should apply to boats. It is our duty, as I mentioned, not to allow any polluting machinery to go in.

I think it's an important bill and should be supported. I didn't hear any negative comments about it. I know there is some concern, which I guess is logical. That's why we debate bills in the House: to listen to the opposition and the third party. Most of the time, the dialogue and debate are important to create some kind of understanding and awareness among the people of this province.

I want to give credit to the member from Timmins–James Bay when he talked about the bill last week and today. Many people asked me what was going on with the provincial parks in the north. People thought we were talking only about the north, but in fact we're not.

We're talking about all the provincial parks across the province of Ontario.

As I mentioned, they have now moved from eight 50 years ago to more than 300 today. It's a great improvement. It's a great asset for the province of Ontario. I think it's very important for us to open that act, which was established 50 years ago, in order to modernize it and enhance it to protect the environment we live in, the environment we enjoy. The environment gives us a great sense of stability, protection and joy.

I believe that by creating one direction in this bill, we'll create a good, effective administration, with ability and finances, and also encourage many volunteers, from Scouts to reforestation groups to tree lovers to earth groups in this province, to go on a yearly basis and plant trees, to go to the parks and protect them, to clean them, to nurture the trees and bring native trees to the land and also try to help reforest this beautiful province, because they believe in the earth, that it's important, and that by protecting the trees they're protecting our lives and our future.

That's why I support this bill. I hope that in the end all the members from all the parties will support this bill because it's very important for all of us to pass it.

The Acting Speaker: The member for Simcoe North.

Mr. Dunlop: I'm pleased to respond to the comments made by the member from London-Fanshawe. He mentioned a few things about some of the provincial parks. As I mentioned in one of my earlier comments this evening—I talked about how I had four beautiful parks in my riding. This year, one of them is on the provincial parks calendar, the Awenda Provincial Park. It's up in Methodist Point, which is up in Tiny township just northwest of Penetanguishene. I'd like to get some response from the government members. I'm told that that park has such high numbers and is filled to such a capacity that in fact they're turning over a profit above their costs of somewhere around half a million dollars a year. I may have the half a million dollars incorrect, but it is a substantial amount of money that this park turns over in profits above its operating cost.

I'd like to know the government's plan and how they distinguish the parks that are doing very well and turning over a profit, because in a lot of cases—I know that I've have talked to some of the administration there in the past and some of the employees of the park, and they've thought that maybe some of that money should be returned in staffing, maybe in a longer season or maybe just in overall upgrades to the park because they're getting a lot of visitors, they're at capacity all the time and improvements should be made.

It would be interesting to hear from the government side. Maybe in his closing comments the member can tell me what they're going to do with the parks that turn a profit: whether or not that money should stay in the park or if it's going into general revenues to pay for a fundraiser for you guys or something like that—I don't know. But the bottom line is—

Interjection.

Mr. Dunlop: Well, no. But there's half a million dollars in some of these parks. In this one particular park, I understand that's the profit it's making. I, as an MPP for that riding, would like to know why that money isn't staying in the riding and why it's not staying in that provincial park. I'd be interested to hear your comments on that.

Mr. Peter Kormos (Niagara Centre): I've but two minutes during this period called questions and comments. Rosario Marchese, the New Democratic Party member from Trinity-Spadina, is going to be addressing this bill in, oh, I suppose around 30 minutes' time. We're all looking forward to his comments—

Interjections.

Mr. Kormos: Well, no. Mr. Marchese is a very urban person.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Urbane.

Mr. Kormos: No, not necessarily. Please, understand there's a distinction between "urbane" and "urban." I resent the fact that sometimes people sloppily use the language improperly. I'm going to insist that Mr. Marchese is a very urban person and he shares the affection for our provincial parks in those wilderness areas. That's why, even though he might be disinclined, as some are, to portage with a canoe and a backpack in the wilderness of, let's say, Quetico, he nonetheless has concern about this government's abandonment of a long-held tradition of banning motorized transportation within our parks so as to maintain their pristine quality. There's just something offensive about a Honda motor behind the boat in the ville of Quetico, or a three-wheeler or four-wheeler tearing up the terrain and the chattering chipmunks being scattered by the exhaust of a stinky four-by-four.

I'm looking forward to speaking to this bill in my own right, whether it's on the third day or the fourth day of second reading debate, perhaps on the fifth day. Some things changed substantially earlier this evening that might compel us to speak at greater length to this bill. But I think it's important that folks stay and listen to an urban perspective, and that will be that of Rosario Marchese from Trinity-Spadina, New Democrat here in the city of Toronto.

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Mr. Pat Hoy (Chatham-Kent Essex): I'm pleased to rise and make some comments to Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act. I was very pleased that Minister Ramsay was able to come and visit Rondeau Provincial Park in my riding last fall. He had a good chat with people in the park and outside the park. It is one of the largest tourist attractions in Chatham-Kent. As well, we have Wheatley Provincial Park that a lot of families also visit and enjoy throughout the year.

I want to mention to the House that Wheatley Provincial Park is just about 11 kilometres from Leamington, which is in Essex. Just recently, Leamington was deemed to be the best place in all of Canada to live. We

have known this for many years, that Leamington is an exciting place, the southern-most point of Canada, notwithstanding the islands off into the water. But Leamington is indeed a wonderful place to live, work and play. It is also home to Heinz, and of course Leamington is known as the tomato capital of the world.

This act will enhance accountability, requiring the minister to publicly report every five years on the health of our parks and protected areas. The people who enjoy Rondeau park, Wheatley park and all parks in Ontario would certainly want that to occur. It would increase protection for those parks, which people also want to see enhanced and kept for generations to come. Some of these parks are very fragile in their ecosystems, and they need the protection of the province to keep those in place.

Streamlined legislation will also assist persons to understand what the government wants to do in terms of protecting the wonderful parks we have here in Ontario.

Mr. Miller: I'm pleased to add some comments on the speech from the member from London-Fanshawe and on some of the other comments that were made as well.

I think it is important to have balanced parks legislation and balanced use in parks. I have a very small park. It's not a provincial park, but it's an area owned by the Ministry of Natural Resources in my immediate area near the town of Bracebridge. It's called the Bracebridge Resource Management Centre. That's a fairly small area, maybe 500 acres, and it's alongside the beautiful, scenic north branch of the Muskoka River. I've taken great advantage of it in the wintertime, cross-country skiing. I got out many times this winter on the trails that are maintained by the town of Bracebridge. As well, there are hiking trails at the Bracebridge Resource Management Centre.

As well, the Ministry of Natural Resources does minor forestry operations and studies in the area, an area that's probably used more intensively by local residents in terms of experiencing nature, enjoying the outdoors and getting physical exercise than almost any area around. They do thinning operations, and they do specific studies on different types of trees. I know they were doing a study on red oak and some various pine species of wood.

The point I'm making is that in this quite small park there are many different uses being made of it, all very compatibly, I would say, with forestry operations, hiking, cross-country skiing and duck shoots. Where the Muskoka River goes by, people go swimming there in the summertime etc., so there are both human uses and real human appreciation for the great outdoors and some real benefits to the local area.

Of course, in this legislation there are a number of different classifications, but you can have mixed uses and still have very successful conservation reserves and parks.

The Acting Speaker: Response?

Mr. Ramal: Thanks to the members from Chatham-Kent, Niagara Centre, Simcoe North and Parry Sound-Muskoka for making a couple of comments about what I said.

I want to answer the member from Simcoe North. He asked about money; when some parks make extra money, what happens to the money? I want to tell the member, that's why the bill is going to put all of the provincial parks and conservation areas under one administration and one direction. This money goes to one pool of money to be used and reused to enhance and reinforce and protect some other parks that don't—

Interjection: All the parks.

Mr. Ramal: All the parks in the province of Ontario.

Sometimes you need to plant more trees, sometimes you have to redirect the water, sometimes you have to clean up and sometimes you have to do so many different things to protect those parks. I think it is our duty as the province of Ontario and as a government to have all these parks under one authority. Therefore, the money goes to any park that needs it or needs some kind of restoration.

I also want to tell the member from Niagara Centre—he was talking about motor vehicles. The member from Trinity-Spadina doesn't like it when a motor car goes inside the park. Hopefully, he can convince his colleague from Timmins-James Bay, who wants to use a motorboat to go inside the park. So definitely we are against it. Definitely, this bill intends to stop all this kind of activity. This is clear in subsection 7(2), talking about prohibiting all kinds of machinery going inside the park, because this disturbs the animals and also pollutes the environment, and it's not good for the trees. That's why all the people of Ontario cherish the forests, the parks and the conservation areas.

I just wanted to mention, alongside my colleagues Chris Bentley and Deb Matthews, on Saturday we went to Riverforks Park in London. We planted many trees with many different community leaders, alongside Re-Forest London. Also, as I mentioned, on Saturday Scouts Canada planted 3,000 trees in the Thames Valley on Fanshawe Park Road, which I think is very important. It's very important to protect the parks and to put them under one administration by passing this bill.

The Acting Speaker: Further debate?

Mr. Norman W. Sterling (Lanark-Carleton): It's good to speak about Ontario parks and the Living Legacy, which was created by the former government, and this bill that's coming forward, which is quite nebulous in terms of actually what it's going to mean on the ground to the people who live in and around these particular parks, and to the rest of the population.

We have been informed by the minister that while there have been consultations that have taken place, there are very, very few people who have actually been involved in this whole debate. We understand that 1,500 Ontarians responded to an online survey. The minister indicated that he received 140 submissions with regard to this particular endeavour and that he received 1,100 letters. There have been 425 people who took part in nine open houses. Compare this to what happened with the previous government when it brought forward its Living Legacy program, when 65,000 Ontarians got involved in the process. Notwithstanding that this is sort of a minor

process when you compare it to what happened in 1999, it still affects the lives and the livelihood of many people, many people in the aboriginal community and many people who live close to these parks. It affects some of the people in southern Ontario as well. Not only have we heard that particular matter, but we heard earlier from one of the government backbenchers, from Chatham–Kent Essex, where the minister was down in his area visiting a park, but we don't have that same minister with us tonight to hear our comments with regard to that.

So on that, Mr. Speaker, I move a motion to adjourn the debate.

The Acting Speaker: We have a motion to adjourn the debate. Shall the motion carry? I heard a no.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the nays have it.

I see five members. Call in the members. There will be a 30-minute bell.

The division bells rang from 1940 to 2010.

The Acting Speaker: Mr. Sterling has moved adjournment of the debate. All those in favour will please rise and remain standing to be counted.

All those opposed will please stand and remain standing.

Please be seated.

The Deputy Clerk (Ms. Deborah Deller): The ayes are 4; the nays are 22.

The Acting Speaker: The motion is defeated.

The member from Nepean–Carleton may resume the floor.

Interjection.

The Acting Speaker: Sorry; Lanark–Carleton.

Mr. Sterling: I invite everybody to the provincial capital of maple syrup-making, Lanark county. Maybe you'll remember it now, Mr. Speaker.

Mr. Rosario Marchese (Trinity–Spadina): It's so far away from Toronto, how could anybody remember it?

Mr. Sterling: It's one of the most beautiful places in all of Ontario as well.

I want to talk a little bit about the Mike Harris government and what we did with regard to the parks of this province, and in general what previous Progressive Conservative governments did with regard to the creation of green spaces in this province.

Perhaps there's no other government in all of Canada which has done more for the conservation of green spaces than the provincial Progressive Conservative Party. This started back in 1968 or 1969—at least within my current memory. Prior to that, of course, there was the creation of many parkway belts and green spaces by the former Frost and Robarts governments. The Niagara Parks Commission was set up in the early 1950s or the late 1940s, which preserved a great amount of green space along the Niagara River. Thank God that happened, because today that is the centre of tourism for Ontario, in terms of allowing many people from Canada and from around the world to view one of the world's wonders, Niagara Falls.

As we trace through the history, although all of my colleagues don't agree with how some of this was done, I believe that the intent and the overall philosophy of the Progressive Conservative Party has been shown by its leadership with regard to the Niagara Escarpment, which has, as you know, been recognized by the United Nations as an environmental biosphere. Of course, having come to this place in 1977 and having had responsibility for that plan in the years of 1983 and 1984, I had a personal part to play in the first plan with regard to that particular endeavour.

In the Mike Harris years we had the moraine preserve, which was in fact a very important initiative on the part of the government to retain our natural water resources underneath the moraine. The government took a very brave forward step in preserving the moraine around the greater Toronto area. Then, in 1997, Mike Harris came out with the Lands for Life initiative, which was further enhanced in 1999. At that time, it was the greatest expansion of parks in the history of the province of Ontario. The government of Premier Harris created 378 new parks and protected areas, covering 2.4 million hectares across Ontario. I guess it's a little indicative of the attitude that some other people have in this place that Conservatives don't care about green, they don't care about the environment, they don't care about all these other things. That couldn't be more false. I guess the proof was in the pudding with regard to the former Progressive Conservative Prime Minister of Canada, Brian Mulroney, who was just given an award most recently for being the greenest Prime Minister ever. So notwithstanding all the puff and ceremony that—I call them the opposition—the government puts forward, we have, in fact, a proud tradition in the Progressive Conservative Party with regard to issues like this.

Our concern with regard to this bill of course is, as I mentioned before the adjournment, the total lack of respect for consultation amongst many important groups across the province.

Mr. Marchese: Which ones?

Mr. Sterling: The aboriginal community is, of course, very concerned that they have not been properly consulted. From the minister's own words, if you look at the numbers and the kind of consultation, which took all of two months to take place, we know that this very important subject and all of the pushes and pulls involved in this kind of a subject could not have taken place during that very short period of two months.

I want to say that we believe that this bill, if it had been properly introduced in this Legislature and had taken into account the very important contributions that many different groups want to make—the federation of anglers and hunters is not happy with this government in terms of the lack of funding that they're providing to preserve their interests in the province; as I mentioned, the aboriginal community is not very happy with this process that we went through; and the wildlands community is not very happy with this piece of legislation. I think part of it comes from the contrast of the process

that we went through in the late 1990s, when we took a very thorough consultative process and we were very definite in the plan that came down as to what was going to happen into the future.

Notwithstanding all of the pomp and the puffery that we hear from the government backbenches, this is really a second-rate effort in terms of looking at this particular issue. I would have preferred that the government in this kind of an issue, which quite frankly is not that political, would have used a process where they would have introduced this bill for first reading and put it out to committee. They could have allowed those groups that feel they were not properly consulted in this very brief consultation period of two months the opportunity to come to a committee, and members of the Legislature would have had the opportunity to listen to them and then we would have come back with perhaps some meaningful amendments at that time. Unfortunately, when you go through the process that we're now following, where you go into second reading, it doesn't really give the government much room to back off or manoeuvre around what they've already got down on paper.

I just feel that in this particular bill, where, as I say, there's give and take—you know, some people want more restrictions put around these protected areas, these wilderness areas, they want to limit economic activity, they want to limit access; other groups want to maintain what they have and some would want to increase it, depending upon their wants. I think it would have been much more fruitful and better for this Legislature and better for the process had the bill been referred out after first reading so that the government wouldn't have felt that they were trapped into a piece of legislation.

In view of the fact that I don't believe this bill was given adequate consultation or has followed the correct process, I move that we adjourn the House.

The Acting Speaker: We have a motion to adjourn the House. Is it agreed? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it. There being five members, call in the members. There will be a 30-minute bell.

The division bells rang from 2021 to 2051.

The Acting Speaker: Mr. Sterling has moved adjournment of the House. All those in favour will please rise and remain standing.

Please be seated.

All those opposed will please rise and remain standing.

Please be seated.

The Deputy Clerk: The ayes are six; the nays are 25.

The Acting Speaker: The motion is defeated.

The member for Lanark–Carleton still has the floor.

Mr. Sterling: Before we voted on the motion to adjourn the House, I was talking a little bit about the consultation, or lack thereof. I think it has been noted by many groups that have been involved in this issue. The Ontario Federation of Anglers and Hunters is very much

concerned about the terminology used in this bill. The wording in the bill as to what a mechanized or motorized vehicle is has evidently been changed. This means very much to them with regard to access to many of their recreation areas. Some people may think that's a minor issue, but I can tell you that they consider it most important and are urging that we have committee hearings with regard to this bill.

As we know, and as I mentioned before in my remarks, the very brief period that groups had to be consulted with regard to this bill was a total of two months.

Laughter.

Mr. Sterling: Mr. Speaker, I can't concentrate while the Minister of Education is causing—

The Acting Speaker: I think your point was well taken. I was wondering myself.

Laughter.

The Acting Speaker: Would the honourable members please come to order. If the joke is that good, perhaps it should be shared with all of us. If not, I would ask that we please come to order.

Mr. Levac: I admonished them, Speaker.

The Acting Speaker: Thank you. Have the members come to order? Are the members capable of coming to order? Please resume.

Mr. Sterling: Thank you very much, Mr. Speaker. It is indeed difficult to discuss this bill with the great deal of seriousness it deserves when the ministers opposite treat it so lightly.

It's also noted that many of the First Nations have expressed their consternation with regard to this bill and the consultations that took place prior to the introduction of the bill. The Matawa First Nations have explicitly explained and expressed their chagrin over the lack of consultation that the Ministry of Natural Resources has undertaken with them.

Our party believes that there should be several days of committees. I believe that this indeed is a bill which should have committee hearings right across the province, particularly in the north and in where there are parks within the immediate area. This bill will have a tremendous impact on the economy—

Laughter.

Mr. Sterling: I'm sorry, Mr. Speaker, I—

The Acting Speaker: The member's point is well taken. Please, I know it might be good, but it's not stopping. If it cannot be stopped, I just ask you to absent yourself from the room for a few minutes.

Hon. George Smitherman (Minister of Health and Long-Term Care): No. Then they'll ring the bells.

The Acting Speaker: I don't believe that this member can ring the bells again. In any event, I'm asking the members to please keep control. The member from Lanark–Carleton will continue.

Mr. Sterling: Well, they're obviously not listening, so I'll conclude my marks. Thank you very much.

The Acting Speaker: Questions and comments?

Mr. Marchese: I want to congratulate the member for having lasted so long in making his remarks while the members right in front of me—right here in front of me—have been giggling and laughing and not paying attention. I think these two members ought to stand up and tell the House what the joke was all about so we can either all share it, or I recommend to you, Mr. Speaker, that next time you throw either of the two out or put one or the other at the back of the room or on the side as a way of dealing with this in a polite sort of way.

I've got to tell you, the Conservative member who just spoke a little while ago was telling us about how much the Conservative government did. I just want to commend him and thank the Conservative Party for having done so much. I want to thank Brian Mulroney for all the work that he did and for being one of the greenest Prime Ministers we've ever had. I think it's about time too, I say.

Mr. Cameron Jackson (Burlington): He is Irish.

Mr. Marchese: That's what makes him green? It's about time that we recognized his achievements and the Conservative Party achievements, and I hope when you do your two minutes, you speak about those achievements.

Mr. Levac: I'm wondering if the member would be surprised that I didn't necessarily agree with his perception and his view on this particular bill, except to say that I do accept his challenge to ensure that the people of Ontario have an opportunity in committee to hear what some of those concerns might be, as we in this government have been doing for almost every single bill that we've brought into this place. Quite frankly, he's right in making us aware of the concerns that are out there. He's right in pointing out some of the issues that need to be debated.

But in terms of his story of what we've done on this side and what they've done on that side, he might be surprised to hear that I don't necessarily agree with his version of it, except to say one more thing, and that is that as the chief government whip I did go over and speak to the members and say to them that they may indeed be on camera, and they looked at me and said to me, "That's understandable. I understand that."

Just on a serious note here, I honestly believe that this bill will go to committee and I honestly believe that there will be some very good feedback from people who are affected by it. I too want to be on record as saying something very clearly, and that is that we should all take immense pride in the wonderful parks, the absolutely pristine organizations that have put these parks together and the wonderful nature that we've got. We should be taking advantage of that as best we can and encourage everyone to support our provincial parks—and indeed our national parks, for that matter. Having said that, I know he's not surprised that I don't necessarily agree with his opinion.

Mr. Jackson: I would like to commend the comments of my colleague from Lanark–Carleton with respect to this piece of legislation. I can say with a great deal of

confidence, having served with him for 21½ years, that he has a very strong affiliation and support for our Niagara Escarpment Commission. This is not an issue that everyone in our caucus always agrees with, but I will state for the record that I have supported him both at the cabinet table and in caucus in defence of not only the Niagara Escarpment Commission but its scope and its mandate. I just put that on the record because I think when he does speak to this legislation, which he has with some minor interruptions this evening, he does articulate a concern for the expansion of the system.

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Let's be fair. What the government is proposing to do is to update a specific piece of legislation that acts as a framework for conduct in all of our provincial parks. What we've been stating earlier this evening and will continue to state in this debate is that the previous government had an outstanding record in terms of preserving and protecting large tracts of land for future generations. It was perhaps the largest single expansion of our parks system. So we commend the government for recognizing that it needs to update the legislation and to make it more contemporary; however, there are some legitimate concerns that are being expressed.

I want to as well put on the record my support for another initiative of the previous government with the largest urban park in Canada, Bronte Creek Provincial Park. Maybe when I have an opportunity to comment again this evening, we'll speak about that.

Mr. Lou Rinaldi (Northumberland): I too want to put some comments on the record about Bill 11, to reform the legislation to deal with provincial parks. I'm honoured to have in my riding—as a matter of fact in the town where I live, in Brighton—Presqu'île Provincial Park. It's not a large park, but it's a multi-faceted park. I can tell you, having proper legislation in place to deal with issues that govern provincial parks is very, very important. I can tell you, as a municipal politician and as a resident of that community, it took about 20 years for Presqu'île Provincial Park to have a management plan, because the tools weren't there to help manage the park properly and there were a lot of conflicts. One of the things that lacked through the process—and we had a number of public consultation processes, but there were no guidelines, there was no framework, and they really pitted the different users of the park—and the park has got a beautiful beach. It's got a beautiful conservation portion, a lot of marshland, one of the best birdwatching sanctuaries in the spring of the year. And it's got a fully serviced campground, so you can see it's a multi-faceted park. When you try to put a plan together to make such a piece of real estate that's owned by the province, by the people of Ontario, work, it's very difficult within the framework.

I think this piece of legislation is well overdue. It will go to committee and get more refined; I'm sure it will. But let's move it there and let's get the job done.

The Acting Speaker: The member from Lanark–Carleton.

Mr. Sterling: I guess the contrast between—and I want to thank each of the members for contributing and responding—the procedure we’re going through now with regard to Bill 11 and the procedure we went through and the process we went through with the Living Legacy—there’s a stark difference, because when we went through the process with Living Legacy, we involved 65,000 people. There’s a much greater chance that you’re going to reach as best a consensus as you possibly can when you consult with that many people and that widely over a long period of time before you come to your decisions. And the decisions are difficult in any kind of bill that entails planning powers and restrictions of uses, as Bill 11 can in fact do. It can restrict access to parks or wildlife areas. It can open access to areas. It can close access to areas. It can limit what you can do in the particular areas, although some of those decisions, which we favour, have been made; for instance, logging in Algonquin Park, which is very, very important to the local communities’ economies up in that area.

But if you go through a careful process before you bring the bill to the floor, the chances that you’re going to get a better system overall is there. That’s what happened in 1997, 1999 and 2000, as we went through that huge process of doubling the amount of parks that we had in all of Ontario. So I want people to contrast the two: the way we did it, which I think was the right way, and the way we’re doing it now, which I think is the wrong way, with short time frames and very few consultations. People are not going to be happy with any result as a result of this process.

The Acting Speaker: Further debate?

Mr. Marchese: I am particularly happy to speak tonight. It’s April 24 and it’s my son’s birthday. I’d almost forgotten this morning, so I thought I’d mention it. So it’s 9:05 on Monday night, April 24. We’re on live. I want to thank the citizens of Ontario for watching this program. We want to entertain. That’s why we’re here. If we don’t entertain, people don’t watch us. That’s part of what we are here to do. Some of us do that well, I hope.

I want to say that the member from Niagara Centre described me as an urban kind of guy.

Ms. Kathleen O. Wynne (Don Valley West): He said “urbane.”

Mr. Marchese: Some Liberal member said “urbane,” and that applies equally, I think. As some of you know, “urbane” means notably polite in manner, which I am, and polished as well, which is part of the definition. I hate to disagree with my Liberal friends who would describe me like that.

My friend from Niagara Centre describes me very clearly and accurately when he says, “He’s very urban,” because I am. “Urban” means relating to, characteristic of or constituting a city. I’m all of that. I’m a city guy, I’ve got to tell you. I want to explain how much of a city guy I really am: I don’t like water; I hate water. I don’t know how to swim. So the only water I like is the water I drink, and the only water I can deal with is the shallow water that reaches approximately the knees. And I’m not

a tall kind of guy; I’m short, really. So if it’s above my knees it begins to scare me. I don’t like hanging around water; I don’t like hanging around pools. I just don’t like water. In fact, I hate being around water. I hate being around the sea because the sea is so intimidating, so powerful. I’m in awe of the sea when I stand by it. I respect the power of the sea and I respect the power of water in that instance. So I fear it, but I am indeed in deep awe of the power of nature and the power of the sea, the power of the waves, so I want to stay away from it. But I am very profoundly respectful of the water. I want to stay above it, never under, I’ve got to tell you.

Second, I am rarely north of Lawrence. If I have to travel above Lawrence for one reason or another, it’s a problemo, I’ve got to tell you. I respect parts of Scarborough, Etobicoke, the GTA, anything north of the GTA; I have gone to a cottage from time to time. But if it’s not urbanized, I can’t deal with it. I hate mosquitoes. I do. I hate mosquitoes in the city and I hate them in cottages, particularly at night when you’re sleeping and the mosquitoes buzz around, waking you up. God bless you folks living up north and in the far rural communities. I can’t even take mosquitoes.

I remember going to Newfoundland once with my brother and many others, and I remember this fine man, Mr. Evans. I’ve got pictures of this. My brother was in this mask, entirely covered in a scientific kind of plastic; a mosquito net, they probably call it. The mosquitoes were swarming around him. This Mr. Evans—God bless him—didn’t have anything. He didn’t move. He didn’t stir once. The mosquitoes didn’t seem to affect him. I’ve got to tell you, you admire people like that. I do. I would never go into a forest. I’ve got to say to you, the people who love to go into forests, God bless them. The whole thought of a bear coming to say hello to me in the day or at night—I just couldn’t handle it. Mosquitoes scare me; imagine bears.

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Mr. Rinaldi: Are you a wimp?

Mr. Marchese: I’m a seriously wimpy urban kind of guy—absolutely. So you never find me in a forest, in a wilderness park, but I am a strong admirer of forests, wilderness parks; I am. I love to see them as they are—from a distance, true, but I love to see them intact, untouched, as they are, pristine, as they ought to be. I think I represent a city kind of view when I speak about wilderness parks, because I think a whole lot of city people agree with me.

Interjection.

Mr. Marchese: What does it mean? You have to tell me what it means. I’d be too much afraid. Write it down and I’ll say it.

I think a lot of urban people are like me. They love wilderness parks, whether they go or not, like me. We have profound respect for nature. When I see a tree that I can’t wrap my arms around, I think it’s just an incredible feeling. I get overwhelmed, to look at a tree with a circumference—I don’t know how you would describe the circumference. Two of David’s hands couldn’t wrap

the tree, it's so thick. I'm a deep admirer of that kind of thing. Nature is powerful, and I respect it deeply, even if I am afraid of heights, of water, of wilderness parks. Maybe it's because of such fear that I'm in awe of each and every one of the elements that frighten me to death.

Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal): There's therapy for that.

Mr. Marchese: I don't need therapy. I'm a happy urban kind of guy. I don't need therapy for that. I just stay away from the things that frighten me and I'm okay. The people who need therapy are the ones who go in the wilderness park and have to face bears from time to time. They need therapy, not me. The ones who need therapy are the ones who go underwater scuba diving, and God knows what they could confront under there. Just the fear of what might happen scares me to death.

I just want to say hello to a friend on television, someone well known to one of the ministers here. Yani is his name. Hello, Yani. I bet you're watching, because I know you like this parliamentary channel. That's why he tunes in. Thank God we have enough electricity to keep this place going and to keep it alive. Otherwise what would people be doing at home at night if they couldn't watch us debating in this place? God bless. Yani, thank you for watching.

I am happy the government has introduced this bill; I am. Imagine, we haven't updated the parks act for 50 years, since 1960. That's a long time. Something that has not been updated for that long needs updating really quickly. So good or bad, you've got to say to the Liberals, it's okay, it's good that you've brought it forward. There's lots of good stuff, including—I've got to be careful about what I say because, Mr. Chair, they've used your comments whenever you've been positive. So I've got to be careful not to be too positive.

Hon. Mrs. Bountrogianni: I don't remember Michael ever being positive.

Mr. Marchese: Oh yes, they produced a leaflet talking about Michael praising some Liberal initiative. You've got to be careful, right? Because you can get abused on this side of the House. When Liberals ask questions, they say, "Oh, the member from so and so, what a great member, asked such a great question, does so many great things in the neighbourhood, in his riding, her riding." When we ask questions, we get attacked all the time. Have you noticed that?

Interjections.

Mr. Marchese: Not once have I heard—oh, maybe once or twice. The Minister of Health was very kind once to me, but that's rare, you will admit, because you beat up people pretty badly. You know that.

Interjections.

Mr. Marchese: Oh, you do. So when we ask questions, it would be nice from time to time if ministers would say, "What a great question," and, "I'm going to answer it," and, "I want to congratulate the member from Trinity-Spadina," wherever he might be, "for all the great work he does for his constituents and all the great

questions he asks from time to time." I'm not saying to do it often, because that would be inappropriate, right?

So "ecological integrity" is defined. It's in the bill and this is a good thing. It says, "Ecological integrity refers to a condition in which biotic"—"biotic" means relating to life, by the way—"and abiotic components of ecosystems and the composition and abundance of native species and biological communities are characteristic of their natural regions and rates of change and ecosystem processes are unimpeded.

"Same

"(3) For the purpose of subsection (2), ecological integrity includes, but is not limited to,

"(a) healthy and viable populations of native species, including species at risk, and maintenance of the habitat on which the species depend; and

"(b) levels of air and water quality consistent with protection of biodiversity and recreational enjoyment."

Thank you, David, for joining me. Please come back any time.

Mr. Levac: Okay.

Mr. Marchese: Obviously, conservation groups, including people like me, this urban guy, think that this is a good thing. Including ecological integrity will become a cornerstone of parks management and that's good, and I suspect that Yani agrees with me on this. I suspect he agrees with the Liberals 95% of the time, but 5%—it may be more. The 5% to 10% where he agrees with us is good, because we're building, right? It's just a matter of building on the NDP trenches.

Including ecological integrity and defining it as such I think is supported by many. Perhaps some of the people who might come in front of the committee when we have the tour might speak to it positively or might want to add, I don't know, but this is a good thing.

Generally speaking, updating this particular field is important, given that we haven't done so for 50 years. Ontarians are very proud of our provincial park system, which has been built and stewarded over several generations by all parties in this House. I think we have all made a contribution: when we were in government, when the Conservative government was there, and you fine Liberals are now doing your part. I think all political parties are doing their part.

Of course, Ontarians have also been active in the protection and management of Ontario's parks, and many groups have devoted themselves to the ongoing protection and betterment of our provincial parks and conservation reserves. The important role they have played and continue to play needs to be recognized, because governments generally tend not to act unless they are forced to act by people who are pressing them day in and day out. You've got conservation groups and environmentalists who have been pressing in this field for a long time. It is to their efforts that I refer myself and I want to praise them for the work that they have done.

This legislation is clearly a start. There are some areas that I think need improvement, and some of those areas have to do with First Nations. I believe that Bill 11—not

“I believe”; Bill 11 is silent on aboriginal and treaty rights of aboriginal peoples and their potential role in the creation, planning and management of parks and conservation reserves. For example, there is nothing here regarding the co-management of protected areas with First Nations. These shortcomings, in my view and in the view of many New Democrats, are out of step with the new protected area legislation in other jurisdictions, which has come to reflect an increasing understanding and appreciation of aboriginal rights and interests with regard to protected areas.

First, to ensure that the rights of First Nations are properly respected in this act, this act needs to include a clause clearly stating that nothing in the act shall be construed as to abrogate, which in non-legal parlance means “to annul,” or derogate, which for us normal human beings means “to take away,” from the protection provided for existing aboriginal or treaty rights of aboriginal peoples of Canada, as recognized in section 35 of the Constitution Act, 1982.

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Aboriginal people speak strongly about this, and we believe that we should include language that protects what aboriginal people have given us, have given Canadians, by way of their interest in protecting nature that I think we have to respect and address in a way that properly reflects their concerns.

The bill must clearly state that prior to establishing a new protected area or expanding an existing protected area, the minister is required to identify and consult with all affected First Nation communities whose lands or traditional territories may be affected by the establishment or expansion of the protected area. We believe you should. We don’t know why you haven’t included language that speaks to that, but I think you need to reflect on it. It is my hope that aboriginal communities will come to the committee hearings to state their concerns, as I believe they will.

At present, there are no provisions in the bill to ensure that in the formulation of management plans for parks opportunities for co-operative or joint management with local First Nation communities have been explored, and they need to be. First Nations should also be able to nominate areas of cultural significance for protection, such as important fish and wildlife areas, areas important to maintaining traditional ways of life, and sites or villages, or rock paintings. Such sites would be considered for full management by the relevant First Nation.

These are issues that I believe the government needs to address, and that’s why we need hearings. My colleague Gilles Bisson often makes mention of this. He had introduced Bill 97, and it was called the First Nations Resource Revenue Sharing Act. He introduced it in 2004. This bill had been taken on the road, but it didn’t go very far. The McGuinty government did not want Gilles Bisson and others to finish the job. So First Nations still lack a revenue-sharing framework in Ontario, because the bill

that had had a tour for discussion, around which many suggestions were made, never saw the light of day because it was never supported by the government. The McGuinty government talked about a new relationship with First Nations, but after almost three years in government, in my humble view, it’s more broken promises, and no resource revenue-sharing agreement is in place to help alleviate the poor water quality and poverty confronting First Nations communities.

I wanted to talk about that, and I wanted to talk in the last two minutes about motorized vehicles in wilderness parks. I want to tell you what the current definition says. The current definition of wilderness class parks, which has been used for decades, states the following: “Wilderness parks are substantial areas where the forces of nature are permitted to function freely and where visitors travel by non-mechanized means and experience expansive solitude, challenge and personal integration with nature.” This is the current language.

Bill 11 weakens this definition by replacing “where visitors travel by non-mechanized means” with the phrase “where visitors travel primarily by non-motorized means.” That is not defined. People are worried that this change in wording weakens the definition of wilderness class park and could potentially affect the ecosystems protected by wilderness parks and the wilderness experiences sought by those who visit them. The definition of “primarily” could mean that someone could—I don’t know—walk 60% of the way and then maybe use a motorized vehicle for the rest of the way. I really don’t know what it means. I don’t know how that is defined. I don’t know what it means by way of the use of all-terrain vehicles, those crazy four-wheelers that can go to all sorts of places.

Frankly, I’m concerned about the language, and I am not the only one. I would suggest that the definition of wilderness class park must remain as it is at present and not as recommended in Bill 11. Hearings, obviously, are a must. These two issues are important to me as an urban guy, but I suspect there are a whole lot of people like me who worry about these two particular issues that I’ve raised. Monsieur Gilles Bisson has raised others. I’m sure my colleagues who will speak to this will raise other concerns, but the hearings obviously will give everyone an opportunity to speak to that, to praise you where it is needed and to tell you where changes need to be made.

We, of course, expect hearings. We don’t have to demand them, because the government will have to have them. Yes, you’ve had conversations with groups. Whether they have been adequate or not is yet to be determined on the basis of what people will tell us, once we have hearings across the province, and so, with that, I look forward to them.

The Acting Speaker: The time being nearly 9:30 of the clock, this House stands adjourned until tomorrow at 1:30.

The House adjourned at 2125.

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