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Mercredi 4 mai 2011

**Standing Committee on
General Government**

Ontario Forest Tenure
Modernization Act, 2011

**Comité permanent des
affaires gouvernementales**

Loi de 2011 sur la modernisation
du régime de tenure forestière en
Ontario

Chair: David Orazietti
Clerk: William Short

Président : David Orazietti
Greffier : William Short

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 4 May 2011

Mercredi 4 mai 2011

The committee met at 1620 in room 228.

ONTARIO FOREST TENURE
MODERNIZATION ACT, 2011
LOI DE 2011 SUR LA MODERNISATION
DU RÉGIME DE TENURE FORESTIÈRE
EN ONTARIO

Consideration of Bill 151, An Act to enact the Ontario Forest Tenure Modernization Act, 2011 and to amend the Crown Forest Sustainability Act, 1994 / Projet de loi 151, Loi édictant la Loi de 2011 sur la modernisation du régime de tenure forestière en Ontario et modifiant la Loi de 1994 sur la durabilité des forêts de la Couronne.

The Chair (Mr. David Oraziotti): Good afternoon, everyone, and welcome back to the Standing Committee on General Government. We're here this afternoon for clause-by-clause on Bill 151.

I understand that there are a number of amendments that are going to be withdrawn, so perhaps I'll let you speak to that, Mr. Hillier.

Mr. Randy Hillier: Yes, thank you, Chair. Seeing as the government has generously allotted us about 45 minutes to debate and correct the failings of Bill 151, I'm going to withdraw PC motions 4 through 124, inclusive, and 145 through 267, inclusive.

I should also put on the record that it was nice to see the mayor from Dubreuilville here today, complaining about Bill 151 as well.

Mr. Michael A. Brown: She was not here to do that.

The Chair (Mr. David Oraziotti): All right, let's just speak to the—are there any other amendments?

Mr. Gilles Bisson: No.

The Chair (Mr. David Oraziotti): Okay. We're going to come back to it.

Mr. Brown, do you have anything with regard to the amendments? I just want to get straight, first of all, what we're dealing with on the bill.

Mr. Michael A. Brown: Yes, 124.1.

The Chair (Mr. David Oraziotti): It's withdrawn?

Mr. Michael A. Brown: To be withdrawn, yes.

The Chair (Mr. David Oraziotti): Okay, 124.1?

Mr. Michael A. Brown: Motion 124.1.

The Chair (Mr. David Oraziotti): Is that it from the government side, Mr. Brown?

Interjection.

The Chair (Mr. David Oraziotti): Mr. Bisson, do you have anything to add on the amendments that are before us?

Mr. Gilles Bisson: No.

The Chair (Mr. David Oraziotti): So what you've submitted is on the floor?

Mr. Randy Hillier: Chair, the package that I have does not include 124.1.

The Chair (Mr. David Oraziotti): The packages are double-sided, so perhaps it's on—

Mr. Randy Hillier: Oh, yes. My mistake.

The Chair (Mr. David Oraziotti): Okay, so 124.0.1 is in and 124.1 is out—government motion. Your motion is still on the floor: 124.0.1.

Mr. Hillier, if you—

Mr. Steve Clark: Can I just say something, Chair?

The Chair (Mr. David Oraziotti): Mr. Clark, go ahead.

Mr. Steve Clark: I just want to say how disappointed I am. We made a decision here, because there were no public hearings, that we were going to have live streaming of our proceedings. I think Mr. Hillier brought up earlier in committee the fact that the advertising for the live streaming was really poor at best. The notices didn't include that this was live-streamed. It was very innocuous on the website. It was just generally a very terrible job to promote this, and then for us to have clause-by-clause and to have again—we've moved now to 228, which I know has no capabilities to live-stream like we had in the Amethyst Room. So I just want to put on the record how extremely incensed I am that we made a decision here in committee and it wasn't carried out on Bill 151. It's just a real lack of carrying out the committee's direction.

The Chair (Mr. David Oraziotti): Well, I appreciate your comments on that matter, Mr. Clark, but, certainly, during discussion at committee, it was both my interpretation and the clerk's interpretation that the streaming was with respect to the committee presenters and the deputations that we were going to hear from the public, as opposed to—

Mr. Steve Clark: Chair, if we're going to have access—

The Chair (Mr. David Oraziotti): —not just the clause-by-clause portion.

Mr. Steve Clark: My comments stand.

The Chair (Mr. David Oraziotti): Do you want to move section 1, your amendment number 0.1?

Mr. Randy Hillier: I move that the bill be amended by adding the following section:

“Purpose

“1.1(1) The purpose of this act is to establish no more than two pilot Ontario local forest management corporations over an initial full business cycle that begins on the day this section comes into force and ends no earlier than on the fifth anniversary after the day this section comes into force and no later than the seventh anniversary after the day this section comes into force.

“Assessment of pilot corporations

“(2) At the end of the initial full business cycle and before any further Ontario local forest management corporations can be established, the two pilot Ontario local forest management corporations,

“(a) shall be assessed through an independent review against prescribed criteria; and

“(b) shall be compared using the same prescribed criteria to alternative tenure models, including sustainable forest licences issued under section 26 of the Crown Forest Sustainability Act, 1994.

“Initial full business cycle

“(3) Subject to the time periods set out in subsection (1), the Lieutenant Governor in Council shall determine the length of the initial business cycle.

“Conflict

“(4) In the event of conflict between this section and any other section of the act, this section prevails.”

I might just add that it is nice to see that the government has put forward a couple of amendments that begin to address some of the concerns expressed by people at the committee. I believe the PC motion is far more thorough and complete on meeting the expressed concerns that we heard.

The Chair (Mr. David Oraziotti): Just for a point of order here in terms of process—and I’ll certainly let you come back to the comments around this motion, 0.1—I’ve been informed by the clerk that there is, as part of the package, a section 1, of which there are no amendments to. We need to vote on that first, and then we can come back to the new section here that you’re proposing, section 1.1.

Mr. Randy Hillier: Do I have to reread it?

The Chair (Mr. David Oraziotti): No, you won’t.

So I’m going to ask that we vote on section 1 first, and then you can come back to your motion.

All those in favour of—

Mr. Gilles Bisson: Recorded vote.

The Chair (Mr. David Oraziotti): Recorded vote. Section 1 of the bill: All those in favour?

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson.

The Chair (Mr. David Oraziotti): Okay, section 1 is carried.

So back to your motion, 0.1: section 1.1. Go ahead, if you had any further comments on that.

Mr. Randy Hillier: I don’t have any further comment.

The Chair (Mr. David Oraziotti): Mr. Brown?

Mr. Michael A. Brown: The government will not be supporting this motion. We do, as Mr. Hillier has pointed out, address these issues in our motions 2.1 and 124.2.

Mr. Randy Hillier: I think it’s very clear why I’ve put this motion forward: It’s up front, nice and clear, and for everybody to know exactly what the purpose of this bill is. As I said, although the government motions take steps, they fail to address fully the concerns that were expressed by so many communities and industries and individuals to this committee.

The Chair (Mr. David Oraziotti): Mr. Bisson?

Mr. Gilles Bisson: I want to support the Conservative motion for the following reason: It seems to me that it is substantive, and it’s more substantive on a couple of points. First of all, the government amendment, 124.2, is not as prescriptive as what we see in this particular motion brought forward by the PC caucus.

What it seems to me that they’re attempting to do here, which makes some sense, is to ascribe some form of direction as to what’s going to happen at the end of the five-year review through what is recommended under 1.1(2)(a) and (b), that the assessment will be done by an independent group in order to determine what happens: Was it successful? Wasn’t it successful? What did we learn? There are some criteria in order to be able to do that in a way that I think is much more independent than what the government has here.

The motion that the government has, which I can’t speak to now because it’s not on the floor—I’ll speak to it later, but I’m just generally saying that it’s not as prescriptive. So I would support the motion on the basis that it’s more prescriptive than the government one.

The Chair (Mr. David Oraziotti): Okay. Any further comment?

Mr. Randy Hillier: Lastly, I hope the government side appreciates and understands that this amendment is not done in any partisan fashion. It’s just prescribing and demonstrating that the review of the LFMCs—and that’s what we want to see: a full and complete review of those LFMCs; that we know what the review is and that there are the mechanisms in place for that full and proper review.

The Chair (Mr. David Oraziotti): Any further comment? All those in favour?

Mr. Gilles Bisson: Recorded vote.

The Chair (Mr. David Oraziotti): A recorded vote has been called for. All those in favour of PC motion 0.1?

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Orazietti): The motion is lost. NDP motion 1—

Mr. Gilles Bisson: This is on section 2, right?

The Chair (Mr. David Orazietti): Yes, section 2.

Mr. Gilles Bisson: I move that section 2 of the bill be amended by adding the following subsections:

“Duty to consult etc.

“(2) In administering this act, the minister shall do so in a manner,

“(a) that is consistent with the recognition and affirmation of existing aboriginal and treaty rights in section 35 of the Constitution Act, 1982, including the duty to consult; and

“(b) that accommodates First Nations.

“Definition

“(3) In this section,

“‘First Nation’ means a band within the meaning of the Indian Act (Canada).”

1630

It’s pretty straightforward. We’ve done similar provisions within the Mining Act, which I thought, of all the changes in the Mining Act, there were some that were positive. I thought this was a positive move on the part of the government, and I ask that we do the same in this particular legislation.

The Chair (Mr. David Orazietti): Mr. Brown?

Mr. Michael A. Brown: The government will not be supporting this amendment. The bill is about the creation of local forest management companies, whose stated objective or purpose includes provision of economic development opportunities for aboriginal people. The province will continue to respect and fulfill its obligations that arise pursuant to section 35 of the Constitution Act, 1982, and will continue to consult on activities such as forest management planning as appropriate.

The Chair (Mr. David Orazietti): Mr. Bisson, go ahead.

Mr. Gilles Bisson: I do not want to prolong the debate because we’re under time allocation, but it seems to me that if the government is saying it wants to do that in the first place, then why not put it in the legislation? To me it seems to be a bit of a no-brainer. It is about what happens in this act. How this act is going to be used in the future is going to affect a number of First Nations in the Far North and across northern Ontario itself. It seems to me that doing what we did in the Mining Act, at the very least, is not a bad thing.

The Chair (Mr. David Orazietti): Mr. Hillier?

Mr. Randy Hillier: I will be supporting the NDP motion. I’m very surprised that the government is not supporting this, as Mr. Bisson has identified it was recognized for the Mining Act. But I guess the improvements to the Mining Act don’t extend to the forestry business.

The Chair (Mr. David Orazietti): Further comment?

Mr. Gilles Bisson: Recorded vote.

The Chair (Mr. David Orazietti): A recorded vote has been called for.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Orazietti): The motion is lost. Shall section 2 carry? All those in favour? Opposed? Section 2 is carried.

Section 3: Conservative motion 2.

Mr. Randy Hillier: I’m going to withdraw that motion, as it’s covered by a government motion later on.

The Chair (Mr. David Orazietti): The motion has been withdrawn.

Motion 2.1: Mr. Brown.

Mr. Michael A. Brown: I move that subsection 3(1) of the bill be amended by adding “on the recommendation of the minister” at the end.

It just merely cleans up the bill. It’s a housekeeping measure.

The Chair (Mr. David Orazietti): Mr. Bisson.

Mr. Gilles Bisson: I’m not hostile—I might be hostile to the amendment; I’m not sure. Tell me if I can ask legislative counsel a question: The way that 3(1) works now, basically cabinet can do what it wants, because the Lieutenant Governor in Council—that’s basically what that is. Why put “minister”? What strength? What weakness? What does it do?

Mr. Albert Nigro: By adding the term “on the recommendation of the minister,” it makes it clear that the minister responsible for this statute would have to recommend that the regulation incorporating a local forest management corporation be made, be brought forward.

Mr. Gilles Bisson: Let’s say the Premier wanted to do it and the minister didn’t want to do it. Do you have an impasse? Is that what you’re getting at? It’s kind of bizarre.

Mr. Albert Nigro: In the system of cabinet government under which we work—

Mr. Gilles Bisson: You’d be fired. I’d understand.

Mr. Albert Nigro: —I don’t know that that would work.

Mr. Gilles Bisson: You’d be fired. My point is, you don’t need this for the minister to do what he or she needs to do under that section.

Mr. Albert Nigro: One would presume that in a cabinet model, the minister responsible for this legislation would be involved in the decision to incorporate one of the local forest management corporations.

Mr. Gilles Bisson: That’s right. My last question: There’s lots of legislation written, “same as sub (3)”; lots of other legislation where we use the same type of language. We don’t put “minister”; we say, “the Lieutenant Governor in council may, by” blah, blah, blah. Right?

Mr. Albert Nigro: That’s correct.

The Chair (Mr. David Orazietti): Mr. Hillier.

Mr. Randy Hillier: I think I might just add for clarity that it appears that this motion is fluff and nonsense. It doesn't add or change anything in the bill.

The Chair (Mr. David Oraziotti): Any further comments? All those in favour? Those opposed? The motion is carried.

Conservative motion number 3.

The Chair (Mr. David Oraziotti): Originally it said number 4 to 124; 3 through 124. Conservative motion number 3 is withdrawn as well, for the record.

That brings us to your motion 124.0.1, Mr. Hillier.

Mr. Randy Hillier: I move that section 3 of the bill be amended by adding the following subsection:

“Limitation

“(1.2) Despite subsection (1), the Lieutenant Governor in Council shall not incorporate any Ontario local forest management corporation unless,

“(a) no sustainable forest licence has been issued under section 26 of the Crown Forest Sustainability Act, 1994 for the area where the proposed Ontario local forest management corporation is to operate; or

“(b) if a sustainable forest licence has been issued, the licensee agrees to the incorporation of the Ontario local forest management corporation.”

If I might just add to that, Chair, looking at the government motions and what the Ontario Bar Association has indicated to the committee, there needs to be absolute clarity about the minister's authority. There also has to be a level of certainty and assurance to the forestry industry. Those proposed government motions, again, are the right step. This PC motion adds far more clarity and adds that certainty to the forestry industry.

Mr. Michael A. Brown: What are you reading?

Mr. Randy Hillier: Motion 124.0.1.

The Chair (Mr. David Oraziotti): Any comment?

Mr. Michael A. Brown: I was wondering why we want to do this.

The Chair (Mr. David Oraziotti): Mr. Hillier, do you want to elaborate?

Mr. Randy Hillier: Can I get my—

Mr. Gilles Bisson: I can explain it for you.

The Chair (Mr. David Oraziotti): Mr. Bisson, go ahead.

Mr. Gilles Bisson: As I read it, it's to make clear that you can't create an LFMC on somebody's existing licence unless the existing licensee says yes. That's essentially what this is doing. It basically says that you can only create an LFMC from crown land that is not under licence. That's basically what it's saying, and if you're going to create one that is under licence to a company, it can't happen without their consent.

Mr. Michael A. Brown: I think this strikes to the heart of the bill. We will not be supporting it.

The Chair (Mr. David Oraziotti): Mr. Hillier?

Mr. Randy Hillier: I have to say, we've heard from so many, including today the mayor of Dubreuilville and what not, that there needs to be a level of assurance and certainty. That is what's scaring the bejesus out of everybody in forestry, Mike. This still gives the minister the

authority; okay? It puts that criteria in place that the minister has the authority, but there's stability, confidence, certainty, and that there is agreement when there's already a licence holder in that area.

I'm not sure where exactly you're proposing these LFMCs, and that's some of the concern. This just gives that level of certainty. If there's a licence holder there, let the government work together with the licence holder to come to that agreement.

1640

The Chair (Mr. David Oraziotti): Further comment?

Mr. Gilles Bisson: Well, the cat's out of the bag. If the government's not prepared to accept this motion, then it means to say that they agree with the premise that people have put before the committee, which is that the minister's going to have the ability to kill—not necessarily kill the licence; that comes later in the bill, but would be able to create an LFMC by taking somebody else's licence. That's what essentially—if you don't allow this, the minister has the ability to say, “Tembec, Eacom”—whoever it is—“we want this particular part of your forest. We think that you're not using it. Therefore, we're taking it and we're creating an LFMC.” If you don't put this in the legislation, that's what you're going to be allowed to do.

Clearly, what we heard from Eacom, what we heard from Abitibi, what we heard from St. Marys Paper, what we heard from Tembec and others who were giving some support to the bill, was, “We need to make sure that you don't put our licences at risk.” Not accepting this amendment says you're putting those licences at risk.

Mr. Steve Clark: Chair, if this was a curveball—I know there was a little confusion with the motion—if you want to take a minute to consult, this is a really important part. If there's ever any doubt, from your standpoint, just take a minute and consult your staff. I think it's a very reasonable amendment. Mr. Hillier and Mr. Bisson have made excellent points. If you want to consult—I know we only have 40 minutes, but it's a pretty important amendment.

The Chair (Mr. David Oraziotti): Further comments? Seeing none—

Mr. Gilles Bisson: We've asked the question of the parliamentary—this is important. Do you believe that the act, if not amended—if we don't accept this amendment, do you believe that the minister doesn't have or has the power to cancel a licence or part of a licence?

Mr. Michael A. Brown: The bill goes on to speak to the conditions under which a local forest management company can be created.

Mr. Gilles Bisson: Yes?

Mr. Michael A. Brown: We think that is the issue the bill is here to address. I don't think this is a necessary amendment. The government has never in its history in Ontario, under any stripe, for capricious reasons, cancelled anybody's licence, so I think it's totally unnecessary.

What I do dare suggest is that the two opposition parties have totally different views of the way the

Queen's forest is operated on behalf of the people of northern Ontario and the people of Ontario. The government does need to look after its own forests. We're just trying to clarify the fact that the government needs to move in the direction that the bill spells out. I don't understand why there is any real difficulty with what we are saying, given what the other amendments in this bill suggest.

The Chair (Mr. David Oraziotti): Mr. Hillier.

Mr. Randy Hillier: Let me say this: I don't know if anybody on the government side has read the amendments, but 134.1 is a government amendment that begins to approach this.

I am disappointed with the parliamentary assistant's comments. This goes back to a concept called the rule of law. If you read your amendment, the minister still has the complete authority, with such wide latitude, to cancel the livelihood, the licences, the allocations. The only thing you've changed from the original bill with your amendments is, you've said that now it has to be desirous of the minister to want to create an LFMC; right? You've disregarded all the legal arguments presented by the Ontario Bar Association and you're still creating that uncertainty and that instability in forestry. I said that at the beginning: You have taken some steps, but you've missed the essence. You've lost the concept that there ought to be agreement. I find it amazing that you've come up with this amendment and that's the only restriction you've placed on the minister, that it's desirous to create an LFMC.

The Chair (Mr. David Oraziotti): Further comments? Mr. Bisson.

Mr. Gilles Bisson: Well, we're running out of time, and the sad part is, we're probably not going to get to amendment 134.1, which speaks to this. As I read what the government is proposing in the bill and the further amendments coming under 134.1, you clearly give yourself the right to cancel somebody's licence.

What this particular amendment does is say you wouldn't be able to create an LFMC unless it's land that is not licensed by way of the act, or there's an agreement on the part of the licensee. It has been long understood in this province since the early 1990s and even before—and that's what we tried to do under the sustainable forestry development act: give some security of tenure to those people who are operating so that they can do the financing they've got to do to keep their mills modern and do all the stuff that they've got to do.

It seems to me that if we're trying to give some assuredness to the forestry sector that we're not going to muck around with their licences, the very least we can do is accept that motion. I would move that we accept that motion.

We'll get to your little amendment later which is, to me, beyond the pale.

The Chair (Mr. David Oraziotti): Any further comment? Seeing none—

Mr. Randy Hillier: Recorded vote.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jacek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. The next motion, 124.1, for the record, has been withdrawn.

Mr. Gilles Bisson: Which one?

The Chair (Mr. David Oraziotti): Motion 124.1 was withdrawn.

Motion 124.2: Go ahead, Mr. Brown.

Mr. Michael A. Brown: I move that section 3 of the bill be amended by adding the following subsections:

“Recommendation of minister

“(1.1) Before he or she makes a recommendation for the incorporation of an Ontario local forest management corporation, the minister shall ensure that a review is conducted and shall have regard to the review in deciding whether or not to make a recommendation under this section.

“Same

“(1.2) For purposes of deciding whether or not to make a recommendation under this section, the minister may have regard to a review that was conducted or updated within three years before the minister decides whether or not to make the recommendation.

“Contents of review

“(1.3) The review shall consider any existing Ontario local forest management corporations and other entities that hold sustainable forest licences granted or extended under section 26 of the Crown Forest Sustainability Act.

“Exception, first five years

“(1.4) Despite subsection (1), the Lieutenant Governor in Council shall establish no more than two Ontario local forest management corporations during the five year period that begins on the day this section comes into force and ends on the fifth anniversary of the day this section comes into force.

“Same, first two corporations

“(1.5) Subsection (1.1) does not apply with respect to the incorporation of the first two Ontario local forest management corporations.”

The Chair (Mr. David Oraziotti): Any further comment?

Mr. Randy Hillier: I'll just say we'll be voting against this motion because again it's fluff and nonsense. There are a lot of words with no substance once again. Who's going to review it? Is it going to be tabled in the Legislature? None of the oversight is included in this. It's an appeasement motion with no substance.

The Chair (Mr. David Oraziotti): Any further comment?

Mr. Gilles Bisson: If you go to the end of that motion with regard to the first two corporations, it says, “Subsection (1.1) does not apply with respect to the incorporation of the first two Ontario local forest management

corporations.” For the first two that we create, it does not have to—“Before he or she makes a recommendation for the incorporation of an Ontario local forest management corporation, the minister shall ensure that a review is conducted and shall have regard to the review in deciding whether or not to make a recommendation under this section.” You’re exempting yourself from actually having a review on the first two. If you follow the logic of how this works, it means to say that the amendment that you’re bringing forward saying you can’t do more than two doesn’t really mean anything. It’s a pretty wide-open door; would you not agree, monsieur l’Assistant parlementaire?

1650

Mr. Michael A. Brown: I would not agree. This section is in place to limit the number of local forest management corporations to two. That is quite simply what it does. We can’t have a review of a forest management corporation that does not yet exist, so I’m not really clear what you’re suggesting, Monsieur Bisson.

Mr. Gilles Bisson: What you’re saying in this amendment is that before he or she makes a recommendation for the incorporation of an Ontario local forest management corporation; I assume you mean the first two. Is that not what you’re getting at in (1.1), “the minister shall ensure that a review is conducted”? If what you’re trying to say in this amendment is that you can’t do more than two, then why would you need to put (1.1) into that? It’s kind of an argument coming back on itself.

Mr. Michael A. Brown: No, I don’t—

Mr. Gilles Bisson: Just follow the logic.

Mr. Michael A. Brown: Let’s have legal counsel perhaps help us with it, because I don’t read it that way.

Mr. Gilles Bisson: The intention of (1.1) is to have a review, right?

Mr. Albert Nigro: The intention of (1.1) is to prevent the minister from making a recommendation in general until a review is conducted; that’s right.

Mr. Gilles Bisson: That’s right. So then, at the very end, under (1.5) it says, “Subsection (1.1) does not apply with respect to the incorporation of the first two Ontario local forest management corporations.” Do you follow what I’m getting at?

Mr. Albert Nigro: I’m not sure that I do, Mr. Bisson, but what it means is that the first two are not subject to the review process.

Mr. Randy Hillier: Yes—

Mr. Gilles Bisson: Well, then, do you plan on making—

Interjections.

Mr. Gilles Bisson: No, no, but my point is, does that mean that you’re planning on making more than two?

Mr. Steve Clark: I’m following you.

Mr. Gilles Bisson: It’s kind of weird.

Mr. Randy Hillier: Let me see. This is quite a circular argument on this motion.

Mr. Steve Clark: It’s a circus.

Mr. Randy Hillier: The first two LFMCs are not subject to the review. You can only create two, so you can’t

have a review on something that doesn’t exist, and the first two are exempt from the review.

Mr. Michael A. Brown: Because they don’t exist. How can you review before you make the recommendation?

Mr. Randy Hillier: The first two are exempt from review. I think the government should very much reconsider the wording of that motion.

The Chair (Mr. David Oraziotti): Any further comment?

Mr. Gilles Bisson: Recorded vote.

The Chair (Mr. David Oraziotti): A recorded vote has been called for on government motion 124.2.

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson, Clark, Hillier.

The Chair (Mr. David Oraziotti): The motion is carried.

Next motion, Conservative motion 125.

Mr. Randy Hillier: I move that a new subsection be added to the bill as section 3(4), and that it state the following:

“3.(4) All local forest management corporations are to be examined under the criteria of financial viability after a period of five years, with the resulting report to be tabled in the Legislature.”

It’s very clear, very concise. There’s no circular or circus with this one. I don’t imagine the government will support it for that reason.

Mr. Michael A. Brown: That’s creative.

The Chair (Mr. David Oraziotti): Mr. Brown?

Mr. Michael A. Brown: We will not be supporting this measure.

The Chair (Mr. David Oraziotti): Any further comment?

Mr. Randy Hillier: Yes. As I said at one of our earlier committees, to diminish yourselves within this Legislative Assembly is one thing. You’re diminishing the next generation of legislators when you turn down motions that would allow the Legislative Assembly to scrutinize and evaluate the activities of subordinate bodies of this Legislature, and that is an atrocious position by the members of this committee and by the government, to actually dismiss and prevent future legislators from reviewing the conduct and the efficacy of our subordinate bodies.

The Chair (Mr. David Oraziotti): Any further comment? Seeing none—

Mr. Randy Hillier: Recorded vote.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. Conservative motion number 126: Mr. Hillier.

Mr. Randy Hillier: This is very similar. I move that a new subsection be added to the bill as subsection 3(5) and that it state the following:

“3(5) All local forest management corporations are to be examined under the criteria of the benefit gained by local communities through the operation of the local forest management corporation after a period of five years, with the resulting report to be tabled in the Legislature.”

With the previous motion struck down, this one becomes a little bit moot, but it demonstrates where the focus ought to be as well: on our communities in northern Ontario.

The Chair (Mr. David Oraziotti): Any further comment? Mr. Brown? Mr. Bisson?

Mr. Randy Hillier: Recorded vote.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. Conservative motion number 127: Mr. Hillier.

Mr. Michael A. Brown: Motion 127 or 126?

The Chair (Mr. David Oraziotti): Motion 127.

Mr. Randy Hillier: I move that a new subsection be added to the bill as subsection 3(6) and that it state the following:

“3(6) Upon the tabling of the reports as stated in section 3(4) and section 3(5), the Legislature may vote to disallow the continued operation of all local forest management corporations.”

I believe, Chair, that that motion will now be out of order.

The Chair (Mr. David Oraziotti): Correct. It was dependent on the last one carrying, so this motion is out of order. You're correct, Mr. Hillier.

That's all of them for section 3. Shall section 3, as amended, carry? Opposed? Okay, the section is carried.

Section 4: There are no amendments. Shall section 4 carry? Carried.

Section 5, Conservative amendment 127.1: Mr. Hillier.

Mr. Randy Hillier: I move that paragraph 2 of section 5 of the bill be struck out and the following substituted:

“2. To provide for economic development opportunities for northern and rural communities.”

The Chair (Mr. David Oraziotti): Any further comment?

Mr. Randy Hillier: Again, I think it's a nice house-keeping measure that we demonstrate the objective of this legislation: that it's not just some wishy-washy future mandate; that this is to provide for economic development opportunities.

Indeed, the only way that we can be accountable is if we state objectives within the legislation. The way the bill reads right now is, “To carry out such other objects as may be prescribed by regulation.” We don't know what that is. Nobody here can hazard a guess as to what that actually is. When you have statements such as that, there is no way any government can be held to account.

The Chair (Mr. David Oraziotti): Any further comments? Okay, seeing none, Conservative motion number 127.1—

Mr. Randy Hillier: Recorded vote.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. Conservative motion number 127.2: Mr. Hillier.

Mr. Randy Hillier: I move that section 5 of the bill be amended by adding the following paragraph:

“4.1 To positively impact the Ontario forest product sector.”

I'd like to see who's opposed to that statement.

The Chair (Mr. David Oraziotti): Any further comments?

Mr. Randy Hillier: No comment. Recorded vote.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. Shall section 5 carry? Section 5 carries.

1700

Folks, just for your information, according to the order of the House, as of 5 o'clock all of the motions that are remaining before us are ordered read into the record and we'll proceed to vote on them in the order that they fall here.

There are no amendments in sections 6, 7, 8, 9, 10, 11, 12 and 13. Shall sections 6 to 13 carry? All those in favour?

Mr. Gilles Bisson: Recorded vote.

The Chair (Mr. David Oraziotti): A recorded vote has been called for on sections 6 through and including 13.

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson, Clark, Hillier.

The Chair (Mr. David Oraziotti): Section 14, Conservative motion number 128. All those in favour of section 14, Conservative motion number 128?

Interjection.

The Chair (Mr. David Oraziotti): The Conservatives have motion 128. It's assumed read into the record, so if the government wishes to defeat it, they need to vote against the motion. All those in favour of Conservative motion 128?

Mr. Randy Hillier: Recorded vote.

The Chair (Mr. David Oraziotti): According to the standing orders, all of the recorded votes after 5 o'clock get bumped to the end of proceedings, and they'll get dealt with in the order. If you choose to do that for all of them, we'll be voting on a recorded vote for all of them.

So a recorded vote has been called for on 128.

Conservative motion number 129: All those in favour of Conservative motion number 129?

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Recorded vote. Okay.

Mr. Randy Hillier: You're not allowed to read them into the record?

Mr. Bas Balkissoon: Not anymore.

The Chair (Mr. David Oraziotti): No, they're deemed read into the record.

Motion 130?

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Recorded vote on 130.

Sections 15 through and including 27: There are no amendments proposed in 15 to 27. Shall those sections carry? Opposed? Those sections are carried.

Section 28, Conservative motion number 131.

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): A recorded vote's been called for.

Motion 132, Conservative motion—

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Right. Motion 133?

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Motion 134, Conservative motion.

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Okay. Government motion 134.1. All those in favour?

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Okay. Conservative motion 135.

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Okay. Motions 136 through and including 142 are all Conservative motions. You wish recorded votes on all those?

Interjection.

The Chair (Mr. David Oraziotti): A recorded vote's been called for for motions 136 through and including 142. They're all Conservative motions.

Motion 143, a government motion. All those in favour?

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Okay. Motion 144?

Interjection: Recorded vote.

The Chair (Mr. David Oraziotti): Okay. All of the other motions were withdrawn. That's it.

We'll go back to the recorded votes. A recorded vote has been called for for all remaining motions that are on the floor.

Section 14, Conservative motion 128.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion's lost. Conservative motion number 129.

Ayes

Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. Conservative motion number 130: A recorded vote has been called for.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost. Shall section 14 carry? A recorded vote has been called for. We deal with it right now.

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson, Clark, Hillier.

The Chair (Mr. David Oraziotti): Section 14 is carried.

Fifteen through and including 27 have been voted on. Conservative motion 131, section 28: A recorded vote was called for.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): Okay, it's lost.
Section 28, Conservative motion number 132.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 133.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): Okay, continuing
on section 28: Conservative motion number 134.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Government motion number 134.1.

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson, Clark, Hillier.

The Chair (Mr. David Oraziotti): The motion is
carried.
Conservative motion number 135, recorded vote.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 136.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 137.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 138.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 139.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 140.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 141.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): The motion is lost.
Conservative motion number 142.

Ayes

Bisson, Clark, Hillier.

Nays

Balkissoon, Brown, Brownell, Jaczek, Mangat.

The Chair (Mr. David Oraziotti): Government
motion number 143.

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson, Clark, Hillier.

The Chair (Mr. David Oraziotti): Carried.
Government motion number 144.

Ayes

Balkissoon, Brown, Brownell, Jaczek, Mangat.

Nays

Bisson, Clark, Hillier.

The Chair (Mr. David Oraziotti): That is carried.

Shall section 28, as amended, carry? All those in favour? Opposed? The section is carried.

That takes us to section 29. There are no amendments in section 29. Those amendments were withdrawn.

Shall section 29 carry? Opposed? It's carried.

Shall section 30 carry? It's carried.

Shall the title of the bill carry? Carried.

Shall Bill 151, as amended, carry? Carried.

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

Thank you, folks.

Mr. Randy Hillier: Well, it's nice to give northern Ontario 40 minutes of our precious time.

The Chair (Mr. David Oraziotti): Committee is adjourned.

The committee adjourned at 1711.

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