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

Monday 28 September 2015

**Standing Committee on General Government** 

Great Lakes Protection Act, 2015

# Assemblée législative de l'Ontario

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# **Journal** des débats (Hansard)

Lundi 28 septembre 2015

Comité permanent des affaires gouvernementales

Loi de 2015 sur la protection des Grands Lacs

Chair: Grant Crack

Clerk: Sylwia Przezdziecki

Président : Grant Crack

Greffière: Sylwia Przezdziecki

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

# STANDING COMMITTEE ON GENERAL GOVERNMENT

# Monday 28 September 2015

# COMITÉ PERMANENT DES AFFAIRES GOUVERNEMENTALES

Lundi 28 septembre 2015

The committee met at 1401 in committee room 2.

# GREAT LAKES PROTECTION ACT, 2015 LOI DE 2015 SUR LA PROTECTION DES GRANDS LACS

Consideration of the following bill:

Bill 66, An Act to protect and restore the Great Lakes-St. Lawrence River Basin / Projet de loi 66, Loi visant la protection et le rétablissement du bassin des Grands Lacs et du fleuve Saint-Laurent.

The Chair (Mr. Grant Crack): Good afternoon, everyone. I'd like to call the committee meeting to order. This is the Standing Committee on General Government. I'd like to welcome all members of the committee, as well as members of the public and staff who are here with us this afternoon.

Today we're here to go through the clause-by-clause consideration of the amendments to Bill 66, An Act to protect and restore the Great Lakes-St. Lawrence River Basin. There were 51 amendments submitted by the deadline of September 25, 12 noon, of this year.

I would just like to remind all the members of the order from the House, and I shall read that to you:

"That at 4 p.m. on Monday, September 28, 2015, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. At this time"—4 p.m.—"the Chair shall allow one 20-minute waiting period, pursuant to standing order 129(a);

"That the committee shall report the bill to the House no later than Thursday, October 1, 2015...."

So we do have another session, on Wednesday, as well. We'll see what type of progress we can make this afternoon on the clause-by-clause consideration.

Having said that, are there any general comments or discussion prior to commencement of clause-by-clause? Mr. Tabuns?

**Mr. Peter Tabuns:** Yes. Mr. Chair, as I had mentioned to you earlier, I'm asking for unanimous consent to vary the order of consideration of the motions. I have a motion, 33, that would substantially change section 9. It would separate out the powers of the Minister of Natural Resources. Given the timeline you just set out, I'd like to

seek unanimous consent now to have that motion, 33, considered at the beginning of debate on section 9.

The Chair (Mr. Grant Crack): Okay. Thank you very much. Mr. Tabuns has asked for unanimous consent to deal with the new section 9.1 prior to the actual section 9. Do we have unanimous consent? I heard a no.

Mr. Peter Tabuns: As did I, Mr. Chair. As did I.

The Chair (Mr. Grant Crack): Thank you very much. Are there any further questions or comments? Ms. Mangat?

**Mrs. Amrit Mangat:** Thank you, Chair. Chair, I would like to do opening remarks.

The Chair (Mr. Grant Crack): Go ahead.

Mrs. Amrit Mangat: Chair, I'm pleased that Bill 66, the proposed Great Lakes Protection Act, is moving its way through the committee process. Our government has been working to move forward on legislation to protect and restore our Great Lakes. As you know, this is the third version of this bill that our government has brought forward. Every time it has changed it has been improved; it has been strengthened. There has been a huge amount of consultation on Bill 66.

I would like to thank everyone who has contributed to the bill on both sides of the House, as well as our partners throughout the province. I want to thank all those who have participated and brought their ideas, concerns and passions for the Great Lakes to our discussions, such as First Nations and Métis, municipalities, farmers, conservation authorities, industry, cottagers, scientists and the people of Ontario.

Mr. Chair, in this committee we heard many valuable and positive comments from 24 presenters and received countless written submissions on different perspectives. What is clear is that many people care deeply and passionately about their Great Lakes. This proposed act recognizes the importance of the Great Lakes to Ontario's environment, economy and people. Healthy Great Lakes are vital to the success of our province.

We all know that 98% of Ontarians live within the Great Lakes and St. Lawrence River watershed. Ontario has over 10,000 kilometres of Great Lakes shoreline, and 80% of Ontarians get their drinking water from the Great Lakes. The Great Lakes contain one fifth of the world's fresh water.

The Great Lakes regional economy is the fourth largest in the world. It contributes billions of dollars to our economy through agriculture, power generation, tourism, recreation, etc. The basin supports a wide area of plants and animals, a rich ecosystem which is unique in the world. The Great Lakes power our homes and factories. They irrigate our farms and help transport goods to market.

Ontarians and visitors are attracted to their beautiful waters, waterfronts, beaches, campgrounds and parks. They are truly the envy of a world where fresh water is in an ever-diminishing supply. We must act to protect the Great Lakes and, where they are in decline, restore them to good health and ensure they are drinkable, swimmable and fishable.

In the last five to 15 years, unique changes have been recorded in the health of the Great Lakes. The lakes are under increasing stress from harmful pollution, urban growth, hardening of shorelines, invasive species, loss of natural habitats such as wetlands, and the changing climate.

Chair, I would like to briefly touch upon what this proposed bill sets out to do. The proposed Great Lakes Protection Act is enabling legislation. It includes flexible tools to work with local organizations, builds on existing programs and partners with groups for targeted action. That is why we need new initiatives to help the Great Lakes. The proposed Great Lakes Protection Act is designed to give new tools to restore and protect our Great Lakes so that they are drinkable, swimmable and fishable.

The purposes of the proposed act are: to protect and restore the ecological health of our Great Lakes and St. Lawrence River basin; and to create opportunities for individuals and communities to become involved in the protection and restoration of the ecological health of the Great Lakes-St. Lawrence River basin.

The proposed act would ensure partnership by establishing a Great Lakes Guardians' Council to provide a collaborative forum among the Great Lakes ministers and aboriginal, business, agriculture, environmental and municipal representatives to share information, identify priorities and marshal resources. Chair, we know that no man is an island. We always benefit from the ideas and advice of others.

### 1410

This act would further require monitoring and reporting programs. And this act would enable the minister to set Great Lakes science-based targets, including reducing algal blooms, and the Ministry of Natural Resources and Forestry to set wetland targets. This will require the minister to maintain the Great Lakes strategy, the first Ontario road map which lays out provincial priorities for Great Lakes protection. Further, it will also allow consultation and enable the establishment of geographically focused initiatives.

Chair, the message is clear: We cannot wait. Without the Great Lakes we wouldn't have the province we have today

During the committee process, I spoke about how passionate and dedicated our government and our leaders are when it comes to environmental issues. "North America's Largest Environmental Organization

Honours" our former Premier "Dalton McGuinty." Diane Beckett, interim executive director of the Sierra Club Canada Foundation, said, "We honour those who, despite significant challenges, make the right decisions for our environment. Premier McGuinty persevered in the face of strong dissenting forces to close power plants and create a green power industry in Ontario. No other government leader in North America has made a greater contribution to fighting climate change."

Yesterday, I was reading the Toronto Star and it mentioned that our current Premier, the Honourable Kathleen Wynne, and Premier Philippe Couillard were honoured for their leadership on climate issues. It's great news. It shows the incremental leadership of our leaders—the former and the current one.

Having said that, Chair, our future and our families' future depend on healthy Great Lakes and their ecosystems. We all have a stake in the success of our province. Our success is deeply entwined in the health of our Great Lakes.

Ontarians have shown that they deeply and passionately care about their Great Lakes. Let's channel that shared love of our Great Lakes to work together to move this bill through committee. Thank you, Chair.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Mangat. Any further questions or comments? Ms. Thompson.

**Ms. Lisa M. Thompson:** Thank you very much, Chair. I just want to share, on behalf of my colleague from Stormont–Dundas–North Glengarry—

Mr. Jim McDonell: South.

**Ms. Lisa M. Thompson:** —South Glengarry. Darn it. Sorry, I was looking at you.

I really want to share that we all care about the Great Lakes. The environment isn't painted by any political stripe. We all want to put our best foot forward. In that spirit, we actually have to make sure that everyone is aware that we do have concerns with even this third kick at the proverbial ball, so to speak, with Bill 66.

First of all, we have all seen how the stripping of local autonomy—proverbial and subliminal—has impacted rural Ontario with the Green Energy Act. We can't have a do-over with this particular bill because there is much to worry about in that regard—the manner in which it's written. The guardians' council in particular is one area of this bill that could potentially usurp, if you will, any municipal autonomy and burden local folks with red tape. So we raise a flag in that regard.

Over and above that, there's the definition of "geographically funded initiatives." Not once have we heard where the government is planning on pulling dollars from to fund GFIs. When I've been out and about, talking to people about Bill 66, volunteers who are involved in a very successful watershed, the Pine River watershed, are worried they're going to lose their funding and be handcuffed because that funding might get pulled away to offset GFIs. That's just one example that I specifically can name from my local riding.

Another issue is, we implore this government to recognize that enough is enough. When we're losing manufacturers and the demand for electricity and energy, we don't need to be building industrial wind turbines in the Great Lakes.

Just this past weekend, I had the honour to join my colleague across the floor from Kingston. We attended the Great Lakes Legislative Caucus. On Friday, we participated in a little field trip where we learned about all of the good things that are happening along the Buffalo shoreline of Lake Erie. It was interesting. They maybe had five small turbines in an area that was uninhabited. It was old industrial land. They weren't turning, which is typically the case in my riding when we look at the turbines as well. When we talked specifically about putting them into the Great Lakes, it's interesting because the one manager from Riverkeeper said, "That would become a huge issue if anyone ever tried to put it into the Great Lakes."

Again, we raised that as a flag because we don't have any assurances from government to date that they will have a moratorium with offshore turbines. We can't even get them to have a moratorium on onshore turbines. We worry about that, and the lack of respect for landowners, and, lastly, we also worry about the application of the rural lens. It wasn't too long ago that we heard, at ROMA/Good Roads, the Premier specifically touting the merits behind the application of a rural lens on all initiatives that come out of government.

PMB work as well, to be fair. I just hope that people recognize that we need people to walk their talk, because when we studied Bill 66, it potentially can impact other legislation that's already in place. I want to revisit that: the Planning Act, the Condominium Act, the Greenbelt Act, the Niagara Escarpment Planning and Development Act, the Oak Ridges moraine conservation act, the Places to Grow Act and the Lake Simcoe Protection Act.

Bill 66, as it's written today, has the opportunity to usurp and undo some really good legislation that's already in place. I'd be remiss if I didn't recognize environmental farm plans and the Nutrient Management Act as well. We already have a number of agreements in place, and that includes the Canada-Ontario agreement.

We have to make sure that in 2015 we're coming forward with legislation that makes sense and that enables people to protect our Great Lakes as opposed to taking away autonomy and taking away funding from good projects that are already happening. It will be interesting to see how the motions go this afternoon. Thank you, Chair.

The Chair (Mr. Grant Crack): Thank you very much, Ms. Thompson. Any further questions or comments?

**Mr. Peter Tabuns:** I'm here for amendments. Let's

The Chair (Mr. Grant Crack): Very good, sir.

Thank you very much for the opening remarks. We shall begin clause-by-clause consideration of the bill. We will move to part I, which is "Purposes and Interpretation." There is NDP motion number 1 on subsection 1(2), paragraph 2. Mr. Tabuns.

**Mr. Peter Tabuns:** Thank you, Chair. I move that paragraph 2 of subsection 1(2) of the bill be amended by striking out "other coastal areas" and substituting "coastal areas".

**The Chair (Mr. Grant Crack):** Thank you. Any further discussion? Mr. Tabuns.

**Mr. Peter Tabuns:** I think the need for it is obvious. I ask for a recorded vote.

The Chair (Mr. Grant Crack): Okay. There is a recorded vote request.

Ms. Mangat.

**Mrs. Amrit Mangat:** Thank you, Chair. We support this motion. Many in the government have also heard from stakeholders throughout this committee process on the need for this change. It is similar to the government motion number 2, so we will support this motion.

The Chair (Mr. Grant Crack): Thank you very much. Any further discussion? There being none, I shall call for the vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns, Thompson.

The Chair (Mr. Grant Crack): The motion is carried.

We shall move to government motion number 2, on subsection 1(2), paragraph 2. Ms. Mangat.

**Mrs. Amrit Mangat:** Chair, we withdraw it. The government withdraws this motion as it is similar to the motion number 1, which was just voted upon.

The Chair (Mr. Grant Crack): Thank you very much. We shall move to amendment number 3, NDP motion subsection 1(2), paragraph 3. Mr. Tabuns.

**Mr. Peter Tabuns:** Chair, I move that paragraph 3 of subsection 1(2) of the bill be amended by adding, "including critical habitat areas for migratory birds, bats and insects, such as important bird and biodiversity areas" at the end.

**The Chair (Mr. Grant Crack):** Thank you very much. Further discussion? Ms. Mangat.

Mrs. Amrit Mangat: Chair, the government recognizes the need to protect critical habitats. However, this motion is unnecessary given that the sub-purpose already speaks to the need to protect and restore natural habitats and biodiversity. So we will not support this motion.

The Chair (Mr. Grant Crack): Thank you. Any further discussion?

**Mr. Peter Tabuns:** A recorded vote. **1420** 

The Chair (Mr. Grant Crack): Mr. Tabuns—recorded vote.

No further discussion? I shall call for the vote.

#### Ayes

McDonell, Tabuns, Thompson.

# **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): NDP motion number 3 is defeated.

We shall move to NDP motion number 4.

**Mr. Peter Tabuns:** I move that paragraph 4 of subsection 1(2) of the bill be amended by adding "including by effectively managing urban and rural storm water, promoting green infrastructure, and protecting and restoring wetlands" at the end.

The Chair (Mr. Grant Crack): Any further discussion on the motion? Ms. Mangat.

Mrs. Amrit Mangat: Chair, the government recognizes the need for the proposed act to address climate change and make changes to the current bill to highlight this need in the purposes of the bill; however, the government will not support this motion. It's not necessary.

**The Chair (Mr. Grant Crack):** Further discussion. Mr. Tabuns.

**Mr. Peter Tabuns:** I think it is necessary. I ask for a recorded vote.

The Chair (Mr. Grant Crack): There has been a request for a recorded vote.

Any further discussion? There being none, I shall call the vote.

#### Ayes

McDonell, Tabuns, Thompson.

# Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I shall declare the result: motion lost.

**Mr. Joe Dickson:** Question?

**The Chair (Mr. Grant Crack):** We have a question from Mr. Dickson.

**Mr. Joe Dickson:** Mr. Chair, if I may: On item number 2, on the withdrawal, there is no vote required. Correct?

The Chair (Mr. Grant Crack): There is no vote on a withdrawal; that's correct, sir.

Mr. Joe Dickson: Absolutely. Okay. Thank you.

The Chair (Mr. Grant Crack): We have amendments. One amendment passed, on section 1. Shall section 1, as amended, carry? It is carried. Section 1, as amended, is carried.

We shall move to section 2. There are no amendments. Any further discussion on section 2? Shall section 2 carry? Any opposed? Section 2 is carried.

We shall move to section 3. We have NDP motion number 5 to section 3: definition of important bird and biodiversity areas. Mr. Tabuns.

**Mr. Peter Tabuns:** I move that section 3 of the bill be amended by adding the following definition:

"important bird and biodiversity areas' means areas identified as such from time to time under the Important Bird and Biodiversity Areas program, as listed on the website of BirdLife International."

The Chair (Mr. Grant Crack): Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government doesn't support this motion as it is unnecessary, given that the bill already provides for those provisions and protections. This motion is consequential to motion number 3, which the government voted against.

The Chair (Mr. Grant Crack): Any further discussion?

Mr. Peter Tabuns: A recorded vote.

**The Chair (Mr. Grant Crack):** There has been a request by Mr. Tabuns for a recorded vote.

No further discussion? I shall call the vote. Those in favour of NDP motion number 5?

#### Ayes

McDonell, Tabuns, Thompson.

#### **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare the motion lost.

We shall move to PC motion number 6, section 3, definitions of Lake Erie basin, Lake Huron basin, Lake Ontario basin, Lake Superior basin and St. Lawrence River basin. Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that section 3 of the bill be amended by adding the following definitions:

"Lake Erie basin' means,

"(a) the part of Ontario, the water of which drains into Lake Erie, including the part of Lake Erie that is within Ontario, or

"(b) if the boundaries of the area described by clause (a) are described more specifically by the regulations, the area within those boundaries;

"Lake Huron basin' means,

"(a) the part of Ontario, the water of which drains into Lake Huron, including the part of Lake Huron that is within Ontario, or

"(b) if the boundaries of the area described by clause (a) are described more specifically by the regulations, the area within those boundaries;

"Lake Ontario basin' means,

"(a) the part of Ontario, the water of which drains into Lake Ontario, including the part of Lake Ontario that is within Ontario, or

"(b) if the boundaries of the area described by clause (a) are described more specifically by the regulations, the area within those boundaries;

"Lake Superior basin' means,

- "(a) the part of Ontario, the water of which drains into Lake Superior, including the part of Lake Superior that is within Ontario, or
- "(b) if the boundaries of the area described by clause (a) are described more specifically by the regulations, the area within those boundaries;
  - "St. Lawrence River basin' means,
- "(a) the part of Ontario, the water of which drains into the St. Lawrence River, including the part of the St. Lawrence River that is within Ontario, or
- "(b) if the boundaries of the area described by clause (a) are described more specifically by the regulations, the area within those boundaries;"

The Chair (Mr. Grant Crack): Semi-colon.

Ms. Lisa M. Thompson: Yes, semi-colon.

The Chair (Mr. Grant Crack): Just didn't want you to miss one.

Ms. Lisa M. Thompson: Thank you, yes. Appreciate it.

**The Chair (Mr. Grant Crack):** Thank you very much, Ms. Thompson. Any discussion on the motion? Ms. Hoggarth.

**Ms.** Ann Hoggarth: I just want to ask, rather than us asking individually for recorded votes: We would like recorded votes on all votes, please.

The Chair (Mr. Grant Crack): Okay, there has been a request for recorded votes on all votes, so we shall proceed in that manner. Thank you very much. Any further discussion on PC motion number 6? Ms. Thompson.

Ms. Lisa M. Thompson: Chair, thank you very much. I feel that this particular motion is very important because we heard during deputations, quite loudly and clearly last week, that people are concerned with one overarching initiative, and that, really, to treat and protect the Great Lakes, they need to be recognized in their individual environments, so to speak. The definitions that I just shared are a prerequisite for the purpose of creating five sub-councils to the guardians' council. This motion was requested by numerous groups, as I mentioned, during the committee hearings, and especially those in the agricultural sector. Having these subcommittees will more completely involve local industries, stakeholders and municipalities. Having a more inclusive approach through these subcommittees will result in more informed decisions made by the greater council.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Thompson. Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: Thank you, Chair. The government understands that this motion is related to future motion number 8 to establish committees on the Great Lakes Guardians' Council. The government doesn't support this motion, though it agrees with the general concept, and has filed its own alternate motion, government motion 16, which allows for a more flexible and effective approach to ensuring that the council could be convened to discuss various geographic areas of focus, including lakes and watersheds.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Mangat. Any further discussion? There being none—again, recorded vote. I shall call a vote.

#### Ayes

McDonell, Tabuns, Thompson.

#### **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare PC motion 6 lost.

We shall move to PC motion 7, which is an amendment to section 3, the definition of "public body." Ms. Thompson.

**Ms. Lisa M. Thompson:** Thank you. I move that the definition of "public body" in section 3 of the bill be struck out and the following substituted:

"'public body' means a municipality, a local services board within the meaning of the Northern Services Boards Act, a conservation authority or a body prescribed by the regulations or an official of such a body; ('organisme public')"

The Chair (Mr. Grant Crack): Any further discussion on PC motion 7? Ms. Mangat.

Mrs. Amrit Mangat: Chair, the government doesn't support this motion. The aspect of this proposed act, like many others, is identical to that of the Lake Simcoe Protection Act, which received all-party support and is viewed as a model watershed act, so we will not support this motion.

The Chair (Mr. Grant Crack): Thank you, Ms. Mangat. Any further discussion? Ms. Thompson. 1430

Ms. Lisa M. Thompson: Thank you very much, Chair. It's important to recognize that municipalities are consulted and respected when making decisions that ultimately will affect their local communities. The current wording invites far too many groups to come in and have direct authority over local initiatives when creating geographically focused initiatives. I can't stress enough: We already have a case in hand that has seen Ontario communities suffering from a lack of local community decision-making because the Green Energy Act has stripped all that local autonomy away. We do not need a repeat of that.

The Chair (Mr. Grant Crack): Thank you, Ms. Thompson. Any further discussion? There being none, I shall call for the vote—a recorded vote.

# Ayes

McDonell, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

**The Chair (Mr. Grant Crack):** I declare PC motion number 7 defeated.

We shall move to section 3 in its entirety. There were three proposed amendments; none carried. Shall section 3 carry? Those in favour? A recorded vote.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

#### **Nays**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 3 carried.

We shall move to part II of the bill, "Great Lakes Guardians' Council." We have PC motion number 8, which is on new subsections 4(1.1) and (1.2). Ms. Thompson.

Ms. Lisa M. Thompson: Mr. McDonell. We're tagging today.

The Chair (Mr. Grant Crack): Sorry. Mr. McDonell

**Mr. Jim McDonell:** I move that section 4 of the bill be amended by adding the following subsections:

"Council subcommittees

- "(1.1) The minister shall establish subcommittees of the council to represent the following geographic areas within the Great Lakes-St. Lawrence River basin at meetings of the council:
  - "1. The Lake Eerie basin.
  - "2. The Lake Huron basin.
  - "3. The Lake Ontario basin.
  - "4. The Lake Superior basin.
  - "5. The St. Lawrence River basin.
  - "Composition of subcommittees
- "(1.2) Subject to any rules prescribed by the regulations with respect to the composition of each subcommittee, each subcommittee shall be composed of representatives of the interests mentioned in clauses (3)(b), (c) and (d) in the geographic area represented by the subcommittee."

The Chair (Mr. Grant Crack): Thank you very much, Mr. McDonell. Any further discussion on the proposed amendment? Ms. Mangat.

Mrs. Amrit Mangat: The government agrees with the general concept that the council must be able to be structured so that it can focus its attention on a specific Great Lake watershed or a specific geographic area within the watershed. The government has filed its own motion, an alternate motion, number 16, which allows for a more flexible and effective approach. So we will not support this motion.

The Chair (Mr. Grant Crack): Thank you, Ms. Mangat. Any further discussion? Mr. McDonell.

Mr. Jim McDonell: I just think that the Great Lakes area is a huge area, vastly different in climate, region and geography. I'm somewhat surprised she wouldn't want to

be a little more specific. Lake Ontario covers a huge amount, and just to split that area off itself—the St. Lawrence River basin goes all the way from Kingston right to the Quebec border. They are different. They do have different issues. I think it's a requirement that we attract local interests that belong to each specific region instead of gathering, in every case, a large number to talk about specific issues for the whole region, and narrowing it down so the specific issues have a forum to be discussed.

The Chair (Mr. Grant Crack): Thank you, Mr. McDonell. Any further discussion? There being none, I shall call for the recorded vote.

#### Ayes

McDonell, Thompson.

#### Navs

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion number 8 defeated.

We shall move to PC motion number 9, an amendment to subsection 4(3). Mr. McDonell.

**Mr. Jim McDonell:** I move that subsection 4(3) of the bill be amended by striking out the portion before clause (a) and substituting the following:

"Invitations to meetings

"(3) Before a meeting of the council is held, the minister shall announce the date of the meeting to the public and shall announce that any individuals who are interested in attending may attend and participate in the meeting, including,"

**The Chair (Mr. Grant Crack):** Any further discussion on PC motion number 9?

Mrs. Amrit Mangat: Although the government will not be voting in favour of this motion, it fully supports the need for public involvement in the implementation of this bill. It would be both unwieldy and logistically difficult to manage. One of the key purposes of the bill is to create opportunities for individuals and communities to become involved in the protection and restoration of the Great Lakes. We will not vote in favour of this.

The Chair (Mr. Grant Crack): Any further discussion?

Mr. Jim McDonell: I'm just somewhat surprised. If you're truly going to receive public input, you should give the public a chance to be heard. Just as in these committees here, we have an opportunity to advertise and listen to the public at large comment on our bills. There are ways of limiting numbers if the numbers get too large, but to have the government technically choose exactly who they want to hear from can be very dangerous, I believe. We will be supporting this motion.

The Chair (Mr. Grant Crack): Any further discussion?

Ms. Ann Hoggarth: I understand your concern, but we're not voting in favour of this motion because the government intends to develop, with the stakeholders, operating procedures for the Great Lakes Guardians' Council. These procedures would include mechanisms to ensure future council meetings are visible and transparent and allow for the public to be involved. They may, for example, specify the need for website updates and mechanisms for public participation at future meetings.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Hoggarth. Ms. Mangat?

Mrs. Amrit Mangat: Chair, the proposed act also allows the public, through section 30, to request that the minister establish a target or direct development of an initiative. These are powerful tools allowing for public participation and influence in a variety of mechanisms.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Mangat. Ms. Thompson?

**Ms. Lisa M. Thompson:** With all due respect, Chair, we have already seen what transparency means to this government, and this would just allow a strong message going forward that the public's input does matter. In order to facilitate it, they need to know the dates and timing of the meetings.

The Chair (Mr. Grant Crack): Any further discussion? There being none, I shall call the vote, which is a recorded vote.

#### Ayes

McDonell, Thompson.

### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare PC motion number 9 defeated.

We shall move to PC motion number 10, which is an amendment to clause 4(3)(a).

**Mr. Jim McDonell:** I move that clause 4(3)(a) of the bill be amended by adding "and critics for environment and climate change from both opposition parties" at the end.

The Chair (Mr. Grant Crack): Any further discussion?

Mrs. Amrit Mangat: The proposed act already requires consultation with MPPs from the area on geographically focused initiatives prior to the minister directing any such proposal to be developed, so we will not support this motion.

The Chair (Mr. Grant Crack): Any further discussion?

Mr. Jim McDonell: Again, in the spirit of transparency, I'm not sure why you wouldn't want members of all parties involved, whether they're in the government or outside. Generally, there are a large number of members from the opposition, and their views do represent the rest

of the province that's not inside the government, and they're important as well.

The Chair (Mr. Grant Crack): Any further discussion?

Ms. Ann Hoggarth: Very clearly, this bill allows for MPPs to be involved. It doesn't name any specific party, so for that reason, we will not support this.

The Chair (Mr. Grant Crack): Ms. Mangat?

Mrs. Amrit Mangat: Chair, the Great Lakes Guardians' Council would bring together senior decision-makers in government, the private sector, the agriculture community, non-government, and First Nation and Métis communities to align efforts and strengthen Ontario's position at national and binational discussions. There will be a lot of public consultation in this form, so we will not support this motion.

# 1440

The Chair (Mr. Grant Crack): Ms. Thompson.

Ms. Lisa M. Thompson: Again, we have to take a look at the transparency that is going to be lost in this bill, because Bill 66 specifically prescribes that the guardians' council will be made up of individuals who are invited by the minister. In the spirit of transparency, you have to wonder what they have to hide, if they don't want to bring forward the critics of both the opposition and third party. It only makes sense.

Like I said in my opening comments, we all care about our Great Lakes. We all want to put our best foot forward. This should never be painted by one political stripe. I think it's a very sad state of affairs if they choose to exclude the critics of both the opposition and third party.

The Chair (Mr. Grant Crack): Any further discussion? There being none, I shall call for the recorded vote.

#### Ayes

McDonell, Tabuns, Thompson.

#### Navs

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare PC motion number 10 defeated.

We shall move to PC motion number 11, which is new clauses 4(3)(a.1) and (a.2). Ms. Thompson.

**Ms. Lisa M. Thompson:** Very good. I'm going to follow the lead established by my colleague here. I move that subsection 4(3) of the bill be amended by adding the following clauses:

"(a.1) for each geographic area in respect of which the minister intends to direct or has directed a proposal for an initiative to be developed or in respect of which an initiative is being developed or implemented,

"(i) each member of the assembly representing a constituency that is located in whole or in part in the area,

"(ii) the mayor of each municipality that is located in whole or in part of the area, and

"(iii) a representative of each local services board within the meaning of the Northern Services Boards Act that is located in whole or in part in the area;

"(a.2) each member of the assembly representing a constituency that may, in the opinion of the minister, be affected by an initiative;"

The Chair (Mr. Grant Crack): Thank you, Ms. Thompson. Just for clarification, could you read section (ii), where it starts with "the mayor" just one more time, please?

**Ms. Lisa M. Thompson:** Okay. "(ii) the mayor of each municipality that is located in whole or in part in the area, and"

**The Chair (Mr. Grant Crack):** Thank you very much. Any further discussion on PC motion number 11? Mrs. Mangat.

**Mrs. Amrit Mangat:** As mentioned earlier in response to requests at the previous standing committee for Bill 6, the government revised Bill 66 to incorporate many of the suggestions that the other parties made when it was before the standing committee in the fall of 2014. At that time, it was Bill 6.

The Great Lakes Guardians' Council would bring together senior decision-makers, as I said earlier—the private sector, the agricultural community, non-government, First Nations and Métis communities—to align efforts and strengthen Ontario's position at national and binational discussions. Wherever a local issue is being discussed, the intent would be to involve and invite local decision-makers to consult meetings.

The government wouldn't support this motion.

The Chair (Mr. Grant Crack): Mr. McDonell.

Mr. Jim McDonell: I think that the people of Ontario spoke very loudly, at least in rural Ontario. They're getting tired of legislation being made without their input. This only allows their input. It doesn't force you to act on it, but it allows you to hear the concerns of regions. If you're making legislation or changes to an initiative that affects a community, one would think you'd want to know how it might be affected before you make decisions, so that you can weigh whether it's in the national or international interest, or if there's an issue that maybe needs to be compensated in some way. But if you don't listen to the local issues, you won't hear them.

**The Chair (Mr. Grant Crack):** Thank you, Mr. McDonell. Any further discussion? Ms. Thompson.

Ms. Lisa M. Thompson: I think it's really important to let the local decision-makers know that their voice matters as well. I think that supporting this particular motion is very important. Along the shoreline of Lake Huron specifically, we have four different municipalities, and each one respectively has their own issues and their own part of the lake that they have to deal with. Over and above that, currently, one of those four mayors sits as chair of the Great Lakes mayors' initiative. He could bring a wealth of knowledge to the guardians' council.

I think it's absolutely closed-minded and very much dangerous to exclude these people from around the table. Everybody here today should be supporting this motion.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Thompson. Ms. Kiwala.

Ms. Sophie Kiwala: These amendments included a requirement for consultation with MPPs who are within an area of a proposed geographically focused initiative. This consultation would take place before the minister directed an initiative proposal to be developed. Thank you, Mr. Chair.

The Chair (Mr. Grant Crack): Thank you very much. Ms. Hoggarth.

**Ms. Ann Hoggarth:** The member of the opposition who spoke spoke as if the mayors couldn't come. It does not mean that the mayors could not be involved; it just does not guarantee them the right.

The Chair (Mr. Grant Crack): Thank you, Ms. Hoggarth. Any further discussion? Ms. Thompson.

Ms. Lisa M. Thompson: The fact of the matter is—two things: I'd like to correct my record. I believe I said I have four municipalities along the lakeshore of Lake Huron. Actually, it's five. My second point that I'd like to make during this discussion is that it just is what it is. I'm being straight up when I say this: I know a lot of mayors in my area just don't trust this government to get it right. Thank you.

The Chair (Mr. Grant Crack): Ms. Mangat.

Mrs. Amrit Mangat: I don't agree with the member. Many municipalities are already involved in the discussions. They have given their input and they will continue to give their input.

The Chair (Mr. Grant Crack): Any further—Mr. McDonell.

Mr. Jim McDonell: I just want to add to that. There is some concern that these municipalities won't be heard, just as the neonics issue was not heard. They weren't invited to the table; they weren't asked; the directions came out. It's not that this is without precedent. We see this all the time. So yes, they are concerned that they won't be heard, they won't be asked and they won't be listened to, for sure.

**The Chair (Mr. Grant Crack):** Thank you very much. Any further discussion? There being none, I shall call for the recorded vote.

#### Ayes

McDonell, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion 11 defeated.

We shall move to PC motion 12, which is a new clause, 4(3)(d.1). Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that subsection 4(3) of the bill be amended by adding the following clause:

"(d.1) representatives of the interests of each subcommittee established under subsection (1.1);"

The Chair (Mr. Grant Crack): Thank you very much. I shall call this motion out of order as it was dependent on PC motion 8 passing. I apologize. We shall continue to move forward.

We shall move to PC motion number 13, which is an amendment to clause 4(3)(e). Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that clause 4(3)(e) of the bill be struck out and the following substituted:

"(e) representatives of any other interests related to the ecological health of the Great Lakes-St. Lawrence River basin."

The Chair (Mr. Grant Crack): Thank you, Ms. Thompson. Any further discussion? Ms. Mangat.

**Mrs. Amrit Mangat:** Chair, the government wouldn't support this motion. The motion is unnecessary as the bill already allows for other interests that the minister considers advisable to be invited to the council meetings.

**The Chair (Mr. Grant Crack):** Thank you. Any further discussion? Ms. Thompson.

**Ms. Lisa M. Thompson:** I feel very strongly that it's important to support this motion because the last thing we need the guardians' council to become is a small group of friends and allies of the minister. We really worry about that.

The Chair (Mr. Grant Crack): Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: I don't agree with that. The guardians' council would invite a wide range of people, coming from business, agriculture, aboriginal groups, environmental groups and municipal representatives, to share information.

The Chair (Mr. Grant Crack): Thank you. Mr. McDonell.

Mr. Jim McDonell: This clause just guarantees that the procedures will be held as the government says they will, that it invites a larger area than just the friends and allies of this government. As it sits now, there are no guarantees. People outside the big city of Toronto have seen the effects of this government's ability to listen to people and invite them to various key issues in their areas, and that is that they haven't been invited. This just requires that these people are listened to. Again, there's nothing wrong with getting all the issues in an area, let alone just a select group that you want to hear.

1450

**The Chair (Mr. Grant Crack):** Thank you, Mr. McDonell. Ms. Hoggarth.

**Ms. Ann Hoggarth:** I understand where you're coming from, but I do not believe that this is necessary since the bill already says "or any other person," so anyone could basically be invited to come to that.

The Chair (Mr. Grant Crack): Any further discussion? There being none, I shall call the recorded vote.

#### Ayes

McDonell, Thompson.

#### Navs

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

**The Chair (Mr. Grant Crack):** I shall call PC motion 13 defeated.

PC motion 14, an amendment for a new subsection, 4(3.1): Mr. McDonell.

**Mr. Jim McDonell:** I move that section 4 of the bill be amended by adding the following subsection:

"Agricultural sector representation

"(3.1) When extending invitations to representatives of the interests of the agricultural sector under clause (3)(d), the minister shall ensure invitations are extended to representatives from throughout the entire Great Lakes-St Lawrence River basin."

**The Chair (Mr. Grant Crack):** Thank you, Mr. McDonell. Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government is highly supportive of involving the agricultural community and has highlighted this in the proposed act by providing them with a seat at the at the guardians' council and listing them as critical stakeholders who must be consulted with prior to making decisions. However, we will not support this motion.

The Chair (Mr. Grant Crack): Further discussion? Ms. Thompson.

Ms. Lisa M. Thompson: I feel that the government is very remiss in saying that they're not going to be supporting this motion because again, the fact of the matter is that the elements that each Great Lake faces in this great province are very different. Erie to Ontario to Huron to Superior: They all have their own different pressures. Again, we can't stress enough that it's the people at the local level who know best what's going on. I'll just be straight up; it's going to be an absolute misstep if you don't guarantee that those local voices are heard

The Chair (Mr. Grant Crack): Thank you. Ms. Mangat.

Mrs. Amrit Mangat: Chair, it singles out one group at the expense of others who also have an important stake in the protection of the Great Lakes. This would include municipalities, who are critical partners in the implementation of various aspects of the bill.

The Chair (Mr. Grant Crack): Any further—Mr. McDonell.

Mr. Jim McDonell: I think that anybody that was from, certainly, west of Toronto or Toronto that was down in our riding for the IPM last week realized that there's a vast difference in terrain as you cross this province. Crops are different. We're very much different than the warmer southwest part of the province. That's why grapes are not as big a crop in our area as they are in the south. Climates are different.

I think that when you're making changes to the legislation, you have to listen to all sectors so that one is not being sacrificed for another. If that's the necessity, at least you should hear the issues. If you don't hear the issues, it's an uninformed decision and you're creating issues that are affecting, really, our economy. I think everybody agreed last week that agriculture is the number one industry in this province, so why are you not interested in hearing issues that are affecting the number one industry plus the number one growth industry in this province? It's really short-sighted.

The Chair (Mr. Grant Crack): Ms. Thompson.

Ms. Lisa M. Thompson: There was one comment made by government that stuck with me: They don't want to include more agricultural-sector representation at the expense of others. Oh my goodness, with all due respect, I can't believe you just said that, because the exact opposite has happened to Ontario farmers with a select, small group of people making decisions on neonics. We're having a hypocritical moment here, Chair, that just blows my mind. Thank you.

The Chair (Mr. Grant Crack): Thank you. Ms. Mangat.

Mrs. Amrit Mangat: Chair, we are very supportive of involving the agricultural community. As I said earlier, the Great Lakes Guardians' Council is a collaborative and flexible forum which would bring together senior decision-makers in the government, private sector, agricultural community, non-government, First Nations and Métis communities to align efforts and strengthen Ontario's position at national and binational discussions. We very much respect the agricultural community. That is why they will be invited to the council.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Mangat. Any further discussion?

There being none, I shall call for the recorded vote on PC motion number 14.

# Ayes

McDonell, Thompson.

### Navs

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare PC motion 14 defeated.

We shall move to NDP number 15, which is new subsections (5), (6) and (7). Mr. Tabuns.

**Mr. Peter Tabuns:** I move that section 4 of the bill be amended by adding the following subsections:

"Report

"(5) The minister shall, within two months after each council meeting, publish a report summarizing the matters discussed at the meeting, the views expressed, the priorities identified, and the proposals that resulted.

"Availability

"(6) The report shall be published and maintained on a government website.

"Response on behalf of government

"(7) The report shall include a response prepared by the minister, after consultation with the other Great Lakes ministers, and the response shall include the government of Ontario's intended actions in response to the priorities identified at the meeting."

The Chair (Mr. Grant Crack): Thank you very much. Further discussion? Ms. Mangat.

Mrs. Amrit Mangat: While the government supports the need for transparency, it will not be supporting this motion as it doesn't feel that having this level of specificity with respect to council operations is necessary in legislation. This proposed legislation requires the minister to publish, every three years, a progress report and table it in the Legislature.

The Chair (Mr. Grant Crack): Thank you. Further discussion? Mr. Tabuns.

**Mr. Peter Tabuns:** It just seems reasonable to me that if the minister is consulting with stakeholders, with the guardian council, it will be of some consequence to the people of Ontario that there be publicly available reports on what was said and what the outcome is.

The Chair (Mr. Grant Crack): Thank you. Mr. McDonell.

**Mr. Jim McDonell:** I think if the government truly wants to be transparent and inclusive, they would certainly accept this motion.

**The Chair (Mr. Grant Crack):** Thank you, Mr. McDonell. Any further discussion?

There being none, I shall call the recorded vote on NDP motion number 17.

Interjections: Fifteen.

The Chair (Mr. Grant Crack): Sorry?

**Interjections:** Fifteen.

**The Chair (Mr. Grant Crack):** Fifteen. My apologies. We've got to make a mistake once in a while.

**Mr. Peter Tabuns:** It's the nature of being a Chair.

The Chair (Mr. Grant Crack): It is.

#### Ayes

McDonell, Tabuns, Thompson.

# Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare NDP motion 15 defeated.

We shall move to government motion number 16, which is a new subsection (5).

**Mrs. Amrit Mangat:** I move that section 4 of the bill be amended by adding the following subsection:

"Meeting re particular watershed or geographic area

"(5) The minister may convene one or more meetings of the council for the purpose of focusing on one of the Great Lakes watersheds in the Great Lakes-St. Lawrence

River basin, or on a particular geographic area of the basin."

**The Chair (Mr. Grant Crack):** Thank you very much. Further discussion? Mr. Tabuns.

Mr. Peter Tabuns: I note, Mr. Chair, that we checked with legal counsel on this. Apparently the minister would already have the power to do this under the act, so it would be redundant. But beyond that, we consulted with those who are interested in the bill—Ecojustice, Canadian Environmental Law Association, Environmental Defence—who all oppose this amendment, saying it could limit the scope of the annual meeting of the guardian council. Thus, I urge people to vote against this amendment.

The Chair (Mr. Grant Crack): Thank you. Mr. McDonell.

Mr. Jim McDonell: I'm just wondering: When they defeated motions that would allow them to designate certain regions, I'm not sure how they expect to be specific to a region. They don't seem to match up.

The Chair (Mr. Grant Crack): Okay. Thank you. Ms. Mangat?

Mrs. Amrit Mangat: This motion responds to what was heard from various stakeholders, including the agricultural sector and environmental organizations who asked that the council address issues facing each of the lakes within the Great Lakes basin.

The Chair (Mr. Grant Crack): Thank you. Further discussion? There being none, I shall call for the recorded vote.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

# Nays

Tabuns.

The Chair (Mr. Grant Crack): I declare government motion 16 carried.

We shall move to PC motion 17, proposing a new subsection (5). Mr. McDonell.

**1500** 

**Mr. Jim McDonell:** I move that section 4 of the bill be amended by adding the following subsection:

"Council considerations

- "(5) The individuals who participate in meetings of the council shall ensure that, as part of the forum, the views of the following with respect to Ontario's obligations under the agreements described in section 33 are taken into consideration:
  - "1. The International Joint Commission.
  - "2. The Great Lakes Water Quality Board.
- "3. The Great Lakes Executive Committee to the Great Lakes Water Quality Agreement.
  - "4. The federal government."

**The Chair (Mr. Grant Crack):** Further discussion on PC motion 17?

Mrs. Amrit Mangat: Chair, while the government doesn't support this motion, it is important to note that we heard the importance of the need to consider agreements, and that is why we have included section 33 in the bill. This includes consideration of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement, the Great Lakes Charter, the Canada-Ontario Agreement Respecting the Great Lakes basin and the Great Lakes Water Quality Agreement, so we feel the motion being put forward is inappropriate, as it places a significant duty on all attendees of the council.

The Chair (Mr. Grant Crack): Ms. Thompson?

Ms. Lisa M. Thompson: We feel strongly that this motion would require the members of the council to consider Ontario's obligations under other agreements, like the Canada-Ontario agreement. We've consistently maintained that this legislation is nothing more than duplication of other acts and agreements. We just ask that the government recognize the good work that has been done before Bill 66 and respect that.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Thompson. Ms. Mangat?

Mrs. Amrit Mangat: Chair, these are complex agreements, and you cannot expect all attendees to be aware of the views of all other organizations.

The Chair (Mr. Grant Crack): Mr. McDonell?

Mr. Jim McDonell: Well, I agree: We do have obligations under other agreements. I would hope the committee would have the expertise—maybe not themselves, but the Legislative Assembly staff would be able to certainly let the committee know that their legislation is within or outside the scope of their mandates, or covered before by other agreements that they have to enforce. I can't imagine a provincial government that hasn't got the expertise to know if the federal government's or other agreements are in place. If that's the case, we've got real problems.

The Chair (Mr. Grant Crack): Any further discussion? There being none, we shall move to the recorded vote on PC motion 17.

#### Ayes

McDonell, Thompson.

#### **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I shall declare PC motion 17 defeated.

We shall move to section 4, on which there was one amendment. Any discussion on section 4? There being none, shall section 4, as amended, carry?

#### Ayes

Colle, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): Those opposed? I declare section 4, as amended, carried.

We shall move to part III, which is "Ontario's Great Lakes Strategy," which is section 5. There were no amendments.

Any discussion on section 5? There being none, shall section 5 carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** Those opposed? I declare section 5 carried.

We have a proposed new section 5.1, which is NDP motion 18: Mr. Tabuns.

**Mr. Peter Tabuns:** I move that the bill be amended by adding the following section:

"Duty on Great Lakes ministers

"5.1 The Great Lakes ministers shall, individually and together, pursue the achievement of the vision, goals and priorities set out in the strategy."

The Chair (Mr. Grant Crack): Further discussion?

Mrs. Amrit Mangat: The government doesn't support this motion, as it is unnecessary. The proposed act requires the strategy to be maintained regularly—reviewed and revised. Section 32 of the proposed act requires consideration of the purposes of the proposed act and principles of the strategy when Great Lakes ministers and other public bodies are making decisions to review the strategy, establish a target, prepare a plan related to a target or develop a geographically focused initiative.

The Chair (Mr. Grant Crack): Any further discussion?

**Ms. Lisa M. Thompson:** We just want to see a lot of coordination between the various ministries. For too long, siloed approaches have done nothing but cost the province money.

The Chair (Mr. Grant Crack): Thank you. Mr. Tabuns?

**Mr. Peter Tabuns:** I would say the same, that we have to avoid segmentation of this. There needs to be a unified approach by the ministers. It should be prescribed in legislation to reinforce that message.

The Chair (Mr. Grant Crack): There being no further discussion, I shall call the recorded vote on the proposed new NDP section 5.1, which was NDP motion 18.

# Ayes

McDonell, Tabuns, Thompson.

# Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare NDP motion 18 defeated.

We shall move to section 6. With discussion with the Clerk, I would just like to advise members of the committee that number 20, which is PC motion 20, should be ahead of government motion 19. I shall direct the committee that we will deal with PC motion number 20, which is an amendment to section 6, subparagraph 4 i. It would be that PC motion 20 will go first.

Mr. McDonell.

**Mr. Jim McDonell:** I move that subparagraph 4 i of section 6 be amended by adding "that addresses individually and cumulatively all sources of stress to the Great Lakes-St. Lawrence River basin" at the end.

The Chair (Mr. Grant Crack): Any further discussion?

Mrs. Amrit Mangat: Chair, this motion is very similar to the government's motion number 19, which achieves the same intent. The government suggests that this motion be withdrawn.

The Chair (Mr. Grant Crack): Any further discussion? There being none, I shall call for the recorded vote. Only the members who put forward the motion can actually withdraw. I respect your request. We'll go to the recorded vote.

#### Aves

McDonell, Tabuns, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare PC motion number 20 defeated.

We shall move to government motion 19, which is an amendment to section 6, subparagraph 4 i.

**Mrs. Amrit Mangat:** I move that subparagraph 4 i of section 6 of the bill be struck out and the following substituted:

"i. An ecosystem approach that includes the consideration of cumulative stresses and impacts."

**The Chair (Mr. Grant Crack):** Any further discussion on government motion 19? Ms. Mangat.

Mrs. Amrit Mangat: Chair, new tools are needed to tackle escalating and emerging Great Lakes problems, so the proposed act gives the minister flexible tools to direct, target and require Great Lakes protection and restoration actions for addressing the cumulative impacts of different stresses on the ecosystem. We are in favour of this.

**The Chair (Mr. Grant Crack):** Any further discussion? There being none, I shall call the recorded vote on government motion number 19.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns, Thompson.

The Chair (Mr. Grant Crack): I declare government motion number 19 carried.

There is one amendment to section 6. Is there any further discussion on section 6 in its—

Interjections.

**The Chair (Mr. Grant Crack):** Sorry. We have PC motion 21 on section 6, subparagraph 4 iv. Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that subparagraph 4 iv of section 6 be amended by striking out "collaboration" and substituting "collaboration and the sharing of data".

The Chair (Mr. Grant Crack): Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: Chair, the government supports this motion, as the intent for the proposed act to clarify a collaborative approach would include the sharing of data. This approach is consistent with the province's goals to promote open data. Ontario is committed to being the most open and transparent government in Canada.

The Chair (Mr. Grant Crack): Any further discussion? Mr. McDonell.

Mr. Jim McDonell: I didn't know this was comedy hour.

It's the idea that there was work being done and the data should be shared. That's the goal of the motion, and it just seems to be the right thing to do.

**The Chair (Mr. Grant Crack):** Thank you very much. Any further discussion?

There being none, I shall call for the recorded vote on PC motion number 21.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns, Thompson.

**The Chair (Mr. Grant Crack):** I declare PC motion number 21 carried.

Therefore, there were two amendments to section 6 that carried. Is there any further discussion on section 6, as amended? There being none, shall section 6, as amended, carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 6, as amended, carried.

We shall move to section 7, which is government motion number 22, an amendment to subsection 7(1), paragraph 1. Ms. Mangat.

Mrs. Amrit Mangat: I move that paragraph 1 of subsection 7(1) of the bill be struck out and the following substituted:

"1. Harmful pollutants, including microplastics."

The Chair (Mr. Grant Crack): Thank you. Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: We heard the need for monitoring of microbeads through the development of MPP Lalonde's bill. This motion takes into consideration the private member's bill and it recognizes Ontario as a leader in the monitoring of microplastics in the Great Lakes and will ensure that this monitoring of microplastics continues to progress.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Mangat. Any further discussion on government motion 22? Ms. Thompson.

**Ms. Lisa M. Thompson:** We just want to recognize the work that the federal government has done in this regard as well. We support this.

The Chair (Mr. Grant Crack): Thank you very much, Ms. Thompson. Any further discussion? There being none, government motion number 22—a recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns, Thompson.

**The Chair (Mr. Grant Crack):** I declare government motion number 22 carried. We shall move to—

Interjections.

**The Chair (Mr. Grant Crack):** I believe, Mr. Dickson, you had a comment? Mr. Dickson.

Mr. Joe Dickson: I have a request through you, Mr. Chair, to the committee. I've been in the Legislature this morning. This is my third successive meeting since getting out. I haven't had a chance to powder my nose and do a couple of other things. I wonder if you might consider a five-minute break.

The Chair (Mr. Grant Crack): I would ask the committee to consider a five-minute break. Just keeping in mind the order of the House—

Interjections.

The Chair (Mr. Grant Crack): There will be a five-minute break for Mr. Dickson to powder his nose.

The committee recessed from 1513 to 1519.

The Chair (Mr. Grant Crack): All righty, our five minutes are up. I hope everybody made the best of the five-minute recess.

We will continue on section 7. We have government motion number 23, which is an amendment to subsection 7(1), new paragraphs 3.1 and 3.2. Ms. Mangat? **1520** 

**Mrs. Amrit Mangat:** I move that subsection 7(1) of the bill be amended by adding the following paragraphs:

"3.1 Hydrology.

"3.2 Biological communities."

The Chair (Mr. Grant Crack): Thank you very much. Any further discussion?

Mrs. Amrit Mangat: Chair, we heard from stakeholders at committee that there is a need to monitor for additional parameters, and we listened to them. These requirements for monitoring and reporting will help the province and our partners improve understanding and management of the Great Lakes basin.

The provision would further provide transparency by requiring the minister to publicly report on these monitoring and reporting programs through progress reports on Ontario's Great Lakes Strategy.

The Chair (Mr. Grant Crack): Thank you very much. Any further discussion on government motion 23? There being none, I shall call for the recorded vote.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

Mr. Grant Crack: I declare government motion 23 carried.

There were two amendments to section 7. Any final comments on section 7, as amended? There being none, shall section 7 carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare section 7, as amended, carried.

Section 8: There are no amendments. Is there any discussion on section 8?

There being none, shall section 8 carry?

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 8 carried.

We shall move to part IV, "Targets," section 9. We have NDP motion 24, the amendment for a new subsection, 9(2.1).

**Mr. Peter Tabuns:** I move that section 9 of the bill be amended by adding the following subsection:

"Same

(2.1) Within a reasonable time after this section comes into force, the minister shall establish at least one target under subsection (1) in respect of each purpose of this act listed in subsection 1(2)."

The Chair (Mr. Grant Crack): Further discussion? Ms. Mangat?

Mrs. Amrit Mangat: While the government recognizes the need to establish targets, it doesn't support this motion. The proposed act provides flexibility to develop targets where appropriate and most in need, like those related to algae blooms, within two years. Developing a target and associated actions needs to be based on science and requires significant scientific research, consultation and analysis. The province will work with the Great Lakes council and the other Great Lakes partners to determine specific priority targets to be set. We will not support this motion.

The Chair (Mr. Grant Crack): Further discussion? Mr. Tabuns.

**Mr. Peter Tabuns:** Briefly, the bill will not actually deliver what's needed unless there are targets that are set by the minister and acted upon. We think it makes sense to have embodied in the bill a requirement for targets to be set within a reasonable time.

**The Chair (Mr. Grant Crack):** Thank you very much. Ms. Thompson?

Ms. Lisa M. Thompson: We need to be very careful here because we shouldn't be creating targets just for the sake of creating them. We need to rely on proper science. I have to underscore that. We need the proper science to inform our targets, and we can't prescribe how long research can take.

The Chair (Mr. Grant Crack): Thank you. Further discussion? There being none, I shall call for the recorded vote on NDP motion number 24.

# Ayes

Tabuns.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare NDP motion 24 defeated.

We shall move to NDP motion 25, which is an amendment to subsection 9(3).

**Mr. Peter Tabuns:** I move that subsection 9(3) of the bill be amended,

(a) by striking out "may" and substituting "shall"; and (b) by striking out "net".

The Chair (Mr. Grant Crack): Further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government doesn't support this motion. It is not necessary. The proposed act already provides authority for the Minister of Natural Resources and Forestry to establish quantitative or qualitative targets related to stopping the net loss of wetlands. Ontario understands the ecological importance of wetlands and is currently undergoing the review of Ontario's broad wetland conservation framework, with a view to developing a strategic plan for Ontario's wetlands. So we will not support this motion.

The Chair (Mr. Grant Crack): Thank you, Ms. Mangat. Mr. Tabuns.

Mr. Peter Tabuns: Chair, I just want to note that we want to have "shall" rather than "may" in the language of this bill so that there is some compulsion for the minister to, in fact, act.

This matter of the net loss of wetlands came up with numerous presenters who were before this committee last week. It's pretty clear that we don't want existing naturally generated wetlands to be wiped out and replaced with artificial wetlands. We have very little left on the north shore of Lake Ontario, as presented by presenters last week. I think it makes sense for the government to support this.

The Chair (Mr. Grant Crack): Further discussion? Ms. Thompson.

Ms. Lisa M. Thompson: Again, we need to be careful here because we shouldn't be forcing the ministers to set targets just for the sake of setting targets. We need to be focused on sound science. We all want to be good environmental stewards, and we do understand the importance of slowing down the movement of water, but again, it has to be based on sound science and practice. We can't be imposing timelines etc. on the minister.

The Chair (Mr. Grant Crack): Thank you. Further discussion? Mr. McDonell.

Mr. Jim McDonell: I too believe we also need to work with science. Sometimes, wetlands can replace others. If you drive along the 401 in my area and in Leeds and Grenville, there are many areas where there are wetlands that were not there before the 401 was put through. It just highlights the fact that wetlands can be created. Sometimes that's an alternative when other wetlands are causing an issue and must be replaced. We have the ability and the science to make a difference that really, at the end, makes no net difference or is an improvement.

The Chair (Mr. Grant Crack): Any further discussion? There being none, I shall call the recorded vote on NDP motion 25.

#### Ayes

Tabuns.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare NDP motion 25 defeated.

We shall move to NDP motion 26—

Mr. Peter Tabuns: Withdraw.

**The Chair (Mr. Grant Crack):** —which is withdrawn by Mr. Tabuns of the NDP.

We shall move to PC motion 27, which is a new subsection, 9(3.1). Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that section 9 of the bill be amended by adding the following subsection:

"Consideration of scientific evidence

"(3.1) Neither the Minister of the Environment and Climate Change nor the Minister of Natural Resources and Forestry shall establish a target without first considering the best available scientific evidence."

The Chair (Mr. Grant Crack): Further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government is committed to establishing targets based on the best available science. However, we will not be supporting this motion as it's

not necessary. As an example of science informing targets, recent targets of a 40% reduction in phosphorus loading in Lake Erie's western and central basins are based on sound science. So we will not support this motion

The Chair (Mr. Grant Crack): Thank you. Mr. McDonell.

Mr. Jim McDonell: I'm not surprised that the government is not supporting this, because we've seen time and time again where the science is ignored, as recently as the neonics issue.

I think it's important that in this day and age, the government uses the best scientific evidence that's available. Why they would refuse to acknowledge that really makes me wonder, but of course, practice is showing that they aren't.

The Chair (Mr. Grant Crack): Thank you. Ms. Mangat.

Mrs. Amrit Mangat: There are multiple areas where the government has committed to considering science in decision-making, and these include:

- (1) The proposed act already requires in section 32 the consideration of the purposes of the proposed act and principles of the strategy when establishing a target. The purposes of the proposed act include those related to advancing science.
- (2) The Ministry of the Environment and Climate Change's statement of environmental values already includes consideration of a precautionary science-based approach in its decision-making to protect human health and the environment.
- (3) Future targets are also to be consulted upon through our environmental registry posting, which will consider science and advice from scientists and other technical experts.
- (4) The Great Lakes Guardians' Council will provide advice and input into future targets and will include representation from academics and leading scientists.

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It's also important to note that while science is critical to establishing future targets, other factors are also important, including economic considerations. We will not support the motion.

**The Chair (Mr. Grant Crack):** Thank you. Ms. Thompson?

Ms. Lisa M. Thompson: At the end of the day, we all believe, again, as I said, in protecting our Great Lakes. Conservation projects really should be based on sound science as opposed to having targets imposed upon us by Liberal supporters, as we've seen in the neonics instance. Thank you.

The Chair (Mr. Grant Crack): Ms. Mangat?

Mrs. Amrit Mangat: Chair, we very much support the best science available. It is this government, our provincial government, which has provided funding to the Experimental Lakes. The federal government has cut the funding and they have muzzled our scientists.

**The Chair (Mr. Grant Crack):** Thank you. Ms. Thompson?

**Ms. Lisa M. Thompson:** To that, I say, past behaviour is indicative of future behaviour, and we're very worried about that.

The Chair (Mr. Grant Crack): Thank you. Any further discussion? There being none, I shall call the recorded vote on PC motion number 27.

# Ayes

McDonell, Tabuns, Thompson.

#### **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare PC motion number 27 defeated.

We shall move to PC motion number 28, which is a new subsection, 9(3.2). Mr. McDonell.

**Mr. Jim McDonell:** I move that section 9 of the bill be amended by adding the following subsection:

"Consultation before establishing target

"(3.2) Neither the Minister of the Environment and Climate Change nor the Minister of Natural Resources and Forestry shall establish a target without first consulting with representatives of the interests of First Nations and Métis communities that have a historic relationship with the Great Lakes-St. Lawrence River basin, representatives of the scientific community and representatives of the industrial, agricultural and tourism sectors in the Great Lakes-St. Lawrence River basin."

The Chair (Mr. Grant Crack): Thank you. Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: Thank you, Chair. The government doesn't support this motion as it is both unnecessary and exclusionary.

Further, the motion excludes critical interests, including municipalities, which are partners in Great Lakes protection. The proposed act also requires the conservation of traditional ecological knowledge, if it is offered, in the development of future targets.

The Chair (Mr. Grant Crack): Thank you. Further discussion? Mr. McDonell.

**Mr. Jim McDonell:** I just noticed—previously, we tried to include municipalities and you defeated that motion. There are various sectors that are important, and we think they should be consulted as well.

When you're establishing regulations you want to make sure you hear from everybody. We tried to put the municipalities in and didn't get that. We also want to include these groups. Thank you.

The Chair (Mr. Grant Crack): Thank you. Further discussion? Ms. Mangat.

**Mrs. Amrit Mangat:** Chair, the proposed act already requires consultation on future targets.

The Chair (Mr. Grant Crack): Thank you. Further discussion? There being none, I shall call for the vote on PC motion number 28. Recorded vote.

#### Aves

McDonell, Tabuns, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare PC motion number 28 defeated.

We shall move to NDP motion number 29, an amendment to subsection 9(4)—

Mr. Peter Tabuns: Withdrawn.

**The Chair (Mr. Grant Crack):** It has been withdrawn by Mr. Tabuns.

**Mr. Peter Tabuns:** And number 30 I withdraw as well. Chair.

**The Chair (Mr. Grant Crack):** Mr. Tabuns has withdrawn NDP motion 30 as well.

We shall move to NDP motion number 31, which is an amendment to subsection 9(5). Mr. Tabuns.

**Mr. Peter Tabuns:** I move that subsection 9(5) be amended by striking out "may" and substituting "shall".

The Chair (Mr. Grant Crack): Thank you, Mr. Tabuns. Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: Thank you, Chair. The government supports this motion. The proposed act allows for the development of plans which would outline the actions needed to achieve targets by all partners. Making these plans mandatory makes sense and is consistent with the intent of the proposed act. So we will support this.

The Chair (Mr. Grant Crack): Thank you very much. Any further discussion? There being none, I shall call the recorded vote on NDP motion number 31.

#### Aves

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

#### Nays

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare NDP motion number 31 carried.

We shall move to NDP motion number 32, which is an amendment to subsection 9(6). Mr. Tabuns.

Mr. Peter Tabuns: Withdraw.

**The Chair (Mr. Grant Crack):** NDP motion 32 is withdrawn by Mr. Tabuns.

Mr. Peter Tabuns: And similarly, 33.

**The Chair (Mr. Grant Crack):** New section 9.1, which was NDP motion 33, is withdrawn.

Mr. Peter Tabuns: Right.

**The Chair (Mr. Grant Crack):** We shall deal with section 9, as amended. There was one amendment. Any further discussion on section 9? There being none, I shall call for the recorded vote on section 9, as amended.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare section 9, as amended, carried.

We shall move to part V, "Proposals for Initiatives," which has section 10. There are no amendments. Is there any discussion on section 10? There being none, shall section 10 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare section 10 carried.

We shall move to section 11. There are no amendments. Is there any discussion on section 11? There being none, I shall call for the vote on section 11. Recorded vote.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 11 carried.

We shall move to section 12, which is PC amendment number 34: section 12, new paragraphs 6 and 7. Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that section 12 of the bill be amended by adding the following paragraphs:

"6. An analysis of the economic, social and environmental costs and benefits associated with the initiative.

"7. A budget outlining the costs and sources of funding for the initiative."

The Chair (Mr. Grant Crack): Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government doesn't support this motion. The proposed act already requires the contents of a geographically focused initiative to include a financing strategy and anticipated costs and benefits. The government is also introducing motion number 35 to amend the bill to require the description of the impacts to those affected by the implementation of the initiative which allows for another fiscal assessment of impacts. So we will not support this.

**The Chair (Mr. Grant Crack):** Further discussion? Ms. Thompson.

**Ms. Lisa M. Thompson:** You know, this province and the municipalities can't afford the practice of moving forward with blank cheques for anything and everything. We really need cost-benefit analysis done so that we can anticipate what is coming down the pipeline. Again, we stressed a concern right out of the gate when there's absolutely no funding associated with GFIs. It's a worry that we have.

Again, when a province is broke we should be doing a cost-benefit analysis on everything.

The Chair (Mr. Grant Crack): Mr. McDonell?

Mr. Jim McDonell: I agree with my colleague here. Too often we're passing costs onto municipalities. We have the second-highest property taxes in North America. As mayor I saw regulation after regulation come down—added cost and added administration—regulation that slowed down growth in our municipalities but at the same time added costs to municipalities with no funding, funding that also has been cut over the years and is less than it was in 1999. There's only taxpayer, and he's being pushed out of this province. We have a fairly high standard of living—not as high as it used to be, I think, unfortunately—but we don't want to see it go down any further.

The Chair (Mr. Grant Crack): Any further discussion? There being none, I shall call for the recorded vote on PC motion number 34.

# Ayes

Tabuns, Thompson, McDonell.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare PC motion number 34 defeated.

There were no amendments to section 12 that passed. Any further discussion on section 12?

Shall section 12 carry? Recorded vote.

1540

#### Aves

Colle, Dickson, Hoggarth, Kiwala, Mangat.

#### Nays

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 12 carried.

I would like to take the opportunity to ask the committee if they would be interested in bundling or joining sections 13, 14, 15, 16, 17 and 18 as there are no amendments. Is it the will of the committee that we could do that?

Mr. Peter Tabuns: Sure.

The Chair (Mr. Grant Crack): Having said that, is there any discussion or comments with regards to any of those sections?

Mr. Peter Tabuns: No.

**The Chair (Mr. Grant Crack):** Then I shall ask for the recorded vote on sections 13, 14, 15, 16, 17 and 18. Shall those sections carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare sections 13, 14, 15, 16, 17 and 18 carried.

Section 19, government motion number 35, which is an amendment to subsection 19(2) and new paragraph 9.1: Ms. Mangat.

**Mrs. Amrit Mangat:** I move that subsection 19(2) of the bill be amended by adding the following paragraph:

"9.1 A description of impacts to persons or classes of persons who may be affected by the implementation of the initiative."

The Chair (Mr. Grant Crack): Thank you very much. Ms. Mangat.

Mrs. Amrit Mangat: Thank you, Chair. This motion responds to those stakeholders, including agricultural groups, who requested an assessment of impacts on stakeholders from the implementation of geographically focused initiatives. It also requires the contents of geographically focused initiatives to include a description of anticipated costs and benefits. This will provide for a robust analysis of impacts from the initiative from financing the initiative to its costs and benefits, and to its impact on stakeholders.

We support this.

The Chair (Mr. Grant Crack): Thank you very much. Any further discussion on government motion number 35? There being none, I shall call for the recorded vote on government motion 35.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns, Thompson.

The Chair (Mr. Grant Crack): I declare government motion number 35 carried.

Section 19 is amended with the previous motion that just passed. Is there any further discussion on the entire section 19?

**Ms. Lisa M. Thompson:** We have one more motion, 19.1

The Chair (Mr. Grant Crack): Well, I need to do that section first and then we'll add.

Shall section 19, as amended, carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 19, as amended, carried.

We have PC motion number 36, which is a new section, 19.1. Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that the bill be amended by adding the following section:

"Consent of landowner required for initiative to take effect

"19.1 Despite any provision of this or any other act, no initiative shall take effect in respect of land if the minister has not obtained the consent of the owner of the land for the initiative to take effect."

The Chair (Mr. Grant Crack): Thank you. Further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government doesn't support this motion. The proposed act contains similar provisions to those found in the Lake Simcoe watershed protection act, which received all-party support and is widely viewed as a model watershed act. The Lake Simcoe Protection Act doesn't include the type of restriction contemplated in this motion. Neither does any other legislation, including the Planning Act and the land use plan. So we will not support this motion.

**The Chair (Mr. Grant Crack):** Thank you, Ms. Mangat. Any further discussion? Ms. Thompson.

**Ms. Lisa M. Thompson:** Through the last 12 years, municipalities have had enough local autonomy stripped away from them. I think it would be a good gesture to actually bring people and be inclusive at the table as opposed to handcuffing them.

The least you could do is recognize the importance of having dialogue and interaction to achieve, ultimately, the agreement from the landowner.

The Chair (Mr. Grant Crack): Ms. Mangat.

Mrs. Amrit Mangat: Chair, the proposed act also ensures that municipalities are invited to make written submissions or pass a resolution on the development of draft geographically focused initiatives, further reinforcing local influence on policies with any future initiative.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the recorded vote on PC motion 36.

#### Ayes

McDonell, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

**The Chair (Mr. Grant Crack):** I declare PC motion 36 defeated.

We shall move to section 20, which is PC motion 37, an amendment to subsection 20(6). Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that subsection 20(6) of the bill be struck out.

The Chair (Mr. Grant Crack): Any further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government doesn't support this motion. This motion essentially removes the legal effect of geographically focused initiatives. The proposed act contains similar provisions to those formed in the Lake Simcoe Protection Act, which received all-party support and is widely viewed as a model watershed act.

The Chair (Mr. Grant Crack): Further discussion? Ms. Thompson.

**Ms. Lisa M. Thompson:** Let's be real. The majority of conservation practices that will be happening will be on agricultural land, and the rights of landowners should be respected. We do not need another repeat of the Green Energy Act.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the recorded vote on PC motion 37.

#### Ayes

McDonell, Thompson.

#### **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion 37 defeated.

There are no amendments to section 20. Any further discussion on section 20? There being none, shall section 20 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

#### **Nays**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 20 carried.

Section 21: There are no amendments. Any discussion on section 21? There being none, shall section 21 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

#### **Nays**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 21 carried.

Section 22: Any discussion? There being none—recorded vote—shall section 22 carry?

#### Aves

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

#### Nays

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 22 carried.

We shall move to section 23, with PC motion 38, which is an amendment to section 23. Ms. Thompson.

Ms. Lisa M. Thompson: No.

The Chair (Mr. Grant Crack): Mr. McDonell.

**Mr. Jim McDonell:** I move that section 23 of the bill be struck out and the following substituted:

"Applications under the Planning Act, Condominium Act, 1998

"23. Despite any other provision of this act, if a person has made an application under the Planning Act or the Condominium Act, 1998 on or before the day an initiative comes into effect, the person shall not be required to amend the application in order to conform with any policies set out in the initiative."

The Chair (Mr. Grant Crack): Further discussion? Ms. Mangat.

Mrs. Amrit Mangat: The government doesn't support this motion. This motion is unnecessary as the proposed act already includes a regulation-making authority to deal with transition matters such as applications made before an initiative comes into effect.

The government intends to use similar provisions for future initiatives, recognizing the need to take a fair and balanced approach which is supported by extensive consultation.

**The Chair (Mr. Grant Crack):** Any further discussion? Okay, there being none, I shall call for the recorded vote on PC motion 38.

# Ayes

McDonell, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion 38 defeated.

There are no amendments, therefore, to section 23. Any further discussion on section 23 in its entirety? **1550** 

**Ms. Ann Hoggarth:** Could we put those together?

The Chair (Mr. Grant Crack): If the committee would like to put sections 23, 24 and 25 together and then we will deal with 25.1 after.

**Mr. Mike Colle:** Let's just vote on 23.

The Chair (Mr. Grant Crack): Yes, okay. Let's deal with section 23 first and then we can do 24 and 25. We're not done 23; right? You had asked to put them all together. We're in the process of voting on section 23, unless I—

Interjections.

The Chair (Mr. Grant Crack): No, no.

**Interjection:** We voted on it.

Interjections.

**Interjection:** Yes, we did. We voted on it. It was voted down.

The Chair (Mr. Grant Crack): Okay. Just for clarification purposes, we have not yet voted on section 23. There was an attempt to amend section 23. There were no amendments. I had asked if there was any further discussion on this section in its entirety. There is none, so I shall call for the recorded vote on section 23, which is not amended.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

# **Nays**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 23 carried.

There has been a request to have sections 24 and 25—**Mr. Mike Colle:** Bundled.

The Chair (Mr. Grant Crack): —bundled together. However, that does not affect the upcoming motion for the PCs. So is it the wish of the committee to bundle the two?

Mr. Mike Colle: Bundle them.

**The Chair (Mr. Grant Crack):** Okay. Is there any discussion on sections 24 and 25? There being none, shall sections 24 and 25 carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare sections 24 and 25 carried.

We have a new proposed section, which is 25.1, which is PC motion number 39. Mr. McDonell.

**Mr. Jim McDonell:** I move that the bill be amended by adding the following section:

"Prohibition, certain classified CLI soils

"25.1 No initiative under this act shall have the effect of requiring a non-agricultural use of land that is classified as class 1, 2, 3 or 4 land under the Canada Land Inventory, National Soil Database, published by Agriculture and Agri-Food Canada, 1998."

The Chair (Mr. Grant Crack): Thank you very much, Mr. McDonell. Ms. Mangat, further discussion?

Mrs. Amrit Mangat: The government doesn't support this motion because this provision is unnecessary as the province already has in place policies to protect agricultural land through the provincial policy statement.

The Chair (Mr. Grant Crack): Thank you. Ms. Thompson.

**Ms. Lisa M. Thompson:** I have to share with you an example I just heard this morning. In my colleague's riding of Haliburton-Brock-Great Lakes, we have an example of where solar farms are being allowed to be

built on class 1 agricultural land. The fact of the matter is, it's proof that what you have in place is not working. It's not protecting our farmland in Ontario. The agri-food sector in this province is arguably number two; some would even suggest number one. Agriculture is intrinsically connected with our economy and we should be protecting this as opposed to ripping away more precious class 1, 2, 3 and 4 farmland.

The Chair (Mr. Grant Crack): Thank you very much. Mr. McDonell.

Mr. Jim McDonell: I think the stats show we're losing hundreds of acres of farmland every week in this province, and we can't afford to—this becomes a major food supply. As climate changes, it becomes more and more important. There is a limit to agricultural land and just because it's not being used today for agricultural purposes doesn't mean it shouldn't be protected because we need the food supply, we need the benefits that this acreage provides to climate change as far as greenhouse gases, so it must be protected. We're supporting this amendment.

The Chair (Mr. Grant Crack): Thank you very much. Ms. Mangat.

Mrs. Amrit Mangat: The motion would also unduly constrain what type of policies could be included in an initiative. It is essential that the initiative be a flexible tool so that it can respond to emerging threats and be able to achieve its goals.

**The Chair (Mr. Grant Crack):** Thank you very much. Ms. Thompson.

**Ms. Lisa M. Thompson:** Again, I stand by that we need to protect our agricultural farmland. But in the spirit of going clause-by-clause on Bill 66 here, I inadvertently added "Great" to the riding of Laurie Scott, and I want to correct my record: It's Haliburton–Kawartha Lakes–Brock.

The Chair (Mr. Grant Crack): Thank you. Any further discussion on PC motion 39? There being none, I shall call for the recorded vote.

# Ayes

McDonell, Thompson.

# Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion 39 defeated.

We shall move to section 26. PC motion 40 proposes a new subsection, 26(1.1). Ms. Thompson.

**Ms. Lisa M. Thompson:** I move that section 26 of the bill be amended by adding the following subsection:

"Analysis

"(1.1) Before making a regulation under clause (1)(a) or (b), the Lieutenant Governor in Council shall analyze and consider the economic and social effects of the regulation on the industrial, agricultural and tourism

sectors and shall post a summary of its analysis and considerations on the environmental registry established under section 5 of the Environmental Bill of Rights, 1993 for a period of at least 30 days."

The Chair (Mr. Grant Crack): Any further discussion? Ms. Mangat?

Mrs. Amrit Mangat: The government doesn't support this motion, as it is unnecessary and exclusionary. The motion as drafted doesn't include municipal partners, who are critical partners in Great Lakes protection, and the impact to them is also very much critical, so we won't support the motion.

The Chair (Mr. Grant Crack): Further discussion?

**Ms. Lisa M. Thompson:** What we're trying to ensure here is that Bill 66 doesn't become unwieldy and appearing Liberal donors and friends. We want to make sure that regulations under this bill actually serve the purpose of protecting our Great Lakes.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the recorded vote on PC motion number 40.

#### Ayes

McDonell, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare PC motion 40 defeated.

We shall move to PC motion 41, which adds new subsections 26(3.1) and (3.2). Mr. McDonell.

**Mr. Jim McDonell:** I move that section 26 of the bill be amended by adding the following subsections:

"Authority to enter property

- "(3.1) In the circumstances described in subsection (3.2), an officer appointed under clause (1)(c) may, for the purpose of enforcing a regulation made under subsection (1), enter property without the consent of the owner or occupier and without a warrant, if,
- "(a) the officer has reasonable grounds to believe that an activity is being engaged in on the property that is regulated or prohibited by a regulation made under clause (1)(a); or
- "(b) the officer has reasonable grounds to believe that a person is required by a regulation made under clause (1)(b) to do a thing on the property.

"Same

"(3.2) For the purposes of subsection (3.1), the circumstances must be such that the anticipated delay resulting from locating the owner or occupier of the property before entering the property would result in serious or irreversible damage to the ecological health of the Great Lakes-St. Lawrence River basin."

The Chair (Mr. Grant Crack): Further discussion? Ms. Mangat?

- Mrs. Amrit Mangat: The government doesn't support this motion, as it is unnecessary and exclusionary. The bill includes a number of checks and balances which ensure that inspection provisions allowing access to property are only used where necessary.
- (1) Such powers would only be used when a shoreline regulation is proposed, which requires extensive consultation.
- (2) The bill requires reasonable notice before entry. This is unlike other statutes such as the Environmental Protection Act or even the Nutrient Management Act, where no notice is required before entering the property.
- (3) Officers must be properly trained before they can enter property. Other legislation, like the Nutrient Management Act and the Environmental Protection Act, do not require this bylaw. A warrant is required for entry into a private dwelling.

These provisions are identical to those in the Lake Simcoe Protection Act, which received all-party support. Other legislation, including the Nutrient Management Act, is even more permissive, so we will not support this.

**The Chair (Mr. Grant Crack):** Any further discussion on PC motion 41? Ms. Thompson.

**Ms. Lisa M. Thompson:** We just can't stress enough that property owners and their rights need to be respected by all legislation.

1600

The Chair (Mr. Grant Crack): Thank you very much. I will call for the recorded voted on PC motion number 41.

# Ayes

McDonell, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

**The Chair (Mr. Grant Crack):** I declare PC motion number 41 defeated.

According to the order from the House, I'd like to inform members of the committee that it is now 4 o'clock, at which time I would like to ask members of the committee if they would like to take a 20-minute recess and/or continue the business of the day.

Interjections.

The Chair (Mr. Grant Crack): I'd just advise members that there will be no further discussion on the motions. I will read them out and we will vote accordingly. It's the order of the House.

Would you like me to reread that for you all?

**Interjection:** Yes.

The Chair (Mr. Grant Crack): "That at 4 p.m. on Monday, September 28, 2015, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings"—which I just did—"and shall, without further debate or amendment, put every question neces-

sary to dispose of all remaining sections of the bill and any amendments thereto. At this time, the Chair shall allow one 20-minute waiting period, pursuant to standing order 129(a)."

Is it the wish of the committee to continue?

**Interjections:** Yes.

The Chair (Mr. Grant Crack): I hear lots of yeses.

We shall move to the next PC motion, number 42, which amends paragraph 26(4)4. Recorded vote. Those in favour?

**Mr. Mike Colle:** Of what motion?

The Chair (Mr. Grant Crack): Okay. PC motion number 42, which is an amendment to subsection 26(4), paragraph 4. Recorded vote.

#### Ayes

McDonell, Thompson.

#### **Navs**

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion 42 defeated.

As such, there are no amendments to section 26. Shall section 26 carry?

# Ayes

Colle, Hoggarth, Kiwala, Mangat.

#### **Navs**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 26 carried.

PC motion 43, which is an amendment to subsection 27(1). Recorded vote.

# Ayes

McDonell, Thompson.

# Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

**The Chair (Mr. Grant Crack):** I declare PC motion 43 defeated.

As a result, there are no amendments to section 27. Shall section 27 carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

# **Nays**

McDonell, Thompson.

**The Chair (Mr. Grant Crack):** I declare section 27 carried. I'll just let the Clerk catch up a little bit.

PC motion number 44 is an amendment proposing a new section, 27.1. Recorded vote.

#### Ayes

McDonell, Tabuns, Thompson.

#### Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare PC motion 44 defeated.

We shall move to section 28. Shall section 28 carry?

#### Ayes

Colle, Hoggarth, Kiwala, Mangat.

### Navs

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare section 28 carried.

Section 29: I shall call the recorded vote. Shall section 29 carry?

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 29 carried.

Section 30: recorded vote. Shall section 30 carry?

# Aves

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare section 30 carried.

Do you have a question for clarification?

**Ms. Ann Hoggarth:** Did we do the opposing?

The Chair (Mr. Grant Crack): I don't think I've missed anything at this point.

**Ms.** Ann Hoggarth: Okay. I just wonder if, as we go along, we could bundle where there's ability to do that, please, without asking.

The Chair (Mr. Grant Crack): They're quite limited now. I appreciate it, but it's straight up, so it should go fairly quickly.

I'd just like to remind members of the committee that there are times, when I ask for "opposed," that there are sometimes members who don't put up their hand, which is more than acceptable. That's why there are no names being called out.

Section 31: We have a government motion, number 45, which is an amendment—a new subsection, 31(2). Those in favour of government motion 45?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

#### **Nays**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I declare government motion 45 carried, which results in section 31 being amended.

Recorded vote: Shall section 31, as amended, carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

#### Navs

McDonell, Tabuns, Thompson.

The Chair (Mr. Grant Crack): I declare section 31, as amended, carried.

Section 32: There are no amendments. Shall section 32 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 32 carried.

We have NDP motion number 46, which is an amendment to section 33, adding new paragraphs 4, 5 and 6. Recorded vote.

# Ayes

McDonell, Tabuns, Thompson.

# **Nays**

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare NDP motion 46 defeated.

There are no amendments to section 33. Recorded vote: Shall section 33 carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 33 carried.

We have government motion 47, which is an amendment to subsection 34(2). Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns, Thompson.

The Chair (Mr. Grant Crack): I declare government motion 47 carried.

There is one amendment to section 34 that has carried. Shall section 34, as amended, carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 34, as amended, carried.

For clarification, Mr. Colle, the first was government motion 47, which carried, which resulted in section 34 being amended, which just carried.

Mr. Mike Colle: Okay, thank you.

The Chair (Mr. Grant Crack): You're welcome.

Section 35: There are no amendments. Shall section 35 carry? Recorded vote.

1610

#### Ayes

Colle, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare section 35 carried.

PC motion number 48 proposes a new section, 35.1. Recorded vote.

#### Ayes

McDonell, Thompson.

# Nays

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare PC motion number 48 defeated.

Section 36: There are no amendments proposed. Shall section 36 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare section 36 carried.

Section 37: There are no amendments. Recorded vote: Shall section 37 carry?

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 37 carried.

NDP motion number 49, which is an amendment to clause 38(1)(1). Recorded vote. Shall NDP motion number 49 carry?

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, McDonell, Tabuns.

The Chair (Mr. Grant Crack): I declare NDP motion number 49 carried.

Government motion number 50, which is an amendment to clause 38(1)(1). Shall government motion number 50 carry? Recorded vote.

Mr. Peter Tabuns: They're the same motion.

Mr. Mike Colle: Motion to withdraw.

Interjection.

The Chair (Mr. Grant Crack): Okay. So if somebody would withdraw, that would be nice.

Mr. Mike Colle: Move to withdraw.

The Chair (Mr. Grant Crack): Okay. Government motion 50 is withdrawn. Thank you very much. I'm just trying to do my job, but thank you for pointing that out, Mr. Tabuns. That is withdrawn.

So we shall move to PC motion number 51.

Mr. Peter Tabuns: Again, they're the same.

Ms. Lisa M. Thompson: Chair, we withdraw.

**The Chair (Mr. Grant Crack):** PC motion number 51 has been withdrawn. Thank you very much.

We have one amendment—NDP motion 49—to section 38. Shall section 38, as amended, carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare section 38, as amended, carried.

Section 39: There are no amendments. Shall section 39 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 39 carried.

Part VIII, "Commencement and Short Title," section 40: There are no amendments. Shall section 40 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare section 40 carried.

Section 41, short title: There are no amendments. Shall section 41 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 41 carried.

I just want to advise members of the committee that schedule 1 does have section 1. I just want to clarify: We will deal with section 1 of schedules 1, 2 and 3 as they come forward. We're moving to schedule 1, but there is a section in there. Shall section 1 of schedule 1 carry? It's a recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): I declare section 1 carried.

Shall schedule 1 carry? Recorded vote.

# Aves

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): Schedule 1 is carried. We shall move to schedule 2, of which there is a section 1. Shall section 1 of schedule 2 carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare section 1 of schedule 2 carried.

Shall schedule 2 carry? Recorded vote.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare schedule 2 carried.

We shall move to schedule 3. There is a section in there, section 1. Shall section 1 of schedule 3 carry? Recorded vote.

#### Aves

Colle, Dickson, Hoggarth, Kiwala, Mangat.

The Chair (Mr. Grant Crack): Section 1 of schedule 3 is carried.

Shall schedule 3 carry? Recorded vote.

## Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat.

**The Chair (Mr. Grant Crack):** I declare schedule 3 carried.

Shall the preamble carry? Recorded vote.

# Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

**The Chair (Mr. Grant Crack):** The preamble is carried. Shall the title of the bill carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare the title of the bill carried.

Shall Bill 66, as amended, carry? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

The Chair (Mr. Grant Crack): I declare Bill 66, as amended, carried.

Here's the big question: Shall I report the bill, as amended, to the House? Recorded vote.

#### Ayes

Colle, Dickson, Hoggarth, Kiwala, Mangat, Tabuns.

#### **Navs**

McDonell, Thompson.

The Chair (Mr. Grant Crack): I shall report the bill to the House, as amended.

I'd like to thank you for giving me the privilege of putting this to the House. As your Chair, it's been a privilege for me to chair such a wonderful group—

Mr. Mike Colle: Move adjournment.

The Chair (Mr. Grant Crack): —including Mr. Colle.

**Mr. Mike Colle:** How about the staff?

The Chair (Mr. Grant Crack): I'd like to thank the Clerk and all the support staff and everyone here for all their hard work on the bill.

**Mr. Mike Colle:** How about the ministry staff, the opposition staff?

The Chair (Mr. Grant Crack): I'd like to thank the opposition staff and the ministry staff for all the good work that you all do. Thank you, Mr. Colle.

Having said that, thanks again, everyone; good work. This meeting is adjourned.

The committee adjourned at 1618.

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