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(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 28 May 2002

Mardi 28 mai 2002

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 28 May 2002

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 28 mai 2002

The House met at 1845.

ORDERS OF THE DAY

HERITAGE HUNTING
AND FISHING ACT, 2002

LOI DE 2002 SUR LA CHASSE
ET LA PÊCHE PATRIMONIALES

Resuming the debate adjourned on May 27, 2002, on the motion for second reading of Bill 135, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission / Projet de loi 135, Loi visant à reconnaître le patrimoine de la chasse et de la pêche sportives en Ontario et à créer la Commission du patrimoine chasse et pêche.

The Acting Speaker (Mr Michael A. Brown): The member for Timmins-James Bay.

Mr Gilles Bisson (Timmins-James Bay): I am most pleased to have this opportunity to debate this bill, and I'm sure the government members are waiting for just that. But before I start, I want to ensure that we have a quorum in the Legislature. Could you count for a quorum, please?

The Acting Speaker: Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is present, Speaker.

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

Mr Bisson: Two walked in at the very end, as I was saying that.

As I was saying, I was most pleased tonight to get an opportunity to speak to this for an hour. This bill was introduced in the Legislature, I think, in November of last year. The date was November 15, if I remember correctly, when they introduced this bill and told anglers and hunters across Ontario that this was the bill of bills that was going to be there on behalf anglers, to give them all kinds of rights they didn't have, and how important the bill was.

There is only one problem: the government never intended to have this bill pass last year. In fact, they never called it. The government has a majority in the House. If they thought this was such a priority, they would have been able to call this bill before the House for debate at second reading in the fall of last year. The government

could have chosen to do that. It could have chosen to deal with committee at that time and could have passed this bill before Christmas.

Instead, the government failed and did not call this bill, and I think the reason is very simple. This bill, and particularly what I will speak to later, doesn't do a heck of a lot to enhance the rights of anglers and hunters across this province. I will argue that in fact it does not. The government was basically trying to give a "sod off" to the angling and hunting community because of the various attacks this government has had on that community over the past six or seven years. So the government introduced the bill and didn't call it. The interesting part is that the Liberals got caught inside the game, and all of a sudden they became somewhat entangled in, I would say, this semi-strategy the government had to try to pass this bill without any debate in the Legislature by way of unanimous consent. At that particular time, other members of my caucus and I did not agree that this bill should go forward without any debate, for a couple of very basic reasons.

The number one reason is that we have a legislative duty in this House, as elected representatives in the Legislature, to debate bills and bring forward issues as they are presented to us by our constituents in our ridings or within the greater constituency we represent in the province of Ontario as critics or ministers or PAs or whatever it might be. Failing to bring those issues and concerns or support that various people may have on a bill and to have an opportunity to properly debate and then propose amendments in order to deal with the bill, I think, is quite frankly not becoming to us, because it means we don't take our responsibility here seriously.

I want to tell you that as New Democrats, we do, and for that reason we said no to unanimous consent last Christmas. We believe there are amendments that need to be made to this bill. We had to have adequate time to debate it and adequate time to send it to committee, so that people who are opposed to it or people who are for it have an opportunity to speak to the details of the bill and, at the end of the day, for members of this assembly to be able to propose amendments based on those consultations at the committee level or others we would have made. So my caucus and I were not prepared to play the game that the government was playing with the Liberal caucus, and I believe we were right.

In fact, on a number of occasions last winter I participated in various forums put together by anglers and hunters, mostly in northern Ontario and some in central

Ontario, as well as some radio talk shows on a few occasions. When people understood what we were saying as New Democrats—at the end of the day, like or dislike this bill, the point is it doesn't work, it doesn't do what the government purports to do in the bill. The government says they are going to enshrine some kind of right to hunt and fish for anglers and hunters. It does nothing of the sort.

1850

We want to make sure we have a debate about that. We've pointed out to the public that in fact this is nothing but a game on the part of the government to say, "We love anglers and hunters." In fact the bill does nothing to assist anglers and hunters in Ontario. There need to be some serious amendments made to this bill, which I will speak to in a few moments.

Let me deal with the first amendment we want to bring forward before I start on the critique of the bill. One of the issues we need to deal with is how this bill impacts on First Nations communities. I represent the riding of Timmins-James Bay, where the largest portion of the geographic area of my riding is traditional territories of the First Nations people, mostly Mushkegowuk people from the northeastern part of the province, as well as a few other tribal councils like Mattawa and Wabun. Also in ridings such as Mr Hampton's and in the ridings of Nipissing, Sudbury and others, there are very large and important parts of those ridings that are made up of First Nations communities.

One of the concerns that has been brought to me, and I'm sure has been brought to other members, is, does this bill in any way, shape or form infringe on aboriginal hunting and fishing rights? When I sat down with the ministry and had the briefings before this bill came before the Legislature, I asked the MNR staff specifically, "Does this bill negatively affect the right of First Nations communities to hunt and fish?" The answer I was given was no. I tried to rephrase it in a whole bunch of ways to make sure that might be the case. In every attempt I made to raise this issue with ministry officials and, I would add, some of the political staff of the then minister, Mr Snobelen, I was assured time and time again that this bill in no way, shape or form was going to affect negatively the aboriginal right to hunt and fish in Ontario.

Now my problem is, I've gone out and consulted. I've talked to people of the Mushkegowuk Tribal Council. I've talked to people at the Nishnawbe-Aski Nation level when they met in Timmins and also when I was in Thunder Bay. I spoke to the chiefs of Ontario. In fact, I spoke directly to Charles Fox himself. They have some very serious concerns about the language in the bill, which they view as infringing on their right to hunt and fish. Certainly the government is not purporting—and this is a point I'm going to ask whoever the PA over there is. Can the MNR PA wave their hand, whoever they are? I'm sure he's watching on television or something. It's Mr Stockwell himself.

I want the members of the government to respond to this question at the end of my portion of the debate: are you prepared to accept an amendment that would basically say that in no way, shape or form would First Nations' rights to hunt and fish be affected, in other words, do a non-derogation clause, as we did? When we brought in legislation, as government, with Howard Hampton, who was then Minister of Natural Resources, we introduced what was called the Sustainable Forestry Development Act. At that time, we said to the First Nations community, "This will not negatively impact upon you." They said, "We don't trust you. We've been rolled over too many times by governments of European descent and we don't trust what we're being told. We need better assurances." We said, "Listen, it is not our intent to impose on your rights. We will put a non-derogation clause in the law." We did that in the Sustainable Forestry Development Act, to be quite clear that the government's intent in passing the Sustainable Forestry Development Act in no way, shape or form would infringe on the rights of individuals of First Nations communities or aboriginal people who have an inherent right to hunt and fish in Ontario by way of their treaties.

I'm asking the government very specifically—it's one of the amendments I want to bring forward when this bill goes to committee, and I assure you we will force it to committee—will the government support an amendment that simply says there is a non-derogation clause put in the bill that says it will not negatively impact the right of First Nations communities to hunt and fish? That is one of the issues we want to have clarified. I was told originally by MNR that it wouldn't, the same way I was told by MNR when we did sustainable forestry development. We were assured at the time that in fact it would not affect them, but I want an assurance by way of an amendment that's put in the bill that does that.

I just want to read one of the many legal opinions I've received from various First Nations people and organizations on this particular issue. I'm just quoting here from one of the legal opinions they got. It says that the bill treats recreational hunting and fishing as a significant provincial priority. There is no explicit comparison in the bill with the constitutional priority of the First Nations' harvesting. In other words, nowhere in the bill does it refer to the harvesting rights of First Nations individuals who have treaty rights. They go on to say, "However, the bill raises a possible concern with the ordering of priorities." What they point to is the Sparrow decision of the Supreme Court. They say that cases like Sparrow have been cleared, that the number one priority is conservation, followed by aboriginal food harvesting. In the constitutional sphere, non-aboriginal recreational harvesting is down the list, so to speak. The bill may give others ammunition to question this ordering of the priorities.

They go on to say throughout this particular document that once you try to say in a bill that somebody has a right—and I don't think the right amounts to anything as I look at it, but the argument could be made by someone in future years that because the Conservative government

in 2002 said somebody has a right to hunt and fish provided they follow the law—which means nothing in my view—some could construe the word “right” to mean that at the end of the day the Legislature intended to elevate the rights of certain people within the province of Ontario to hunt and fish. By doing that, does it adjust in some way the ordering of rights of individuals when it comes to the right to hunt and fish? The First Nations communities are saying they fear that may be the case.

I want to send you another message directly, and you better get this one straight. Speaking to the Chiefs of Ontario and speaking to Charles Fox and speaking to people from the Mushkegowuk territories and speaking to people from the NAN territories, Mado and Matawa, the Wabun territories and others, they're telling me they're prepared to take you to court on this. They don't buy what the ministry has told me and what I've conveyed to them. I've said to them, “No, this is not going to affect your right to hunt and fish,” and they're saying, “We don't trust it. We don't believe it. We're going to take this to court if the bill does pass.” So I'm saying that to avoid all that, all you have to do is accept a very simple amendment that, at the end of the day, says that you're going to have a non-derogation clause within the bill.

The second thing I want to speak to with regard to the First Nations' concern is the other issue, which is the larger one. You know as well as I do—those who have been involved in this area for a while—that First Nations people have been asking the government for many years to be able to be involved in the process of managing fish and wildlife in the province of Ontario, and also resources, which will be spoken to at another debate. They have been after this government to basically say, “Listen, we want to have a hand in being able to manage fish and wildlife on our traditional territories.” They feel, and rightfully so, that they had done that for thousands of years before. They had never had any problems before. There was always a sustainable catch when it came to hunting or fishing, from their perspective. Quite frankly, in some areas, this has been put at risk. They're saying they would like to have a hand by being able to participate in the process of managing hunting and fishing in the province of Ontario in what they consider their traditional territories.

This government has absolutely refused that. But what irks them is that the government, by way of this bill, then says in section 2 that a commission would be established in order to give the angling and hunting community a voice in being able to assist the minister, if the minister should choose—and that's why I think that doesn't mean anything, but that's another story—to give advice on hunting and fishing policies in the province of Ontario. Well, if you're prepared to do that for the rest of the population of the province of Ontario, why have you been refusing that to First Nations who have been asking for this for some time? They have said, “We want to have a hand in managing and overseeing and making sure that things are done properly in our forests, lakes and streams

in traditional territories” that they claim. The government has said, “No, we know best. MNR's responsibility is to take care of all that. Nope, don't come and talk to us. That's not something we're prepared to give you.”

On the other hand, you have to be somewhat frustrated if you're sitting at Attawapiskat as a First Nations person. Then you find out when your provincial member of Parliament comes by and says, “By the way, did you realize this legislation is there?” as I've done through all other areas in my riding. They say, “Why are they setting up this commission when they've been refusing us something similar we've been asking for for some years now?”

So I'm saying to you, you've got some upset people over that who are saying, “Are there two different classes of people in the province of Ontario?” Is there one class of person who says if you're not from an aboriginal community, it's OK to sit on this commission and quite all right to give the government advice—and I see government heads nodding. I hope that's not the case. I hope you were just talking with each other. I can't believe the government would actually want to propose that, because I would argue quite frankly that is not a very healthy policy. I hope that was just somebody not paying attention to what was going on.

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The issue is that they're saying, “We've been asking for this ability to (1) advise the minister on what our proper policy is when it comes to conservation and management of our lands and (2) have a hand in being able to police what happens in those areas and generally have a hand in what happens on traditional territories when it comes to the management of fish, wildlife and resources.”

Up to now the government has said no, but all of a sudden, through this bill, they're saying that they're prepared to do that for non-aboriginal people. Well, they're pretty upset. Again, when I spoke to Chief Fox and I spoke to Chief Moonias in Ogoki, when I spoke to Ignace Gull, the grand chief of Mushkegowuk, and others, they're saying, “Hey, why are we being treated differently?” In fact, I was in Peawanuck with my good friend Mr Prue not but this winter, where that very issue was raised. One of the issues that was raised to us by a number of people whom we met at a community forum was, they live next door to Polar Bear Provincial Park, and there's really no presence of the ministry in that park to speak of. They're saying, “We would like to have a hand in managing what happens in that park so that we can, first of all, make sure that we sustain what's in there for future generations and, number two, set policies that would be beneficial not only to their communities but to other communities around them in regard to economic development. The government to this day has refused them.

So I'm saying to you, at the very least I'm going to bring forward an amendment that basically says the composition of this committee has to include a number of people, including aboriginal people, environmentalists

and others, and not be stacked with just anglers and hunters, because I think that would be the wrong thing to do. I think you have to have a balance on that committee, if you were to bring it forward, that basically has various points of view and gives voice to people to be able to raise issues that are important to them or concerns that they may have about what a minister may or may not be trying to do.

So two of the amendments, as I say, are important to me. I'm going to be tabling those once we get to committee. We will force this bill into committee in order to have, hopefully, a couple of days of hearings so that people can come and speak to it—I'm saying hopefully four, five, whatever we can get—and, in addition, to be able to put forward amendments. I truly hope the government will see these amendments as friendly ones, because I can't believe that the Ontario government would take a position that would take away aboriginal hunting and fishing rights. I can't believe that would be the official policy of the government of Ontario.

Mr Wayne Wettlaufer (Kitchener Centre): You're right.

Mr Bisson: Thank you. I hear somebody on the other side saying they agree with me, so therefore I'm saying to you, Mr Wettlaufer, I look for your support in committee on a non-derogation clause that clearly stipulates it was never, never the intention of the Legislature of Ontario to take away hunting and fishing rights. Because as we know, courts in the future, if this thing is challenged, will look at what was said here. For the record, there are government members who are agreeing with me, and opposition members all agree. I take it, actually, all the government members agree, because I see nobody saying a negative, nobody's negative on the government side, that it's never been the intention to take away rights from aboriginal people when it comes to hunting and fishing.

Let me get to the other part of this bill, and that's the politics of the bill. The reality is, this government has not been very friendly to anglers and hunters over the last seven years; in fact, they've been downright hostile. The reason this bill has been brought forward—and I'm sure I'm going to get some support from the Liberal benches on this one—is that the government needed to find a way to say something very simple to anglers and hunters: "Yes, we beat you on the head and we've done all kinds of negative things"—which I'll get into later—"but we love you. We really want to give you a big hug from the government, and we want to say we love anglers and hunters, so here's a bill that says you have the right to hunt and fish." That's really what this bill is about; it's about a group hug. But the reality is, when you look at the bill, it gives anglers and hunters absolutely nothing. I'll just go through that.

There are two sections in this bill. I want the members to look at this, if you haven't had a chance. It's got a front page with the title—every bill that's ever printed has a front page; it has an interior page—these are my notes, so this is not part of the bill—that talks about the

purpose of the bill; and the entire bill is contained on pages 1 and 2—two sections. All the bill says—

Mr Wettlaufer: You criticize them when they're too long and you criticize them when they're too short.

Mr Bisson: Listen to this, Mr Wettlaufer. You're going to like this. Where are the rights to hunt and fish? They call this "An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission." It says in subsection 1(1): "A person has a right to hunt and fish in accordance with the law."

Tell me how that's different than now. Tell me how that's any different. Last time I checked, when I go fishing—I don't hunt as much as I used to because I don't have the time, but the point is, if I go out and fish and hunt, do you think I don't have to follow the law? Of course I do. There are a couple of laws that I have to follow. I have to follow the Ontario Fish and Wildlife Conservation Act, 1997, because you guys amended that—we'll talk about that later—I've got to follow the Fisheries Act from the federal government and I've got to follow the Migratory Birds Convention Act, 1994, from the federal government. Your bill says that I have the right to hunt and fish provided I follow the law and then it says I have to do what's said in these acts and all the regulations. It means nothing. If an angler or a hunter thinks they're getting rights by this bill, they're being duped, because the bill does absolutely nothing.

Mr Rosario Marchese (Trinity-Spadina): A bear hunt.

Mr Bisson: Will a person be able to go out and hunt and fish any more than they do now? The answer is no. I hear my good friend Mr Marchese asking, if the government decided to cancel the spring bear hunt, somehow or other could they have stopped it by way of this bill? The answer is no. It gives us nothing.

For example, on January 1 of this year the government introduced slot sizes for fishing up in our area. I see Mr Wettlaufer knows what I'm talking about because he's shaking his head. Let me ask you this question: all those anglers and hunters who are mighty peeved at you for having introduced slot sizes that don't make sense in a number of cases are saying, "Would I have any other rights under this bill? Could I have challenged the government and stopped the introduction of slot sizes?" The MNR said no. The minister's staff said no. You've got absolutely no rights. So if the government comes forward at any point in the future and attacks anglers and hunters again, as this government has done on a number of occasions, you have absolutely no rights. There are no rights in this bill.

The other thing is, when you talk to lawyers they say, "You can't do that. It's a constitutional issue." The only people who can infer rights is by way of the Charter of Rights and Freedoms through the Constitution. You have no ability as a province to give them, unless you had agreement by 10 provinces, three territories and a federal government. When was the last time we had that, let alone try to amend rights for hunting and fishing? You

have no ability to give rights, so what the heck is the game here? That's my point.

We stopped this bill when it was first brought to the House. We said, "Hey, we're not letting this go by without a debate because we have some serious amendments to bring forward." I'll talk about others in a minute but one deals with aboriginal issues, and another one deals with anglers and hunters, because they're mad at you.

This is the government that in 1990 ran on a promise. Do you know what? When we were government, if you guys remember, the money that was collected from angling and hunting licences went to a special-purpose account. That was to make sure that the money that was raised from licences sold for fishing and hunting, or any other money we got from confiscating equipment from somebody having done something wrong, would be used for conservation. This government ran—

Interjection.

Mr Bisson: Hang on a second. This is great. This government ran on the promise that they would take it out of the consolidated revenue fund and create a special-purpose account outside the consolidated revenue fund, and nobody would have the right to touch it.

First of all, they never did that. If you go back and take a look at the Fish and Wildlife Conservation Act, section 85, it's very clear what it does. When you guys amended our legislation, you said in section 85, "All amounts received by the crown under this act shall be held in a separate account in the consolidated revenue fund"—it changes nothing; it was there in the first place—"including all fines, fees and royalties paid under this act and all proceeds from sales under this act, including sales" etc. Basically what the amendment says is that there's no change. The money is still in the consolidated revenue fund and it's up to the minister. It says under subsection (3), "The minister may direct that money be paid out of the separate account to the minister or a person specified" by the ministry. In other words, the government can do anything it wants with those dollars, and in fact it did.

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The very first thing you did, and I'll tell you that the people in northern Ontario went absolutely nuts, is you took the money from that fund to fund your Lands for Life process. When you guys came in out of the blue and took a bunch of areas out of the system for hunting and fishing in the province—because you did that; you took out of the land base a number of areas that used to be open to hunting and fishing in this province, in 1996, I believe—you paid for that process through the special-purpose account, something you promised you would never do.

I remember going to those meetings across northern Ontario as your government was holding information sessions on Lands for Life. The rooms were packed. I hadn't seen crowds like that since we did the Constitution hearings back in 1992 and 1993. I remember going to the Senator Hotel, to the Knights of Columbus hall in Hearst, to Kapuskasing, to Kirkland Lake and a whole bunch of

other communities. They were hanging from the rafters, they were so mad at you guys. They said, "Hey, where the heck are you coming from? You promised us a government that would protect anglers and hunters and that you were friends of the OFAH, and the first thing you do, on becoming elected, is pull all this land away from anglers and hunters without any consequence, without any thought about what it means to them."

There's an argument to be put forward that some of those places had to be protected. I don't say that any angler or hunter opposes the idea of protecting our natural resources, the fish and game etc. But, God, the way you guys came at it was just with a sledgehammer, without any kind of process that gave people in our part of the province, including environmentalists, any real say.

What really galled them, on the second point, was that you paid that out of the special-purpose account. I remind you: a promise made and a promise broken in 1995. You promised in 1995 that you wouldn't do it and in 1996 you broke it, and anglers and hunters in the province were mad at you, for good reason.

Then you came back, and the next part that you did was to enact the 21-day camping rule. It used to be in Ontario that if people wanted to go camping on crown land, they had the right to do so provided they were reasonable in their use of the land. There was a policy on the books that basically said that if somebody was being unreasonable, camping more than 21 days and leaving garbage all over and blocking access by people, the ministry had the right to remove those people from there after 21 days. This government said, "Well, you know what? We want to limit everybody to 21 days." That meant that all those people who had hunting camps up across northern Ontario who basically set up their camp in September, when the weather is nice enough, in preparation for the moose hunt or the deer hunt, or the bear hunt that will be happening two months down the road, couldn't do it. They didn't have the right, under your new policy of 21-day camping, to set up their hunting camps. They didn't get that overturned until I came in here and created one hell of a stink and said that you guys are really nuts. You know, people set those camps up in September for a reason. They are putting them in place in order to spot their areas for when the hunting starts later on in October, into November. Then people take their trailers out of there. You were going to prevent, in that case, some anglers but mostly hunters from being able to set up those camps.

Mr Marchese: Why would they have done that?

Mr Bisson: They're not friends of anglers and hunters. That's my argument. These guys purport one thing—"We want to give you a group hug. We love anglers and hunters and fishers. Look at us; we've got an act"—but on the other hand, wham, hit them on the head every chance they get.

It's duplicitous on the one hand to say, "I love anglers and hunters and I want to hug you," but on the other

hand, when it come to your actions, they're quite frankly—

Mr Wettlaufer: On a point of order, Mr Speaker: Since when is the use of the word “duplicitous” parliamentary?

The Acting Speaker: I didn't hear him say that word, but I'm sure that if it offends you, he will withdraw it.

Mr Bisson: If it offends the member, I will withdraw it, Mr Speaker.

But on the one hand you say, “I love anglers and hunters,” through this bill, but on every other occasion you've whacked them on the head. It wasn't until I came in here and started raising the issue in the House and privately with the minister that I finally got some modification of the 21-day camping rule, that it would exclude anglers and hunters when it comes to the purpose of setting up hunting and fishing camps.

Mr Marchese: You had to whack them to make them hear you.

Mr Bisson: Yes, I had to come and whack the government because they were whacking the anglers and hunters on the head. An opportunity to help anglers and hunters? Well, you can go like that if you want, Mr Wettlaufer, but it's the case. All the people I was talking to are up in arms. They're saying, “What the heck did I do wrong? Since when as an angler or hunter have I become a criminal in the province?” I would argue that 99% of anglers and hunters are reasonable people who basically follow the law. Sure, there are people who go outside, but that's why we have conservation officers. That's why we have members of the public who are prepared to call the hotlines to turn in those who are doing things that are outside the law. Most people follow the law, just as in any other part of our lives. But this government decided to whack them on the head and it wasn't until I came here that we finally got that resolved.

Another issue is that you never dealt with the 21-day camping when it came to campers. In that case, they were limited to 21 days. Some would argue that makes sense in areas and lakes that are under high pressure. I would tend to argue, if somebody is trying to camp somewhere and there are only three or four spots available, and it's the same three or four people who stay there all summer, obviously you've got to give people an opportunity to get in there themselves and be able to enjoy that particular lake, not just to leave it with one group. I'm prepared to concede the point that in those lakes that have heavy pressure for camping, we have to apply a 21-day camping rule. But for other areas—let me tell how stupid this got. One couple who lives in Kapuskasing used their camper on the side of a river. They weren't even on the bank of the river, they were in a sandpit about 400 feet from the river. They were in the sandpit on the side of the road. They were the only campers for as far as you could see.

Mr Marchese: Wilderness.

Mr Bisson: Wilderness is exactly the point. MNR comes in and tags them and says, “You're charged under this act for having camped more than 21 days on crown

land.” What's the point? They were the only ones there. Finally, I had a discussion with the MNR district manager and we managed to have that little problem go away. The ministry finally said, “Yes, this is unreasonable.” But in other districts like the Timmins district, they were never willing to reverse that policy. So we have a situation now where you've got lakes and you've got areas that people—first of all, there's no lack of places to camp where I come from. For those people who have come to my part of the world, you know that northern Ontario is quite large. As a matter of fact, my riding is as big as France. There are a lot more campers in France and they still have lots of room, but we don't have enough room for the few people camping in northern Ontario? Duh? Anyway, you have now whacked campers in Ontario and you're saying, in those areas where there is no pressure, they can't camp more than 21 days. So now you're forcing people to go into paid camps, into provincial parks. I guess that's what your policy is.

Mr Marchese: That's a minor detail.

Mr Bisson: Well, the government doesn't give a darn, obviously, but I do and a whole bunch of other people do as well.

Then they did the other thing, they cancelled the spring bear hunt. Oh, boy, did people get upset about that in my part of the province. I am probably the only member of this assembly—I think I am—who supports the reinstatement of the spring bear hunt. I think it was a stupid thing to do. I am putting you on notice now. We know, for example, this year that there are more bears out in the bush than ever before. We're having huge incursions of black bears coming into the communities, and that's not a laughing matter. In fact, not more than a week ago, in a community south of me, we had three black bears in a schoolyard—two cubs and a mother. Kids are out there. God knows what's going to happen. Part of the issue on the black bear hunt was to manage the herd.

Mr Marchese: Love your bear.

Mr Bisson: That was good, but I won't repeat it.

You guys went in and cancelled the black bear hunt. If you had been reasonable and gone to the bear-hunting community—because first of all, there are not a lot of people who hunt bears. This whole notion that everybody who lives in northern Ontario has a gun in their pickup truck to go out and shoot bears is ludicrous. The vast majority of people in northern Ontario don't hunt bears. The majority of people who hunt bears actually tend to come from the south. I don't hunt bear. I have no use for hunting bear. It's not something I want to do. But the vast majority of hunters who hunt black bear actually come from southern Ontario or the United States. There are very few local residents who hunt black bear.

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First of all, there wasn't great pressure from hunters on the bear stock. But the other issue is that it was one of the ways of being able to manage herds, because we have encroached on the bears' territory. The reality is we have built communities, and where communities are getting

bigger there are fewer and fewer areas for bears to go. We have encroached on their territory. As a result there are fewer places for them to go. So if they need to feed, where do they go? They go into the dumps or into somebody's backyard or back deck, as they've done into mine a couple of times, to try to feed on what's left on the barbecue.

I live in downtown Timmins. About two years ago—was it last summer or the summer before? I've got to remember—I had a black bear in my backyard at 3 o'clock in the morning, with three Timmins police officers trying to chase it out. So now we've gone from hunters hunting bear—

Mr Marchese: Were you there?

Mr Bisson: Yes, I was there. They woke me up.

Mr Marchese: What did you do?

Mr Bisson: I waved at the bear as it left.

We've gone from black bear hunters to police having to do the job of the MNR. Now what's happening is the bears are being shot by other means, which is ludicrous. The black bear hunt served the purpose, I argue, and unfortunately, this government has taken it away. The point I make is you say you're the friends of anglers and hunters. Go talk to the black bear hunters. There's a whole black bear association, as you know. They've lost their charter challenge and I guess that's that.

I want to make this point: if black bear hunters had this legislation at the time that the black bear hunt was being cancelled by the government, it would have meant nothing. There would have been no way of using this legislation to prevent the cancellation of the spring bear hunt. It couldn't have happened. So what's the purpose of this bill? If you're serious about giving anglers and hunters some sort of rights, you certainly have not done it by way of this bill.

I sit down with MNR officials and say, "Hey, do anglers and hunters have more rights than they did before?" "No." "Could the anglers and hunters stop a black bear hunt?" "No." "If a slot size were introduced by the government in regard to fishing, could they have an effect?" The answer is no. There are no rights given. It's a pretty innocuous piece of legislation, to be quite blunt. You should change the bill—and maybe that's one of the amendments I should bring forward: "We PCs love hunters and fishers. Let's give you a group hug." That's basically what the bill does. I say this is more gamesmanship and politics on the part of the government than actually dealing with a serious issue.

Another issue that anglers and hunters are mad at is what you've not done with the tag allocation system. There is still the problem in my part of the province and others that people who legitimately want to go out and hunt aren't able to get a tag. You can't give everybody a tag. I think we all understand that. There's not a hunter in northern Ontario who says, "Give everybody a tag so we can go out and shoot all the moose." No. But there needs to be a fairer system to distribute the tags. It frustrates some.

I want to give the story of one gentleman, Mr Pio Alberton, who lives three cottages away from where we are. The tag system has been around for about 17 years, I think; I'm just guessing. He was in the draw for 15 years and not once was he drawn. I haven't been drawn in five years. I got out of the draw system five years after it started because I was never drawn. I just gave up and said, "To heck with it. I don't need this frustration." But he looked around at his neighbours; other people were being drawn every second or third year. The point that people like Pio make is that's not fair.

We should have a system which recognizes that somebody who has already had a tag should be out of the system until those who have not had a tag have an opportunity to have one. So either rearrange the group hunting system, which is probably not the entire solution because there are some people who don't want to hunt in a group, or set up an allocation system that basically says, "First of all, let's make sure we know how many moose are in the moose management area. Let's make sure that we don't prescribe more tags than nature is able to sustain, because we need to sustain the herd." We don't want to deplete the herd. But then have an allocation system that basically says, "Somebody's been drawn and somebody's got a tag. They're out of the system until we've exhausted the pool." Maybe people need to apply, X amount of people per tag—right?—and those people have to be in on the hunt. So it's not a question of me going out and getting my four family members who never hunt so that I can qualify as a group.

Just one of the ideas that was brought forward to me—I don't purport it is the most favoured—is that if you want to get in on the tag system you put together a group. The group has to be active in the hunt or else it doesn't count. In other words, MNR goes out there and they've got to see those people in the party, and if they're not there they'd better have a pretty good excuse, "I'm sick; I'm at work," whatever. Then once those people have shot their moose, they all put their guns down. Nobody from the group goes with any other group to hunt. They don't go out as individuals to hunt. Basically, they're out of the system until the pool over the last couple of years has expired. So you would have to have a pool that rotates every three or four years.

At least that way, people like Pio Alberton and a whole bunch of other people I could name would have an opportunity to get a tag. Guys like Pio were pretty happy when you guys got elected in 1995, to my chagrin. Yes, there are some people in my riding who voted for Mike Harris; fortunately for me, and I would say fortunately for the province, not enough of them. But a number of people voted for this government on the basis that they expected them to change things when it came to the issue of angling and hunting rights, and in fact that has not been done. On the issue of the moose hunt you guys have had a pretty dismal record. Anglers and hunters are still saying the issue hasn't been dealt with.

I know there are some people here from the environmental community who will disagree with me, but

anglers and hunters are not bad people. They are people like anybody else. Most of them are law-abiding people who want to practise safe, reasonable hunting practices that are sustainable to the environment. I'm not one who purports that we should ban hunting altogether. It's been something that has been in our culture for many years, that has been in our lives as humans for years. It may be an activity that a lot of people choose not to do in certain parts of the province, but I don't think we should take it out altogether. But you have to have management practices. Anglers and hunters will agree that you have to have good management practices. Why? Because you want to make sure that when you go back to that lake there are still fish there. For example, the only thing I do now is fish. I don't hunt any more. When I go fishing I'm a catch-and-release guy. I don't keep anything unless the fish looks like it's not going to survive. Then I take that one fish home and eat it, or I'll do it up on the shoreline, or I give it to my mother or whatever. But I don't keep anything; I just put everything back in the lake. Why? Because like most fishermen I want to make sure that when I go back there are more fish—very simple.

I say to the government across the way and to other members in the assembly, let's not get into a debate about whether anglers and hunters are bad, because that's not what this debate is all about. The issue is, they are very frustrated because this government on a whole bunch of occasions has whacked them on the side of the head.

Another example of what's just happened now is on the issue of slot sizes. There's an argument that could be made by some that we need to move to a slot system, but, God, we never had an opportunity to even have that debate. Nobody ever had the opportunity. For those who don't understand what slot size is, let me explain to you. Under the old system, prior to January 1 of this year, a person had the right, in a lake that was open to fishing, to six walleye, six pickerel, six pike or northern pike or whatever you want to call them. You had the right to six. Somebody who drove four or five hours on the highway, on the road to the lake on the ATV to go fishing, had the right to take six pickerel out. Now the government, out of the blue, comes in with a slot size and says, "You have the right to four"—

Mr Wettlaufer: You know why.

Mr Bisson: Just listen up a second—"You have the right to four fish and no fish can be between the size of 16 inches to 24 inches," because supposedly they are the spawners.

Some people will argue—and I legitimately understand the argument—that we need to reduce the catch in order to sustain the fishery, and some people might agree with you. But what anglers and hunters got upset about was that it came out of the blue. The government said, after January 1, through the MNR, "We had an extensive consultation period. We've consulted with all kinds of people on slot sizes and nobody opposed us." There was not a darned angler I met last winter, as I was out ice fishing, who knew anything about it, after January when

the fishing opened. I didn't actually start going out fishing until about February, but when I went out ice fishing on the lakes in my area, I didn't run across one angler who knew anything about the consultation that happened by this government on introducing slot sizes.

People are saying to me, "The slot size is wrong. It shouldn't be 16 inches to 24 inches." Sixteen inches represents about a pound and a quarter to a pound and a half of pickerel, and those are not the primary spawners. The primary spawners are in fact larger than 16 inches. So the government got it wrong on the bottom end. Other people argue—and this is a very good argument—"You're out ice fishing or fishing on a lake in the summertime. You put your line in the water and, oops, you've got a 16- to 24-inch fish at the end of your line. You pick up the fish, you take the hook out of it, and because it was a fighting fish and it got caught in a branch or whatever and the hook got caught real bad, the fish is going to die. You take the fish and throw it back into the lake. What purpose does that give? It gives absolutely no purpose. The MNR's argument is that basically you've got to put all that back into the lake. The fish is dead, for God's sake. So they argue, as in Nipissing, why don't you adopt a policy that says you're allowed three under 16 inches and one above 16, and the one above 16 that you keep is the one that was harmed?"

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Some people will argue against that, but my point is, anglers and hunters said, "We were never consulted. We never got an opportunity," as fish and wildlife organizations such as the Rod and Gun Club, people in the OFAH across my area. I went, for example, to the club de chasse et pêche in Hearst. I went to the Kapuskasing people, to the Timmins people and the Smooth Rock Falls people. None of them had been consulted, and they're bona fide angling and hunting clubs. I went to the annual meeting of the Smooth Rock Falls group and raised it there. They said, "Jeez, we never knew that was coming. Where did that come from? Nobody ever called us." In fact, we were dealing with the MNR over the last year over replacing a couple of bridges on a couple of roads in and around Smooth Rock Falls. At no time did MNR ever say to them, "We're going to change slot sizes."

I say to my friends in those clubs, what would this bill do for you? Would this bill give those people in those clubs an opportunity to say, "Hey, hang on a second. We weren't consulted. We need to be consulted before you enact these new fishing regulations"? No, because at the end of the day the government can do what it wants, because the bill says that you have the right to hunt and fish provided you follow the law. And who makes the law? It's the minister, through this Legislature. There are no rights. So those people who are now, as they see it, stuck with the new fishing regulations under slot sizes are saying, "Hey, I never got consulted. What gives?" Again, you whacked them on the head. Anglers and hunters one more time, bang, got it on the side of the head. But it's OK. Don't worry; everything's fine.

Then Mike Harris, now Ernie Eves, then John Snobelen, now Mr Ouellette, say, "We want to give you a group hunt." The Tory caucus is coming together and it's going to hug every angler and hunter in the province of Ontario and say very softly in their ear that they love them. At the end of the day, it's not going to do anything to give anybody any kind of additional rights. I say to the government across the way, your record has been very abysmal when it comes to it.

One of the amendments I want to put forward is a very simple one. As in the Sustainable Forestry Development Act, we said as a government, "If harvesting practices are going to have an effect on cottagers, on environmentalists, on anglers and hunters or any other users of the forest, First Nations communities etc, there needs to be"—as we defined it under the act—"a citizens' committee in order to review whatever changes and plans are being made by either MNR or the forestry company when it comes to their activities in harvesting." That way, they're able to get wind of something that's coming, they're able to have their input and, at the end of the day, more times than not find a solution. Under the Sustainable Forestry Development Act, those citizens' committees have been very effective. They have managed to avert all kinds of confrontation that we used to have against logging companies and other traditional users of the forest.

Prior to the Sustainable Forestry Development Act, the environmental community, the cottagers, the anglers, the First Nations, and the list goes on, would find out about harvesting plans only when the timberjack or the harvester showed up in the forest to cut the trees. We said as a government, "That's nuts. People need to know what goes on. There needs to be proper planning on the part of the forestry companies at MNR, people need to be informed, and they have to have an opportunity to have their say."

I'm saying I want an amendment to this act. This is one of the big reasons why I didn't want to give unanimous consent last winter. I want something that's comparable to the Sustainable Forestry Development Act that says that for any changes that are made to hunting and fishing regulations in the province of Ontario, there needs to be a real process of dialogue so that all those people who are interested and affected, one way or another, have an opportunity to have their say. If, for example, we are doing new slot sizes, you have at the table the First Nations communities, you have the environmentalists, you have the scientists, you have the anglers and hunters. You've got the people there to talk about, "Is it a good policy?" and number two, "How do you make it work?"

I would argue, on the slot size, there are a lot of people who are upset where I come from, but most people are prepared to live with a slot size if it makes sense. People are saying this one doesn't make any sense. Obviously there are some people who wouldn't live with it at all, but I don't think they're the majority of the fishing and angling community. Most people want to make sure that

we preserve the fishery, but it's a question of how you do it. So as in the Sustainable Forestry Development Act there was a process to enable people to have a real say about policy and a real power when it came to affecting decisions, we need the same kind of thing in this act. I want to have in this act something that's akin to what we had in the Sustainable Forestry Development Act. That's one of the other amendments I want to bring forward to this bill. I'm going to be asking the government, when we bring this to committee, certainly to consider those amendments and to support them, because I see them as friendly amendments. There's nothing wrong with having the various people around the table dealing with those issues.

For example, last spring I dealt with Tembec, which is the major forestry employer in my riding. They had an entire process, when it came to a forestry activity they had, where they brought the people the forest companies used to see as the bad guys—I think, quite frankly, they were wrong in that view—together. They brought everybody together: the environmentalists, the cottagers, the First Nations communities, you name it. They brought them into the forest and showed them what they wanted to do. They said, "What is your comment? Does this make sense, in your view?" Of course there were problems. Everybody said, "You can't do this, you can't do that," for various reasons. Tembec went back, made some adjustments to their plans and guess what? We now have a forest management plan that people by and large buy into. They say, "Let's balance off the need to support our local economy and also make sure that we do that in a way that's sustainable to the survival of the forest and to the game in that forest." Was it easy? No. Was it difficult? Probably. Was there a requirement of an investment of time and resources? Definitely. But at the end of the day, I believe we averted—I give Tembec full credit for this—a whole possibility of confrontation later on. I say the government has to seriously listen to that particular amendment I want to bring forward.

The second part of this legislation is what I'd like to speak to probably in the last part of this debate. Section 1 says you have the right to hunt and fish in accordance with the law. As I said, basically that means to say you've got no rights at all. You will have to do what you've always done before, and that is follow the law. So the government is doing nothing on that point. Then it says that where there used to be a committee to advise the minister on issues of angling and hunting, the minister is now forming a commission. It's like to-may-to, to-mah-to. What's the difference? I guess the difference is how you write the legislation. If the government had written the legislation in a way that said the commission had real powers—and I would argue a lot of people would have problems with that, including the angling community to a certain extent, but certainly the environmentalists and First Nations communities, and for good reason—there might have been something here that some people might have taken as a victory.

But the reality is the commission doesn't do anything. The government again is saying that they're prepared to group-hug anglers and hunters. It talks about composition, which I talked about earlier and which we need some amendments to. It says, "The commission shall be composed of such number of members as may be appointed by the Lieutenant Governor in Council..." It says in subsection (3), "On the request of the Minister of Natural Resources, the commission shall consider and make recommendations" on this whole issue of angling and hunting. The key words are "on the request." The power lies with the minister.

So, for example, let's say this legislation existed prior to the enacting of new slot sizes; anglers and hunters would think this bill gives them some rights. But if the minister says, "I'm not referring that to the commission," what have you gained? We're right back where we started from. We had a committee before that advised the minister when the minister sought that advice, and now we have a commission that says, "on the request of the minister." All we've done is gone from calling it a committee to calling it a commission. We've not enacted any new rights for anglers and hunters by way of the provision of that section. All you're doing is creating a commission where there was a committee.

I was talking to some of the executive of the Ontario Federation of Anglers and Hunters yesterday, who were here in the galleries and unfortunately are not here tonight. They were all excited. They said, "Oh, Mr Bisson, you have to understand the bigger picture. This is great legislation." I'm saying it's bad legislation; it doesn't do anything.

If the government didn't put any teeth in the legislation, it means to say they never planned to give you anything. What are you gaining as an association representing anglers and hunters? Absolutely nothing. You still have to follow the law and it's up to the minister whatever happens, because the second section says the minister is the one who's going to order the commission to do whatever. Let's say Minister A comes to the cabinet table and says to his commission, "I would like you to take a look at issue X," and all of a sudden the minister changes his or her mind, or a new minister is appointed. That new minister, or the minister who changes his or her mind, can come back and say, "I don't want you doing that any more." Once something is referred to the commission, there's no provision in there that says the minister can't haul it off the table. So there are really no new provisions in this act to deal with any of those issues.

I say to the government members very seriously, there are going to be a number of amendments that I want to put forward. I'm asking the government—and also the Liberal caucus, because you guys are just as dirty-handed on this one, as far as I'm concerned, as the government. The Liberals were prepared to accept bad legislation that did absolutely nothing for anglers and hunters. They're not prepared to debate or put forward any kind of teeth in the legislation; they're willing to play the game, willing

to say, "We too, the Liberal Party of Ontario, and Dalton McGuinty, love anglers and hunters. Let's give you a group hug with the Tories." That's basically what you guys did. At least we have the courage of our convictions to say no. Even when it was unpopular in December because people didn't understand what this legislation did, we looked at the legislation, we read it, we caucused it, we came back and said, "There are problems with this legislation." It is a political document for the government, that's all it is, and we are not going to participate in a process that basically plays politics with this issue on the part of the government. It's clear the government has negatively impacted the angling and hunting community, and all they were trying to do was to say to the anglers and hunters that they liked them and they were prepared to give them something, when in fact they're not giving them anything when we take a look at it.

We'll be coming forward with those amendments. As I said in the beginning, I want a non-derogation clause that says it's not going to impact negatively on angling and hunting. I want one other amendment that deals with the composition of the commission, which ensures that the commission has representatives from the various communities that are affected by way of the angling and hunting issues. I want to make sure we establish a process that gives anglers and hunters a voice when the government moves to do things like they did on the black bear hunt or on slot sizes or on a number of other occasions when they negatively affected this angling and hunting community.

I almost forgot to mention that a good friend of mine, Mr Nick Fergassi, and a whole bunch of his friends who actually fish in Shelley's riding but live in mine are upset because every time the forest companies go in and start a new activity, there are a number of occasions when they will end up barring access to fish areas that people had the right to fish before. For example, if you always fished on Lake X and had traditional access by way of a road that was built some 30, 40, 50, 60 years ago by a forestry company, when the forest company goes in, sometimes what they do when they finish their harvesting is block access to that area by taking out that road or pulling out the bridges. As a result of that, people are blocked from the ability to angle and hunt in those areas. I want something that's akin to what we have in the Sustainable Forestry Development Act, that basically says there is something akin to a citizens' committee or some mechanism that gives anglers and hunters an ability to hunt and fish.

Mr Speaker, I would like to move adjournment of the House at this point.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1944 to 2014.

The Acting Speaker: Mr Bisson has moved adjournment of the House.

All those in favour will stand and remain standing.

All those opposed will stand and remain standing.

Clerk Assistant: The ayes are 5; the nays are 34.

The Acting Speaker: I declare the motion lost.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: I ask to take just a moment in the House to correct a much earlier record.

On October 6, 1992, during oral questions I cited a quote from the *Globe and Mail* which was attributed to Mr Pollock of the New Jersey Casino Control Commission. Apparently in the *Globe and Mail* article that comment was incorrectly attributed to Mr Pollock. It was subsequently corrected in the *Globe and Mail* and Mr Pollock has recently asked if I would also correct the record in the House. I do so tonight.

Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader): On a point of order, Mr Speaker: Since 1992, that has been weighing on my mind and I'm glad the member has finally come clean.

The Acting Speaker: Order. The member for Timmins-James Bay.

Mr Bisson: As I was saying earlier, the government purports by way of this legislation to put forward a bill that would somehow give rights to anglers and hunters. As we read the bill, there is nothing in the bill that gives anglers and hunters anything in addition to what they already have.

The bill says in the first section of the act, "A person has a right to hunt and fish in accordance with the law," which means it's status quo. There is no change. The second part of the bill establishes a commission to advise the minister. Only at the request of the minister can the commission actually be given any work, which means it's not any different than a ministerial advisory committee.

As I said earlier, the government in this case is trying to say to anglers and hunters that they like them, but when you look at the actions of this government when it comes to numerous issues, such as the cancellation of the spring bear hunt, the introduction of slot sizes, the 21-day camping policy—and the list goes on and on—they've been attacking anglers and hunters in this province for the last seven years and they're trying to find a very dismal way to do this.

On that, I'd like to adjourn the debate, Mr Speaker.

The Acting Speaker: Mr Bisson has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2018 to 2048.

The Acting Speaker: All those in favour will please stand.

All those opposed will please stand.

Clerk Assistant: The ayes are 5; the nays are 31.

The Acting Speaker: I declare the motion lost.

Questions and comments?

Mrs Margaret Marland (Mississauga South): It's kind of difficult to follow with so many adjournments, but I do believe that the last speaker was the member for Timmins-James Bay. Since we're all inclined to follow suit—although I'm reluctant to get into this ridiculous, foolish game—rather than comment on a somewhat nefarious kind of speech, I will move adjournment of the House.

The Acting Speaker: I'm sorry. I didn't hear your comment. You're moving adjournment of the House?

Mrs Marland: Yes.

The Acting Speaker: That would not be in order. During questions and comments, you do not have the floor as if you are in debate. Therefore, that is out of order. You may continue.

Mrs Marland: It's not worth commenting on.

The Acting Speaker: Questions and comments.

Mr John Gerretsen (Kingston and the Islands): My sentiments are completely with the last member. I also think it's a bunch of foolishness that's going on here tonight.

I find it interesting that we haven't been in this House for almost five months, since before Christmas until about two or three weeks ago, and with what has been happening here tonight—and I know the NDP feels the same way. I want to know why the heck they're moving adjournment of the debate, adjournment of the House. We're here to debate the issues of today.

On the other hand, I can understand some of their sentiment, because the government hasn't brought in one government bill, not one government bill, in the two and a half weeks we've sat here. I've checked this with the table. There hasn't been one government bill—

The Acting Speaker: Order. The point of this is to make comments or ask questions on the speech made by the member for Timmins-James Bay.

Mr Gerretsen: I appreciate that. I appreciate that very much. I know this is a very important bill. But as has already been pointed out, this bill contains exactly two sections. The bill contains two sections, which may be important, but for us to spend three or four days in debate on this bill when we could be discussing the many more important subjects that the people of Ontario are concerned about, I would suggest—and since the government House leader is here today, let him bring in some legislation.

We have a so-called new government, although they seem to be very much of the old guard. Bring in legislation that will benefit the people of Ontario. You've had two and a half weeks to bring in legislation. I challenge the government House leader to bring in some government business that this House can actually deal with in a very meaningful way, because certainly the kind of shenanigans that have gone on here in the last two and a half weeks aren't doing it.

The Acting Speaker: Questions? Comments?

Mr David Christopherson (Hamilton West): I want to comment on the remarks of my colleague from Timmins-James Bay.

Let me just say, in terms of procedure, the previous speaker is at least partly right in the last part of his comments in that, of all the things that are important to the people of this province, as outlined by your own Premier in your own throne speech, this is what we're going to tie ourselves up with night after night after night, a bill that has four parts—four parts? The first one is that a person has a right—

Hon Mr Stockwell: Call the question.

Mr Christopherson: If the government House leader would like to just listen, I'll give him a reason why I think this is a waste of our time. Are you going to listen? OK.

First thing—and my colleague said it best; he certainly had an hour to expound on it—the fact of the matter is, to say that a person has the right to hunt and fish in accordance with the law, to make that statement legislatively and to say that it's more important than the crises in our education system, our health care system, our environmental procedures, that this is more important than all those things, is laughable.

What else does it say? They're going to create a commission. Well, look at the wording. The wording says the commission will give advice to the minister. It's my understanding from my leader, who is a previous Minister of Natural Resources, that those committees already exist at the pleasure of the minister.

The fact of the matter is that my friend and colleague is absolutely right. This is one great group hug where you're trying to convince a segment of the population that this matters, that you care about these folks.

Interjection.

Mr Christopherson: I'll tell you what we want to hear. We want to hear how you care about the environment. We want to hear how you care about safe drinking water in this province. We want to hear how you care about the people who are backed up in our hospital system because there's not enough money. We want to hear how you care about our kids, because there's not enough money in our education system.

Interjections.

The Acting Speaker: Could we have some order?

Hon Mr Stockwell: After the member speaks, I'd just like to be able to hear.

I say to the member—

Mr Christopherson: You will have to shut up first.

Hon Mr Stockwell: That was nasty. It wasn't witty at all; that was nasty.

I agree; this, in my opinion, is a fairly straightforward bill that should proceed through the Legislative Assembly with quickness. The situation I'm faced with is that I have to deal with the House leader for the opposition and the House leader for the third party. Why is it we can't spend more time on education bills? Why is it we can't spend more time on health care bills?

Interjection.

Hon Mr Stockwell: No, it's because members like the member for St Catharines insist on getting up and expounding on every single bill that goes through this House. That's exactly the problem. We have a very straightforward, very simple bill that wants to set up a commission, and you insist on taking four legislative days to debate it. There's the problem. If you want to take time, meaningful legislative time, if you'd like to have meaningful debate on bills, then you have to set your priorities. Do you want to spend four days talking about this bill? I don't. Our caucus thinks it should go through on a wink and a nod, but you're the two parties that insist on tying up this House for four sessional days debating a bill that we know should be whipped through with no problem.

Here's another example: the Ontario College of Art and Design wants to grant degrees. Last time you guys again held it up for four sessional days. So the problem isn't just on this side of the House; the problem is on your side of the House. If you want to treat these bills as they should be treated, they should be 15 minutes. Then we'd have serious time to talk about other bills. Why is it not 15 minutes? Because your House leaders are completely unreasonable.

Mr Bisson: In reverse order, to the member from Etobicoke, it is our job in this Legislature to make sure we give proper consideration to bills when it comes to debate and that, when bills need to be amended, we order those bills off to committee to do the proper amendments in order to make legislation work. So if the House leader says to me, "We don't need to debate things," I think maybe he's the wacko House leader, not the guys on this side.

On the other issue from the member from Hamilton West, when he talks about other priorities, he's perfectly right. We've now been back for two weeks. We've not debated one government bill that stems from the throne speech. We've been here dealing with bills that you wouldn't pass last fall. You have a legislative majority. You could have ordered this legislation forward last fall. You could have passed this bill last fall. You never called it, never did it, and now you're complaining that we're here debating the bill. Yes, we will debate this bill, and we will also bring amendments to committee because we think there are a number of issues that I outlined in my speech that need to be dealt with.

For the member for Kingston and the Islands to talk about shenanigans, saying "My God, we're playing games here"—I was in the House last night. I remember the Liberal opposition moving a deleterious motion in order to slow this bill down just last night, when their critic got up and did it, so I'm not going to take any lectures from the Liberals on this. We have some serious amendments that we want to put forward. We're saying to the government, "We need to have those amendments considered," and at the very least we need to give them good consideration so they're able to pass by way of this House.

Again, I'll just say in wrapping up—and I'm looking forward to the next motion to be put forward by the next speaker—what does this bill—I want you to answer—give anglers and hunters? Absolutely nothing. You have the right to hunt and fish if you follow the law, section 1. Duh; that's what people do now. It doesn't change anything. Where you used to have a committee to advise the minister, you're now proposing a commission by way of this legislation that will do what the minister tells them to do. Duh; that's what we've got now. To-may-toes, to-mah-toes, that's the difference.

2100

Mrs McLeod: On a point of order, Mr Speaker: I feel that since we are here on legislative business, it's important to restore some degree of seriousness to our deliberations tonight.

I understand that the government House leader has informally indicated that if we were to expedite the conclusion of the debate on second reading of Bill 135, he would be prepared to table the Hydro legislation. I would ask, then, if he would indicate to this House how quickly he would table the Hydro legislation if we were to move quickly on the finalization of second reading of Bill 135.

Mr James J. Bradley (St Catharines): Good question.

Mr Gerretsen: Excellent question.

The Acting Speaker: It is a good question, but it is not a point of order. Further debate?

Mr Wettlaufer: I had a lot of very meaningful debate that I was going to contribute tonight. However, it is pretty obvious that the members of the third party do not want to be here; they've moved two adjournments. The members of the Liberal Party don't want to debate; they moved adjournment last night. So I move adjournment of the House tonight.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2101 to 2131.

The Acting Speaker: Mr Wettlaufer has moved adjournment of the House.

All those in favour will please stand and remain standing until counted.

Those opposed will please stand.

Clerk Assistant: The ayes are 3; the nays are 24.

The Acting Speaker: I declare the motion lost.

It being past 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2132.

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