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**Official Report
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(Hansard)**

G-30

**Journal
des débats
(Hansard)**

G-30

**Standing Committee on
General Government**

**Comité permanent des
affaires gouvernementales**

Representation Statute Law
Amendment Act, 2017

Loi de 2017 modifiant des lois
en ce qui concerne
la représentation électorale

2nd Session
41st Parliament

Monday 16 October 2017

2^e session
41^e législature

Lundi 16 octobre 2017

Chair: Grant Crack
Clerk: Sylwia Przedziecki

Président : Grant Crack
Greffière : Sylwia Przedziecki

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Monday 16 October 2017

Lundi 16 octobre 2017

The committee met at 1402 in committee room 2.

**REPRESENTATION STATUTE LAW
AMENDMENT ACT, 2017**

**LOI DE 2017 MODIFIANT DES LOIS
EN CE QUI CONCERNE**

LA REPRÉSENTATION ÉLECTORALE

Consideration of the following bill:

Bill 152, An Act to amend the Representation Act, 2015 and certain other Acts / Projet de loi 152, Loi modifiant la Loi de 2015 sur la représentation électorale et d'autres lois.

The Chair (Mr. Grant Crack): Good afternoon, everyone, including members of committee, Clerk, Hansard, communications, ladies and gentlemen. I'd like to call the Standing Committee on General Government to order. This afternoon, we are here to go through clause-by-clause consideration of Bill 152, An Act to amend the Representation Act, 2015 and certain other Acts. According to a previous agreement, we are able to meet today and Wednesday for clause-by-clause consideration.

Having said that, is anyone interested in making some opening comments? Mr. Bisson.

Mr. Gilles Bisson: An opening comment maybe but also just a question in regard to the bill. We're going to be going into amendments, but I just want to double-check with both the ministry and legislative counsel for purposes—as I understand in speaking to legislative counsel, we list all the other northern ridings for probably numerical reasons as far as how they line up in the order for the ridings in northern Ontario. I just want to ensure that none of the boundaries on the other ones have been changed. As I read it, Algoma–Manitoulin, section 1, then you get into—we'll leave Kiiwetinoong and Mushkegowuk out for now, but Kenora–Rainy River and all the other ridings, they're not changed, right?

Interjection.

Mr. Gilles Bisson: Could you please come and identify yourself at committee?

The Chair (Mr. Grant Crack): Yes. Please come forward, take a chair and identify yourself—

Mr. Gilles Bisson: It's only for numbering reasons, right? That's what I would figure.

Mr. Tim Lewis: That's correct. My name is Tim Lewis. I'm with the Ministry of Intergovernmental

Affairs and the Cabinet Office. The only changes are the numbers and to add Mushkegowuk and Kiiwetinoong to the bill. Everything else is the same.

Mr. Gilles Bisson: Okay. Chair, I'm not sure when this particular comment would be appropriate, and I'll leave it up to you, but I want to discuss where we go with Mushkegowuk-James Bay or Mushkegowuk riding overall as far as an amendment, because my difficulty is this: I was going to bring an amendment here—actually I was going to file it on Friday, and the more and more we worked on an amendment last week, the more and more it became difficult. For one member to draft a boundary change on a riding, I don't think is doable. It's not doable for legislative research, given the short timeline—but I'm not an election commission and I shouldn't be gerrymandering my own riding, so I want to have a bit of a discussion about process. It was clear—what we heard at committee in Moose Factory and what I've been hearing from constituents since this whole thing has been announced—that the Mushkegowuk people are opposed to this particular proposal as it stands. I want to talk about a possible way forward that respects our First Nations and allows us to get to where we've got to go—whenever that's appropriate, Chair.

The Chair (Mr. Grant Crack): Thank you for your comments.

Mr. Gilles Bisson: It would lead to an amendment at some point, but I want to discuss it before we ever get there.

The Chair (Mr. Grant Crack): I think if there was an amendment that was put on the table, that would be an appropriate time to discuss that.

At this time I will ask if there is any other further discussion? Mr. Fedeli.

Mr. Victor Fedeli: I'm just looking for a bit of an answer to Mr. Bisson, because I would have thought that that's it, that what we have today is going to go back to the Legislature, it's going to get voted on and we're done. I don't know that I understood there to be another opportunity, which is why we put our amendments in today. So, I'm just curious—am I missing something?

Mr. Gilles Bisson: If you look at—

Mr. Victor Fedeli: I'm looking to the Chair here: Am I missing something, or is there further opportunity?

The Chair (Mr. Grant Crack): For clarification, there are amendments that have been put forward that the committee is going to discuss. Going forward, I believe

what you're referring to is under section 2. So, if there is an amendment to section 2, I believe it would be appropriate to bring your concerns forward at that particular point, but we are here to consider the existing amendments as they have been forwarded to the Clerk.

Mr. Victor Fedeli: What is the process from there, then?

The Chair (Mr. Grant Crack): The process would be that, as we get to that particular section, if there is an amendment that comes forward as to—

Mr. Victor Fedeli: No, I mean after tomorrow.

The Chair (Mr. Grant Crack): After clause-by-clause consideration, and the committee is satisfied that our work is done here and, as Chair, I'm satisfied, then it goes back to the House for third reading debate.

Mr. Gilles Bisson: There is another option, and that's what I want to talk about.

The Chair (Mr. Grant Crack): When we get to that section, if you believe there's an option that the committee may want to entertain, then we can look at it at that time. Fair enough?

Any further discussion with regard to—

Mr. Gilles Bisson: I take it you won't accept an amendment—

The Chair (Mr. Grant Crack): We haven't started yet, but I'm getting there.

No further discussion? Then we will proceed. We will move to section 1, clause-by-clause consideration. We have government amendment number 1, which is an amendment to subsection 1(3), subsection 2(4) of the Representation Act, 2015. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that section 1 of the bill be amended by adding the following subsection:

“(3) Section 2 of the act is amended by adding the following subsection:

“Review, “Mushkegowuk–James Bay”

“(4) The Attorney General shall undertake a review of the name of the Mushkegowuk–James Bay electoral district, in consultation with affected communities, and report any recommendations respecting the name to the Legislature.”

The Chair (Mr. Grant Crack): Is there any discussion on the motion? I'm not sure who had their hand up first—I had my head down—but we'll go with Mr. Fedeli, if that's all right.

Mr. Victor Fedeli: Eventually we're going to get to the next motion as well, which is our PC motion and which, I think, covers this name in a better way.

I'll be blunt. During the hearings, we heard very loudly and clearly from two grand chiefs and a chief, as well as a private citizen, who said that using the name is misleading. I don't want to paraphrase, but certainly throughout the documentation that we received—I can read the one example from Grand Chief Alvin Fiddler and Grand Chief Jonathon Solomon, “The name ‘Mushkegowuk’ must not be used for one of the proposed new ridings in the James Bay region. The Mushkegowuk Council and NAN must be allowed to submit suggestions for an alternative and more appropriate name.”

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This was one of the underlying themes throughout the entire day, which to me was the purpose of going to Moose Factory: to listen, in this case to the grand chiefs especially, who were very, very clear, over and over, that they were not consulted. They were not consulted on the name, and certainly found offence in the fact that the name was being used without their prior knowledge or their approval. Again—I'll end here—they termed that “misleading.”

I don't understand how this amendment resolves the issue that we heard so loudly and clearly from our First Nations in Moose Factory.

The Chair (Mr. Grant Crack): Mr. Bisson and then Mr. Berardinetti.

Mr. Gilles Bisson: Maybe an explanation first would make more sense.

The Chair (Mr. Grant Crack): Okay. Thank you, Mr. Bisson. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I was up north as well, and I heard those same concerns. We're committed to an open—

Mr. Gilles Bisson: Could you turn off that fan?

Mr. Lorenzo Berardinetti: Yes, it's very hard to hear. I'm shouting here.

The Chair (Mr. Grant Crack): Hold your thoughts. We're just going to take a short recess as the Clerk tries to get the fan turned down.

Okay. Mr. Berardinetti, continue, please.

Mr. Lorenzo Berardinetti: I said that we're open to dialogue. We heard the concerns raised by committee, and we're addressing them through a legislatively required process, with further consultation and reporting. So this is not finished today. We want to hear some more—further consultation and reporting. There were concerns at committee that the commission was not there at the right time. Summertime is very busy. I don't live up there, but that was a concern they raised.

We're saying that we're open to more dialogue. It's not finished today. To move forward, we're saying that we want to review the name of the riding for this bill. I read it into the record; you all have a copy of it there in subsection 2(4). There's further review; that's all I can say.

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

Mr. Gilles Bisson: A question and a clarification: This particular section tries to provide a mechanism by which to possibly amend the name “Mushkegowuk–James Bay.” However, in the bill, we call it “Mushkegowuk.” I'm a little bit confused by where the “James Bay” comes from. Can somebody answer that for me? I know where James Bay is; it's in my riding. In the bill under section 2, we're calling it “Mushkegowuk,” but here, we're calling it “Mushkegowuk–James Bay.” What's the significance of that? Just curious. Can we have somebody from the ministry or legislative counsel or the PA?

The Chair (Mr. Grant Crack): There has been a request for someone from the ministry to come.

Mr. Gilles Bisson: If the PA can answer, that would be fine too.

The Chair (Mr. Grant Crack): Mr. Berardinetti, do you have anything?

Mr. Lorenzo Berardinetti: All I can say is that the section provides for a review of the name, in consultation with the affected communities. It also provides for reporting and a recommendation respecting the name to the Legislature.

The Attorney General is still going to look at it. We heard the concerns raised at committee. We're trying to enact a legislatively required process for further consultation and reporting. There's a process there where we're going to consult some more, but I think we want to move on and get the new ridings in place. I understood the concerns raised by the presenters at committee. We want to create two new ridings—well, four in total, I guess, but we want to create those ridings, so we want to go forward with this.

The Chair (Mr. Grant Crack): We'll go to Mr. Fraser.

Mr. John Fraser: I'm fully in agreement with what my colleague says. In addition, my understanding is that the inclusion of "James Bay" in this amendment here is to add "James Bay" to the name of that riding.

Mr. Gilles Bisson: But are you changing it to Mushkegowuk—James Bay? Is that what you're trying to do?

Mr. John Fraser: That's what it's saying, yes. My understanding is that the reason for that is to make sure, in the short term, that the character of the riding, which was one of the questions that was raised—I wasn't there—that it would be a clear indication of a more representative name, in the interim, while we—

Mr. Gilles Bisson: Right.

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

Mr. Gilles Bisson: I took the liberty the first time I saw this amendment to reach out to Mushkegowuk, to the grand chief. Unfortunately, guess where he is? He's out gathering, right?

Interjection.

Mr. Gilles Bisson: Exactly. You were at the committee hearing. He came in from hunting to present and now he's gone back. As I read this amendment, it sounded to me that you're just calling it Mushkegowuk—James Bay. I'm not 100% sure, but I don't think that's going to meet with his approval or that of his council. So I'm not sure why you would come at it this way and you wouldn't go maybe the other way; that is to say the Attorney General has a process that he or she can undertake—or the electoral boundaries commission, or the electoral officer—in order to come up with another name, because I don't think they're going to like this, personally.

I'm just taking a stab in the dark but you're using the word "Mushkegowuk." You know the geography there; I won't have to give you the lesson. Mushkegowuk is a pretty big territory but it's Highway 11 and the James Bay. When you say Mushkegowuk—James Bay it makes

it sound as if it's the Mushkegowuk James Bay, right? I think they would have a problem with that.

The Chair (Mr. Grant Crack): Okay, thank you. We're going to go with—

Mr. Gilles Bisson: Considering they are going to be a minority in that riding.

The Chair (Mr. Grant Crack): We'll go with Mr. Fedeli, and then Ms. Wong.

Mr. Victor Fedeli: Thank you. Again, we're going to see a motion from the PC Party in a moment that I believe respects the wishes of the Mushkegowuk Council and others—NAN—as well. Simply adding two other words to the name Mushkegowuk does not acknowledge anything we heard.

I'll read a few more quotes, then, from the hearings. We heard that using the name Mushkegowuk was "alarming" to the chiefs. We also heard that, while they're flattered the name was being used, they are surprised as they were not asked if it can be used. They suggested that that be the case. In this particular approach, we've gone ahead and changed the name but we still haven't asked them. I know that we're offering to consult with them, but we're offering to consult with them about this specific name, not about what their thoughts are.

I believe they were pretty clear that they were offended to see the name being proposed without their advance approval, and here we are, about to make precisely the same mistake—or insult, to use their own words—all over again. I think that would be viewed more tragically than the first time, when we went there—we flew there, we took the boats across the river, we listened to them—and we've come back in the reverse order, and here we are again, about to do precisely what they were offended for in the first place.

So, Chair, again, as we'll see in a moment, I go to the PC motion that asks for consent, as opposed to "here we go again." With their words—

Mr. Gilles Bisson: Can I ask a specific question—

The Chair (Mr. Grant Crack): Thank you very much. We're going to go to Ms. Wong, unless she provides passage over to you, Mr. Bisson.

Ms. Soo Wong: Thank you very much, Mr. Chair. I too heard the concerns of the grand chiefs and I think what is before us with this motion is a temporary placeholder with respect to the fact that the Attorney General has indicated his intention to further consult. This new riding needs a name. Let's call it the way it is, right? You can't have "X" riding. But what I think is really, really clear is that the government and the Attorney General have made a commitment to further consultation.

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You have to remind yourselves here in this committee that it was the Far North Electoral Boundaries Commission that made the recommendations. We have an independent commission, the commissioner and their work. You may not agree with them, folks, but at the end

of the day we have a body that made the recommendation to this committee about the name.

Yes, I heard the concerns, just like you, Mr. Bisson and Mr. Fedeli, at the hearings, and I too was shocked that the council was not asked either in writing or by request, but that's neither here nor there because I wasn't part of the commission. But I think it's really important for all of us to remember, this is temporary, not permanent. There is still room after the Attorney General has consultations.

We also heard that a portion of the riding includes James Bay. This is not a permanent name yet, so it's really, really important—let's step back. We gave the responsibility to this commission to look into this item for all of us in this room and this committee, and now we're going to turn around and say something else, my friend? That's not respecting the independent body that we have appointed. Those are my remarks, Mr. Chair.

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

Mr. Gilles Bisson: First of all, we don't have to agree with the independent body. That's a whole other issue.

Let me just get back to the amendment. As I read the amendment, it could be read a little bit both ways. It could be read as that the name he's going to consult with is Mushkegowuk—James Bay only. If you go on to read the amendment in any more detail, it says “and report any recommendations respecting the name to the Legislature.”

My question is, could that report, coming back with a recommendation of a name, be different than Mushkegowuk—James Bay? That's my question. So if somebody can answer—

Mr. Lorenzo Berardinetti: Yes.

Mr. Gilles Bisson: Well, you had said no at the beginning. That's why I was—

Interjections.

The Chair (Mr. Grant Crack): Who would like to speak?

Mr. Gilles Bisson: Can I call the lawyer from the ministry just to make sure I understand? There's a bit of confusion as you read this amendment. My question—you heard it; no need to repeat it.

Mr. Tim Lewis: I'm not a lawyer, so you get the legal advice you pay for.

Mr. Gilles Bisson: We're not either, so don't worry about it. We're just lawmakers.

Mr. Tim Lewis: The intention of the provision is to have a consultation not on the name Mushkegowuk—James Bay but on the name of the electoral district that, after this motion process is completed, depending on how the votes in this committee go, will be called Mushkegowuk—James Bay through the statute, but it's a consultation on the name of the electoral district, not a consultation on the name Mushkegowuk—James Bay.

Mr. Gilles Bisson: Okay. Let's put that in simple English. If they come back and they decided to call it riding XY, could they call it XY?

Mr. Tim Lewis: The Attorney General can make a recommendation to the Legislature to that effect, and then—

Mr. Gilles Bisson: Which would then mean a legislative change?

Mr. Tim Lewis: A legislative change would then be required subsequent to that recommendation being made.

Mr. Gilles Bisson: So all this does is enact a process by which you can go ask for a name, but it'll take legislative time in order to change the name.

Mr. Tim Lewis: Subsequent to a recommendation, that is correct.

Mr. Gilles Bisson: Okay. I understood it correctly the first time. Just the way you explained it, I thought you were saying something different. I will vote against this.

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

One more time: If there's no further discussion, I shall call for the vote on government motion number 1. Those in favour? Those opposed?

Mr. Gilles Bisson: Recorded.

The Chair (Mr. Grant Crack): Unfortunately, it's a little late. I entertain recorded votes—

Interjections.

Mr. Gilles Bisson: Leave me alone. I'm having fun, guys.

The Chair (Mr. Grant Crack): Always pleased to entertain recorded votes. I always take my time. Just before I go, “I shall call for the vote,” that would be the appropriate time.

Those in favour? Those opposed? I declare government motion number 1 carried.

We shall move to PC motion 1.1, which is an amendment to subsection 1(3), subsections 2(4) and (5) of the Representation Act, 2015. Mr. Fedeli.

Mr. Victor Fedeli: I move that subsection 1(3)—

The Chair (Mr. Grant Crack): No. Section 1.

Mr. Victor Fedeli: Oh. Where are you? I thought it was subsection 1.

Interjection.

Mr. Victor Fedeli: I move that section 1 of the bill be amended by adding the following subsection:

“(3) Section 2 of the act is amended by adding the following subsections:

““Mushkegowuk electoral district

“(4) Despite the provisions of this or any other act, the name of the northern electoral district identified in the schedule as “Mushkegowuk” shall instead have a different name to be prescribed in a regulation made under this act by the Chief Electoral Officer.

“Written consent to use of name

“(5) Subsection (4) does not apply if the Mushkegowuk Council provides the Chief Electoral Officer with written consent for the use of the name “Mushkegowuk”.”

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

Mr. Victor Fedeli: I only go back to my earlier points where the grand chiefs found the use of the name “Mushkegowuk,” again, to be alarming. They told us they were flattered but surprised, because they were not asked if it can be used. They found the use of the name “Mushkegowuk” in the riding name to be misleading.

I feel, and our party feels, that this particular amendment leaves it now open for that consultation to happen properly, without the name “Mushkegowuk” being forwarded as one of the proposed names.

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

Mr. Gilles Bisson: Now it brings me to what I wanted to deal with in the first place—and I’ve still got some comments that I want to make in regard to the Mushkegowuk riding before you get off that section.

But to this amendment, I think it speaks to the hurried process that we had in dealing with this. I think the government actually, by intention, did the right thing. Creating two Far North ridings to give First Nations better representation in the House? Bravo! Not a problem. It’s something we’ve stood for for a long time. It’s very welcome on the part of the various people of the Far North. The unfortunate part is that the commission, in the work that they did, came to a bit of a different conclusion as to what they thought was an acceptable proposal.

On the northwest, as we know, they made a proposal of 60%, roughly, First Nations. There’s a better chance of a First Nations member being elected in that riding, certainly, than there is now. There is no guarantee—there’s never a guarantee—but there’s a better chance.

But on the northeast side, there’s a real disappointment. They go from a riding where Timmins, which has a sizeable First Nations population, is hived out of the James Bay, and then they’re hived into what is the old Cochrane North—only part of Cochrane North, which is Smooth Rock to Hearst, which has a smaller native population on Highway 11, to where they have less political influence and ability to outcome the election.

It’s unfortunate, but the problem we now have is that we here are trying to fix what Mushkegowuk wants us to fix, which is the name of the riding, and we’re forced into a process that makes it really difficult.

The thing about this amendment that is interesting is something that I rail against all of the time, which is to leave it to regulation and let the minister do what has to be done and then come back. But I take it, Mr. Fedeli—and this is the answer to the question that I want—that the only reason you’re doing this by way of regulation is not to derogate our responsibilities as an assembly, but that this is the only choice you have, and that’s the only reason you’re doing it this way.

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

Mr. Lorenzo Berardinetti: I think the first motion that was voted on and passed makes it clear that there would be a consultation process and that if there is a proposed change, it would go to the Legislature. So there would be a vote, a legislative process. I think the government prefers to do that.

This motion delegates that authority to the Chief Electoral Officer. He has had his input. He was one of the five members of the panel, as I understand. He had an opportunity to say something there. But, with the greatest of respect, instead of having him decide the name or the title of the riding, we want the Legislature to decide. This one says to allow the Chief Electoral Officer to decide. That’s why we’re opposed to this amendment here.

1430

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

Mr. Fedeli?

Mr. Victor Fedeli: To answer your question from earlier, I understand, through what I’ve heard from our staff in trying to craft this through the Legislature, that this is the way for us to go; it’s the only tool we have in front of us that we can use, in my opinion. That’s the first part of it.

In terms of the consultation process, again, this goes back to the grand chiefs with a clean slate, a clear slate, without any preconceived ideas—or, as one of the members called the other one, a “temporary placeholder” because a permanent name has not been developed yet, as it said.

Again, I go back to offering a fourth interpretation from the grand chiefs. They tell us—and I’m quoting again—that there was “no consent” to use the name. They said it was “disrespectful” to use the name, and that you are “taking their name.” So going back to them with the same option as before, albeit expanded, is the same insult that they perceived the first time. This option removes that slight and honours what they were asking for.

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

Mr. Gilles Bisson: Two things: First of all, as I looked at doing amendments to the bill after the hearings, there were two amendments that I was looking at doing. One was similar to this, and the other would have been on the change to the riding boundaries, which I’ll speak to later. I didn’t file because I thought that this particular amendment put forward by my friend Mr. Fedeli speaks generally to what it is that we were trying to do, so I do support it.

Please don’t take this as a provocative attack on the government, but I’m going to try to put it this way: Most of you know what St. Anne’s school was in Fort Albany; it was a residential school. Years ago, we decided to build a new school in Fort Albany called Peetabeck Academy, and, purposely, we didn’t call it “St. Anne’s” for a reason, right? There’s a lot of hurt that was involved in the experiences of kids, and now adults, who went to the St. Anne’s school. As a result, for them it was very symbolic not to call the new school St. Anne’s even though that community is very Catholic, very much respectful of the Catholic church; they just understood that you had to call it something else.

It’s maybe a bit too graphic a way of putting it, but utilizing the name “Mushkegowuk” in the electoral district, in the district by which they’re going to be a minority, it’s kind of the same thing, and that’s why they took affront to it. I remember when I first saw the recommendations that came out by the Electoral Boundaries Commission to create this riding called “Mushkegowuk.” At first, when the Mushkegowuk people heard, they thought, “Oh, we’re getting our own riding.” That’s the way they saw it; they didn’t understand the boundaries were going to be what they were. As they understood the

boundaries, they said, “Hang on. This is like tokenism. This is like you’re calling it something that it’s not.” That’s why they take such offence to the riding being called “Mushkegowuk,” because it’s not Mushkegowuk. They are a minority within their own riding that’s being called “Mushkegowuk.”

I said the other day at the hearings—and one of the members took offence, and I didn’t mean to give offence—that it’s a bit of tokenism; it’s a bit of colonialism. Once we use terms like that, to the First Nations, it’s a big deal.

When the grand chief and the chief and others say to you, “Don’t use the word ‘Mushkegowuk’ in describing a riding by which we’re not going to be in the majority,” we need to take that at face value. I think what we were trying to do—and I think what you’re trying to do in your amendment, as well, in a different way—is to get at that and say, “At the very least, if we’re not going to give them a riding by which they’re in the majority, let’s not pound salt in the wound and call it something called ‘Mushkegowuk.’”

I’m prepared to support this amendment on the basis that I’m not clear in my mind that the first amendment that has been proposed will actually lead us to a different name. Those are my comments.

The Chair (Mr. Grant Crack): Mr. Fedeli, and then Mr. Fraser.

Mr. Victor Fedeli: I can yield to Mr. Fraser for a moment, then, if you don’t mind. I’ll let him—

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

Mr. John Fraser: In terms of what you’re recounting, in terms of response—two questions. Anybody can respond to me in this way. First of all, I’ll preface it by saying that it is important to recognize the component of our First Nations people who are in that riding. I think that’s the intent of that. I think we can all agree that that’s where people came from. What the committee heard was, “We’re insulted that you would not ask us first and take this,” which is very understandable. So one is, was there an alternative that was suggested? I wasn’t there. Was there somebody saying, “Well, maybe you should say”—

Interjection.

Mr. John Fraser: So there was no alternative, from what I can—

Mr. Victor Fedeli: There’s a reason why there was no alternative.

Mr. John Fraser: Okay. I’m not saying that there wasn’t; I’m just asking for my own edification as we’re going through this.

Secondly, do they say—well, that’s enough. That’s what I needed to know.

The Chair (Mr. Grant Crack): Mr. Fedeli and then Mr. Bisson.

Mr. Victor Fedeli: That is a great insight. It opens up the door to the crux of the problem. No, there was no alternative, but there is a reason why. If the riding that we ended up with was indeed the territory of the Mushkegowuk, I’m quite certain that they would be happy to have it called that, even though they weren’t consulted in

advance. But what they’re saying and why they don’t offer an alternative is because—in Grand Chief Fiddler and Grand Chief Solomon’s letter to us, on page 7, item 5, they say: “Lastly, but significantly, is the naming of one of the proposed new ridings in the James Bay region. The FNEBC has recommended that this ... be named ‘Mushkegowuk’. This was done without consultation or permission”—we’ve discussed that. “Naming this ... ‘Mushkegowuk’ is misleading, as this government’s own statistics indicate that the majority of the population” of this newly created riding would be francophone—and it’s down in Hearst, the Highway 11 route; Hearst, Kap, that area—not indigenous. They go on to say, “This is highly inappropriate and may cause significant confusion with the political interests of the Mushkegowuk Council.”

Why they don’t give an alternative is because if you’re going to name that whole riding “Mushkegowuk,” it’s not indicative of it, because a really tiny piece of it is Mushkegowuk and the rest of it really is a francophone riding. So that’s where they are—to marry exactly what Mr. Bisson was saying earlier, it’s the reason behind it. It’s because it’s not the Mushkegowuk riding.

Mr. John Fraser: So, just to add one question—

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

Mr. John Fraser: Sorry. Did you—

Mr. Gilles Bisson: No, I’m yielding my time just to hear you have to say.

Mr. John Fraser: I just have a question from a geographical perspective. Maybe you can answer that when you get a chance, because, yes, population we understand, but their traditional territory, their territory, is also a consideration in that.

To get back to what we’re saying, we’re talking about two processes here of finding a new name for the riding: One is regulatory and one is legislative. The name of the riding is in legislation, and what it will require is a legislative change. That’s why the first amendment is there. What we have to ensure is that the process can take place in a manner that’s consultative—the Attorney General, I should say, has to do that—and then to act upon that once we have that decision or that recommendation that comes forward.

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

Mr. Gilles Bisson: A couple of things: First of all, if you look at where your amendment says that possibly Mushkegowuk–James Bay or whatever comes out of it—geographically, Mushkegowuk extends into Mike Mantha’s riding, it extends into John Vanthof’s riding and it extends into France Gélinas’ riding. So first of all, Mushkegowuk, just from a geographical point of view, is like saying “northeastern Ontario,” to a degree. It’s not as big as that; I’m over-simplifying. But the other part—well, speaking of Mike Mantha, look who just walked in the room? So Mushkegowuk riding extends into those areas.

But the other thing is, in your original amendment, you say, “Mushkegowuk–James Bay,” which is—I don’t want to say this in a bad way, Chair; don’t rule me out of order. It’s even more misleading, because the James Bay

is the northern part of my current riding, which is populated by 95% Mushkegowuk people, right? So if you're going to call the new riding Mushkegowuk–James Bay, it's even sort of worse than calling it "Mushkegowuk" because it tells you it's only Mushkegowuk and James Bay and doesn't include Highway 11.

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If I would have been the government crafting the amendment and I was trying to find a placeholder name as Mrs. Wong put forward, I would have said "James Bay–Highway 11" or "Mushkegowuk–Highway 11"—even "Mushkegowuk–Highway 11" might have been a bit of a problem, but I would have said "James Bay–Highway 11." That better describes the area. It's like Timmins–James Bay, same thing.

Mr. John Fraser: So my question is—

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

Mr. John Fraser: Sorry, thank you. The geography of the new riding, how much of it is—

Interjection.

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

Mr. Gilles Bisson: That's a whole other thing which I'm going to get into later, but the geography of the current riding is Timmins, Highway 11 from Smooth Rock Falls all the way up to Hudson's Bay. It includes all of the James Bay communities and part of Hudson's Bay, which is Peawanuck, Weenusk.

The new riding, essentially all you're doing is you're taking Timmins out. Hey, I'm going to have a great riding. I'm going to have a riding of 43,000 people. Can you believe it? I go from the second-largest riding in Ontario, where I have to own my own plane to service it, to one where I can do it on a bicycle. You guys have done me a huge favour, right? So I don't argue that I don't want Timmins. Timmins is easy.

But from the perspective of the Mushkegowuk people, they go from a riding where at least there was a connection to Timmins from the James Bay, because most of what is serviced in the James Bay comes out of Timmins. Five Nations Energy, Moose Cree, Mushkegowuk Council, the health centre: It's all based out of Timmins. They lose that connection. They get lopped in with Highway 11, and Highway 11 has a lesser indigenous population than Timmins does.

That's why they're kind of upset about this. They're saying, "We thought we were going to get a riding in which we were going to be a majority. We not only get a riding where we're not in the majority, we become smaller when it comes to the political oomph of the riding as far as the ability to elect your own, and then you call it Mushkegowuk?" That's the point.

That's why I asked the question earlier on the first amendment: "Are you locked in to calling it Mushkegowuk–James Bay?" As I understood it, it was not. You can come back with something, but this is final point.

I've been around here 28 years. It's happened, I won't say when, where governments in the last term leading up to an election may not come back in the spring. The

problem I have with your original amendment is that if for some reason the Attorney General does a consultation, doesn't get it done on time or the Legislature is unable to deal with it in time, you may never get this done before the next election. That's why I hate doing stuff by regulation, but at least it can be done.

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

Mr. Gilles Bisson: And if the Attorney General would have called me, I would have given him that explanation and we wouldn't have this argument. You should listen to local members. You know your riding. Mr. Mantha knows his riding. I know mine—

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

Mr. Lorenzo Berardinetti: First of all, I just want to say and put on the record that we're being very respectful. We traveled up there. I hadn't been up there before. It's not my riding, as Mr. Bisson said. We went up there. We could have just done it in Toronto through a conference call, but we went into the riding. We listened to them. There were powerful presentations, very powerful presentations. I'm not underestimating that, or understating that at all.

But I think what's at issue here is, who is going to change the name? We recognize here, the government realizes that through the presentations, we know. They're bringing that point up again and again. They don't want Mushkegowuk there. We're just saying the Attorney General is going to conduct further reviews and then bring it through the Legislature, which is all of us; not through regulation, which is cabinet, let's say, but through the Legislature. We're committed to that. We put a motion forward in the past, the first motion here today. I'd rather do that and continue forward.

As far as I know, with all honesty, I think the name will be brought forward before the next election. There's no secret plan to hijack the process. We all know they don't want the name Mushkegowuk. There were very powerful presentations, and they don't want it. Every one of them said, "We don't want this name," except for the one member who spoke about something else, the member that was on teleconference regarding the financing, which we'll get to later in this bill. But I think it's best to do it through the Legislature. We decided that already, and I trust the government will do that.

I know the concern about the election coming up, but I don't think it would be too—I don't know. I just don't think it's right to go into an election with that name on that riding. So we are saying that this will be referred to consultation, because many of them said, "We didn't get a chance to speak in front of the commissioner. We weren't invited to speak to the commission about the name changes." We know that. We get that. We get that, and I think we need to move on.

The Legislature is going to decide, not the cabinet or any other body. With all due respect, even though this motion says that the CEO, the Chief Electoral Officer, should name it, I would be more comfortable having the Legislature name it. That's all I want to say right now.

The Chair (Mr. Grant Crack): Mr. Bisson, then Mr. Fedeli and then Ms. Munro.

Mr. Gilles Bisson: I'm not going to lengthen this, but there is no guarantee that the House will ever be around to deal with whatever the Attorney General recommends in the end. Anything could happen. We could get caught up in a fight, politically, over some other bill, to the point where no unanimous consent can be gotten in order to do this this fall. That's a possibility. I would certainly not want to stand in the way, as the elected member for that area, but who knows? I'm just one member of 107.

The second thing is that the House may not come back after February. I'm just saying, let's not put our Mushkegowuk friends in a box, where, through no fault of our own—I'm not saying the government is a Machiavellian thing here—through no fault of the government, the government is not able to get a UC, and the government doesn't come back this fall because they decide that, politically, that's a bad idea, and we're now forced to go into the next election with the name of Mushkegowuk on a riding in which they're a minority.

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

Mr. Victor Fedeli: If I heard correctly—and I wrote down as he was speaking. Mr. Fraser, you said that you know they don't want that name, yet that's the very name we're going to go back to them with. Our motion would make sure that that doesn't happen. That's why this motion doesn't have their name.

Mr. John Fraser: I do think there's a challenge in that the ridings are all named in legislation. It's by legislation that we do that and not through regulation. I'm not sure that the delegation of that authority is the most appropriate way to do that.

I think we can accomplish this and achieve this. I think there's a will to do that. I understand from the Attorney General that there is a will to do that. We don't know what's going to happen in this life. I agree. We never know what's going to happen, but I think there's a way to get this done, given what's in front of us right now. I don't share the same level of concern that my colleague across the way does.

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

Mr. Victor Fedeli: But we were there and saw the passion and listened to how insulted they were. I can't believe that we're going to go right back to them with almost the same thing. That boggles my mind, to be honest. We have a chance to not insult them and acknowledge that we listened to what they said, and we're going to ignore that and go right back at them again with the same thing. I can imagine their eyes rolling when they see this—

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

Mr. Victor Fedeli: And with that, I'm done.

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

Mrs. Julia Munro: When the discussion was centring around timing, I wanted to remind those of us who were there and remind others that the presenters made it very clear that, from their perspective, they would prefer that

there is—it's not necessary to be rushed. It's not necessary for it to be in this calendar of the Parliament.

As we listen to each other, I find it really interesting the positions that people have taken. The government is saying, "Oh, yes, well, that's too bad about the name, but we need to have this done," and we're saying that the name change is far more significant than it might appear to be. The leadership have also been very, very clear in the conversations last week that they do not feel the need to rush.

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It seems to me that, as my colleague has suggested, the one thing that was loud and clear that they don't want done, this committee is now looking at doing. At the same time, the presenters said, "We don't need to rush into this; we can wait until the next go-round." And we're pushing them on that as well. I find that, looking at these things and looking at whose interests we're supposed to be presenting, there is a fundamental contradiction.

The Chair (Mr. Grant Crack): Further discussion on PC motion number 1.1? No further discussion? I shall call for the vote on PC motion 1.1. Those in favour? Those opposed? I declare PC motion 1.1 defeated.

Mr. Gilles Bisson: This is where I would like now to revert to the section of the new riding.

The Chair (Mr. Grant Crack): I would think that that would be more appropriate under section 2. We're still on section 1. What we'll do—

Mr. Gilles Bisson: That's why I asked for your guidance at the beginning. I just thought, "Okay, we'll deal with it after the next amendment."

The Chair (Mr. Grant Crack): We still have a bit of business to conduct prior to getting to section 2.

Is there any discussion on section 1, as amended? There being none, I shall call for the vote. Shall section 1, as amended, carry? Those in favour? Those opposed? I declare section 1, as amended, carried.

We shall move to new section 1.1, proposed by PC motion 1.2, which is a motion creating new section 1.1, section 4.1 of the Representation Act, 2015. Mr. Fedeli.

Mr. Victor Fedeli: I move that the bill be amended by adding the following section:

"1.1 The act is amended by adding the following section:

""Advertisement of electoral districts

"4.1 In the three months following the day the Representation Statute Law Amendment Act, 2017 receives royal assent, the Attorney General shall publicly advertise the creation of the four new northern electoral districts created by that act in those electoral districts."

The Chair (Mr. Grant Crack): Discussion? Mr. Fedeli.

Mr. Victor Fedeli: I think it stands on its own. The fact is, there is tremendous confusion north of the French River as to what will be happening. I think it would be appropriate that the government clearly identify what's happening throughout the north, and in particular in the Far North.

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

Mr. Lorenzo Berardinetti: The government will not be supporting this motion. The administration of electoral boundaries is the responsibility of the independent and non-partisan Chief Electoral Officer. There's a process in place for that administration of electoral boundaries, and it's not the role of the Attorney General to advertise election matters. In fact, this could be considered an inappropriate attempt to influence an election.

It is Elections Ontario's job to notify the public of such matters. We want to leave it that way and not get the Attorney General involved in the process. It's the CEO, the Chief Electoral Officer, here who's involved.

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

Mr. Gilles Bisson: I'm sorry; I'm just finding that a little bit amusing. This from a government that advertises on absolutely everything under the sun? Things that are not in your purview have been advertised by the government when it's to your best advantage. I just thought that was an interesting—I just wanted to make comment: Coming from the government that advertises on everything they can, I find it's ironic for you to oppose this.

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

Ms. Soo Wong: I just want to get some clarification in terms of past practices. Is the motion before us from the opposition normal? I just need to know because, as a new member—this is the first time we've expanded in the province of Ontario. I want to know from the Chief Electoral Officer, when they expand ridings, is it the practice to do what Mr. Fedeli is moving in this motion? I'm not clear. This is the same party that criticized the government for too much advertising. Now I'm seeing this particular motion. He does want us to advertise—to educate, to inform—about this new riding, which I totally get. So in terms of the Chief Electoral Officer—I want to hear their opinion. Is it common practice, when you expand a riding, when you have a new riding, that you put this kind of motion before the Legislature to deal with this? I'm not aware. I don't want this to be the first ever. I want to know past practices.

I have a new riding, in Scarborough North. Will the Chief Electoral Officer be creating an ad to do the same thing as this? I just want to know. If we're doing the two new northern ridings, it is my expectation that all the new ridings—because we now have more ridings coming to the province of Ontario; there are more than 107 coming up—if we're going to do one, we've got to be prepared to do them all—

Interjection.

Ms. Soo Wong: I don't have a problem with it being extra special, because the distance and the geography—I respect that. I want to make sure it's about equity, it's about consistency. I want to hear from the Chief Electoral Officer about this kind of advertisement. I don't know.

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

Mr. Victor Fedeli: I can't speak on behalf of the Chief Electoral Officer. I can't speak on behalf of other

new ridings that were created and whether the nearby MPPs were thoughtful in asking for that or not.

I can speak on behalf of the fact that the Auditor General and our party have definitely criticized the government for too much meaningless advertising. I'll agree with that.

But I do not understand, Chair, how the government feels that creating two new ridings and describing the new boundaries can influence the outcome of an election. On that one, I must say, I share the chuckle with the member from Timmins–James Bay.

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

Mr. Michael Mantha: With all respect to my colleague who raised her point, which is a very valid point, we've had eight years and both federal and provincial jurisdiction and redistribution discussions that have made those other areas aware of the changes that are coming up. It's not new. People are expecting it. People have discussed it. They're anticipating it; whereas the new ridings that are coming into the northern area are new, and they're new discussions to a lot a people who, for whatever reason, were not as engaged as others might have been. So to raise the awareness about those changes might be a reason why it's more important to do it in those particular areas in the north.

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

Mr. Gilles Bisson: I heard what the honourable member had to say. There's an argument there; I'm not going to argue there isn't. Maybe what we need to do is amend this from “the Attorney General” to “the Chief Electoral Officer”—that the Chief Electoral Officer has to advertise whatever this calls for, the creation of the new ridings, so that people are aware. Maybe that's a way to fix it.

Oh, we've got people working on this one.

The Chair (Mr. Grant Crack): Further discussion on PC motion 1.2.

Mr. Gilles Bisson: I would move an amendment to the motion.

The Chair (Mr. Grant Crack): Okay, that is in order. Mr. Bisson.

Mr. Gilles Bisson: The amendment is that we strike out the words “the Attorney General” in 4.1 and replace them with “the Chief Electoral Officer.”

The Chair (Mr. Grant Crack): Mr. Bisson is proposing to replace, after “royal assent,” “the Attorney General” with “the Chief Electoral Officer”.

I'll just allow one more discussion. Ms. Wong.

Ms. Soo Wong: I'm requesting a 20-minute recess to hear this, because I need to check.

The Chair (Mr. Grant Crack): We need to take a little recess anyway, for the Clerks' office to be able to put it in writing so that we can distribute it to all members of the committee.

Without further ado, we will recess for, I would say, a maximum of 10 minutes. So be prepared earlier than that for the Clerk to prepare that amendment to the amendment in writing.

The committee recessed from 1500 to 1509.

The Chair (Mr. Grant Crack): Okay, we're back to order.

Mr. Bisson, I shall give you the floor to read into the record your amendment to the amendment.

Mr. Gilles Bisson: I move that the words "Attorney General" be struck out and that "Chief Electoral Officer" be struck in—close enough.

The Chair (Mr. Grant Crack): Would you be so kind as to read the motion as written?

Mr. Gilles Bisson: I move that motion 1.2 be amended by striking out "the Attorney General" and substituting "the Chief Electoral Officer".

Just for the record, I definitely don't want to be any party to the government spending money on advertising.

The Chair (Mr. Grant Crack): We'll just deal with the motion. Is there any further discussion on the motion? Ms. Wong.

Ms. Soo Wong: I need another five-minute recess. I said that to you, Mr. Chair. I wasn't finished.

The Chair (Mr. Grant Crack): That is in order because Mr. Bisson has read the motion into the record. I will entertain a five-minute recess.

The committee recessed from 1510 to 1515.

The Chair (Mr. Grant Crack): Our five minutes is up.

Mr. Bisson moved an amendment to the amendment. Is there any discussion on the amendment to the amendment? Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I think we can support the amendment, as long as Mr. Fedeli's motion goes through, as well, as amended.

So if your amendment goes through, then we can support—

Interjection.

Mr. Lorenzo Berardinetti: Yes.

The Chair (Mr. Grant Crack): Thank you for that. We will deal with the original amendment after we deal with the amendment to the amendment. Any further discussion on the amendment to the amendment?

Mr. Gilles Bisson: Can we have an amendment to the amendment to the amendment?

The Chair (Mr. Grant Crack): If you would like. I will entertain anything that is in order.

If there's no further discussion on the amendment to the amendment, I shall call for a vote on motion 1.2.1, which is the amendment to the amendment. Those in favour? Those opposed? I declare the amendment to the amendment, motion 1.2.1, carried—which takes us back to the original motion, as amended.

Is there any further discussion on PC motion 1.2, as amended? Just for clarification, the original motion now is amended to include "the Chief Electoral Officer" and eliminates "the Attorney General."

If there's no further discussion, I shall call for the vote on PC motion 1.2. Those in favour? Those opposed? I declare PC motion 1.2 carried.

We shall move to section 2.

We shall move to government motion number 2, which is an amendment to section 2, item 4, schedule to the Representation Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that item 4 of the schedule to the Representation Act, 2015, as set out in section 2 of the bill, be amended by striking out "Mushkegowuk" and substituting "Mushkegowuk–James Bay".

The Chair (Mr. Grant Crack): Further discussion? Now would be the time, Mr. Bisson, to do whatever you need, or we could wait till the end, when I ask for any discussion on this section.

Mr. Gilles Bisson: I'm going to try to keep the name separate to the discussion of the riding, just so you know.

The Chair (Mr. Grant Crack): Okay. Mr. Bisson, go ahead.

Mr. Gilles Bisson: We've made this point before. I'm going to be voting against this for the main reason that what we're essentially doing here is we're keeping the word "Mushkegowuk" to describe this new riding, in which our First Nations friends will be a minority, and calling it "James Bay." It's like James Bay is Mushkegowuk. So it's kind of like a double hit, if you know what I mean, when it comes to the First Nations. That's my first comment. I'll be voting against it for that reason.

The second one is, as this relates to your first government amendment, I read this to be that this is going to be the interim name of the new riding, and depending on what happens with or—if the consultation happens with the Attorney General, it might get changed. If the consultation happens and it actually comes back to the House and it gets called, it might get changed. And if the House doesn't come back, it won't get changed at all.

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

Mr. Lorenzo Berardinetti: I understand that Mr. Bisson is concerned, but I think—you're House leader, and so is the Attorney General. Hopefully, at your next meeting, you guys can work this out—better there than here.

Mr. Gilles Bisson: I want to defend the House leaders right here, right now. We've all been around this place long enough to know—we're going to be getting into end of session. Who knows what's going to happen? If one party or one individual member decides not to give unanimous consent—let's say Jack MacLaren, as an example, as an independent member—this thing could stop. That's why I'm voting against this.

I understand that the government is trying to respond to what it heard, but it didn't understand correctly what they were saying. What I would have done, just for the record—I don't want to name the riding; I don't think it's appropriate for me as a local member to name my own riding, but I would have called it something like James Bay-Highway 11. That would have been less intrusive. But I would leave that up to the commission to come up with.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote on government motion number 2.

Those in favour of government motion number 2? Those opposed? I declare government motion number 2 carried.

1520

We shall move to discussion on section 2, as amended. Is there any discussion on section 2, as amended? Mr. Bisson, the floor is yours.

Mr. Gilles Bisson: I don't want to get into a long speech here, but I will to a degree; I warn you. When somebody shows up at the mike at an event and says, "I won't be long," that normally means it's going to be pretty long.

I'm going to try not to rag the puck on this, because I made my points in debate at second reading, but I understand that other members might have been in committee and may not have heard the argument, so I just want to make the argument clearly.

Again, as I said earlier, I give the government full credit for trying to do this. The idea of creating two northern ridings for the Far North is an excellent idea, and I think we understand why. The issues of the Far North First Nations communities are very different than the issues of, let's say, central or southern Ontario First Nations communities—not to say that they don't have their own unique problems, but they're hugely different.

I'll just give you this little example. I was referring to this with the Clerk. When the committee went up there—I went up ahead of you guys because I had a couple of constituency appointments I had to do. One of the meetings that I had was with a woman whose young daughter, at 13, committed suicide, in Moose Factory. Moose Factory is probably one of the more—the community is where you would expect to see this the least. There's a fair amount of employment in that community, although it's nowhere near what it is in Timmins, North Bay or Toronto. It's a community that has a lot more services, a lot more employment opportunities than, let's say, Attawapiskat, Kash, Fort Albany or Winisk. I met with this woman, and she said, "Five years ago, my 13-year-old daughter committed suicide." Well, that's a pretty heavy trip. I think all of us don't like dealing with these things, but it's a part of what we do as MPPs.

When her daughter committed suicide, she was not able to deal with the death, from the perspective of losing her daughter and why she killed herself and the impact that it had on the family. She talked about how she lashed out for two or three years in that community and within her own family, trying to deal with the grief of losing a 13-year-old daughter. I've got two wonderful young women, Julie and Natalie, 40 and 35, and grandkids. I can't imagine what you do when you go through something like this. She was struggling to deal with it. For two or three years, she was having a heck of a time.

She happened to go up to Waskaganish. Waskaganish, just so you know, is on the Quebec side of the James Bay, where there is much better social infrastructure. The James Bay agreement has brought to the First Nations Crees on the Quebec side much stronger infrastructure, both physically and social service-wise. While she was in

Waskaganish, somebody said, "Oh, there's something wrong with her." She was demonstrating—not post-traumatic stress, but the same kind of thing. So they talked to her and put her into treatment, even though she's not a Quebec Cree. The time of treatment went by, and she's finally dealing with it. She's not happy—she's very sad that her daughter died—but she has now had treatment so that she can deal with it, and she's getting her life back together.

I say this in relation to this bill. I've represented that riding for the better part of 15 or 20 years, and I'm still floored by the stuff that I hear when I meet with constituents on the James Bay, because you don't think this stuff happens in this day and age in Ontario, let alone Canada.

This woman talked about how there was nothing in place to help her deal with her grief, and it wasn't until she went to Waskaganish on the Quebec side that she was able to deal with her grief, because there was a system in place there to help her.

Why this bill is important is, imagine if you had a Cree person who has lived the experience who was the member, who was in this assembly all the time—sitting on committee with us, possibly sitting in cabinet, certainly sitting in the Legislature—who would be able to help us better understand what the issues are in those communities and what is needed in order to resolve some of the issues.

I'm not using her name, because she didn't give me permission. But as I listen to people like this who tell me their stories, it just resolves in my mind that—who better to represent them than their own people? That's why I gave the government full credit when they came out with this legislation. There were people who came to me and said, "Oh, the government's trying to gerrymander the riding because it's a strong part for the NDP and the NDP is going to lose votes on the James Bay." Heck no. I couldn't care less about that. At the end of the day, it's the right thing to do. So I give the government credit. I think it was a really good idea.

The commission I don't think was mal-intended. I know Ms. Pelletier—because we all saw the letter—wasn't very happy with me for some of the comments that I made. She was the commissioner, obviously, just for the record, of the electoral boundaries commission. I don't believe for a second that any of the commissioners did this with an aim to do any sort of political motivation. I just think they tried to deal with, "How do we do this in a way that makes sense?"

They happened to hit on Highway 11, which is currently having a fight with the city of Timmins. There's a fight going on, some of you may or may not know, over the DSSAB. Hearst and Kap want out of Timmins as bad as they can, for their own reason. I understand; there are some logical arguments.

Timmins would love to have its own riding because then it doesn't have to share all of the money that we share within the larger riding—because you know how it works: Every riding gets X amount of money for projects

as divvied up by the ministries, and if it's a smaller riding, then they get more money. Timmins is kind of happy with that.

The commission was not understanding what was going on in the background, why people were saying, "Oh, no, we want to be out of Timmins. We're francophones and we want greater representation."

I said, « J'aimerais pointer que je suis francophone, madame. J'ai été élu à Timmins—Baie James, un comté qui est majoritairement francophone avec Timmins et la 11, puis il y a une couple de francophones sur la baie James. »

The commission got kind of caught in a fight over what was going on around the DSSAB. I talked to Ms. Pelletier about it and I talked to the commissioners about it. I said, "Don't get caught up in this. This is a different item, this is a different issue. What we need to figure out is how we move forward to give them a voice on the James Bay by creating two ridings."

So I come to this point: Some will argue you can't do it because the population base isn't big enough north of Highway 11. In the Far North, if you took all of the First Nations together and divided them in half, including Red Lake, Ear Falls and Sioux Lookout—if you left them in there the way it is—the population would be too small. You would have two ridings, one of them around 17,000 or 18,000.

I just say two things: One is, there is already precedent provincially where we've done this. If you look at Newfoundland, the average riding in Newfoundland is 14,000 people. Imagine having a riding of 14,000 people. You'd get to know everybody individually, but that's a whole other story. The average riding in Labrador that are under 3,000; it's less than 20% of the representation. In British Columbia, there's a similar situation. I just forget the name of the riding, but I remember looking it up at the time. And Alberta has a bit as well.

The point is, there is already precedent provincially, where Legislatures have created ridings where the population is much smaller as compared to regular ridings on the basis of geography and indigenous First Nations representation. This is not even the constitutional amendment of PEI. I don't even get into that because that's a constitutional issue; that's not a legislative issue. There is precedent where Legislatures have created smaller ridings.

What I have asked the commission to do, and obviously the commission decided to do otherwise, is to be bold. Let's say we're going to create two ridings, one of them around 17,000, which would be everything north of Highway 11; in other words, don't include Hearst, Kap, Smooth Rock. You don't include them in the new riding; you do everything going north of there into the James and Hudson Bays, and move the line west.

The reason I don't bring an amendment here today: I don't want to write up a boundary, first of all, because I don't think it's appropriate, as a local member, that I gerrymander my own riding. That's why I didn't bring the amendment forward, just for the record.

But I think this committee has an ability to report back to the House—and this is the point that I was making earlier, because you've kind of done it by the back door by proposing a regulatory change a little while ago. This Legislature doesn't have to call the bill at third reading right away. I know that the Attorney General is going to say, "Yes, but the Chief Electoral Officer wants to get this done by October." You're a fan of the Chief Electoral Officer, I know, for a fact. You won't mind waiting a little bit longer.

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I think we would be well advised to advise the government to go back and give some instructions to the commission to go back and to take a look at actually being bold and creating those two ridings.

When I looked at the legislation, as drafted—I was off on sick leave when the legislation was originally drafted. I got poisoned by a procedure at a hospital, but that's a whole other story. They almost killed me, but that's okay; I'm all right now—too bad for you guys.

Ms. Daiene Vernile: To make a long story longer.

Mr. Gilles Bisson: I told you it was going to be a long story. I told you. Grab a coffee and relax.

My point is, we could go back and recommend, out of this committee, that the government take a bit of a pause and that the government does one of two things—preferably, instruct the commission to go back and re-look at the boundaries, so that in fact we end up doing what it is that we thought we were doing when we created this legislation in the first place: empowering the commission.

As I read the legislation back then and as I read it again today, it essentially says there are some principles by which you're going to create these new ridings. But the intent was to create ridings that recognize the geography and the composition of the First Nations, who are a majority in that geography. That's what we were trying to do, but what the commission came back with, I think, missed the mark.

I'll just end on this: The last point to my recommendation is that, okay, somebody may decide to sue us; that's the other argument. Somebody may decide to come after us by way of the court and slap us with an injunction because you've got these two ridings that are smaller than the others. Let them stand up. I want to know who it is that's going to stand in the way of First Nations persons in this province getting the representation that they deserve. Let them stand up and be counted. I'm fine with that.

I think this country and this province, if it's serious about reconciliation, has got to look at this from the perspective of the First Nations and say, "Imagine if so-and-so from the Mushkegowuk riding"—which would be a Mushkegowuk riding—"was a member in this Legislature for the last 15 years." Maybe that woman that I talked to in Moose Factory the other day, who lost her daughter at age 13, would have been, at the very least, able to deal with the grief quicker, or maybe—who knows?—we would have had better intervention when it

comes to working with youth, so that we didn't have the suicides in the first place.

All I know is, as long as we try to keep on developing strategies to respond to the needs of First Nations from our cultural perspective, the harder it's going to be for them to find solutions.

My recommendation is that if this committee was to add a comment to the proceedings at the end, to say that we ask, looking at all of this, as I described—if the committee agrees—that the government take a pause in order to allow the commission to go back and re-look at the boundaries, so that the boundaries actually reflect the needs of the First Nations.

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

Ms. Soo Wong: I hear the eloquent story from my colleague opposite, Mr. Chair. My question, through you to the Clerk, is—procedurally, when we finish the second reading and go into clause-by-clause, you report back to the House. What I'm hearing from Mr. Bisson is, we're taking a pause. Has it been done before? That's the first thing.

Mr. Gilles Bisson: We don't have the authority to pause—

Ms. Soo Wong: I don't know. You're asking to take a pause. That's what I heard, right? I wrote it down here: "Take a pause."

Mr. Gilles Bisson: That's not quite what I'm saying. What I'm saying is that the committee recommend to the government that it takes a pause and re-gives it to the commission in a timeline that allows them to properly consult with the First Nations, Mushkegowuk and others, to come up with proper boundaries. That's what I'm asking.

Ms. Soo Wong: So that's a motion, I guess, before this committee. Is that procedurally doable? That's the first question.

The second piece here is, given the fact that we have a provincial election next June, what is the requirement for the Chief Electoral Officer to ensure—

Mr. Gilles Bisson: Your buddy.

Ms. Soo Wong: Don't get me started—to have these two new ridings? Respectfully, I think, in this room, in this committee, we agree there will be two new ridings up north. To have this ready, what is the timeline? Because I keep hearing that it needs to be passed before the Christmas recess etc., etc. I need to hear from staff, and if there needs to be a consultation with the Chief Electoral Officer—because what I'm hearing is, the member opposite is asking something procedurally, and I'm confused because, technically, after we do clause-by-clause today, Mr. Chair, you're supposed to report back to the House, unless we tell you otherwise. Am I hearing that there will be a motion before this committee that you're going to report the—

Mr. Gilles Bisson: No, no, no. That's not what I'm suggesting at all.

Ms. Soo Wong: Okay.

The Chair (Mr. Grant Crack): Maybe the Clerk wants to touch on that, but, as Chair, I can't control—

Ms. Soo Wong: How we vote?

The Chair (Mr. Grant Crack):—how you vote and what comes before the committee. If there's a motion that comes forward to deal with something that a member wishes to propose and it's in order, we will entertain that.

We will continue to do our work in this committee under the legislation that governs us, and I will report our work back to the House, if, in fact, that work gets done. I cannot—and I don't think anyone can—predict, after we've done our work, how things are going to go forward once I've provided—if it gets to that point that I report what has happened here in committee back to the House. That will be up to the government and government House leaders to decide.

But if there is a motion, as I said, that comes forward prior to our clause-by-clause consideration, which should end Wednesday at 6 p.m., when we sit from 4 p.m. until 6 p.m.—like I said, if it's in order, we will entertain it.

Clerk, would you like to add anything?

Interjection.

The Chair (Mr. Grant Crack): So what the Clerk is saying is reinforcing what I have said: that we will work within the legislative framework that our committees work within. We are here to deal solely, through the order of the House, with the clause-by-clause consideration. What happens after—

Mr. Gilles Bisson: I'm not suggesting—

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

Mr. Gilles Bisson: I want to be perfectly clear. I'm not suggesting for one second that we halt the clause-by-clause and that we don't report to the House. That's not what I'm arguing. My argument is that we just make a recommendation—because the government controls when this is going to get called at third, and the government could say, "Commission, go back, take two, three weeks, a month or whatever it is"—because if I remember correctly, Vic, Grand Chief Solomon said, "I need at least a month if you guys are going to come back and consult." I think that's what he said, eh?

Mr. Victor Fedeli: I think it was six months, by the way. Those were his words. I wrote it down.

Mr. Gilles Bisson: Because I can't remember what he had said.

Ms. Soo Wong: It wasn't a month.

Mr. Gilles Bisson: I can't remember.

Mr. Victor Fedeli: I've got it written down. I think it was six months.

Mr. Gilles Bisson: Six months to a year; you're right. Sorry, my mistake.

Mr. Victor Fedeli: Yes, "six months to a year" are exactly the words I wrote down.

Mr. Gilles Bisson: Okay.

The Chair (Mr. Grant Crack): Mr. Fraser, you go ahead.

Mr. John Fraser: Just for the record, I don't know if I'm entirely comfortable with what you're suggesting. I get where you're going. They've come back; they've given a report to us; we've taken that; they've drawn the

boundaries. With all respect, we do have an election coming up on June 8. Have I got the date?

Interjection: June 7.

Mr. John Fraser: June 7. There we go. I would have missed it by a day.

Interjection: You can have yours on the 8th.

Mr. John Fraser: Yes, I can have mine on the 8th, a special one.

So, just for the record, I appreciate what you're saying, but I'm not comfortable with doing that.

Mr. Gilles Bisson: Can I just—I don't know who's gotten on the list—

The Chair (Mr. Grant Crack): Just for clarification again, we are on an order from the House. We are to sit for two days for clause-by-clause consideration, which is today and Wednesday. Once again, if anything comes before the committee, such as an amendment to a motion or a motion that the Chair would deem in order, it shall be entertained. Anything outside the parameters of what we're supposed to do here in committee with our work would be out of order, and I would declare that at that time.

Mr. Gilles Bisson: You would declare what out of order?

The Chair (Mr. Grant Crack): If there was anything out of order, I would make a judgment on that.

Mr. Gilles Bisson: That's what I was saying. I wanted to be clear. I wasn't trying to muck with the order of the House, because that's the order of the House.

The Chair (Mr. Grant Crack): Fair enough.

Mr. Gilles Bisson: Can I just say—

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

Mr. Gilles Bisson: Whenever it's my turn.

The Chair (Mr. Grant Crack): It is your turn, Mr. Bisson.

Mr. Gilles Bisson: Okay, to my friend Mr. Fraser: I understand the argument from the AG, "Oh, I need to have this done by October unless, unless, otherwise, otherwise."

We're the Legislature; we decide. We're the ones in control of the legislative agenda, not the Chief Electoral Officer, with all due respect. And if, at the end of the day, the process is delayed by a couple of months in order to be able to do the proper consultation with the First Nations, so be it. That's our decision, not that of the Chief Electoral Officer.

He and his office may not like that—I understand that—because there are some considerations that he has to have. But at the end of the day, what we heard very clearly, and I think all of us who were there heard it, is that the Grand Chief and others who presented were not happy with the process and they were asking, out of respect and out of the spirit of reconciliation, to go back and—not start from the start, not go back to the beginning, but, "Come back and talk to us, and we'll come up with something that makes a bit more sense."

The Chair (Mr. Grant Crack): Further discussion on section 2, as amended? There being none, I shall call for

the vote on section 2, as amended. Those in favour of section 2—

Mr. Gilles Bisson: Mr. Chair, I reserve the right—

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

Mr. Gilles Bisson: As I say, I want to deal with that motion at the end—because I can't deal with it until we're done. Do you follow me?

The Chair (Mr. Grant Crack): Which motion? The one that you just kind of—

Mr. Gilles Bisson: I want to move a motion to make a recommendation to the House. I'll deal with that at the end.

The Chair (Mr. Grant Crack): Fair enough.

I've called for the vote on section 2, as amended. Those in favour? Those opposed? I declare section 2, as amended, carried.

Mr. Gilles Bisson: Just as we move to the next section—

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

Mr. Gilles Bisson: I take it we're going to finish with these amendments today. I don't think we're going to be more than a day dealing with what's left on the list of amendments, unless I'm wrong. Being that we have another day of clause-by-clause, it would give an opportunity for the government members to go and consult with their colleagues about what I'm suggesting, and then we can come back on Wednesday and deal with that.

The Chair (Mr. Grant Crack): Thank you for that.

I will continue moving the business forward. We shall move to section 3. We have government motion number 3, which is an amendment to subsection 3(4.1), subsection 18(3.1) of the Election Finances Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: With the permission of the committee, I would like to withdraw motion 3 and introduce motion 3.1. I think it was circulated to all members.

The Chair (Mr. Grant Crack): You're already on the next one, so if you're asking to withdraw, that is in order. Government motion 3 is withdrawn.

Therefore we shall move to government motion 3.1, which is an amendment to subsection 3(4.1), subsection 18(3.1) of the Election Finances Act. Mr. Berardinetti.

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

"(4.1) Section 18 of the Election Finances Act is amended by adding the following subsection:

""Contributions at certain meetings

""(3.1) A contribution made by a person at a meeting referred to in subsection 23.1(2.1) shall not be included when calculating the person's contribution total for the purposes of subsection(1) or (1.1), as applicable."

The Chair (Mr. Grant Crack): I'm going to make a ruling on this. Government motion 3.1 is out of order. It seeks to amend a section, section 18, which is not open in this particular bill, so therefore it is beyond the scope of the bill. If there are no further questions on that—

Interjection.

The Chair (Mr. Grant Crack): Mr. Berardinetti, if it's not concerning my judgment, that's fine. The floor is yours.

Mr. Lorenzo Berardinetti: I just want to ask for a five-minute recess.

Interjections.

The Chair (Mr. Grant Crack): I do have a request for a recess. Is the committee in agreement for a five-minute recess at this time? If there's no opposition—a five-minute recess effective right now.

The committee recessed from 1544 to 1551.

The Chair (Mr. Grant Crack): We're back to order, everyone, and we are moving forward.

Mr. Berardinetti?

Mr. Lorenzo Berardinetti: Thank you, Mr. Chair. I'm seeking unanimous consent for the committee to consider motion 3.1.

The Chair (Mr. Grant Crack): That is in order. Do we have unanimous consent to consider government motion 3.1, which I previously called out of order? Yes or no? I don't hear any noes, so I will entertain the motion. We'll have it read into the record once again, please.

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

“(4.1) Section 18 of the Election Finances Act is amended by adding the following subsection:

“Contributions at certain meetings

“(3.1) A contribution made by a person at a meeting referred to in subsection 23.1(2.1) shall not be included when calculating the person's contribution total for the purposes of subsection (1) or (1.1), as applicable.”

The Chair (Mr. Grant Crack): Further questions? Mr. Berardinetti.

Mr. Lorenzo Berardinetti: We're doing this because it provides an incentive for attendees to participate in the democratic process through party meetings. Exempting annual general meetings, policy conferences and similar meetings from the attendance restrictions is the right thing to do, as it would allow registered parties to organize meetings where party members are able to engage with those who represent them in Queen's Park. This motion may also encourage participation in these meetings.

Basically, we're trying, at annual general meetings and similar meetings, to have the registered parties provide an opportunity for party members to engage with those who represent them at Queen's Park. So that contribution allows, for registered parties or constituent associations—for attendance at annual general meetings, policy conferences or similar meetings, it wouldn't count towards the individual contribution total. The parties or constituency associations would be exempt from that, to allow further participation in the electoral process.

I hope that makes sense.

The Chair (Mr. Grant Crack): Further discussion on government motion 3.1? There being none, I shall call for the vote on government motion 3.1. Those in favour of government motion 3.1? Those opposed? I declare government motion 3.1 carried.

We shall move to government motion 4, which is an amendment to subsection 3(5), subsection 23.1(1) of the Election Finances Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that paragraph 3.1 of subsection 23.1(1) of the Election Finances Act, as set out in subsection 3(5) of the bill, be amended by striking out “January 1, 2017” and substituting “March 1, 2016”.

The Chair (Mr. Grant Crack): Discussion? Mr. Berardinetti.

Mr. Lorenzo Berardinetti: Last year, we made nomination contestants subject to rules for the first time. Bill 152 would amend the attendance restrictions in the Election Finances Act to prevent people who are nominees of a party but not yet registered candidates from attending fundraising events.

This motion is based on the Chief Electoral Officer's recommendation that the legislation should capture all such actors, not only those nominated or appointed since January 1, 2017. March 1, 2016, was the first day that new constituency associations could be registered for the new electoral map that will apply in the 2018 scheduled election, so we think the best date from which the attendance restriction should apply is March 1, 2016.

The Chair (Mr. Grant Crack): Further discussion on government motion number 4? There being none, I shall call for the vote on government motion number 4. Those in favour of government motion number 4? Those opposed? I declare government motion number 4 carried.

We shall move to government motion number 5, which is an amendment to subsection 3(7), subsection 23.1(2.1), Election Finances Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that subsection 23.1(2.1) of the Election Finances Act, as set out in subsection 3(7) of the bill, be struck out and the following substituted:

“Saving, attending general meetings, etc.

“(2.1) Nothing in subsection(1) prevents a person mentioned in that subsection from attending an annual general meeting, policy conference or similar meeting for members held by a registered political party or registered constituency association where a charge for attendance includes a contribution portion, if the requirements of subclauses (2)(a)(i) to (iii), with necessary modifications, are met with respect to the meeting.”

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

Mr. Lorenzo Berardinetti: Exempting annual general meetings, policy conferences and similar meetings from the attendance restrictions is the right thing to do as it would allow registered parties to organize meetings where party members are able to engage with those who represent them at Queen's Park. Adding the fundraising provisions related to advertising cost recovery to this exemption ensures that there's transparency and prevents these things from being used as an end-run around attendance restrictions at fundraisers.

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

Mr. Gilles Bisson: Just to be clear, that means you can attend the AGM, but it can't be in any way a fundraiser, essentially?

Mr. Lorenzo Berardinetti: No.

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

Mr. Gilles Bisson: And if it is a fundraiser, you can't be there?

Interjections.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote on government motion number 5. Those in favour of government motion number 5? Those opposed? I declare government motion number 5 carried.

We shall move to government motion number 6, which is an amendment to subsection 3(8), subsection 38(3.3), Election Finances Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that paragraph 4 of subsection 38(3.3) of the Election Finances Act, as set out in subsection 3(8) of the bill, be struck out and the following substituted:

"4. Mushkegowuk–James Bay."

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

Mr. Lorenzo Berardinetti: This is basically a consequential amendment given the name change in motion 2. The motion is necessary to ensure the name, Mushkegowuk–James Bay, is used consistently in this legislation.

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

Mr. Gilles Bisson: You've heard my argument. I will vote against.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for a vote on government motion number 6. Those in favour of government motion number 6? Those opposed? I declare government motion number 6 carried.

We shall move to government motion number 7, which is an amendment to subsection 3(9), subsection 41.1(2.2), Election Finances Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that subsection 41.1(2.2) of the Election Finances Act, as set out in subsection 3(9) of the bill, be amended by striking out "January 1, 2017" wherever it appears and substituting in each case "March 1, 2016".

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

Mr. Lorenzo Berardinetti: We believe that nomination contestants should be regulated in a way that is consistent with the regulation of other political actors. This motion is based on the Chief Electoral Officer's recommendation. The Chief Electoral Officer requires this information regarding who has been nominated or appointed as candidates from March 1, 2016, onwards. It is required to enforce the fundraising attendance restrictions Bill 152—as amended in motion 4—would create for people who are nominees of a party who are not registered candidates. This captures people in that time frame.

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

Mr. Gilles Bisson: I just have a question. Has anybody been nominated before March 1, 2016? Because that person would have a pretty big advantage. I don't know. It's just a question. I don't know if we know the answer to that.

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Mr. Lorenzo Berardinetti: The CEO might know.

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

Mr. Gilles Bisson: Nobody has an answer, I take it; right?

Interjections.

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

Mr. Gilles Bisson: So what this means is that you can't do what the Tories were doing in interpreting how that legislation—this responds to the point that the Chief Electoral Officer sent us in an email on Friday. Okay.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for a vote on government motion number 7. Those in favour of government motion number 7? Those opposed? I declare government motion number 7 carried.

We shall move to government motion number 8, which is an amendment to subsection 3(12), subsection 44.6(1), Election Finances Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that subsection 44.6(1) of the Election Finances Act, as set out in subsection 3(12) of the bill, be amended by striking out "Mushkegowuk" and substituting "Mushkegowuk–James Bay".

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

Mr. Gilles Bisson: If I was living in Smooth Rock Falls, I would be somewhat confused about where my riding is, with this name. I haven't raised this as a new part of the argument in debate. But if you live in Smooth Rock Falls or Fauquier or Mattice or Hearst, you're going to look at this and say, "Mushkegowuk–James Bay? Where does the James Bay fall into Highway 11?"

I guess my point is simply this: Governments sometimes try to do the right thing, and the process doesn't allow them to get to the right decision. That's the problem that this has created: You're trying to respond to what we heard up on the coast, and what we've done is create a whole other set of problems.

Anyway, I will be voting against, for the record.

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

Mr. Lorenzo Berardinetti: We might as well vote. I understand his argument, and all I can say is that we're going to review the name—

Mr. Gilles Bisson: Just because you fucked up doesn't mean—

The Chair (Mr. Grant Crack): I didn't hear that.

Mr. Gilles Bisson: Good for you.

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

Ms. Daiene Vernile: The rest of us heard it.

The Chair (Mr. Grant Crack): There being none, I shall call for the vote on government motion number 8. Those in favour of government motion number 8? Those opposed? I declare government motion number 8 carried.

Section 3 is amended on six occasions. Is there any discussion on section 3, as amended? There being none, I shall call for a vote on section 3, as amended. Those in favour of section 3, as amended? Those opposed? I declare section 3, as amended, carried.

We shall move to section 4. There are no amendments. Is there any discussion on section 4? There are no amendments; therefore, I shall call for the vote. Shall section 4 carry? Those in favour? Those opposed? I declare section 4 carried.

We shall move to section 5. Section 5 has government motion number 9, which is an amendment to section 5, subsection 67(6) of the Legislative Assembly Act. Mr. Berardinetti.

Mr. Lorenzo Berardinetti: I move that subsection 67(6) of the Legislative Assembly Act, as set out in section 5 of the bill, be amended by striking out “Mushkegowuk” and substituting “Mushkegowuk–James Bay”.

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

Mr. Lorenzo Berardinetti: It goes back to the name change in motion 2. It’s a consequential amendment.

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

Mr. Gilles Bisson: I made the argument. I want, for the record, to say that I will be voting against this amendment. I wish that we would have been able, in a clearer way, to respect the wishes of the Mushkegowuk people and their council. This amendment doesn’t do that. It’s unfortunate. I will be voting against it.

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

Mr. Victor Fedeli: I don’t think it’s inconsequential at all. We heard many, many times from the First Nations grand chiefs and chiefs that there is no consent. Using the name is disrespectful. You’re taking their name. We’ve clarified why they’re offended. The First Nations are alarmed that they are using the name. They say the government failed to appropriately accommodate the Mushkegowuk people. They say the use of their name is misleading. They’re flattered that the name is being used, but they’re surprised as they weren’t asked for it to be used. They often spoke of trust issues. They did not see a draft where this name was being proposed. As a result, Chair, we certainly do not see this as an inconsequential change.

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

Mr. Lorenzo Berardinetti: As discussed earlier this afternoon, we are going to consult further. The arguments were made earlier this afternoon, and I hope they were made pretty clearly. This is not the end of the story for the name of the riding.

The Chair (Mr. Grant Crack): Further discussion? If there’s no further discussion, I shall call for the vote on government motion number 9. Those in favour of gov-

ernment motion number 9? Those opposed? I declare government motion number 9 carried.

We have one amendment to section 5. Is there any discussion on section 5, as amended? There being none, I shall call for the vote. Shall section 5, as amended, carry? Those in favour? Those opposed? I declare section 5, as amended, carried.

There are no amendments to section 6. Is there any discussion on section 6? There being none, I shall call for the vote. Shall section 6 carry? Those in favour? Those opposed? I declare section 6 carried.

We shall move to section 7, which is the short title. There are no amendments. Any discussion on section 7?

Mr. Gilles Bisson: What is the short title?

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

Mr. Gilles Bisson: I was just looking at the short title.

Interjection.

Mr. Gilles Bisson: I was just looking at what it was called. It’s okay.

The Chair (Mr. Grant Crack): Any further discussion on section 7, the short title? There being none, I shall call for the vote. Shall section 7 carry? Those in favour? Those opposed? I declare section 7 carried.

We shall move to the title of the bill. Is there any discussion on the title of the bill? Mr. Bisson.

Mr. Gilles Bisson: I’m just reading this. “Subject to subsection (2), this act comes into force on the day it receives royal assent.” What’s the 2018 date all about? Oh, subsection (3). Okay. I have answered my own question.

The Chair (Mr. Grant Crack): Further discussion on the title? There being none, I shall call for the vote. Shall the title of the bill carry? Those in favour? Those opposed? I declare the title of the bill carried.

Is there any discussion on Bill 152, as amended? Ms. Wong.

Ms. Soo Wong: When we vote on the whole bill, I want that to be a recorded vote, Mr. Chair.

The Chair (Mr. Grant Crack): That’s in order.

Is there any further discussion on Bill 152, as amended? Mr. Bisson.

Mr. Gilles Bisson: I was asking earlier—and this is just to be clear. I didn’t want to hold up the clause-by-clause portion, but I’m hoping we can have a bit of a discussion about adding a recommendation, once we’ve done the vote on the bill, to the House asking that they do what I asked previously, which is to ask the election commission to go back and look at changing the boundaries in a way that would respect the wishes of the Mushkegowuk people.

The Chair (Mr. Grant Crack): Further discussion on Bill 152, as amended? There being none, I shall call for the vote. There has been a request for a recorded vote, which will be entertained.

Ayes

Baker, Berardinetti, Bisson, Fedeli, Fraser, Munro, Vernile, Wong.

The Chair (Mr. Grant Crack): I therefore declare Bill 152, as amended, carried.

Mr. Bisson?

Mr. Gilles Bisson: Just for the record, to be clear, I'm not happy with what the boundaries are—

The Chair (Mr. Grant Crack): We're not done yet, sir. Can I finish?

Mr. Gilles Bisson: Okay.

The Chair (Mr. Grant Crack): We just passed the amended bill, Bill 152. Shall I report the bill, as amended, to the House? Any opposed? I shall report the bill, as amended, to the House. That is carried.

That ends the business of clause-by-clause consideration. The committee still has some time.

Mr. Bisson, you have the floor.

Mr. Gilles Bisson: Did you want to go first, John?

Mr. John Fraser: No, because it's subsequent to what you're going to discuss.

Mr. Gilles Bisson: Okay. Two things. First of all, in relation to the vote on the bill, I just want people and I want the record to be clear: I would not vote against the creation of two ridings in northern Ontario, no matter how the act can configure it. I may not be happy with the boundaries, but two more ridings in northern Ontario is something we in the north will take at any cost, because of the added voices that that brings. We are still reeling from the effect of the Tories, when they were in power, taking five ridings away from northern Ontario. Two in, three more to go, just to get back to where we were. That is my first comment.

The second one is the recommendation: What I was asking is that the committee would see fit to move a motion that would be reported to the House that asks the Attorney General to go back and ask the commission to do a proper consultation with the First Nations people of the Mushkegowuk, in order to come up with a riding that would allow them to have a majority so that they could do what they need to do when it comes to dealing with issues in their communities.

I want to hear from Mr. Fraser.

Mr. John Fraser: Actually, I have already said what I had to say with regard to earlier on: I am not prepared to support that. I don't know how my colleagues feel. I have something outside of what you are discussing here.

Mr. Gilles Bisson: I guess I'm proposing a motion and I'm hoping I don't have to write it out. We can survive on my words. I would ask that we recommend to the House that a process be established by the Attorney General in order to allow the election commission to go back and look at the boundaries prior to third reading so that amendments can be made to the legislation.

The Chair (Mr. Grant Crack): Mr. Bisson is proposing a motion.

Mr. Gilles Bisson: As said.

The Chair (Mr. Grant Crack): Is there any further discussion?

Do we have unanimous consent to consider this particular motion given the fact that it's—

Mr. Gilles Bisson: Why do we need unanimous consent to move the motion to the committee?

The Chair (Mr. Grant Crack): Because our business is limited according to the order of the House, which allowed us to sit for these two particular days for clause-by-clause consideration.

Mr. Gilles Bisson: I understand that, but this committee could deal with business, and one of the business items that I want—I am not interfering with the clause-by-clause; that's been dealt with. That's why I was very clear at the beginning that I wanted to move such a motion. I don't see that as being out of order.

The Chair (Mr. Grant Crack): I didn't say that—

Mr. Gilles Bisson: The order of the House doesn't preclude us from doing any other business, does it?

The Chair (Mr. Grant Crack): No, it does not.

Mr. Gilles Bisson: Then the motion is in order.

The Chair (Mr. Grant Crack): Is there any further discussion on Mr. Bisson's motion?

Mr. Gilles Bisson: If you vote against it, that's a whole other thing. But I'm allowed to move a motion.

The Chair (Mr. Grant Crack): According to normal process, if you are moving a motion, we would need to take a recess and write it out so that all members can see it.

Mr. Gilles Bisson: It will take two minutes. Give me a pen.

The Chair (Mr. Grant Crack): Two-minute recess.

The committee recessed from 1613 to 1624.

The Chair (Mr. Grant Crack): Back to order. Just to clarify, that was a little longer than the two-minute break to allow the Clerk to help prepare and photocopy the motion.

Mr. Bisson has the floor.

Mr. Gilles Bisson: I will translate this. Just so that people follow, it reads, "I move that this committee recommend to the House that third reading of Bill 152 be delayed in order to give the Attorney General an opportunity to have the Far North Electoral Boundaries Commission properly consult the Mushkegowuk Council on the creation of a Far North riding in the northeast in which the First Nations people would constitute a majority."

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

Mr. Victor Fedeli: I'm glad you had suggested earlier that you weren't going to gerrymander your riding, Gilles, but that's precisely what you're doing—absolutely and unquestionably. But that's another day.

My only concern here, other than the initial gerrymandering, is that the grand chief has told us—I have two sentences that I wrote down when we asked him, "How long are you talking," about the consultation. He said, "Three months is not enough." That's one of his quotes. His other is, he suspected it would take "six months to a year." That means, then, that this will not happen for this election cycle.

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

Mr. Gilles Bisson: First of all, to the question of gerrymandering: This is not me gerrymandering a riding.

I'm saying that the Far North Electoral Boundaries Commission should go out and do what it should have done in the first place, and that is, come up with boundaries that allow the northeast First Nations to be in the majority in their riding. That's all this is. If people don't want to vote for that, they have the freedom to do so. What I'm trying to do here is to respect that the First Nations asked that we not pass this legislation in order to allow a proper consultation with the First Nations. Six months may not be a time limit that could be followed practically, but I'm sure that if the Attorney General got the Far North commission to do what it has to do, they can at least get a pretty good idea of where the hell the boundaries should be. It shouldn't be up to this committee or this member to determine where the boundaries are.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote on Mr. Bisson's motion. Those in favour? Those opposed? I declare this particular motion defeated.

Mr. Fraser.

Mr. John Fraser: I understand that the House has referred Bill 163, Protecting a Woman's Right to Access Abortion Services Act, 2017, to the Standing Committee on General Government.

The Chair (Mr. Grant Crack): Do you want to just hold? The Clerk wants to distribute it, and then I will pass the floor back to you.

Interjections.

Mr. John Fraser: For the purpose of organizing, to get it done. We're all here—just organizing of this. We have agreement. It's just a process of getting it done.

The Chair (Mr. Grant Crack): Can we just hold off on discussion until such time as the Clerk has passed it out, in all fairness?

Mr. John Fraser: Okay.

The Chair (Mr. Grant Crack): All members now have a copy of what Mr. Fraser has asked to table. I'll ask Mr. Fraser to table it into the record.

Mr. Fraser.

Mr. John Fraser: I would like to move a motion regarding the organization of Bill 163 in committee.

(1) That presenters be selected on a first-come, first-served basis; and

(2) That presenters be allocated five minutes to present followed by nine minutes of questions from committee, divided evenly among caucuses; and

(3) That there be no deadline for public presenters to sign up; and

(4) That the Clerk of the Committee update members with the list of public presenters as they are confirmed.

The Chair (Mr. Grant Crack): Is there any further discussion on the motion? Ms. Munro.

Mrs. Julia Munro: I wondered—and maybe I heard the answer over here—about a subcommittee. This would normally be the process that we would expect.

Mr. John Fraser: We're here right now. We've got an hour and a half. We can do it in Committee of the Whole. It's not unheard of that we do this, as well.

The Chair (Mr. Grant Crack): Just for clarification, that is correct. On occasion, the committee does deal with this. That's up to the committee, if they want to deal with it today.

Mr. Gilles Bisson: We won't stand in the way. Let's get this thing done.

The Chair (Mr. Grant Crack): Is there any further discussion? Ms. Munro.

Mrs. Julia Munro: Is this, then, technically the order from the House?

The Chair (Mr. Grant Crack): The order from the House has referred Bill 163 to this committee, but it is silent as to how to move forward once it gets to committee. Under certain circumstances, it would go to a subcommittee, but since we were all here anyway—I believe that's why this is coming forward.

Mr. Fraser.

Mr. John Fraser: And there's a prescribed timeline for it as well already through the order. That is my understanding.

Mrs. Julia Munro: But that isn't included on this sheet.

Mr. John Fraser: No. These are just internal details for those meetings and public consultations, because they are prescribed by order of the House—it's my understanding—to be in that motion, on Thursday of this week. That was the agreement amongst the—

Mrs. Julia Munro: That's all I wanted to know.

The Chair (Mr. Grant Crack): I'd just like to take a recess—I'm going to say five minutes—because we need to get some clarification on a certain issue regarding your motion.

The committee recessed from 1630 to 1632.

The Chair (Mr. Grant Crack): Due to the fact that Bill 163 debate is not complete in the House—that's the information I have as Chair—and due to the fact that it has not yet been referred to this committee, I'm going to rule this out of order as it's premature. This motion is out of order.

I believe there's no further business to conduct. We are, therefore, adjourned.

The committee adjourned at 1632.

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Mr. Gilles Bisson (Timmins–James Bay / Timmins–Baie James ND)

Mr. Victor Fedeli (Nipissing PC)

Ms. Daiene Vernile (Kitchener Centre / Kitchener-Centre L)

Also taking part / Autres participants et participantes

Mr. Michael Mantha (Algoma–Manitoulin ND)

Mr. Tim Lewis, Cabinet Office

Clerk / Greffière

Ms. Sylwia Przewdziecki

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Ms. Laura Anthony, research officer,
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