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39th Parliament

## JOHN YAKABUSKI, M.P.P. - RENFREW-NIPISSING-PEMBROKE

Legislative Debate

November 4, 2009

### Good Government Act, 2009, Bill 212

**Mr. John Yakabuski:** It's my pleasure to join the debate this afternoon on Bill 212, which the Liberals call An Act to promote good government. I would say that it's an act to avoid scrutiny. It's an act to confuse the masses. It is an omnibus bill, as my good friend and colleague from Timmins-James Bay-although we've never actually been to each other's homes because they're so far apart, but I feel a kinship at times. I've got to tell you: He has it bang on when he talks about this omnibus piece of legislation.

I want to quote from the Hansard. Let me just put on my helpers here. "This omnibus, megabill approach to legislation makes for bad legislation."

**Mr. Mario Sergio:** Who said that?

**Mr. John Yakabuski:** Oh, who said that? What this gentleman was discussing was his opinion that any time any piece of legislation that was an omnibus bill was inherently and by default a bad piece of legislation. Do you know who said that?

**Interjections:** Who said that?

**Mr. John Yakabuski:** Oh, that was Dalton McGuinty.

**Mr. Gilles Bisson:** Oh, no.

**Mr. John Yakabuski:** Oh, yes. But he was in opposition at the time. And I want to thank the member from Durham-he does some tremendous research-for digging up that piece of information for me. I'm sure that undoubtedly people will be referring to that on repeated occasions during the course of this debate.

You know, the Minister of Municipal Affairs and Housing spoke for roughly 20 minutes, but all he covered was one part of the bill.

**Mr. Gilles Bisson:** A small part of the bill.

**Mr. John Yakabuski:** A very small part of the bill. We're talking about changing election dates in Ontario. That's a part of the bill, quite frankly, that I can support. But he could have brought in that bill and changed the election dates; he could have had a bill to

amend the Municipal Elections Act and brought that in separately and singularly, on its own, and accomplished what they're doing in this bill. But as my colleague from Durham so ably pointed out-

*Interjection.*

**Mr. John Yakabuski:** I already did that one, sir.

-this nuclear waste management section of the bill, what's that all about? What are we trying to bury here-and that's no pun intended. But if you're going to bury it, you're going to have to bury it fairly deep because people are going to be wanting to know what's going on here.

I also want to talk about some other parts. The bill is An Act to promote good government. I'm going to ask my colleagues on the other side-and it's interesting that a couple of weeks ago the member for-is it Ajax-Pickering, Wayne Arthurs? Ajax-Pickering or Pickering-Ajax?

**Mr. Joe Dickson:** Scarborough East-Pickering.

**Mr. John Yakabuski:** Scarborough East-Pickering. Thank you, Joe. Is Ajax-Pickering your riding, Joe?

**Mr. Joe Dickson:** It still is.

**Mr. John Yakabuski:** It still is. I knew it was.

He brought in a private member's resolution: "I move that, in the opinion of this House, the government of Ontario should aggressively promote the use of Ontario wood products in residential and commercial construction throughout Ontario in order to support the more than 63,000 direct jobs and the 130,000 people who owe their livelihood to Ontario's forest industry." Now that's-

*Interjection.*

**Mr. John Yakabuski:** Oh, of course. Who wouldn't support that? But-

**Interjection:** That's not in the bill.

**Mr. John Yakabuski:** No, no, it's not about the bill; it's about what this government actually does to the forest industry in this province, and that's not part of good government. In fact, on Monday, under the cover of hunting season-

*Interjection.*

**Mr. John Yakabuski:** It's part of the bill. Under the cover of hunting season, when all of the folks up in my riding have put away the chainsaws and they're out trying to get some meat for the freezer for the winter, in the form of white-tailed deer-which season opened on Monday-the minister releases this new joint proposal for lightening the ecological footprint of logging in Algonquin park. This is not about good government. It's a joint proposal by the Ontario Parks board of directors and Algonquin Forestry Authority board of directors. What it will essentially do is shut down the operations in my riding because, you see, the government is, without a single shred of scientific evidence ever produced to indicate that logging is detrimental to the health of forests or to the habitat of species, basically beginning what is the death knell of logging in Algonquin park. It's in the act here, back in here; if you look at the Endangered Species Act, and I'm getting to that. It's in here, and this is part of it.

If you think the lightening of the footprint is going to shut down the operations, the Endangered Species Act-and I know my friend from Timmins-James Bay was one of only five people who voted against Bill 184. I was one of them; my friend from Timmins-James Bay was another. At that time, the government indicated that they were going to use the Crown Forest Sustainability Act when they established the habitat protection zones. All of a sudden in 2008, they pulled that right off the table and said, "No, we're going to a permit procedure," which, if you understand how the permit system works, doesn't work. All you have to do is look at the spotted owl experience in Oregon and how it decimated that industry without protecting the spotted owl.

I am so concerned that this government is simply being run by the Aaron Freemans in the Premier's office with respect to how they see the world, without any consideration of the human effect of the things they're doing, that it leaves me no option at this time but to move adjournment of the debate.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Renfrew-Nipissing-Pembroke has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

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

*The division bells rang from 1631 to 1701.*

**The Deputy Speaker (Mr. Bruce Crozier):** Members, take your seats, please.

Mr. Yakabuski has moved adjournment of the debate. All those in favour, please stand until counted by the Clerk.

All those opposed, please stand and be counted by the Clerk.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 14; the nays are 34.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion lost.

Six and a half hours of debate having elapsed on this bill, pursuant to standing order 47(c) this debate shall be deemed adjourned unless the government House leader specifies otherwise. Deputy government House leader?

**Hon. Brad Duguid:** We'd like the debate to continue.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. John Yakabuski:** It would have been amazingly interesting if the government House leader had actually called for the adjournment, because they just voted against the motion for the adjournment. The timing is impeccable. I want to congratulate you for bringing that up right at this precise time.

During the intersession, of course, I had a chance to-I am quite amazed, actually, that the government went to such an effort to defeat this motion: a whipped vote. Because when I was speaking earlier-now, maybe the word got out-I thought we might actually be able to get this through because there were only a handful of government members in the House. Quite frankly, I thought at least four of them were actually sleeping. So I thought we might slip it by them. But the whip got to work and he's whipped them into shape. Look, we're glad to have you here.

Now, what I was getting at earlier when I moved to adjourn the debate was that we have to understand the reason and the premise. I know I talked about my absolute upset with the tabling of this proposal on behalf of the Minister of Natural Resources. That is a personal thing and it's deeply disturbing and of great concern to the people in my riding, but I know that also, as a caucus, we are just beside ourselves with the unwillingness of this government, the total disregard of what the people are calling for in this province, repeatedly, on a daily basis; you even read about it in the Toronto Star.

It was great to see Rob Benzie here this morning with his young boy on take-your-kid-to-work day. I know he's not in grade 9-if he is in grade 9, he's really a smart kid. I'm sure he is a smart kid, because I know Benzie is, but this kid was pretty young. If he's in grade 9, he certainly did better than I did when I was in school. But the total disregard for what the people are calling for-I know the Speaker's actually wondering whether I got to grade 9, and that is not a record that I'm going to actually lay out on the table here, but I'll send you a copy of it.

*Interjections.*

**Mr. John Yakabuski:** The absolute disregard for what the people have been calling for—all across this province, from north to south and east to west, they've been calling for a public inquiry to get to the bottom of eHealth, and that is the real reason that we are so upset in our caucus at this time, because they've had ample opportunity to show some transparency and some accountability, and the Premier—excuse me; I just got a little bit of something in my teeth there. In the intersession, while the bell was ringing, we took the opportunity to go down to the reception of the Ontario elementary Catholic teachers' association, a wonderful reception. I hope that everybody has an opportunity either very soon or a little later in the day to get down there and join them. But during the break, while we were preparing our own strategy as a caucus, we did join the teachers down in the legislative dining room where they're holding a reception on our behalf, and we do appreciate that. I did have a little bit of beef stuck in one of my teeth there, Mr. Speaker, so I had to get that out of there, because I certainly wouldn't want it to be flying all over the place.

But now let's get back to the point. What I was talking about earlier was my concern with some of the decisions of the Ministry of Natural Resources, and if you look in this bill, Bill 212— it's a good thing that I have been working out lately, because I would have a hard time actually lifting this bill: 288 pages. You don't see many bills like this coming from this government. Most of the bills you see coming from this government could fit on the back of a napkin, and that's because they're printed in both languages. If they were just printed in one language, they could fit on half of the back of a napkin. Anyway, this bill is 288 pages. There are 26 sections, and 22 ministries that have some of their legislation amended. As my friend from Durham says, and I like the way he put that, it is the mother of all omnibus bills, and if he doesn't mind me quoting him, I take the liberty to do so.

Another concern that I have—and it has everybody in my riding upset and it's in this bill, so I'm not even out of line to be talking about it—are the amendments with the endangered species. I have in my hand a resolution that was passed by the township of Madawaska Valley, of which I am a resident. They are so concerned with what happened when Bill 184 passed this House, second and third reading—and again I see my friend from Timmins-James Bay, and I know he's upset about that as well. What really shakes the foundation of this building and shakes our confidence in government is when you have an undertaking on the part of the ministry that, "This is what you can count on. We are going to determine the protected habitat of endangered species using the Crown Forest Sustainability Act as the basis," and then, at the 11th hour, that mat is pulled out from under you and you're left with nothing. It is a very serious concern.

**1710**

I've had some discussions with Jamie Lim and members of the Ontario Forest Industries Association, and they are equally as upset because of the devastating effects this is going to have on the forest industry.

The forest industry is going through the absolute worst period of its history. I speak to people who have been in this business for 60 years, and they say to me, "John, it has never been worse."

There are some issues that are not necessarily within the government's control: You've got the credit markets, you've got the Canadian dollar issue, and you've got the US housing starts. Those all play a tremendously important role in the health of the Ontario forest industry. But what you can control is the legislation and the regulation that you foist upon the industry here in Ontario. You have complete control of that. At the worst crisis in their history, when they're down on their knees-they're down on their knees-this government decides to put more burden on them. That is wrong, and I have a responsibility, as a member who represents people who make their living in the forest industry, to stand and speak against what this government is doing.

I don't want to forget what the issue is today, notwithstanding the bill, and that is that we have fought tooth and nail since we came back here in the fall, asking for this government to stand in its place and admit to the people, and accept, that things went wrong and there are things that have to be determined. And the only way to determine that-because we know our committees can't do it; we know the trained seal committees, the neutered committees. I know the member for Scarborough Southwest was talking about neutering pets earlier. Well, the members on the government side have been neutered by the Premier's office when it comes to standing up for what is right. What is right is to allow Sarah Kramer and Alan Hudson to appear before the public accounts committee. That motion was made, and this government told its people, "No, we will not allow those people who could shed light on this issue before the committee."

*Interjections.*

**Mr. John Yakabuski:** I hate to raise my voice, Mr. Speaker-you know that-but there are times when I feel compelled, just to try to hear myself over the din from the other side. If I had it my way, I would speak in a whisper most of the time. If they would allow me, I would be more calm and more quiet-and that's the way I really like it-but they don't allow it because they like to heckle.

As a result of their unwillingness to stand before the people of Ontario, in front of a public inquiry, and put the chips on the table and let the truth be known, I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Yakabuski has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

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

*The division bells rang from 1713 to 1743.*

**The Deputy Speaker (Mr. Bruce Crozier):** All those in favour, please stand and be counted by the Clerk. Thank you.

All those opposed, please stand and be counted by the Clerk. Thank you.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 13; the nays are 30.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion lost.

Further debate.

**Mr. John Yakabuski:** Alas, Mr. Speaker, we are running out of time on this debate today. However, if someone would entertain a unanimous consent motion to give me a little more time, I would certainly be willing to bring more information to the House on some of the vitally important aspects of this bill that we have significant problems with.

Earlier, the Minister of Municipal Affairs and Housing spoke to the municipal portion of the bill, and substantively, I can support that portion. But for the most part, we have to remember one thing: the words of Dalton McGuinty when he was opposition leader in 1999. I will paraphrase it because I don't have the exact quote in front of me, but it's in Hansard from earlier. He said, essentially, any-qualify that, Mr. Speaker; remember that "any"; that doesn't mean most, that doesn't mean some-any omnibus piece of legislation is bad legislation.

**Hon. James J. Bradley:** That's not an exact quote. I know the exact quote.

**Mr. John Yakabuski:** It's not an exact quote, I say to the Minister of Transportation. I did say that I was paraphrasing, but the exact quote is in Hansard from earlier today. But I want you to remember that over there when you stand and support an omnibus bill brought out by your government. I ask you, have you no shame to do something that your Premier and your leader spoke against repeatedly when he was on this side of the House? I say shame. Let's split this thing up and we'll debate every part of it one at a time.

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**Mr. John Yakabuski:** I want to thank the members from Beaches-East York, Haliburton-Kawartha Lakes-Brock, Durham and Willowdale for their comments. I can't touch on every one of them, but I do want to speak to the member from Haliburton-Kawartha Lakes-Brock.

I want to remind him that he's not on the school board any more. He's the MPP. He went on to comment that we didn't have much substance in what we were saying today, and I want to remind him that one of the most important things we were talking about was the lightening of the ecological footprint in Algonquin park and the effect it's going to have on the forest industry. He's going to have to go home and explain to his constituents why he feels that's not important, because there are a number of people in his riding who make their living from the forest, and also the forests in Algonquin park. I want to remind the member that if he wants to say that those things aren't important, he might want to go home to his riding and say those things, because those constituents in his riding are not going to be very happy about that.

I know that people who make their living in forestry depend on that raw wood product in order for this industry to continue. There are so many people in my riding and all of the ridings that surround Algonquin Park-the member for Algoma-Manitoulin, his people as well.

If we don't do what we can to support that industry, then that industry will disappear, and so will all of the jobs and so will all of the families who depend on those jobs.

What this government is doing is kowtowing to a constituency that has no interest in or any understanding of what it's like to make your living with your hands, felling trees. It has to be protected. This is the wrong way to go about it. Algonquin Park has worked simultaneously with multiple uses before this place was built. It can continue.