



No. 12

N° 12

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## Votes and Proceedings

## Procès-verbaux

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Wednesday**  
**May 21, 2003**

**Mercredi**  
**21 mai 2003**

Daytime Meeting - Sessional Day 14  
Evening Meeting - Sessional Day 15

Séance de l'après-midi - jour de session 14  
Séance du soir - jour de session 15

**4th Session,**  
**37th Parliament**

**4<sup>e</sup> session**  
**37<sup>e</sup> législature**

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**PRAYERS****1:30 P.M.**

Mr. Tsubouchi delivered to the Speaker a message from His Honour the Lieutenant Governor signed by his own hand, and the said message was read by the Speaker and is as follows:-

JAMES K. BARTLEMAN

The Lieutenant Governor transmits Estimates of certain sums required for the services of the Province for the year ending 31<sup>st</sup> March 2004 and recommends them to the Legislative Assembly.

Toronto, 21<sup>st</sup> May 2003

(Sessional Paper No. 3, Agriculture and Food; Attorney General; Cabinet Office; Citizenship; Community, Family and Children's Services; Consumer and Business Services; Culture; Education; Energy; Enterprise, Opportunity and Innovation; Environment; Finance; Office of Francophone Affairs; Health and Long-Term Care; Intergovernmental Affairs; Labour; Office of the Lieutenant Governor; Management Board Secretariat; Municipal Affairs and Housing; Ontario Native Affairs Secretariat; Natural Resources; Northern Development and Mines; Office of the Premier; Public Safety and Security; Tourism and Recreation; Training, Colleges and Universities; Transportation).

Le lieutenant-gouverneur transmet les prévisions de certains montants nécessaires pour assurer les services de la province pour l'exercice se terminant le 31 mars 2004 et les recommande à l'Assemblée législative.

Toronto, le 21 mai 2003

(Document parlementaire n° 3, Agriculture et Alimentation; Procureur général; Bureau du Conseil des ministres; Affaires civiques; Services à la collectivité, à la famille et à l'enfance; Services aux consommateurs et aux entreprises; Culture; Éducation; Énergie; Entreprise, Débouchés et Innovation; Environnement; Finances; Offices des affaires francophones; Santé et Soins de longue durée; Affaires intergouvernementales; Travail; Bureau du Lieutenant-gouverneur; Secrétariat du Conseil de gestion; Affaires municipales et Logement; Secrétariat des affaires autochtones de l'Ontario; Richesses naturelles; Développement du Nord et des Mines; Cabinet du Premier ministre; Sûreté et Sécurité publique; Tourisme et Loisirs; Formation, Collèges et Universités; Transports).

Ordered, That the message of the Lieutenant Governor together with the Estimates accompanying same be deemed to be referred to the Standing Committee on Estimates pursuant to Standing Order 58.

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**REPORTS BY COMMITTEES**

The Speaker addressed the House as follows:-

I beg to inform the House that today the Clerk received the Report on intended appointments dated May 21, 2003 of the Standing Committee on Government Agencies. Pursuant to Standing Order 106(e), the Report is deemed to be adopted by the House (Sessional Paper No. 21).

Mr. Spina from the Standing Committee on Finance and Economic Affairs presented the Committee's Report which was read as follows and adopted:-

Your Committee begs to report the following Bill as amended:-

Bill 2, An Act to amend the Highway Traffic Act to restrict the conveyance of passengers for compensation.

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**RAPPORTS DES COMITÉS**

M. Spina du Comité permanent des finances et des affaires économiques présente le rapport du comité qui est lu comme suit et adopté :-

Votre comité propose qu'il soit permis de faire rapport sur le projet de loi suivant avec des amendements :-

Projet de loi 2, Loi modifiant le Code de la route pour restreindre le transport de passagers moyennant rémunération.

Ordered for Third Reading.

Ordonné pour la troisième lecture.

Mr. Marchese from the Standing Committee on Regulations and Private Bills presented the Committee's Report which was read as follows and adopted:-

Your Committee begs to report the following Bill without amendment:-

Bill Pr14, An Act respecting Redeemer University College.

### INTRODUCTION OF BILLS

On motion by Mr. Eves, Bill 28, An Act to resolve a labour dispute between The Ontario English Catholic Teachers' Association and the Toronto Catholic District School Board and to amend the Education Act and the Provincial Schools Negotiations Act, was introduced and read the first time on the following division:-

### DÉPÔT DES PROJETS DE LOI

Sur la motion de M. Eves, le projet de loi 28, Loi visant à régler le conflit de travail opposant l'Association des enseignantes et des enseignants catholiques anglo-ontariens et le conseil scolaire de district appelé Toronto Catholic District School Board et modifiant la Loi sur l'éducation et la Loi sur la négociation collective dans les écoles provinciales, est présenté et lu une première fois à la suite du vote suivant :-

### AYES / POUR – 52

Arnott	Ecker	Johns	Munro	Stewart
Baird	Elliott	Johnson	Murdoch	Stockwell
Barrett	Eves	Kells	Mushinski	Tascona
Beaubien	Flaherty	Klees	Newman	Tsubouchi
Chudleigh	Galt	Marland	O'Toole	Turnbull
Clark	Gill	Martiniuk	Ouellette	Wetlaufer
Clement	Guzzo	Mazzilli	Runciman	Wilson
Coburn	Hardeman	McDonald	Sampson	Witmer
Cunningham	Hastings	Miller	Spina	Wood
DeFaria	Hudak	Molinari	Sterling	Young
Dunlop	Jackson			

### NAYS / CONTRE – 42

Agostino	Churley	Gerretsen	Levac	Patten
Bartolucci	Cleary	Gravelle	Marchese	Phillips
Bisson	Colle	Hampton	Martel	Prue
Bountrogianni	Conway	Hoy	Martin	Pupatello
Boyer	Crozier	Kennedy	McGuinty	Ramsay
Bradley	Curling	Kormos	McLeod	Ruprecht
Brown	Di Cocco	Kwinter	McMeekin	Sergio
Bryant	Dombrowsky	Lalonde	Parsons	Smitherman
Caplan	Duncan			

The following Bills were introduced and read the first time:-

Bill 29, An Act to amend the Public Inquiries Act. Mr. Wood.

Bill 30, An Act to protect adults from abuse and neglect. Mr. Bartolucci.

Les projets de loi suivants sont présentés et lus une première fois:-

Projet de loi 29, Loi modifiant la Loi sur les enquêtes publiques. M. Wood.

Projet de loi 30, Loi visant à protéger les adultes contre la maltraitance et la négligence. M. Bartolucci.

Bill 31, An Act to ensure the preservation of the site of Toronto's first parliament buildings. Mr. Marchese.

Bill 32, An Act to amend the Ontario Water Resources Act. Mrs. Marland.

Bill 33, An Act respecting the price of motor vehicle fuel and the appointment of a Gas Price Watchdog. Mr. Gravelle.

Bill 34, An Act to amend the Representation Act, 1996. Mr. Arnott.

Bill 35, An Act to amend the Ontario Water Resources Act with respect to water source protection. Mrs. Dombrowsky.

Bill 36, An Act to protect sources of drinking water in Ontario. Ms. Churley.

Bill 37, An Act to establish the Ontario Workers' Memorial. Mr. Agostino.

Bill 38, An Act to amend the Child and family Services Act to allow one Children's Aid Society access to information held by another Children's Aid Society. Mr. Bartolucci.

Bill 39, An Act to restrict the operation of large hog farms and to amend the Nutrient Management Act, 2002. Ms. Churley.

Bill 40, An Act respecting warranties offered by manufacturers of motor vehicles. Mr. Sampson.

The following Bills were introduced, read the first time and referred to the Standing Committee on Regulations and Private Bills:-

Bill Pr12, An Act respecting the Municipality of Chatham-Kent. Mr. Beaubien.

Bill Pr21, An Act respecting Tyndale College & Seminary (formerly Ontario Bible College and Ontario Theological Seminary). Mr. Dunlop.

Pursuant to Standing Order 33(f) the Speaker interrupted "Introduction of Bills" and called "Motions".

Projet de loi 31, Loi visant à assurer la préservation du site des premiers édifices parlementaires de Toronto. M. Marchese.

Projet de loi 32, Loi modifiant la Loi sur les ressources en eau de l'Ontario. M<sup>me</sup> Marland.

Projet de loi 33, Loi concernant le prix du carburant pour véhicules automobiles et la nomination d'un agent de surveillance des prix du carburant. M. Gravelle.

Projet de loi 34, Loi modifiant la Loi de 1996 sur la représentation électorale. M. Arnott.

Projet de loi 35, Loi modifiant la Loi sur les ressources en eau de l'Ontario en ce qui concerne la protection des sources d'alimentation en eau. M<sup>me</sup> Dombrowsky.

Projet de loi 36, Loi visant à protéger les sources d'eau potable en Ontario. M<sup>me</sup> Churley.

Projet de loi 37, Loi visant à ériger le monument commémoratif en hommage aux travailleurs de l'Ontario. M. Agostino.

Projet de loi 38, Loi modifiant la Loi sur les services à l'enfance et à la famille afin de permettre à une société d'aide à l'enfance d'avoir accès aux renseignements détenus par une autre société d'aide à l'enfance. M. Bartolucci.

Projet de loi 39, Loi visant à restreindre l'exploitation des grosses fermes porcines et à modifier la Loi de 2002 sur la gestion des éléments nutritifs. M<sup>me</sup> Churley.

Projet de loi 40, Loi concernant les garanties offertes par les fabricants des véhicules automobiles. M. Sampson.

Les projets de loi suivants sont présentés, lus une première fois et déferés au Comité permanent des règlements et des projets de loi d'intérêt privé :-

Conformément à l'article 33(f) du Règlement, le Président interrompt la période «Dépôt des projets de loi» et passe à «Motions».

**MOTIONS**

With unanimous consent, on motion by Mr. Stockwell,

Ordered, That notwithstanding Standing Order 96(g) notice for ballot items 7, 8, 9 and 10 be waived.

**MOTIONS**

Avec le consentement unanime, sur la motion de M. Stockwell,

With unanimous consent, on motion by Mr. Stockwell,

Avec le consentement unanime, sur la motion de M. Stockwell,

Ordered, That notwithstanding Order 96(d), the following changes be made to the ballot list for private members' public business:

Mr. Guzzo and Mr. Beaubien exchange places in order of precedence, such that Mr. Guzzo assumes ballot item 10, and Mr. Beaubien assumes ballot item number 7; and that

Mr. Beaubien and Mr. Wood exchange places in order of precedence, such that Mr. Beaubien assumes ballot item 15, and Mr. Wood assumes ballot item 7.

Mr. Stockwell moved,

M. Stockwell propose,

That pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, May 21, 2003, for the purpose of considering government business.

The question being put on the motion, it was carried on the following division:-

La motion, mise aux voix, est adoptée par le vote suivant:-

**AYES / POUR - 83**

Agostino	Conway	Guzzo	McDonald	Ruprecht
Arnott	Crozier	Hardeman	McLeod	Sampson
Baird	Cunningham	Hastings	McMeekin	Sergio
Bartolucci	Curling	Hoy	Miller	Smitherman
Beaubien	DeFaria	Hudak	Molinari	Spina
Bountrogianni	Di Cocco	Jackson	Munro	Sterling
Boyer	Dombrowsky	Johns	Murdoch	Stewart
Bradley	Duncan	Johnson	Mushinski	Stockwell
Brown	Dunlop	Kells	Newman	Tascona
Bryant	Ecker	Kennedy	O'Toole	Tsubouchi
Caplan	Elliott	Klees	Ouellette	Turnbull
Chudleigh	Eves	Kwinter	Parsons	Wetlaufer
Clark	Flaherty	Lalonde	Patten	Wilson
Cleary	Galt	Levac	Phillips	Witmer
Clement	Gerretsen	Marland	Pupatello	Wood
Coburn	Gill	Martiniuk	Runciman	Young
Colle	Gravelle	Mazzilli		

**NAYS / CONTRE - 7**

Bisson	Kormos	Martel	Martin	Prue
Hampton	Marchese			

**DEFERRED VOTES****VOTES DIFFÉRÉS**

The deferred vote on the motion by Mr. Conway arising from the Speaker's ruling of May 8, 2003, as follows:

“That this House declares that it is the undoubted right of the Legislative Assembly, in Parliament assembled, to be the first recipient of the Budget of Ontario”,

was lost on the following division:-

#### AYES / POUR - 42

Agostino	Churley	Gerretsen	Levac	Patten
Bartolucci	Cleary	Gravelle	Marchese	Phillips
Bisson	Colle	Hampton	Martel	Prue
Bountrogianni	Conway	Hoy	Martin	Pupatello
Boyer	Crozier	Kennedy	McGuinty	Ruprecht
Bradley	Curling	Kormos	McLeod	Sergio
Brown	Di Cocco	Kwinter	McMeekin	Smitherman
Bryant	Dombrowsky	Lalonde	Parsons	Sorbara
Caplan	Duncan			

#### NAYS / CONTRE - 53

Arnott	Ecker	Jackson	Munro	Stewart
Baird	Elliott	Johns	Murdoch	Stockwell
Barrett	Eves	Johnson	Mushinski	Tascona
Beaubien	Flaherty	Kells	Newman	Tsubouchi
Chudleigh	Galt	Klees	O’Toole	Turnbull
Clark	Gilchrist	Marland	Ouellette	Wettlaufer
Clement	Gill	Martiniuk	Runciman	Wilson
Coburn	Guzzo	Mazzilli	Sampson	Witmer
Cunningham	Hardeman	McDonald	Spina	Wood
DeFaria	Hastings	Miller	Sterling	Young
Dunlop	Hudak	Molinari		

At 4:00 p.m., pursuant to Standing Order 30(b), the Speaker interrupted the proceedings and called Orders of the Day.

À 16 heures, conformément à l’article 30(b) du Règlement, le Président interrompt les délibérations et passe à l’ordre du jour.

#### ORDERS OF THE DAY

Debate was resumed on the Amendment to the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.

After some time, the amendment to the amendment to the motion was put as follows:-

That the amendment to the motion be amended by striking out all the words after, “Whereas Ontarians” and substitute the following:-

“have felt the impact of bad Conservative privatization policies where it hurts – in the pocketbook;

Whereas the Conservatives ignore evidence from around the world that privatization of public necessities – such as water, hydro, health, education – doesn’t work and costs more;

Whereas Ontarians are looking for practical solutions that would:

- Stop hydro privatization and deregulation and ensure clean, reliable public power at cost.

#### ORDRE DU JOUR

Le débat reprend sur le sous-amendement à la motion portant l'Adresse en réponse au discours prononcé par Son Honneur le lieutenant-gouverneur à l'ouverture de la session.

Après quelque temps, le sous-amendement à la motion est mix aux voix comme suit:-

- Extend public home care, create 100 new Community Health Centres and cut long-term care user fees. Cancel plans for private MRI/CT clinics and privately built hospitals and put funds back into public health care.
- Keep our drinking water public and protect water from source to tap.
- Ensure every student has the opportunity to excel, guaranteed by a dedicated Education Excellence Fund that takes the politics out of education funding. No public funds for private schools.
- Immediately increase the minimum wage to \$8 an hour, prohibit scabs and treat injured workers fairly.
- Freeze rents for two years, build at least 32,000 units of affordable housing and increase shelter allowances.
- Cut tuition by 10 per cent and ensure that no student is denied a quality education or training for financial reasons.
- Lower transit fares, shorten waits and reduce gridlock with a dedicated transportation trust fund.
- Reduce child care fees to \$10 a day for 18 month to 5 year olds in non-profit, regulated child care, and create 20,000 new child care spaces.
- Protect your pension from inflation and let you take it with you from job to job.

Therefore this House endorses an agenda of public power.”

The Deputy Speaker (Mr. Johnson) declared his opinion that the Nays had it, and a recorded vote having been demanded,

The Deputy Speaker directed that the Members be called in, for which purpose the division bells were rung.

During the ringing of the bells, the Deputy Speaker addressed the House as follows:-

I have received a request from the Chief Government Whip, under Standing Order 28(h), that the vote be deferred until Thursday, May 22, 2003.

Therefore the vote is accordingly deferred.

The House then adjourned at 6:00 p.m.

Le vice-président, M. Johnson déclare qu'à son avis les voix opposées l'emportent et un vote par appel nominal a été demandé.

Le vice-président donne des directives pour convoquer les députés et la sonnerie d'appel se fait entendre.

Pendant la sonnerie d'appel, le vice-président s'adresse à l'Assemblée en ces mots:-

J'ai reçu une requête du Whip en chef du gouvernement, conformément à l'article 28(h) du Règlement, que le vote soit différé jusqu'au jeudi 22 mai 2003.

En conséquence, le vote est différé.

À 18 h, la chambre a ensuite ajourné ses travaux.

**6:45 P.M.**

### **ORDERS OF THE DAY**

Mrs. Ecker moved, seconded by Mr. Eves, That this House approves in general the Budgetary Policy of the Government.

A debate arose and,

After some time, pursuant to Standing Order 9(a), the motion for adjournment of the debate was deemed to have been made and carried.

**18 H 45**

### **ORDRE DU JOUR**

Il s'élève un débat et,

Après quelque temps, conformément à l'article 9(a) du Règlement, la motion d'ajournement du débat est réputée avoir été proposée et adoptée.

The House then adjourned at 9:30 p.m.

À 21 h 30, la chambre a ensuite ajourné ses travaux.

le président

**GARY CARR**

Speaker

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**SESSIONAL PAPERS PRESENTED  
PURSUANT TO STANDING ORDER 39(A):-**

**DOCUMENTS PARLEMENTAIRES  
DÉPOSÉS CONFORMÉMENT À L'ARTICLE  
39(A) DU RÈGLEMENT**

COMPENDIA:

Bill 28, An Act to resolve a labour dispute between The Ontario English Catholic Teachers' Association and the Toronto Catholic District School Board and to amend the Education Act and the Provincial Schools Negotiations Act (No. 22).

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