



No. 10

N° 10

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Thursday
December 4, 2003

Jeudi
4 décembre 2003

Morning and
Daytime Meeting - Sessional Day 16
Evening Meeting - Sessional Day 17

Séance du matin et
de l'après-midi - jour de session 16
Séance du soir - jour de session 17

1st Session,
38th Parliament

1^{re} session
38^e législature

**PRAYERS
10:00 A.M.**

Mr. Levac moved,

Second Reading of Bill 3, An Act to protect anaphylactic students.

A debate arising, at 11:00 a.m., further proceedings were reserved until 12:00 noon.

Mr. Murdoch then moved,

That in the opinion of this House, the Government of Ontario should live up to its campaign promise to 'Strengthen Democracy' through 'Democratic Renewal'.

At 11:50 a.m., there being no further debate, pursuant to Standing Order 96(e), the Acting Speaker (Mr. Crozier) suspended the proceedings until 12:00 noon.

The question having been put on the motion for Second Reading of Bill 3, An Act to protect anaphylactic students, it was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on General Government.

The question having been put on Mr. Murdoch's Resolution Number 2, it was declared carried.

**PRIÈRES
10 H**

M. Levac propose,

Deuxième lecture du projet de loi 3, Loi visant à protéger les élèves anaphylactiques.

À 11 h, la suite du débat est réservée jusqu'à midi.

Ensuite, M. Murdoch propose,

À 11 h 50, comme il n'y a plus de débat, conformément à l'article 96(e) du Règlement, le président par intérim, M. Crozier, suspend les délibérations jusqu'à midi.

La motion portant deuxième lecture du projet de loi 3, Loi visant à protéger les élèves anaphylactiques, mise aux voix, est déclarée adoptée et le projet de loi est en conséquence lu une deuxième fois et renvoyé au Comité permanent des affaires gouvernementales.

La motion, mise aux voix, sur la résolution numéro 2 de M. Murdoch est déclarée adoptée.

1:30 P.M.

INTRODUCTION OF BILLS

The following Bill was introduced and read the first time:-

Bill 12, An Act to amend the Ontarians with Disabilities Act, 2001. Mr. Jackson.

On motion by Mr. Lalonde, Bill 13, An Act to amend the Public Transportation and Highway Improvement Act to officially recognize Highway 401 as the Macdonald-Cartier Freeway was introduced and read the first time on the following division:-

13 H 30

DÉPÔT DES PROJETS DE LOI

Le projet de loi suivant est présenté et lu une première fois:-

Projet de loi 12, Loi modifiant la Loi de 2001 sur le personnes handicapées de l'Ontario. M. Jackson.

Sur la motion de M. Lalonde, le projet de loi 13, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de reconnaître officiellement l'autoroute 401 comme l'autoroute Macdonald-Cartier est présenté et lu une première fois à la suite du vote suivant:-

AYES / POUR - 79

Agostino	Churley	Hardeman	Meilleur	Rinaldi
Arnott	Colle	Hoy	Miller	Runciman
Arthurs	Cordiano	Hudak	Milloy	Ruprecht
Baird	Craitor	Jackson	Mitchell	Sandals
Barrett	Crozier	Jeffrey	Munro	Scott
Bartolucci	Delaney	Klees	Murdoch	Sergio
Bentley	Dhillon	Kormos	O'Toole	Smitherman
Berardinetti	Dombrowsky	Kwinter	Ouellette	Sorbara

AYES / POUR - Continued

Bisson	Duguid	Lalonde	Parsons	Tascona
Bountrogianni	Duncan	Leal	Peters	Watson
Bradley	Dunlop	Levac	Peterson	Wilkinson
Brotten	Flaherty	Marchese	Phillips	Witmer
Bryant	Flynn	Marsales	Prue	Wong
Cansfield	Fonseca	Martel	Pupatello	Wynne
Caplan	Gerretsen	Matthews	Qaadri	Zimmer
Chambers	Gravelle	McMeekin	Ramal	

NAYS / CONTRE - 0

The following Bill was introduced and read the first time:-

Bill 14, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of adoption disclosure. Ms. Churley.

Le projet de loi suivant est présenté et lu une première fois:-

Projet de loi 14, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions. M^{me} Churley.

Following remarks by Ms. Pupatello, Mrs. Witmer and Ms. Churley, the House observed a moment of silence in remembrance of the tragic events at the University of Montreal, Quebec on December 6, 1989.

PETITIONS

Petition relating to eliminating the \$5.6 billion deficit left by the previous government (Sessional Paper No. P-6) Mr. Tascona.

Petitions relating to the bill proposing an amendment to The Optometry Act (Sessional Paper No. P-7) Mr. Marchese and Ms. Martel.

Petition relating to freezing and reducing tuition fees (Sessional Paper No. P-10) Mr. Ruprecht.

Petition relating to enacting revision to the adoption secrecy legislation (Sessional Paper No. P-12) Ms. Churley.

Petition relating to halting the closure of Prince of Wales Public School in Simcoe County (Sessional Paper No. P-13) Mr. Tascona.

PÉTITIONS

ORDERS OF THE DAY

Debate was resumed on the motion by Mr. Duncan, That notwithstanding any Standing Order or special order of the House, there be a timetable applied to the consideration of certain business of the House as follows:

(A) Bill 2, An Act respecting fiscal responsibility:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the Second Reading stage of the bill without further debate or amendment;
2. Upon receiving Second Reading, the bill shall be ordered referred to the Standing Committee on Finance and Economic Affairs;

ORDRE DU JOUR

3. The Standing Committee on Finance and Economic Affairs shall meet for two consecutive sitting days commencing on the first sitting day following the passage of Second Reading for the purpose of public hearings and clause-by-clause consideration of the bill;
 4. The Committee may meet from 10 a.m. to 12:00 noon and again following routine proceedings until 6:00 p.m. on each of the two days;
 5. At 4:00 p.m. on the second day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the Committee shall interrupt the proceedings and shall cause there to be one final 20-minute waiting period for the purpose of calling in the members, and shall then immediately without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;
 6. The Committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the second day of the Committee's consideration of the bill;
 7. In the event that the Committee fails to report the bill as provided in paragraph 6, the bill shall be deemed to have been passed by the Committee and reported to and received by the House;
 8. Upon being reported to the House, the bill shall be ordered for Third Reading, which order may be called on the same sessional day;
 9. There shall be 2 sessional days of Third Reading debate on the bill;
 10. At 10 minutes before the normal hour of adjournment on the second day, the Speaker shall put every question necessary to dispose of the Third Reading stage of the bill;
 11. No deferral of any vote shall be permitted.
- (B) Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing:
1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the Second Reading stage of the bill without further debate or amendment; the vote on Second Reading may not be deferred;
 2. Upon receiving Second Reading, the bill shall be ordered referred to the Standing Committee on Justice and Social Policy;
 3. The Standing Committee on Justice and Social Policy shall meet at the call of the Chair for 2 days for the purpose of public hearings and clause-by-clause consideration of the bill;
 4. The Committee may meet from 10 a.m. to 12:00 noon and again following routine proceedings until 6:00 p.m. on each of the two days;
 5. At 4:00 p.m. on the second day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the Committee shall interrupt the proceedings and shall cause there to be one final 20-minute waiting period for the purpose of calling in the members, and shall then immediately without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;
 6. The Committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the Committee's second day of consideration of the bill;
 7. In the event that the Committee fails to report the bill as provided in paragraph 6, the bill shall be deemed to have been passed by the Committee and reported to and received by the House;
 8. Upon being reported to the House, the bill shall be ordered for Third Reading, which order may be called on the same sessional day;
 9. There shall be 1 sessional day of Third Reading debate on the bill;

10. At 10 minutes before the normal hour of adjournment on that day the Speaker shall put every question necessary to dispose of the Third Reading stage of the bill.

11. The vote on Third Reading may be deferred.

(C) Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the Second Reading stage of the bill without further debate or amendment;

2. Upon receiving Second Reading, the bill shall be ordered referred to the Standing Committee on Finance and Economic Affairs;

3. The Standing Committee on Finance and Economic Affairs shall meet for 2 days at the call of the Chair for the purpose of public hearings and clause-by-clause consideration of the bill;

4. The Committee may meet from 10 a.m. to 12:00 noon and again following routine proceedings until 6:00 p.m. on each of the two days;

5. The Committee's second day of consideration of the bill shall be completed on or before Tuesday, December 16, 2003;

6. At 4:00 p.m. on the second day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the Committee shall interrupt the proceedings and shall cause there to be one final 20-minute waiting period for the purpose of calling in the members, and shall then immediately without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

7. The Committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the Committee's second day of consideration of the bill;

8. In the event that the Committee fails to report the bill as provided in paragraph 7, the bill shall be deemed to have been passed by the Committee and reported to and received by the House;

9. Upon being reported to the House, the bill shall be ordered for Third Reading, which order may be called on the same sessional day;

10. There shall be 1 sessional day of Third Reading debate on the bill;

11. At 10 minutes before the normal hour of adjournment on that day the Speaker shall put every question necessary to dispose of the Third Reading stage of the bill;

12. No deferral of any vote shall be permitted.

(D) Opposition Day:

2. The Official Opposition shall be entitled to give notice of a motion for consideration pursuant to Standing Order 42;

3. The date for consideration of such motion shall be Wednesday, December 10, 2003.

(E) Government Notice of Motion # 10, motion to appoint Presiding Officers:

1. When Government Notice of Motion #10 is called, 1 sessional day shall be allocated to the debate;

2. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; the vote on this motion may be deferred.

(F) Government Order # 2, motion to take the Speech of His Honour the Lieutenant Governor into consideration:

1. When Government Order #2 is next called one sessional day shall be allocated to the debate;
2. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; the vote on this motion may be deferred.

In the case of any division relating to any proceedings A through F, the division bell shall be limited to 10 minutes.

After some time, Ms. Martel moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 6 NAYS - 37

The debate continued and, after some time, Ms. Martel moved the adjournment of the House, which motion was lost on the following division:-

AYES - 5 NAYS - 35

The debate continued and after some time, Mr. O'Toole moved under Standing Order 47 "That this question be now put", which motion was carried on the following division:-

AYES / POUR - 37

Agostino	Caplan	Fonseca	Mossop	Ruprecht
Arthurs	Colle	Gravelle	O'Toole	Sergio
Baird	Cordiano	Jeffrey	Peterson	Tascona
Berardinetti	Delaney	Kennedy	Phillips	Wilkinson
Bountrogianni	Dhillon	Lalonde	Qaadri	Wong
Bradley	Duguid	Levac	Racco	Wynne
Brotten	Duncan	Marsales	Ramal	Zimmer
Cansfield	Flynn			

NAYS / CONTRE - 5

Bisson	Churley	Kormos	Marchese	Prue
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The main motion, having then been put, was carried on the following division:-

La motion principale, après avoir été mise aux voix, est adoptée par le vote suivant:-

AYES / POUR - 36

Agostino	Chambers	Fonseca	Mossop	Ruprecht
Arthurs	Colle	Gravelle	O'Toole	Sergio
Baird	Delaney	Jeffrey	Peterson	Tascona
Berardinetti	Dhillon	Kennedy	Phillips	Wilkinson
Bradley	Duguid	Klees	Qaadri	Wong
Brotten	Duncan	Kwinter	Racco	Wynne
Cansfield	Flynn	Marsales	Ramal	Zimmer
Caplan				

NAYS / CONTRE - 5

Bisson

Churley

Kormos

Marchese

Prue

The House then adjourned at 6:30 p.m.

À 18 h 30, la chambre a ensuite ajourné ses travaux.

6:45 P.M.**18 H 45****ORDERS OF THE DAY****ORDRE DU JOUR**

Mr. Bradley moved,

M. Bradley propose,

That Bruce Crozier, Member for the Electoral District of Essex, be appointed Deputy Speaker and Chair of the Committee of the Whole House; that Ted Arnott, Member for the Electoral District of Waterloo-Wellington be appointed First Deputy Chair of the Committee of the Whole House, and that Joseph Tascona, Member for the Electoral District of Barrie-Simcoe-Bradford be appointed Second Deputy Chair of the Committee of the Whole House.

On a point of order being raised, the Acting Speaker (Mr. Crozier) declined to recuse himself from presiding over the debate on the motion.

On a point of order being raised concerning an apparent conflict between Standing Order 4 and Section 28(1) of the Legislative Assembly Act, the Acting Speaker found the motion to be in order and permitted the debate to proceed.

After some time, Mr. Kormos moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 5 NAYS - 29

The debate continued and, after some time, Mr. Kormos moved the adjournment of the House, which motion was lost on the following division:-

AYES - 6 NAYS - 31

The debate continued and, after some time, Mr. Bisson moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 5 NAYS - 29

The debate continued and, after some time, Mr. Bisson moved the adjournment of the House, which motion was lost on the following division:-

AYES - 5 NAYS - 29

The debate continued and, after some time, Ms. Churley moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 5 NAYS - 27

Après quelque temps, M. Kormos propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 29

Le débat se poursuit et après quelque temps, M. Kormos propose l'ajournement des débats de l'Assemblée et cette motion est rejetée par le vote suivant:-

POUR - 6 CONTRE - 31

Le débat se poursuit et après quelque temps, M. Bisson propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 29

Le débat se poursuit et après quelque temps, M. Bisson propose l'ajournement des débats de l'Assemblée et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 29

Le débat se poursuit et après quelque temps, M^{me} Churley propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 27

The debate continued and, after some time, Ms. Churley moved the adjournment of the House, which motion was lost on the following division:-

AYES - 6 NAYS - 26

The debate continued and, after some time, Mr. Prue moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 5 NAYS - 25

The debate continued and, after some time, Mr. Prue moved the adjournment of the House, which motion was lost on the following division:-

AYES - 6 NAYS - 28

The debate continued and, after some time, Mr. Marchese moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 5 NAYS - 26

The debate continued and, after some time, Mr. Marchese moved the adjournment of the House, which motion was lost on the following division:-

AYES - 5 NAYS - 25

The debate continued and, after some time, Ms. Martel moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 5 NAYS - 24

At 11:50 p.m., pursuant to the Order of the House of December 4, 2003, the Speaker interrupted the proceedings and put the question, and declared his opinion that the ayes had it, and a recorded vote having been demanded,

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

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

I have received a request from the Chief Government Whip, under Standing Order 28(h), that the vote on Government Notice of Motion Number 10 be deferred until December 8, 2003.

Therefore the vote is accordingly deferred.

Le débat se poursuit et après quelque temps, M^{me} Churley propose l'ajournement des débats de l'Assemblée et cette motion est rejetée par le vote suivant:-

POUR - 6 CONTRE - 26

Le débat se poursuit et après quelque temps, M. Prue propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 25

Le débat se poursuit et après quelque temps, M. Prue propose l'ajournement des débats de l'Assemblée et cette motion est rejetée par le vote suivant:-

POUR - 6 CONTRE - 28

Le débat se poursuit et après quelque temps, M. Marchese propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 26

Le débat se poursuit et après quelque temps, M. Marchese propose l'ajournement des débats de l'Assemblée et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 25

Le débat se poursuit et après quelque temps, M^{me} Martel propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 24

À 11 h 50, conformément à l'ordre adopté par l'Assemblée le 4 décembre 2003, le Président interrompt les délibérations, met la motion aux voix, et déclare qu'à son avis les voix favorables l'emportent et un vote par appel nominal a été demandé,

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

Pendant la sonnerie d'appel, le 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 sur l'avis de motion numéro 10 émanant du gouvernement soit différé jusqu'au 8 décembre 2003.

En conséquence, le vote est différé.

The House then adjourned at 11:55 p.m.

À 23 h 55, la chambre a ensuite ajourné ses travaux.

le président

ALVIN CURLING

Speaker

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

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

Report of the Pickering "A" Review Panel dated December 2003 (No. 2).

Status of Business

**1st Session,
38th Parliament**

[December 4, 2003]

Section 1
Legislation

Public Bills Index**Government and Private Members'****État des Travaux**

**1^{re} Session,
38^e Législature**

Section 1
Projets de loi

Index des Projets de Loi d'Intérêt Public**Gouvernement et Députés**

Adoption Disclosure Statute Law. Ms. Churley	Bill – 14
Anaphylactic Students Protection. Mr. Levac	Bill – 3
Ancient Parliamentary Right. Hon. Mr. McGuinty.....	Bill – 1
Automobile Insurance Rate Stabilization. Hon. Mr. Sorbara	Bill – 5
Commitment to the Future of Medicare. Hon. Mr. Smitherman.....	Bill – 8
Environmental Protection (Industrial Facilities). Mr. Levac	Bill – 9
Fiscal Responsibility. Hon. Mr. Sorbara.....	Bill – 2
Labour Relations (Replacement Workers). Mr. Kormos.....	Bill – 6
Macdonald-Cartier Freeway. Mr. Lalonde.....	Bill – 13
Michael Maxwell Act (Health Insurance Amendment). Ms. Martel	Bill – 11
Ontario Energy Board (Electricity Pricing). Hon. Mr. Duncan	Bill – 4
Ontarians with Disabilities. Mr. Jackson	Bill – 12
Pierre Elliott Trudeau Highway. Mr. Lalonde	Bill – 10
VQA Wine Stores. Mr. Hudak.....	Bill – 7

**GOVERNMENT BILLS AND PRIVATE
MEMBERS' PUBLIC BILLS**

**PROJETS DE LOI ÉMANANT DU
GOUVERNEMENT ET PROJETS DE LOI
D'INTÉRÊT PUBLIC ÉMANANT DES
DÉPUTÉS**

Bill 1, An Act to perpetuate an ancient parliamentary right/Loi visant à perpétuer un ancien droit parlementaire. Hon. Mr. McGuinty (Premier). First Reading November 20, 2003.

Bill 2, Fiscal Responsibility Act, 2003/Loi de 2003 sur la gestion responsable des finances. Hon. Mr. Sorbara (Minister of Finance). First Reading on division November 24, 2003. Second Reading debated November 25, 26, 27.

Bill 3, Anaphylactic Students Protection Act, 2003/Loi de 2003 sur la protection des élèves anaphylactiques. Mr. Levac (Brant). First Reading on division November 24, 2003.

Bill 4, Ontario Energy Board Amendment Act (Electricity Pricing), 2003/Loi de 2003 modifiant la Loi sur la Commission de l'énergie de l'Ontario (établissement du coût de l'électricité). Hon. Mr. Duncan (Minister of Energy). First Reading on division November 25, 2003. Second Reading debated November 26, 27, December 1.

Bill 5, Automobile Insurance Rate Stabilization Act, 2003/Loi de 2003 sur la stabilisation des taux d'assurance-automobile. Hon. Mr. Sorbara (Minister of Finance). First Reading on division November 26, 2003. Second Reading debated December 1, 2, 3.

Bill 6, Labour Relations Amendment Act (Replacement Workers), 2003/Loi de 2003 modifiant la Loi sur les relations de travail (travailleurs suppléants). Mr. Kormos (Niagara Centre). First Reading November 26, 2003.

Bill 7, VQA Wine Stores Act, 2003/Loi de 2003 sur les magasins de vins de la Vintners Quality Alliance. Mr. Hudak (Erie—Lincoln). First Reading November 27, 2003.

Bill 8, Commitment to the Future of Medicare Act, 2003/Loi de 2003 sur l'engagement d'assurer l'avenir de l'assurance-santé. Hon. Mr. Smitherman (Minister of Health and Long-Term Care). First Reading November 27, 2003.

Bill 9, Environmental Protection Amendment Act (Industrial Facilities), 2003/Loi de 2003 modifiant la Loi sur la protection de l'environnement (installations industrielles). Mr. Levac (Brant). First Reading November 27, 2003.

Bill 10, Pierre Elliott Trudeau Highway Act, 2003/Loi de 2003 sur l'Autoroute Pierre Elliott Trudeau. Mr. Lalonde (Glengarry—Prescott—Russell). First Reading December 1, 2003.

Bill 11, Michael Maxwell Act (Health Insurance Amendment), 2003/Loi Michael Maxwell de 2003 modifiant la Loi sur l'assurance-santé. Ms. Martel (Nickel Belt). First Reading December 1, 2003.

Bill 12, Ontarians with Disabilities Amendment Act, 2003/Loi de 2003 modifiant la Loi sur les personnes handicapées de l'Ontario. Mr. Jackson (Burlington). First Reading December 4, 2003.

Bill 13, Macdonald-Cartier Freeway Act, 2003/Loi de 2003 sur l'autoroute Macdonald-Cartier. Mr. Lalonde (Glengarry—Prescott—Russell). First Reading December 4, 2003.

Bill 14, Adoption Disclosure Statute Law Amendment Act, 2003/Loi de 2003 modifiant des lois en ce qui concerne la divulgation de renseignements sur les adoptions. Ms. Churley (Toronto—Danforth). First Reading December 4, 2003.