



No.53

N° 53

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Monday
May 31, 2004

Daytime Meeting - Sessional Day 72
Evening Meeting - Sessional Day 73

Lundi
31 mai 2004

Séance de l'après-midi - jour de session 72
Séance du soir - jour de session 73

1st Session,
38th Parliament

1^{re} session
38^e législature

PRAYERS
1:30 P.M.

PRIÈRES
13H30

The Speaker addressed the House as follows:-

I beg to inform the House that the Clerk has received from the Chief Election Officer and laid upon the Table the following certificate of a by-election held in the Electoral District of Hamilton East:

**ELECTORAL DISTRICT OF HAMILTON EAST—ANDREA HORWATH
PROVINCE OF ONTARIO**

Mr. Claude DesRosiers
Clerk of the Legislative Assembly
Room 104
Legislative Building
Queen's Park
Toronto, Ontario
M7A1A2

Dear Mr. DesRosiers:

A Writ of Election dated the Fourteenth day of April, 2004, was issued by the Honourable Lieutenant Governor of the Province of Ontario, and was addressed to E. Joyce Newman, Returning Officer for the Electoral District of Hamilton East, for the election of a Member to represent the said Electoral District of Hamilton East in the Legislative Assembly of this Province in the room of Dominic Agostino who since his election as representative of the said Electoral District of Hamilton East hath departed this life. This is to certify that, a poll having been granted and held in Hamilton East on the Thirteenth day of May, 2004, Andrea Horwath has been returned as duly elected as appears by the Return of the said Writ of Election, dated the 21st day of May, 2004, which is now lodged of record in my office.

JOHN L. HOLLINS
CHIEF ELECTION OFFICER

Toronto, May 25, 2004

Andrea Horwath, Member for the Electoral District of Hamilton East, having taken the Oath and subscribed the Roll, took her seat.

The Speaker addressed the House as follows:-

I beg to inform the House that I have laid upon the Table a request by the Member for Whitby-Ajax to the Honourable Coulter A. Osborne, Integrity Commissioner, for an opinion pursuant to Section 30(1) of the *Members' Integrity Act, 1994*, on whether the Honourable Greg Sorbara, Minister of Finance, in his responsibility for the Budget and Budget secrecy, has contravened the Act or Ontario Parliamentary Convention (Sessional Paper No. 168).

The Speaker addressed the House as follows:-

I want to inform the House that, due to the change in the membership of the House following the by-election in Hamilton East, the December 16, 2003 recommendation to the Speaker on how to conduct the proceedings of the House will no longer apply.

Specifically, since the 9 Members' Statements are allocated in proportion to the number of private members of each recognized Party, I want to advise that the members of the Government will be entitled to 5 Members' Statements; the Official Opposition will be entitled to 3 Members' Statements and the New Democratic caucus will be entitled to one Member's Statement each day.

As well, the Oral Question Period will be conducted according to the April 28, 1986 recommendation to the Speaker, as follows:

The Official Opposition will be entitled to a lead-off question with 2 supplementary questions, and a second lead-off question with another 2 supplementary questions.

The Third Party will then be entitled to a lead-off question with 2 supplementary questions, and a second lead-off question with another 2 supplementary questions.

Questioning will then proceed with 1 question and 1 supplementary question, on the rotation of Official Opposition, Third Party and Government, to the conclusion of Oral Questions.

As a recognized Party, the New Democratic caucus also has certain entitlements as set out in the Standing Orders and these too will be observed from this point.

INTRODUCTION OF BILLS

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

Bill 85, An Act to affirm the Taxpayer Protection Act, 1999. Mr. Klees.

DÉPÔT DES PROJETS DE LOI

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

Projet de loi 85, Loi visant à confirmer la Loi de 1999 sur la protection des contribuables. M. Klees.

MOTIONS

Notwithstanding Standing Order 53, with unanimous consent, on motion by Mr. Duncan, Ordered, That, notwithstanding Standing Order 96(d) of private members' public business:

Mr. Ouellette and Mr. Tascona exchange places in order of precedence such that Mr. Ouellette assumes ballot item 58 and Mr. Tascona assumes ballot item 25.

That, Mr. Brown and Mr. Crozier exchange places in order of precedence such that Mr. Brown assumes ballot item 64 and Mr. Crozier assumes ballot item 29.

That, Mr. Mauro and Mr. Lalonde exchange places in order of precedence such that Mr. Mauro assumes ballot item 74 and Mr. Lalonde assumes ballot item 27.

And that, pursuant to Standing Order 96(g), notice be waived for ballot items 23 and 25.

MOTIONS

Mr. Duncan moved,

That pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, May 31, 2004 and Tuesday, June 1, 2004 for the purpose of considering government business.

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

M. Duncan propose,

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

AYES/POUR-66

Arthurs	Craitor	Hoy	Miller	Sandals
Baird	Delaney	Hudak	Milloy	Sergio
Bentley	Dhillon	Jeffrey	Mitchell	Smith
Berardinetti	DiCocco	Kennedy	O'Toole	Sorbara
Bountrogianni	Dombrowsky	Klees	Parsons	Takhar
Bradley	Duguid	Kwinter	Peters	Tascona
Broten	Duncan	Lalonde	Phillips	Watson
Brown	Dunlop	Leal	Pupatello	Wilkinson
Brownell	Flaherty	Levac	Qaadri	Witmer
Bryant	Flynn	Marsales	Racco	Wong
Cansfield	Fonseca	Martiniuk	Ramal	Wynne
Chambers	Gerretsen	Matthews	Rinaldi	Yakabuski
Colle	Hardeman	McMeekin	Ruprecht	Zimmer
Cordiano				

NAYS/CONTRE-8

Bisson	Horwath	Marchese	Murdoch	Prue
Churley	Kormos	Martel		

With unanimous consent, the House observed a moment of silence in respect of the tragic death of Constable Tyler Boutilier from Grenville Detachment of the Ontario Provincial Police.

PETITIONS

PÉTITIONS

Petition relating to amending the Day Nurseries Act (Sessional Paper No. P-47) Mr. Lalonde.	/Modification de la loi sur les garderies (Sessional Paper No. P-47) M. Lalonde.
Petition relating to recreational seasonal trailers (Sessional Paper No. P-85) Mr. Leal.	
Petition relating to TTC Right-of-Way on St. Clair Avenue West (Sessional Paper No. P-111) Mr. Ruprecht.	
Petitions relating to abandoning the implementation of and repealing Regulation 170/03 (Sessional Paper No. P-115) Mr. Hardeman and Mr. Yakabuski.	
Petition relating to resuming negotiations between the Ontario Association of Optometrists and appointing a mediator (Sessional Paper No. P-118) Ms. Martel.	the Ministry of Health and Long-Term Care and the
Petition relating to restoring funding for eye exams, chiropractic and physiotherapy services (Sessional Paper No. P-127) Mr. Hudak.	
Petition relating to maintaining a full service hospital at the Ajax/Pickering site (Sessional Paper No. P-129) Mr. Arthurs.	
Petition relating to amending Section 3.1 of the Tobacco Control Act using fines for penalties and to make it an offence to possess tobacco products under the age of 19 years (Sessional Paper No. P-133) Mr. Brownell.	
Petition relating to calling for a full individual Environmental Assessment of the Portlands Energy Centre (Sessional Paper No. P-134) Ms. Churley.	

Petition relating to maintaining the current definition of the District of Muskoka as part of Northern Ontario (Sessional Paper No. P-136) Mr. Miller.

Petitions relating to refraining from any cutbacks or cancellations to the Ministry of Natural Resources' fish stocking program (Sessional Paper No. P-137) Mr. Murdoch and Mr. Ouellette.

ORDERS OF THE DAY

A debate arose on the motion for Second Reading of Bill 83, An Act to implement Budget measures.

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

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

6:45 P.M.

ORDERS OF THE DAY

With unanimous consent, the Acting Speaker (Mr. Tascona) recessed the House for two minutes.

With unanimous consent, the Acting Speaker (Mr. Tascona) recessed the House for five minutes.

Debate was resumed on the motion for Second Reading of Bill 56, An Act to amend the Employment Standards Act, 2000 in respect of family medical leave and other matters.

After some time, the motion was declared carried and the Bill was accordingly read the second time and Ordered for Third Reading.

ORDRE DU JOUR

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 83, Loi mettant en oeuvre certaines mesures budgétaires.

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

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

18H45

ORDRE DU JOUR

Avec le consentement unanime, le président par intérim, M. Tascona suspend les travaux de la Chambre pour deux minutes.

Avec le consentement unanime, le président par intérim, M. Tascona suspend les travaux de la Chambre pour cinq minutes.

Le débat reprend sur la motion portant deuxième lecture du projet de loi 56, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé familial pour raison médicale et d'autres questions.

Après quelque temps, la motion est déclarée adoptée et en conséquence, ce projet de loi est lu une deuxième fois et ordonné pour la troisième lecture.

Mr. Duncan moved, That the House do now adjourn.

M. Duncan propose que l'Assemblée ajourne les débats maintenant.

The question, having been put on the motion, was declared carried.

Cette motion, mise aux voix, est déclarée adoptée.

The House then adjourned at 6:55 p.m.

À 18 h 55, la chambre a ensuite ajourné ses travaux.

le président

ALVIN CURLING

Speaker

PETITIONSTABLEDPURSUANTTOSTANDINGORDER38(A)

Petition relating to facilitating the entry of skilled and professional newcomers to Canada into the workforce (Sessional Paper No. P-37) Mr. Delaney.

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

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

Canola, Fund for Producers of, Financial Statements for the year ended March 31, 2003 (No. 166) (Tabled May 25, 2004).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated May 20, 2004 (No. 163) (Tabled May 21, 2004).

Grain, Corn and Soybeans, Funds for Producers of, Financial Statements for the year ended March 31, 2003 (No. 165) (Tabled May 25, 2004).

Livestock, Fund for Livestock Producers, Financial Statements for the year ended March 31, 2003 (No. 167) (Tabled May 25, 2004).

Ontario Food Terminal Board, Financial Statements for the year ended March 31, 2003 (No. 164) (Tabled May 25, 2004).

RESPONSES TO PETITIONS

RÉPONSES AUX PÉTITIONS

RESPONSES TO PETITIONSTABLED MAY 26, 2004

Petition relating to enacting legislation to de-insure induced abortion (Sessional Paper No. P-50): (Tabled March 22, 2004) Mr. Martiniuk.

Petitions relating to improving the Ontario Drug Benefit Program and abandoning the plan to de-list drugs or increase seniors' drug fees (Sessional Paper No. P-53):

(Tabled March 23, 2004) Mr. Hardeman

(Tabled March 23, 30, 31, April 1, 5, 6, 13, 14, 22, 2004) Mr. Hudak.

(Tabled March 23, April 8, 13, 19, 22, 2004) Mr. Jackson.

(Tabled April 7, 2004) Mr. Martiniuk.

(Tabled March 31, April 14, 15 and 19) Mr. Murdoch.

(Tabled March 29 and April 5, 2004) Mr. Tascona.

Petitions relating to not eliminating or reducing the provincial drug benefits provided to seniors (Sessional Paper No. P-54):

(Tabled March 23, 29, 30 and April 8, 2004) Mr. O' Toole.

(Tabled April 6 and 7, 2004) Mr. Sterling.

Petition relating to abortion services (Sessional Paper No. P-62):

(Tabled March 30, 2004) Mr. Levac.

Petition relating to supporting Bill 8 (Sessional Paper No. P-67):

(Tabled April 5, 2004) Mr. Berardinetti.

Petition relating to the inclusion of naturopathic doctors in the Regulated Health Professions Act (Sessional Paper No. P-78):

(Tabled April 7, 2004) Mr. McMeekin.

Petitions relating to protecting senior citizens living in nursing homes and retirement homes in Ontario (Sessional Paper No. P-82):

(Tabled April 8, 13 and 22, 2004) Mr. Jackson.

(Tabled April 15, 19 and 21, 2004) Mr. McMeekin.

Petition relating to the right to life (Sessional Paper No. P-86):

(Tabled April 8, 2004) Mr. Klees.

Petition relating to permitting smoking to continue at Oak Ridge (Sessional Paper No. P-90):

(Tabled April 19, 2004) Mr. Dunlop.

RESPONSE TO PETITIONS TABLED MAY 27, 2004

Petition relating to the bill proposing an amendment to The Optometry Act (Sessional Paper No. P-7):

(Tabled March 31, 2004) Ms. Martel.

Petition relating to the Tillsonburg District Memorial Hospital (Sessional Paper No. P-71):

(Tabled April 5, 7, 8, 13, 15, 21, 22, 26, 28 and 29, 2004) Mr. Hardeman.
