



No. 103

N° 103

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Wednesday
December 15, 2004

Mercredi
15 décembre 2004

Daytime Meeting - Sessional Day 150

Séance de l'après-midi - jour de session 150

1st Session,
38th Parliament

1^{re} session
38^e législature

PRAYERS
1:30 P.M.

PRIÈRES
13 H 30

REPORTS BY COMMITTEES

RAPPORTS DES COMITÉS

The Speaker addressed the House as follows:-

I beg to inform the House that today the Clerk received the Report on Intended Appointments dated December 15, 2004 of the Standing Committee on Government Agencies. Pursuant to Standing Order 106(e)(9), the Report is deemed to be adopted by the House (Sessional Paper No. 331).

INTRODUCTION OF BILLS

DÉPÔT DES PROJETS DE LOI

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

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

Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts. Hon. Mr. Smitherman.

Projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois. L'hon. M. Smitherman.

Bill 165, An Act to provide elected members of municipal councils and school boards with certain privileges, immunities and powers. Mr. Ouellette.

Projet de loi 165, Loi octroyant certains privilèges et pouvoirs et certaines immunités aux membres élus des conseils municipaux et des conseils scolaires. M. Ouellette.

MOTIONS

MOTIONS

With unanimous consent, on a motion moved without notice by Mr. Duncan,

Ordered, That an humble Address be presented to the Lieutenant Governor in Council as follows:-

“To the Lieutenant Governor in Council:-

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, request the appointment of Jim McCarter as Auditor General for the Province of Ontario, as provided in section 3 of the Audit Act, R.S.O. 1990, to hold office under the terms and conditions of the said Act.”

And, that the Address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

With unanimous consent,

Mr. Duncan moved the following motion without notice,

That, an humble Address be presented to the Lieutenant Governor in Council as follows:-

“To the Lieutenant Governor in Council:-

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, request the appointment of André Marin as the Ombudsman for the Province of Ontario, as provided in section 3 of the Ombudsman Act, R.S.O. 1990, c.0.6, to hold office under the terms and conditions of the said Act.”

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

After some time, the question, having been put on the motion, was declared carried.

Après quelque temps, cette motion, mise aux voix, est déclarée adoptée.

With unanimous consent, on a motion moved without notice by Mr. Duncan,

Ordered, That, an humble Address be presented to the Lieutenant Governor in Council as follows:-

“To the Lieutenant Governor in Council:-

We, Her Majesty’s most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, request the extension of the appointment of Gord Miller as the Environmental Commissioner for the Province of Ontario to May 1, 2005, as provided in section 49 of the Environmental Bill of Rights Act, S.O. 1993, c.28, to hold office under the terms and conditions of the said Act.”

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

On motion by Mr. Duncan,

Ordered, That the December 2, 2004 Order of the House referring Bill 17, An Act to amend the Executive Council Act, to the Standing Committee on the Legislative Assembly be discharged, and that the Bill be Ordered for Third Reading.

DEFERRED VOTES

The deferred vote on the motion for Third Reading of Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program, was carried on the following division:-

VOTES DIFFÉRÉS

La motion portant troisième lecture du projet de loi 82, Loi modifiant la Loi de 1996 sur l’Ordre des enseignantes et des enseignants de l’Ontario en vue d’annuler le programme de perfectionnement professionnel, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

AYES / POUR - 67

Arthurs	Colle	Kennedy	Meilleur	Rinaldi
Bartolucci	Cordiano	Kormos	Milloy	Ruprecht
Bentley	Craitor	Kular	Mitchell	Sandals
Berardinetti	Delaney	Kwinter	Oraziotti	Smith
Bisson	Dhillon	Lalonde	Parsons	Smitherman
Bountrogianni	Di Cocco	Levac	Patten	Sorbara
Bradley	Dombrowsky	Marchese	Peters	Takhar
Broten	Duguid	Martel	Phillips	Van Bommel
Brown	Duncan	Matthews	Prue	Watson
Brownell	Flynn	Mauro	Pupatello	Wilkinson
Bryant	Fonseca	McGuinty	Racco	Wong
Cansfield	Gerretsen	McMeekin	Ramal	Wynne
Caplan	Hoy	McNeely	Ramsay	Zimmer
Chambers	Jeffrey			

NAYS / CONTRE - 18

Arnott	Jackson	Munro	Scott	Wilson
Baird	Klees	O'Toole	Sterling	Witmer
Barrett	Martiniuk	Ouellette	Tascona	Yakabuski
Hardeman	Miller	Runciman		

And the Bill was accordingly read the third time and was passed.

En conséquence, ce projet de loi est lu une troisième fois et adopté.

The deferred vote on the motion for Third Reading of Bill 96, An Act to amend the Liquor Licence Act, was carried on the following division:-

La motion portant troisième lecture du projet de loi 96, Loi modifiant la Loi sur les permis d'alcool, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

AYES / POUR - 66

Arthurs	Colle	Hoy	Miller	Sandals
Bartolucci	Cordiano	Jeffrey	Milloy	Scott
Bentley	Craitor	Kennedy	Mitchell	Smith
Berardinetti	Crozier	Kular	Oraziotti	Smitherman
Bountrogianni	Delaney	Kwinter	Peters	Sorbara
Bradley	Dhillon	Lalonde	Phillips	Sterling
Brotten	Di Cocco	Levac	Pupatello	Takhar
Brown	Dombrowsky	Matthews	Qaadri	Van Bommel
Brownell	Duguid	Mauro	Racco	Watson
Bryant	Duncan	McGuinty	Ramal	Wilkinson
Cansfield	Flynn	McMeekin	Ramsay	Wong
Caplan	Fonseca	McNeely	Rinaldi	Wynne
Chambers	Gerretsen	Meilleur	Ruprecht	Yakabuski
				Zimmer

NAYS / CONTRE - 18

Arnott	Hampton	Marchese	O'Toole	Wilson
Baird	Hardeman	Martel	Ouellette	Witmer
Barrett	Klees	Martiniuk	Runciman	
Bisson	Kormos	Munro	Tascona	

And the Bill was accordingly read the third time and was passed.

En conséquence, ce projet de loi est lu une troisième fois et adopté.

With unanimous consent, Donald L. Revell was allowed to present himself on the floor of the Chamber in order to accept the congratulations of the House on the occasion of his retirement as Chief Legislative Counsel for the Province of Ontario.

With unanimous consent, the Routine Proceedings were extended by 15 minutes.

During Question Period, the Speaker recessed the House for 5 minutes.

Pendant la période des «Questions orales», le président ordonne une pause de 5 minutes à l'Assemblée.

Upon his return, the Speaker delivered the following ruling:-

Let me start by saying that it is most helpful to me as Speaker if all Members would be cognizant of the decorum in this place both in respect of their actions and their words. Question Period is often in this place somewhat raucous and given the nature of some of the subject matter that is to an extent to be accepted. It is this very nature of Question Period though that causes some difficulty for the Speaker in terms of being able to maintain an appropriate level of decorum. That is nevertheless my goal and my motivation. Having said that, I have reconsidered my earlier decision with respect to language used by the Member for Simcoe Grey and I am prepared now to hear his supplementary.

With unanimous consent, notwithstanding Standing Order 30(b), the House continued to meet past 4:00 p.m. in order to complete the Routine Proceedings.

PETITIONS

PÉTITIONS

Petition relating to the national child tax benefit supplement (Sessional Paper No. P-30) Mr. Bisson.

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

Petitions relating to restoring funding for eye exams, chiropractic and physiotherapy services (Sessional Paper No. P-127) Mr. Klees and Mr. Murdoch.

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

Petition relating to reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169) Ms. Scott.

Petition relating to calling on the federal government to inject \$3 billion into the Canada Health and Social Transfer for post-secondary education (Sessional Paper No. P-173) Mr. Kular.

Petition relating to passing Bill 3, An Act to Protect Anaphylactic Students (Sessional Paper No. P-180) Mr. Levac.

Petition relating to financial commitments to all social service agencies regarding vulnerable people in Ontario (Sessional Paper No. P-181) Mr. Racco.

Petition relating to ensuring that the Banting Homestead is kept in good repair and preserved (Sessional Paper No. P-189) Mr. Wilson.

Petition relating to passing Bill 126 and protecting workers from sexual harassment (Sessional Paper No. 222) Ms. Churley.

Petition relating to saving the foreign film and television production sector of the Ontario Film Production Industry (Sessional Paper No. 223) Mr. Ruprecht.

With unanimous consent, the House agreed to sit beyond 6:00 p.m. in order to consider government business.

ORDERS OF THE DAY**ORDRE DU JOUR**

With unanimous consent, on motion by Mr. Bisson,

Ordered, That the following be agreed to with respect to this afternoon's debate: on Bill 17, there shall be 5 minutes allocated to each recognized party and at the end of that time the Speaker shall put every question necessary to dispose of the Third Reading stage of the Bill;

Thereafter, the remaining time to 6:00 p.m. shall be split equally between consideration of Bill 124 and Bill 84 and the time for consideration of each Bill shall be split equally among the recognized parties;

And at 6:00 p.m. the Speaker shall put every question on the motions for Third Reading of Bill 84 and Bill 124.

A debate arose on the motion for Third Reading of Bill 17, An Act to amend the Executive Council Act.

After some time, the question having been put, the Deputy Speaker (Mr. Crozier) declared his opinion that the Ayes 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 on the motion for Third Reading of Bill 17, An Act to amend the Executive Council Act, be deferred until December 16, 2004.

Therefore the vote is accordingly deferred.

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 17, Loi modifiant la Loi sur le Conseil exécutif.

Après quelque temps, la motion mise aux voix, le vice-président, M. Crozier déclare qu'à son avis les voix favorables 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 sur la motion portant troisième lecture du projet de loi 17, Loi modifiant la Loi sur le Conseil exécutif, soit différé jusqu'au 16 décembre 2004.

En conséquence, le vote est différé.

A debate arose on the motion for Third Reading of Bill 124, An Act to amend the Health Protection and Promotion Act.

After some time, the motion was declared carried and the Bill was accordingly read the third time and was passed.

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 124, Loi modifiant la Loi sur la protection et la promotion de la santé.

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

A debate arose on the motion for Third Reading of Bill 84, An Act to provide for fiscal transparency and accountability.

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 84, Loi prévoyant la transparence et la responsabilité financières.

After some time, the question having been put, the Deputy Speaker (Mr. Crozier) declared his opinion that the Ayes 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 on the motion for Third Reading of Bill 84, An Act to provide for fiscal transparency and accountability, be deferred until December 16, 2004.

Therefore the vote is accordingly deferred.

Après quelque temps, la motion mise aux voix, le vice-président, M. Crozier déclare qu'à son avis les voix favorables 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 sur la motion portant troisième lecture du projet de loi 84, Loi prévoyant la transparence et la responsabilité financières, soit différé jusqu'au 16 décembre 2004.

En conséquence, le vote est différé.

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

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

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

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

le président

ALVIN CURLING

Speaker

PETITIONS TABLED PURSUANT TO STANDING ORDER 38(a)

Petition relating to the Workers' Compensation Board (Sessional Paper No. P-156) Mr. Kular.

**SESSIONAL PAPERS PRESENTED
PURSUANT TO STANDING ORDER 39(a)**

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

COMPENDIA:

Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts (No. 332).

QUESTIONS ANSWERED (SEE SESSIONAL PAPER NO. 5):-

Final Answers to Question Numbers: 117, 118, 119, 120, 121, 122, 131, 132, 133 and 136.