



No. 151

N° 151

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## Votes and Proceedings

## Procès-verbaux

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Tuesday**  
**May 31, 2005**

Daytime Meeting - Sessional Day 217  
Evening Meeting - Sessional Day 218

**Mardi**  
**31 mai 2005**

Séance de l'après-midi - jour de session 217  
Séance du soir - jour de session 218

**1<sup>st</sup> Session,**  
**38<sup>th</sup> Parliament**

**1<sup>re</sup> session**  
**38<sup>e</sup> législature**

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

**PRIÈRES**  
**13 H 30**

**REPORTS BY COMMITTEES**

Mr. Delaney from the Standing Committee on the Legislative Assembly presented the Committee's Report which was read as follows and adopted:-

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

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters.

Ordered for Second Reading pursuant to Standing Order 72(b).

**RAPPORTS DES COMITÉS**

M. Delaney du Comité permanent de l'assemblée législative 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 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

Ordonné pour la deuxième lecture conformément à l'article 72(b) du Règlement.

**INTRODUCTION OF BILLS**

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

Bill Pr14, An Act respecting the Institute for Christian Studies. Mr. Marchese.

**DÉPÔT DES PROJETS DE LOI**

Le projet de loi suivant est présenté, lu une première fois et renvoyé au Comité permanent des règlements et des projets de loi d'intérêt privé:-

**MOTIONS**

Mr. Bradley moved,

That pursuant to Standing Order 9(c)(ii), the House shall meet from 6:45 p.m. to 12:00 midnight on Tuesday, May 31, 2005, for the purpose of considering government business.

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

**MOTIONS**

M. Bradley propose,

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

**AYES / POUR - 73**

|              |          |           |           |            |
|--------------|----------|-----------|-----------|------------|
| Arnott       | Craitor  | Klees     | Mossop    | Sandals    |
| Arthurs      | Crozier  | Kular     | Oraziotti | Smith      |
| Baird        | Delaney  | Kwinter   | O'Toole   | Smitherman |
| Barrett      | Dhillon  | Lalonde   | Parsons   | Sterling   |
| Bartolucci   | Di Cocco | Levac     | Patten    | Tascona    |
| Bentley      | Duguid   | Marsales  | Peters    | Tory       |
| Berardinetti | Flaherty | Martiniuk | Peterson  | Van Bommel |
| Bradley      | Flynn    | Matthews  | Phillips  | Wilkinson  |
| Brotten      | Fonseca  | Mauro     | Pupatello | Wilson     |
| Brownell     | Gravelle | McMeekin  | Qaadri    | Witmer     |
| Cansfield    | Hardeman | McNeely   | Racco     | Wong       |
| Chambers     | Hoy      | Meilleur  | Ramal     | Wynne      |
| Chudleigh    | Hudak    | Miller    | Rinaldi   | Yakabuski  |
| Colle        | Jackson  | Milloy    | Runciman  | Zimmer     |
| Cordiano     | Jeffrey  | Mitchell  |           |            |

## NAYS / CONTRE - 6

|         |         |        |        |      |
|---------|---------|--------|--------|------|
| Bisson  | Horwath | Kormos | Martel | Prue |
| Churley |         |        |        |      |

**DEFERRED VOTES**

The deferred vote on the motion for Third Reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds, was carried on the following division:-

**VOTES DIFFÉRÉS**

La motion portant troisième lecture du projet de loi 110, Loi exigeant la divulgation à la police de renseignements en ce qui concerne les personnes traitées pour blessure par balle, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

## AYES / POUR - 79

|               |           |           |           |            |
|---------------|-----------|-----------|-----------|------------|
| Arnott        | Colle     | Hudak     | Meilleur  | Runciman   |
| Arthurs       | Cordiano  | Jackson   | Miller    | Sandals    |
| Baird         | Craiton   | Jeffrey   | Milloy    | Scott      |
| Barrett       | Crozier   | Kennedy   | Mitchell  | Smith      |
| Bartolucci    | Delaney   | Klees     | Mossop    | Smitherman |
| Bentley       | Dhillon   | Kular     | Oraziotti | Sterling   |
| Berardinetti  | Di Cocco  | Kwinter   | O'Toole   | Takhar     |
| Bountrogianni | Duguid    | Lalonde   | Parsons   | Tascona    |
| Bradley       | Duncan    | Levac     | Patten    | Tory       |
| Broten        | Flaherty  | Marsales  | Peters    | Van Bommel |
| Brownell      | Flynn     | Martiniuk | Phillips  | Wilkinson  |
| Bryant        | Fonseca   | Matthews  | Pupatello | Wilson     |
| Cansfield     | Gerretsen | Mauro     | Qaadri    | Wong       |
| Caplan        | Gravelle  | McGuinty  | Racco     | Wynne      |
| Chambers      | Hardeman  | McMeekin  | Ramal     | Zimmer     |
| Chudleigh     | Hoy       | McNeely   | Rinaldi   |            |

## NAYS / CONTRE - 6

|         |         |        |        |      |
|---------|---------|--------|--------|------|
| Bisson  | Horwath | Kormos | Martel | Prue |
| Churley |         |        |        |      |

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.

**PETITIONS**

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 129 and to make it mandatory to wear certified helmets (Sessional Paper No. P-209) Mrs. Mitchell.

Petitions relating to keeping open Huronia Regional Centre, home to people with developmental disabilities (Sessional Paper No. P-227) Mr. Dunlop and Ms. Scott.

Petition relating to bed count at the Credit Valley hospital (Sessional Paper No. P-278) Mr. Delaney.

**PÉTITIONS**

Petitions relating to enacting Bill 164 and banning smoking in public places in Ontario (Sessional Paper No. P-287) Mr. Delaney and Mr. Levac

Petition relating to the right to life and the Police Services of Ontario (Sessional Paper No. P-302) Mr. Klees.

Petition relating to the right to life and the School Boards of Ontario (Sessional Paper No. P-303) Mr. Klees.

Petition relating to reforming Ontario's Environmental Assessment process (Sessional Paper No. P-304) Mr. Parsons.

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### ORDERS OF THE DAY

A debate arose on the motion for Third Reading of Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel.

After some time, pursuant to Standing Order 9, 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

Debate was resumed on the motion for Third Reading of 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.

During the debate, the Deputy Speaker (Mr. Crozier) requested the Member for Toronto Centre-Rosedale (Mr. Smitherman) to withdraw unparliamentary language.

The Member having refused was named by the Deputy Speaker and directed to withdraw from the service of the House for the balance of the sessional day.

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

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### ORDRE DU JOUR

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

Après quelque temps, conformément à l'article 9 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.

**18 H 45**

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### ORDRE DU JOUR

Le débat reprend sur la motion portant troisième lecture du 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.

Pendant le débat, le vice-président, M. Crozier demande au député de Toronto-Centre-Rosedale, M. Smitherman de retirer les propos non-parlementaires.

Comme le député refuse d'obéir, le Vice-Président le désigne par son nom et l'ordonne de se retirer du service de l'Assemblée pour le reste du jour de session.

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

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The House then adjourned at 12:00 midnight.

À minuit, la chambre a ensuite ajourné ses travaux.

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le président

**ALVIN CURLING**

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**

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

Final Answers to Question Numbers: 171, 174, 176 and 177.

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**RESPONSES TO PETITIONS**

**RÉPONSES AUX PÉTITIONS**

Petition relating to amending insurance regulations to make motorcycle insurance more affordable. (Sessional Paper No. P-99):

(Tabled April 20, 2005) Mr. Barrett.

Petitions relating to freezing gas prices, lowering taxes on gas and initiating a Royal Commission to investigate gas prices. (Sessional Paper No. P-114):

(Tabled April 6, 19, 2005) Mr. Martiniuk

(Tabled April 11, 12, 2005) Mr. Ouellette

Petition relating to refraining from any cutbacks or cancellations to the Ministry of Natural Resources' fish stocking program. (Sessional Paper No. P-137):

(Tabled December 16, 2004) Mr. Murdoch

Petition relating to the Workplace Safety and Insurance Board. (Sessional Paper No. P-139):

(Tabled April 5, 2005) Mr. Mauro

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

(Tabled March 8, 2005) Ms. Scott

Petition relating to protecting the right of firefighters to volunteer in their home communities on their own free time. (Sessional Paper No. P-175):

(Tabled April 7, 2005) Mr. Arnott

Petitions relating to protecting the right of firefighters to volunteer in their home communities on their own free time. (Sessional Paper No. P-175):

(Tabled April 13, 2005) Mr. O'Toole

(Tabled April 11, 2005) Mr. Arnott

(Tabled April 12, 2005) Mr. Hudak

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

(Tabled April 5, 6, 2005) Mr. Wilson

Petition relating to refraining from enacting provincial animal control legislation that is breed specific,

and instead implementing a comprehensive bite prevention strategy that encourages responsible ownership of all breeds. (Sessional Paper No. P-197):

(Tabled April 13, 2005) Mr. O'Toole

Petitions relating to regional centres for people with developmental disabilities. (Sessional Paper No. P-210):

(Tabled April 14, 18, 2005) Mr. Hoy

Petition relating to undertaking consultation with the Association of Municipalities of Ontario regarding legislation to ban pitbulls. (Sessional Paper No. P-213):

(Tabled December 8, 2004) Mr. Tascona

Petitions relating to Huronia Regional Centre. (Sessional Paper No. P-227):

(Tabled April 7, 2005) Mr. Klees

(Tabled April 7, 2005) Mr. Miller

(Tabled April 18, 2005) Ms. Horwath

(Tabled April 14, 2005) Ms. Martel

(Tabled April 19, 2005) Mr. Dunlop

(Tabled April 6, 2005) Mr. Wilson

(Tabled April 5, 2005) Mr. Dunlop

(Tabled April 5, 2005) Mr. Horwath

(Tabled March 31, 2005) Mr. Dunlop

(Tabled April 12, 2005) Mr. Prue

(Tabled March 30, 2005) Mr. Dunlop

(Tabled April 11, 2005) Ms. Horwath

(Tabled April 11, 2005) Mr. Dunlop

Petitions relating to extending the rail-to-rail grade separation tunnel currently being planned by GO Transit south of St. Clair Avenue further north, thereby improving the existing rail-to-rail grade separation. (Sessional Paper No. P-246):

(Tabled March 7, 9, 31, April 5, 7, 2005) Mr. Ruprecht

Petition relating to Rural Revolution's resolutions concerning municipal powers. (Sessional Paper No. P-247):

(Tabled April 13, 2005) Mr. O'Toole

Petition relating to Highway 17/174. (Sessional Paper No. P-253):

(Tabled March 29, 2005) Mr. McNeely

Petitions relating to Southwestern Regional Centre. (Sessional Paper No. P-257):

(Tabled April 5, 2005) Mr. Hoy

(Tabled March 30, 2005) Mr. Craitor

Petitions relating to Rideau Regional Centre. (Sessional Paper No. P-258):

(Tabled April 4, 2005) Mr. Sterling

(Tabled March 30, 2005) Ms. Martel

(Tabled April 12, 2005) Mr. Runciman

Petition relating to re-evaluating and considering the pending law to ban pit bulls. (Sessional Paper No. P-261):

(Tabled March 30, 2005) Mr. O'Toole

Petitions relating to creating new landlord-tenant legislation. (Sessional Paper No. P-263):

(Tabled April 4, 5, May 5, 11, 12, 2005) Mr. Ruprecht

(Tabled April 4, 2005) Mr. Bisson

Petition relating to recommending real reforms to protect pensions. (Sessional Paper No. P-264):  
(Tabled April 5, 2005) Ms. Horwath

Petition relating to funding for women's shelters. (Sessional Paper No. P-267):  
(Tabled April 7, 2005) Ms. Churley

Petition relating to increasing public funding for post-secondary education, reducing tuition fees and reinstating an up-front system of grants for Ontario students. (Sessional Paper No. P-268):  
(Tabled April 11, 2005) Mr. Marchese

Petitions relating to the installation of a master thermal mixing valve at the discretion of the property owner. (Sessional Paper No. P-269):  
(Tabled April 12, 14, 2005) Mr. Leal

Petition relating to the amendment to the fill rate for Edwards landfill, requesting the Legislative Assembly of Ontario to halt to plans to develop the Edwards Landfill Site for landfill purposes. (Sessional Paper No. P-270):  
(Tabled April 13, 2005) Mr. Barrett

Petitions relating to increasing public funding for post-secondary education, finance deferred maintenance, and continue tuition freeze. (Sessional Paper No. P-273):  
(Tabled April 14, 2005) Mrs. Sandals  
(Tabled April 19, 2005) Mr. Prue

Petitions requesting the Minister of the Environment to enforce environmental rules and other actions to halt all noxious emissions and odours from the Halton Recycling Plant. (Sessional Paper No. P-274):  
(Tabled April 18, 25, 27, 28, May 3, 10, 2005) Mrs. Munro

Petition relating to the Ontario Provincial Police Training Centre in Greenstone. (Sessional Paper No. P-281):  
(Tabled April 25, 2005) Mr. Gravelle

Petition relating to informing the Ontario Municipal Board that the Government of Ontario fully supports Official Plan Amendment No. 2 of the County of Simcoe. (Sessional Paper No. P-288):  
(Tabled May 2, 2005) Mr. Dunlop

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