



No. 2

N° 2

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Wednesday
October 12, 2005

Daytime Meeting - Sessional Day 2

Mercredi
12 octobre 2005

Séance de l'après-midi - jour de session 2

2nd Session,
38th Parliament

2^e session
38^e législature

2:30 P.M.**14 H 30**

The members having assembled:-

His Honour the Lieutenant Governor entered the Chamber and took his seat upon the Throne.

The Speaker addressed His Honour as follows:

"May it please Your Honour,

The Legislative Assembly has elected me as their Speaker, though I am but little able to fulfill the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me and not to the Assembly whose servant I am, and who, through me, the better to enable them to discharge their duty to their Queen and Country, hereby claim all their undoubted rights and privileges, especially that they have freedom of speech in their debates, access to your person at all reasonable times, and that their proceedings may receive from you the most favourable consideration."

"The Government House Leader said:-

"Speaker, I am commanded by His Honour the Lieutenant Governor to declare to you that he freely confides in the duty and attachment of the Assembly to Her Majesty's Person and Government and, not doubting that the proceedings will be conducted with wisdom, temperance and prudence, he grants and upon all occasions will recognize and allow the constitutional privileges.

I am commanded also to assure you that the Assembly shall have ready access to His Honour upon all suitable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favourable construction."

His Honour the Lieutenant Governor was pleased to open the Second Session of the Thirty-eighth Parliament by reading the Speech from the Throne (Sessional Paper No. 2).

His Honour was then pleased to retire.

PRAYERS

PRIÈRES

The Speaker reported that, to prevent mistakes, he had obtained a copy of His Honour's speech, which he would read. (Reading dispensed with.)

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

Bill 1, An Act to perpetuate an Ancient Parliamentary Right. Hon. Mr. McGuinty.

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

Projet de loi 1, Loi visant à perpétuer un ancien droit parlementaire. L'hon. M. McGuinty.

MOTIONS

On motion by Mr. Bradley,

Ordered, That the Speech of His Honour the Lieutenant Governor to this House be taken into consideration on Thursday, October 13, 2005.

MOTIONS

Sur la motion de M. Bradley,

Ordered, That the Speech of His Honour the Lieutenant Governor to this House be taken into consideration on Thursday, October 13, 2005.

With unanimous consent, on motion by Mr. Bradley,

Ordered, that notwithstanding Standing Orders 8(a) and 96(a), the House shall not meet to consider Private Members' Public Business on the morning of Thursday, October 13, 2005.

In accordance with the Order of the House of June 13, 2005, the following Orders were continued at the same stage of business for the House and its committees as at the prorogation of the First Session of the Thirty-eighth Parliament:

Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities.

Projet de loi 128, Loi modifiant diverses lois en ce qui concerne les pouvoirs d'exécution, les pénalités et l'administration des biens confisqués ou pouvant être confisqués au profit de la Couronne du chef de l'Ontario par suite d'activités de crime organisé et de culture de marijuana ainsi que d'autres activités illégales.

Bill 138, An Act to amend the Emergency Management Act and the Employment Standards Act, 2000.

Projet de loi 138, Loi modifiant la Loi sur la gestion des situations d'urgence et la Loi de 2000 sur les normes d'emploi.

Bill 190, An Act to promote good government by amending or repealing certain Acts and by enacting one new Act.

Projet de loi 190, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois et en édictant une nouvelle loi.

Bill 197, An Act to implement Budget measures.

Projet de loi 197, Loi mettant en oeuvre certaines mesures budgétaires.

Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act.

Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts.

Projet de loi 210, Loi modifiant la Loi sur les services à l'enfance et à la famille et apportant des modifications complémentaires à d'autres lois.

Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement.

Projet de loi 211, Loi modifiant le Code des droits de la personne et d'autres lois pour éliminer la retraite obligatoire.

BUSINESS IN STANDING COMMITTEES**STANDING COMMITTEE ON GENERAL GOVERNMENT**

Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters.

AFFAIRES RENVOYÉES AUX COMITÉS PERMANENTS**COMITÉ PERMANENT DES AFFAIRES GOUVERNEMENTALES**

Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.

STANDING COMMITTEE ON JUSTICE POLICY

Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999.

COMITÉ PERMANENT DE LA JUSTICE

Projet de loi 159, Loi révisant la Loi sur les enquêteurs privés et les gardiens et apportant une modification corrélative à la Loi de 1999 sur le Tribunal d'appel en matière de permis.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005.

COMITÉ PERMANENT DE L'ASSEMBLÉE LÉGISLATIVE

Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill 7, An Act to authorize a group of manufacturers of Ontario wines to sell Vintners Quality Alliance wines.

Bill 58, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fund-raising activities of legitimate charities and non-profit organizations.

Bill 101, An Act to amend the Health Insurance Act.

Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public.

Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit.

COMITÉ PERMANENT DES RÈGLEMENTS ET DES PROJETS DE LOI PRIVÉS

Projet de loi 7, Loi autorisant un groupe de fabricants de vins de l'Ontario à vendre des vins de la Vintners Quality Alliance.

Projet de loi 58, Loi modifiant la Loi de 1999 sur la sécurité dans les rues et le Code de la route pour reconnaître les activités de financement des organismes de bienfaisance légitimes et organismes sans but lucratif.

Projet de loi 101, Loi modifiant la Loi sur l'assurance-santé.

Projet de loi 123, Loi exigeant que les réunions des commissions et conseils provinciaux et municipaux et d'autres organismes publics soient ouvertes au public.

Projet de loi 137, Loi modifiant la Loi de l'impôt sur le revenu afin de prévoir un crédit d'impôt pour les dépenses engagées au titre des transports en commun.

Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act.

Projet de loi 153, Loi modifiant le Code de la route à la mémoire de Jay Lawrence et Bart Mackey.

Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences.

Projet de loi 209, Loi modifiant le Code de la route en ce qui concerne les suspensions de permis de conduire.

**STANDING COMMITTEE ON SOCIAL
POLICY**

**COMITE PERMANENT DE LA POLITIQUE
SOCIALE**

Bill 183, An Act respecting the disclosure of information and records to adopted persons and birth parents.

Projet de loi 183, Loi traitant de la divulgation de renseignements et de dossiers aux personnes adoptées et à leurs pères ou mères de sang.

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

M. Bradley 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 3:30 p.m.

À 15 h 30, la chambre a ensuite ajourné ses travaux.

le président

MIKE BROWN

Speaker

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

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

COMPENDIA:

Bill 1, An Act to perpetuate an Ancient Parliamentary Right (No. 3).

Ontario Food Terminal Board, Financial Statements for the year ended March 31, 2005 (No. 1) (Tabled October 12, 2005).

Air Quality Program / Programme sur la qualité de l'air (No. 521) (Tabled July 27, 2005).

Animal Care Review Board / Commission d'étude des soins aux animaux, Annual Report 2004-2005 (No. 530) (Tabled August 22, 2005).

Cancer Care Ontario, Annual Report 2003-2004 and Financial Report 2003-2004 (No. 474) (Tabled June 20, 2005).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated June 23, 2005 (No. 514) (Tabled June 22, 2005).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated July 22, 2005 (No. 520) (Tabled July 22, 2005).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated August 19, 2005 (No. 525) (Tabled August 19, 2005).

Deposit Insurance Corporation of Ontario / Société ontarienne d'assurance-dépôts, Annual Report 2004 (No. 536) (Tabled September 15, 2005).

Employment Rights and Responsibilities Program / Programme des droits et responsabilités en matière d'emploi (No. 508) (Tabled July 18, 2005).

Environmental Review Tribunal / Tribunal de l'environnement, Annual Report, April 1, 2004 to March 31, 2005 (No. 537) (Tabled September 16, 2005).

Financial Services Commission of Ontario, Report of the Superintendent resulting from the examination of the affairs of the Deposit Insurance Corporation of Ontario for the year ended December 31, 2004 (No. 535) (Tabled September 15, 2005).

Independent Health Facilities / Établissements de santé autonomes (No. 531) (Tabled August 5, 2005).

Information and Privacy Commissioner of Ontario, Annual Report 2004 (No. 509) (Tabled June 22, 2005).

Integrity Commissioner, Office of / Commissaire à l'intégrité, Bureau du, Annual Report 2004-2005 (No. 512) (Tabled June 22, 2005).

Lobbyists Registration Office / Bureau d'enregistrement des lobbyistes, Annual Report 2004-2005 (No. 511) (Tabled June 22, 2005).

Maintenance of the Provincial Highway System / Entretien du réseau routier provincial (No. 532) (Tabled August 31, 2005).

McMichael Canadian Art Collection / Collection McMichael d'art Canadien, Annual Report 2003-2004 (No. 517) (Tabled June 24, 2005).

Ombudsman Ontario / Ombudsman de l'Ontario, Annual Report 2004-2005 (Sessional Paper No. 518) (Tabled July 4, 2005).

Ombudsman Ontario, Report on whether the Ministry of Health and Long-Term Care's refusal to fund the drug Cystagon for treatment of Batten's Disease is unreasonable and unfair (From Hope to Despair) (No. 533) (Tabled September 1, 2005).

Ontario Farm Products Marketing Commission, Annual Report for fiscal year 2004-2005 (No. 510) (Tabled June 22, 2005).

Ontario Film Review Board, Annual Report 1999-2000 (No. 523) (Tabled August 18, 2005).

Ontario Film Review Board, Annual Report 2001-2001 (No. 528) (Tabled August 18, 2005).

Ontario Human Rights Commission / Commission ontarienne des droits de la personne, Annual Report 2004-2005 (No. 522) (Tabled July 28, 2005).

Ontario Judicial Council / Conseil de la magistrature de l'Ontario, Seventh Annual Report 2002-2003 (No. 513) (Tabled June 23, 2005).

Ontario Media Development Corporation / Société de développement de l'industrie des médias de l'Ontario, Annual Report 2003-2004 (No. 515) (Tabled June 24, 2005).

Ontario Motor Vehicle Industry Council, Annual Report 2004 (No. 524) (Tabled August 18, 2005).

Ontario Science Centre / Centre des sciences de l'Ontario Annual Report 2003-2004 (No. 516) (Tabled June 24, 2005).

Owen Sound Transportation Company Limited, Annual Report / Rapport Annuel 2002-2003 (No. 529) (Tabled September 1, 2005).

Public opinion polls – Cabinet Office; Management Board Secretariat; Ministries of Agriculture and Food and Rural Affairs; Community Safety and Correctional Services; Consumer and Business Services; Education; Energy; Finance; Health and Long Term Care; Natural Resources; Tourism and Recreation; Training, Colleges and Universities; Transportation (No. 519) (Tabled July 4, 2005).

Report on Intended Appointments dated September 7, 2005 (No. 534) (Tabled September 7, 2005).

TV Ontario, Annual Report Card / Rapport Annuel, 2003-2004 (No. 507) (Tabled June 14, 2005).

Workplace Safety and Insurance Appeals Tribunal / Tribunal d'appel de la sécurité professionnelle et de l'assurance contre les accidents du travail, Annual Report 2004 (No. 527) (Tabled August 19, 2005).

Workplace Safety and Insurance Board / Commission de la sécurité professionnelle et de l'assurance contre les accidents du travail, Annual Report 2004 (No. 526) (Tabled August 19, 2005).

SESSIONAL PAPERS TABLED DURING THE INTERVAL BETWEEN THE FIRST AND SECOND SESSIONS OF THE THIRTY-EIGHTH PARLIAMENT:-

APPOINTMENTS:

Certificate pursuant to Standing Order 106 (e) (1) re intended appointments dated September 23, 2005 (No. 1i) (Tabled September 23, 2005).

Certificate pursuant to Standing Order 106 (e) (1) re intended appointments dated September 23, 2005 (No. 12i) (Tabled September 30, 2005).

Certificate pursuant to Standing Order 106 (e) (1) re intended appointments dated October 7, 2005 (No. 16i) (Tabled October 7, 2005).

COMMITTEE REPORTS (STANDING)

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Public Accounts of Ontario / Comptes publics de l'Ontario, Annual Report 2004-2005 (No. 3i) (Tabled September 27, 2005).

Electrical Safety Authority, Annual Report 2005, Business Plan 2006-2008 and Electrical Safety in Ontario Summary Report 2004 (No. 10i) (Tabled September 28, 2005).

Fire Safety Commission / Commission de la sécurité-incendie, Annual Report 2004-2005 (No. 17i) (Tabled October 7, 2005).

License Appeal Tribunal / Tribunal d'appel en matière de permis, Annual Report 2004-2005 (No. 6i) (Tabled September 28, 2005).

Ministry of Finance, Toward 2025: Assessing Ontario's Long-Term Outlook / Horizon 2025: Une évaluation des perspectives à long terme de l'Ontario (No. 13i) (Tabled October 3, 2005).

Niagara Parks Commission / la Commission des Parcs du Niagara, 2004 Annual Report (No. 11i) (Tabled September 28, 2005).

Ombudsman Ontario, report on whether the Ministry of Health and Long-Term Care has failed to properly administer Newborn Screening in Ontario (The Right to be Impatient) (No. 5i) (Tabled September 28, 2005)

Ontario Electricity Financial Corporation, 2005 Annual Report (No. 4i) (Tabled September 27, 2005).

Ontario Highway Transport Board / Commission des transports routiers de l'Ontario, Annual Report 2004 (No.

Ontario Pension Board, Annual Report 2004 (No. 2i) (Tabled September 23, 2005).

Ontario Road Safety / La sécurité routière en Ontario, Annual Report 2003 (No. 14i) (Tabled October 5, 2005).

Real Estate Council of Ontario, Annual Report 2004-2005 (No. 8i) (Tabled September 28, 2005).

Tarion Warranty Corporation, Annual Report 2004 (No. 9i) (Tabled September 28, 2005).

Travel Industry Council of Ontario, Annual Report 2005 (No. 7i) (Tabled September 28, 2005).

RESPONSES TO PETITIONS TABLED JUNE 16, 2005.

Reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169)

(Tabled May 12, 19, 2002) Ms. Scott

Protecting the right of fire fighters to volunteer in their home communities on their own free time (Sessional Paper No. P-175)

(Tabled May 9, 2005) Mr. O'Toole

(Tabled May 16, 2005) Mrs. Van Bommel

Saving regional centres for people with developmental disabilities (Sessional Paper No. P-210)

(Tabled April 27, 2005) Ms. Horwath

(Tabled April 27, 2005) Mr. Prue

Keeping open Huronia Regional Centre, home to people with developmental disabilities (Sessional Paper No. P-227)

(Tabled April 21, 25, 26, 2005) Mr. Dunlop

Keeping the Rideau Regional Centre open (Sessional Paper No. P-258)

(Tabled April 26, 2005) Mr. Yakabuski

Enforcing environmental rules and other actions to halt all noxious emissions and odours from the Halton Recycling Plant (Sessional Paper No. P-274)

(Tabled May 11, 12, 16, 17, 18, 2005) Mrs. Munro

Working with wildlife rehabilitators to ensure progressive, humane, and responsible regulations and international standards (Sessional Paper No. P-275)

(Tabled April 21, 26, 2005) Mr. Hardeman

(Tabled April 18, 2005) Mr. Ramal

(Tabled May 18, 2005) Mrs. Van Bommel

RESPONSES TO PETITIONS TABLED JULY 22, 2005.

Recreational seasonal trailers (Sessional Paper No. P-85)

(Tabled April 28, 2005) Mr. Ouellette

Ensuring that the Banting Homestead is kept in good repair and preserved (Sessional Paper No. P-189)

(Tabled May 3, 2005) Mr. Wilson

Saving regional centres for people with developmental disabilities (Sessional Paper No. P-210)

(Tabled May 3, 2005) Ms. Horwath

(Tabled May 12, 2005) Mr. Hoy

Keeping open Huronia Regional Centre, home to people with developmental disabilities (Sessional Paper No. P-227)

(Tabled May 2, 2005) Mr. Bisson

(Tabled May 9, 2005) Mr. Brown

(Tabled May 2, 3, 9, 10, 16, 2005) Mr. Dunlop

(Tabled May 18, 2005) Mr. Wilson

(Tabled June 9, 2005) Ms. Wynne

Keeping the Southwestern Regional Centre open (Sessional Paper No. P-257)

(Tabled May 2, 2005) Mr. Hoy

Keeping the Rideau Regional Centre open (Sessional Paper No. P-258)

(Tabled May 10, 19, 2005) Ms. Scott

(Tabled May 2, 2005) Mr. Sterling

(Tabled May 9, 2005) Mr. Yakabuski

Amending the Workplace Safety and Insurance Act (Sessional Paper No. P-259)

(Tabled May 10, 2005) Mr. Craitor

Creating new landlord-tenant legislation (Sessional Paper No. P-263)

(Tabled June 2, 7, 8, 9, 2005) Mr. Ruprecht

RESPONSES TO PETITIONS TABLED JULY 29, 2005.

Recreational seasonal trailers (Sessional Paper No. P-85)

(Tabled June 1, 2005) Mr. Ouellette

Amending Insurance regulations to make motorcycle insurance more affordable (Sessional Paper No. P-99)

(Tabled May 18, 2005) Mr. Barrett

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

(Tabled June 1, 19, 2005) Mr. Barrett

(Tabled May 30, 2005) Mr. Ouellette

Ensuring that all of the McGuinty government's tax increases are put before the people of Ontario in a referendum (Sessional Paper No. P-143)

(Tabled May 9, 2005) Mr. Ouellette

(Tabled May 11, 2005) Mr. Sterling

(Tabled May 16, 2005) Mr. Wilson

Reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169)

(Tabled June 13, 2005) Ms. Scott

Ensuring that the Banting Homestead is kept in good repair and preserved (Sessional Paper No. P-189)

(Tabled May 31, 2005) Mr. Wilson

Removing the present minimum amount regarding non-refundable income tax credit prescribed in the Income Tax Act (Sessional Paper No. P-200)

(Tabled April 20, 26, 28; May 3, 9, 2005) Mr. O'Toole

Restoring funding for treatment program at Holmes House (Sessional Paper No. P-234)

(Tabled February 22, 2005) Mr. Levac

Providing free TTC passes to seniors (Sessional Paper No. P-237)

(Tabled June 2, 6, 2005) Mr. Ruprecht

Stopping a possible sale of Illahee Lodge, a healing place for seniors (Sessional Paper No. P-241)

(Tabled March 1, 2005) Ms. Wynne

Consulting with farmers to develop a long-term strategy to ensure the viability of agriculture in Ontario (Sessional Paper No. P-243)

(Tabled May 11, 17, 19, 2005) Mr. Hardeman

Consulting with Ontario's farmers to develop a long-term strategy and short-term solutions (Sessional Paper No. P-260)

(Tabled May 12, 2005) Mr. Hardeman

Recommending real reforms to protect pensions (Sessional Paper No. P-264)

(Tabled May 11, 2005) Ms. Horwath

Working with wildlife rehabilitators to ensure progressive, humane, and responsible regulations and international standards (Sessional Paper No. P-275)

(Tabled May 30, 2005) Mr. Flynn

An in-depth investigation of the Ontario judicial system (Sessional Paper No. P-282)

(Tabled April 26, 2005) Mr. Klees

(Tabled April 25; May 2, 2005) Mr. O'Toole

(Tabled April 28, 2005) Mr. Sterling

Denying the purchase of Gravenhurst Hydro Electric Inc. (Sessional Paper No. P-299)

(Tabled May 18, 2005) Mr. Miller

The right to life and the Police Services of Ontario (Sessional Paper No. P-302)

(Tabled May 11, 2005) Mr. Klees

Lowering the legal drinking age to 18 (Sessional Paper No. P-310)

(Tabled May 9, 2005) Mrs. Witmer

RESPONSES TO PETITIONS TABLED AUGUST 23, 2005.

Protecting the right of fire fighters to volunteer in their home communities on their own free time (Sessional Paper No. P-175)

(Tabled June 1, 8, 9, 13, 2005) Mr. Arnott

(Tabled June 13, 2005) Mr. Murdoch

Working with wildlife rehabilitators to ensure progressive, humane, and responsible regulations and international standards (Sessional Paper No. P-275)

(Tabled June 1, 2005) Ms. Matthews
