



No. 30

N° 30

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## **Votes and Proceedings**

## **Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Wednesday**  
**December 7, 2005**

Daytime Meeting - Sessional Day 43  
Evening Meeting - Sessional Day 44

**Mercredi**  
**7 décembre 2005**

Séance de l'après-midi - jour de session 43  
Séance du soir - jour de session 44

**2<sup>nd</sup> Session,**  
**38<sup>th</sup> Parliament**

**2<sup>e</sup> session**  
**38<sup>e</sup> législature**

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

**PRIÈRES**  
**13 H 30**

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**REPORTS BY COMMITTEES**

Mr. Wong from the Standing Committee on Regulations and Private Bills presented the Committee's Report which was read as follows and adopted:-

Your Committee begs to report the following Bill without amendment:-

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

Ordered for Third Reading.

**RAPPORTS DES COMITÉS**

M. Wong du Comité permanent des règlements et des projets de loi privés 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 sans amendement:-

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

Ordonné pour la troisième lecture.

Mr. Wong from the Standing Committee on Regulations and Private Bills presented the Committee's Report which was read as follows and adopted:-

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

Bill Pr17, An Act respecting Ronald McDonald House (London).

M. Wong du Comité permanent des règlements et des projets de loi privés 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:-

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**INTRODUCTION OF BILLS**

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

Bill 46, An Act to amend the Securities Act with respect to insider trading and tipping. Mr. Hudak.

Bill 47, An Act to proclaim Genocide Memorial Week in Ontario. Mr. Dunlop.

Bill 48, An Act to provide for the periodic establishment of a commission to readjust the number and boundaries of electoral districts for the purposes of the Legislative Assembly. Mr. Sterling.

Bill 49, An Act to celebrate and recognize rural Ontario. Mrs. Mitchell.

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**DÉPÔT DES PROJETS DE LOI**

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

Projet de loi 46, Loi modifiant la Loi sur les valeurs mobilières en ce qui concerne les opérations d'initié et la communication de renseignements confidentiels. M. Hudak.

Projet de loi 47, Loi proclamant la Semaine commémorative des génocides en Ontario. M. Dunlop.

Projet de loi 48, Loi prévoyant la constitution périodique d'une commission chargée de réviser le nombre et les limites des circonscriptions électorales aux fins de l'Assemblée législative. M. Sterling.

Projet de loi 49, Loi visant à célébrer et à reconnaître l'Ontario rural. M<sup>me</sup> Mitchell.

Bill 50, An Act respecting the regulation of the profession of traditional Chinese medicine, and making complementary amendments to certain Acts. Hon. Mr. Smitherman.

Projet de loi 50, Loi concernant la réglementation de la profession de praticienne ou de praticien en médecine traditionnelle chinoise et apportant des modifications complémentaires à certaines lois. L'hon. M. Smitherman.

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**MOTIONS**

With unanimous consent, on motion by Mr. Bradley,

Ordered, That in addition to its regularly scheduled meeting times, the Standing Committee on the Legislative Assembly be authorized to meet on Monday, December 12, 2005 for the purpose of clause-by-clause consideration of Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve.

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**MOTIONS**

Avec le consentement unanime, sur la motion de M. Bradley,

Mr. Bradley moved,

M. Bradley propose,

That pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, December 7, 2005, for the purpose of considering government business.

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

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

**AYES / POUR - 68**

Arthurs	Dhillon	Levac	Peters	Smitherman
Balkisoon	Dombrowsky	Marsales	Peterson	Sorbara
Barrett	Duguid	Martiniuk	Phillips	Sterling
Bartolucci	Duncan	Matthews	Pupatello	Takhar
Berardinetti	Flynn	Mauro	Qaadri	Tascona
Bradley	Fonseca	McMeekin	Racco	Van Bommel
Brownell	Gerretsen	Meilleur	Ramal	Watson
Bryant	Hoy	Miller	Ramsay	Wilson
Caplan	Jeffrey	Milloy	Rinaldi	Witmer
Chambers	Klees	Mossop	Runciman	Wong
Chudleigh	Kular	Munro	Ruprecht	Wynne
Colle	Kwinter	O'Toole	Scott	Yakabuski
Crozier	Lalonde	Parsons	Smith	Zimmer
Delaney	Leal	Patten		

**NAYS / CONTRE - 6**

Bisson	Kormos	Marchese	Martel	Prue
Horwath				

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The Speaker addressed the House as follows:-

I beg to inform the House that, pursuant to Section 28 of the Auditor General Act, I have today laid upon the Table the audited financial statements of the Office of the Auditor General for the year ended March 31, 2005.

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**DEFERRED VOTES**

The deferred vote on the motion for Second Reading of Bill 36, An Act to provide for the integration of the local system for the delivery of health services, was carried on the following division:-

**VOTES DIFFÉRÉS**

La motion portant deuxième lecture du projet de loi 36, Loi prévoyant l'intégration du système local de prestation des services de santé, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

**AYES / POUR - 59**

Arthurs	Cordiano	Kular	Mitchell	Rinaldi
Balkisoon	Crozier	Kwinter	Mossop	Ruprecht
Bartolucci	Delaney	Lalonde	Parsons	Smith
Bentley	Dhillon	Leal	Patten	Smitherman
Berardinetti	Dombrowsky	Levac	Peters	Sorbara
Bountrogianni	Duguid	Marsales	Peterson	Takhar
Bradley	Duncan	Matthews	Phillips	Van Bommel
Brownell	Flynn	Mauro	Pupatello	Watson
Bryant	Fonseca	McGuinty	Qaadri	Wong
Caplan	Gerretsen	McMeekin	Racco	Wynne
Chambers	Hoy	Meilleur	Ramal	Zimmer
Colle	Jeffrey	Milloy	Ramsay	

**NAYS / CONTRE - 17**

Barrett	Kormos	Munro	Runciman	Wilson
Chudleigh	Marchese	O'Toole	Scott	Witmer
Hudak	Martel	Prue	Tascona	Yakabuski
Klees	Miller			

And the Bill was accordingly read the second time and Ordered referred to the Standing Committee on Social Policy.

En conséquence, ce projet de loi est lu une deuxième fois et renvoyé au Comité permanent de la politique sociale.

**PETITIONS**

Petitions relating to providing access to Velcade and other intravenous cancer chemotherapy drugs (Sessional Paper No. P-7) Mr. Hardeman and Ms. Martel.

Petitions relating to funding to community agencies to ensure quality support and services to people who have an intellectual disability (Sessional Paper No. P-15) Mr. Kormos and Mrs. Munro.

Petitions relating to OHIP coverage for all forms of Macular Degeneration (Sessional Paper No. P-16) Mr. Delaney and Mr. Leal.

Petition relating to supporting the McGuinty government's plan for progress as outlined in the Throne Speech (Sessional Paper No. P-27) Mr. Berardinetti.

Petition relating to supporting the McGuinty government's commitment to affordable housing (Sessional Paper No. P-34) Mr. Berardinetti.

Petition relating to modifying the Trillium Lakeland and Simcoe County District School Boards boundaries to include the Carden and Dalton Townships and providing transportation to their students (Sessional Paper No. P-63) Ms. Scott.

Petition relating to restoring the cuts to funding for Ontario public library services (Sessional Paper No. P-77) Mr. Wilson.

**PÉTITIONS**

Petition relating to endorsing the Frederick Banting Homestead Preservation Act (Sessional Paper No. P-95) Mr. Wilson.

Petition relating to returning money to rural landowners, farmers and businesses as per the Rural Revolution's Resolution #4 (Sessional Paper No. P-97) Mr. O'Toole.

Petition relating to reforming Ontario's Environmental Assessment (EA) process (Sessional Paper No. P-98) Mr. Parsons.

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With unanimous consent, on motion by Mr. Caplan,

Avec le consentement unanime, sur la motion de M. Caplan,

Ordered, That the House sit beyond 6:00 p.m. for the purpose of completing consideration of the Second Reading Stage of Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access, following which the Speaker shall adjourn the House until 6:45 p.m. this evening; and that this afternoon be considered one full sessional day of debate on Bill 211.

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#### **ORDERS OF THE DAY**

A debate arose on the motion for Third Reading of Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement.

After some time, the question having been put, the Acting Speaker (Mr. Prue) declared his opinion that the Ayes had it, and a recorded vote having been demanded,

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

During the ringing of the bells, the Acting 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 211 be deferred until Thursday, December 8, 2005.

Therefore the vote is accordingly deferred.

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#### **ORDRE DU JOUR**

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 211, Loi modifiant le Code des droits de la personne et d'autres lois pour éliminer la retraite obligatoire.

Après quelque temps, la motion mise aux voix, le Président par intérim, M. Prue déclare qu'à son avis les voix favorables l'emportent et un vote par appel nominal a été demandé.

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

Pendant la sonnerie d'appel, le Président par intérim 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 211 soit différé jusqu'au jeudi 8 décembre 2005.

En conséquence, le vote est différé.

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Debate was resumed on the motion for Second Reading of Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access.

After some time, the motion was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on Justice Policy.

Le débat reprend sur la motion portant deuxième lecture du projet de loi 27, Loi modifiant la Loi de 1991 sur l'arbitrage, la Loi sur les services à l'enfance et à la famille et la Loi sur le droit de la famille en ce qui concerne l'arbitrage familial et des questions connexes et modifiant la Loi portant réforme du droit de l'enfance en ce qui concerne les questions que doit prendre en considération le tribunal qui traite des requêtes en vue d'obtenir la garde et le droit de visite.

Après quelque temps, la motion est déclarée adoptée et en conséquence, ce projet de loi est lu une deuxième fois et renvoyé au Comité permanent de la justice.

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With unanimous consent, on motion by Mr. Caplan,

Avec le consentement unanime, sur la motion de M. Caplan,

Ordered, That the Standing Committee on General Government be authorized to meet past 6:00 p.m. on Wednesday, December 7, 2005 for the purpose of clause-by-clause consideration of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, until consideration of the Bill is completed.

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The House then adjourned at 5:48 p.m.

À 17 h 48, la chambre a ensuite ajourné ses travaux.

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**6:45 P.M.**

**18 H 45**

**ORDERS OF THE DAY**

**ORDRE DU JOUR**

Mr. Caplan moved,

M. Caplan propose,

That, pursuant to Standing Order 46 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities, when Bill 37 is next called as a Government Order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered for third reading, which order may then be immediately called; and

That, when the order for third reading is called, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That there shall be no deferral of any vote allowed pursuant to Standing Order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

A debate arising, after some time, the motion was carried on the following division:-

Un débat s'ensuit et après quelque temps, la motion est adoptée par le vote suivant:-

## AYES / POUR - 22

Balkisoon	Colle	Mauro	Patten	Van Bommel
Bartolucci	Flynn	McMeekin	Qaadri	Wilkinson
Berardinetti	Fonseca	Meilleur	Ramsay	Wynne
Brownell	Leal	Mitchell	Rinaldi	Zimmer
Caplan	Levac			

## NAYS / CONTRE - 6

Hardeman	Klees	Marchese	O'Toole	Yakabuski
Hudak				

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

M. Caplan 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.

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The House then adjourned at 8:43 p.m.

À 20 h 43, la chambre a ensuite ajourné ses travaux.

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le président

**MIKE BROWN**

Speaker

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**PETITIONS TABLED PURSUANT TO STANDING ORDER 38(a)**

Petition relating to funding to community agencies to ensure quality support and services to people who have an intellectual disability (Sessional Paper No. P-15) Mrs. Mitchell.

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

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

COMPENDIA:

Bill 50, An Act respecting the regulation of the profession of traditional Chinese medicine, and making complementary amendments to certain Acts (No. 37) (Tabled December 7, 2005).

Auditor General of Ontario, Office of, Financial Statements For the Year Ended March 31, 2005 (No. 36) (Tabled December 7, 2005).

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**RESPONSES TO PETITIONS**

**RÉPONSES AUX PÉTITIONS**

Petition relating to stopping public private partnership (P3) hospitals and fund new public hospitals (Sessional Paper No. P-10)

(Tabled October 17, 2005) Ms. Martel

(Tabled October 18, 2005) Ms. Martel

Petition relating to commitments to the city of Niagara Falls by the Falls Management Group (Sessional Paper No. P-18)

(Tabled October 18, 2005) Mr. Craitor

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