



No. 36

N° 36

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Monday
February 13, 2006

Daytime Meeting - Sessional Day 51
Evening Meeting - Sessional Day 52

Lundi
13 février 2006

Séance de l'après-midi - jour de session 51
Séance du soir - jour de session 52

2nd Session,
38th Parliament

2^e session
38^e législature

PRAYERS
1:30 P.M.

PRIÈRES
13 H 30

The Speaker addressed the House as follows:-

I beg to inform the House that on January 4, 2006, the Report of the Integrity Commissioner responding to the request by John Tory, Leader of the Official Opposition, for the Integrity Commissioner's opinion on whether the Honourable Harinder Takhar, Minister of Transportation, had breached the Members' Integrity Act or Parliamentary Convention, was tabled (Sessional Paper No. 56).

On January 17, 2006, the 2005 Annual Report to the Legislative Assembly of the Chief Medical Officer of Health was tabled (Sessional Paper No. 60).

I beg to inform the House that I have laid upon the Table a copy of an Order in Council appointing Robert Runciman, MPP as a Commissioner to the Board of Internal Economy, appointed by the Caucus of the Official Opposition, in the place of Elizabeth Witmer, MPP (Sessional Paper No. 67) (Tabled December 16, 2005).

REPORTS BY COMMITTEES

Mrs. Jeffrey from the Standing Committee on General Government presented the Committee's Report which was read as follows and adopted:-

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

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.

Ordered for Third Reading.

Mrs. Jeffrey from the Standing Committee on General Government presented the Committee's report as follows and moved its adoption:-

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

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

The motion having been put, was carried on the following division:-

RAPPORTS DES COMITÉS

M^{me} Jeffrey du Comité permanent des affaires gouvernementales 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 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.

Ordonné pour la troisième lecture.

M^{me} Jeffrey du Comité permanent des affaires gouvernementales présente le rapport du comité et propose l'adoption comme suit:-

Votre comité propose qu'il soit permis de faire rapport sur le projet de loi suivant avec des amendements:-

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

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

AYES / POUR - 56

Arthurs	Chambers	Gerretsen	Meilleur	Sandals
Balkissoon	Colle	Hoy	Milloy	Sergio
Bartolucci	Cordiano	Jeffrey	Mitchell	Smith
Bentley	Craitor	Kular	Patten	Smitherman
Berardinetti	Crozier	Kwinter	Peters	Takhar
Bountrogianni	Delaney	Levac	Phillips	Van Bommel
Bradley	Dombrowsky	Marsales	Pupatello	Watson
Broten	Duguid	Matthews	Racco	Wilkinson
Brownell	Duncan	Mauro	Ramal	Wong
Bryant	Flynn	McMeekin	Ramsay	Wynne
Cansfield	Fonseca	McNeely	Rinaldi	Zimmer
Caplan				

NAYS / CONTRE - 21

Arnott	Hudak	Martel	O'Toole	Sterling
Barrett	Klees	Martiniuk	Prue	Tory
Bisson	Kormos	Miller	Runciman	Witmer
Hardeman	Marchese	Munro	Scott	Yakabuski
Horwath				

And the Bill was accordingly Ordered for Third Reading.

En conséquence, le projet de loi est ordonné pour la troisième lecture.

Pursuant to the Order of the House of December 14, 2005, Mr. Sterling from the Standing Committee on Public Accounts presented the Committee's Report on the Office of the Public Guardian and Trustee and moved the adoption of its recommendations (Sessional Paper No. 53).

Conformément à l'ordre adopté par l'Assemblée le 14 décembre 2005, M. Sterling du Comité permanent des comptes publics présente le rapport du comité concernant le Bureau du Tuteur et curateur public et propose l'adoption de ses recommandations (document parlementaire n° 53).

On motion by Mr. Sterling,
Ordered, That the debate be adjourned.

Sur la motion de M. Sterling,
Il est ordonné que le débat soit ajourné.

INTRODUCTION OF BILLS

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

Bill 59, An Act respecting visual fire alarm systems in public buildings. Mr. Arthurs.

DÉPÔT DES PROJETS DE LOI

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

Projet de loi 59, Loi sur les systèmes d'alarme-incendie à affichage visuel dans les édifices publics. M. Arthurs.

MOTIONS

On motion by Mr. Bradley,

Ordered, That the following amendment be made to the membership of certain committees:

On the Standing Committee on the Legislative Assembly:

Mr. Balkissoon replaces Mrs. Cansfield.

On the Standing Committee on Public Accounts:

Mr. Milloy replaces Ms. Broten.

Notwithstanding Standing Order 53, with unanimous consent, on motion by Mr. Bradley,

Ordered, That, notwithstanding Standing Order 96(d), the following changes be made to the ballot list of Private Members' Public Business:

Ms. Marsales, Mrs. Van Bommel and Mr. Racco exchange places in the order of precedence, such that, Mr. Racco assumes ballot item number 19, Ms. Marsales assumes ballot item number 27, and Mrs. Van Bommel assumes ballot item number 54.

With unanimous consent, on motion by Mr. Bradley,

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

Ordered, That, notwithstanding Standing Order 96(g), the requirement for notice be waived with respect to ballot item numbers 18, 19 and 22.

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 Monday, February 13, 2006, 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 - 79

Arthurs	Craiton	Kular	Orazietti	Smitherman
Balkissoon	Crozier	Kwinter	O'Toole	Sorbara
Barrett	Delaney	Lalonde	Patten	Sterling
Bartolucci	Dombrowsky	Leal	Peters	Takhar
Bentley	Duguid	Levac	Phillips	Tascona
Berardinetti	Duncan	Marsales	Pupatello	Tory
Bountogianni	Flynn	Martiniuk	Qaadri	Van Bommel
Bradley	Fonseca	Matthews	Racco	Watson
Broten	Gerretsen	Mauro	Ramal	Wilkinson
Brownell	Gravelle	McMeekin	Ramsay	Wilson
Bryant	Hardeman	McNeely	Rinaldi	Witmer
Cansfield	Hoy	Meilleur	Runciman	Wong
Caplan	Hudak	Miller	Sandals	Wynne
Chambers	Jackson	Milloy	Scott	Yakabuski
Colle	Jeffrey	Mitchell	Sergio	Zimmer
Cordiano	Klees	Munro	Smith	

NAYS / CONTRE - 6

Bisson
Horwath

Kormos

Marchese

Martel

Prue

PETITIONS

Petition relating to providing access to Velcade and other intravenous cancer chemotherapy drugs (Sessional Paper No. P-7) Mr. Prue.

Petition relating to funding the treatment of IBI and an ABA education program in the school system (Sessional Paper No. P-9) Mr. Klees.

Petition relating to ensuring the re-development of Highway 26 is completed immediately (Sessional Paper No. P-12) Mr. Wilson.

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. Delaney, Mr. Kular and Mrs. Sandals.

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

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

Petition relating to removing the present minimum amount of medical expenses from the Income Tax Act (Sessional Paper No. P-69) Mr. O'Toole.

Petition relating to creating a new fair and equitable system of property assessment (Sessional Paper No. P-82) Mr. Prue.

Petition relating to the investigation of the Ontario judicial system (Sessional Paper No. P-89) Mr. Ouellette.

Petition relating to taking action on violence and young people by providing resources for police and fixing the justice system (Sessional Paper No. P-106) Mr. Barrett.

Petition relating to abandoning passage of Bill 206 (Sessional Paper No. P-107) Mr. Miller.

ORDERS OF THE DAY

A debate arose on the motion for Second Reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto.

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.

ORDRE DU JOUR

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 53, Loi révisant les lois de 1997 nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

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.

6:45 P.M.

18 H 45

ORDERS OF THE DAY

A debate arose on the motion for Second Reading of Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005.

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 9:30 p.m.

ORDRE DU JOUR

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2005 sur la législation.

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

À 21 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**

Agriculture, Food and Rural Affairs Appeal Tribunal and the Board of Negotiation, Annual Report 2004-2005 (No. 64) (Tabled January 31, 2006).

Art Gallery of Ontario, Annual Report 2004-2005 (No. 58) (Tabled January 12, 2006).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated December 16, 2005 (No. 54) (Tabled December 16, 2005).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated January 20, 2006 (No. 63) (Tabled January 20, 2006).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated February 3, 2006 (No. 66) (Tabled February 3, 2006).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated February 10, 2006 (No. 68) (Tabled February 10, 2006).

Law Foundation of Ontario / Fondation du droit de l'Ontario, Annual Report 2004 (No. 47) (Tabled December 20, 2005).

Liquor Control Board of Ontario, 2005 Operational Review (No. 61) (Tabled January 17, 2006).

Liquor Control Board of Ontario, Annual Report 2004-2005 (No. 52) (Tabled December 19, 2005).

McMichael Canadian Art Collection / Collection McMichael d'art canadien, Annual Report 2004-2005 (No. 57) (Tabled January 12, 2006).

Northern Ontario Heritage Fund Corporation / Société de gestion du Fonds du patrimoine du Nord de l'Ontario, Annual Report 2004-2005 (No. 65) (February 1, 2006).

Office of the Public Guardian and Trustee / Bureau du tuteur et curateur public, Standing Committee on Public Accounts (No. 53) (Tabled December 19, 2005).

Ontario Association of Architects, Annual Report 2004 (No. 48) (Tabled December 20, 2005).

Ontario Energy Board / Commission de l'énergie de l'Ontario, Annual Report 2004-2005 (No. 55) (Tabled December 21, 2005).

Ontario Judicial Council / Conseil de la magistrature de l'Ontario, Ninth Annual Report 2003-2004 (No. 50) (Tabled December 20, 2005).

Ontario Racing Commission 55th Annual and Statistical Report 2004-2005 (No. 51) (Tabled December 20, 2005).

Public Guardian and Trustee for the Province of Ontario, Financial Statements for the year ended March 31, 2005 (No. 59) (Tabled January 13, 2006).

Special Investigations Unit, Annual Report 2004-2005 (No. 49) (Tabled December 20, 2005).

Trillium Gift of Life Network, Annual Report 2004-2005 (No. 62) (Tabled January 19, 2006).

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

Final Answers to Question Numbers: 1, 2, 14, 37, 38, 39, 40, 41, 59, 63 (Tabled December 15, 2005).

Final Answers to Question Numbers: 68 and 69 (Tabled January 23, 2006).

Final Answers to Question Numbers: 32, 33, 34, 35, 36 and 44 (Tabled February 13, 2006).

RESPONSES TO PETITIONS

RÉPONSES AUX PÉTITIONS

Petition relating to conducting an operational review of the health care system in Lambton. (Sessional Paper No. P-25):

(Tabled October 19, 2005) Mrs. Witmer.

Petitions relating to reversing the government's decision to cancel the expansion and upgrades of Cambridge Memorial Hospital. (Sessional Paper No. P-46):

(Tabled October 26, November 1 and 17, 2005) Mr. Martiniuk.

Petition relating to working with Ontario pharmacists to prevent cutbacks and protect patients. (Sessional Paper No. P-49):

(Tabled October 27, 2005) Mr. O'Toole.

RESPONSES TO PETITIONS TABLED JANUARY 23, 2006

Petition relating to reducing cormorant populations that have a negative impact on local fisheries (Sessional Paper No. P-4):

(Tabled November 21, 2005) Mr. Ouellette.

Petition relating to protecting the rights of volunteer firefighters (Sessional Paper No. P-5):

(Tabled November 1, 2005) Mr. O'Toole.

Petitions relating to funding the treatment of IBI and an ABA education program in the school system (Sessional Paper No. P-9):

(Tabled November 16 and 30, 2005) Mrs. Munro.

(Tabled November 2, 2005) Mr. O'Toole.

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):

(Tabled November 21, 2005) Mr. Levac, Mr. Klees, Mrs. Munro, Mr. Ouellette, Mr. Hardeman, Mr. Flaherty, Mr. Dunlop and Mr. Arnott.

(Tabled November 22, 2005) Mr. Hardeman, Mrs. Van Bommel, Mr. Klees, Mr. Murdoch and Mr. Wilkinson.

(Tabled November 23, 2005) Mr. Oraziotti, Mr. Barrett, Mr. Gravelle, Mr. Hardeman, Mr. Kormos and Mr. Yakabuski.

(Tabled November 16, 2005) Mr. Murdoch, Mrs. Van Bommel and Mr. Hoy.

(Tabled November 3, 2005) Mr. Ouellette, Mr. Klees and Mr. Hardeman.

(Tabled November 15, 2005) Mr. Dunlop, Mr. Hardeman, Mr. Murdoch, Mr. Ouellette, Mr. Ramal.

(Tabled November 2, 2005) Mr. Hardeman.

(Tabled November 14, 2005) Mr. Murdoch, Mr. Dunlop and Mr. Ouellette.

(Tabled November 17, 2005) Mr. Hardeman, Mr. Wilson and Mr. Lalonde.

(Tabled October 27, 2005) Mr. Hardeman and Mr. O'Toole.

(Tabled October 31, 2005) Mr. Yakabuski.

(Tabled November 2, 2005) Mr. Ouellette and Mr. Tascona.

(Tabled November 3, 2005) Mr. Hardeman, Mr. Klees and Mr. Ouellette.

(Tabled November 24, 2005) Mr. Hardeman, Mr. Ouellette and Mr. Craitor.

(Tabled November 1, 2005) Mr. Murdoch and Mr. Ouellette.

Petition relating to keeping the Huronia Regional Centre open (Sessional Paper No. P-17):

(Tabled October 26, 2005) Mr. Dunlop.

Petitions relating to the Adoption Information Disclosure Act, Bill 183 (Sessional Paper No. P-28):

(Tabled October 31, 2005) Mr. Yakabuski and Mr. Sterling.

Petition relating to increasing public funding for postsecondary education, reducing tuition fees and re-installing an up-front system of grants (Sessional Paper No. P-33):

(Tabled October 20, 2005) Mrs. Munro.

Petitions relating to the Leslie M. Frost Centre (Sessional Paper No. P-35):

(Tabled November 3 and 17, 2005) Ms. Scott.

Petition relating to a rent freeze until above guideline increases are wiped out, introduction of new landlord-tenant legislation, and reforming the OMB (Sessional Paper No. P-38):

(Tabled November 17, 2005) Mr. Ruprecht.

Petitions relating to supporting the McGuinty government's commitment to ensure that Ontario has the best skilled workforce and the strongest economy. (Sessional Paper No. P-41):

(Tabled October 25 and November 23, 2005) Mr. Berardinetti.

Petitions relating to passing Bill 211 to abolish mandatory retirement. (Sessional Paper No. P-44):

(Tabled November 15, December 1 and 8, 2005) Mr. Ruprecht.

Petition relating to An increase to the employment earnings exemption threshold for ODSP recipients. (Sessional Paper No. P-70):

(Tabled November 15, 2005) Ms. Horwath.

Petitions relating to rescinding the Joint Board's decision approving applications of Dufferin Aggregates to expand its mining license. (Sessional Paper No. P-81):

(Tabled November 22, 24 and December 1, 2005) Mr. Flynn.

Petition relating to rent increase under the Tenant Protection Act. (Sessional Paper No. P-87):

(Tabled November 24, 2005) Mr. Ruprecht.

Petitions relating to the use of safety-engineered medical sharps. (Sessional Paper No. P-102):
 (Tabled December 14, 2005) Ms. Martel.
 (Tabled December 15, 2005) Ms. Horwath.

RESPONSES TO PETITIONS TABLED FEBRUARY 9, 2006

Petition relating to ensuring the re-development of Highway 26 is completed immediately (Sessional Paper No. P-12):
 (Tabled November 30, 2005) Mr. Wilson.

Petition relating to establishing an evening bus route for the Simcoe Muskoka Catholic School Board (Sessional Paper No. P-20):
 (Tabled October 19, 2005) Mr. Wilson.

Petitions relating to maintaining and preserving the Banting homestead (Sessional Paper No. P-21):
 (Tabled November 16 and 17, 2005) Mr. Wilson.

Petitions relating to extending the GO transit tunnel beyond St. Clair Avenue West (Sessional Paper No. P-23):
 (Tabled November 17, 23 and 24, 2005) Mr. Ruprecht.

Petition relating to stiffer penalties for drivers involved in fatal accidents (Sessional Paper No. P-26):
 (Tabled October 20, 2005) Mr. Prue.

Petitions relating to funding for Velcade drug (Sessional Paper No. P-36):
 (Tabled October 24, 2005) Ms. Horwath and Ms. Martel.
 (Tabled November 1, 2005) Mr. Jackson.

Petitions relating to the four-laning of Highway 35 (Sessional Paper No. P-40):
 (Tabled November 24 and December 6, 2005) Ms. Scott.

Petitions relating to ensuring that any strategy to fight gun violence includes funding for youth programs (Sessional Paper No. P-42):
 (Tabled December 1, 8 and 15, 2005) Mr. Berardinetti.

Petition relating to introducing a capped class size for Grades 4 to 6 (Sessional Paper No. P-47):
 (Tabled October 26, 2005) Mr. Qaadri.

Petition relating to supporting Bill 137 (Sessional Paper No. P-53):
 (Tabled October 31, 2005) Mr. O'Toole.

Petitions relating to amending the Limitation Act, 2002, to provide an exemption for victims of wrongdoing claims of financial services (Sessional Paper No. P-64):
 (Tabled November 2 and 3, 2005) Mr. Tascona.

Petitions relating to fair and timely access to professional certification for skilled immigrants (Sessional Paper No. P-66):
 (Tabled November 16, 2005) Mr. Berardinetti, Mr. Fonseca and Mr. Kular.
 (Tabled November 14, 2005) Mr. Craiton and Mr. Delaney.
 (Tabled November 22, 2005) Mr. Delaney.

Petition relating to enforcing the Provincial Officer's Order against Gamma Foundries (Sessional Paper No. P-68):
 (Tabled November 14 and 21, 2005) Mr. Klees.

Petition relating to supporting Abitibi Consolidated paper mill (Sessional Paper No. P-71):
(Tabled November 15, 2005) Mr. Hampton.

Petition relating to closing Refine Industries Limited (Sessional Paper No. P-73):
(Tabled November 15, 2005) Mr. Brownell.

Petitions relating to the taxation of seasonal trailers (Sessional Paper No. P-74):
(Tabled November 24, 2005) Mr. Ouellette.
(Tabled November 15, 2005) Mr. Hardeman.

Petition relating to calling on the Prime Minister to remove the \$1.2 billion on extra federal gas taxes (Sessional Paper No. P-75):
(Tabled November 16, 2005) Mr. Klees.

Petition relating to postponing the spending of \$400 million on the Windsor casino (Sessional Paper No. P-76):
(Tabled November 16, 2005) Mr. O'Toole.

Petitions relating to restoring the cuts to funding for Ontario public library services (Sessional Paper No. P-77):
(Tabled November 16 and 21, 2005) Mr. Wilson.

Petitions relating to enacting legislation to curtail the use of cellular telephones by drivers (Sessional Paper No. P-80):
(Tabled November 21 and 29, 2005) Mr. O'Toole.

Petition relating to making a CPR examination mandatory for all applicants for school bus drivers' licenses (Sessional Paper No. P-84):
(Tabled November 23, 2005) Mr. O'Toole.

Petition relating to protecting residential consumers from further electricity price increases (Sessional Paper No. P-86):
(Tabled November 23, 2005) Mr. O'Toole.

Petition relating to rural community water testing (Sessional Paper No. P-88):
(Tabled November 24, 2005) Ms. Scott.

Petition relating to the investigation of the Ontario judicial system (Sessional Paper No. P-89):
(Tabled November 24, 2005) Ms. Scott.

Petition relating to holding additional committee hearings for the Smoke-Free Ontario Act (Sessional Paper No. P-91):
(Tabled November 29, 2005) Mr. Barrett.
