



No. 130

N° 130

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## Votes and Proceedings

## Procès-verbaux

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Monday**  
**December 4, 2006**

Daytime Meeting - Sessional Day 198  
Evening Meeting - Sessional Day 199

**Lundi**  
**4 décembre 2006**

Séance de l'après-midi - jour de session 198  
Séance du soir - jour de session 199

**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**

**REPORTS BY COMMITTEES**

Mr. Racco 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 28, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act.

Ordered for Third Reading.

**RAPPORTS DES COMITÉS**

M. Racco 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 28, Loi exigeant le prélèvement et l'analyse d'échantillons de sang afin de protéger les victimes d'actes criminels, le personnel des services d'urgence, les bons samaritains et d'autres personnes et apportant des modifications corrélatives à la Loi de 1996 sur le consentement aux soins de santé et à la Loi sur la protection et la promotion de la santé.

Ordonné pour la troisième lecture.

**INTRODUCTION OF BILLS**

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

Bill Pr31, An Act respecting the Perimeter Institute. Mrs. Witmer.

Bill Pr32, An Act respecting The Centre for International Governance Innovation. Mrs. Witmer.

**DEPOT DES PROJETS DE LOI**

Les projets de loi suivants sont présentés, lus une première fois et renvoyés au Comité permanent des règlements et des projets de loi d'intérêt privé:-

**MOTIONS**

Mr. Caplan moved,

That pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, December 4, 2006, for the purpose of considering government business.

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

**MOTIONS**

M. Caplan propose,

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

**AYES / POUR - 43**

Arnott	Delaney	Martiniuk	Phillips	Tory
Arthurs	Elliott	McMeekin	Pupatello	Watson
Balkissoon	Flynn	McNeely	Racco	Wilkinson
Bartolucci	Fonseca	Meilleur	Ramal	Wilson
Bentley	Jeffrey	Miller	Ruprecht	Witmer
Bryant	Klees	Milloy	Sandals	Wynne
Cansfield	Kular	Mitchell	Smitherman	Yakabuski
Caplan	Kwinter	Mossop	Sterling	Zimmer
Colle	Marsales	Peters		

## NAYS / CONTRE - 6

Bisson  
DiNovo

Horwath

Kormos

Prue

Tabuns

The Speaker addressed the House as follows:-

I beg the indulgence of the House to take a few moments to comment and perhaps add some clarity to events of last Wednesday during Question Period.

The Member for Leeds-Grenville rose on a point of order during Question Period respecting comments that were made by the Minister Responsible for Aboriginal Affairs. In doing so, the Member requested that the Speaker review Hansard presumably with a view to determining if anything said by the Minister violated Standing Order 23, although not specifically what subsection.

Let me start by saying that my preoccupation in Question Period is and always has been to facilitate its progress with as few impediments as possible. In this regard Members will know that I have expressed some intolerance for points of order raised during the hour. Under our Standing Orders, the time taken for points of order is included in the 60 minutes allotted for Question Period. Speakers have consistently encouraged Members to, wherever possible, refrain from raising points of order until the completion of Question Period. This is usually possible unless the point of order raised relates to the process itself and needs to be corrected before we can proceed further.

This was my motivation in suggesting to the Member for Leeds-Grenville that points of order should be raised outside of the time allocated for Oral Questions. It was not my intent to “chide” the Member, but rather, in the face of what I have perceived to be general misunderstanding, to clarify for all Members why I have exhibited intolerance with respect to points of order during Question Period in the past.

Having said that, this mindfulness of the Question Period clock may have caused me to rush my response to the point of order raised by the Member for Leeds-Grenville without sufficient contemplation and explanation. I would like to take a minute to do that now.

In the course of drafting a ruling the Speaker may from time to time review Hansard in order to confirm his recollection of what was said. This was the process undertaken leading up my ruling of June 21, 2006, to which the Member made reference in an open letter to me last Wednesday. So, the Speaker may, but does not as a matter of course, review Hansard in ruling on the orderliness of language used. This is borne out in several rulings in this House, but most specifically in a ruling by Speaker Warner dated December 12, 1991 in which he said:

“...it is basically a question of order at the time when that language that is deemed unparliamentary is used, therefore, it is usually not useful to go back over a previous day’s proceedings and look to see whether or not a term was parliamentary or unparliamentary and that is because the possibility of disorder is then past.”

On the same subject, Speaker McLean had this to say on May 15, 1996:

“The Speaker cannot be expected to review Hansard and reflect upon the words spoken. The words have to be heard in the particular context in which they were spoken, to determine if they were unparliamentary or not.”

In this respect, our practice in Ontario does differ from the Federal House of Commons where the Speaker more frequently, although even there, not in every case, reviews Hansard.

That being said, I have had some opportunity to reflect upon the specific words in question and I have some concern with respect to the language used. Whether or not they are in order, I caution the Minister of Aboriginal Affairs that comments of that sort are unbecoming and make it difficult to maintain any level of decorum in this place. While I appreciate that the Minister rose in the House last Thursday to offer an explanation, his remarks the previous day were not helpful in the circumstances.

I am disturbed by such increasing use of intemperate language. There is frequently a stunning lack of regard for the traditional hallmarks of Parliamentary discourse and specifically respect for the Chair and the integrity of all Members. To engage in such behaviour is to be destructive not just to the Member or Members targeted, but to all of us and to this institution.

It seems to me that the role of Speaker has slowly and increasingly become, if you will, that of 'referee of first resort', instead of referee of last resort. This House frequently fails to regulate itself with maturity and temperance, but rather pushes to – and often beyond – the limits of everyday civility. In this we are not alone: very recently, the House of Commons committee on Procedure and House Affairs felt compelled to undertake meetings dedicated specifically to the issue of decorum in the House.

It is a problem for all of us. While this place is neither a church nor a classroom, demanding the level of decorum expected there, a Parliamentary Chamber nevertheless requires at least a minimum level of respect and regard for the work that we have all been elected to carry out and the manner in which we do that.

The Speaker and Members are partners in this endeavour, and for my part I will endeavour to be vigilant as we go forward and to intervene when I perceive either use of language or decorum not befitting this parliamentary institution. I urge all Members to recognize that you have a duty in the preservation of order as well.

Finally, to the Member for Leeds-Grenville, I assure you that it was not my intent to be dismissive on Wednesday last. You did as all members should, feeling aggrieved by remarks made by another member, you stood in your place and brought it to my attention.

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The House expressed its condolence on the death of Ian Scott, Member for the Electoral District of St. David from May 2, 1985 to July 31, 1987 and Member for the Electoral District of St. George–St. David from September 10, 1987 to June 7, 1995.

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### PETITIONS

Petition relating to faith-based schools in Ontario (Sessional Paper No. P-151) Mr. Klees.

Petition relating to amending the Ontario Pension Benefits Act to give seniors the option of transferring locked-in pension funds into an R.R.S.P. at the age of 55 (Sessional Paper No. P-238) Ms. Horwath.

Petition relating to the proposed Long-Term Care Homes Act (Sessional Paper No. P-256) Mr. Ouellette.

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At 4:00 p.m., pursuant to Standing Order 30(b), the Speaker interrupted the proceedings and called Orders of the Day.

À 16 heures, conformément à l'article 30 b) du Règlement, le Président interrompt les délibérations et passe à l'ordre du jour.

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### ORDERS OF THE DAY

A debate arose on the motion for Third Reading of Bill 107, An Act to amend the Human Rights Code.

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### ORDRE DU JOUR

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 107, Loi modifiant le Code des droits de la personne.

At 5:50 p.m, pursuant to the Order of the House of November 21, 2006, the Acting Speaker (Mr. Arnott) interrupted the proceedings and put the question, and 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 107, An Act to amend the Human Rights Code, be deferred until Tuesday, December 5, 2006.

Therefore the vote is accordingly deferred.

The House then adjourned at 5:55 p.m.

À 17 h 50, conformément à l'ordre adopté par l'Assemblée le 21 novembre 2006, le président par intérim, M. Arnott interrompt les délibérations, met la motion aux voix, et déclare qu'à son avis les voix favorables l'emportent et un vote par appel nominal ayant 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 107, Loi modifiant le Code des droits de la personne, soit différé jusqu'au mardi 5 décembre 2006.

En conséquence, le vote est différé.

À 17 h 55, la chambre a ensuite ajourné ses travaux.

**6:45 P.M.**

### **ORDERS OF THE DAY**

With unanimous consent, on motion by Mr. Caplan,

Ordered, That notwithstanding any Standing Order, the Orders for Concurrence in Supply for the Ministries of Education; Community and Social Services; Finance; Health & Long Term Care; Health Promotion; Intergovernmental Affairs; Environment; Children and Youth Services; Energy; Municipal Affairs and Housing; Training, Colleges and Universities; Public Infrastructure Renewal and Government Notice of Motion number 258, may be called concurrently; and

That when such Orders are called, they shall be considered concurrently in a single debate; and

That the time available to 9:20 p.m. this evening shall be divided equally among the Recognized Parties; and

That at the conclusion of the debate the Speaker shall put every question necessary to dispose of the Order for Concurrence in Supply for each of the ministries named above, and to dispose of Government Notice of Motion number 258; and

If a recorded vote is requested by 5 members, all divisions shall be stacked, and there shall be a single 10 minute division bell.

A debate arose on the Orders for Concurrence in Supply for the following ministries:-

Ministry of Education;

Ministry of Community and Social Services;

**18 H 45**

### **ORDRE DU JOUR**

Il s'élève un débat sur les ordres d'adoption des budgets des dépenses des ministères suivants:-

Ministère de l'Éducation;

Ministère des Services sociaux et communautaires;

Ministry of Finance  
(including supplementaries);  
Ministry of Health and Long-Term Care;  
  
Ministry of Health Promotion;  
Ministry of Intergovernmental Affairs;  
Ministry of the Environment;  
Ministry of Children and Youth Services;  
  
Ministry of Energy;  
Ministry of Municipal Affairs and Housing;  
  
Ministry of Training, Colleges and  
Universities;  
Ministry of Public Infrastructure Renewal; and

Ministère des Finances (supplémentaires  
inclus);  
Ministère de la Santé et des Soins de longue  
durée;  
  
Ministère de la Promotion de la santé;  
Ministère des Affaires intergouvernementales;  
Ministère de l'Environnement;  
Ministère des Services à l'enfance et à la  
jeunesse;  
  
Ministère de l'Énergie;  
Ministère des Affaires municipales et du  
Logement;  
  
Ministère de la Formation, Collèges et  
Universités;  
Ministère du Renouvellement de  
l'infrastructure publique; et

And, on the motion by Mr. Caplan,

That the Minister of Finance be authorized to pay the salaries of civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 2007, and ending June 30, 2007.

Payments for the period from January 1, 2007 to March 31, 2007 to be charged to the proper appropriation following the voting of supply for the 2006-2007 fiscal year, and payments for the period from April 1, 2007 to June 30, 2007 to be charged to the proper appropriation following the voting of supply for the 2007-2008 fiscal year.

After some time, the question having been put on the Order for Concurrence in Supply for the Ministry of Education, it was declared carried.

Après quelques temps, la motion portant sur l'ordre d'adoption du budget des dépenses du ministère de l'Éducation, mise aux voix, est déclarée adoptée.

And Supply was accordingly concurred in.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Community and Social Services, it was declared carried.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère des Services sociaux et communautaires, mise aux voix, est déclarée adoptée.

And Supply was accordingly concurred in.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Finance (including supplementaries); it was declared carried.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère des Finances (supplémentaires inclus), mise aux voix, est déclarée adoptée.

And Supply was accordingly concurred in.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Health and Long-Term Care; it was declared carried.

And Supply was accordingly concurred in.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère de la Santé et des Soins de longue durée, mise aux voix, est déclarée adoptée.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Health Promotion; it was declared carried.

And Supply was accordingly concurred in.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère de la Promotion de la santé, mise aux voix, est déclarée adoptée.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Intergovernmental Affairs; it was declared carried.

And Supply was accordingly concurred in.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère des Affaires intergouvernementales, mise aux voix, est déclarée adoptée.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of the Environment; it was declared carried.

And Supply was accordingly concurred in.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère de l'Environnement, mise aux voix, est déclarée adoptée.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Children and Youth Services; it was declared carried.

And Supply was accordingly concurred in.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère des Services à l'enfance et à la jeunesse, mise aux voix, est déclarée adoptée.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Energy; it was declared carried.

And Supply was accordingly concurred in.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère de l'Énergie, mise aux voix, est déclarée adoptée.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Municipal Affairs and Housing; it was declared carried.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère des Affaires municipales et du Logement, mise aux voix, est déclarée adoptée.

And Supply was accordingly concurred in.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Training, Colleges and Universities; it was declared carried.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère de la Formation, Collèges et Universités, mise aux voix, est déclarée adoptée.

And Supply was accordingly concurred in.

En conséquence, le budget des dépenses est adopté.

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The question having been put on the Order for Concurrence in Supply for the Ministry of Public Infrastructure Renewal; it was declared carried.

La motion portant sur l'ordre d'adoption du budget des dépenses du ministère du Renouvellement de l'infrastructure publique, mise aux voix, est déclarée adoptée.

And Supply was accordingly concurred in.

En conséquence, le budget des dépenses est adopté.

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The question having been put on Government Notice of Motion number 258, it was declared carried,

And it was,

Resolved, that the Minister of Finance be authorized to pay the salaries of civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 2007, and ending June 30, 2007.

Payments for the period from January 1, 2007 to March 31, 2007 to be charged to the proper appropriation following the voting of supply for the 2006-2007 fiscal year, and payments for the period from April 1, 2007 to June 30, 2007 to be charged to the proper appropriation following the voting of supply for the 2007-2008 fiscal year.

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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 8:52 p.m.

À 20 h 52, la chambre a ensuite ajourné ses travaux.

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le président

**MIKE BROWN**

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**

Ontario Energy Board / Commission de l'énergie de l'Ontario, Annual Report 2005-2006 (No. 327).

Ontario Health Quality Council / Conseil ontarien de la qualité des services de santé, Annual Report and Financial Statements 2005-2006 (No. 325).

Workplace Safety and Insurance Appeals Tribunal / Tribunal d'appel de la sécurité professionnelle et de l'assurance contre les accidents du travail, Annual Report 2005 (No. 326).