



No. 102

N° 102

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Wednesday
December 10, 2008

Sessional Day 110

Mercredi
10 décembre 2008

Jour de session 110

1st Session,
39th Parliament

1^{re} session
39^e législature

**PRAYERS
9:00 A.M.**

ORDERS OF THE DAY

Debate was resumed on the motion for Second Reading of Bill 126, An Act to amend the Highway Traffic Act and to make consequential amendments to two amending acts.

After some time, pursuant to the Order of the House of December 9, 2008, the Deputy Speaker put the question, and declared his opinion that the Ayes had it,

A recorded vote having been demanded,

Pursuant to Standing Order 9(c), the vote on the motion for Second Reading of Bill 126, was deferred until "Deferred Votes" today.

Pursuant to the Order of the House of December 9, 2008, the Business of this morning being completed, at 9:34 a.m., the House recessed until 10:30 a.m.

10:30 A.M.

INTRODUCTION OF VISITORS

Pursuant to Standing Order 36, visitors were introduced.

ORAL QUESTIONS

Pursuant to Standing Order 37, the House proceeded to Oral Questions.

During "Oral Questions", the Speaker repeatedly requested the Member for Halton (Mr. Chudleigh) to withdraw unparliamentary language.

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

**PRIÈRES
9 H**

ORDRE DU JOUR

Le débat reprend sur la motion portant deuxième lecture du projet de loi 126, Loi modifiant le Code de la route et apportant des modifications corrélatives à deux lois modificatives.

Après quelque temps, conformément à l'ordre adopté par l'Assemblée le 9 décembre 2008, le Vice-Président met la motion aux voix, et déclare qu'à son avis les voix favorables l'emportent,

Un vote par appel nominal ayant été demandé,

Conformément à l'article 9 c) du Règlement, le vote sur la motion portant deuxième lecture du projet de loi 126, est différé jusqu'aux «Votes différés» aujourd'hui.

Conformément à l'article 36, les visiteurs sont présentés.

PRÉSENTATION DES VISITEURS

QUESTIONS ORALES

Conformément à l'article 37, la chambre passe aux questions orales.

Pendant la période des «Questions orales», le Président demande à plusieurs reprises au député de Halton, M. Chudleigh de retirer les propos non-parlementaires.

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

DEFERRED VOTES

The deferred vote on the motion for Second Reading of Bill 126, An Act to amend the Highway Traffic Act and to make consequential amendments to two amending acts, was carried on the following division:-

VOTES DIFFÉRÉS

La motion portant deuxième lecture du projet de loi 126, Loi modifiant le Code de la route et apportant des modifications corrélatives à deux lois modificatives, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

AYES / POUR - 60

Aggelonitis	Craitor	Kwinter	Phillips
Albanese	Crozier	Lalonde	Qadri
Balkissoon	Dickson	Leal	Ramal
Bartolucci	Dombrowsky	Mangat	Ruprecht
Bentley	Duguid	Marchese	Sandals
Best	Duncan	Matthews	Sergio
Bisson	Fonseca	Mauro	Smith
Bradley	Gélinas	McGuinty	Smitherman
Brotten	Gerretsen	McMeekin	Sousa
Brown	Gravelle	McNeely	Takhar
Brownell	Horwath	Meilleur	Van Bommel
Bryant	Hoy	Miller <small>(Hamilton East–Stoney Creek)</small>	Watson
Cansfield	Jaczek	Milloy	Wilkinson
Caplan	Jeffrey	Naqvi	Wynne
Colle	Kormos	Oraziotti	Zimmer

NAYS / CONTRE - 20

Arnott	Hudak	Munro	Shurman
Bailey	Jones	O'Toole	Sterling
Elliott	Klees	Ouellette	Wilson
Hardeman	MacLeod	Savoline	Witmer
Hillier	Miller <small>(Parry Sound–Muskoka)</small>	Scott	Yakabuski

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

En conséquence, ce projet de loi est lu une deuxième fois et renvoyé au Comité permanent des affaires gouvernementales.

With unanimous consent, the following motion was moved without notice:-

On motion by Ms. Smith,

Sur la motion de M^{me} Smith,

Ordered, That the House take the Routine Proceeding, "Reports by Committees" immediately, following which the Orders for Second and Third Reading of Bill Pr19, An Act to revive Able Insurance Brokers Ltd and Bill Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus shall be called consecutively and the questions on the motions for Second and Third Reading of the Bills being put immediately without debate; and that Mrs. Jeffrey may move the motions for Second and Third Reading of Bills Pr19 and Pr20 on behalf of Mr. Dhillon and Mr. Sorbara, respectively.

REPORTS BY COMMITTEES

Mr. Miller (Hamilton East–Stoney Creek) 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:-

Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus.

Ordered for Second Reading.

RAPPORTS DES COMITÉS

M. Miller (Hamilton East–Stoney Creek) du Comité permanent des règlements et des projets de loi d'intérêt privé 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:-

Ordonné pour la deuxième lecture.

ORDERS OF THE DAY

With unanimous consent, the following Bills were read the second time and Ordered for Third Reading:-

Bill Pr19, An Act to revive Able Insurance Brokers Ltd.

Bill Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus.

ORDRE DU JOUR

Avec le consentement unanime, les projets de loi suivants sont lus une deuxième fois et ordonnés pour la troisième lecture:-

With unanimous consent, the following Bills were read the third time and were passed:-

Bill Pr19, An Act to revive Able Insurance Brokers Ltd.

Bill Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus.

Avec le consentement unanime, les projets de loi suivants sont lus une troisième fois et adoptés:-

Pursuant to Standing Order 9(a), the Speaker recessed the House at 11:47 a.m. until 3:00 p.m.

Conformément à l'article 9 a), le Président ordonne une pause à l'Assemblée à 11 h 47 jusqu'à 15 h.

3:00 P.M.

15 H

INTRODUCTION OF VISITORS

Pursuant to Standing Order 36, visitors were introduced.

PRÉSENTATION DES VISITEURS

Conformément à l'article 36, les visiteurs sont présentés.

MEMBERS' STATEMENTS

Pursuant to Standing Order 31, Members made statements.

DÉCLARATIONS DES DÉPUTÉS

Conformément à l'article 31, des députés font des déclarations.

The Speaker addressed the House as follows:-

I beg to inform the House that I have laid upon the Table the 2007-2008 Annual report of the Environmental Commissioner of Ontario on Progress in a Climate of Change: A Review of Ontario's Climate Change Action Plan / Observer des progrès dans un climat de changement: Examen du Plan d'action de l'Ontario contre le changement climatique (No. 329).

INTRODUCTION OF BILLS

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

Bill 141, An Act to amend the Regulated Health Professions Act, 1991. Hon. Mr. Caplan.

DÉPÔT DES PROJETS DE LOI

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

Projet de loi 141, Loi modifiant la Loi de 1991 sur les professions de la santé réglementées. Hon. M. Caplan.

STATEMENTS BY THE MINISTRY AND RESPONSES

Pursuant to Standing Order 35, Ministers made statements and Opposition Members responded.

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Conformément à l'article 35, des ministres font des déclarations et des députés de l'opposition y répondent.

PETITIONS

Petition relating to construction of an Ambulatory Surgery Centre to serve the Mississauga Halton area (Sessional Paper No. P-23) Mr. Craitor.

Petition relating to gypsy moth infestation (Sessional Paper No. P-38) Mr. O'Toole.

Petition relating to asking the Federal Government to reform the Employment Insurance program (Sessional Paper No. P-57) Mr. Sergio.

Petition relating to increasing funding for ostomy supplies (Sessional Paper No. P-80) Mr. O'Toole.

Petition relating to requesting an amendment to the Children's Law Reform Act (Sessional Paper No. P-95) Mr. Brownell.

Petition relating to Systemic Lupus Erythematosus (Sessional Paper No. P-157) Mr. Craitor.

Petition relating to elementary school-aged children suffering from diabetes (Sessional Paper No. P-179) Mr. Martiniuk, Mr. O'Toole and Mrs. Savoline.

Petition relating to the revitalization of Lawrence Heights to include a Newcomer Centre for ESL services (Sessional Paper No. P-182) Mr. Colle.

Petition relating to Sluse Road Holland Landing Peaking Plant project (Sessional Paper No. P-186) Mrs. Munro.

Petition relating to the interprovincial crossing between Ottawa and Gatineau (Sessional Paper No. P-189) Mr. Naqvi.

The Deputy Speaker informed the House that, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor had been pleased to assent to the following bills in his office on December 10, 2008.

Bill 37, An Act to amend the Child and Family Services Act to protect Ontario's children.

Bill 98, An Act to promote the sale of Ontario produced agricultural products by amending the Public Transportation and Highway Improvement Act.

Bill 99, An Act to protect and restore the ecological health of the Lake Simcoe watershed and to amend the Ontario Water Resources Act in respect of water quality trading.

Bill 100, An Act to amend the Corporations Tax Act and the Taxation Act, 2007.

Bill 111, An Act to proclaim Emancipation Day.

Bill 124, An Act to amend the Smoke-Free Ontario Act with respect to cigarillos.

Bill Pr9, An Act to revive 2029652 Ontario Ltd.

Bill Pr10, An Act respecting Master's College and Seminary.

Bill Pr11, An Act to revive Eugerry Investments Limited.

Bill Pr12, An Act to revive Porcupine Goldtop Mines Limited and to change its name to Porcupine Goldor Mines Limited.

Bill Pr13, An Act to revive 2076467 Ontario Inc.

Bill Pr14, An Act to revive 1068080 Ontario Limited.

Bill Pr19, An Act to revive Able Insurance Brokers Ltd.

Bill Pr20, An Act respecting the Joseph and Wolf Lebovic Jewish Community Campus.

Le Vice-Président avise l'Assemblée qu'au nom de Sa Majesté la Reine, Son Honneur le lieutenant-gouverneur a eu le plaisir de sanctionner les projets de loi suivants dans son cabinet le 10 décembre 2008.

Projet de loi 37, Loi modifiant la Loi sur les services à l'enfance et à la famille afin de protéger les enfants de l'Ontario.

Projet de loi 98, Loi visant à promouvoir la vente de produits agricoles ontariens en modifiant la Loi sur l'aménagement des voies publiques et des transports en commun.

Projet de loi 99, Loi visant à protéger et à rétablir la santé écologique du bassin hydrographique du lac Simcoe et à modifier la Loi sur les ressources en eau de l'Ontario en ce qui concerne un système d'échange axé sur la qualité de l'eau.

Projet de loi 100, Loi modifiant la Loi sur l'imposition des sociétés et la Loi de 2007 sur les impôts.

Projet de loi 111, Loi proclamant le Jour de l'émancipation.

Projet de loi 124, Loi modifiant la Loi favorisant un Ontario sans fumée en ce qui a trait aux cigarillos.

ORDERS OF THE DAY

Ms. Smith moved,

That the following committees be authorized to meet during the adjournment and/or, in the event of the prorogation of the First Session of the 39th Parliament and notwithstanding such prorogation, during the interval between the First and Second Sessions of the 39th Parliament, and/or upon resumption of the First or Second Sessions of the 39th Parliament, as follows:-

Standing Committee on Government Agencies: February 9 through 11, 2009 inclusive and the afternoon from 1:00 p.m. – 6:00 p.m. on the first Monday following the resumption of the House in 2009; and

Standing Committee on Public Accounts: 4 days commencing no earlier than February 17, 2009, such days to be determined by unanimous decision of the Sub-committee on Committee Business; and

Standing Committee on General Government, which is authorized to consider Bills 118 and 126 concurrently during the week of February 9, 2009 for the purpose of conducting public hearings on the bills in locations in Ontario at the discretion of the Committee.

A debate arose and, after some time, the motion was declared carried.

ORDRE DU JOUR

Mme Smith propose,

Il s'élève un débat et après quelque temps, la motion est déclarée adoptée.

Ms. Smith moved,

M^{me} Smith propose,

That, notwithstanding prorogation, the following business remaining on the Orders and Notices Paper be continued and placed on the Orders and Notices Paper of the second sessional day of the Second Session of the 39th Parliament at the same stage of business for the House and its committees as at prorogation:-

- (i) all government bills, except Bill 1, An Act to Perpetuate an Ancient Parliamentary Right and Bill 24, An Act to amend the Assessment Act, Community Small Business Investment Funds Act, Corporations Tax Act, Education Act, Income Tax Act, Land Transfer Tax Act and Taxation Act, 2007; and
- (ii) the following Private Members' Public Bills:
 - Bill 18, An Act respecting the disclosure of information about marijuana grow operations;
 - Bill 87, An Act to regulate the motor vehicle towing industry in Ontario;
 - Bill 91, An Act to amend the Public Vehicles Act respecting bicycle racks on public vehicles;
 - Bill 101, An Act respecting energy rating for specified residential buildings;
 - Bill 106, An Act to provide for safer communities and neighbourhoods;
 - Bill 109, An Act to provide a tax credit for the purchase of equipment or devices for persons with disabilities;
 - Bill 131, An Act to amend the Ontario Energy Board Act, 1998 with respect to retailers of electricity and gas marketers;
 - Bill 132, An Act to amend the Liquor Licence Act; and
- (iii) all private bills; and
- (iv) the ballot list for private members' public business; and that a new ballot for Private Members' Public business be conducted prior to the commencement of the new session and appended to the existing ballot list ; pursuant to Standing Order 98(c) any member may exchange places in the order of precedence with any other member on either ballot list.

A debate arose and, after some time, the motion was declared carried.

Il s'élève un débat et après quelque temps, la motion est déclarée adoptée.

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

Mr. Wilkinson 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 4:52 p.m.

À 16 h 52, la chambre a ensuite ajourné ses travaux.

le président

STEVE PETERS

Speaker

PETITIONS TABLED PURSUANT TO STANDING ORDER 39(a)

Petition relating to Temporary Care Assistance program for grandparents raising their grandchildren (Sessional Paper No. P-168) (Tabled December 10, 2008) Mrs. Munro.

Petition relating to saving the Innisfil Early Years Centre (Sessional Paper No. P-178) (Tabled December 10, 2008) Mrs. Mitchell.

SESSIONAL PAPERS PRESENTED PURSUANT TO STANDING ORDER 40

DOCUMENTS PARLEMENTAIRES DÉPOSÉS CONFORMÉMENT À L'ARTICLE 40 DU RÈGLEMENT

COMPENDIA:

Bill 141, An Act to amend the Regulated Health Professions Act, 1991 (No. 330).

Ontario's Climate Change Action Plan – Ministry of the Environment, Creating Our Sustainable Future, Annual Report / Plan d'action de l'Ontario contre le changement climatique – Ministère de l'Environnement, créer notre avenir durable, rapport annuel 2007-2008 (No. 328).

RESPONSES TO PETITIONS

RÉPONSES AUX PÉTITIONS

Petition relating to Pope John Paul II Day (Sessional Paper No. P-22):

(Tabled October 15, 2008) Mr. Craitor.

(Tabled October 1, 7, 27, 29; November 6, 18 and 24, 2008) Mr. Delaney.

(Tabled October 28, 2008) Mr. Klees.

Petition relating to asking the Federal Government to reform the Employment Insurance program (Sessional Paper No. P-57):

(Tabled September 29; October 8, 2008) Mr. Colle.

(Tabled October 20, 2008) Mr. Ruprecht.

Petition relating to requesting an amendment to the Children's Law Reform Act (Sessional Paper No. P-95):

(Tabled November 24, 25, 26; December 1 and 3, 2008) Mr. Brownell.

(Tabled December 1, 2008) Mr. Craitor.

(Tabled November 5 and 6, 2008) Mr. Leal.

Petition relating to gas prices (Sessional Paper No. P-100):

(Tabled May 7, 14; November 3, 5, 2008) Mr. Martiniuk.

(Tabled October 21, 22; November 3, 5, 2008) Mr. O'Toole.

Petition relating to advancing the transformation agenda of individualized funding for adults with developmental special needs (Sessional Paper No. P-109):

(Tabled June 16, 2008) Mrs. Elliott.

(Tabled June 12, 2008) Ms. Jones.

(Tabled October 30, 2008) Mr. Klees.

Petition relating to treating workplace harassment and violence as a serious health and safety issue by passing Bill 29 (Sessional Paper No. P-126):

(Tabled September 23; October 27; November 4, 24, 2008) Ms. Horwath.

Petition relating to increasing the operating budget of Muskoka Algonquin Healthcare to permit continued operation of community laboratory services (Sessional Paper No. P-127):

(Tabled October 20; November 25; December 1, 2008) Mr. Miller (Parry Sound–Muskoka).

Petition relating to not funding sex change operations under OHIP (Sessional Paper No. P-137):

(Tabled October 15, 2008) Mr. Martiniuk.

(Tabled October 6, 9, 16, 21, 2008) Mr. O'Toole.

(Tabled September 29; October 2, 6, 15, 2008) Mr. Ouellette.

(Tabled October 6, 21, 22, 28; November 20, 2008) Mr. Wilson.

Petition relating to requesting fairness for Ontarians to the Federal Government (Sessional Paper No. P-138):

(Tabled October 30, 2008) Ms. Aggelonitis.

(Tabled October 6, 9; November 5, 20, 2008) Mr. Colle.

(Tabled September 29; October 21, 2008) Mr. Mauro.

(Tabled October 6, 2008) Mr. McNeely.

(Tabled October 8, 22, 2008) Mr. Ruprecht.

Petition relating to the practice and arrangement of retailing beer (Sessional Paper No. P-146):

(Tabled October 16, 23, 30, 2008) Mr. Chudleigh.

(Tabled October 9, 2008) Mr. O'Toole.

Petition relating to requesting fairness in the Ontario Budget for Families in the 905 belt (Sessional Paper No. P-147):

(Tabled October 9, 2008) Mr. Delaney.

Petition relating to supporting that Ontario's Ombudsman be given the power to investigate hospitals and long-term care homes (Sessional Paper No. P-148):

(Tabled October 9, 2008) Mr. Tabuns.

Petition relating to Systemic Lupus Erythematosus (Sessional Paper No. P-157):

(Tabled October 21, 27; December 1, 2008) Mr. Craitor.

(Tabled November 6, 18, 24, 25; December 2, 4, 8, 2008) Mr. Delaney.

(Tabled December 3, 2008) Mr. Sousa.

Petition relating to In Vitro Fertilization Funding (Sessional Paper No. P-158):

(Tabled October 27, 28, 29, 2008) Mr. Hoy.

(Tabled October 29, 2008) Mr. Ruprecht.

Petition relating to recognizing Tom Longboat Day on June 4 (Sessional Paper No. P-167):

(Tabled November 3, 18, 24, 27; December 2, 2008) Mr. Colle.
