



No. 159

N° 159

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Thursday
June 4, 2009

Sessional Day 167

Jeudi
4 juin 2009

Jour de session 167

1st Session,
39th Parliament

1^{re} session
39^e législature

PRAYERS
9:45 A.M.

PRIÈRES
9 H 45

ORDERS OF THE DAY

ORDRE DU JOUR

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 Orders for Second and Third Reading of the following Private Bills shall be called consecutively, and the questions on the motions for Second and Third Reading of the Bills put immediately without debate:-

Bill Pr16, An Act to revive Deep River Management Services Inc.

Bill Pr21, An Act to revive 1173931 Ontario Limited.

Bill Pr23, An Act to revive Welechenko Transport Ltd.

Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitee in French.

Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario;

and that Mr. Miller (Parry Sound–Muskoka) may move the motions for Second and Third Reading of Bills Pr16 and Pr23, on behalf of Mr. Yakabuski and Mr. Murdoch, respectively; and that Mr. Ramal may move the motions for Second and Third Reading of Bill Pr21 on behalf of Mr. Rinaldi.

The following Bills were read the second time and
 Ordered for Third Reading:-

Les projets de loi suivants sont lus une
 deuxième fois et ordonnés pour la troisième
 lecture:-

Bill Pr16, An Act to revive Deep River Management Services Inc.

Bill Pr21, An Act to revive 1173931 Ontario Limited.

Bill Pr23, An Act to revive Welechenko Transport Ltd.

Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitee in French.

Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

The following Bills were read the third time and
 were passed:-

Les projets de loi suivants sont lus une
 troisième fois et adoptés:-

Bill Pr16, An Act to revive Deep River Management Services Inc.

Bill Pr21, An Act to revive 1173931 Ontario Limited.

Bill Pr23, An Act to revive Welechenko Transport Ltd.

Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitee in French.

Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

The Government House Leader having indicated that no further business would be called this morning, at 9:52 a.m., pursuant to Standing Order 8(d), the Speaker recessed the House until 10:30 a.m.

10:30 A.M.

10 H 30

INTRODUCTION OF VISITORS

PRÉSENTATION DES VISITEURS

Pursuant to Standing Order 36, visitors were introduced.

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

The Speaker addressed the House as follows:-

Le Président s'adresse à l'Assemblée comme suit:-

Yesterday, the Member for Welland (Mr. Kormos) raised a point of order with respect to the use of question period and specifically with respect to a question asked by the Member for Huron-Bruce (Mrs. Mitchell). The Government House Leader (Ms. Smith) also spoke to this point of order.

As the member suggested in his comments yesterday, Speakers have traditionally allowed “a fair amount of leeway” in allowing questions to be put. In this I am no different than my predecessors. I have taken the view that members should be given the greatest freedom possible in the putting of questions. Like a hockey referee at playoff time, I am always mindful not to be overly intrusive and, inasmuch as possible, to let the game play on.

The Member made reference to Standing Order 37(a) which refers to the necessity of questions being of “urgent public importance”. This particular reference has caused some difficulty for almost all occupants of this chair. Like them, I am reluctant to sit in judgment as to what is or is not a question of urgent public importance. [I would refer members to a Speaker Warner ruling from June 3, 1992 (Journals pp.100-101) for a fuller explanation of why this is so]. It is a subjective question and as demonstrated yesterday by the response to this point of order by the Government House Leader, there are differing opinions on what is considered to be either urgent or of public importance. One Member's pothole is another Member's crater.

Having said that, there are certain principles governing the form and content of questions and it would greatly improve the decorum and public perception of this place if they were more closely observed. To begin with, while there may be other motives, the primary purpose for asking a question is to extract information from the Government and to call it to account.

Specific to this point of order, questions should not be hypothetical, nor should they seek merely to elicit an opinion from a Minister of the Crown. In particular, this principle would prohibit a question that simply offers the Minister to whom it is addressed, an opportunity to cast an opinion on a comment made outside of this House by another Member or Members. This kind of question is especially troublesome if it is intended as a meandering attack on an honourable colleague.

In my view, the initial question asked yesterday by the Member for Huron-Bruce falls into this category and I would encourage greater observance of this principle in the future.

I thank the Member for Welland for raising this point and the Government House Leader for her response to it.

ORAL QUESTIONS

QUESTIONS ORALES

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

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

Pursuant to Standing Order 9(a), the Speaker recessed the House at 11:50 a.m. until 1:00 p.m.

Conformément à l'article 9 a), le Président ordonne une pause à l'Assemblée à 11 h 50 jusqu'à 13 h.

1:00 P.M.

13 H

INTRODUCTION OF VISITORS

PRÉSENTATION DES VISITEURS

Pursuant to Standing Order 36, visitors were introduced.

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

MEMBERS' STATEMENTS

DÉCLARATIONS DES DÉPUTÉS

Pursuant to Standing Order 31, Members made statements.

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

INTRODUCTION OF BILLS

DÉPÔT DES PROJETS DE LOI

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

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

Bill 195, An Act to amend the Pension Benefits Act and other related Acts with respect to the transfer of assets between pension plans. Mr. Wilson.

Projet de loi 195, Loi modifiant la Loi sur les régimes de retraite et d'autres lois connexes en ce qui a trait au transfert d'actif entre régimes de retraite. M. Wilson.

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil. Hon. Mr. Watson.

Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil. L'hon. M. Watson.

Bill 197, An Act to amend the Human Rights Code with respect to freedom of expression. Mr. Klees.

Projet de loi 197, Loi modifiant le Code des droits de la personne en ce qui concerne la liberté d'expression. M. Klees.

Bill 198, An Act to amend the Planning Act with respect to inclusionary housing. Ms. DiNovo.

Projet de loi 198, Loi modifiant la Loi sur l'aménagement du territoire à l'égard de l'inclusion de logements abordables. M^{me} DiNovo.

MOTIONS

MOTIONS

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

On motion by Mr. Duguid,

Sur la motion de M. Duguid,

Ordered, That, notwithstanding Standing Order 98(g), the requirement for notice be waived with respect to ballot item numbers 25, 26 and 27.

**STATEMENTS BY THE MINISTRY AND
RESPONSES**

Pursuant to Standing Order 35, a Minister made a statement and Opposition Members responded.

**DÉCLARATIONS MINISTÉRIELLES ET
RÉPONSES**

Conformément à l'article 35, un ministre fait une déclaration et des députés de l'opposition y répondent.

Following remarks by Mr. Duguid, Mr. Miller (Parry Sound–Muskoka), and Ms. Horwath, the House observed a moment of silence in respect of the death of Maynard Donald (Sam) George.

PETITIONS

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

Petition relating to the creation of a second NHL hockey team in the Hamilton and Greater Toronto Area (Sessional Paper No. P-173) Mr. Delaney and Mr. Leal.

Petition relating to providing Revlimid as a choice to patients with Multiple Myeloma (Sessional Paper No. P-194) Mr. Flynn.

Petition relating to Charlotte Eleanor Englehart (CEE) Hospital emergency room (Sessional Paper No. P-197) Mr. Bailey.

Petition relating to a blended or harmonized sales tax (Sessional Paper No. P-224) Mr. Hardeman and Mr. Wilson.

Petition relating to stopping the 13% combined sales tax (Sessional Paper No. P-235) Mr. Martiniuk.

Petition relating to removing the harmonized sales tax from the 2009-2010 budget (Sessional Paper No. P-236) Mr. Miller (Parry Sound–Muskoka).

Petition relating to the Drug and Pharmacies Regulation Act being left intact and unchanged with respect to the physical presence of a pharmacist (Sessional Paper No. P-243) Ms. DiNovo.

Petition relating to infrastructure funding for Centennial College (Sessional Paper No. P-261) Mr. Berardinetti.

Petition relating to opposing adoption of the Financial Services Commission of Ontario (FSCO) Report on the Five Year Review of Automobile Insurance (Sessional Paper No. P-268) Mr. Prue.

Petition relating to Simcoe County Paramedics (Sessional Paper No. P-269) Mr. Wilson.

Petition relating to scrapping the Cosmetic Pesticide Ban (Sessional Paper No. P-270) Mr. Barrett.

Petition relating to the Clarkson Airshed Study area including Oakville and Mississauga south (Sessional Paper No. P-271) Mr. Sousa.

The Acting Speaker (Ms. DiNovo) addressed the House as follows:-

La présidente par intérim, M^{me} DiNovo s'adresse à l'Assemblée comme suit:-

I beg to inform the House that, pursuant to Standing Order 98(c), a change has been made to the Order of Precedence on the ballot list for Private Members' Public Business, such that:-

Mr. Brownell assumes ballot item number 58 and Mr. Hoy assumes ballot item number 67.

**PRIVATE MEMBERS' PUBLIC
BUSINESS**

Mr. Wilson moved,

That, in the opinion of this House, the Government of Ontario should immediately adopt the recommendation from the government's Expert Commission on Pensions that says, "The government should promptly address the pension arrangements for groups of public service employees affected by past divestments and transfers, whether by allowing these groups to use the group asset transfer process proposed in Recommendation 5-4, or by other means, including negotiations with their representatives," and ensure that any resulting legislation or regulation allows paramedics in Simcoe County who were affected by the divestment of paramedic services in the late 1990s and beyond, to transfer their pensions to OMERS from HOOPP or OPTrust, ensuring that these paramedics are not penalized.

A debate arising, further proceedings were reserved until the end of the time allotted for Private Members' Public Business.

Mrs. Sandals then moved,

Second Reading of Bill 181, An Act to amend the Highway Traffic Act with respect to aftermarket brake pad standards and specifications.

A debate arising, further proceedings were reserved until the end of the time allotted for Private Members' Public Business.

Mr. Marchese then moved,

Second Reading of Bill 186, An Act to amend various Acts with respect to condominiums.

A debate arising and the time allotted for consideration of Private Members' Public Business having expired, the Acting Speaker proceeded to put all questions.

The question having been put on Mr. Wilson's Resolution Number 100, it was lost.

The question having been put on the motion for Second Reading of Bill 181, An Act to amend the Highway Traffic Act with respect to aftermarket brake pad standards and specifications, it was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on General Government.

**AFFAIRES D'INTÉRÊT PUBLIC
ÉMANANT DES DÉPUTÉS**

M. Wilson propose,

Un débat s'ensuit; la suite de la discussion est renvoyée à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

Ensuite, M^{me} Sandals propose,

Deuxième lecture du projet de loi 181, Loi modifiant le Code de la route en ce qui a trait aux normes et aux caractéristiques relatives aux plaquettes de frein de rechange.

Un débat s'ensuit; la suite de la discussion est renvoyée à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

Ensuite, M. Marchese propose,

Deuxième lecture du projet de loi 186, Loi modifiant diverses lois en ce qui a trait aux condominiums.

Un débat s'ensuit; comme le temps réservé à l'étude des affaires d'intérêt public émanant des députés est expiré, la Présidente par intérim procède aux mises aux voix.

La motion, mise aux voix, sur la résolution numéro 100 de M. Wilson est rejetée.

La motion portant deuxième lecture du projet de loi 181, Loi modifiant le Code de la route en ce qui a trait aux normes et aux caractéristiques relatives aux plaquettes de frein de rechange, mise aux voix, est déclarée adoptée et le projet de loi est en conséquence lu une deuxième fois et renvoyé au Comité permanent des affaires gouvernementales.

The question having been put on the motion for Second Reading of Bill 186, An Act to amend various Acts with respect to condominiums, it was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on Justice Policy.

La motion portant deuxième lecture du projet de loi 186, Loi modifiant diverses lois en ce qui a trait aux condominiums, mise aux voix, est déclarée adoptée et le projet de loi est en conséquence lu une deuxième fois et renvoyé au Comité permanent de la justice.

Ms. Smith moved, That the House do now adjourn.

M^{me} Smith 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 4:42 p.m.

À 16 h 42, la chambre a ensuite ajourné ses travaux.

le président

STEVE PETERS

Speaker

PETITIONS TABLED PURSUANT TO STANDING ORDER 39(a)

Petition relating to protecting the David Dunlap Observatory in Richmond Hill (Sessional Paper No. P-37) (Tabled June 4, 2009) Mr. Moridi.

Petition relating to ensuring that emergency dispatch services continue to be provided locally by Muskoka Ambulance Communications Service (Sessional Paper No. P-152) (Tabled June 4, 2009) Mr. Miller (Parry Sound–Muskoka).

Petition relating to Bill 126 and the enforcement of laws regarding speeders and impaired drivers of all ages (Sessional Paper No. P-180) (Tabled June 4, 2009) Mr. Miller (Parry Sound–Muskoka).

Petition relating to Burk's Falls Health Centre (Sessional Paper No. P-198) (Tabled June 4, 2009) Mr. Miller (Parry Sound–Muskoka).

Petition relating to implementing a 3 month tax holiday to stimulate auto sales (Sessional Paper No. P-202) (Tabled June 4, 2009) Mr. Miller (Parry Sound–Muskoka).

Petition relating to the Clarkson Airshed Study (Sessional Paper No. P-226) (Tabled June 4, 2009) Mr. Sousa.

Petition relating to helping small and medium sized businesses (Sessional Paper No. P-253) (Tabled June 4, 2009) Mr. Miller (Parry Sound–Muskoka).

**SESSIONAL PAPERS PRESENTED
PURSUANT TO STANDING ORDER 40**

**DOCUMENTS PARLEMENTAIRES
DÉPOSÉS CONFORMÉMENT À
L'ARTICLE 40 DU RÈGLEMENT**

COMPENDIA:

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil. (No. 441) (Tabled June 4, 2009).

Ontario Financing Authority / Office ontarien de financement, Annual Report 2008 (No. 442) (Tabled June 4, 2009).
