



No. 186

N° 186

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**Votes and Proceedings**

**Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Monday**  
**November 16, 2009**

Sessional Day 194

**Lundi**  
**16 novembre 2009**

Jour de session 194

**1<sup>st</sup> Session,**  
**39<sup>th</sup> Parliament**

**1<sup>re</sup> session**  
**39<sup>e</sup> législature**

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**PRAYERS  
10:30 A.M.**

**INTRODUCTION OF VISITORS**

Pursuant to Standing Order 36, visitors were introduced.

**PRIÈRES  
10 H 30**

**PRÉSENTATION DES VISITEURS**

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

**ORAL QUESTIONS**

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

**QUESTIONS ORALES**

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

Pursuant to Standing Order 9(a), the Speaker recessed the House at 11:40 a.m. until 1:00 p.m.

Conformément à l'article 9 a) du Règlement, le Président, ordonne une pause à l'Assemblée à 11 h 40 jusqu'à 13 h.

**1:00 P.M.**

**INTRODUCTION OF VISITORS**

Pursuant to Standing Order 36, visitors were introduced.

**13 H**

**PRÉSENTATION DES VISITEURS**

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

**MEMBERS' STATEMENTS**

Pursuant to Standing Order 31, Members made statements.

**DÉCLARATIONS DES DÉPUTÉS**

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

**INTRODUCTION OF BILLS**

On motion by Mr. Duncan, Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts, was introduced and read the first time on the following division:-

**DÉPÔT DES PROJETS DE LOI**

Sur la motion de M. Duncan, le projet de loi 218, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2009 et édictant, modifiant ou abrogeant diverses lois, est présenté et lu une première fois à la suite du vote suivant:-

**AYES / POUR - 49**

Aggelonitis  
Albanese  
Arthurs  
Balkissoon  
Bentley  
Berardinetti  
Best  
Brown  
Brownell  
Cansfield  
Chan  
Colle  
Crozier

Delaney  
Dhillon  
Dickson  
Dombrowsky  
Duguid  
Duncan  
Fonseca  
Gravelle  
Hoskins  
Jaczek  
Jeffrey  
Johnson

Kular  
Kwinter  
Lalonde  
Levac  
Mangat  
Mauro  
McNeely  
Meilleur  
Mitchell  
Moridi  
Naqvi  
Oraziotti

Pendergast  
Qaadri  
Rinaldi  
Ruprecht  
Sandals  
Sergio  
Smith  
Sousa  
Van Bommel  
Wilkinson  
Wynne  
Zimmer

## NAYS / CONTRE - 24

Arnott	Hillier	Miller (Hamilton East–Stoney Creek)	Runciman
Chudleigh	Horwath	Miller (Parry Sound–Muskoka)	Savoline
Elliott	Jones	Munro	Shurman
Gélinas	MacLeod	O'Toole	Sterling
Hampton	Marchese	Ouellette	Tabuns
Hardeman	Martiniuk	Prue	Witmer

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

Bill 219, An Act to amend the Workplace Safety and Insurance Act, 1997 to provide employers with the right to participate in alternate insurance plans. Mr. Hillier.

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

Projet de loi 219, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail pour accorder aux employeurs le droit de participer à des régimes d'assurance concurrents. M. Hillier.

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**STATEMENTS BY THE MINISTRY AND RESPONSES**

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

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**DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

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

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**PETITIONS**

Petition relating to identity theft (Sessional Paper No. P-8) Mr. Ruprecht.

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

Petition relating to supporting The Caregiver and Foreign Worker Recruitment and Protection Act, 2009 (Sessional Paper No. P-215) Mr. Ruprecht.

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

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

Petition relating to cancelling the scheduled implementation of sales tax harmonization (Sessional Paper No. P-244) M<sup>me</sup> Gélinas.

Petition relating to population-based social services funding (Sessional Paper No. P-263) Mr. Delaney.

Petition relating to making positron emission tomography (PET) scanning available through the Sudbury Regional Hospital (Sessional Paper No. P-272) M<sup>me</sup> Gélinas.

Petition relating to approving and initiating the process to expand the Milton District Hospital (Sessional Paper No. P-298) Mr. Chudleigh.

Petition relating to the creation of a psychiatric emergency service at the Thunder Bay Regional Health Sciences Centre. (Sessional Paper No. P-311) Mr. Mauro.

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**PÉTITIONS**

**ORDERS OF THE DAY**

Ms. Smith moved,

That pursuant to Standing Order 47 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 212, An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts, when the Bill 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 referred to the Standing Committee on Finance and Economic Affairs; and

That the vote on Second Reading may be deferred pursuant to Standing Order 28(h); and

That the Standing Committee on Finance and Economic Affairs be authorized to meet on Thursday, November 19, 2009, during its regular meeting times for the purpose of public hearings on the Bill and on Thursday, November 26, 2009 during its regular meeting times for clause-by-clause consideration of the Bill; and

That the deadline for filing amendments to the Bill with the Clerk of the Committee shall be 12:00 noon on Tuesday, November 24, 2009. At 5:00 p.m. on Thursday, November 26, 2009, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the Committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the Bill and any amendments thereto. The Committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to Standing Order 129(a); and

That the Committee shall report the Bill to the House no later than Monday, November 30, 2009. In the event that the Committee fails to report the Bill on that day, the Bill shall be deemed to be passed by the Committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on Finance and Economic Affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the Bill shall be Ordered for Third Reading; and

That, on the day the Order for Third Reading of the Bill is called, two hours shall be allotted to the Third Reading stage of the Bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the Bill without further debate or amendment; and

That the vote on Third Reading may be deferred 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 5 minutes.

After some time, Mr. Hampton moved:-

Après quelque temps, M. Hampton propose:-

That the motion be amended as follows:-

1. Paragraphs two and three be deleted and replaced with:

That the Standing Committee on Finance and Economic Affairs be authorized to meet during the winter recess for the purpose of public hearings on the Bill, and that the Committee be authorized to make decisions on adjournment and time allotted for public hearings in keeping with public response to the call for oral presentations;

**ORDRE DU JOUR**

M<sup>me</sup> Smith propose,

2. Paragraph four be deleted and replaced with:

That the Committee be authorized to establish a schedule for the deadline for filing amendments and dates for clause-by-clause consideration of the Bill with respect to the timeframe selected for public hearings on the Bill;

3. Paragraph five be deleted; and

4. Paragraph seven be deleted.

The debate continued and, after some time, Mr. Arnott moved:-

Le débat se poursuit et après quelque temps, M. Arnott propose:-

That the amendment to the motion be amended by the following:-

In the first paragraph, by deleting the phrase, “and time allotted for public hearings in keeping with public response to the call for oral presentations;” and replacing it with:

“and shall be authorized to meet on Thursday, November 25, 2009 and on Thursday, December 3, 2009 in Toronto for the purpose of public hearings on the Bill”.

After some time, there being no further debate, the question having been put, the Acting Speaker (Ms. DiNovo) declared her opinion that the Nays had it, and a recorded vote having been demanded,

Après quelque temps, comme il n’y a plus de débat, la motion mise aux voix, la présidente par intérim, M<sup>me</sup> DiNovo déclare qu’à son avis les voix opposées l'emportent et un vote par appel nominal ayant été demandé,

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

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

During the ringing of the bells, the Acting Speaker addressed the House as follows:-

Pendant la sonnerie d'appel, la Présidente par intérim s'adresse à l'Assemblée en ces mots:-

I have received a request from the Chief Government Whip, under Standing Order 28(h), that the vote on the amendment to the motion, be deferred until Tuesday, November 17, 2009.

J'ai reçu une requête du Whip en chef du gouvernement, conformément à l'article 28 h) du Règlement, que le vote sur le sous-amendement à la motion, soit différé jusqu'au mardi 17 novembre 2009.

Therefore the vote is accordingly deferred.

En conséquence, le vote est différé.

Ms. Smith moved,

M<sup>me</sup> Smith propose,

That pursuant to Standing Order 47 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 204, An Act to protect animal health and to amend and repeal other Acts, when the Bill 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 referred to the Standing Committee on the Legislative Assembly; and

That the vote on Second Reading may be deferred pursuant to Standing Order 28(h); and

That the Standing Committee on the Legislative Assembly be authorized to meet from 1:00 p.m. to 3:00 p.m. and from 4:00 p.m. to 6:00 p.m. on Wednesday, November 25, 2009, for the purpose of public hearings on the Bill, and following Routine Proceedings on Tuesday, December 1, 2009 for clause-by-clause consideration of the Bill; and

That the deadline for filing amendments to the Bill with the Clerk of the Committee shall be 12:00 noon on Monday, November 30, 2009. At 5:00 p.m. on Tuesday, December 1, 2009, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the Committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the Bill and any amendments thereto. The Committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to Standing Order 129(a); and

That the Committee shall report the Bill to the House no later than Wednesday, December 2, 2009. In the event that the Committee fails to report the Bill on that day, the Bill shall be deemed to be passed by the Committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on the Legislative Assembly, the Speaker shall put the question for adoption of the report forthwith, and at such time the Bill shall be Ordered for Third Reading; and

That, on the day the Order for Third Reading of the Bill is called, one hour shall be allotted to the Third Reading stage of the Bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the Bill without further debate or amendment; and

That the vote on Third Reading may be deferred 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 5 minutes.

Mr. Chudleigh then moved,

Ensuite, M. Chudleigh propose,

That the motion be amended as follows:-

By deleting the third paragraph and replacing it with, "That the Standing Committee on the Legislative Assembly be authorized to meet as follows:

On Wednesday, November 25, 2009 in Toronto;

On Monday, December 14, 2009 in Stratford;

On Tuesday, December 15, 2009 in Guelph; and

On Wednesday, December 16, 2009 in Lindsay

for the purpose of public hearings on the Bill and on January 13 and January 20, 2010 during its regular meeting times for clause-by-clause consideration of the Bill";

In the fourth paragraph, by deleting, "Tuesday, December 1, 2009" and replacing it with "Monday, January 11, 2010";

In the fifth paragraph, by deleting, "Wednesday, December 2, 2009" and replacing it with "Tuesday, February 16, 2010"; and

In the seventh paragraph, by deleting, "one hour" and replacing it with "six hours".

After some time, Mrs. Elliott moved the adjournment of the debate, which motion was lost on the following division:-

Après quelque temps, M<sup>me</sup> Elliott propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

AYES - 14 NAYS - 35

POUR - 14 CONTRE - 35

After some time, the question having been put, the Deputy Speaker declared his opinion that the Nays had it, and a recorded vote having been demanded,

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

During the ringing of the bells, the Deputy 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 amendment to the motion, be deferred until Tuesday, November 17, 2009.

Therefore the vote is accordingly deferred.

Après quelque temps, la motion mise aux voix, le vice-président déclare qu'à son avis les voix opposées l'emportent et un vote par appel nominal ayant été demandé,

Le vice-président donne des directives pour convoquer les députés et la sonnerie d'appel se fait entendre.

Pendant la sonnerie d'appel, le vice-président 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 l'amendement à la motion, soit différé jusqu'au mardi 17 novembre 2009.

En conséquence, le vote est différé.

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Debate was resumed on the motion for Second Reading of Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996.

After some time, Mr. O'Toole moved the adjournment of the debate, which motion was lost on the following division:-

AYES - 4 NAYS - 29

Le débat reprend sur la motion portant deuxième lecture du projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.

Après quelque temps, M. O'Toole propose l'ajournement du débat et cette motion est rejetée par le vote suivant:-

POUR - 4 CONTRE - 29

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Pursuant to Standing Order 9(a), the motion for the adjournment of the debate was deemed to have been made and carried.

Conformément à l'article 9 a) du Règlement, la motion d'ajournement du débat est réputée avoir été proposée et adoptée.

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The House then adjourned at 6:22 p.m.

À 18 h 22, la chambre a ensuite ajourné ses travaux.

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le président

**STEVE PETERS**

Speaker

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**PETITIONS TABLED PURSUANT TO STANDING ORDER 39(a)**

Petition relating to amending the Liquor Control Act to permit the sale of beer and wine in local convenience stores (Sessional Paper No. P-277) (Tabled November 16, 2009) Mrs. Albanese.

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

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

COMPENDIA:

Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts (No. 535) (Tabled November 16, 2009).

Taxpayer Protection Act – Statement by the Minister of Finance pursuant to Section 5(2), with respect to the proposed Ontario Tax Plan for More Jobs and Growth Act, 2009. (No. 536)

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

Final Answers to Question Numbers: 244, 245, 246, 247, 248 and 249.

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**RESPONSES TO PETITIONS**

**RÉPONSES AUX PÉTITIONS**

Petition relating to supporting the Ombudsman having the power to probe decisions concerning the Children's Aid Societies (Sessional Paper No. P-30):

(Tabled May 12, 2009) Mr. Bisson.

(Tabled May 12, 2009) Mr. Miller (Hamilton East–Stoney Creek).

(Tabled April 28, 2009) Mr. Murdoch.

Petition relating to amending the Ontario Health and Safety Act to protect underground workers (Sessional Paper No. P-110):

(Tabled October 8, 2009) M<sup>me</sup> Gélinas.

Pétition ayant rapport à l'adoption du projet de loi 33, Loi de 2008 modifiant la Loi portant réforme du droit de l'enfance (document parlementaire n° P-116):

(Déposée le 14 septembre 2009) M. Lalonde.

Petition relating to removing Bill 117 from the agenda to never become law (Sessional Paper No. P-184):

(Tabled December 4, 9, 2008; May 26, 2009) Mr. Bailey.

(Tabled March 5, 2009) Mr. Flynn.

(Tabled February 18, 19; March 5, 2009) Mr. Hardeman.

(Tabled December 9, 2008; January 25, 2009) Mr. Hoy.

(Tabled March 5, 2009) Mr. Leal.

(Tabled January 25; March 24, 31; April 28, 2009) Mr. Murdoch.

Petition relating to installing internet filtering software on computers in public schools and libraries to prevent children from viewing explicit sexual content (Sessional Paper No. P-206):

(Tabled September 23, 2009) Mr. Arnott.

Petition relating to introducing a population-needs-based funding formula for hospitals and approve the new expansion of Cambridge Memorial Hospital (Sessional Paper No. P-216):

(Tabled May 27; June 3, 2009) Mr. Martiniuk.



Petition relating to Bill 149, Inactive Cemeteries Protection Act (Sessional Paper No. P-220):  
 (Tabled September 17; October 6, 2009) Mr. Brownell.  
 (Tabled October 7, 2009) Mr. Leal.

Petition relating to the Brantford Seniors Resource Centre (Sessional Paper No. P-223):  
 (Tabled April 27, 2009) Mr. Levac.

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):  
 (Tabled May 11; June 1, 4, 2009) Ms. DiNovo.

Petition relating to amending the present policy on assessment and evaluation of high school students (Sessional Paper No. P-247):  
 (Tabled May 13, 2009) Mrs. Savoline.

Petition relating to the Grey Bruce Public Health Unit and Grey Bruce Board of Health (Sessional Paper No. P-248):  
 (Tabled May 28, 2009) M<sup>me</sup> Gélinas.  
 (Tabled May 14, 2009) Mrs. Mitchell.

Petition relating to Elmvale District High School (Sessional Paper No. P-249):  
 (Tabled May 14, 2009) Mr. Wilson.

Petition relating to the relocation of the St. Joseph Morrow Park Secondary School on the St. Agnes/Brebeuf site (Sessional Paper No. P-257):  
 (Tabled May 27, 2009) Mr. Zimmer.

Petition relating to ensuring that the Penetanguishene General Hospital continues to offer outpatient services (Sessional Paper No. P-259):  
 (Tabled June 1, 2009) Mr. Dunlop.

Petition relating to Upper Canada Village (Sessional Paper No. P-262):  
 (Tabled June 2, 2009) Mr. Miller (Hamilton East–Stoney Creek).

Petition relating to school transportation industry (Sessional Paper No. P-266):  
 (Tabled June 3, 2009) Mr. Arnott.

Petition relating to boundary changes in the town of Innisfil (Sessional Paper No. P-267):  
 (Tabled June 3, 2009) Mrs. Munro.

Petition relating to not closing the Driver and Vehicle Licence issuing office at 140 Prince Edward St. Brighton Ontario (Sessional Paper No. P-275):  
 (Tabled September 14, 2009) Mr. Rinaldi.

Petition relating to the Canadian Jewish Congress for 90 years of outstanding work and advocacy (Sessional Paper No. P-276):  
 (Tabled September 15, 2009) Mr. Colle.

Petition relating to maintaining the Donald Family as a license bureau in Whitby and the Region of Durham (Sessional Paper No. P-283):  
 (Tabled September 30, 2009) Mr. Dickson.

Petition relating to supporting the prohibition on shark finning (Sessional Paper No. P-286):  
 (Tabled September 24, 28, 29, 2009) Mr. Colle.

Petition relating to including a compulsory parenting education credit course for an Ontario Secondary School Diploma (Sessional Paper No. P-290):  
 (Tabled October 1, 5, 2009) Mr. Delaney.

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