



No. 190

N° 190

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Monday
November 23, 2009

Sessional Day 198

Lundi
23 novembre 2009

Jour de session 198

1st Session,
39th Parliament

1^{re} session
39^e législature

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

**PRIÈRES
10 H 30**

INTRODUCTION OF VISITORS

Pursuant to Standing Order 36, visitors were introduced.

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 11:37 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 37 jusqu'à 13 h.

1:00 P.M.

13 H

INTRODUCTION OF VISITORS

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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.

REPORTS BY COMMITTEES

RAPPORTS DES COMITÉS

The Speaker addressed the House as follows:-

Standing Order 63(a) provides that "the Standing Committee on Estimates shall present one report with respect to all of the Estimates and Supplementary Estimates considered pursuant to Standing Orders 60 and 62 no later than the third Thursday in November of each calendar year."

The House not having received a report from the Standing Committee on Estimates for certain ministries on Thursday, November 19, 2009, as required by the Standing Orders of this House, pursuant to Standing Order 63(b) the Estimates before the Committee of the Ministry of Community and Social Services, Ministry of Labour, Ministry of Tourism, and Ministry of Aboriginal Affairs are deemed to be passed by the Committee and are deemed to be reported to and received by the House.

Accordingly, the Estimates (2009-2010) of the following ministries were deemed to be passed by the Standing Committee on Estimates and were deemed to be reported to and received by the House:-

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

701	Ministry Administration	\$	38,132,800
702	Adults' Services (including supplementaries)		8,578,152,300

MINISTRY OF LABOUR

1601	Ministry Administration	\$	23,120,900
1602	Pay Equity Commission		4,476,700
1603	Labour Relations		24,325,200
1604	Occupational Health and Safety		88,884,300
1605	Employment Rights and Responsibilities		33,216,800

MINISTRY OF TOURISM

3801	Ministry Administration	\$	5,145,500
3802	Tourism		114,705,700
3804	Tourism Capital		33,888,800

MINISTRY OF ABORIGINAL AFFAIRS

2001	Ministry of Aboriginal Affairs	\$	71,075,900
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INTRODUCTION OF BILLS

On motion by Mr. Wilson, Bill 225, An Act to resolve the labour dispute between DriveTest and United Steelworkers, Local 9511, was introduced and read the first time on the following division:-

DÉPÔT DES PROJETS DE LOI

Sur la motion de M. Wilson, le projet de loi 225, Loi visant à résoudre le conflit de travail opposant Test au volant et la section locale 9511 du Syndicat des Métallos, est présenté et lu une première fois à la suite du vote suivant:-

AYES / POUR - 14

Arnott	Dunlop	MacLeod	Ouellette
Bailey	Hardeman	Miller (Parry Sound-Muskoka)	Savoline
Barrett	Hillier	O'Toole	Wilson
Chudleigh	Jones		

NAYS / CONTRE - 0

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

Bill 226, An Act to amend the Taxation Act, 2007 with respect to live performances. Mr. Tabuns.

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

Projet de loi 226, Loi modifiant la Loi de 2007 sur les impôts à l'égard des spectacles. M. Tabuns.

PETITIONS

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

PÉTITIONS

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

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

Petition relating to making positron emission tomography (PET) scanning available through the Sudbury Regional Hospital (Sessional Paper No. P-272) M^{me} Gélinas.

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.

Petition relating to supporting the proclamation of the month of April of each year as Hispanic Heritage Month in Ontario. (Sessional Paper No. P-312) Mr. Ruprecht.

Petition relating to reconstructive surgery after extreme weight loss (Sessional Paper No. P-313) Mr. Levac.

Petition relating to cancelling the implementation of the Harmonized Sales Tax (Sessional Paper No. P-314) Mr. Prue.

The Speaker addressed the House as follows:-

The Member for Parry Sound-Muskoka has given me notice of his intention to raise a point of privilege. His point relates to the circumstances under which the House entered upon Orders of the Day for consideration of Bill 218 last Thursday morning.

I am prepared to rule on the matter without hearing further from the Member for Parry Sound-Muskoka, as Standing Order 21(d) permits me to do.

I will first say that I am satisfied with the procedural correctness with which debate was commenced last Thursday on Bill 218. After calling Orders of the Day, I permitted the Member for Leeds-Grenville to raise a point of privilege, of which he had given me notice the previous afternoon.

After hearing from the Member, and the Member for Timmins-James Bay and the Government House Leader, I reserved my ruling on that point of privilege.

At that point, the Member for Wellington-Halton Hills raised a point of order, which I dealt with, and then the Member for Oshawa raised a point of order, which I also dealt with. I then recognized the Minister of Finance, who called Order G218. The Deputy Clerk then read the Order for Second Reading of Bill 218, following which I recognized the Minister of Finance to commence the debate.

I will say that I was quite deliberate in following the normal sequence of events – though they were interrupted with the point of privilege and the points of order – and I have no reservation about the fact that all was in order and Bill 218 was properly brought before the House for debate.

I will also say that this matter as raised by the Member for Parry Sound-Muskoka is more correctly a point of order and not a point of privilege. The orderliness of the proceedings was not challenged at the time they occurred and so there can be no revising of them now. I thank the Member for Parry Sound-Muskoka for raising this matter but do not find that he has made out a valid case of privilege.

ORDERS OF THE DAY

Opposition Day

Ms. MacLeod moved,

That the Legislative Assembly of Ontario call on the Premier and the Minister of Finance to hold extensive public hearings on Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts, with such public hearings taking place over a minimum of three weeks and in a minimum of ten communities across the Province of Ontario.

After some time, Mr. Bisson moved the adjournment of the debate, which motion was carried on the following division:-

AYES - 41 NAYS - 18

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.

Pursuant to the Order of the House of November 19, 2009, the Deputy Speaker put the question forthwith on the motion, and the motion was carried on the following division:-

AYES / POUR - 43

Aggelonitis
Arthurs
Balkissoon
Bentley
Berardinetti
Bisson
Brown
Chan
Colle
Delaney
Dhillon

Dickson
Dombrowsky
Flynn
Fonseca
Gravelle
Hoskins
Jaczek
Jeffrey
Johnson
Kular
Kwinter

Lalonde
Levac
Matthews
Mauro
McNeely
Meilleur
Miller (Hamilton East–Stoney Creek)
Mitchell
Moridi
Oraziotti
Phillips

Prue
Qaadri
Ramal
Ramsay
Sandals
Sergio
Smith
Sousa
Van Bommel
Zimmer

NAYS / CONTRE - 16

Arnott
Bailey
Chudleigh
Dunlop

Elliott
Hardeman
Hillier
Jones

MacLeod
Miller (Parry Sound–Muskoka)
Munro
Ouellette

Runciman
Savoline
Shurman
Yakabuski

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

ORDRE DU JOUR

Jour de l'opposition

M^{me} MacLeod propose,

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

POUR - 41 CONTRE - 18

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.

Conformément à l'ordre adopté par l'Assemblée le 19 novembre 2009, le Vice-Président met la motion aux voix immédiatement, et la motion est adoptée par le vote suivant:-

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

Debate was resumed on the motion for Second Reading of Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts.

After some time, Mr. Miller (Parry Sound–Muskoka) moved,

That the motion for Second Reading of Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts, be amended by deleting all the words after “That” and substituting therefore the words “That this Bill be NOT now read a Second time but be referred back to the Government with instructions to incorporate therein:

1. that Schedule K in Bill 218 be deleted and;
2. that the said Schedule K be introduced as a separate Public Bill.”

After some time, Mr. Miller (Parry Sound–Muskoka) moved the adjournment of the House, which motion was lost on the following division:-

AYES - 5 NAYS - 34

Le débat reprend sur la motion portant deuxième lecture du projet de loi 218, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2009 et édictant, modifiant ou abrogeant diverses lois.

Après quelque temps, M. Miller (Parry Sound–Muskoka) propose,

Après quelque temps, M. Miller (Parry Sound–Muskoka) propose l'ajournement des débats de l'Assemblée et cette motion est rejetée par le vote suivant:-

POUR - 5 CONTRE - 34

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.

The House then adjourned at 6:04 p.m.

À 18 h 04, la chambre a ensuite ajourné ses travaux.

le président

STEVE PETERS

Speaker

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

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

Certificate pursuant to Standing Order 108(f)(1) re intended appointments dated November 20, 2009 (No. 540) (Tabled November 20, 2009).

Financial Services Commission of Ontario / Commission des services financiers de l'Ontario, Annual Report 2006-2007 (No. 539) (Tabled November 20, 2009).

Licence Appeal Tribunal / Tribunal d'appel en matière de permis, Annual Report 2008-2009 (No. 544) (Tabled November 23, 2009).

Public Service Grievance Board, Annual Report 2006-2007 (No. 541) (Tabled November 23, 2009).

Public Service Grievance Board, Annual Report 2007-2008 (No. 542) (Tabled November 23, 2009).

Public Service Grievance Board, Annual Report 2008-2009 (No. 543) (Tabled November 23, 2009).

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

Final Answers to Question Numbers: 44, 143, 251, 252, 253, 254, 255, 259, 260, 262 and 264.

RESPONSES TO PETITIONS

RÉPONSES AUX PÉTITIONS

Petition relating to elementary school-aged children suffering from diabetes (Sessional Paper No. P-179):

(Tabled March 4, 2009) Mrs. Munro.

(Tabled October 21, 22, 26, 2009) Mr. Ruprecht.

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

(Tabled October 29; November 2, 2009) Mr. Colle.

Petition relating to helping small and medium sized businesses (Sessional Paper No. P-253):

(Tabled June 4, 2009) Mr. Miller (Parry Sound–Muskoka).

Petition relating to supporting the prohibition on shark finning (Sessional Paper No. P-286):

(Tabled October 26, 29, 2009) Mr. Colle.

Petition relating to stopping all harvesting activities planned for Wood Unit #TOA76 indefinitely (Sessional Paper No. P-305):

(Tabled October 27, 2009) Mr. Bisson.
