



No. 81

N° 81

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**Votes and Proceedings**

**Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Wednesday**  
**December 8, 2010**

**Mercredi**  
**8 décembre 2010**

**2<sup>nd</sup> Session,**  
**39<sup>th</sup> Parliament**

**2<sup>e</sup> session**  
**39<sup>e</sup> législature**

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

**ORDERS OF THE DAY**

Debate was resumed on the motion for Second Reading of Bill 140, An Act to enact the Housing Services Act, 2010, repeal the Social Housing Reform Act, 2000 and make complementary and other amendments to other Acts.

After some time, the House recessed at 10:15 a.m.

**10:30 A.M.**

**ORAL QUESTIONS**

During "Oral Questions", the Member for Peterborough (Mr. Leal), having disregarded the authority of the Chair, was named by the Speaker and directed to withdraw from the service of the House for the balance of the sessional day.

During "Oral Questions", the Member for Renfrew–Nipissing–Pembroke (Mr. Yakabuski), having disregarded the authority of the Chair, was named by the Speaker and directed to withdraw from the service of the House for the balance of the sessional day.

**DEFERRED VOTES**

The deferred vote on the motion for Third Reading of Bill 135, An Act respecting financial and Budget measures and other matters, was carried on the following division:-

Aggelonitis  
Arthurs  
Balkissoon  
Bartolucci  
Bentley  
Best  
Bisson  
Bradley  
Brotten

Dhillon  
Dickson  
DiNovo  
Dombrowsky  
Duguid  
Flynn  
Fonseca  
Gélinas  
Gerretsen

Levac  
Mangat  
Marchese  
Matthews  
Mauro  
McGuinty  
McMeekin  
McNeely  
Meilleur

Prue  
Pupatello  
Qaadri  
Ramal  
Ramsay  
Rinaldi  
Ruprecht  
Sandals  
Sergio

AYES / POUR - 72

**PRIÈRES**  
**9 H**

**ORDRE DU JOUR**

Le débat reprend sur la motion portant deuxième lecture du projet de loi 140, Loi édictant la Loi de 2010 sur les services de logement, abrogeant la Loi de 2000 sur la réforme du logement social et apportant des modifications corrélatives et autres à d'autres lois.

Après quelque temps, à 10 h 15, l'Assemblée a suspendu la séance.

**10 H 30**

**QUESTIONS ORALES**

Pendant la période des « Questions orales », le député de Peterborough, M. Leal, ayant passé outre à l'autorité du Président, celui-ci l'a désigné par son nom et lui a ordonné de se retirer du service de l'Assemblée pour le reste de ce jour de session.

Pendant la période des « Questions orales », le député de Renfrew–Nipissing–Pembroke, M. Yakabuski, ayant passé outre à l'autorité du Président, celui-ci l'a désigné par son nom et lui a ordonné de se retirer du service de l'Assemblée pour le reste de ce jour de session.

**VOTES DIFFÉRÉS**

La motion portant troisième lecture du projet de loi 135, Loi concernant les mesures financières et budgétaires et d'autres questions, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

## AYES / POUR - Continued

Brown	Gravelle	Miller (Hamilton East-Stoney Creek)	Smith
Brownell	Hampton	Milloy	Sorbara
Cansfield	Hoskins	Mitchell	Sousa
Carroll	Hoy	Moridi	Tabuns
Chan	Jaczek	Murray	Takhar
Chiarelli	Jeffrey	Naqvi	Van Bommel
Colle	Kormos	Oraziotti	Wilkinson
Crozier	Kular	Pendergast	Wynne
Delaney	Lalonde	Phillips	Zimmer

## NAYS / CONTRE - 21

Arnott	Hillier	Miller (Parry Sound-Muskoka)	Savoline
Bailey	Hudak	Munro	Shurman
Barrett	Jones	Murdoch	Sterling
Clark	Klees	O'Toole	Wilson
Elliott	Martiniuk	Ouellette	Witmer
Hardeman			

And the Bill was accordingly read the third time and was passed.

En conséquence, ce projet de loi est lu une troisième fois et adopté.

The Speaker delivered the following ruling:-

Le Président a rendu la décision suivante :-

I am in receipt of notice of identical points of privilege filed by the Member for Thornhill (Mr Shurman) and the Member for Simcoe Grey (Mr Wilson). Without hearing further from the Members, I am prepared to make my ruling on the basis of the written statements as Standing Order 21(d) allows me to do.

The members relate that following Question Period on December 7th they and the Member for Whitby Oshawa were followed along the west hallway and subsequently into the west elevators by a Liberal Caucus staff person with a video camera. The Members further assert that their ability to have a private conversation was, as a result, hindered and that this constituted a breach of privilege since they were "obstructed" from performing their parliamentary duties.

Let me begin by saying in the strongest possible language that an allegation of breach of privilege is a serious matter and should not be made lightly or with any other motivation than the protection of the institution of parliament and the members who serve it.

The heads of privilege are very few and their application is very narrow. As Speakers have said on numerous occasions in the past, when it comes to obstruction, privilege very specifically applies to "parliamentary duties". This does not include constituency matters, attendance or invitations to functions outside of this place and certainly not to the ability to have a private conversation in a public space. Obstruction of a member in his or her effort to carry out parliamentary duties refers to such things as being physically prevented from attending the House or severely intimidated from speaking on a matter before the House.

The Members have characterized the staffer's videotaping of elected members in the hallways of this place as "reprehensible". I myself find the practice distasteful at best. In this technological age, when video and photographic devices are so common, I can see that it is tempting to use them for political purposes. Unfortunately, that temptation is succumbed to all too frequently. Given that, I am not surprised the practice has given rise to the complaints of the Members for Thornhill and Simcoe-Grey. I would prefer if the political process rose to the level of dignity our surroundings here suggest it deserves. So I would ask all members to reflect on what I have said and give it consideration in the future.

Beyond the use of these devices, I am increasingly alarmed at activity initiated and engaged in by both sides of the House, that I consider to be unworthy of this place. It sometimes seems that more effort goes into stunts and ‘gotcha’ politics than thoughtful consideration and mature debate on the significant issues at hand.

I have said before and I will repeat. The people of this province deserve better conduct from their elected representatives.

I thank the Members for their submission. They have not made a case for a *prima facie* breach of privilege.

The House recessed at 11:50 a.m.

À 11 h 50, l'Assemblée a suspendu la séance.

**3:00 P.M.**

**15 H**

### **INTRODUCTION OF BILLS**

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

Bill 148, An Act respecting the Ontario Society of Professional Engineers. Mr. Kwinter.

Bill 149, An Act to proclaim Ukrainian Heritage Day. Mr. Martiniuk, Mrs. Cansfield and Ms. DiNovo.

### **DÉPÔT DES PROJETS DE LOI**

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

Projet de loi 148, Loi concernant l'Association des ingénieurs de l'Ontario. M. Kwinter.

Projet de loi 149, Loi proclamant le Jour du patrimoine ukrainien. M. Martiniuk, M<sup>me</sup> Cansfield et M<sup>me</sup> DiNovo.

### **PETITIONS**

Petition relating to making PET scans available through the Sudbury Regional Hospital (Sessional Paper No. P-14) M<sup>me</sup> Gélinas.

Petition relating to a population needs based funding formula for hospitals (Sessional Paper No. P-39) Mr. Martiniuk.

Petition relating to the Georgetown South Rail corridor and rail expansion (Sessional Paper No. P-53) Mrs. Savoline.

Petition relating to banning the use of replacement workers during a strike (Sessional Paper No. P-72) Mr. Brownell and M<sup>me</sup> Gélinas.

Petition relating to Bill 12, British Home Child Day Act (Sessional Paper No. P-125) Mr. Brownell.

Petition relating to solar farms (Sessional Paper No. P-133) Mr. Dunlop.

Petition relating to clinical trials of the venoplasty treatment (Sessional Paper No. P-140) Mr. Dunlop.

Petition relating to real estate development of burial grounds (Sessional Paper No. P-151) Mr. Brownell.

Petition relating to exempting electricity from the HST (Sessional Paper No. P-159) M<sup>me</sup> Gélinas.

Petition relating to contamination of the Oak Ridges Moraine (Sessional Paper No. P-166) Mr. O'Toole.

Petition relating to Special Services At Home (SSAH) (Sessional Paper No. P-168) Mr. Arnott and Mr. Ouellette.

**ORDERS OF THE DAY**

A debate arose on the motion for Second Reading of Bill 141, An Act to amend the Health Protection and Promotion Act.

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 8, 2010.

Bill 120, An Act to amend the Pension Benefits Act and the Pension Benefits Amendment Act, 2010.

Bill 122, An Act to increase the financial accountability of organizations in the broader public sector.

Bill 135, An Act respecting financial and Budget measures and other matters.

Bill 172, An act to amend the Ticket Speculation Act.

Bill Pr37, An Act respecting The Sisters of St. Joseph of the Diocese of Peterborough, in Ontario.

Bill Pr38, An Act respecting Big Bay Resort Association.

Bill Pr41, An Act to revive Tonum Ltd.

The debate continued and, after some time, the House adjourned at 6:00 p.m.

**ORDRE DU JOUR**

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 141, Loi modifiant la Loi sur la protection et la promotion de la santé.

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 8 décembre 2010.

Projet de loi 120, Loi modifiant la Loi sur les régimes de retraite et la Loi de 2010 modifiant la Loi sur les régimes de retraite.

Projet de loi 122, Loi visant à accroître la responsabilisation financière des organismes du secteur parapublic.

Projet de loi 135, Loi concernant les mesures financières et budgétaires et d'autres questions.

Projet de loi 172, Loi modifiant la Loi sur le trafic des billets de spectacle.

Le débat se poursuit et après quelque temps, à 18 h, la chambre a ensuite ajourné ses travaux.

le président

**STEVE PETERS**

Speaker

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

Petition relating to receiving treatment for Parkinson's disease (Sessional Paper No. P-138) (Tabled December 8, 2010) Mr. Arthurs.

Petition relating to children's mental health (Sessional Paper No. P-173) (Tabled December 8, 2010) Mr. Kormos.

**QUESTIONS ANSWERED (SEE STATUS OF BUSINESS, SECTION 4A):-**

Final Answers to Question Numbers: 230, 231, 232 and 235.

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