



No. 124

N° 124

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Thursday
May 19, 2011

Jeudi
19 mai 2011

2nd Session,
39th Parliament

2^e session
39^e législature

PRAYERS
9:00 A.M.

PRIÈRES
9 H

ORDERS OF THE DAY

ORDRE DU JOUR

The Speaker addressed the House as follows:-

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

I beg to inform the House that, pursuant to Standing Order 71(c), the Member for Wellington-Halton Hills has filed notice of a reasoned amendment to the motion for Second Reading of Bill 196, An Act to amend the Election Act with respect to certain electoral practices. (Sessional Paper No. 476).

The Order for Second Reading of Bill 196 may therefore not be called today.

The Order of the Day for Government Order Number 56 on the amendment to the amendment to the motion by Ms. Smith on Ontario's Tax Plan for Jobs and Growth having been called,

Pursuant to the Order of the House dated May 18, 2011, the Speaker put the question on the motion, declared his opinion that the Nays had it, and a recorded vote having been demanded, the Speaker then addressed the House as follows:-

Conformément à l'ordre adopté par l'Assemblée le 18 mai 2011, le Président met la motion aux voix, et déclare qu'à son avis les voix opposées l'emportent et un vote par appel nominal ayant été demandé, ensuite, le Président s'adresse à l'Assemblée en ces mots:-

Pursuant to Standing Order 9(c), the vote on the motion for the amendment to the amendment to the motion by Ms. Smith on Ontario's Tax Plan for Jobs and Growth is deferred until "Deferred Votes" today.

Mr. Phillips moved,

M. Phillips propose,

That, pursuant to Standing Order 47 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance, the Standing Committee on Social Policy be authorized to meet at 4:00 p.m. on Tuesday, May 31, 2011 for the purpose of 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 12:30 p.m. on Tuesday, May 31, 2011. On Tuesday, May 31, 2011, at no later than 5:00 p.m., 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. 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). The Committee shall be authorized to meet beyond the normal hour of adjournment for clause-by-clause consideration on Tuesday, May 31, 2011; and

That the Committee shall report the Bill to the House no later than Wednesday, June 1, 2011. 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 Social Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the Bill shall be Ordered for Third Reading, which Order may be called that same day; and

That, when the Order for Third Reading of the Bill is called, 1 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, except in the case of a recorded division arising from morning Orders of the Day, pursuant to Standing Order 9(c), no deferral of the Third Reading vote shall be permitted; 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, there being no further debate, the question having been put, the Acting Speaker (Mr. Wilson) declared his opinion that the Ayes had it, and a recorded vote having been demanded, the Acting Speaker then addressed the House as follows:-

Après quelque temps, comme il n'y a plus de débat, la motion mise aux voix, le président par intérim, M. Wilson, déclare qu'à son avis les voix favorables l'emportent et un vote par appel nominal ayant été demandé, ensuite, la Présidente par intérim s'adresse à l'Assemblée en ces mots :-

Pursuant to Standing Order 9(c), the vote on Government Notice of Motion Number 78 is deferred until "Deferred Votes" today.

Conformément à l'article 9 c) du Règlement, le vote sur l'Avis de motion du gouvernement numéro 78 est différé jusqu'aux «Votes différés» aujourd'hui.

At 9:25 a.m., the Deputy Government House Leader indicated that no further business would be called that morning and therefore the Acting Speaker recessed the House.

10:30 A.M.

10 H 30

ORAL QUESTIONS

QUESTIONS ORALES

DEFERRED VOTES

VOTES DIFFÉRÉS

On a deferred vote, the question on the amendment to the amendment by Mr. Chudleigh to the motion by Ms. Smith on Ontario's Tax Plan for Jobs and Growth having been put, as follows:-

That the amendment be amended by adding the following, "or more hidden fees, or a revival of eco-taxes planned by the McGuinty Liberals".

it was lost on the following division:-

AYES / POUR - 24

Arnott	Elliott	Jones	O'Toole
Bisson	Gélinas	Klees	Ouellette
Chudleigh	Hampton	Kormos	Savoline
Clark	Hardeman	Marchese	Tabuns
DiNovo	Hillier	Miller [†] (Parry Sound-Muskoka)	Witmer
Dunlop	Horwath	Munro	Yakabuski

NAYS / CONTRE - 49

Albanese	Dickson	Lalonde	Phillips
Arthurs	Dombrowsky	Leal	Pupatello
Balkissoon	Duguid	Levac	Ramal
Bentley	Duncan	Matthews	Rinaldi

Best	Gerretsen	McMeekin	Ruprecht
Bradley	Gravelle	McNeely	Sandals
Brotten	Hoskins	Meilleur	Sergio
Brownell	Hoy	Milloy	Smith
Cansfield	Jaczek	Mitchell	Sousa
Chiarelli	Jeffrey	Murray	Takhar
Colle	Johnson	Naqvi	Wynne
Crozier	Kular	Pendergast	Zimmer
Delaney			

On a deferred vote, the question on the amendment by Mr. Yakabuski to the motion by Ms. Smith on Ontario's Tax Plan for Jobs and Growth having been put, as follows:-

That the motion be amended by deleting all the words after “strong” in the first paragraph; deleting the second paragraph; substituting the word “it” for “and” at the beginning of the third paragraph; and deleting the words after “HST rate” in the last paragraph.

it was lost on the following division:-

AYES / POUR - 24

Arnott	Elliott	Jones	O'Toole
Bisson	Gélinas	Klees	Ouellette
Chudleigh	Hampton	Kormos	Savoline
Clark	Hardeman	Marchese	Tabuns
DiNovo	Hillier	Miller (Parry Sound-Muskoka)	Witmer
Dunlop	Horwath	Munro	Yakabuski

NAYS / CONTRE - 49

Albanese	Dickson	Lalonde	Phillips
Arthurs	Dombrowsky	Leal	Pupatello
Balkissoon	Duguid	Levac	Ramal
Bentley	Duncan	Matthews	Rinaldi
Best	Gerretsen	McMeekin	Ruprecht
Bradley	Gravelle	McNeely	Sandals
Brotten	Hoskins	Meilleur	Sergio
Brownell	Hoy	Milloy	Smith
Cansfield	Jaczek	Mitchell	Sousa
Chiarelli	Jeffrey	Murray	Takhar
Colle	Johnson	Naqvi	Wynne
Crozier	Kular	Pendergast	Zimmer
Delaney			

The deferred vote on Government Order Number 56, on the main motion by Ms. Smith on Ontario's Tax Plan for Jobs and Growth, was carried on the following division:-

AYES / POUR - 49

Albanese	Dickson	Lalonde	Phillips
Arthurs	Dombrowsky	Leal	Pupatello
Balkissoon	Duguid	Levac	Ramal
Bentley	Duncan	Matthews	Rinaldi
Best	Gerretsen	McMeekin	Ruprecht
Bradley	Gravelle	McNeely	Sandals
Brotten	Hoskins	Meilleur	Sergio
Brownell	Hoy	Milloy	Smith
Cansfield	Jaczek	Mitchell	Sousa
Chiarelli	Jeffrey	Murray	Takhar

Colle
Crozier
Delaney

Johnson
Kular

Naqvi
Pendergast

Wynne
Zimmer

NAYS / CONTRE - 24

Arnott
Bisson
Chudleigh
Clark
DiNovo
Dunlop

Elliott
Gélinas
Hampton
Hardeman
Hillier
Horwath

Jones
Klees
Kormos
Marchese
Miller (Parry Sound-Muskoka)
Munro

O'Toole
Ouellette
Savoline
Tabuns
Witmer
Yakabuski

And it was,

Resolved, That the Legislative Assembly of Ontario recognizes that to make life easier for Ontario families and help our economy remain strong, Ontario's Tax Plan for Jobs and Growth as reaffirmed in the 2011 Budget removes 90,000 Ontarians from the income tax rolls, provides 93 per cent of Ontarians with a permanent personal income tax cut, maintains the Harmonized Sales Tax at the current rate and provides \$12 billion in tax relief for families and \$4.8 billion in tax relief for businesses;

And recognizes that with Ontario's Tax Plan for Jobs and Growth, the economy is turning the corner by creating more than 293,000 new jobs since the global recession;

And rejects the introduction of a carbon tax as a measure that would hurt Ontario's economic growth;

And rejects an increase to the HST rate or a decrease to the rate that would benefit the wealthiest Ontarians the most, take \$3 billion out of healthcare and education funding and harm Ontario's economic recovery.

The deferred vote on Government Notice of Motion Number 78, on allocation of time on Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance, was carried on the following division:-

AYES / POUR - 65

Albanese
Arnott
Arthurs
Balkissoon
Bentley
Best
Bradley
Brotten
Brownell
Cansfield
Chiarelli
Chudleigh
Clark
Colle
Crozier
Delaney
Dickson

Dombrowsky
Duguid
Duncan
Dunlop
Elliott
Gerretsen
Gravelle
Hardeman
Hillier
Hoskins
Hoy
Jaczek
Jeffrey
Johnson
Jones
Klees

Kular
Lalonde
Leal
Levac
Matthews
McMeekin
McNeely
Meilleur
Miller (Parry Sound-Muskoka)
Milloy
Mitchell
Munro
Murray
Naqvi
O'Toole
Ouellette

Pendergast
Phillips
Pupatello
Ramal
Rinaldi
Ruprecht
Sandals
Savoline
Sergio
Smith
Sousa
Takhar
Witmer
Wynne
Yakabuski
Zimmer

NAYS / CONTRE - 8

Bisson
DiNovo

Gélinas
Hampton

Horwath
Kormos

Marchese
Tabuns

And it was,

Ordered, That, pursuant to Standing Order 47 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance, the Standing Committee on Social Policy be authorized to meet at 4:00 p.m. on Tuesday, May 31, 2011 for the purpose of 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 12:30 p.m. on Tuesday, May 31, 2011. On Tuesday, May 31, 2011, at no later than 5:00 p.m., 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. 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). The Committee shall be authorized to meet beyond the normal hour of adjournment for clause-by-clause consideration on Tuesday, May 31, 2011; and

That the Committee shall report the Bill to the House no later than Wednesday, June 1, 2011. 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 Social Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the Bill shall be Ordered for Third Reading, which Order may be called that same day; and

That, when the Order for Third Reading of the Bill is called, 1 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, except in the case of a recorded division arising from morning Orders of the Day, pursuant to Standing Order 9(c), no deferral of the Third Reading vote shall be permitted; and

That, in the case of any division relating to any proceedings on the Bill, the division bell shall be limited to 5 minutes.

The House recessed at 11:57 a.m.

À 11 h 57, l'Assemblée a suspendu la séance.

1:00 P.M.

13 H

REPORTS BY COMMITTEES

RAPPORTS DES COMITÉS

Mr. Balkissoon from the Standing Committee on the Legislative Assembly presented the Committee's Report which was read as follows and adopted:-

M. Balkissoon du Comité permanent de l'Assemblée législative présente le rapport du comité qui est lu comme suit et adopté:-

Your Committee begs to report the following Bill without amendment:-

Bill 188, An Act to amend the McMichael Canadian Art Collection Act.

Ordered for Third Reading.

Votre comité propose qu'il soit permis de faire rapport sur le projet de loi suivant sans amendement:-

Projet de loi 188, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

Ordonné pour la troisième lecture.

Mr. Brownell from the Standing Committee on General Government presented the Committee's Report which was read as follows and adopted:-

Your Committee begs to report the following Bill as amended:-

Bill 181, An Act to amend the Fire Protection and Prevention Act, 1997.

Ordered for Third Reading.

M. Brownell du Comité permanent des affaires gouvernementales 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 :-

Projet de loi 181, Loi modifiant la Loi de 1997 sur la prévention et la protection contre l'incendie.

Ordonné pour la troisième lecture.

INTRODUCTION OF BILLS

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

Bill 201, An Act to amend the Highway Traffic Act to require vehicles driven by drivers over the age of 80 to display markers or identifying devices. Mr. Sergio.

Bill 202, An Act respecting jury trials for provincial offences. Mr. Hillier.

Bill 203, An Act to amend the Provincial Offences Act with respect to sentencing and appeals. Mr. Hillier.

DÉPÔT DES PROJETS DE LOI

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

Projet de loi 201, Loi modifiant le Code de la route pour exiger que les véhicules conduits par des conducteurs âgés de plus de 80 ans affichent des marques ou des moyens d'identification. M. Sergio.

Projet de loi 202, Loi concernant les procès devant jury dans le domaine des infractions provinciales. M. Hillier.

Projet de loi 203, Loi modifiant la Loi sur les infractions provinciales en ce qui concerne le prononcé de la sentence et les appels. M. Hillier.

MOTIONS

With unanimous consent,

On motion by Ms. Best,

Ordered, That, notwithstanding Standing Order 98(b), the following changes be made to the ballot list for Private Members' Public Business:-

Mr. Colle and Mr. Dhillon exchange places in Order of Precedence such that Mr. Colle assumes ballot item 16 and Mr. Dhillon assumes ballot item 70; and

MOTIONS

Sur la motion de M^{me} Best,

That notwithstanding Standing Order 98(g), notice for ballot item 16 be waived.

With unanimous consent,

On motion by Ms. Best,

Sur la motion de M^{me} Best,

Ordered, That the Standing Committee on Public Accounts be authorized to release reports during the Summer Adjournment by depositing a copy of any report with the Clerk of the Assembly.

With unanimous consent,

On motion by Ms. Best,

Sur la motion de M^{me} Best,

Ordered, That during consideration of Private Members' Public Business this afternoon, in the event that Bill 185, An Act to proclaim British Home Child Day receives Second Reading, the Order for Third Reading shall immediately be called and the question put immediately without debate or amendment.

PETITIONS

Petition relating to banning the use of replacement workers during a strike (Sessional Paper No. P-72) M^{me} Gélinas.

Petition relating to exempting electricity from the HST (Sessional Paper No. P-159) M^{me} Gélinas.

Petition relating to development of a rural school policy (Sessional Paper No. P-177) Mr. Wilson.

Petition relating to enacting Bill 115, Ontario Award for Paramedic Bravery Act, 2010 (Sessional Paper No. P-179) Mr. Rinaldi.

Petition relating to aggressive dogs (Sessional Paper No. P-203) Mr. Hardeman.

Petition relating to the Matthews House Hospice (Sessional Paper No. P-214) Mr. Wilson.

Petition relating to contamination of the Greenbelt (Sessional Paper No. P-219) Mr. O'Toole.

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr. Lalonde moved,

Second Reading of Bill 153, An Act to amend the Municipal Elections Act, 1996 to change the date on which the term of offices begins and to make related amendments.

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

Mr. Arnott then moved,

Second Reading of Bill 195, An Act to amend the Election Finances Act to ban collusion in electoral advertising.

PÉTITIONS

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

M. Lalonde propose,

Deuxième lecture du projet de loi 153, Loi modifiant la Loi de 1996 sur les élections municipales pour changer la date de commencement des mandats et apporter des modifications connexes.

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. Arnott propose,

Deuxième lecture du projet de loi 195, Loi modifiant la Loi sur le financement des élections pour interdire la collusion dans le cadre de la publicité électorale.

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

Mr. Brownell then moved,

Second Reading of Bill 185, An Act to proclaim British Home Child Day.

There being no further debate, pursuant to Standing Order 98(e), Acting Speaker (Mr. Wilson) suspended the proceedings until the end of the time allotted for Private Members' Public Business.

The question having been put on the motion for Second Reading of Bill 153, An Act to amend the Municipal Elections Act, 1996 to change the date on which the term of offices begins and to make related amendments, it was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on General Government.

The question having been put on the motion for Second Reading of Bill 195, An Act to amend the Election Finances Act to ban collusion in electoral advertising, it was lost on the following division:-

AYES / POUR - 9

Arnott
Clark
DiNovo

Hardeman
Klees

MacLeod
Marchese

O'Toole
Prue

NAYS / CONTRE - 28

Albanese
Arthurs
Balkissoon
Berardinetti
Best
Brownell
Cansfield

Colle
Delaney
Dhillon
Dickson
Hoskins
Jaczek
Johnson

Kular
Levac
Naqvi
Pendergast
Phillips
Qaadri
Rinaldi

Ruprecht
Sergio
Smith
Sousa
Takhar
Wynne
Zimmer

The question having been put on the motion for Second Reading of Bill 185, An Act to proclaim British Home Child Day, it was declared carried and the Bill was accordingly read the second time.

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. Brownell propose,

Deuxième lecture du projet de loi 185, Loi proclamant le Jour des petits immigrés britanniques.

En l'absence d'autres débats, conformément à l'alinéa 98 e) du Règlement, le président par intérim, M. Wilson, suspend la séance jusqu'à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

La motion portant deuxième lecture du projet de loi 153, Loi modifiant la Loi de 1996 sur les élections municipales pour changer la date de commencement des mandats et apporter des modifications connexes, 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.

La motion portant deuxième lecture du projet de loi 195, Loi modifiant la Loi sur le financement des élections pour interdire la collusion dans le cadre de la publicité électorale, mise aux voix, est rejetée par le vote suivant :-

La motion portant deuxième lecture du projet de loi 185, Loi proclamant le Jour des petits immigrés britanniques, mise aux voix, est déclarée adoptée et le projet de loi est en conséquence lu une deuxième fois.

Pursuant to the Order of the House passed earlier today, the Bill was Ordered for Third Reading.

The question having been put on the motion for Third Reading of Bill 185, An Act to proclaim British Home Child Day, it was carried on the following division:-

Conformément à l'ordre adopté par l'Assemblée plus tôt aujourd'hui, le projet de loi est ordonné pour la troisième lecture.

La motion portant troisième lecture du projet de loi 185, Loi proclamant le Jour des petits immigrés britanniques, mise aux voix, est adoptée par le vote suivant :-

AYES / POUR - 38

Albanese	Delaney	Lalonde	Qaadri
Arnott	Dhillon	Levac	Rinaldi
Arthurs	Dickson	MacLeod	Ruprecht
Balkissoon	DiNovo	Marchese	Sergio
Berardinetti	Hardeman	Naqvi	Smith
Best	Hoskins	O'Toole	Sousa
Brownell	Jaczek	Pendergast	Takhar
Cansfield	Johnson	Phillips	Wynne
Clark	Klees	Prue	Zimmer
Colle	Kular		

NAYS / CONTRE - 0

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.

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

M. Phillips 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 4:24 p.m.

À 16 h 24, la chambre a ensuite ajourné ses travaux.

le président

STEVE PETERS

Speaker

PETITIONS TABLED PURSUANT TO STANDING ORDER 39(a)

Petition relating to saving medical laboratory services in Stayner (Sessional Paper No. P-139) (Tabled May 19, 2011) Mr. Wilson.

Petition relating to patients with PNH (Sessional Paper No. P-220) (Tabled May 19, 2011) Ms. Pendergast.

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

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

Accessibility for Ontarians with Disabilities Act, 2005, Annual Report 2010 (No. 477) (Tabled May 19, 2011).
