



No. 4

N° 4

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**Votes and Proceedings**

**Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Thursday  
November 24, 2011**

**Jeudi  
24 novembre 2011**

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

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

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

**PRIÈRES**  
**9 H**

The Speaker delivered the following ruling:-

Le Président a rendu la décision suivante :-

Yesterday, Mr. Shurman introduced “Bill 3, An Act to provide for the resolution of labour disputes involving companies that provide public transit services to The Regional Municipality of York”.

I have had an opportunity to review the Bill and have observed that it has been put forward with two co-sponsors, Mr. Klees and Mrs. Munro.

Standing Order 69 provides for the co-sponsorship of private members’ public bills, but states that such bills “may be co-sponsored by up to one member from each of the recognized Parties, and by any independent member.”

Because there is no provision for co-sponsors of a private members’ public bill to be members of the same recognized Party, I must therefore find the Bill to be out of order and have directed that it be removed from the Orders and Notices Paper.

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**ORDERS OF THE DAY**

Debate was resumed on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.

After some time, it was,

On motion by Mr. Milloy,

Ordered, That the debate be adjourned.

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**ORDRE DU JOUR**

Le débat reprend sur l'amendement à la motion portant l'Adresse en réponse au discours prononcé par Son Honneur le lieutenant-gouverneur à l'ouverture de la session.

Après quelque temps,

Sur la motion de Mr. Milloy,

Il est ordonné que le débat soit ajourné.

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At 9:51 a.m., the Government House Leader indicated that no further business would be called that morning and therefore the Acting Speaker (Mr. Arnott) recessed the House.

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**10:30 A.M.**

**10 H 30**

**ORAL QUESTIONS**

**QUESTIONS ORALES**

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The House recessed at 11:40 a.m.

À 11 h 40, l'Assemblée a suspendu la séance.

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**1:00 P.M.**

**13 H**

Mr. Milloy delivered to the Speaker a message from His Honour the Lieutenant Governor signed by his own hand, and the said message was read by the Speaker and is as follows:-

## DAVID C. ONLEY

The Lieutenant Governor transmits Estimates of certain sums required for the services of the Province for the year ending 31st March 2012 and recommends them to the Legislative Assembly.

Toronto, November 23, 2011

(Sessional Paper No. 4, Aboriginal Affairs; Agriculture, Food and Rural Affairs; Attorney General; Cabinet Office; Children and Youth Services; Citizenship and Immigration; Community and Social Services; Community Safety and Correctional Services; Consumer Services; Economic Development and Trade; Education; Energy; Environment; Finance; Francophone Affairs, Office of; Government Services; Health and Long-Term Care; Health Promotion and Sport; Infrastructure; Labour; Lieutenant Governor, Office of the; Municipal Affairs and Housing; Natural Resources; Northern Development, Mines and Forestry; Premier, Office of the; Research and Innovation; Revenue; Tourism and Culture; Training, Colleges and Universities; Transportation; Assembly, Office of the; Auditor General, Office of the; Chief Electoral Officer, Office of the; Ombudsman Ontario)

Le lieutenant-gouverneur transmet les prévisions des dépenses visant les montants nécessaires au fonctionnement de la province pour l'exercice se terminant le 31 mars 2012 et les recommande à l'Assemblée législative.

Toronto, le 23 novembre 2011

(Document parlementaire n° 4, Affaires autochtones; Agriculture, Alimentation et Affaires rurales; Procureur général; Bureau du Conseil des ministres; Services à l'enfance et à la jeunesse; Affaires civiques et Immigration; Services sociaux et communautaires; Sécurité communautaire et Services correctionnels; Services aux consommateurs; Développement économique et Commerce; Éducation; Énergie; Environnement; Finances; Office des affaires francophones; Services gouvernementaux; Santé et Soins de longue durée; Promotion de la santé et Sport; Infrastructure; Travail; Bureau du lieutenant-gouverneur; Affaires municipales et Logement; Richesses naturelles; Développement du Nord, Mines et Forêts; Cabinet du Premier ministre; Recherche et Innovation; Revenu; Tourisme et Culture; Formation, Collèges et Universités; Transports; Bureau de l'Assemblée législative; Bureau du vérificateur général; Bureau du directeur général des élections; Ombudsman Ontario)

Ordered, That the message of the Lieutenant Governor together with the Estimates accompanying same be deemed to be referred to the Standing Committee on Estimates pursuant to Standing Order 59.

On a Point of Privilege being raised by the Member for Lanark–Frontenac–Lennox and Addington with respect to the appointment of the membership of the Assembly's committees, the Speaker delivered the following ruling:-

The issue raised by the Member for Lanark–Frontenac–Lennox and Addington has in fact been a matter for recent discussion among those around this place with a role or interest in the business of the House.

First, what the Member raises is more appropriately a Point of Order, not a Point of Privilege, and so I will address it as such.

Standing Order 108 provides for the appointment of the membership of the committees within the first 10 sessional days of a Parliament. Today is, of course, only the fourth day of this new Parliament, and so the Member simply does not have a valid Point of Order.

However, let me address this issue in a little detail.

The committees of this Legislature, and there are nine of them provided for in the Standing Orders, exist as permanent bodies by virtue of their continuing orders of reference in Standing Order 108.

Without membership, however, the committees are obviously unable to perform any work. As mentioned, though, the House has given itself up to 10 days to assign members to its committees.

As permanent subordinate bodies of the Legislature, the committees are able to receive referrals of bills and other matters, as the House sees fit to make, whether or not committee membership has been struck. Indeed, the very structure of the Standing Orders contemplates that this can happen in that the House can consider business during its first 10 sitting days that could result in a referral to one of its committees.

If it does, such a committee is fully eligible to receive business from the House even without presently having members assigned to it at this time. Its members, once appointed, will simply inherit agenda items that preceded them to the committee.

As the Member has pointed out, this could even happen today in Private Members' Public Business. I would point out that in fact this has already happened today. A few minutes ago, the Government House Leader tabled the 2011-2012 Estimates. Upon being tabled, they have been referred to the Standing Committee on Estimates by virtue of Standing Order 59.

This is perfectly in order, as would be the scenario the member has raised.

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### INTRODUCTION OF BILLS

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

Bill 7, An Act to provide for the resolution of labour disputes involving companies that provide public transit services to The Regional Municipality of York. Mr. Shurman.

Bill 8, An Act respecting Ontario One Call Ltd. Mr. Bailey and Mr. Miller (Hamilton East–Stoney Creek).

### DÉPÔT DES PROJETS DE LOI

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

Projet de loi 7, Loi prévoyant le règlement des conflits de travail au sein des entreprises qui fournissent des services de transport en commun dans la municipalité régionale de York. M. Shurman.

Projet de loi 8, Loi sur Ontario One Call Ltd. M. Bailey et M. Miller (Hamilton-Est–Stoney Creek).

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### MOTIONS

With unanimous consent,

On motion by Mr. Milloy,

Ordered, That, notwithstanding Standing Order 71(a), the Order for Second Reading of Bill 7, An Act to provide for the resolution of labour disputes involving companies that provide public transit services to The Regional Municipality of York, may be called during consideration of Private Members' Public Business today.

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### MOTIONS

Sur la motion de M. Milloy,

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### PETITIONS

Chronic Lyme Disease (Sessional Paper No. P-5) Mr. Clark.

PET scans (Sessional Paper No. P-8) M<sup>me</sup> Gélinas.

Wind turbines in Norfolk County (Sessional Paper No. P-10) Mr. Barrett.

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### PÉTITIONS

**PRIVATE MEMBERS' PUBLIC  
BUSINESS**

Mr. Leone moved,

That, in the opinion of this House, the Legislative Assembly of Ontario require Premier McGuinty to table, by March 1<sup>st</sup>, 2012, a specific and detailed plan that outlines the current stage of the development process, the time lines for proceeding to any subsequent stage, the deadlines for project completion, and how the government plans to pay for the construction and operation of all the hospital expansion projects promised before and during the 2011 Ontario General Election.

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

Mr. Shurman then moved,

Second Reading of Bill 7, An Act to provide for the resolution of labour disputes involving companies that provide public transit services to The Regional Municipality of York.

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

Mr. Mantha then moved,

Second Reading of Bill 4, An Act to amend the Retail Sales Tax Act to provide for a rebate of the Ontario portion of the Harmonized Sales Tax in respect of certain home heating costs.

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

The question having been put on Mr. Leone's Resolution Number 1, it was carried on the following division:-

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

M. Leone 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. Shurman propose,

Deuxième lecture du projet de loi 7, Loi prévoyant le règlement des conflits de travail au sein des entreprises qui fournissent des services de transport en commun dans la municipalité régionale de York.

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. Mantha propose,

Deuxième lecture du projet de loi 4, Loi modifiant la Loi sur la taxe de vente au détail pour prévoir un remboursement de la composante ontarienne de la taxe de vente harmonisée à l'égard de certains frais de chauffage domestique.

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

La motion, mise aux voix, sur la résolution numéro 1 de M. Leone est adoptée par le vote suivant :-

**AYES / POUR - 54**

Armstrong  
Arnott  
Bailey  
Barrett  
Bisson  
Campbell  
Chudleigh  
Clark  
DiNovo  
Dunlop

Hardeman  
Harris  
Hillier  
Horwath  
Hudak  
Jackson  
Jones  
Klees  
Leone  
MacLaren

McKenna  
McNaughton  
Miller (Hamilton East–Stoney Creek)  
Miller (Parry Sound–Muskoka)  
Milligan  
Munro  
Natyshak  
Nicholls  
O'Toole  
Ouellette

Scott  
Shurman  
Singh  
Smith  
Tabuns  
Taylor  
Thompson  
Vanthof  
Walker  
Wilson

## AYES / POUR - Continued

Elliott	MacLeod	Pettapiece	Witmer
Fedeli	Mantha	Prue	Yakabuski
Forster	Marchese	Schein	Yurek
Gélinas	McDonell		

## NAYS / CONTRE - 50

Albanese	Crack	Kwinter	Naqvi
Balkissoon	Damerla	Leal	Oraziotti
Bartolucci	Delaney	MacCharles	Piruzza
Bentley	Dhillon	Mangat	Qaadri
Berardinetti	Dickson	Mauro	Sandals
Best	Duguid	McGuinty	Sergio
Bradley	Duncan	McMeekin	Sorbara
Brotten	Flynn	McNeely	Sousa
Cansfield	Gerretsen	Meilleur	Takhar
Chan	Gravelle	Milloy	Wong
Chiarelli	Hoskins	Moridi	Wynne
Colle	Jaczek	Murray	Zimmer
Coteau	Jeffrey		

The question having been put on the motion for Second Reading of Bill 7, An Act to provide for the resolution of labour disputes involving companies that provide public transit services to The Regional Municipality of York, it was lost on the following division:-

La motion portant deuxième lecture du projet de loi 7, Loi prévoyant le règlement des conflits de travail au sein des entreprises qui fournissent des services de transport en commun dans la municipalité régionale de York, mise aux voix, est rejetée par le vote suivant :-

## AYES / POUR - 37

Arnott	Hillier	McKenna	Scott
Bailey	Hudak	McNaughton	Shurman
Barrett	Jackson	Miller (Parry Sound–Muskoka)	Smith
Chudleigh	Jones	Milligan	Thompson
Clark	Klees	Munro	Walker
Dunlop	Leone	Nicholls	Wilson
Elliott	MacLaren	O'Toole	Witmer
Fedeli	MacLeod	Ouellette	Yakabuski
Hardeman	McDonell	Pettapiece	Yurek
Harris			

## NAYS / CONTRE - 67

Albanese	Damerla	Leal	Piruzza
Armstrong	Delaney	MacCharles	Prue
Balkissoon	Dhillon	Mangat	Qaadri
Bartolucci	Dickson	Mantha	Sandals
Bentley	DiNovo	Marchese	Schein
Berardinetti	Duguid	Mauro	Sergio
Best	Duncan	McGuinty	Singh
Bisson	Flynn	McMeekin	Sorbara
Bradley	Forster	McNeely	Sousa
Brotten	Gélinas	Meilleur	Tabuns
Campbell	Gerretsen	Miller (Hamilton East–Stoney Creek)	Takhar

## NAYS / CONTRE - Continued

Cansfield	Gravelle	Milloy	Taylor
Chan	Horwath	Moridi	Vanthof
Chiarelli	Hoskins	Murray	Wong
Colle	Jaczek	Naqvi	Wynne
Coteau	Jeffrey	Natyshak	Zimmer
Crack	Kwinter	Orazietti	

The question having been put on the motion for Second Reading of Bill 4, An Act to amend the Retail Sales Tax Act to provide for a rebate of the Ontario portion of the Harmonized Sales Tax in respect of certain home heating costs, it was carried on the following division:-

La motion portant deuxième lecture du projet de loi 4, Loi modifiant la Loi sur la taxe de vente au détail pour prévoir un remboursement de la composante ontarienne de la taxe de vente harmonisée à l'égard de certains frais de chauffage domestique, mise aux voix, est adoptée par le vote suivant :-

## AYES / POUR - 54

Armstrong	Hardeman	McKenna	Scott
Arnott	Harris	McNaughton	Shurman
Bailey	Hillier	Miller (Hamilton East–Stoney Creek)	Singh
Barrett	Horwath	Miller (Parry Sound–Muskoka)	Smith
Bisson	Hudak	Milligan	Tabuns
Campbell	Jackson	Munro	Taylor
Chudleigh	Jones	Natyshak	Thompson
Clark	Klees	Nicholls	Vanthof
DiNovo	Leone	O'Toole	Walker
Dunlop	MacLaren	Ouellette	Wilson
Elliott	MacLeod	Pettapiece	Witmer
Fedeli	Mantha	Prue	Yakabuski
Forster	Marchese	Schein	Yurek
Gélinas	McDonell		

## NAYS / CONTRE - 50

Albanese	Crack	Kwinter	Naqvi
Balkissoon	Damerla	Leal	Orazietti
Bartolucci	Delaney	MacCharles	Piruzza
Bentley	Dhillon	Mangat	Qaadri
Berardinetti	Dickson	Mauro	Sandals
Best	Duguid	McGuinty	Sergio
Bradley	Duncan	McMeekin	Sorbara
Brotten	Flynn	McNeely	Sousa
Cansfield	Gerretsen	Meilleur	Takhar
Chan	Gravelle	Milloy	Wong
Chiarelli	Hoskins	Moridi	Wynne
Colle	Jaczek	Murray	Zimmer
Coteau	Jeffrey		

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

En conséquence, ce projet de loi est lu une deuxième fois et renvoyé au Comité permanent de la justice.

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

The question, having been put on the motion, was declared carried.

M. Milloy propose que l'Assemblée ajourne les débats maintenant.

Cette motion, mise aux voix, est déclarée adoptée.

The House then adjourned at 4:55 p.m.

À 16 h 55, la chambre a ensuite ajourné ses travaux.

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le président

**DAVE LEVAC**

Speaker

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

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

Memorandum to the Clerk of the House from the House Leaders concerning the division of Committee Chairships. (No. 5) (Tabled November 24, 2011).

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