

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

---

Votes and Proceedings

No. 44

Procès-verbaux

N° 44

2<sup>nd</sup> Session  
42<sup>nd</sup> Parliament

Monday  
March 21, 2022

2<sup>e</sup> session  
42<sup>e</sup> législature

Lundi  
21 mars 2022

---

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

**9 H**  
**PRIÈRES**

**ORDERS OF THE DAY**

**ORDRE DU JOUR**

Second Reading of Bill 88, An Act to enact the Digital Platform Workers' Rights Act, 2022 and to amend various Acts.

Deuxième lecture du projet de loi 88, Loi édictant la Loi de 2022 sur les droits des travailleurs de plateformes numériques et modifiant diverses lois.

Debate arose and after some time the debate adjourned at 10:15 a.m.

Il s'élève un débat et après quelque temps, à 10 h 15, le débat était ajourné.

**10:15 A.M.**

**10 H 15**

With unanimous consent to move a motion without notice,

Avec le consentement unanime de proposé une motion sans préavis,

Ms. Singh (Brampton Centre) moved,

M<sup>me</sup> Singh (Brampton-Centre) propose,

That Members be permitted to make statements in recognition of the International Day for the Elimination of Racial Discrimination during Afternoon Routine today, with five minutes allotted to the Government, five minutes allotted to the Opposition, and five minutes allotted to the Independent Members as a group.

The question was then put.

La question a ensuite été mise aux voix.

Carried.

Adopté.

The Speaker delivered the following ruling:-

Le Président a rendu la décision suivante :-

On March 10, 2022, the Member for London West and Official Opposition House Leader (Ms. Sattler) raised a point of order respecting what she suggested was a conflict between the notice provisions for the consideration of Private Members' Public Business, as set out in Standing Order 101(e), and the power of the House to discharge an Order for Second Reading of a public bill and refer it to committee, provided by Standing Order 77(a). The Government House Leader (Mr. Calandra) also spoke to the point of order. Certain Members had been grappling with this matter for several days prior, with related points of order raised by the Official Opposition House Leader on March 3 and March 9, and the Government House Leader and the Member for Scarborough—Guildwood (Ms. Hunter) offering comments on those points as well. I am now prepared to rule on the question raised on March 10.

First, by way of background:

The Member for York South—Weston (Mr. Hassan) was assigned Ballot Item Number 30 on the Order of Precedence for Private Members' Public Business, with a corresponding date of March 10, 2022. Pursuant to Standing Order 101(e), the business that the Member wished to bring forward for consideration on that day was required to appear on the *Orders and Notices Paper* by February 24, either in the form of a notice of motion or an order for Second Reading of a Private Member's Public Bill. The Member for York South—Weston met this deadline with the introduction on February 23 of Bill 86, An Act to enact two new Acts and to amend various Acts to combat Islamophobia and hatred, which appeared on the February 24 *Orders and Notices Paper* as the item of business designated for debate on March 10.

On March 3, in “Motions” during the Afternoon Routine, the Government House Leader moved “that pursuant to Standing Order 77(a), the Order for Second Reading of Bill 86 be discharged, and the Bill be referred to the Standing Committee on Justice Policy”. That motion carried in a recorded division. The discharge of the Order for Second Reading of the Bill effectively nullified Mr. Hassan’s notice of his intention to move Second Reading of the Bill as his item of Private Member’s Public Business.

It was on this point that the Official Opposition House Leader raised her first point of order on the subject. She argued that the March 3 motion was moved without Mr. Hassan’s consent, and that the resulting Order of the House served to deny him the opportunity to bring his Bill forward for debate as his item of Private Member’s Public Business. At that time, I ruled that there was no valid point of order. The motion moved by the Government House Leader was in order, and it was adopted by the House.

On March 7, with unanimous consent, the Government House Leader put forward a substantive motion that would have provided for another bill co-sponsored by the Member for York South—Weston (Bill 87, An Act to proclaim Black Mental Health Day and to raise awareness of related issues), to be designated for consideration as the Member’s ballot item on March 10, in place of the co-sponsored Bill 86. In the midst of debate on the motion, the Government House Leader withdrew it, as Standing Order 56 permitted him to do.

On March 9, the Official Opposition House Leader again raised the matter on a point of order, this time highlighting the fact that the Member for York South—Weston had taken all steps required by the Standing Orders for him to move Second Reading of Bill 86 during his assigned time for Private Members’ Public Business. On that point, I again ruled that there was nothing procedurally out of order in the events that had taken place. I had hoped at that time that it would be possible for the matter to be addressed via communication between the Members involved, as these kinds of issues so often are, and I looked to the House Leaders to seek a resolution.

This brings us to March 10 and the fact that when the Order for Mr. Hassan’s ballot item was called, he had no business standing on the *Orders and Notices Paper* that complied with the notice requirements. Therefore, no business was called.

In raising her third point of order on the matter, the Official Opposition House Leader made the case that the current situation demonstrates an inherent conflict between the notice requirements provided in Standing Order 101(e), and the power of the House provided for in Standing Order 77(a). She sought my ruling pursuant to Standing Order 1(c), which allows the Speaker to decide on all contingencies not provided for in the Standing Orders.

In their remarks, both the Official Opposition House Leader and the Government House Leader acknowledged that Standing Order 77(a) does not distinguish between Government Bills and Private Members’ Public Bills. The Official Opposition House Leader argued that because Standing Order 77(a) has less frequently been applied to Private Members’ Public Bills than to Government Bills, our procedures implicitly distinguish between them. The Government House Leader, on the other hand, argued that the absence of a distinction should be interpreted as an intentional choice of the House at the time that the Standing Order was adopted.

What is clear is that the Standing Order references “public bills”, which leads to only one possible conclusion: that pursuant to Standing Order 77(a), on a motion by the Government House Leader, the House has the authority to discharge the Order for Second Reading of any public bill and refer it to committee – this necessarily includes both Government Bills and Private Members’ Public Bills.

The appeal made to the Speaker in this matter is to decide a question that is not provided for in the Standing Orders. However, as the foregoing sets out, the situation raised by the point of order does not arise because of gaps in the rules of procedure. Both Standing Order 77(a) and 101(e) were duly adopted by the Assembly many years ago, and both were correctly applied in the context of this situation with the Member for York South—Weston’s ballot item.

It is worth noting here that the Member for York South—Weston could possibly have made use on March 3 of the provision in Standing Order 101(c) to exchange places with another member in the order of precedence, thereby conserving his ability to bring forward an item of business at a later date. However, the Member would have had less than 4 hours that afternoon to make such an arrangement, which would have required the swift agreement of a willing colleague. Therefore, while this was procedurally possible, it was impractical and virtually impossible.

While the outcome has no precedent, it is neither out of order, nor the result of procedural error or misapplication, nor are we left with a “stub” or “remnant” of unfinished or incomplete business that can only be rectified with the Speaker’s intervention under Standing Order 1(c) – my finding is that there is nothing to remedy under this authority.

Although there was nothing out of order, I am disappointed that the House was unable to find a resolution in time to preserve the Member for York South—Weston’s ability to bring an item of business forward for debate on his ballot date. I am sure most Private Members here, on both sides of the House, who value their opportunity to initiate debates in Private Members’ Public Business, and who follow the Standing Orders and provide proper notice on the *Orders and Notices Paper*, would find it very disappointing to have their opportunity for a debate in this House on their priority bill or resolution taken away without their consent by a motion of the House. The proceedings on Bill 86 were ultimately beyond the control of Mr. Hassan as an individual Member, and, in my view, it is very regrettable, and on the surface seems most unfair to Mr. Hassan, that one of the effects of those proceedings was that the Member lost his Private Members’ Public Business slot. These opportunities for individual Members are rare, and I would hope that the House would reconsider this matter and seek a resolution satisfactory to both sides of the House.

I thank the Members for their submissions.

---

## QUESTION PERIOD

---

## PÉRIODE DE QUESTIONS

---

The House recessed at 11:48 a.m.

---

À 11 h 48, l’Assemblée a suspendu la séance.

---

**1:00 P.M.**

---

**13 H**

---

## INTRODUCTION OF GOVERNMENT BILLS

---

## DÉPÔT DE PROJETS DE LOI ÉMANANT DU GOUVERNEMENT

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

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

Bill 100, An Act to enact legislation to protect access to certain transportation infrastructure.  
Hon. Ms. Jones.

Projet de loi 100, Loi édictant une loi pour protéger l’accès à certaines infrastructures de transport. L’hon. M<sup>me</sup> Jones.

---

## INTRODUCTION OF BILLS

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

Bill 101, An Act to amend the Regulated Health Professions Act, 1991 respecting the provision of information about Down syndrome to expectant parents, regulated health professionals and the public. Ms. Singh (Brampton Centre).

Pursuant to the Order of the House passed earlier today,

Mr. Gill, Ms. Singh (Brampton Centre), and Mr. Fraser made statements in recognition of the International Day for the Elimination of Racial Discrimination

## DÉPÔT DE PROJETS DE LOI

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

Projet de loi 101, Loi modifiant la Loi de 1991 sur les professions de la santé réglementées en ce qui concerne la fourniture de renseignements concernant la trisomie 21 aux futurs parents, aux professionnels de la santé réglementés et au public. M<sup>me</sup> Singh (Brampton-Centre).

Conformément à l'ordre de l'Assemblée adopté plus tôt aujourd'hui,

## PETITIONS

Optometry (Sessional Paper No. P-2) Miss Taylor.

Labour and wage policies (Sessional Paper No. P-71) Ms. Sattler.

Minister's Zoning Order in Blair (Sessional Paper No. P-89) Mrs. Karahalios.

## PÉTITIONS

## ORDERS OF THE DAY

Second Reading of Bill 88, An Act to enact the Digital Platform Workers' Rights Act, 2022 and to amend various Acts.

Debate resumed and after some time,

The Acting Speaker (Mrs. Gretzky) informed the House that, in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor had been pleased to assent to the following Bill in her office on March 21, 2022:

Bill 96, An Act to authorize the expenditure of certain amounts for the fiscal year ending March 31, 2022.

Debate resumed and after some time the House adjourned at 6:00 p.m.

## ORDRE DU JOUR

Deuxième lecture du projet de loi 88, Loi édictant la Loi de 2022 sur les droits des travailleurs de plateformes numériques et modifiant diverses lois.

Le débat a repris et après quelque temps,

La présidente suppléante (M<sup>me</sup> Gretzky) a informé l'Assemblée qu'au nom de Sa Majesté la Reine, Son Honneur la lieutenant-gouverneure a eu le plaisir de sanctionner le projet de loi suivant dans son bureau le 21 mars 2022 :

Projet de loi 96, Loi autorisant l'utilisation de certaines sommes pour l'exercice se terminant le 31 mars 2022.

Le débat a repris et après quelque temps, à 18 h, l'Assemblée a ajourné ses travaux.

le président  
**TED ARNOTT**  
 Speaker

---

**PETITIONS TABLED PURSUANT TO  
 STANDING ORDER 42(a)**

**PÉTITIONS DÉPOSÉES  
 CONFORMÉMENT À L'ARTICLE  
 42 a) DU RÈGLEMENT**

Public school curricula (Sessional Paper No. P-95) (Tabled March 21, 2022) Mrs. Karahalios.

---

**SESSIONAL PAPERS PRESENTED  
 PURSUANT TO STANDING ORDER 43**

**DOCUMENTS PARLEMENTAIRES  
 DÉPOSÉS CONFORMÉMENT À  
 L'ARTICLE 43 DU RÈGLEMENT**

COMPENDIA:

Bill 100, An Act to enact legislation to protect access to certain transportation infrastructure /  
 Loi édictant une loi pour protéger l'accès à certaines infrastructures de transport (No. 159)  
 (Tabled March 21, 2022).

Adjudicative Tribunals, Agriculture, Food and Rural Affairs Appeal Tribunal and the Board of  
 Negotiation, 2018-2019 Annual Report (No. 149) (Tabled March 15, 2022).

Adjudicative Tribunals, Agriculture, Food and Rural Affairs Appeal Tribunal, 2020-2021 Annual Report  
 (No. 150) (Tabled March 15, 2022).

Adjudicative Tribunals, Normal Farm Practices Protection Board, 2018-2019 Annual Report (No. 156)  
 (Tabled March 15, 2022).

Adjudicative Tribunals, Normal Farm Practices Protection Board, 2020-2021 Annual Report / Tribunaux  
 décisionnels, Commission de protection des pratiques agricoles normales, Rapport annuel 2020-2021  
 (No. 157) (Tabled March 15, 2022).

AgriCorp, 2018-2019 Annual Report (No. 151) (Tabled March 15, 2022).

AgriCorp, 2020-2021 Annual Report / Rapport annuel 2020-2021 (No. 152) (Tabled March 15, 2022).

Agricultural Research Institute of Ontario, 2018-2019 Annual Report (No. 153) (Tabled March 15,  
 2022).

Certificate pursuant to Standing Order 111(f)(1) re intended appointments dated March 11, 2022  
 (No. 147) (Tabled March 11, 2022).

Grain Financial Protection Board, 2018-2019 Annual Report (No. 154) (Tabled March 15, 2022).

Livestock Financial Protection Board, 2018-2019 Annual Report (No. 155) (Tabled March 15, 2022).

Nawiinginokiima Forest Management Corporation, 2019-2020 Annual Report (No. 148) (Tabled March  
 14, 2022).

Ontario Farm Products Marketing Commission, 2018-2019 Annual Report (No. 158) (Tabled March 15,  
 2022).

---

**RESPONSES TO PETITIONS****RÉPONSES AUX PÉTITIONS**

Racism in schools (Sessional Paper No. P-48):

(Tabled November 22, 2021) Ms. Karpoche.

(Tabled December 2, 8, 2021; March 2, 2022) Ms. Lindo.

Certification de l'Université de Sudbury comme une université francophone (Document parlementaire n° P-50) :

(Déposée le 22 novembre 2021) M<sup>me</sup> Gélinas.

Animal breeding and welfare standards (Sessional Paper No. P-52):

(Tabled November 22, 2021) Ms. Hogarth.

---