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**Official Report
of Debates
(Hansard)**

Wednesday 4 December 2002

**Journal
des débats
(Hansard)**

Mercredi 4 décembre 2002

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general government**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 4 December 2002

Mercredi 4 décembre 2002

The committee met at 1541 in room 1.

**SAFE DRINKING WATER ACT, 2002
LOI DE 2002 SUR LA SALUBRITÉ
DE L'EAU POTABLE**

Consideration of Bill 195, An Act respecting safe drinking water / Projet de loi 195, Loi ayant trait à la salubrité de l'eau potable.

The Chair (Mr Steve Gilchrist): Good afternoon. I call the committee to order for the purpose of clause-by-clause consideration of Bill 175 and Bill 195. The first order of business is the clerk indicates that there was an amendment missed in the original filing. You'll find it as an amendment from the government for subsection 163(3) paragraph 7. I'd ask for unanimous consent to accept that.

Clerk of the Committee (Ms Tonia Grannum): For Bill 195.

The Chair: For Bill 195. Agreed.

**SUSTAINABLE WATER AND
SEWAGE SYSTEMS ACT, 2002**

**LOI DE 2002 SUR LA DURABILITÉ
DES RÉSEAUX D'EAU ET D'ÉGOUTS**

Consideration of Bill 175, An Act respecting the cost of water and waste water services / Projet de loi 175, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

The Chair: With that, we will start off with Bill 175. Did you want to read those motions, Mr Dunlop?

Mr Garfield Dunlop (Simcoe North): Could I ask for unanimous consent that we just vote on them as the numbering of the bill?

The Chair: You would deem them to be read? Do we have unanimous consent that each amendment is deemed to be read? Agreed.

Just in the interest of keeping everyone's blood pressure in check, I will stand down any non-government amendments, so we will go out of sequence to that extent. That will take you to page 2, a government motion to section 1 of the bill. All in favour? Opposed? It's carried.

The next amendment is number 4, a government motion to section 2 of the bill. All those in favour? It is carried.

The next amendment you'll find as number 8 to section 3 of the bill. All those in favour? It is carried.

The next amendment is number 11. It's a government amendment to section 4 of the bill. All those in favour? It is carried.

The next amendment is number 14 to subsection 5(4) of the bill. All those in favour? It is carried.

Shall section 5, as amended, carry? It is carried.

The next amendment is number 17, a government motion to subsection 6(3) of the bill. All those in favour? It is carried.

The next amendment is number 18 to section 7 of the bill. All those in favour?

Clerk of the Committee: It's actually not a motion.

The Chair: I beg your pardon. That is out of order, so we will ignore amendment number 18. Mr Bradley?

Mr James J. Bradley (St Catharines): I'm glad you started right on time.

The Chair: Actually, the order was for 3:30. Your whip's office was called at 3:30.

Mr Bradley: Thank you very much.

The Chair: We have bypassed all the opposition amendments, so you haven't missed anything. In fact, the only amendments we have missed so far are NDP motions, so I have indulged them that we are not debating them until either the NDP arrives or we've concluded all other business.

So the next non-NDP amendment is number 22 to section 8 of the bill. Any comments? All those in favour? Opposed? It is carried.

Shall section 8, as amended, carry? It is carried.

The next amendment is number 23, a government motion to section 9 of the bill. Comments? All those in favour?

Mr Bradley: Can we have an explanation of the amendment?

The Chair: Are you asking—

Interjection.

The Chair: We've stood down all of yours. We are on number 23 on Bill 175.

Ms Marilyn Churley (Toronto-Danforth): Which one?

The Chair: Number 23.

Ms Churley: On 175?

The Chair: Any comments? Seeing none, I'll put the question. All those in favour? Opposed? It is carried.

At this point, we might as well revert to amendment number 1. We passed all of the NDP motions, Ms Churley, in deference to you. We have had a motion, though, just in the interests of time because of the time allocation, that the amendment is deemed to be read, so you don't have to read the amendment, but you're welcome to speak to it. Amendment number 1.

Ms Churley: Amendment number 1 in Bill 175, right?

The Chair: Yes, that's your section 0.1 of the bill.

Ms Churley: Right, OK. The reason why I added this is that the bill has no purpose and I always think it's a good idea to have a purpose to the bill to provide for the interpretation of what the bill's really all about. So I think this is an important piece that sets up what the bill is supposed to be doing.

The Chair: Any further comments?

Mr Dunlop: The government feels that the motion is beyond the scope of the bill.

Ms Churley: Could I have a recorded vote?

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Wettlaufer.

The Chair: That amendment fails.

The next amendment would be number 3. Ms Churley, again, it's deemed to be read, but you're welcome to speak to it.

Ms Churley: That's subsection 1(1)?

The Chair: Subsection 1(1) of the bill.

Ms Churley: What I've done here is added definitions of "source protection" and "sustainable development" which, as you will recall, was an issue that was raised quite a bit by a number of the deputants, that although this bill doesn't deal specifically with source protection, the definitions need to be added to full cost recovery and other aspects of the bill. So that's what this does.

The Chair: Any further comments?

Ms Churley: Recorded vote, please.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Wettlaufer.

The Chair: That amendment is lost.

Shall section 1, as amended, carry? It is carried.

Amendment number 5, to subsection 2(2) of the bill.

Ms Churley: This one removes "private corporation" from the list of regulated entities that could run water systems. Again, I've added this because of the concerns

expressed by myself and a number of the deputants around the possibility—the reading of this bill suggests very clearly that the system could be privatized. This would eliminate that from happening.

Mr Dunlop: We believe, again, it's beyond the scope of the bill. A regulated entity is in effect a municipality.

The Chair: Further comments? I'll put the question.

Ms Churley: Recorded, please.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Wettlaufer.

The Chair: That amendment is lost.

Shall section 2, as amended, carry? It is carried.

Number 6, section 2.1 of the bill.

Ms Churley: This is the same issue as the previous one. It states very clearly that private ownership of any waste water system or its underlying resource is prohibited. It deals with the whole concern and issue around privatization again.

1550

Mr Bradley: You'll notice it does not deal with operations; it deals only with ownership. So it is not precluding municipalities at this point in time from having their operations outside the scope of the municipal employees themselves, though that may well be the desirable part. It only deals with the ownership. Our view is that the government should be prepared to accept that.

Ms Churley: If I may, from comments I recall throughout the scope of the hearings, it seems to me that some government members did support that piece. There wasn't support for contracting out running the system but of actually owning it. This really clarifies and nails down that that couldn't be done.

The Chair: Any further comments?

Mr Dunlop: We won't be supporting it, because we do believe it's beyond the scope of the bill.

The Chair: Thank you. I'll put the question now. Ms Churley has asked for a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Wettlaufer.

The Chair: That amendment is lost.

The next is number 7, section 2.2 of the act. Ms Churley.

Ms Churley: This idea came from CELA, the Canadian Environmental Law Association. I thought some of their suggestions were quite good in the context of not wanting poor people, as happened in Britain and other jurisdictions, to have their water cut off. It's a water

lifeline, a way of ensuring that all residents get a minimum amount of water that's necessary for life. It's a way of preventing cut-offs, and it makes the point that water absolutely has to be a right and not a commodity.

There are some concerns, especially going to full cost recovery, which we all agree on in principle, that there could be, without exactly having nailed down what we mean by that at this point and not having nailed down the commitment of senior levels of government to infrastructure and those costs, there's concern that the cost of water may be prohibitive for a lot of people. This would guarantee, as we've just done with hydro over the course of the winter, that people cannot and should not have their water cut off, because they need it to sustain life.

The Chair: Any further comments?

Mr Dunlop: It's beyond the scope of the bill for us.

Ms Churley: Pardon?

Mr Dunlop: We believe, again, it's beyond the scope of the bill.

Ms Churley: Oh.

The Chair: I'll put the question.

Ms Churley: Recorded, please.

The Chair: Ms Churley has asked for a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

That takes us to number nine. Again, Ms Churley, it's your amendment to Subsection 3(2.1).

Ms Churley: This one is about public consultation. Before the regulated entity prepares a report, there should be public consultations on it and the report must include the views of the public obtained during those consultations. This is just more to do with the public right to know and the public's right to be involved in the process and have their voices heard before a report is prepared.

The Chair: Any further comments?

Mr Dunlop: We believe the proposed wording is problematic the way it's written. The bill doesn't preclude any community or public consultation but does not require it.

Ms Churley: I didn't hear the last sentence.

The Chair: Do you want to repeat yourself?

Mr Dunlop: The bill doesn't preclude any community or public consultation, but it does not require it.

Mr Bradley: Surely what the member is looking for is that it be mandated that there be public consultation in this case and not simply saying it can happen. If you say it can happen, it's not necessarily going to happen, and I think what the member is looking for in her amendment is that there in fact be public consultation and that the public not be shut out.

Ms Churley: If I may, I'm not quite sure of the answer. At least this time the response is not, "It's

outside the scope of the bill." You would agree that this is within the scope of the bill and just clarifies quite specifically. I'm not quite sure why you would have been given the order not to support this. I think it's wrong, and I want to say for the record that the public consultation aspect is a very important part of these water bills. It's making it very difficult for me to support this bill, having these amendments all voted down. That's it. Recorded vote, please.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

The next amendment is yours again, Ms Churley. It would be number 10, to subsection 3(4) of the bill.

Ms Churley: This amendment amends the definition of "costs" to include source protection, conservation and the water lifeline I mentioned in a previous amendment, which was voted down. It's there to try to deal specifically with some of the issues raised by many of the people who spoke to the committee. Conservation authorities, some of the environmental groups and community groups all said it was a specific problem that source protection and conservation were not included. I'm just trying to remedy that obvious oversight in the bill.

The Chair: Any further comments? Seeing none, I'll put the question.

Ms Churley: Recorded vote, please.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: Shall section 3, as amended, carry? Section 3, as amended, is carried.

Number 12 is to subsection 4(2.1) of the bill.

Ms Churley: This again deals with holding public hearings and public consultation on a report so that public views are obtained during those consultations and become part of the report. I make the same arguments again that it's important to have it written specifically into the bill so it's not at the minister's discretion but becomes part of the process.

I think public consultation—the public's right to know and their views to be heard—is really critical. I hope you'll accept this amendment. A recorded vote, please.

Mr Dunlop: I just want to say that the bill, again, does not preclude any community or public consultation,

but it's not required; you don't have to have it. We won't be supporting it.

Mr Bradley: The question I would ask of the government is why you're afraid of public consultation. Why would you not at least mandate the opportunity for public consultation? I know you say it doesn't preclude it, but there's no assurance that the minister is going to grant public consultation. What are you afraid of with public consultation? Why would you be afraid to have the public involved?

Mr Dunlop: I'm going to ask the legal department to answer this question. This is Jim Flagal and Paul McCulloch from the MOE legal department.

Mr Bradley: What possible legal reason could there be for this?

Mr James Flagal: I don't think there is a legal reason to preclude, but I can point out, first of all, that in the administration of the scheme itself, obviously public consultation would be carried out by the regulated entity, which is a designated municipality under section 2, when they're preparing these plans or reports.

Second, there is regulation-making authority under the act that specifically talks about the type of information that's to be included in full cost reports and cost recovery plans. One of the matters the regulations could deal with, for instance, is saying to the regulated entity, "You should include information on public consultations you conduct during the preparation of those reports or plans."

Mr Bradley: The problem with the regulations, of course, is that we have no input to the regulations. They're done behind closed doors by the government, and there's no assurance. If it is included in the legislation, as it would be through this amendment, then we would be assured of that public consultation. Without it, the public will be shut out. It is a very dangerous thing to shut the public out, because even after the government has heard the public, it still has the option to proceed as it sees fit, which is a government's prerogative. But I think it's very valuable to have that input, and I do not trust it's very valuable to have that input, and I do not trust it's included in the bill simply by means of regulation.

The Chair: Any further comments?

Ms Churley: Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

As the Clerk has just pointed out to me that the time allocation motion specifies that at 4 o'clock all questions are deemed to be put, with no further debate, we will oppose all of the—

Clerk of the Committee: Just any division—

The Chair: Yes, any division required will be deferred until all remaining questions have been put.

The next amendment will be number 13, the NDP amendment to subsection 4(4) of the bill. All in favour?

Ms Churley: Can we have recorded votes on all of those, please?

Clerk of the Committee: It's at the end. They would just be stacked.

The Chair: They would all be stacked at the end. So if you're going to be saying that for every one, we might as well start here with them. On the other hand, if there are sections you do wish recorded votes on and sections you don't wish recorded votes on, perhaps you could indicate that now.

1600

Ms Churley: I'm not sure; that's the problem. I haven't had a whole lot of time to examine these. I'm trying to understand what's going here. It's time allocation—

The Chair: At 4 o'clock all questions are deemed to be put. We simply read the amendment number and subsection of the bill and vote.

Ms Churley: So what you're saying is, I can ask on each one as we vote whether it's recorded or not?

The Chair: You can, or you can simply indicate now that that's what you will be doing. It saves you from saying it that many times. So I should assume that?

Ms Churley: Yes, you should assume that.

The Chair: That takes us to amendment 13, the NDP motion on subsection 4(4) of the bill. These will all be recorded votes.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: It is defeated.

Shall section 4, as amended, carry? It is carried.

Number 15 is an NDP motion, subsection 6(1), of the bill.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: It is lost.

Number 16, subsection 6(1.1).

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: It is lost.
Shall section 6, as amended, carry? It is carried.
Number 19 is an NDP motion to subsection 7(1) of the bill.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: The amendment is lost.
Number 20, an NDP motion to subsection 7(2) of the bill.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: The amendment is lost.
Number 21, NDP motion on subsection 7(4) of the bill.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 7 carry? It is carried.
Number 24 is an NDP motion to subsection 9(2.1) of the bill.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 9, as amended, carry? It is carried.
Number 25 is a government motion to section 10 of the bill. You're asking for a recorded vote for these ones as well, or just for yours?

Ms Churley: I'm not even aware—I haven't had a chance to look at the government motions. Can you give me a second here? Which one is it?

The Chair: Number 25.

Ms Churley: I'm going to abstain on this because I haven't had a chance to understand the implications, and there's no discussion.

The Chair: All those in favour? Opposed. It is carried.

Number 26 is an NDP motion to subsection 10(2.1) of the bill. This will be a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 10, as amended, carry? It is carried.
Number 27 is a government amendment to subsection 11(4). All those in favour? Opposed?

Ms Churley: I'm in favour of that one.

The Chair: It carries.

Shall section 11, as amended, carry? It is carried.

Number 28 is an NDP motion to subsection 12(1).
Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Number 29 is an NDP amendment to section 12(1.1).

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Number 30 is a government amendment to subsection 12(3). All those in favour? Opposed? It is carried.

Shall section 12, as amended, carry? It is carried.

Section 13 is a government amendment, number 31, to subsections 13(1), (2), and (3). All those in favour? Opposed? It is carried.

Number 32 is an NDP motion to subsection 13(1).
Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Number 33 is an NDP motion to subsection 13(2).

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Number 34 is an NDP amendment to subsection 13(4).

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 13, as amended, carry? It is carried.
Shall section 14 carry? It is carried.
Amendment number 35 is a government motion to subsections 15(1.1), (1.2) and (1.3). All those in favour? Opposed? It is carried.
Shall section 15, as amended, carry? It is carried.
Shall section 16 carry? It is carried.
Amendment number 36 is an NDP motion to clause 17(1)(d). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: The amendment is lost.
Number 37 is a government amendment to subsection 17(2). All those in favour? Opposed? It is carried.
Number 38 is an NDP amendment to subsection 17(3). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 17, as amended, carry? It is carried.
Number 39 is a government motion to subsections 18(1), (2) and (3). All those in favour? Opposed. It is carried.
Number 40 is an NDP motion to clause 18(1)(d). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Number 41 is an NDP motion to subsection 18(3). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 18, as amended, carry? It is carried.
Shall section 19 carry? It is carried.
Number 43 is a government amendment to section 20. All those in favour? Opposed? It is carried.
Shall section 20, as amended, carry? It is carried.
Shall section 21 carry? It is carried.
Section 22: we have amendment number 44. It is a government motion. All those in favour? Opposed? It is carried.
Shall section 22, as amended, carry? It is carried.
Number 45 is an NDP motion to section 23. A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That is lost.
Shall section 23 carry? It is carried.
Number 46 is a government amendment to subsections 24(4), (5) (6), (7) and (8). All those in favour? Opposed? It is carried.
Shall section 24, as amended, carry? It is carried.
Shall sections 25 and 26 carry? They are carried.
Shall the long title of the bill carry? Carried.
Shall Bill 175, as amended, carry? It is carried.
Shall I report this bill, as amended, to the House? Agreed.

That disposes of Bill 175, which takes us to Bill 195.

Ms Churley: On a point of order, Mr Chair: I just want to say for the record that I was taking care of some business in the House and was a bit late in coming and discovered that most of the government motions had been dealt with before I got here. I just wanted to say, for the record, that I did not participate and was unable to participate in the discussion around these amendments.

The Chair: Consider that an indulgence. That probably would qualify as debate in our rules and we aren't supposed to have any of that, but your comments are now duly noted.

Ms Churley: Thank you very much for that opportunity.

SAFE DRINKING WATER ACT, 2002

LOI DE 2002 SUR LA SALUBRITÉ
DE L'EAU POTABLE

Consideration of Bill 195, An Act respecting safe drinking water / Projet de loi 195, Loi ayant trait à la salubrité de l'eau potable.

The Chair: Having changed personnel at the witness table, and if everyone has armed themselves with the appropriate amendment package—the clerk is handing out the amendment that was also dealt with at the start of the meeting as an addendum. With that, we will commence with Bill 195.

The first amendment is an NDP motion to section 1. A recorded vote.

All those in favour?

1610

Ms Churley: Wait. Are we under a time allocation for this as well? So there's no time for explanations for Bill 195?

The Chair: Yes. The time allocation motion that no later than 4 o'clock—

Ms Churley: What a joke this is. Well, a recorded vote.

Mr Bradley: If they could explain their amendments to me, the government amendments, they may be reasonable. In many cases they probably are.

The Chair: Well, such are the rules that the Chair is forced to abide by and, duly ordered by the House, I will start with NDP motion number 1. I am going to assume Ms Churley has the same interest in recorded votes.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 1 carry? Carried.

Amendment 2 is an NDP motion to section 2. A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 3 is a government amendment to subsection 2(1). All those in favour? Opposed. Carried.

Number 4 is a government amendment to subsection 2(1). All those in favour? Opposed? Carried.

Number 5 is a government amendment to subsection 2(1). In favour? Opposed? It is carried.

Number 6 is an amendment to subsection 2(1). All those in favour? Opposed? It is carried.

Number 7 is a government amendment to subsection 2(1). All those in favour? Opposed? It is carried.

Number 8 is a government amendment to subsection 2(1). All in favour? Opposed. It is carried.

Number 9 is a government amendment to subsection 2(1). All those in favour? Opposed? Carried.

Number 10 is a government amendment to subsection 2(1). In favour? Opposed? Carried.

Number 11 is an amendment to subsection 2(1). All those in favour? Opposed? It is carried.

Shall section 2, as amended, carry? Carried.

Section 3: number 12 is an NDP amendment to subsection 3(1). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 13 is a Liberal amendment to subsection 3(1). I'm going to assume a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 14 is an NDP amendment to subsection 3(4). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 15 is a Liberal amendment to subsection 3(4). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 16 is a Liberal amendment to subsections 3(5), (6) and (7). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 3 carry? It is carried.

Number 17 is a Liberal amendment to subsection 4(1). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 18 is a Liberal amendment to subsection 4(2.1). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 19 is an NDP amendment to subsections 4(2.1), (2.2), (2.3), (2.4), and (2.5). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 4 carry? Section 4 is carried.

Shall section 5 carry? Section 5 is carried.

Number 20 is an NDP amendment to subsection 6(2). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 6 carry? It is carried.

Number 21 is an NDP amendment to subsections 7(1.1), (1.2), and (1.3). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 22 is a Liberal amendment to subsections 7(1.1) and (1.2). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 7 carry? It is carried.

Number 23 is an NDP amendment to section 8. A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 8 carry? It is carried.

Shall sections 9 and 10 carry? Sections 9 and 10 are carried.

Number 24 is a Liberal amendment to subsection 11(1). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 25 is an NDP amendment to subsection 11(1). A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 26 is a government amendment to subsection 11(1.1). All those in favour? Opposed? It is carried.

Shall section 11, as amended, carry? It is carried.

Shall section 12 carry? It is carried.

Number 27 is a government amendment to subsection 13(1). All those in favour? Opposed? It is carried.

Shall section 13, as amended, carry? It is carried.

Number 28 is a government amendment to subsection 14(3). All those in favour? Opposed? It is carried.

Number 29 is a government amendment to subsection 14(4). All those in favour? Opposed? It is carried.

Shall section 14, as amended, carry? It is carried.

Shall section 15 carry? It is carried.

Number 30 is a government amendment to subsection 16(2). All those in favour? Opposed? It is carried.

Shall section 16, as amended, carry? It is carried.

Shall sections 17 and 18 carry? They are carried.

Section 19: amendment 31 is a government amendment to subsection 19(5). All those in favour? Opposed? It is carried.

Shall section 19, as amended, carry? It is carried.

Shall section 20 carry? It is carried.

Section 21: there is an NDP amendment, number 32, to subsection 21(1). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 21 carry? It is carried.

Shall section 22 carry? It is carried.

Number 33 is an NDP motion, subsection 22.1. Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: The amendment is lost.

Section 23: amendment number 34 is a—

Mr Dunlop: Excuse me, Mr Chair. I don't understand what we were just doing there for a second. Section 22, you—

The Chair: That would have been a new section 22.1, so by defeating the amendment, there is no need to then pose another question.

Mr Dunlop: OK. I'm sorry.

The Chair: No, that's fine.

Number 34 is a government amendment to section 23. All those in favour? Opposed? It is carried.

Shall section 23, as amended, carry? It is carried.

Shall sections 24, 25, 26, 27, 28 and 29 carry? Sections 24, 25, 26, 27, 28 and 29 are carried.

Number 35 is a government amendment to clauses 30(2)(a) and (b). All those in favour? Opposed? It is carried.

Shall section 30, as amended, carry? It is carried.

Number 36 is a government amendment to section 31. All those in favour? Opposed? It is carried.

Shall section 31, as amended, carry? It is carried.

Number 37 is a government amendment to section 32. All those in favour? Opposed? It is carried.

Number 38 is an NDP amendment to subsection 32(4.1). A recorded vote.

Ayes

Bradley, Churley.

Nays

Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 39 is a Liberal amendment to subsection 32(4.1). All those in favour?

Ayes

Bradley, Churley.

Nays

Miller, Stewart, Wettlaufer.

The Chair: Shall section 32, as amended, carry? It is carried.

Section 32.1 would be a new section, as amendment number 40 from the NDP. Recorded vote.

Ayes

Bradley, Churley.

Nays

Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Amendment 41 is a government amendment to section 33. All those in favour? Opposed? It is carried.

Shall section 33, as amended, carry? It is carried.

Number 42 is a government amendment to section 34. All those in favour? Opposed? It is carried.

Shall section 34, as amended, carry? It is carried.

Number 43 is a government amendment to section 35. All those in favour? Opposed? It is carried.

Shall section 35, as amended, carry? Carried.

Number 44 is a government amendment to section 35.1. All those in favour? Opposed? It is carried.

Number 45 is a government amendment to section 35.2. All those in favour? Opposed? It is carried.

Number 46 is a government amendment to section 35.3. All those in favour? Opposed? It is carried.

Number 47 is a government amendment to section 35.4. All those in favour? Opposed? It is carried.

Shall section 36 carry? It is carried.

Number 48 is a government amendment to section 37. All those in favour? Opposed? It is carried.

Shall section 37, as amended, carry? It is carried.

Shall sections 38, 39 and 40 carry? Sections 38, 39 and 40 are carried.

Number 49 is a government amendment to subsection 41(2). All those in favour? Opposed? It is carried.

Number 50 is a government amendment to subsection 41(3). All those in favour? Opposed? It is carried.

Shall section 41, as amended, carry? It is carried.

Shall section 42 carry? It is carried.

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Number 51 is a government amendment to section 43. All those in favour? Opposed? It is carried.

Shall section 43, as amended, carry? It is carried.

Shall section 44 carry? It is carried.

Number 52 is a government amendment to section 45. All those in favour? Opposed? It is carried.

Shall section 45, as amended, carry? It is carried.

Shall section 46 carry? It is carried.

Number 53 is a government amendment to section 47. All those in favour?

Mr Wayne Wettlaufer (Kitchener Centre): Whoa, 53 is an NDP motion.

The Chair: Is my chart wrong?

The Chair: Ah, the clerk is setting me up here. We would have had a constitutional crisis: the separation of the legislative staff from the reality of hiring and firing.

Interjection.

The Chair: Indeed. Thank you for noting that.

Number 53 is an NDP amendment to section 47. This will be a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 54 is a Liberal amendment to section 47. Another recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost as well.

Shall section 47 carry? It is carried.

Number 55 is a government amendment to section 48. All those in favour? Opposed? It is carried.

Shall section 48, as amended, carry? It is carried.

Number 56 is a government motion to subsection 49(1). All those in favour? Opposed? It is carried.

Shall section 49, as amended, carry? It is carried.

Number 57 is a government amendment to subsection 50(1). All those in favour? Opposed? It is carried.

Number 58 is a government amendment to subsection 50(4). All those in favour? Opposed? It is carried.

Shall section 50, as amended, carry? It is carried.

Shall section 51 carry? It is carried.

Number 59 is a government amendment to subsection 52(3). All those in favour? Opposed? It is carried.

Shall section 52, as amended, carry? It is carried.

Number 60 is a government amendment to subsection 53(3). All those in favour? Opposed? It is carried.

Shall section 53, as amended, carry? It is carried.

Shall sections 54 and 55 carry? Sections 54 and 55 are carried.

Number 61 is a government amendment to section 56. All those in favour? Opposed? It is carried.

Shall section 56, as amended, carry? It is carried.

Shall sections 57, 58, 59 and 60 carry? It is carried. Sections 57, 58, 59 and 60 are carried.

Amendment number 62 is an NDP motion to amend section 60.1. Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 63 is a government amendment to section 61. All those in favour? Opposed? It is carried.

Shall section 61, as amended, carry? It is carried.

Shall sections 62, 63, 64, 65, 66, 67, 68 and 69 carry? Sections 62 through 69 are carried.

Amendment 64 is a government amendment to subsection 70.1. All those in favour? Opposed? It is carried.

Number 65 is a government amendment to subsection 70(4). All those in favour? Opposed? It is carried.

Shall section 70, as amended, carry? It is carried.

Amendment number 66 is a government amendment to subsection 71(3). All those in favour? Opposed? It is carried.

Shall section 71, as amended, carry? It is carried.

Shall sections 72, 73, 74, 75 and 76 carry? Sections 72 through 76 are carried.

Section 77. The first amendment is number 67. It is a government amendment to subsection 77(2). All those in favour? Opposed? It is carried.

Number 68 is a government amendment to subsection 77(2), subparagraph 4 ii. All those in favour? Opposed? It is carried.

Number 69 is a government amendment to subsection 77(2) paragraph 5. All those in favour? Opposed? It is carried.

Number 70 is a government amendment to subsection 77(7). All those in favour? Opposed? It is carried.

Shall section 77, as amended, carry? It is carried.

Shall section 78 carry? It is carried.

Number 71 is a government amendment to section 79. All those in favour? Opposed? It is carried.

Shall section 79, as amended, carry? It is carried.

Number 72 is an NDP amendment to section 79.1. This will be a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall sections 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 and 98 carry? Sections 80 through 98 are carried.

Number 73 is an NDP amendment to section 99. It will be a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 99 carry? It is carried.

Shall sections 100 and 101 carry? They are carried.

Number 74 is a government amendment to subsection 102(4). All those in favour? Opposed? It is carried.

Shall section 102, as amended, carry? It is carried.

Shall section 103 carry? It is carried.

Number 75 is a government amendment to subsection 104(3), paragraph 2. All those in favour? Opposed? It is carried.

Shall section 104, as amended, carry? It is carried.

Number 76 is a government amendment to subsection 105(1). All those in favour? Opposed? It is carried.

Number 77 is a government amendment to subsection 105(1). All those in favour? Opposed? It is carried.

Number 78 is a government amendment to subsection 102(5). All those in favour? Opposed? Carried.

Shall section 105, as amended, carry?

Mr Norm Miller (Parry Sound-Muskoka): Excuse me, that was 105(2).

The Chair: That's what I said, didn't I?

Mr Miller: No, you said 102(5).

The Chair: It's 105(2). Those numbers are merely to help Hansard keep track in case they don't have the proper numbered amendment. Thank you, if I erred.

Shall section 105, as amended, carry? It is carried.

Number 79 is a government motion to subsection 106(1), paragraph 1. All those in favour? Opposed? It is carried.

Number 80 is a government amendment to subsection 106(3), paragraph 1. All those in favour? Opposed? Carried.

Number 81 is a government amendment to subsection 106(5). All those in favour? Opposed? Carried.

Number 82 is a government amendment to clause 106(6)(c). All those in favour? Opposed? Carried.

Number 83 is a government amendment to subsection 106(7). All those in favour? Opposed? Carried.

Shall section 106, as amended, carry? Carried.

Shall section 107 carry? It is carried.

Number 84 is a government amendment to section 108. All those in favour? Opposed? Carried.

Shall section 108, as amended, carry? It is carried.

Number 85 is a government amendment to subsection 109(1), paragraph 2. All those in favour? Opposed? Carried.

Number 86 is a government amendment to subsection 109(11). All those in favour? Opposed? Carried.

Number 87 is a government amendment to clause 109(12)(c). All those in favour? Opposed? Carried.

Number 88 is a government amendment to subsection 109(13). All those in favour? Opposed? Carried.

Number 89 is a government amendment to subsection 109(14). All those in favour? Opposed? Carried.

Shall section 109, as amended, carry? It is carried.

Number 90 is a government amendment to subsection 110(1). All those in favour? Opposed? Carried.

Number 91 is a government amendment to subsection 110(2). All those in favour? Opposed? Carried.

Number 92 is a government amendment to subsection 110(3), paragraphs 1 and 2. All those in favour? Opposed? Carried.

Number 93 is a government amendment to subsection 110(5). All those in favour? Opposed? Carried.

Number 94 is a government amendment to subsection 110(6). All those in favour? Opposed? Carried.

Number 95 is a government amendment to subsection 110(8). All those in favour? Opposed? Carried.

Number 96 is a government amendment to subsection 110(10). All those in favour? Opposed? Carried.

Number 97 is a government amendment to subsections 110(13) and (14). All those in favour? Opposed? Carried.

Shall section 110, as amended, carry? It is carried.

Shall sections 111, 112, 113, 114 and 115 carry? They are carried.

Number 98 is an NDP amendment to section 116. It will be a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 99 is an NDP amendment to subsection 116(2). Recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 116 carry? It is carried.

Shall sections 117, 118, 119, 120, 121 and 122 carry? They are carried.

Number 100 is a government amendment to subsection 123(1). All those in favour? Opposed? It is carried.

Shall section 123, as amended, carry? It is carried.

Sections 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134 and 135: shall those sections carry? They are carried.

The next amendment is number 101. It is an NDP amendment to subsection 136(2).

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 136 carry? It is carried.

Shall sections 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150 and 151 carry? Sections 137 to 151 are carried.

Number 102 is a government amendment, clause 152(1)(c). All those in favour? Opposed? Carried.

Shall section 152, as amended, carry? It is carried.

Number 103 is a government amendment, subsections 153(1) and (2). All those in favour? Opposed? It is carried.

Shall section 153, as amended, carry? It is carried.

Shall sections 154, 155, 156, 157, 158, 159, 160, 161 and 162 carry? Those sections are carried.

There is a new section, section 162.1. That is an NDP motion marked number 104. This is a recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Number 105 is a government amendment, subsection 163(3). All those in favour? Opposed? Carried.

Ms Churley: He was opposed.

Mr Dunlop: Just a second.

The Chair: No, I know what you were doing. That's OK. There were no other hands up so the vote was three to one.

There is now the addendum motion that was handed out. It is not numbered. It's a government motion to subsection 163(3), paragraph 7. All those in favour? Opposed? It is carried.

Shall section 163, as amended, carry? It is carried.

Number 106 is a government amendment to subsection 164(1). All those in favour? Opposed? Carried.

Number 107 is a government amendment, paragraph 164(1)(3). All those in favour? Opposed? Carried.

Number 108 is a government amendment, subsection 164(5). All those in favour? Opposed? It is carried.

Shall section 164, as amended, carry? It is carried.

Shall section 165 carry? It is carried.

Section 165.1 is an NDP motion marked number 109. A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.

Shall section 166 carry? It is carried.

Section 166.1 is an NDP motion, number 110. A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 167 carry? It is carried.
Section 168 is an NDP motion, number 111. A recorded vote.

Ayes

Bradley, Churley.

Nays

Dunlop, Miller, Stewart, Wettlaufer.

The Chair: That amendment is lost.
Shall section 168 carry? It is carried.
Shall section 169 carry? It is carried.
Shall the long title of the bill carry?

Mr Dunlop: Mr Chairman, on a point of order: I have a clarification and I'd like to have a five-minute recess to

just go over a couple of the motions—government motions 18 and 42. I'd like to have clarification on the status of them.

The Chair: We don't have the facility to do that, Mr Dunlop. The order of the House does not allow us to take a break.

Mr Bradley: That's in your own time allocation motion.

The Chair: Shall the long title of the bill carry? It is carried.

Shall Bill 195, as amended, carry? It is carried.

Shall I report the bill, as amended, to the House? It is carried.

Thank you all for your participation. The committee stands adjourned.

The committee adjourned at 1635.

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