



No. 8B

N° 8B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Première session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 2 December 2003

Mardi 2 décembre 2003

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 2 December 2003

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 2 décembre 2003

The House met at 1845.

ORDERS OF THE DAY

BUSINESS OF THE HOUSE

Hon Dwight Duncan (Minister of Energy, Government House Leader): I move that, notwithstanding any standing order or special order of the House, there be a timetable applied to the consideration of certain business of the House as follows:

(A) Bill 2, An Act respecting fiscal responsibility:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment;

2. Upon receiving second reading, the bill shall be ordered referred to the standing committee on finance and economic affairs;

3. The standing committee on finance and economic affairs shall meet for two consecutive sitting days, commencing on the first sitting day following the passage of second reading for the purpose of public hearings and clause-by-clause consideration of the bill;

4. The committee may meet from 10 am till 12 noon and again following routine proceedings until 6 pm on each of the two days;

5. At 4 pm on the second day, 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 cause there to be one final 20-minute waiting period for the purpose of calling in the members and shall then immediately, without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

6. The committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the second day of the committee's consideration of the bill;

7. In the event that the committee fails to report the bill as provided in paragraph 6, the bill shall be deemed to have been passed by the committee and reported to and received by the House;

8. Upon being reported to the House, the bill shall be ordered for third reading, which order may be called on the same sessional day;

9. There shall be two sessional days of third reading debate on the bill;

10. At 10 minutes before the normal hour of adjournment on the second day, the Speaker shall put every question necessary to dispose of the third reading stage of the bill;

11. No deferral of any vote shall be permitted.

(B) Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment; the vote on second reading may not be deferred;

2. Upon receiving second reading, the bill shall be ordered referred to the standing committee on justice and social policy;

3. The standing committee on justice and social policy shall meet at the call of the chair for two days for the purpose of public hearings and clause-by-clause consideration of the bill.

4. The committee may meet from 10 am till 12 noon and again following routine proceedings until 6 pm on each of the two days;

5. At 4 pm on the second day, 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 cause there to be one final 20-minute waiting period for the purpose of calling in the members and shall then immediately, without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

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6. The committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the committee's second day of consideration of the bill;

7. In the event that the committee fails to report the bill as provided in paragraph 6, the bill shall be deemed to have been passed by the committee and reported to and received by the House;

8. Upon being reported to the House, the bill shall be ordered for third reading, which order may be called on the same sessional day;

9. There shall be one sessional day of third reading debate on the bill;

10. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the third reading stage of the bill.

11. The vote on third reading may be deferred.

(C) Bill 5, An act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment;

2. Upon receiving second reading, the bill shall be ordered referred to the standing committee on finance and economic affairs;

3. The standing committee on finance and economic affairs shall meet for two days at the call of the Chair for the purpose of public hearings and clause-by-clause consideration of the bill;

4. The committee may meet from 10 am to 12 noon and again following routine proceedings until 6 pm on each of the two days;

5. The committee's second day of consideration of the bill shall be completed on or before Tuesday, December 16, 2003;

6. At 4 pm on the second day, 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 cause there to be one final 20-minute waiting period for the purpose of calling in the members and shall then immediately, without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

7. The committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the committee's second day of consideration of the bill;

8. In the event that the committee fails to report the bill as provided in paragraph 7, the bill shall be deemed to have been passed by the committee and reported to and received by the House;

9. Upon being reported to the House, the bill shall be ordered for third reading, which order may be called on the same sessional day;

10. There shall be one sessional day of third reading debate on the bill;

11. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the third reading stage of the bill;

12. No deferral of any vote shall be permitted.

(D) Opposition Day:

1. The official opposition shall be entitled to give notice of a motion for consideration pursuant to standing order 42;

2. The date for consideration of such motion shall be Wednesday, December 10, 2003.

(E) Government notice of motion number 10, motion to appoint presiding officers:

1. When government notice of motion number 10 is called, one sessional day shall be allocated to the debate;

2. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; the vote on this motion may be deferred.

(F) Government order number two, motion to take the speech of His Honour the Lieutenant Governor into consideration:

1. When government order number two is next called, one sessional day shall be allocated to the debate;

2. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; the vote on this motion may be deferred.

In the case of any division relating to any proceedings A through F, the division bell shall be limited to 10 minutes.

This was filed on December 1, 2003.

The Speaker (Hon Alvin Curling): I think that the member from Niagara Centre had a point of order.

Mr Peter Kormos (Niagara Centre): I appreciate Mr Duncan and Mr Runciman acknowledging that this is an unprecedented procedure and for purporting to borrow from the procedure in the British House of Commons. Note that it deals with six items before this House: three bills, two motions and then the opposition motion, speaking specifically of the motion of the official opposition.

If you take a look at the very beginning of the motion, you note that it was very careful to cite "notwithstanding any standing order or special order of the House." Of course, when I looked at it I thought, "My goodness, this is a time allocation motion—standing order 46." Standing order 46 can apply to both a motion and to a bill. But as well, of course, standing order 46 can only apply to a motion or a bill after that motion or bill has been debated for three sessional days. It cannot guillotine or curtail time until three sessional days have passed.

I acknowledge that in the case of Bill 2 we have had three sessional days of second reading debate; Bill 4, three sessional days; Bill 5: subject to correction, my notes around Bill 5 indicate that today was but the second sessional day. Yet this motion says that the next time Bill 5 is called, 10 minutes before the end of that sessional day it shall be put to a vote. So it purports to time-allocate Bill 5 before Bill 5 would otherwise be eligible for time allocation pursuant to standing order 46. At the very onset, it indicates that this is operating independently, because it operates notwithstanding other standing orders. In fact, the motion acknowledges, by virtue of saying that, standing order 46.

The authority, I trust, that the government House leader would purport to claim would be the British House of Commons. The government House leader, in his statement to the press, made reference to the standing committee on the Legislative Assembly's report on enhancing the role of the private member, of December 2002. The government House leader talks about the reference—because it certainly wasn't a recommendation of that report; let's be very careful. It was basically in an addendum to that report, where it was one of the things

that was mentioned or observed by members of the committee. It wasn't part of the recommendations. It refers to programming motions coming into existence in 1998 in the British House of Commons. But one should be careful, because one has to note that those programming motions in the House of Commons were the matter of consensus.

I acknowledge that we can do almost anything on unanimous consent. I want to assure you there is no unanimous consent in any way, shape or form with respect to this motion, and clearly no consensus. If there were unanimous consent, I then would not feel compelled to indicate that the House leader has to show some statutory authority for the motion. Without consent, though, the power, the right to bring the motion, especially in view of the fact that this motion contravenes standing order 46—and let's understand the history of standing order 46. We had what I call the "common law closure motion," which has existed for as long as I've been in a Parliament, and a great deal longer than that. That's where the Speaker utilized his discretion to determine whether that closure motion was in order, and that's something that you and I have had some experience with over the 15 to 20 years that myself and yourself have been here. The particular standing order was an effort to codify and extend the closure motion, because the closure motion just ends debate and the bill or motion moves to the next phase—obviously, more likely a bill. Standing order 46 talks about a scenario where, by motion pursuant to standing order 46, the government House leader can not only end debate but also determine how the bill flows through committee and then third reading. In other words, it can deal with closure in anticipation.

The British House of Commons, you should note, was compelled, when consensus was no longer capable and when there was therefore no unanimous consent around these programming motions, which appear to have first occurred in 1998, to adopt a sessional order in the year 2000 to provide a formal framework for these programming motions.

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If that type of sessional order or standing order were available to the government House leader here, and if this motion were in compliance with it, my arguments would be difficult to sustain. I put to you that there is no standing order to support this motion, there is no sessional order to support this motion and in fact this motion contravenes standing order 46, not that there isn't notice—of course there is notice—but it would impose closure, specifically with respect to Bill 5, where even standing order 46 couldn't impose closure.

With respect to the two motions, it would impose closure, in the instance of one, after but one sessional day of debate, and in the instance of the other, no sessional days of debate. That's the government motion purporting to appoint the Deputy Speaker, Deputy Chairs and so on. So this motion, I put to you, is out of order.

I suspect that a clever reply might contain a suggestion that there be the power of severance and that you could

sever the legitimate or valid portions from the illegitimate ones. But here I put to you that there are no legitimate portions, because even the references to sections 2 and 4 do not occur with reference to standing order 46. They say, "notwithstanding standing order 46;" they say, "in spite of or regardless of or with indifference to standing order 46." That is a critical distinction. The author of the motion wanted you to treat this as notwithstanding standing order 46. There's no way that this Chair, sir, can infer the application of standing order 46. In my submission to you, this motion cannot be severed. It is illegitimate. There is no root for it, there is no statutory foundation for it, there is no precedential foundation for it in this Legislature.

The effort to invoke the British House of Commons neglects to note that the British House of Commons' 1998 to 2000 process of programming motions was done with unanimous consent—consensus—and when that unanimous consent or consensus disappeared, evaporated, the British House of Commons had to create a sessional order which, as you know, had the impact of a standing order for the purpose of that session of Parliament.

This government wants, I suppose, to propose a motion creating a new standing order or sessional order. Then we debate that. But until that's debated and determined, this motion before the House is one that cannot be considered by this House. I'm asking you, sir, to rule it out of order.

I would ask you to refer to the standing committee on the Legislative Assembly report on enhancing the role of the private member, December 2002; I would ask you to refer to the standing orders; I would ask you to refer, if you wish, to the statement made public by the Honourable Dwight Duncan on December 1, 2003, written copies of which are available, and also the statement of Robert Runciman, MPP, Leeds-Grenville, press release for immediate release, December 1, 2003, which is in the public realm.

In completion, I would also ask you to understand that time allocation is a special limit on the rights of members to debate a piece of legislation. It curtails that right, it inhibits that right, it restricts that right. In that regard, I'm asking you to contemplate, of course, as well, standing order 1; in particular, standing order 1(a) and 1(b): "to ensure that proceedings are conducted in a matter that respects the democratic rights of members ... to debate, speak to and vote on motions, resolutions and bills." The impact of any time allocation motion is to curtail that right to debate. When it's done under standing order 46, I understand the route, but when the House leader, in this case, plucks it out of the air, the Speaker is then put in a position where he has to rule against it.

Those are my submissions. I would ask that you permit me the right to reply to any new matters raised by any other participants in these comments on this point of order.

Mr John R. Baird (Nepean-Carleton): On the same point of order, Mr Speaker: I'm pleased to have the

opportunity to rise and give comments on behalf of the official opposition to the point of order raised by my friend from Niagara Centre. I would like to preface my comments by saying that obviously it is the view of the leader of the official opposition and many members that the New Democratic Party be recognized as a recognized party in this chamber with its rights and privileges, but that's not what this is about, as the member for Timmins-James Bay says. That's a matter for the House to consider, and it's not the issue before us, but I did think it was important to put on the record.

While we respect the position of the member for Niagara Centre and of the third party, it is the position of the official opposition that there is a case to be made for you to rule government notice of motion 13 in order. This is an abbreviated legislative session. It's only four weeks. Normally we would have come back in September and sat through until just before Christmas, but with respect to the fact that the elections were held in October, and obviously a reasonable period of time has to take place for transition, after extensive consultations with the government, our House leader, Bob Runciman, has agreed to a pilot project to timetable the business of the House to allow for expanded debate on the issues that are of legitimate interest to the people of Ontario.

My constituents didn't send me here to debate a motion about when we would debate the speech from the throne. My constituents didn't send me here to debate whether the standing committee on general government would meet on Monday or Tuesday. They sent me here to talk about the important priorities: job creation, economic growth, health care, education, levels of taxation in the province, the energy policy that affects all Ontarians, auto insurance—something that's important to people in Ontario.

This pilot project, which I think is reflected in this motion, schedules the business of the House for this small period of time that we sit in the fall of 2003.

For too long, debate in this place has lost much of its relevance. Governments of all political stripes, including the NDP, including the Liberal Party, including the Conservative Party, have limited debate for reasons of expediency, while opposition parties have used every loophole in the rules to conduct themselves in the Legislature, particularly with respect to dilatory purposes. I think what is important is that we act responsibly as an official opposition, the only recognized party at this stage, and that the government act responsibly. I think too often neither side wants to blink: "If we work with the government, they'll look good," or, "If we work with the opposition, we'll look weak."

Speaker, what you have before you today is an opportunity to continue the long tradition of Speakers of the Ontario Legislative Assembly in charting new courses for parliamentary reform. While not specifically referenced in the standing orders, this type of motion is no different from any other substantive motion as described under standing order 2, meaning that such a motion requires notice and that it must be fully debated. The context for

this debate about the admissibility of this motion—as the member for Niagara Centre says, "Well, they could bring in a change to the standing orders." I'm going to submit to you, Speaker, that that would require every bit as much debate as the motion before us. Every member of the Legislature will have an opportunity to debate this motion. You, sir, will have the privilege, the right to decide when you feel the House has had enough debate on this motion, much like you would on a change to the standing orders. So I'm going to argue that this is very equivalent to a change in the standing orders. Instead of having a motion to do this, you'd have a motion to allow them to do this. So the point made by the member for Niagara Centre is, in my judgment, moot.

Only after members of the Legislature have had the opportunity to debate this motion, to listen to the debate, whether they choose to participate or not, will the motion be put to the ultimate test of a vote by all members of the Legislature.

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Speaker, there is precedent for the timetabling of legislative business. I would refer you to a ruling of Speaker Edighoffer—whom I know you sat with—that he made on January 23, 1989, in response to a point of order with respect to the fixing of debate time on two government bills, known as time allocation, but for which no standing order existed at the time.

The then-Speaker recognized that not every procedural instance is covered by our standing orders. Indeed, as Speaker Edighoffer observed, from time to time the standing orders may be supplemented by special motions, such as the one presented today in the House that we're discussing this evening, to facilitate a better working of the House.

As Speaker Edighoffer said in his ruling, "[The standing orders] are passed by the House by a simple majority and may be altered, supplemented or deleted by a simple resolution in the same way."

Speaker Edighoffer ultimately ruled in favour of this motion, given that (1) the proper notice had been given regarding the debate of the substantive motion, something that the member for Niagara Centre doesn't contest; and (2) that it is always in order for the House to make the appropriate decisions relating to its procedures, which is exactly what is set out for debate with government notice of motion 13—the programming motion, as you may refer to it—based on the course on your ruling, Mr Speaker.

As I said before, a change to the standing orders is equivalent to the motion presented by the government House leader. I suppose it would be six of one or half a dozen of the other.

I would submit to you that proper notice has been given in this case, as government notice of motion number 13 appears in today's Orders and Notices paper in accordance with standing order number 53, and that it is up to members of this House to make decisions on how this place runs.

I did want to touch briefly, as did my colleague from Niagara Centre, for whom I have a great deal of respect,

on consensus. Consensus does not necessarily equal unanimity. He spoke of what happened in Westminster. Yes, indeed, there was unanimous consent of all recognized parties. I wish, politically, that the government would agree that members of this House would agree to give official party status to the New Democratic Party. I say that personally and I say that on behalf of the leader of the official opposition. That's how I feel; that's how the Leader of the Opposition feels. I can't in good conscience hold up issues with respect to the public agenda on that one point, however serious that point is. At Westminster they did have unanimous consent of recognized parties.

What the official opposition wants to do is debate this motion and have an opportunity for the House to render a verdict on it. I am indicating, on behalf of the official opposition, on behalf of my House leader, Mr Runciman, that we do support this resolution, which I think, with great respect, you should consider as you reflect on this issue in your ruling. We want to get on to debate the important public policy issues that the public has sent us to this place to do: to hold the government of the day accountable—which we couldn't do earlier today because of procedural issues, albeit they did follow the rules—and to debate the important public policy issues that are before us. In this session they are tax cuts, in this session they're about auto insurance rates, in this session they're on energy and how this government has broken every promise in the book on those issues. Those are the issues we want to debate. These red feet opposite are the feet that we want to hold to the fire on these important public policy issues.

This, in my judgment, Speaker, is a matter for the House to consider. We submit to you respectfully that the motion is in order and would ask your learned consideration of this important issue.

Hon Mr Duncan: I too would like to speak to this motion. I think it's an important point of order. I'd like to address some of the concerns that were raised by Mr Kormos and respond to them as well as to the issues raised by my colleague opposite for the official opposition.

You're being asked whether or not motion 13 is in order. We argue, sir, with respect, that yes, it is in order.

This motion is not time allocation or what used to be called a guillotine motion. I'd like to just address that substantively to give you some sense of why we are here and why we've put this motion. This is a motion to program a bill or, in the case of this, a series of bills and motions and special debates for the remainder of the fall sittings. It's designed to move the Legislature forward in a way that allows all members a full opportunity to participate in the important work in front of us. This process of programming motions evolved in the British Parliament, really since the mid-1980s, but particularly in the last five years, as a response to the draconian and heavy-handed nature of time allocation.

So this is not time allocation as contemplated in section 46 of the standing orders and used regularly

during the last Parliament. I should point out that in the last Parliament it was used where there was no committee time allocated and no third reading debate time allocated on most issues. This motion is the outgrowth of extensive discussions between the government and the official opposition in the British House. I'd like to quote from recent developments, a document entitled Programming of Government Bills, Factsheet P10, Procedure Series, Revised October 2003:

"The latest report of the Modernisation Committee was published in September 2002. This pointed out how programme motions have moved from a procedure for which there was broad agreement, to a process where it has become almost routine for the Opposition to divide the House;" that is, to vote. That is, there was not unanimity even though broad consensus may exist.

It's important to note that the official opposition has been involved in these discussions for close to three weeks, where we have literally sat down and programmed; that is, decided how many days they want on which bills, so the opposition in effect, for the first time in a very long time in his House, has had the opportunity to help set the House agenda. I think that's why the official opposition, via its press release and the statement of their finance critic here tonight, has so strongly supported this new opportunity. And we believe it is an opportunity, particularly for the opposition, to participate more fully and to help focus what we're going to debate. Too often in the past we would find ourselves in this House debating bills at length that were not necessarily controversial, although there may have been division, but in fact may have precluded us from debating other more contentious bills that were subject to time allocation.

As a result of the discussions we've had over the last three weeks, we've agreed to proceed on a trial basis with this pilot project taken right from Westminster, the British Parliament. Again, we want to emphasize that this is a pilot project. Once concluded, it will be appropriate, and indeed important, for all members to reflect on the results, particularly as our consideration of renewal of the standing orders is carried out by the Attorney General and the minister responsible for democratic renewal. It's our hope that in future discussions of this nature, the members of the third party will have the opportunity to participate in those discussions.

The important section for your consideration—I do concur with Mr Kormos on one point—is section 1 of the standing orders. Subsection 1(c) provides for contingencies where motions are introduced which are not specifically provided for in the standing orders. You are charged with deciding whether the motions are in order based on the democratic rights of members as referred to in the previous clause. That clause sets out four standards for determining whether the rights of members are being respected. They are:

"(i) to submit motions, resolutions and bills for the consideration of the Assembly and its committees, and to have them determined by democratic vote;

"(ii) to debate, speak to, and vote on motions, resolutions and bills;

“(iii) to hold the government accountable for its policies; and

“(iv) collectively, to decide matters submitted to the assembly or a committee.”

This motion meets that test, in the government’s view. It has been the subject of rigorous negotiation between the government and the official opposition. It provides for substantial debate in second reading, standing committee and third reading. In that regard, it’s important to note that Bills 2 and 4 have already had three sessional days of debate, and I should say that it is our intention to call Bill 5 tomorrow afternoon for its third day of sessional debate. Although we haven’t indicated that publicly until now, that is our intention.

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The motion itself provides for a further sessional day of debate before a vote on second reading, referring again to Bill 5. With such extensive debating time, it’s our view that the rights of all members, both the majority and minority, to express their views will be enhanced. It should be noted too, at this point, that by our calculations each member of the third party should have the opportunity to participate in each of the bills according to the standing orders—assuming, of course, there’s no ringing of bells and other dilatory tactics.

The member is right: The standing committee on the Legislative Assembly did consider this. There was no recommendation. In fact, it was the official opposition of the day, myself, who asked consideration of this, due to our frustration in the past with the way the old-fashioned time allocation motions were used. We think this is an important step forward.

I did want to say that I concur with the finance critic for the official opposition that we are here to debate and complete important business on behalf of our constituents. We are trying to show some flexibility and reasonableness, using a tool that has been developed in another Parliament with different rules than ours, on a trial basis. We’re delighted to have the support of the official opposition. The two caucuses combined, I believe, represent 95 members—excluding yourself, of course, sir, now that you’re on the throne.

We believe, given the consensus that’s been built up, that this motion is in order. We do not believe—we say it’s not time allocation. We have completed the sessional days that would have normally been completed at second reading, before it went to time allocation. We believe that this also provides for additional opportunities for the opposition. For instance, the standing orders, as they state now, would not allow an opposition day, which we have agreed to. The official opposition wanted that.

All in all, we think this is an important pilot project, one that we’re delighted to have the support of the official opposition on. My colleague the opposition finance critic referenced the notion that it’s similar to putting—we didn’t want to put it in the standing orders; we want to try it out by motion, which we believe is in order, and see how it works. Our hope is that in the future there will be consensus on these things, including the

members opposite, who would prefer to stall the House at every opportunity.

This, we believe, enhances the role of the opposition, provides for better debate and provides the opposition the opportunity to help set the course of debate. We think it’s a step forward. It’s a pilot project. The fact that the official opposition and the government agree on this, representing 95 out of 103 members, we think is almost consensus. We think it’s important. We think this will allow the House to focus on the issues that are important, allowing the opposition all the while to have more say in how much time is allocated between them.

We believe, sir, with respect—and I should say this is a debatable motion, as you know. Your ruling it in order will allow it, again, to be debated. The members will have the chance to debate it and finally vote, as to whether or not we proceed. We think it’s a worthy project. We think it’s an important step forward. We think it improves democracy in this House. I’m delighted that we’re joined by the official opposition in supporting this. We believe it’s an important step forward on a pilot basis for this Legislature to attempt.

The Speaker: On the same point of order?

Mr Kormos: Yes.

Interjections.

The Speaker: If your colleagues could be quiet, maybe you could hear me.

Mr Kormos: A brief reply, if I may.

The Speaker: OK, very brief.

Mr Kormos: Two things. I hear the government House leader saying they didn’t want to put it in the standing orders. Clearly, neither did the British House of Commons. That’s why they created a sessional order in 2000.

Secondly, the government House leader speaks of “almost consensus.” It’s like almost pregnant, if I may. Almost consensus doesn’t count. The reality remains that this doesn’t deal with a contingency, because we have a standing order that has been utilized oh so often that deals with time allocation, standing order 46. This is not a contingency; there’s a standing order. If the government doesn’t like the standing order, then you amend it or you replace it.

The Speaker: Thank you very much for the point of order. I’ve listened very carefully and I think you’ve put your case very well. Also, I have listened to the opposition and heard them very clearly, and, government House leader, you have put your case.

I’m going to ask for about a 20-minute recess for me to consider and come back with my ruling on this.

The House recessed from 1925 to 1951.

The Speaker: I’d like to thank the member for Niagara Centre, the member for Nepean-Carleton and the government House leader for their submissions with respect to the orderliness of government notice of motion number 13.

Let me say at the outset that the motion in question cannot be styled as a time allocation motion within the meaning of our standing orders. Standing order 46 sets

out the criteria under which an item of business is eligible to be subject to a time allocation motion, and not all of the items being dealt with in the government notice of motion meet those criteria.

In any case, the motion on the order paper does not purport to be a time allocation motion at all under our rules, as it is not to be moved under standing order 46. However, a question to be decided is whether a time allocation motion under standing order 46 is the only vehicle that exists to order House business.

When faced with a similar situation in which no standing order existed to provide for the timetabling of House business, Speaker Edighoffer ruled as follows on January 23, 1989, as the member for Nepean-Carleton pointed out in his submission:

“The House has adopted the standing orders which are the permanent rules for the guiding and the control of the House in the conduct of its business. The standing orders do not form a complete code of procedure for the House to discharge its functions. They may be supplemented from time to time by sessional orders or special resolutions to facilitate the progress of business through the House. The standing orders are not safeguarded by any special procedure against amendment, repeal or suspension. They are passed by the House by a simple majority and may be altered, supplemented or deleted by a simple resolution in the same way.”

Speaker Edighoffer went on to note that in 1988 in the Canadian House of Commons, Speaker Fraser ruled that it is always in order for such a motion seeking to set out a special procedure to be introduced as it is always in order for the House to make the appropriate decisions relating to its procedures.

I concur with Speakers Edighoffer and Fraser. I do not consider it fatal to the orderliness of a motion that it sets out a novel procedure for which no specific standing order provision exists.

Where such a motion is brought before the House, it must be considered a substantive motion and subject to the rules which govern such motions. Standing order 2 sets out these requirements in the definition of “substantive motion,” as follows:

“Substantive motion means a motion that is not incidental or supplementary to any other business of the House, but is a self-contained proposal capable of expressing a decision of the House. Examples of such motions are: the motion for an address in reply to the speech from the throne, the budget motion, want-of-confidence motions on allotted days, resolutions and motions for returns or addresses. Such motions require notice and must be submitted to the Speaker in writing when moved, before being put to the House for debate. No motion shall be prefaced by recitals or preambles.”

I am of the view that the motion meets the procedural requirements of standing order 2. The motion before us is therefore a substantive government motion, not governed by debate under standing order 46.

Is the motion otherwise, though, abusive of the rights of members? I have considered the following issues in arriving at a decision:

Debate on this motion is not “artificially” limited and may continue for quite some length of time, until either (a) all members wishing to speak have done so, (b) the motion itself is time-allocated under standing order 46, or (c) a motion for closure is moved and permitted by the Speaker. Therefore, the threshold for debate time on this motion may be more extensive than a pure time allocation motion.

Further, in reviewing the provision for debate time on the six items, I note they are at least as generous as what recent history in this Legislature, under its current rules, suggests would occur separately on each of the items in the absence of time allocation motions or other procedures to shorten debate. If time allocation under standing order 46 is somehow the standard, or threshold, or litmus test if you will, then this motion is not lacking in that regard.

The motion provides one sessional day of debate on an Opposition Day motion, exactly what would occur otherwise under standing order 42. Indeed, the motion is making provision for an Opposition Day debate to occur when the standing orders otherwise proscribe such an event.

The motion also provides for one day of debate on two other motions—one providing for the appointment of the Deputy Speaker and the other presiding officers of the House, and one simply providing for an order to be placed on the Orders and Notices paper to provide for a debate on an address in reply to the speech from the throne. In my experience, and as the records indicate, these motions have typically been seen as pro forma housekeeping matters that have been agreed to without any debate at all. The timetabling motion therefore provides for more debate time on these two motions than has historically been used.

Finally, the representations made on this point of order convinced me that there is obvious support among the vast majority of members of this House for proceeding this way, this time. The two recognized parties have indicated support for proceeding this way, and the fact that this support comes from both sides of the House is a very significant element in helping me to arrive at a decision in this matter. While I must take into account the rights and the will of the minority, so must the rights and will of the majority bear at least equal weight in my consideration.

Therefore, in the circumstances before us at this time, and for the reasons stated above, I find the motion to be in order.

Mr Duncan moves government motion 13.

Hon Mr Duncan: I'd like to seek unanimous consent to allow my colleague, Mr Baird, the member from Nepean-Carleton, to speak first. My understanding is he has an engagement tonight. If it's the House's pleasure, I'd like him to be able to speak first.

Mr Kormos: No.

Mr Howard Hampton (Kenora-Rainy River): No.

Hon Mr Duncan: OK. Fair enough. Doesn't that say a lot?

I'm pleased to join this debate tonight. I want to begin by saying that this is a pilot project that has been agreed to by the official opposition. We believe that it will enhance the quality of debate in this House. We believe that this programming motion will ensure that members of the House on both sides get to have more say in setting the agenda. It's an important decision.

I noted in your decision tonight that the members of the third party were effectively arguing for less debate on all of the items that we put before the House, which is really hard to believe. Here we go again. They're filibustering themselves, trying to do themselves out of the opportunity to hold the government to account.

This is a new standard. It is a pilot project. It is one that we think we can work with and extend in the future. It's one that has been tried with some success and, I might add, with some failure at Westminster. It is something that I believe both sides of the House—the official opposition and the government side—believe is worth trying (a) to help improve the quality of debate and (b) to allow more opportunity for members of the opposition to participate.

2000

This effectively makes it unnecessary for the government to use time allocation, the so-called guillotine motions, those things that many of us came to abhor in the past, and replaces it with a modern tool that was designed by all-party consensus in Great Britain, that allows the opposition—for instance, let's take this particular session. The official opposition wanted to focus on the tax bill. Using the time allocation motion, the government could have presumably cut off debate, no third reading debate, no committee and spent more time on, say, a less significant piece of legislation. This programming motion allowed the opposition to say, "We want more time on this bill because it's important to us." Now we don't agree with the official opposition's position on that particular bill, but this gives them the time to have more say in what we talk about on the floor of the House. I should note that 100% of our bills to be passed this time will not have been subject to time allocation, will have committee hearings and will have third reading debate.

Why are we celebrating that? The fact is, that hasn't been the case here for a very, very long time. I see my friend Mr Arnott across the way. He and I had—

Mr Ted Arnott (Waterloo-Wellington): The member for Waterloo-Wellington.

Hon Mr Duncan: I apologize. The member for Waterloo-Wellington and I had the opportunity to attend Westminster last year, and we had the opportunity to meet with the people who helped design this. At the time, we felt it was certainly worthy of pursuit in this House. We think it saved the taxpayers a lot of money. We think it was worth a lot, because now what we have is a better functioning Legislature where, frankly, people who are just here to make a scene and have fun can't tie the place up.

We think the business of the House is serious. We think that the opposition should have the right to have

more say in setting the House calendar and what gets debated. We spent close to three weeks at the staff level, among the opposition House leader and the government House leader and the whips, negotiating—literally negotiating—the day-to-day calendar of what we wanted to do. There was give and take. The opposition wanted an opposition day, and you correctly pointed out, sir, in your ruling that they wouldn't have otherwise had that under the existing standing orders, given the time frame we have. But these are parts of the give-and-take we would like to see returned to the House, so that the members of the House—the individual members, whether they're opposition, government members, government backbench members, members of the third party—will have more say.

Let me say that it is my hope that in the spring session, we'll have the opportunity to sit down with all members of the House to talk about these types of motions again in the future. We think this is a worthwhile pilot project. We think it allows the government on the one hand to know that it is going to get done three of the pieces of legislation it wants done. We think it allowed the opposition to focus its efforts on the bills that it considered to be the most important, where they wanted the division.

This place is about division. That's what it's all about. We disagree on some of the fundamental issues. It is in this chamber that we need to have the opportunity to debate, to question, to put our points of view. I'd much rather have been answering questions today than listening to the nonsense that precluded question period, which is just unbelievable in the context that you had the opposition, essentially the third party, filibustering itself.

I think we have to keep an open mind to these new processes and tools. They are not without flaw. They require, by the way, the co-operation of both the government and the opposition. If a government says, "Well, we're just not going to do it," it's not going to happen. If the opposition doesn't want to give and take on certain things, it won't happen. In this case, it happened.

We did it in a manner that we don't believe sets a precedent. We did it in a manner that we think is very clear, that will allow the government, the official opposition and hopefully, at some point, the third party, to sit down and negotiate, either on a bill-by-bill basis or some other basis, this sort of opportunity in the future.

So there's really not much more we have to add. You found it in order. The members on the government side will be voting in favour of the motion as tabled; my understanding is the official opposition is. We welcome the opportunity to debate it and however many members wish to speak will speak, obviously, and then we look forward more so to getting to the business of where we divide, the issues that really put us here.

My colleagues opposite have very different points of view on many issues from my colleagues on this side, and it's important in this place, in this House, that we have the opportunity to debate those in as full and forthright a fashion as possible. The government side is proud to have been one half of the group that negotiated this.

Kudos to the official opposition for recognizing that you can make the place work better and do better for your own position. We're happy to be part of it. It's an interesting pilot. We look forward to the debate on the motion itself but more importantly we look forward to the debate on the issues of the day that are before the House.

The Speaker: Further debate?

Mr Baird: Thank you for your conscientious deliberation on the issue. I don't want to comment on your deliberation, but I appreciate that you took some time to reflect on it. I know you have a job that is difficult, but I know that you take with it great responsibility.

As the deputy House leader for the official opposition, I want to rise in support of this motion. I didn't come here to Queen's Park to debate a bunch of baloney procedural matters. I came to Queen's Park to represent the people of Nepean-Carleton on the issues that are important, to hold the government of the day accountable, which we couldn't do earlier today, and to fight the outrageous legislative agenda that they're putting forward.

I want to debate the tax hikes that this government wants to bring forward. I want to talk about the devastating effect that this government is going to have on job creation in Ontario. I want to debate the negative impacts this government will have on seniors and on parents who choose to send their children to independent schools, whether that be a Jewish school, whether that be a Muslim school, whether that be a Christian school. I want those—

Hon James J. Bradley (Minister of Tourism and Recreation): Upper Canada College.

Mr Baird: I don't know anyone who sends their children to Upper Canada College. Maybe the member for St Catharines is different. I don't know anyone who sends their children to Upper Canada College. I know the Minister of Finance sends his children to private school; he bragged about it in the House.

I want to debate these issues. I want representatives of Christian schools, Jewish schools, Muslim schools and Montessori schools to come before the standing committee on finance or general government, whichever committee, and tell this government and these members the terrible thing they're doing and how mean-spirited and vindictive they're being to make it retroactive. This motion allows that debate to go forward.

I want seniors like Frank and Olive, to whom former Premier Ernie Eves introduced the province, to come before a legislative committee and tell this government what a mistake they are making with respect to cancelling the seniors property tax credit, to say that we want to spend a little bit of resources from the public purse to allow seniors to realize the dignity of living in their own home. This resolution will debate it.

The thing about this resolution is that the official opposition is giving a little, the government is giving a little. Some people said: "You know what? Don't argue with the government. Just ram it down their throat and use every procedural trick in the book. Make them use

time allocation. Then we can go forward in the next election campaign and say, 'We made them use time allocation 187 times.'" Big deal. I didn't have a single constituent in Nepean-Carleton raise with me the previous government's use of time allocation, though the member for St Catharines' comments do echo with me on occasion.

When I knocked on doors in South Nepean, Stittsville, Vernon, Metcalfe, Osgoode, Richmond and Bell's Corners, people to said to me they want their institutions to be more relevant. What it takes is less the government and the opposition; what it takes is individual members on both sides of the House to say, "We're prepared to step up to the plate and to act more responsibly, to be more mature."

I'm very pleased that the government and the opposition, members on both sides of the House, who have a lot of reservations about this process, are willing to give it a try in this small, abbreviated session. So I want to get on to the agenda about the terrible tax increases that this government and these MPPs are about to inflict on the people of Ontario. I know that if we get them to committee, members like the member for Niagara Falls will want to listen to how mean-spirited and vindictive it is to make a tax increase retroactive. I'm going to want seniors to talk to the member for Ottawa Centre at these committee hearings about how they're not helping senior citizens. This motion will allow us to do that.

2010

We're going to get two full days of debate on third reading. I don't think we've had debate on third reading in this place in a number of years. I don't know who you blame, whether you blame the government or an irresponsible official opposition, but thank goodness that a vast majority of members are willing to put aside the differences that we've had and are willing to try something new. This motion will allow us to do it.

I am looking forward to debating Bill 4, the Ontario Energy Board Amendment Act, because these—

Mr Richard Patten (Ottawa Centre): John, you're such a BSer.

Mr Baird: What did you say?

Mr Patten: You're such a baloney saucer.

Mr Baird: Baloney saucer? That's interesting. Boy, does the member for Ottawa Centre have a way with words—real intellectual battle with that lingo. He can do better than that. A bunch of baloney saucers? He can do better than that. He's been a member of this House since—I was in high school when this guy was elected. He can do better than that.

We're going to go back to the motion. Boy, oh boy, do I look forward to public hearings on the Ontario energy bill. These folks went around the province for months, 16 months, and promised people—the member for Hamilton Mountain went around promising people that she would cap rates until 2006. Boy, oh boy, did they change their minds quickly. I know that when the member for Hamilton Mountain hears the depositions in that committee, she'll want to keep their campaign promise,

because the member for Hamilton Mountain, when she was re-elected on October 2, her vow was her word, was her bond with the people. I know she won't want to break the promise. She won't want not to be straightforward and up front with her constituents. I won't use another word.

I know that the member for Ancaster is going to want to keep his word. He won't be able to look any of his constituents in the eye and break his word to them, that he voted not once, not twice, not three times for the energy bill in the previous Parliament. These hearings are going to give time for the Liberals to knock a bit of sense into them. We are going to have public hearings on that. We have one public hearing.

Thank God, we have a more effective official opposition after the election on October 2. The only benefit of the election on October 2 is that the people of Ontario got a better official opposition. Doesn't the member from Fort Erie agree? We got that.

I saw the Premier. His riding is about 100 metres from my house. I think my majority in my constituency was higher than the Premier's.

The Speaker: Member for Nepean-Carleton, would you mind directing your discussion to the Chair.

Mr Baird: I saw the Premier after the election campaign and I said, "In opposition you made us in government do a better job. You helped us. Premier, I'm going to help you too. I'm here to help." That's what I said.

Interjection.

Mr Baird: Delighted. I'm going to repeat that comment at all-candidates meetings, that Liberal members want to see me back.

Interjection: Only in opposition.

Mr Baird: See me back in one shape or form. I'm looking forward to working for the member for Nipissing on the board of internal economy.

Interjection: As am I.

Mr Baird: We're already bonding, I can see. I'm excited about that. The member for Perth-Middlesex is here.

OK, I'm going to finish my speech now. I'm not going to listen to the peanut gallery behind me.

I look forward to changing. They're going to want to keep their promise. They don't want to lie. They're going to keep their promises, I bet. When we go to hearings, they're going to keep their promises. You watch.

We have a temporary freeze on automobile insurance. We're going to get public hearings on that too. This party, in opposition, couldn't get any public hearings on anything, but thank goodness we have an effective opposition in Ontario that's going to win one for the taxpayer.

Mr Patten: They changed the rules.

Mr Baird: We'll change them back, with unanimous consent, tonight. Would you change them back to the 1995 rules?

Mr Patten: We will change them back.

Mr Baird: You won't. Aw, baloney. A bunch of baloney, I say to the member for Ottawa Centre. Someone get this guy out of here.

We've got a temporary freeze on auto insurance. They're elected to government for the second time since the Second World War, and what are they going to do? They're going to temporarily freeze auto insurance. Big deal.

Ms Caroline Di Cocco (Sarnia-Lambton): You had eight years.

Mr Baird: You're going to temporarily freeze something and consult. That's not doing anything. If we had brought this forward, the member for Sarnia-Lambton would have been the first member—she would have gone apoplectic on this. So we're going to debate that and point to how that's another broken promise by the Liberals.

We're also going to have an opposition day. We got the opposition day back that people wanted to steal from us. Thank goodness we're going to have an opposition day. I'm going to give you a sneak peek: We're going to be talking about tax hikes and broken promises. I'm looking forward to it.

Interjections.

Mr Baird: Broken promises: 99% of people agree you guys break your promises. Ask anyone; don't believe me.

We're also going to have a motion that's going to allow us to appoint a Deputy Speaker. I bet, Speaker, you're pleased with that, as is the member Bruce Crozier.

Hon Steve Peters (Minister of Agriculture and Food): "Judge me on next year's auditor's report."

Mr Baird: If the member wants to hold up headlines, I can hold up headlines: "Broken Promises Stalking New Premier." I can hold up headlines too.

The Acting Speaker (Mr Ted Arnott): I'd like to caution members on all sides of the House that it is a breach of the rules to hold up those kinds of newspaper clippings.

Mr Baird: A cabinet minister being called to order by the Speaker—shameful. I've been a member of this place for many years and it never happened to me.

So we're not just going to get an opposition day but we're going to get to vote on the Deputy Speaker. I'm excited about that.

Finally, instead of coming here to debate a motion to debate a motion, we're actually going to be able to debate the motion. This is the longest period any Parliament in the Commonwealth has ever gone without debating the speech from the throne, and that's disgraceful. This motion is going to allow that. I'm looking forward to hearing the debate and listening to and learning from my friends in the NDP, particularly my new best friend, the member for Niagara Centre.

Ms Monique Smith (Nipissing): It's a beautiful relationship.

Mr Baird: It's a beautiful relationship, the member for Nipissing says.

I look forward to listening to and learning from the member for Niagara Centre. I listen to the member for Niagara Centre, and my IQ goes up by two or three points. I'm excited about the opportunity of hearing him debate.

So we're going to debate this. I look forward to hearing the debate. An important part of debate is deciding, is the choice where each of us will be called upon to stand in our place and render a verdict.

C'est bien sûr, monsieur le Président, un grand plaisir pour moi de parler sur cette résolution donnée par le chef parlementaire du gouvernement. On va attendre l'autre débat par nos collègues dans le Nouveau parti démocratique. J'entends les bons discours de mes chers collègues dans le troisième parti, et c'est très bien.

Interjection.

Mr Baird: Je veux dire au député d'Ottawa-Centre que [*remarks in Spanish*].

Speaker, with those comments, I look forward to hearing other debate, and I look forward to talking about the real issues which are important to the people of Ontario.

2020

Mr Kormos: This is an interesting day. I've been here 15 years. I was here at a point in this Parliament's history—I remember coming here as a member of the opposition in the course of the Peterson years—when opposition members could ring bells for days at a time, when there were no limits on individual speeches, when there were no limits on the length of debate other than the rarely used common-law event of closure.

I remember when one opposition member held the floor for a whole month and then, when the government used a rarely used motion to compel the House to sit 24 hours a day, held the floor for another 17.5 hours to drive home a point. I remember that.

I remember when there were no time limits on debates and when debates sometimes would carry on for weeks at a time and, from time to time, for months at a time, but when in fact more business was done in this House than I've seen being achieved over the course of the last eight years and that I expect we'll see achieved over the course of the next four years.

I recall as an opposition member, a novice, feeling great concern about what were in relative terms some modest restrictions on the rights of the opposition implemented by the Liberal government of 1987 to 1990. I recall as a member of the government caucus speaking against my own government's rule changes and cautioning and admonishing people to please be very careful.

I recall when shortly after the Conservatives were elected prevailing upon them to be cautious about the—as they were named—reforms to the standing orders in the interest of, and in an effort to accelerate, government business.

I also remember when committee work was extremely relevant and when motions that amended bills received consideration whether they came from opposition members or from government members, and when they were more than mere show trials. I'll acknowledge that things started to change, it seems pretty rapidly, after I first got elected here in the late 1980s, but I'm very lucky to have witnessed this House at a time when debate occurred at an intense pace, both in the chamber and in committee.

Some, or any, or all of you can take some pleasure at seeing a process utilized by this government that quite frankly makes standing order 46 redundant—it does—and I understand the Speaker's ruling, but I say to you it is not an attractive or enviable experience.

I witnessed the huge majority governments of 1987, of 1990, of 1995, and I say to you that if I've learned nothing I've learned that landslides are not the way to elect governments. They aren't. I'll say that about the government of 1987, about the government of 1990 and about the government of 1995.

Inevitably, in a landslide, in a sweep, good members of the Legislature of all political stripes get defeated, not because they were delinquent in their duties as MPPs, not because they failed to serve honourably, not because they were anything less than the hardest-working people, but because they get caught up in sweeps. I saw it happen in 1990, I saw it happen in 1995 and I saw it happen in 2003. Good people get defeated.

I've witnessed in those sweeps people being sent here who have no business being in this Legislature, where in those sweeps the most challenging task was for someone to receive the nomination of the party that happened to be prevailing at that moment in time, where the task of getting the nomination was far more challenging than being elected.

I am, I suppose, in many respects the penultimate opposition politician. I reflect on my work here and my history here, and I wouldn't reject that as a description or as an identification of my style of politics. I also had the pleasure of serving with other members of this assembly—long-time members, experienced members, honourable members—who, when they were in opposition, would and did say things like, "Motions designed to close off debate are not healthy for democracy."

Let's not kid ourselves or anybody else. The motion before the House this evening is a motion designed to curtail debate. It's of little comfort to you, and should be of little comfort, to say, "Oh well, one day of third reading debate appears to be somewhat more than the zero days of third reading debate allotted to so many bills by the Tories, who ruled this place between 1995 and 2003."

I also say to you that the appearance of two days of committee—well, upon reflection, no, that's not a significant difference from what was contained in Tory time allocation motions around committee work. Oh, grimace and make faces. Oh, please, I was here. Take a look at what this motion contains: two days of committee work, 10 to 12 in the morning; from the end of routine proceedings, the commencement of orders of the day through to 6 in the afternoon, for one day; and then, on a second day, for public submissions and clause-by-clause consideration."

Most of you, as government members, will be sitting in committees voting not because you've read the bill, and least of all because you understand it, but because you've been told how to vote. Most of you will not even thoroughly examine the briefing notes, never mind challenge declarations made in those briefing notes. You

are among the highest-income earners in this province. The minimum wage here is over \$85,000 a year. I'm not saying that any of you don't necessarily work hard, but I'm telling you that to relinquish the individual role of the member—and one of the regrettable observations made during the submissions tonight was that if the vast majority of Parliament agrees about something, then somehow it's OK. Without the matter being put to a vote, it seems to be that that's a consideration to be held—accept the ruling—in determining whether or not something is appropriate.

Parliament is not about government; Parliament is where government comes to have its policies and its positions challenged and tested. Government occurs in the Premier's office, in cabinet office, not in Parliament. Parliament, yes, historically had been—well, I suppose in Court of Star Chamber days—the property of the king, the monarch, but has, as our sense of western parliamentary democracies developed, increasingly become the property of opposition. I understand the euphoria of newly elected members, especially newly elected members—I have no hesitation in acknowledging it's nicer to be elected as part of a government than it is as part of an opposition. It's nice to be elected as part of a government that defeated a government that was perceived by the vast majority of Ontarians to be uncaring, insensitive and, quite frankly, from time to time oppressive in its style.

2030

I had a new cabinet minister from this government, one who had never served in cabinet before—the other day as I went up to congratulate one of the Liberal backbenchers for his first-time speech, and there was some banter between the member from St Catharines and me—and she said to me, “You know, Peter, how come you never got public auto insurance established as a policy?” I said to her, “Minister, in six months I suspect you won't have to ask me that question, because you'll know. You won't have to ask the question, because you'll know.”

So take pleasure in the fact that this motion will pass. Your House leader has already indicated that government members are going to vote for it, and at this point in time, when the competition is hot and heavy for cabinet positions yet to be made available, as backbenchers eagerly await—opening the morning papers as early as possible—a cabinet minister's fall—

Interjection.

Mr Kormos: Oh, please. I know we're not supposed to talk about that publicly, but I know there are people in this chamber who have said, “Why them and not me? I'm so much more clever. I'm so much more capable and so much more experienced and I have so much more to offer. I defeated a minister, I defeated this, I defeated that. Why them and not me?” I tell those backbenchers your time too will come, and I suspect it will come within, oh, six to seven months in the first round. That's the nature of the beast.

But having said that to all of you so full of vim and vinegar, I say to you be careful what you wish for,

because as your enthusiasm becomes tempered by experience and as you find yourself as cognizant as one could ever become of what hubris really means, then you have regret what you not only wished for but what you did.

The member from St Catharines: “Motions designed to close off debate are not healthy for democracy.” I agree with him wholeheartedly. I agreed with him in June 2003; I'd agree with him today, were he to say the same thing.

I have no hesitation in telling you that I think I understand why the deputy government House leader would support this motion, why these sorts of pacts are not uncommon in history. I mean this style of governing is entirely consistent and in tune with what the Tories did for eight years. I admonish you, don't take any real pleasure in the fact that the Conservatives support you enthusiastically in your efforts. It, in and of itself, is not a good sign of anything. As a matter of fact, it should be the red warning flag; it should cause you to hesitate, step back and reflect.

So what happens when words increasingly become prohibited in the course of debate? What happens when tactics and the opportunity to use them become suppressed? People become more creative about the words they use and they become creative about the tactics. I remember days when bells rang two and three days at a time. The member from St Catharines remembers those days too. He remembers that they were effective means for opposition members, the kinds of means that he recalled with fond memories when he was a member of the opposition. While he may have been as disturbed as his colleagues—and I don't think he was as disturbed as many of his colleagues about the utilisation of them when he was in government—he also recognized the value of them when he was in opposition.

So be careful what you wish for, because when opposition members, especially a minority, are compelled to become more and more creative around their opposition, they also may become more and more mundane. So you're going to hear a lot more bell-ringing, I suppose, around this House. We can change the rules around that and see what happens. When there are no bells ringing, you see, government members don't have a chance to show up to vote when it's touchy and sensitive for the government.

The bell ringing: are we happy? You bet your boots we're not. We're miserable. We're cranky. Oh, yes. I'm being deadly candid with you. We're cranky as all get-out. So you're going to hear motions for adjournment of the debate. You're going to hear bells being rung. You're going to learn that one person can prevent unanimous consent. Change the rules so you don't need unanimous consent? See how well that works. See how well it works five years down the road.

Speaker, I move adjournment of the debate.

The Acting Speaker: The member for Niagara Centre has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All in favour, say “aye.”

Those opposed, say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2037 to 2107.

The Acting Speaker: Will members in favour of the motion please rise and remain standing.

All those opposed to the motion will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 6; the nays are 29.

The Acting Speaker: I declare the motion lost.

The member for Niagara Centre still has the floor.

Mr Kormos: It's fascinating—two Conservative caucus members in the House now. These are the people, the Conservatives, who enthusiastically supported these evenings sittings, who want to talk a big game but don't want to participate in it. It'll be interesting to see how much debate there is by Conservative members on this motion, how much debate there is, quite frankly, by government members on this motion, or whether Conservative and government members have been told to basically sit down, shut up and wait to be told how to vote.

So minority parties resort to more and more creative tactics. Some are mundane. Some are tedious. Some only faintly allow us to recall the glory days of bells ringing two and three days at a time. Remember the period of the Patti Starr scandal and Gordon Ashworth and the paint jobs and the fridges and, oh yes, the things opposition parties did then to focus attention on the corruption that had permeated government benches?

You know what happens now, don't you, Speaker? You know the drill. You know the routine. You know what happens next. I'll tell you what happens. It is this: I move adjournment of this House.

The Acting Speaker: Mr Kormos has moved adjournment of the House.

All in favour of the motion, please say “aye.”

Those opposed, please say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2111 to 2141.

The Acting Speaker: All those in favour of the motion, please rise and remain standing.

All those opposed to the motion, please rise and remain standing.

Clerk of the House: The ayes are 6; the nays are 30.

The Acting Speaker: I declare the motion lost.

The member for Niagara Centre still has the floor for about 20 seconds.

Mr Kormos: Of course I have time left. I want to thank you for your patience with me this evening. I look forward to the next opportunity I have—who knows when that's going to be?—to speak in this Legislature.

Mr Rosario Marchese (Trinity-Spadina): First of all, I want to welcome the—

Hon Greg Sorbara (Minister of Finance): Rosario, this is beneath you.

Mr Marchese: Oh, no.

I want to welcome the citizens of Ontario watching this political forum. We are on live. It's a quarter to 10. I'm very happy to speak but very unhappy to speak to motion 13, which, dare I say, is an odious motion. It's certainly malodorous and, in its intent, malevolent.

I want to say to the people watching tonight that there are times here when we are debating as opposition members and, yes, there are times when we can afford to be humorous, to make fun and have fun from time to time. This is not a motion that I speak to with excitement because I want to make fun of the government members or the things that they do; this is a very deadly serious motion that we're debating.

The problem I find is that there are so many new members in this place so eager, so docile, many of them so arrogant, that when told by their House leader that they can't get their agenda out of the way by next week, and that they have to take more drastic measures to be able to finish their issues by next week and be out of here, presumably by next week or possibly the week after—we might be here in the third week, but I doubt that they want to be here, that's my suspicion, and I could be wrong—the new eager, docile members say, “Well, gee, if we can't do the business that we were elected to do, let's change the rules.”

Why do I say this? Because we had that experience in 1990. In 1990, we found Liberal opposition and Conservative opposition so strong and at times so violent that we had many in our caucus who said, “We are not being permitted to govern. We've got to change the rules.” There were so many young ones, I remember well, who went so willingly at the behest of the House leader to change the rules. They said the opposition—the mere magnificent seven here—are causing it, that they can't do their business. Imagine, seven members of the New Democratic Party are preventing that government from doing what they need to do, so they have to change the rules again. There we had the young members in our caucus who were so eager, so young and so desirous of pleasing the House leader and, to a great extent, the Premier, who urged us that we needed to change the rules. I've got to tell you I was unhappy. For years I decried what we did. I do it to this day. I know you not-so-young ones, but the newly elected—because they're young and newly elected.

Interjection: What do you mean by that?

Mr Marchese: I don't mean it to upset you. It's a recognition that some of us are getting older.

Those of you who are newly elected are so eager to do what you need to do to get things out of the way. I know you've got to get through the broken promises as fast as you can. You've got to do that. I understand that. You've got to introduce some good, positive bills so that you can say to the public, “Yes, we broke some promises, but we've got some good stuff coming.” You've got to do both, and you've got to do it fast. You've got to do it before the end of the session. I understand that. The problem with this is that changing the rules is something that some of you will regret. Some of you won't, because

hubris will get the better of you no matter what. But some of you will regret this, I know. I not only regret it, but I am angered by the changes we made.

Mr Patten: We'll change the rules to help you, then.

Mr Marchese: The member from Ottawa Centre—my God, he used to be so quiet when he was in opposition. What's going on? Richard, please. I don't mind the interjections. Really, I enjoy that. It's just that you used to be so quiet. Good heavens—what happens when you get into government.

So I'm telling some of you who are thinking that this is good that it's not, it's bad. We are moving to a point where you might as well, having the members, the majority, come here and say, "This is the bill. We're out of here. This is the bill, this is what we're passing and this is what we're going to do. It doesn't matter what the opposition"—seven magnificent New Democrats—"says. We're just going to pass the bill, introduce it and it's done. We're gone. We're out of here. We don't need debate anymore." You are moving this Legislature into a position where you, as a majority government, can simply do anything you want by fiat. It's wrong. It's dumb politics. It's bad politics.

The members argue, "This is not standing order 46. This is a different motion," as if it were just a very light new motion not affecting standing order 46. Standing order 46 says you've got to have three days of debate. Then you move your closure motion, and you've got another day for debate. If that were not bad enough, one that you Liberals decried while we shared the opposition benches, you now get into government and say, "We're going to do something very novel, something unique. We haven't done it before, but it's so novel we just want to test the thing to see how it goes. Please don't take it badly, those of you who are watching. It's just something we want to try to see how it works out."

I'm telling you, your member from St Catharines—I don't know what he is thinking or what he must be saying in caucus or outside the caucus meetings, in cabinet or outside of cabinet meetings, but I want to tell you what he used to say when he was there, a mere couple of months ago, in the front benches of the Liberal opposition. This is what he had to say about motions that we call strangulation motions, which he called by a different name. He spoke against time allocation time and again. He said it was wrong. We've got a few quotes. We don't have many people here helping us out, but we've got a few quotes. I want, for your edification, to refer to refer to some of them.

2150

Mr Gilles Bisson (Timmins-James Bay): Jim who?

Mr Marchese: Jim Bradley, now Minister of Tourism. December 10, 2002:

"I find it most unfortunate as well that this bill will be rammed through with what we call a time allocation motion or what is known as closing off debate. If nobody cares about this, governments will continue to do it. No matter what those governments are, they will continue to do it. It's not healthy for the democratic system. It

relegates individual members of the Legislature to the status of robots, and that's most unfortunate."

I find the quotation interesting, something that you might want to reflect on. Let me move on to another:

"I think the full debate on an issue of this kind, where every member who wishes to speak in this House has an opportunity to do so, is the best kind of debate to have. A time allocation motion, a motion which chokes off debate, as this motion does once again this afternoon, is not a motion that militates in favour of the democratic process but rather shuts down the democratic process," says my former friend Jim, who is now the Minister of Tourism. Oh, I forgot to read the date, but it doesn't matter really.

June 11, 2003, this is Jim again—

Mr Bisson: Jim who?

Mr Marchese: Bradley, the Minister of Tourism.

"Second is this constant application of time allocation motions. Motions designed to close off debate are not healthy for democracy."

You notice there is a recurrent theme here:

"Third, I remind members of this House that this government, on at least two occasions, has revised the procedural rules of the Legislature. Now, that's dry stuff for the average person in Ontario. They're not going to be leaning forward in their seats when you have a debate on procedural matters. What it means, though, is that the government is able to grease the skids for all its legislation. In my experience in this House, for all governments of any political stripe, the best legislation is passed when it has had the most scrutiny, public input and hearings, clear analysis and has taken some time to go through the House."

That's Jim.

Mr Bisson: Jim who?

Mr Marchese: Bradley, Minister of Tourism.

Here's another quote from the same former friend, December 3, 2002:

"If the Eves government is not called to account in a very public and prolonged manner, how can Ontario's citizens have any hope that a fair and vibrant democracy can exist in this province? The Eves crowd has rigged the procedural rules of the Legislature to ensure complete control of the parliamentary process and timetable and uses its majority to choke off debate and shut out the public. Does anybody care?"

Jim cared.

"If the government can get away with these transgressions with only a passing reference in the media, what hope is there for democracy in this province? Surely the argument that procedural issues are boring and too complicated for the public to care about or understand—an argument made by the top echelons of the media, who make the final decisions about what gets on the air or what gets in the newspapers—'plays into the hands of an arrogant, condescending, overbearing regime which will impose its will virtually undeterred on the province and relegate the Legislative Assembly to virtual irrelevance.'" My God, so prophetic. "Surely the fact that

media moguls are the direct financial beneficiaries of government advertising cannot override the need to embarrass and condemn those who abuse their public”—and there’s more. Jim didn’t stop for a moment.

I remember him in the old days. When there was a motion to close debate, he was there first, running. I could see him running from his office. He would come, strut through this place and take his place to speak, and if he couldn’t speak, I know how troubled and angered he was that he wouldn’t have his allocated time to speak to the motion. He decried the fact that time was constrained for him, that he didn’t have sufficient time to make the arguments he wanted to make. I remember that. That was Jim Bradley, the Minister of Tourism, then and now. Alas, poor Jim, I knew you well. I know you no longer. How things change when you get into government.

So we are seeing, member from the longest riding in history—Ancaster-Dundas-Flamborough-Aldershot. I’m telling you I’m not sure I’m wrong about what I’m saying. The quotations speak for themselves.

Mr John Wilkinson (Perth-Middlesex): It’s all about money.

Mr Marchese: Yes, you’re right. The public has spoken. The member from Perth-Middlesex says, “It’s all about money.” How dismissive. You notice how arrogance sets in early? They don’t even waste a session or wait a session to deal with issues of arrogance. They immediately immerse themselves, bask in that glow of hubris so quickly. God, it’s going to hurt you. You will all implode, and implode quickly. I’m telling you, you’ve got to be careful.

We’re saying that this motion is worse than standing order 46. This omnibus motion is worse than what we had. What I decry is the fact that the member from Nepean-Carleton supported this motion—

Ms Marilyn Churley (Toronto-Danforth): They always have, though.

Mr Marchese: You’re quite right. If they were so dogmatic and so dictatorial when they were in power, when they see a bill that smells somewhat like what they used to do on a regular basis, they must say, “If we did it, I guess the Liberals can do it. We should be supporting them.” You’re right.

But normally when you get into the opposition benches, you worry about not being given the time or the opportunity to adequately debate bills. I was curious to hear him say, “No single individual in my riding ever talked about time allocation,” as if to suggest that because not one single individual talked to him about time allocation, it was all right to time-allocate bills. But it’s not all right. Time allocation introduced by their government—44 or 50 times during its last session—was a whole lot of suffocation, strangulation of debate in this place. It was a lot. They hurt the democratic process in this place.

If you adopt such measures—for those of you who find it so amusing—where will you stop? Where will you stop? Where will it end? How will you ever control a majority with the abuse of power, as they are now doing

through motion 13? How will we ever stop them? You, Mr Speaker, ought to be worried about it. Your caucus ought to be worried about this. It fascinates me that they think it’s all right. It fascinates me to believe that the member from Nepean-Carleton thinks he’s getting more time for debate.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Everybody wants to move forward but you.

Mr Marchese: The member from Ancaster, Flamborough and the other two parts of the riding keeps on blah-blah-blahing—

Mr McMeekin: Everybody but you.

Mr Marchese: I don’t know. I quoted Jim Bradley when he was here on the opposition benches. I’m going to get your quotes too when I have some time, because I’m convinced you spoke against suffocation motions, strangulation motions on a regular basis. I will get them.

I have a motion to adjourn this debate.

The Acting Speaker: The member for Trinity-Spadina has moved adjournment of the debate.

All in favour of the motion, please say “aye.”

Those opposed, please say “nay.”

In my opinion, the nays have it.

Call in the members. This will be another 30-minute bell.

The division bells rang from 2159 to 2229.

The Acting Speaker (Mr Jean-Marc Lalonde): Those in favour, please rise and stay standing.

You may sit.

Those against, please rise and remain standing.

Clerk of the House: Pour, 5 ; contre, 29.

The Acting Speaker: Ayes, 5; nays, 29. The motion is defeated.

Mr Marchese: Merci, monsieur le Président. Happy to see the Minister of Tourism in this place, as he often would say, “I was watching the proceedings on television.” So, I am sure he saw me and heard what I had to say about the things he had to say.

I want to quote the member for Ancaster-Dundas-Flamborough-Aldershot—the longest riding name in Canada. On December 3, 2001, he said, “I am also pleased to join this important debate. A very wise man once said ‘You don’t know what you’ve got until you lose it.’ In these troubling times, we must be particularly vigilant to affirm our most precious democratic freedoms”—said he then—“because compromising core components of our healthy democratic process is very dangerous indeed, and we’ve seen a lot of that the last week.”

There are so many more quotations from the same area. I’m going to leave that to my colleague when he stands up to speak next, unless, of course, the Minister of Tourism is going to engage in the debate. I’m looking forward to that debate to give him an opportunity to speak to the reasons why we have motion 13 before us. If he doesn’t want to speak, I’m sure we will find a younger or older person who will want to engage me and us in this debate. So I’m looking forward to some of you

defending motion 13. It would please me and the citizens watching this debate.

Interjections.

Mr Marchese: Just to mention the chatter from the rump here in the middle. They make it appear as if somehow we have the power, that the opposition has all the power in this place. No, you've got the power. You've got the numbers. You've got the majority. You can do what you like, and you do. We are virtually powerless in this place. We've got no power. You've got the power. Please.

Monsieur le Président, there is something I have to do. I move adjournment of the House.

The Acting Speaker: The member for Trinity-Spadina has moved adjournment of the House. Is it the pleasure of the House?

Those in favour, say "yes."

Those against, say "nay."

I believe the nays have it.

This will be a 30-minute bell.

The division bells rang from 2233 to 2303.

The Acting Speaker: All those in favour, please stand and remain standing to be counted.

All those against, please stand.

Clerk of the House: The ayes are 6; the nays are 27.

The Acting Speaker: I declare the motion lost.

Mr Marchese.

Mr Marchese: My point is, if you can find these innovative ways of stifling debate, what's next? Are you going to look to some South American dictatorships where they go on television to say, "This is what we're going to announce next?" Is this what you're going to do next?

Mr Garfield Dunlop (Simcoe North): Mr Speaker, I'd like to put the question, please.

The Acting Speaker: Mr Dunlop is calling for the vote.

Interjections.

The Acting Speaker: It is my decision that we do not allow the motion to be put.

Mrs Donna H. Cansfield (Etobicoke Centre): On a point of order, Mr Speaker: During the conversation, the member from Niagara indicated that the member from Simcoe North used the word "moron." I think that's unparliamentary, and I think it needs to be apologized for and withdrawn.

The Acting Speaker: I didn't hear that, but if the member said that, would you please withdraw it.

Mr Kormos: "Moron" is now unparliamentary. OK, Speaker, I gotcha. Dunlop's just very stupid. He's not necessarily a moron.

Interjections.

The Acting Speaker: I again ask the member to withdraw it.

Mr Kormos: I withdraw. What a stupid thing to do, Dunlop. You're in the opposition.

The Acting Speaker: Further debate?

Interjections.

Mr Michael Prue (Beaches-East York): Mr Speaker, do I have the floor, or do these two gentlemen have the floor?

The Acting Speaker: You have the floor.

Mr Prue: Thank you very much, Mr Speaker.

I stand here in these august halls and I remember politics in this place going back a long time. Although I've only served in here some two years, I first came here as a young student to watch the debates, which sometimes lasted for days, sometimes lasted for weeks, sometimes lasted for an entire session, with people standing up for what they believed in, with closure hardly ever used. In fact, that was the history of our whole democracy here in Toronto, our whole democracy in Canada, our whole democracy here in this province. I'd just like to speak a little bit about the democracy in all those places and how we have seen fundamental and, I think, very regressive changes over time.

I had the opportunity of first being elected, as many members might know, in the former borough of East York—this was in pre-amalgamation days—and to serve both as a councillor and later as mayor of that borough. I will tell you, that when we spoke, it was always in a civil way. I don't remember once, in the borough of East York, ever having been heckled by anyone. We were always polite to each other. We always talked to each other and listened to what we had to say. If you disagreed with the speaker before—

Interjection.

Mr Prue: If you disagreed with the speaker before, Mr Minister, then you waited your turn and explained why that person was wrong. You would sometimes convince them of the error of their ways and you would occasionally—and I think usually once or twice a night—convince someone who had spoken before you that they were wrong and that they should change their vote. That was kind of a civil time to be in politics. It was kind of a gentlemanly period, if one can still use that word. I don't know whether you can or not, but it was. There was a sort of camaraderie among us. We listened and we learned, and we dealt without ever, I think, in those halcyon days, resorting even once to closure.

I think back to what happened to a wonderful place like East York. I remember sitting here in the Legislature the night it all came crashing down. I remember coming down many, many times. I remember that there were people all throughout these galleries from Toronto, people from a wonderful organization called C4LD, Citizens for Local Democracy, citizens who came out in huge numbers, demanding to be heard, demanding that their government listen to them, demanding that members of all sides of the Legislature listen to them.

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I was very proud in those days of not only the New Democratic Party but also of the Liberal Party, because they stood together, person after person against a government that was hugely unfeeling, a government that did not want to listen to the people and did not want to listen to the opposition, a government that took every

single opportunity to close down democracy, to say that the people of Toronto did not matter, to force upon them an amalgamation which did not work then and does not work today, a government that used closure, a government that used procedure to stifle debate.

I think of my times at Metro Toronto, another government. When I was the mayor of East York, I had the huge opportunity of going to down to Metropolitan Toronto and I watched there. The sense of camaraderie—I will not use the word “gentleman” again—was not quite so extensive, but I will tell you that very seldom was closure ever used, very seldom were people stifled in their debate, very seldom would I be heckled, very seldom would anyone heckle at all. You know, they listened to what had to be said. If the debate took an hour, it took an hour; if it took a day, it took a day; if it took a week, it took a week; but every voice was heard. Everyone was allowed to say what they had to say and, more importantly, every motion that was made, whether you were on the side of those proposing it or opposed to the side proposing it, was adequately and fully debated and voted upon. As a member of that body, I often made motions and I often made amendments to motions, some of which, even when I was in opposition to what was being done, were listened to and were passed. People listened to the debate and learned from their colleagues.

Then, you know, we went into the megacity and all those things happened. A government in this Legislature that would not listen to the people of Toronto imposed upon them a megacity—a megacity that flounders, a megacity that is going into debt, a megacity that does not work and a megacity where citizens are shut out.

I would think that people from other parts of Ontario must know about that too. Those who live in Ottawa or in Flamborough might know how bad some of those megacities are, or those—I wish the member was here—who live in Lindsay will see that her own colleagues of Kawartha Lakes have voted to de-amalgamate. In the megacity there were all kinds of debates too, but I remember only one occasion where closure was actually moved and carried. It required a two thirds vote, and it required that people stop the debate.

I will tell you that the biggest debate the city of Toronto ever had was on the shipping of garbage to Kirkland Lake, an issue that is resurfacing and may resurface to this Legislature this year. If one is to believe the North Bay Nugget, the banner headlines of a day or two ago, it may resurface. I will tell you that no one attempted to stop or stifle that debate, even though it went on day after day. The mayor had to extend the sitting and give notice of the extension of the council of that day. The debate went on because the debate was important and every view needed to be heard. In the end, the majority prevailed. You can read today that the city of Toronto opposed and shut down the great garbage dump in Kirkland Lake. In fact, that did not happen. In the end, the majority prevailed and it was passed, although it later floundered on its own because the proponents would not

meet the requirements set out by city council. But I will tell you that no one attempted to stifle debate.

Then I arrived here at the province some two years ago, in this august Legislature, and watched in awe at the magnificence of the building and sometimes the eloquence of the debate, but what was always the most troubling to me, and what continues to be troubling to me, is the fact that so many people in this Legislature do not want to hear what other people have to say. They do not want to hear the minority; they want to push through whatever legislation is on their agenda and go home. I tell you that is a very sad reflection on democracy which people in this country—in fact, people throughout the world—hold in such high esteem and for which many have fought and died.

It was only some 30 years ago, if my memory is correct, that one of Canada's greatest—probably the greatest Prime Minister in this century—Pierre Elliot Trudeau, said something disparaging about the members of the House of Commons. He said if they got 100 yards away—he was still using non-metric terms—they were nobodies. The reality is that that is not the case. It was not the case then, and it is certainly not the case today.

Those are the elected representatives of the people who have an obligation to represent the people, not in government, but inside the Legislature; not to pass the bills, but to comment on the bills; not to propose legislation, because that is the job of the executive council, but to pass judgment on it, to stand up and say what is good and what is bad. That needs to be heard. Each one of us represents 100,000 or more people.

I certainly know about 115,000 people of Beaches-East York expect me to stand up and say what is good and what is bad on every single piece of legislation, every opportunity I have to do so, and that is my intent. My intent is not to be stifled. My intent is to try to make this Legislature as good as it can be. Sometimes we have to look backwards to the way it was.

When I was a student and came here from the University of Toronto in the 1960s, I used to sit up there. I used to sometimes watch the debates in absolute awe, because the debaters were eloquent. Someone referred to Stephen Lewis—you could watch Stephen Lewis, you could watch Jim Renwick, you could watch Conservatives—and I won't say Bill Davis was the most eloquent speaker I ever saw, but he stood his ground and was able to pass comment, and he was able to take it. I don't remember in those days that closure was ever used at all. In fact, I doubt very much it was used even once. Sometimes if it took a day or a week to hear people—and there were more members of the House than now—to pass the legislation and to do that which was right, then the time was taken to do it. People did not debate motions like we're debating tonight. They debated substantive issues, because the substantive issues were put before them.

Quite frankly, what we have here tonight is an omnibus closure motion. I have never seen such a thing before. I have never even read of such a thing existing. I don't believe there's ever been such a thing in Ontario

before. If there's still anyone watching, this is an omnibus closure motion that allows the government to shut down debate literally at will.

Ms Churley: How many pieces—

Mr Prue: There are five pieces of legislation. It allows the bills to be shut down.

The reason we are standing here in the New Democratic Party may be altruistic. It's not about money; it's not about official status; it's not about all the taunts that we've got here tonight. What it's about is our hope that the ordinary citizen can again be represented in these chambers and that their voices can be heard.

All of you have spoken about this in the past. I've got a few quotes. I'd just like to remind some of the members opposite of what they've said on these very same things in the past.

Because he's been most vociferous tonight, he has heckled so many times, I would like to start with the member for Ancaster-Dundas-Flamborough-Aldershot. He said it perhaps as well as I have heard anyone else. I was a relatively new member. I had arrived here in October 2001. One of the very first large debates in which I was involved was the change to the Municipal Act. He was the critic for the Liberal Party to the Minister of Municipal Affairs, as I was the critic for the New Democratic Party. This is what he had to say. I've got enough time. I'm going to read a lot of what he had to say. I'm going to start half way down:

"Ironically, I came just a few moments ago from a meeting of the standing committee on justice and social policy. We were dealing with Mr Colle's private member's bill dealing with heart defibrillators. The ironic thing was the government took the position that they didn't want to support it, for a whole slew of reasons, not the least of which being they thought it was more appropriately something that should be handled municipality to municipality. Yet ironically, just last week when members of our caucus, with support from members of the caucus of the third party, actually put an amendment which would have allowed that, the government members of the committee voted it down.

"In fact, I found it passing strange that every single government amendment to Bill 111, the new Municipal Act, predicated on trust and respect, was passed, and every single amendment that was put by the NDP and the official Liberal opposition was rejected. I want to suggest it wasn't because the amendments that were put by opposition members were lacking in integrity or decency or appropriateness vis-à-vis the municipal scene. It was, strictly speaking, just narrow-minded ideological knee-jerk politics again.

"When I came here, I was an incurable optimist, but I need to tell the members opposite, I'm now cured, almost completely. The kinds of things that were rejected, if you can believe it—we put amendments that said municipalities shouldn't be amalgamated against their consent. Defeated. We've said there should be a prescribed period with respect to downloading and consultation. It was defeated. The safety aspects that I've just pointed out

were defeated. A number of amendments with respect to the natural environment were defeated. What fundamentally was defeated was the minister's promise and assurance that he was serious, and that he wanted us to proceed with this legislation in a spirit of tri-partisanship, to really do the things that we needed to do."

Do you remember those days?

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Mr McMeekin: They were shameful days

Mr Prue: Yes, they were shameful days. This too is a shameful day, because people who have talked about democracy, people who have stood in this Legislature to fight the amalgamation of municipalities, including your own, people who have lined this Legislature on all sides to be heard are not being allowed to be heard.

Here I am being heckled again, when I am simply telling you what you have said before. You are not alone. I want to tell you there are a lot of people.

Here's one of my favourites, from the government House leader. Mr Duncan, Ontario Hansard, December 9, 2002:

"I just want to again explain to those listening what time allocation is. That's cutting off debate, shutting down the opportunity for members to speak. There are about a dozen members in the Liberal caucus, I suspect, who wanted to speak to this bill who will not have the opportunity now. That opportunity is gone because of this time allocation, this guillotine bill, this attempt to stifle debate, to limit the ability of members to participate in the discussion. What's particularly sad about it is that over the course of events—on the budget bill, they had to go to committee of the whole and then waive their own time allocation motion, because they had shut down debate on that and they wouldn't allow third reading debate."

He went on to talk about how a new government was going to do something else. I think many people in Ontario wanted a new government and thought that a new government might make things better. I know that the Liberals often think their new government is going to make things better, and everything is wonderful now, because they are not Conservatives. I want to tell you that I'm not so sure, seeing this motion here tonight. I watched closely, of course, as all Ontarians did, what was happening in the last election. They all expected really good things from a new Liberal administration, that the really horrible days of the Conservatives—none of whom are here tonight, by the way—were over. But I will tell you that what we were hoping for was in vain.

We listened to Dalton McGuinty on democracy and closure. I just want to hear both of these, because this is what I expect from you. I expect that you follow your leader. I expect that you do what he said he would do in the past and follow through. Ontario Hansard, May 13, 2002:

"Premier"—he was talking to then Premier Ernie Eves—"you have a majority ... I expect that you will govern it fairly and with respect. As long as you do that, I will give you whatever help and support that I can,

because that's my job. If you fail to do that, I will put as many roadblocks in your way as I possibly can, because that too is my job."

Now if that's not be outdone, in 2003, he said it even better.

Mr Marchese: What about the motion you want to move? Don't you want to move a motion yet?

Mr Prue: Not yet.

Dalton McGuinty said—this is from Ontario Hansard, May 12, 2003:

"The Harris-Eves government has simply not been kind to democracy in Ontario. For example, they have severely limited debate in the Legislature. In their first term, they changed the rules 42 times to restrict debate and limit the power of elected representatives. That's 42 times. They have forcibly closed debate on 60% of the bills presented at Queen's Park—60%. By way of comparison, in 1985, that figure was 1%."

Mr McMeekin: Move adjournment now.

Mr Prue: Is that what you are asking me to do, Mr McMeekin? Is that what you want? If you want me to move adjournment, Mr McMeekin, I will move adjournment of the debate.

The Acting Speaker: Mr Prue has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

Those in favour, say "yes."

Those against, say "nay."

I believe the nays have it.

This is going to be a 30-minute bell.

The division bells rang from 2326 to 2356.

The Acting Speaker: All those in favour, please stand and remain standing.

All those against, please stand.

Clerk of the House: The ayes are 6; the nays are 13.

The Acting Speaker: I declare the motion lost.

It being midnight, the House stands adjourned until 1:30 tomorrow.

The House adjourned at 2357.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton West / -Ouest	Marsales, Judy (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Hon / L'hon Leona (L) Minister of the Environment / ministre de l'Environnement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Huron-Bruce	Mitchell, Carol (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Kenora-Rainy River	Hampton, Howard (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon / L'hon John (L) Minister of Municipal Affairs, minister responsible for seniors / ministre des Affaires municipales, ministre délégué aux Affaires des personnes âgées
Brampton Centre / -Centre	Jeffrey, Linda (L)	Kitchener Centre / -Centre	Milloy, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Brant	Levac, Dave (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lanark-Carleton	Sterling, Norman W. (PC)
Burlington	Jackson, Cameron (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Cambridge	Martiniuk, Gerry (PC)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Chatham-Kent Essex	Hoy, Pat (L)	London West / -Ouest	Bentley, Hon / L'hon Christopher (L) Minister of Labour / ministre du Travail
Davenport	Ruprecht, Tony (L)	London-Fanshawe	Ramal, Khalil (L)
Don Valley East / -Est	Caplan, Hon / L'hon David (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouveau de l'infrastructure publique, leader parlementaire adjoint	Markham	Wong, Tony C. (L)
Don Valley West / -Ouest	Wynne, Kathleen O. (L)	Mississauga Centre / -Centre	Takhar, Hon / L'hon Harinder S. (L) Minister of Transportation / ministre des Transports
Dufferin-Peel-Wellington- Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	Mississauga East / -Est	Fonseca, Peter (L)
Durham	O'Toole, John (PC)	Mississauga South / -Sud	Peterson, Tim (L)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga West / -Ouest	Delaney, Bob (L)
Elgin-Middlesex-London	Peters, Hon / L'hon Steve (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Nepean-Carleton	Baird, John R. (PC)
Erie-Lincoln	Hudak, Tim (PC)	Niagara Centre / -Centre	Kormos, Peter (ND)
Essex	Crozier, Bruce (L)	Niagara Falls	Craitor, Kim (L)
Etobicoke Centre / -Centre	Cansfield, Donna H. (L)	Nickel Belt	Martel, Shelley (ND)
Etobicoke North / -Nord	Qaadri, Shafiq (L)	Nipissing	Smith, Monique (L)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Northumberland	Rinaldi, Lou (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Oak Ridges	Klees, Frank (PC)
Guelph-Wellington	Sandals, Liz (L)	Oakville	Flynn, Kevin Daniel (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oshawa	Ouellette, Jerry J. (PC)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Halton	Chudleigh, Ted (PC)	Ottawa South / -Sud	McGuinty, Hon / L'hon Dalton (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
Hamilton East / -Est	Agostino, Dominic (L)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Watson, Hon / L'hon Jim (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Hamilton Mountain	Bountrogianni, Hon / L'hon Marie (L) Minister of Children's Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance, ministre des Affaires civiques et de l'Immigration	Ottawa-Orléans	McNeely, Phil (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa-Vanier	Meilleur, Hon / L'hon Madeleine (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thornhill	Racco, Mario G. (L)
Oxford	Hardeman, Ernie (PC)	Thunder Bay-Atikokan	Mauro, Bill (L)
Parkdale-High Park	Kennedy, Hon / L'hon Gerard (L) Minister of Education / ministre de l'Éducation	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Timiskaming-Cochrane	Ramsay, Hon / L'hon David (L) Minister of Natural Resources / ministre des Richesses naturelles
Perth-Middlesex	Wilkinson, John (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Peterborough	Leal, Jeff (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, Hon / L'hon George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Toronto-Danforth	Churley, Marilyn (ND)
Prince Edward-Hastings	Parsons, Ernie (L)	Trinity-Spadina	Marchese, Rosario (ND)
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Vaughan-King-Aurora	Sorbara, Hon / L'hon Greg (L) Minister of Finance / ministre des Finances
Sarnia-Lambton	Di Cocco, Caroline (L)	Waterloo-Wellington	Arnott, Ted (PC)
Sault Ste Marie	Oraziotti, David (L)	Whitby-Ajax	Flaherty, Jim (PC)
Scarborough Centre / -Centre	Duguid, Brad (L)	Willowdale	Zimmer, David (L)
Scarborough East / -Est	Chambers, Hon / L'hon Mary Anne V. (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor West / -Ouest	Pupatello, Hon / L'hon Sandra (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough Southwest / -Sud-Ouest	Berardinetti, Lorenzo (L)	Windsor-St Clair	Duncan, Hon / L'hon Dwight (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough-Agincourt	Phillips, Hon / L'hon Gerry (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York Centre / -Centre	Kwinter, Hon / L'hon Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough-Rouge River	Curling, Hon / L'hon Alvin (L) Speaker / Président	York North / -Nord	Munro, Julia (PC)
Simcoe North / -Nord	Dunlop, Garfield (PC)	York South-Weston / York-Sud-Weston	Cordiano, Hon / L'hon Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe-Grey	Wilson, Jim (PC)	York West / -Ouest	Sergio, Mario (L)
St Catharines	Bradley, Hon / L'hon James J. (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	Bryant, Hon / L'hon Michael (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		
Stormont-Dundas-Charlottenburgh	Brownell, Jim (L)		
Sudbury	Bartolucci, Hon / L'hon Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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