



No. 41B

N° 41B

ISSN 1180-2987

Legislative Assembly
of Ontario

First Session, 41st Parliament

Assemblée législative
de l'Ontario

Première session, 41^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 10 December 2014

Mercredi 10 décembre 2014

Speaker
Honourable Dave Levac

Clerk
Deborah Deller

Président
L'honorable Dave Levac

Greffière
Deborah Deller

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Room 500, West Wing, Legislative Building
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Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



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Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 10 December 2014

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 10 décembre 2014

The House recessed from 1800 to 1845.

ORDERS OF THE DAY

SECURITY FOR COURTS, ELECTRICITY
GENERATING FACILITIES
AND NUCLEAR FACILITIES ACT, 2014

LOI DE 2014 SUR
LA SÉCURITÉ DES TRIBUNAUX,
DES CENTRALES ÉLECTRIQUES
ET DES INSTALLATIONS NUCLÉAIRES

Resuming the debate adjourned on December 10, 2014, on the motion for third reading of the following bill:

Bill 35, An Act to repeal the Public Works Protection Act, amend the Police Services Act with respect to court security and enact the Security for Electricity Generating Facilities and Nuclear Facilities Act, 2014 / Projet de loi 35, Loi abrogeant la Loi sur la protection des ouvrages publics, modifiant la Loi sur les services policiers en ce qui concerne la sécurité des tribunaux et édictant la Loi de 2014 sur la sécurité des centrales électriques et des installations nucléaires.

The Acting Speaker (Mr. Ted Arnott): When we last debated Bill 35, the member for Windsor–Tecumseh had the floor—

Interjection.

The Acting Speaker (Mr. Ted Arnott): Sorry; Windsor West. I apologize.

Mr. Percy Hatfield: No, it was Windsor West.

The Acting Speaker (Mr. Ted Arnott): Got it. Sorry. I've just been corrected. I apologize. The member for Windsor West had the floor, and now I'll call for further debate.

Mr. Gilles Bisson: I rise not with great pleasure in this particular debate, because I think, if you really look at where this government has come from for the last little while since they've got back to their majority government, the government has time-allocated absolutely every piece of legislation through this House. That is, quite frankly, not, I think, in keeping with what has to happen in this place.

Let me just put it this way: The government House leader came to the opposition House leaders and said that he wanted to make an agreement with members of the opposition to be able to move the agenda through the House that was important to members of this assembly.

And—I'm just going to wait here, because it looks like you're going to do a ruling on something here. Is there something going on that I'm missing?

Interjection.

Mr. Gilles Bisson: Okay. All right. Thank you very much.

The government House leader came to the opposition House leaders and said, "I want to be able to find a way so that we can get our agenda through the House." The government—and this is a time-allocated debate, so I'm speaking to the issue overall—said that they had four bills that they wanted to be able to put through the House. Of those four bills that they were going to put through the House, we said to them—the Conservative House leader and myself as the New Democratic House leader—that we need to be able to look at trying to find a way to allow the government to get their way at the end of the day, because we understand as the opposition that the government has the right and the government has a responsibility to be able to get its agenda through the House. But the opposition also has the right and responsibility to scrutinize what the government puts forward. So we said, "Let us go away and let us talk to our people about what could look like a possible agreement to allow the government to get these four bills forward."

We came back, and the Conservatives—under the Conservative House leader and the Conservative whip, who were at these meetings—said, "We're fine with that. We're prepared to give you those bills, but we want some time in committee to be able to have the public have their say," as did we New Democrats.

The government then changed the game—the government House leader—and said, "Well, it's no longer four bills. We have five." Then, when we got on to talking about five bills, he said, "It's no longer five. We're at six." Then he said, "It's no longer six. We're talking seven."

So what are you to draw from the conclusion of where the government was coming from? The government never intended to try to make this House work in the way it should. The government decided on what it wanted at the beginning, and whatever it is, at the end of the day, that they wanted, they were going to get it by way of time allocation.

I will only say this in this debate tonight: That's not the way that this place should actually work. That's not the way that this—

Interjections.

Mr. Gilles Bisson: There is really great parliamentary debate going on from the benches on the other side.

That's not the way that this place is actually supposed to function. When the government House leader comes to

the opposition and says, “I’m prepared to listen to you about how we’re able to get my agenda through the House and what is needed to make a deal,” the opposition has a responsibility, which we took, to be able to find a way forward. We offered the government a way forward. I accept that the government didn’t like that particular offer, the counter-offer that the opposition put forward, but that’s a starting position, as is the starting position from the government.

So where do we end up at the end of all of this? The government essentially decides that it’s going to time-allocate absolutely everything through the House, and was never serious about talking to the opposition about how they can move their agenda forward.

You have to draw a couple of conclusions. The first conclusion is: Was the government actually sincere in its outreach to the opposition to be able to deal with these particular bills?

1850

Ms. Catherine Fife: No.

Mr. Gilles Bisson: I have to conclude, as the member from Kitchener—

Ms. Catherine Fife: Waterloo.

Mr. Gilles Bisson:—Kitchener–Waterloo says, “No.” At the end of the day, the government decided on a strategy before they came to meet with the House leaders for the first time. They decided, “We’re going to get what we want through this House the way we want because we’re the government. We’re a majority and we have the God-inherent right to do what we want.” They essentially knew they were going to do time allocation from the beginning.

Ms. Catherine Fife: It’s bargaining in bad faith.

Mr. Gilles Bisson: The member from Kitchener–Waterloo is absolutely right: This is bargaining in bad faith. If I was to do that at the bargaining table as an employer or as a union at the bargaining table, I would be found in contravention of the Ontario Labour Relations Act.

The Acting Speaker (Mr. Ted Arnott): I would ask the member to bring his comments back to Bill 35—if he would tie his comments back to Bill 35.

Mr. Gilles Bisson: Mr. Speaker, I will say to you that this is all about Bill 35 and about the process that this bill has seen coming through the House. This is a time-allocated debate, and I’m speaking to the process by which we get to where we are now, which is perfectly within my right.

The second point I will make is this: The first point was that the government never intended to move forward with a way to bring the opposition into a discussion about how they move the agenda forward. Both the Conservative House leader and the Conservative whip, the NDP whip and the NDP House leader—myself—said, “We accept that you’re the government. You won the election. The people of Ontario have spoken. You have not only the right; you have an obligation to be able to govern.” We understand that. But so do we as the opposition have the right to hold this government to account. What this

government seems to forget is, they just don’t have an unfettered right to do what they want. There should be a process respected that allows the opposition to have its say. We wouldn’t have stopped their legislation, but we would have allowed transparency.

The second point is: If we’re not here to serve the public of Ontario, what are we here to do? Committee is not about me, Speaker. Committee is not about the House leader of the Conservative Party. It’s not about the whip of the Conservative Party or the whip of the NDP. Committee is about giving the public the right to have its say. What we, as an opposition, were saying was: Allow the public to have its say.

The public are participating in elections less and less every day. Why? Because they have lost confidence in politicians and their ability to hold their promises and to do the things that are right for the public. If we, as a Legislature, servants of the people, are not able to respect that in the end the public has an ability and a right to have their say on bills through the committee process, then what is this all about?

I think the only people who really have been dealt out of this are—not the opposition because we get less time to debate. Listen, I get time to debate on all kinds of things in the House, along with my caucus and along with the Conservative caucus. It’s not an issue of how much time I get. That’s not the important issue here. It’s not how much time I’m going to get in committee to wax eloquent on whatever is going on when it comes to amendments. That’s not really the issue. The issue is the public. The public has a right to appear before committees to be able to say to a government, “You’re right. You’re wrong. Here’s where I want to praise. This is where I want to criticize. Here is what I’d like to have changed.” The government didn’t allow the public to have their say. If the public is not participating in our elections, this is part of the reason why.

The last point I will make is this, because I know the whip for the—

Mr. John Vanthof: No, you can keep going.

Mr. Gilles Bisson: No, I think the whip wants to say a few words.

The last point I will make is this: This is really a failure, this whole agenda this fall—being able to move through the House the agenda of the government is really a failure on the part of the government to manage.

The government started this process in saying that they wanted four bills. Did they know they wanted eight in the end? I think it was a moving target. I think that’s fair to say.

In the end, the Premier’s office, or, as we call it, the corner office over there—her and her staff—failed to give direction to their House leader about what it is that they wanted, and it didn’t allow the House leader to do his job. I think it’s a failure on the part of the ability of the Liberals to manage that we found ourselves in time allocation this fall and we find ourselves in debate here tonight. I’m going to hear some very interesting—

The Acting Speaker (Mr. Ted Arnott): A point of order, the member from Mississauga–Streetsville.

Mr. Bob Delaney: Speaker, I think it's important to allow the member to express an opinion that he feels very strongly on. The government was not interrupting him on it until he got to the point of imputing a motive that is certainly contrary to standing order 23(h). I don't mind if he wants to stray a little bit, but I think he needs to avoid violating that particular standing order.

The Acting Speaker (Mr. Ted Arnott): I don't find that the member for Timmins–James Bay is in contravention of standing order 23, but I would ask him again that it would be helpful if he would bring his comments back to Bill 35 and make sure that his remarks are relevant to the debate on Bill 35.

The member for Timmins–James Bay.

Mr. Gilles Bisson: I'll only say again that this is a time-allocated debate. The motion and the bill are connected. So I'm speaking to the process, and I believe that at the end of the day, I have the right to speak to what is going on.

My point was that the government has the right to manage and the government has the right to get its agenda through the House. Nobody argues that. The parliamentary principle in this place is: Government governs; they have the ability to get their stuff through the House. Nobody argues that. But in the end, it's a failure on the part of the government to—

Mr. Grant Crack: Point of order.

The Acting Speaker (Mr. Ted Arnott): Point of order, the member for Glengarry–Prescott–Russell.

Ms. Catherine Fife: Sit down, Crack.

Mr. Grant Crack: Speaker, the member from Kitchener–Waterloo just told me to sit down, so I'm just going to ask the Speaker: Do I have the privilege to be able to stand in this House?

Interjection.

Mr. Grant Crack: Thank you very much, Speaker.

We're dealing with Bill 35, which is the Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act third reading debate. I haven't heard mention from the member from Timmins–James Bay of anything related to the bill at this point. I believe you've ruled on it twice, and I would suspect—I think his time should be up.

The Acting Speaker (Mr. Ted Arnott): Actually, I didn't rule on it. I asked him to bring his remarks back to Bill 35, which he has done each time I've asked him. Obviously, there's a sensitivity in the House, and I would ask the member again to ensure that his comments are relevant to Bill 35.

I recognize the member. He's got the floor.

Mr. Gilles Bisson: I want to say, "Bill 35, time allocation," five times. I've said it now, so I'm to the point. But the fact that the government can't listen to six minutes of debate—because that's all we've got left on the clock—about the process that they've put this House through says volumes. It's the arrogance of this government to not allow the parliamentary process to function.

We need to understand, members, that Parliament has been developed over a period of centuries in order to have

a check and balance against the right of the crown—or in this case, cabinet—and the right of the opposition to be able to do their jobs. The fact that the government is not prepared to listen to six minutes of debate on the process says to me volumes about where they're at.

I was about to end, but I've got five minutes, so I'm going to take it. I'm just going to say this: It's a sad—

Mr. John Yakabuski: Could you say something nice about the Conservatives while you're up there?

Mr. Gilles Bisson: No, not today, Mr. Yakabuski. Not today. I will not say anything good about—

Interjection.

Mr. Gilles Bisson: No, no.

My point is this: I just—

Mr. John Yakabuski: Just one thing?

Mr. Gilles Bisson: I like you, Yak. You're a good guy.

Interjection: That's good.

Mr. Gilles Bisson: I'll stop at that point.

My point is this: This Legislature is not about the government being able to do just what it wants; this Legislature is not about the opposition being able to hold the government hostage to anything; this Legislature is about—

Mr. Arthur Potts: Mr. Speaker, a point of order.

Interjections.

The Acting Speaker (Mr. Ted Arnott): I have to recognize the member for Beaches–East York. He's got a point of order.

Mr. Arthur Potts: I'm sorry. My apologies. No, really, this is a debate about Bill 35, and not about time allocation and what this government wants to do with time allocation. It's about Bill 35, Mr. Speaker, and the member knows. He's disrespecting you, he's disrespecting—

The Acting Speaker (Mr. Ted Arnott): No, he's not disrespecting me.

The member for Timmins–James Bay has the floor.

Mr. Gilles Bisson: I just want to finish, in the four minutes and 19 seconds I've got left. If the government is not prepared to listen to criticism from the opposition about the process, then I think we're in deep trouble.

This Legislature is about the people of Ontario. I'm not standing on a high horse when I say that, because I listen to my good friend the member from St. Catharines, who has been here much longer than I, who has given these speeches in this Legislature before.

We are here to do the bidding of the people of Ontario, and we need to respect them in this process. The point that I'm making as the NDP House leader, and the point that I think the Conservative House leader made, is that, yes, at times we will be critical of what the government is doing, and of course you're going to be very much praising what you do as a government. But in the end, the legislative process is that there needs to be an opportunity for the public to have its say, and what the government has done by way of this process is to deal the public out.

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I only hope, as we move forward into the new session, when we get back here in February, that the government will reflect on what's happened here this fall. We have

not had an opportunity to deal the public in. I just believe, as a member and as a citizen of this province, that we need to respect the people who sent us here. The public has to have the right to have their say.

So I say in regard to Bill 35, Speaker, that the government has put forward a bill to which some of the measures, I think, some of us could support. I think there are some things within Bill 35 that the government—

Interjection.

Mr. Gilles Bisson: I'm being constantly heckled by the member behind me—

Mr. Steve Clark: You're being heckled by your own member.

Mr. Gilles Bisson: Which is really funny, actually. But I'm just saying that there are points to this bill that are points that I think are real debate about what rights the government should have and the police should have when it comes to court security, and what are the rights that—

Mr. Arthur Potts: Then you should debate those points.

Mr. Gilles Bisson: They just don't get it.

Mr. Arthur Potts: Twenty minutes of procedural nonsense.

Mr. Gilles Bisson: The really sad part is—and nonsense is what I'm hearing from the other side.

The Acting Speaker (Mr. Ted Arnott): The member for Beaches–East York will come to order.

The member for Timmins–James Bay has two minutes left in his remarks. I recognize the member for Timmins–James Bay.

Mr. Gilles Bisson: My Lord. They wanted night sittings, and they can't even take eight minutes. It's really—it's bizarre. It's like Twilight Zone kind of stuff. The government moved the motion to sit at night for us to be able to deal with this bill, and they can't deal with 16 minutes of debate that they're uncomfortable with. Well, I'm sorry. That's what democracy is all about. It's about you being held to account. At the end of the day, you have to listen to what the opposition says and decide if you're going this way or the other way. The member for Beaches–East York can continue doing the things that he's doing, but he's not doing a disservice to anybody but, I think, the people of this province.

I accept, as an opposition member, that the government has a right to govern. I only ask that the government accept that the opposition has a right to keep the government accountable. That's what this Legislature is all about. The government gets their bills, but we get to be able to hold them to scrutiny. In the end, the public has a say in that whole process, and the only place by which they can do that is within the committee structure of this Legislature.

I think it is a really sad day in this province when the government backbenchers—and I say backbenchers, because the members of cabinet kind of understand what's going on tonight, because they've been around here a while. They understand that, quite frankly, that's what this place is all about. If we allow ourselves, as a Legislature, not to respect the public, I think it is, quite frankly, a sad state of democracy within the province of Ontario.

I would just ask the government, at 20-some-odd seconds that I've got left and that they're heckling, that they should reflect on what happened here this fall. Go and have a merry Christmas, and I wish you all a great holiday season. Think about how this Legislature can—

Interjections.

The Acting Speaker (Mr. Ted Arnott): Member for Timmins–James Bay, I'll give you a few extra seconds.

Mr. Gilles Bisson: Speaker, thank you.

The Acting Speaker (Mr. Ted Arnott): Further debate on Bill 35?

Pursuant to the order of the House of December 3, 2014, I am now required to put the question.

Mr. Flynn has moved third reading of Bill 35, An Act to repeal the Public Works Protection Act, amend the Police Services Act with respect to court security and enact the Security for Electricity Generating Facilities and Nuclear Facilities Act, 2014. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell—unless I receive a deferral notice from the chief government whip.

I am pleased to inform the House that I have received a deferral notice from the chief government whip. This will be deferred until tomorrow during the time of deferred votes.

Third reading vote deferred.

The Acting Speaker (Mr. Ted Arnott): Orders of the day. I recognize the Minister of Citizenship, Immigration and International Trade.

Hon. Michael Chan: I move adjournment of the House.

The Acting Speaker (Mr. Ted Arnott): Is it the pleasure of the House that the motion carry? Carried—

Mr. John Yakabuski: On division.

The Acting Speaker (Mr. Ted Arnott): —on division.

This House stands adjourned until tomorrow morning at 9 a.m.

The House adjourned at 1905.

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McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Attorney General / Procureure générale Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Milczyn, Peter Z. (LIB)	Etobicoke–Lakeshore	
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
Moridi, Hon. / L'hon. Reza (LIB)	Richmond Hill	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Munro, Julia (PC)	York–Simcoe	Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
Murray, Hon. / L'hon. Glen R. (LIB)	Toronto Centre / Toronto-Centre	Minister of the Environment and Climate Change / Ministre de l'Environnement et de l'Action en matière de changement climatique
Naidoo-Harris, Indira (LIB)	Halton	
Naqvi, Hon. / L'hon. Yasir (LIB)	Ottawa Centre / Ottawa-Centre	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Government House Leader / Leader parlementaire du gouvernement
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham–Kent–Essex	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
Orazietti, Hon. / L'hon. David (LIB)	Sault Ste. Marie	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
Pettapiece, Randy (PC)	Perth–Wellington	
Potts, Arthur (LIB)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Sandals, Hon. / L'hon. Liz (LIB)	Guelph	Minister of Education / Ministre de l'Éducation
Sattler, Peggy (NDP)	London West / London-Ouest	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Hon. / L'hon. Mario (LIB)	York West / York-Ouest	Minister Responsible for Seniors Affairs Minister Without Portfolio / Ministre sans portefeuille
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Leader, Official Opposition / Chef de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Première ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
Zimmer, Hon. / L'hon. David (LIB)	Willowdale	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Vacant	Sudbury	

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Mr. Gilles Bisson 2021
Third reading vote deferred 2024