



No. 23

N° 23

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## Votes and Proceedings

## Procès-verbaux

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Tuesday**  
**March 30, 2004**

Daytime Meeting - Sessional Day 36  
Evening Meeting - Sessional Day 37

**Mardi**  
**30 mars 2004**

Séance de l'après-midi - jour de session 36  
Séance du soir - jour de session 37

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

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

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**PRAYERS**  
**1:30 P.M.**

**PRIÈRES**  
**13 H 30**

**REPORTS BY COMMITTEES**

Mr. Hoy from the Standing Committee on Finance and Economic Affairs presented the Committee's Report on Pre-budget Consultation 2004 and moved the adoption of its recommendations (Sessional Paper No. 77).

Mr. Hoy then moved the adjournment of the debate, which motion was carried on the following division:-

**RAPPORTS DES COMITÉS**

M. Hoy du Comité permanent des finances et des affaires économiques présente le rapport du comité concernant les consultations prébudgétaires pour 2004 et propose l'adoption de ses recommandations (document parlementaire n° 77).

Ensuite, M. Hoy propose l'ajournement du débat et cette motion est adoptée par le vote suivant:-

**AYES / POUR - 57**

Bartolucci	Craitor	Jeffrey	Meilleur	Sandals
Bentley	Crozier	Kennedy	Milloy	Smith
Berardinetti	Delaney	Kular	Mitchell	Smitherman
Bradley	Dhillon	Lalonde	Oraziotti	Sorbara
Broten	Dombrowsky	Leal	Patten	Takhar
Brown	Duguid	Levac	Peters	Van Bommel
Brownell	Duncan	Marsales	Qaadri	Watson
Bryant	Flynn	Matthews	Racco	Wilkinson
Cansfield	Fonseca	Mauro	Ramal	Wong
Caplan	Gerretsen	McGuinty	Ramsay	Wynne
Chambers	Gravelle	McNeely	Rinaldi	Zimmer
Colle	Hoy			

**NAYS / CONTRE - 24**

Arnott	Eves	Klees	Murdoch	Tascona
Baird	Hampton	Kormos	O'Toole	Wilson
Barrett	Hardeman	Marchese	Ouellette	Witmer
Churley	Hudak	Martel	Prue	Yakabuski
Dunlop	Jackson	Miller	Runciman	

**INTRODUCTION OF BILLS**

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

Bill 44, An Act to amend the Public Transportation and Highway Improvement Act to name Highway 403 the Alexander Graham Bell Parkway. Mr. Levac.

**DÉPÔT DES PROJETS DE LOI**

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

Projet de loi 44, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de nommer l'autoroute 403 promenade Alexander Graham Bell. M. Levac.

**MOTIONS**

Mr. Duncan moved,

That pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, March 30, 2004, for the purpose of considering government business.

**MOTIONS**

M. Duncan propose,

The question being put on the motion, it was carried on the following division:-

La motion, mise aux voix, est adoptée par le vote suivant:-

AYES / POUR - 77

Arnott	Colle	Hardeman	McNeely	Runciman
Arthurs	Craitor	Hoy	Meilleur	Sandals
Baird	Crozier	Hudak	Miller	Smith
Barrett	Delaney	Jackson	Milloy	Smitherman
Bartolucci	Dhillon	Jeffrey	Mitchell	Sorbara
Bentley	Di Cocco	Kennedy	Oraziotti	Takhar
Berardinetti	Dombrowsky	Klees	O'Toole	Tascona
Bountrogianni	Duguid	Kular	Ouellette	Van Bommel
Bradley	Duncan	Kwinter	Patten	Watson
Broten	Dunlop	Lalonde	Peters	Wilkinson
Brown	Eves	Leal	Qaadri	Wilson
Brownell	Flaherty	Levac	Racco	Witmer
Bryant	Flynn	Marsales	Ramal	Wong
Cansfield	Fonseca	Mauro	Ramsay	Wynne
Caplan	Gerretsen	McGuinty	Rinaldi	Yakabuski
Chambers	Gravelle			

NAYS / CONTRE - 7

Churley	Kormos	Martel	Murdoch	Prue
Hampton	Marchese			

The Speaker addressed the House as follows:-

I beg the indulgence of the House to allow me to address you briefly on the matter of the presiding role of the Speaker.

Let me first say that I have been getting tremendous co-operation from all Members in my quest to improve decorum in this House, and I greatly appreciate it.

As a long-serving parliamentarian and a keen observer of the proceedings of this House, I have arrived at certain opinions with respect to order and decorum and effective methods of preserving it.

While the Speaker is the servant of the House, he also has the delicate responsibility of maintaining order in such a way as to facilitate the business of the House while respecting the rights of all Members.

As *Erskine May* notes, "it is absolutely necessary that the Speaker should be invested with authority to repress disorder and to give effect promptly and decisively to the rules and orders of the House." In this regard, the Speaker has significant powers. Among these is the power to "name" a member. It is my view that "naming" is the most severe disciplinary tool at my disposal and one that should be reserved and applied as a last resort. It should be held, not only by the Speaker, but by the House itself, as a profoundly serious consequence of disregard for the authority of the Chair.

It is my opinion that the Chair has exercised the "naming" option so frequently in recent years that its effectiveness has been eroded. In fact, at times it has become a method of demonstration, even garnering applause from Members themselves. When a Member is named, it should be understood that the Speaker is exercising that option only as a last resort and that the infraction is one that is an affront not just to the Chair but to this institution as well.

Naming therefore has its unfortunate place, but in somewhat less serious circumstances, where the firm intervention of the Speaker is nevertheless still required, I see much merit in the approach used occasionally by Speakers of this House, and more frequently by Speakers of the Canadian House of Commons, as set out in Marleau and Montpetit's *House of Commons Procedure and Practice*, as follows:

“If the Speaker has found it necessary to intervene in order to call a Member to order, he or she may then choose to recognize another Member, thus declining to give the floor back to the offending Member. On occasion, a Member who is called to order by the Speaker may not immediately comply with the Speaker’s instructions; in such a case, the Speaker has given the Member time to reflect on his or her position and upon the duty of the Chair, exercising in the meantime the prerogative of the Chair not to “see” the Member if he or she should rise to be recognized.”

In my view, these other options, when applied judiciously, can be more effective methods by which to preserve order and decorum.

Recently, I have employed these methods in this House and it is my intention to continue to do so. “Naming” will not be my first inclination when addressing instances of disorder. Instead, if Members will not heed my requests, I may just move on to another Member, as the House witnessed last week. In other cases, I may simply decline to recognize the offending Member.

In clarifying this matter, my purpose is to be as effective, balanced and fair as possible in my presiding role.

Finally, I want to say that in hindsight I recognize that it may have been prudent of me to formally advise you of my intent at the outset, and I will endeavour to do so in the future.

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## PETITIONS

Petitions relating to protecting rights of consumers to purchase tobacco (Sessional Paper No. P-1) Mr. Barrett and Mr. Hardeman.

Petition relating to a landfill at site 41 (Sessional Paper No. P-27) Mr. Dunlop.

Petition relating to facilitating the entry of skilled and professional newcomers to Canada into the workforce (Sessional Paper No. P-37) Mr. Craitor.

Petition relating to improving the Ontario Drug Benefit program and abandoning the plan to de-list drugs or increase seniors’ drug fees (Sessional Paper No. P-53) Mr. Hudak.

Petition relating to not eliminating or reducing the provincial drug benefits provided to seniors (Sessional Paper No. P-54) Mr. O’Toole.

Petition relating to demanding more health care funding from Ottawa and ending plans to de-list drugs and implement higher user fees (Sessional Paper No. P-59) Mr. Jackson.

Petition relating to consulting fees received by former Premier Mike Harris from Ontario Hydro (Sessional Paper No. P-60) Mr. Berardinetti.

Petition relating to accessing LCBO services at the village of Baxter (Sessional Paper No. P-61) Mr. Wilson.

## PÉTITIONS

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## ORDERS OF THE DAY

A debate arose on the motion for Second Reading of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001.

## ORDRE DU JOUR

Il s’élève un débat sur la motion portant deuxième lecture du projet de loi 27, Loi établissant une zone d’étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d’Oak Ridges.

After some time, pursuant to Standing Order 9(a), the motion for the adjournment of the debate was deemed to have been made and carried.

Après quelque temps, conformément à l'article 9(a) du Règlement, la motion d'ajournement du débat est réputée avoir été proposée et adoptée.

The House then adjourned at 6:00 p.m.

À 18 h, la chambre a ensuite ajourné ses travaux.

**6:45 P.M.**

**18 H 45**

**ORDERS OF THE DAY**

**ORDRE DU JOUR**

A debate arose on the motion for Second Reading of Bill 31, An Act to enact and amend various Acts with respect to the protection of health information.

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 31, Loi édictant et modifiant diverses lois en ce qui a trait à la protection des renseignements sur la santé.

After some time, pursuant to Standing Order 9(a), the motion for adjournment of the debate was deemed to have been made and carried.

Après quelque temps, conformément à l'article 9(a) du Règlement, la motion d'ajournement du débat est réputée avoir été proposée et adoptée.

The House then adjourned at 9:35 p.m.

À 21 h 35, la chambre a ensuite ajourné ses travaux.

le président

**ALVIN CURLING**

Speaker

**PETITIONS TABLED PURSUANT TO STANDING ORDER 38 (A)**

Petition relating to abortion services (Sessional Paper No. P-62) Mr. Levac.

Petition relating to prohibiting employers from hiring replacement workers to perform the duties of employees who are on strike or locked out (Sessional Paper No. P-63) Mr. Levac.

Petition relating to inadequate funding for senior's health care, assistive devices, the Ontario Disability Support Program and accessibility to homecare (Sessional Paper No. P-64) Mr. Fonseca.

**SESSIONAL PAPERS PRESENTED  
PURSUANT TO STANDING ORDER 39(A):-**

**DOCUMENTS PARLEMENTAIRES  
DÉPOSÉS CONFORMÉMENT À L'ARTICLE  
39(A) DU RÈGLEMENT**

Algonquin Forestry Authority, Annual Report 2002-2003 (No. 79).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated March 24, 2004 (No. 75) (Tabled March 26, 2004).

Forestry Futures Trust, Financial Statements for the year ended March 31, 2002 (No. 80).

Forestry Futures Trust, Financial Statements for the year ended March 31, 2003 (No. 84).

Forest Renewal Trust, Financial Statements for the year ended March 31, 2002 (No. 81).

Forest Renewal Trust, Financial Statements for the year ended March 31, 2003 (No. 83).

Ontario Aggregate Resources Corporation, Annual Report 2002 (No. 78).

Ontario Oil, Gas and Salt Resources Trust, Annual Report 2002 (No. 82).

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