



No. 97

N° 97

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## **Votes and Proceedings**

## **Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Monday**  
**December 6, 2004**

Daytime Meeting - Sessional Day 142  
Evening Meeting - Sessional Day 143

**Lundi**  
**6 décembre 2004**

Séance de l'après-midi - jour de session 142  
Séance du soir - jour de session 143

**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**

Mr. Phillips delivered to the Speaker a message from His Honour the Lieutenant Governor signed by his own hand, and the said message was read by the Speaker and is as follows:-

JAMES K. BARTLEMAN

The Lieutenant Governor transmits Estimates and Supplementary Estimates of certain sums required for the services of the Province for the year ending 31<sup>st</sup> March 2005 and recommends them to the Legislative Assembly.

Le lieutenant-gouverneur transmet les prévisions et les prévisions supplémentaires de certains montants nécessaires pour assurer les services de la province pour l'exercice se terminant le 31 mars 2005 et les recommande à l'Assemblée législative.

Toronto, 6<sup>th</sup> December 2004.

Toronto, le 6 décembre 2004.

(Sessional Paper No. 321, Health and Long-Term Care (Supplementaries only); Auditor General, Office of the; Office of the Assembly; Office of the Chief Election Officer; Ombudsman Ontario.

(Document parlementaire n° 321, Santé et Soins de longue durée (Seulement les supplémentaires); Bureau du vérificateur général; Bureau de l'Assemblée législative; Bureau du directeur général des élections; Ombudsman Ontario.

Ordered, That the message of the Lieutenant Governor together with the Estimates and Supplementary Estimates accompanying same be deemed to be referred to the Standing Committee on Estimates pursuant to Standing Order 58.

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**MOTIONS**

**MOTIONS**

Mr. Duncan moved,

M. Duncan propose,

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

The question being put on the motion, it was declared carried.

La motion, mise aux voix, est déclarée adoptée.

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**DEFERRED VOTES**

**VOTES DIFFÉRÉS**

The deferred vote on the motion for Third Reading of Bill 25, An Act respecting government advertising was carried on the following division:-

La motion portant troisième lecture du projet de loi 25, Loi concernant la publicité gouvernementale, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

AYES / POUR - 50

Arthurs	Chambers	Kennedy	Meilleur	Sandals
Bartolucci	Crozier	Kular	Milloy	Smith
Bentley	Dhillon	Kwinter	Mitchell	Smitherman
Berardinetti	Dombrowsky	Lalonde	Peters	Takhar
Bountrogianni	Flynn	Levac	Phillips	Van Bommel
Bradley	Fonseca	Marsales	Pupatello	Watson
Brotten	Gerretsen	Matthews	Qaadri	Wilkinson
Brown	Gravelle	Mauro	Ramsay	Wong
Bryant	Hoy	McMeekin	Rinaldi	Wynne
Caplan	Jeffrey	McNeely	Ruprecht	Zimmer

## NAYS / CONTRE - 17

Arnott	Horwath	Martel	O'Toole	Tascona
Baird	Jackson	Martiniuk	Prue	Witmer
Barrett	Klees	Miller	Sterling	Yakabuski
Hardeman	Marchese			

And the Bill was accordingly read the third time and was passed.

En conséquence, ce projet de loi est lu une troisième fois et adopté.

The deferred vote on the motion for Third Reading of Bill 73, An Act to enhance the safety of children and youth on Ontario's roads was carried on the following division:-

La motion portant troisième lecture du projet de loi 73, Loi visant à accroître la sécurité des enfants et des jeunes sur les routes de l'Ontario, mise aux voix sur le vote différé, est adoptée par le vote suivant:-

## AYES / POUR - 69

Arnott	Churley	Kennedy	Meilleur	Smith
Arthurs	Crozier	Klees	Miller	Smitherman
Baird	Dhillon	Kular	Milloy	Sterling
Barrett	Dombrowsky	Kwinter	Mitchell	Takhar
Bartolucci	Duncan	Lalonde	O'Toole	Tascona
Bentley	Flynn	Levac	Peters	Van Bommel
Berardinetti	Fonseca	Marchese	Phillips	Watson
Bountrogianni	Gerretsen	Marsales	Prue	Wilkinson
Bradley	Gravelle	Martel	Pupatello	Witmer
Brotten	Hardeman	Martiniuk	Qaadri	Wong
Brown	Horwath	Matthews	Ramsay	Wynne
Bryant	Hoy	Mauro	Rinaldi	Yakabuski
Caplan	Jackson	McMeekin	Ruprecht	Zimmer
Chambers	Jeffrey	McNeely	Sandals	

## NAYS / CONTRE - 0

And the Bill was accordingly read the third time and was passed.

En conséquence, ce projet de loi est lu une troisième fois et adopté.

Following remarks by Ms. Pupatello, Mrs. Witmer and Ms. Churley, the House observed a moment of silence in remembrance of the tragic events at the University of Montreal, Quebec on December 6, 1989.

## PETITIONS

## PÉTITIONS

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

Petition relating to resuming negotiations between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists and appointing a mediator (Sessional Paper No. P-118) Mrs. Munro.

Petitions relating to OHIP coverage of chiropractic services (Sessional Paper No. P-119) Ms. Horwath and Mr. O'Toole.

Petition relating to protecting the right of fire fighters to volunteer in their home communities on their own free time (Sessional Paper No. P-175) Mr. Hudak.

Petition relating to funding for the children's treatment center in Simcoe County and York Region (Sessional Paper No. P-179) Mr. Dunlop.

Petition relating to passing Bill 3, An Act to Protect Anaphylactic Students (Sessional Paper No. P-180) Mr. Levac.

Petitions relating to refraining from enacting provincial animal control legislation that is breed-specific, and instead implementing a comprehensive bite prevention strategy that encourages responsible ownership of all breeds (Sessional Paper No. P-197) Mr. Barrett and Mrs. Munro.

Petitions relating to funding formula used by the Ministry of Health for Four Counties Health Services in Newbury (Sessional Paper No. P-203) Mr. Hoy and Mrs. Van Bommel.

Petition relating to saving regional centres for people with developmental disabilities (Sessional Paper No. P-210) Mr. Dunlop.

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### ORDERS OF THE DAY

Debate was resumed on the motion for Second Reading of Bill 149, An Act to implement 2004 Budget measures, enact the Northern Ontario Grow Bonds Corporation Act, 2004 and amend various Acts.

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

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

### ORDRE DU JOUR

Le débat reprend sur la motion portant deuxième lecture du projet de loi 149, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2004, édictant la Loi de 2004 sur la Société d'émission d'obligations de développement du Nord de l'Ontario et modifiant diverses lois.

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

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

**6:45 P.M.**

**18 H 45**

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### ORDERS OF THE DAY

Mr. Kennedy moved,

That pursuant to Standing Order 46 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994, when Bill 135 is next called as a Government Order the Speaker shall put every question necessary to dispose of the Second Reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the Standing Committee on Social Policy; and

That the Standing Committee on Social Policy shall be authorized to meet on Thursday, December 9 and Monday, December 13, 2004 from 10:00 a.m. to 12:00 noon and following Routine Proceedings for the purpose of public hearings on the bill; and that the Committee be further authorized to meet on Tuesday, December 14, 2004 from 10:00 a.m. to 12:00 noon and following Routine Proceedings for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the Clerk of the Committee shall be 9:00 a.m. on December 14. No later than 5:00 p.m. on December 14, 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, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division

### ORDRE DU JOUR

M. Kennedy propose,

required shall be deferred until all remaining questions have been put and taken in succession with one 20 minute waiting period allowed pursuant to Standing Order 127(a); and

That, the Committee shall report the bill to the House not later than December 15, 2004. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on Social Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for Third Reading, which Order may be called on that same day; and

That at 5:50 p.m. or 9:20 p.m., as the case may be, on the day that the Order for Third Reading of the bill is called as the first Government Order, the Speaker shall put every question necessary to dispose of the Third Reading stage of the bill without further debate or amendment; and

That there shall be no deferral of any vote allowed pursuant to Standing Order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to ten minutes.

A debate arising, after some time, the motion was carried on the following division:-

Un débat s'ensuit et après quelque temps, la motion est adoptée par le vote suivant:-

**AYES / POUR - 23**

Bountrogianni	Gerretsen	Marsales	Mitchell	Sandals
Brown	Gravelle	Matthews	Patten	Smitherman
Crozier	Hoy	McNeely	Peters	Van Bommel
Duncan	Leal	Meilleur	Rinaldi	Wilkinson
Fonseca	Levac	Milloy		

**NAYS / CONTRE - 7**

Dunlop	Jackson	Martiniuk	Miller	Yakabuski
Hudak	Marchese			

The House then adjourned at 9:25 p.m.

À 21 h 25, la chambre a ensuite ajourné ses travaux.

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le président

**ALVIN CURLING**

Speaker

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**SESSIONAL PAPERS PRESENTED  
PURSUANT TO STANDING ORDER 39(a)**

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

Canola, Fund for Producers of, Financial Statements for the year ended March 31, 2004 (No. 319) (Tabled December 3, 2004).

Certificate pursuant to Standing Order 106(e) (1) re intended appointments dated December 1, 2004 (No. 316) (Tabled December 3, 2004).

Grain, Corn and Soybeans, Funds for Producers of, Financial Statements for the year ended March 31, 2004 (No. 320) (Tabled December 3, 2004).

Greater Toronto Transit Authority, Financial Statements for the year ended March 31, 2004 (No. 317) (Tabled December 3, 2004).

Greater Toronto Transit Authority, Financial Statements for the year ended March 31, 2003 (No. 318) (Tabled December 3, 2004).

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**RESPONSES TO PETITIONS**

**RÉPONSES AUX PÉTITIONS**

Petition relating to recreational seasonal trailers (Sessional Paper No. P-85):  
(Tabled October 26 and 28, 2004) Mr. O'Toole.

Petition relating to ensuring that all of the McGuinty government's tax increases are put before the people of Ontario in a referendum (Sessional Paper No. P-143):  
(Tabled October 19, 2004) Mr. Hudak.

Petition relating to protecting the right of fire fighters to volunteer in their home communities on their own free time (Sessional Paper No. P-175):  
(Tabled October 20, 2004) Mr. Murdoch.

Petition relating to protecting the right of fire fighters to volunteer in their home communities on their own free time (Sessional Paper No. P-175):  
(Tabled October 19, 2004) Mr. Arnott.

Petition relating to Edwards landfill site excavation (Sessional Paper No. P-177):  
(Tabled October 18 and 19, 2004) Mr. Barrett.

Petition relating to Edwards landfill site excavation (Sessional Paper No. P-177):  
(Tabled October 18 and 19, 2004) Mr. Barrett.

Petition relating to claiming public transit expenses on income tax (Sessional Paper No. P-191):  
(Tabled November 1, 2004) Mr. O'Toole.

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**RESPONSES TO PETITIONS TABLED ON DECEMBER 3, 2004**

Petition relating to ensuring that the Banting Homestead is kept in good repair and preserved (Sessional Paper No. P-189):  
(Tabled October 28, November 1 and 2, 2004) Mr. Wilson.

Petition relating to Edwards landfill site excavation (Sessional Paper No. P-177):  
(Tabled November 1, 2004) Mr. Barrett.

Petition relating to maintaining the current definition of the District of Muskoka as part of Northern Ontario (Sessional Paper No. P-136):  
(Tabled October 19, 2004) Mr. Miller.

Petition relating to conducting a referendum on tax increases (Sessional Paper No. P-170):  
(Tabled October 13, 2004) Mr. Miller.

Petition relating to recreational seasonal trailers (Sessional Paper No. P-85):

(Tabled October 13, 2004) Mr. O'Toole.

(Tabled October 14, 2004) Ms. Horwath.

(Tabled October 19, 2004) Mr. O'Toole.

Petition relating to reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169):

(Tabled November 17, 2004) Mr. Miller.

Petition relating to reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169):

(Tabled November 3, 2004) Mr. Miller and Ms. Scott.

Petition relating to reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169):

(Tabled October 27, 2004) Mr. Miller.

Petition relating to not imposing higher taxes (Sessional Paper No. P-135):

(Tabled June 2, 2004) Mr. Martiniuk.

Petition relating to effluent discharges by the Amherstview Water Pollution Control Plant in Loyalist Township (Sessional Paper No. P-171):

(Tabled October 13, 2004) Mrs. Van Bommel.

Petition relating to supporting the McGuinty government and legislation that ensures that governments cannot hide deficits again (Sessional Paper No. P-166):

(Tabled October 12, 2004) Mr. Berardinetti.

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