



No. 105

N° 105

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Tuesday
February 15, 2005

Mardi
15 février 2005

Daytime Meeting - Sessional Day 152
Evening Meeting - Sessional Day 153

Séance de l'après-midi - jour de session 152
Séance du soir - jour de session 153

1st Session,
38th Parliament

1^{re} session
38^e législature

PRAYERS
1:30 P.M.

PRIÈRES
13 H 30

The Speaker addressed the House as follows:

I beg to inform the House that during the adjournment a vacancy has occurred in the membership of the House by reason of the resignation of Ernie Eves, as member for the electoral district of Dufferin–Peel–Wellington–Grey, effective February 1, 2005.

The Speaker delivered the following ruling:

On December 16, 2004, the Member for Whitby-Ajax (Mr. Flaherty) rose on a question of privilege to allege that ministry political staff had made unauthorized audio tapings of briefings given by civil servants to Opposition Members and their staff. The Member claimed that the actions amounted to a breach of the privileges of individual Members and of the House, and that they also amounted to a contempt of the House. The Member for Erie-Lincoln (Mr. Hudak), the Member for Burlington (Mr. Jackson), the Member for Niagara Centre (Mr. Kormos), the Member for Toronto-Danforth (Ms. Churley), and the Member for Timmins-James Bay (Mr. Bisson) also spoke to the matter.

According to the Member for Whitby-Ajax and the Member for Erie-Lincoln, the taping of the briefings they attended was conducted openly; according to the Member for Burlington, the taping of the briefing he attended was conducted without his knowledge or consent.

The Government House Leader (Mr. Duncan) and the Minister of Finance (Mr. Sorbara) responded to the allegations.

I have had an opportunity to review the *Hansard* for December 16, as well as the Assembly's precedents and the relevant parliamentary authorities.

Members made submissions on various legal matters, on access to information, on freedom of speech, on intimidation and obstruction, and on the authority and dignity of the House and its Members. I shall address each issue in turn.

First, with respect to the legal issues, the Member for Whitby-Ajax indicated that section 184 of the federal *Criminal Code* "has prohibitions with respect to tape recording and other interception of private communications...." In addition, the Member for Burlington indicated that the Speaker should examine certain ministry legal opinions that would assist the Speaker in making a ruling on the question of privilege.

In response, I have to say that the Speaker cannot deal with legal issues in a ruling or give legal advice concerning the laws of Canada; courts are better equipped to address such matters. For examples of the many Speakers' rulings that stand as authority for this proposition, I refer Members to rulings by Speaker Stockwell on January 28, 1997 (at page 6538 of the *Hansard* for that day) and again on February 26, 1997 (at pages 510 and 511 of the *Journals* for that day), and a ruling by Speaker Carr on April 30, 2001 (at page 36 of the *Journals* for that day). Speakers have avoided addressing legal issues in rulings, it follows therefore, that examining legal opinions is not necessary in order to determine whether a *prima facie* case of privilege has been established.

The second issue raised by the question of privilege deals with Members' access to government information that is provided by the civil service. Various Members indicated that they have a right to such information, and that the government cannot specify how civil service briefings are to be provided to Members.

Let me begin my response to this submission by indicating that there are two kinds of parliamentary privilege: there is a set of 'individual' privileges (for example -- freedom of speech, and freedom from arrest in civil actions), and there is another set of 'collective' privileges that belong to the House as a whole (for example -- the power to discipline, the regulation of its own internal affairs, and the right to institute inquiries).

Marleau and Montpetit's *House of Commons Procedure and Practice* states (at page 71) that "[t]he rights, privileges and immunities of individual Members of the House are finite, that is to say, they can be enumerated but not extended except by statute or, in some cases, by constitutional amendment, and can be examined by the courts." In other words, the Speaker cannot create a brand new privilege where none now exists.

My review of our precedents and the parliamentary authorities suggests that there is no discrete category of parliamentary privilege that accords to Members a right to information from the government or civil servants. I note, for example, that at page 427 of the *Journals* for December 13, 2000, Speaker Carr ruled on a question of privilege dealing with allegedly intimidating information on a government website, as follows:

[T]he right of Members to government information is limited to what the Standing Orders provide. The Standing Orders do not provide Members with a right to information -- reliable or otherwise -- from a government website.

I do not want to leave the impression that Members cannot access information. On the contrary, the Standing Orders give Members certain rights to seek and receive information, and the Speaker has a duty to uphold those rights as a matter of order. However, an entitlement to a ministry briefing is not one of these rights.

This brings me to the third issue, freedom of speech, which is related to the previous issue because, according to various Members, their right to government information is a component of Members' freedom of speech. On this issue, the Member for Burlington said the following:

My freedom of speech, my voice in Parliament, and, by extension, the voice of my constituents on the floor of this Legislature is predicated on my ability and my right to access information that the government is obliged under the law to share, and public servants take an oath in order to uphold that.

In response, let me say that Members of this House do enjoy freedom of speech, which is often said to be the most important of Members' individual privileges. *House of Commons Procedure and Practice* states (at page 74) that "[f]reedom of speech permits Members to speak freely in the Chamber during a sitting or in committees during meetings while enjoying complete immunity from prosecution for any comment they might make." The same text indicates (at page 71) that "privilege does not exist 'at large' but applies only in context, which usually means within the confines of the parliamentary precinct and a 'proceeding in Parliament'."

In the case at hand, the briefings did not revolve around words spoken by Members in the House or in one of its committees. The briefings, then, are not parliamentary events capable of being protected by the privilege of freedom of speech. To this, let me add that Members were able to exercise their freedom of speech and hold the government to account on this incident because, in the Question Period that followed immediately after the question of privilege on this incident, they were able to place oral questions about the very same subject-matter.

The fourth issue raised in the question of privilege deals with the allegation that the taping of the briefings amounted to an attempt to intimidate and obstruct Members and the civil service.

In response, let me say that the obstruction and intimidation of Members in the exercise of their parliamentary duties is a matter of contempt. *Erskine May* states (at page 128 of the 23rd edition) the following:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent of the offence.

And *House of Commons Procedure and Practice* states (at page 84) that "Speakers have consistently upheld the right of the House to the services of its Members free from intimidation, obstruction and interference", and that (quoting a ruling by Speaker Lamoureux) "parliamentary privilege includes the right of a member to discharge his responsibilities as a member of the House free from threats or attempts at intimidation."

The same authority (at pages 84) refers to a 1986 ruling by Speaker Bosley of the Canadian House of Commons, where he indicates that for there to be a *prima facie* case, "the threat or attempt at intimidation cannot be hypothetical, but must be real or have occurred."

It also indicates (at pages 91 and 92) as follows:

In some cases where *prima facie* privilege has not been found, the rulings have focussed on whether or not the parliamentary duties of the Member were directly involved. While frequently noting that Members raising such matters might have legitimate complaints, Speakers have regularly concluded that Members have not been prevented from performing their parliamentary duties.

In our own Assembly, I note that on June 19, 2001, Speaker Carr made the following ruling dealing with freedom of information requests by Opposition Members:

I understand that the Member for Niagara Centre and the Member for Elgin-Middlesex-London contended that their effectiveness as Members of Provincial Parliament was being compromised by delays in receiving information that they had requested from the Government. However, it is very clear to me that the Government's management process on contentious issues did not obstruct the Members in their strictly parliamentary duties in this Chamber.

Thus, while I do agree that ministry briefings enable Members to carry out their parliamentary duties in this House and its committees, the tenor of the authorities I have just referred to suggests that the briefings themselves do not amount to a parliamentary proceeding.

Furthermore, in respect of the alleged conduct in the case at hand, the Member for Erie-Lincoln made a helpful reference to a 1984 ruling from the Canadian House of Commons. In that case, Speaker Francis had ruled that a *prima facie* case was established when a Member alleged that his office had received threats and insults in an abusive telephone call from an employee of a Crown corporation, because the Member had not pre-cleared with the employee an oral question that he had placed to a government minister on the previous day. In the case at hand, however, no Member alleges that this kind of threatening language was uttered. I note that the Member for Erie-Lincoln refers to the taping as an "implied threat"; he also indicates that at one of the briefings a tape recorder was turned off when objection was taken to its use. In other words, there does not appear to have been a real, overt, or demonstrated threat.

As for the allegation that civil servants were being intimidated or obstructed, there is no evidence to support the allegation. In any event, while there are rare circumstances when civil servants are entitled to the protection of parliamentary privilege (for example, when testifying before a committee of the House), such circumstances do not exist in the case at hand.

The fifth and final issue, raised by the Member for Burlington and the Member for Niagara Centre, was that the taping of the briefing was inherently offensive to the authority and dignity of the House and its Members.

In response, let me first refer to the applicable authorities. *House of Commons Procedure and Practice* states (at page 52) as follows:

Any conduct which offends the authority or dignity of the House, even though no breach of any specific privilege may have been committed, is referred to as a contempt of the House. Contempt may be an act or an omission; it does not have to actually obstruct or impede the House or a Member, it merely has to have the tendency to produce such results.

In addition, Maingot's *Parliamentary Privilege in Canada* states (at page 250 of the 2nd edition) the following:

There are actions that, while not directly in a physical way obstructing the House of Commons or the Member, nevertheless obstruct the House in the performance of its functions by diminishing the respect due it. As in the case of a court of law, the House of Commons is entitled to the utmost respect....

In the case at hand, given that the briefings were not parliamentary events, a *prima facie* case of contempt of the House on the basis that the tapings were an offence to the inherent authority and dignity of the House is not established.

Although I find that neither a *prima facie* case of privilege nor a *prima facie* case of contempt has been established, I do not want to leave the impression that the government of the day should do as it pleases when it comes to providing information to Members of this House. The government is entitled to establish reasonable ground rules for briefings that it sponsors or provides. In some instances, Speakers of this Assembly have not intervened when a Member has complained about the denial of access to government information or about the government's imposition of certain conditions concerning a briefing. In other instances, however, Speakers have stated that the Member who raised the matter had a grievance or complaint of which the government should take note.

I am inclined to take the latter approach in the case at hand. When it comes to electronically recording information, Members, like most people, have a heightened sense of awareness or concern because of the purposes to which the recording could be used. In retrospect, it would have been prudent for the government to predict or better address the concerns of Members attending the briefings. In any event, it is unlikely that there will be another occasion on which similar concerns will be raised because the Premier has indicated that the practice of taping briefings given to Opposition Members is not acceptable and that it will be discontinued.

In closing, I thank the Member for Whitby-Ajax, the Member for Erie-Lincoln, the Member for Burlington, the Member for Niagara Centre, the Government House Leader, the Minister of Finance, the Member for Toronto-Danforth, and the Member for Timmins-James Bay for their thoughtful and helpful submissions on this matter.

REPORTS BY COMMITTEES

RAPPORTS DES COMITÉS

The Speaker addressed the House as follows:

I beg to inform the House that during the adjournment, the Clerk received the Report on Intended Appointments dated January 11, 2005 (Sessional Paper No. 351) of the Standing Committee on Government Agencies. Pursuant to Standing Order 106(e)(9), the Report is deemed to be adopted by the House.

Mr. Delaney from the Standing Committee on the Legislative Assembly presented the Committee's report as follows and moved its adoption:

Your Committee begs to report the following Bill as amended:

Bill 132, An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act.

The motion having been put, was carried on the following division:-

AYES / POUR - 61

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

NAYS / CONTRE - 25

Baird	Dunlop	Klees	Miller	Scott
Barrett	Flaherty	Kormos	Munro	Tascona
Bisson	Hardeman	Marchese	O'Toole	Wilson
Chudleigh	Horwath	Martel	Ouellette	Witmer
Churley	Hudak	Martiniuk	Prue	Yakabuski

And the Bill was accordingly Ordered for Third Reading.

En conséquence, le projet de loi est ordonné pour la troisième lecture.

Mrs. Jeffrey from the Standing Committee on General Government presented the Committee's Report which was read as follows and adopted:

Your Committee begs to report the following Bill as amended:

M. Delaney du Comité permanent de l'assemblée législative présente le rapport du comité et propose l'adoption comme suit:

Votre comité propose qu'il soit permis de faire rapport sur le projet de loi suivant avec des amendements:

Projet de loi 132, Loi modifiant la Loi sur la responsabilité des propriétaires de chiens pour accroître la sécurité publique relativement aux chiens, y compris les pit-bulls, et apportant des modifications connexes à la Loi sur les animaux destinés à la recherche.

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

M^{me} Jeffrey du Comité permanent des affaires gouvernementales présente le rapport du comité qui est lu comme suit et adopté:

Votre comité propose qu'il soit permis de faire rapport sur le projet de loi suivant avec des amendements:

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. Ordered for Third Reading.

Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario. Ordonné pour la troisième lecture.

MOTIONS

With unanimous consent, on motion by Mr. Duncan,

Ordered, That notwithstanding the Order of the House dated Thursday, June 17, 2004 regarding the schedule for committee meetings, the Standing Committee on Public Accounts may meet at the call of the Chair on Thursday, February 17; Thursday, February 24 and Thursday, March 3, 2005.

MOTIONS

Avec le consentement unanime, sur la motion de M. Duncan,

Notwithstanding Standing Order 53, with unanimous consent, on motion by Mr. Duncan,

Ordered, That, notwithstanding Standing Order 96(d), the following change be made to the ballot list of Private Members' Public Business:

Mr. Racco and Mr. Wong exchange places in the order of precedence such that Mr. Racco assumes ballot item number 72 and Mr. Wong assumes ballot item number 50.

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 Tuesday, February 15, 2005, and Wednesday, February 16, 2005, for the purpose of considering government business.

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 - 82

Arthurs	Cordiano	Jeffrey	Mitchell	Ruprecht
Baird	Crozier	Kennedy	Mossop	Sandals
Barrett	Delaney	Klees	Munro	Scott
Bartolucci	Dhillon	Kular	Oraziotti	Smith
Bentley	Di Cocco	Kwinter	O'Toole	Smitherman
Berardinetti	Dombrowsky	Lalonde	Ouellette	Sorbara
Bountrogianni	Duguid	Leal	Parsons	Takhar
Bradley	Duncan	Levac	Patten	Tascona
Broten	Dunlop	Marsales	Peters	Van Bommel
Brown	Flaherty	Martiniuk	Phillips	Watson
Brownell	Flynn	Matthews	Pupatello	Wilkinson
Bryant	Fonseca	McMeekin	Qaadri	Wilson
Cansfield	Gerretsen	McNeely	Racco	Witmer
Caplan	Gravelle	Meilleur	Ramal	Wong
Chambers	Hardeman	Miller	Ramsay	Wynne
Chudleigh	Hoy	Milloy	Rinaldi	Zimmer
Colle	Hudak			

NAYS / CONTRE - 7

Bisson
Hampton

Horwath
Kormos

Marchese

Martel

Prue

At 4:00 p.m., pursuant to Standing Order 30(b), the Speaker interrupted the proceedings and called Orders of the Day.

À 16 heures, conformément à l'article 30(b) du Règlement, le Président interrompt les délibérations et passe à l'ordre du jour.

ORDERS OF THE DAY

The Speaker informed the House that, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor had been pleased to assent to the following bills in his office on December 16, 2004:

Bill 17, An Act to amend the Executive Council Act.

Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program.

Bill 84, An Act to provide for fiscal transparency and accountability.

Bill 96, An Act to amend the Liquor Licence Act.

Bill 106, An Act to implement Budget measures.

Bill 124, An Act to amend the Health Protection and Promotion Act.

Bill 149, An Act to implement 2004 Budget measures, enact the Northern Ontario Grow Bonds Corporation Act, 2004 and amend various Acts.

Bill 160, An Act to authorize the expenditure of certain amounts for the fiscal year ending March 31, 2005.

ORDRE DU JOUR

Le Président avise l'Assemblée qu'au nom de Sa Majesté la Reine, Son Honneur le lieutenant-gouverneur a eu le plaisir de sanctionner les projets de loi suivants dans son cabinet le 16 décembre 2004 :

Projet de loi 17, Loi modifiant la Loi sur le Conseil exécutif.

Projet du projet de loi 82, Loi modifiant la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario en vue d'annuler le programme de perfectionnement professionnel.

Projet de loi 84, Loi prévoyant la transparence et la responsabilité financières.

Projet de loi 96, Loi modifiant la Loi sur les permis d'alcool.

Projet de loi 106, Loi mettant en œuvre certaines mesures budgétaires.

Projet de loi 124, Loi modifiant la Loi sur la protection et la promotion de la santé.

Projet de loi 149, Loi mettant en œuvre 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.

Projet de loi 160, Loi autorisant l'utilisation de certaines sommes pour l'exercice se terminant le 31 mars 2005.

A debate arose on the motion for Second Reading of Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts.

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.

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

Après quelque temps, conformément à l'article 9 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 158, An Act to replace the Theatres Act and to amend other Acts in respect of film.

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 158, Loi remplaçant la Loi sur le cinémas et modifiant d'autres lois en ce qui concerne les films.

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

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

The House then adjourned at 9:30 p.m.

À 21 h 30, la chambre a ensuite ajourné ses travaux.

le président

ALVIN CURLING

Speaker

PETITIONS TABLED PURSUANT TO STANDING ORDER 38(a)

Petition relating to the bill proposing an amendment to The Optometry Act (Sessional Paper No. P-7) (Tabled February 15, 2005) Mr. Wilkinson.

Petition relating to permanently funding audiologists directly for the provision of audiology services (Sessional Paper No. P-174) (Tabled February 15, 2005) Mr. Wilkinson.

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

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

Alcohol and Gaming Commission of Ontario / Commission des alcools et des jeux de l'Ontario, Annual Report 2003-2004 (No. 367) (Tabled February 8, 2005).

Amendment to certificate re intended appointments originally tabled on December 3, 2004 (No. 350) (Tabled January 10, 2004).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated December 14, 2004 (No. 336) (Tabled December 17, 2004).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated January 12, 2005 (No. 352) (Tabled January 14, 2005).

Certificate pursuant to Standing Order 106(e)(1) re intended appointments dated February 2, 2005 (No. 361) (Tabled February 4, 2005).

Consent and Capacity Board / Commission du consentement et de la capacité, 2002-2003 Annual Report (No. 337) (Tabled December 17, 2004).

Consent and Capacity Board / Commission du consentement et de la capacité, 2003-2004 Annual Report (No. 338) (Tabled December 17, 2004).

Consent and Capacity Board / Commission du consentement et de la capacité, 2001-2002 Annual Report (No. 339) (Tabled December 17, 2004).

Deposit Insurance Corporation of Ontario / Société ontarienne d'assurance-dépôts, Annual Report 2003 (No. 357) (Tabled January 24, 2005).

Deposit Insurance Corporation of Ontario, Superintendent's Report for the year ended December 31, 2003 (No. 359) (Tabled January 24, 2005).

Discriminatory Business Practices Act, Director's Annual Report for the year ending March 31, 2004 (No. 366) (Tabled February 8, 2005).

LCBO, Annual Report 2003-2004 (No. 360) (Tabled January 26, 2005).

North Pickering Development Corporation / Société d'aménagement de North Pickering, Annual Report 2003-2004 (No. 368) (Tabled February 8, 2005).

Northern Ontario Heritage Fund Corporation / Société de gestion du Fonds du Patrimoine du Nord de l'Ontario, Annual Report 2003-2004 (No. 369) (Tabled February 14, 2005).

Office of the Registrar General / Bureau du registraire général, Annual Report 2001 (No. 364) (Tabled February 8, 2005).

Office of the Registrar General / Bureau du registraire général, Annual Report 2002 (No.365) (Tabled February 8, 2005).

Ontario Energy Board / Commission de l'énergie de l'Ontario, Annual Report 2003-2004 (No. 353) (Tabled January 14, 2005).

Ontario Film Review Board, Annual Report 2001-2002 (No. 347) (Tabled December 24, 2004).

Ontario Film Review Board, Annual Report 2002-2003 (No. 348) (Tabled December 24, 2004).

Ontario Film Review Board, Annual Report 2003-2004 (No. 349) (Tabled December 24, 2004).

Ontario Food Terminal Board, Financial Statements for the year ended March 31, 2004 (No. 363) (Tabled February 4, 2005).

Ontario Heritage Foundation / Fondation du patrimoine ontarien, Annual Report (No. 362) (Tabled February 4, 2005).

Ontario Mental Health Foundation, Annual Report 2001-2002 (No. 341) (Tabled December 17, 2004).

Ontario Mental Health Foundation, Annual Report 2002-2003 (No. 342) (Tabled December 17, 2004).

Ontario Northland Transportation Commission, Annual Report 2000-2001 (No. 355) (Tabled January 19, 2005).

Ontario Northland Transportation Commission, Annual Report 2001-2002 (No. 354) (Tabled January 19, 2005).

Ontario Review Board / Commission ontarienne d'examen, Annual Report 2001-2002 (No. 343) (Tabled December 17, 2004).

Ontario Review Board / Commission ontarienne d'examen, Annual Report 2003-2004 (No. 344) (Tabled December 17, 2004).

Ontario Review Board / Commission ontarienne d'examen, Annual Report 2002-2003 (No. 345) (Tabled December 17, 2004).

Registered Insurance Brokers of Ontario, Annual Report 2002-2003 (No. 356) (Tabled January 24, 2005).

Registered Insurance Brokers of Ontario, Superintendent's Report for the year ending July 31, 2003 (No. 358) (Tabled January 24, 2005).

Smart Systems for Health Agency / Agence des systèmes intelligents pour la santé, Annual Report for the year April 1, 2003 to March 31, 2004 (No. 340) (Tabled December 17, 2004).

Workplace Safety and Insurance Appeals Tribunal / Tribunal d'appel de la sécurité professionnelle et de l'assurance contre les accidents du travail, Annual Report 2003 (No. 346) (Tabled December 17, 2004).

QUESTIONS ANSWERED (SEE SESSIONAL PAPER NO. 5):-

Final Answers to Question Numbers: 130, 134, 137, 138 and 139.

RESPONSES TO PETITIONS

RÉPONSES AUX PÉTITIONS

Petition relating to amending insurance regulations to make motorcycle insurance more affordable (Sessional Paper No. P-99):

(Tabled December 16, 2004) Mr. Miller.

Petition relating to the medical expenses allowed under the medical expense tax credits (Sessional Paper No. P-200):

(Tabled November 18, 2004) Mr. O'Toole.

Petition relating to saving the foreign film and television production sector of the Ontario Film Production Industry (Sessional Paper No. P-223):

(Tabled December 15, 2004) Mr. Ruprecht.

Petitions relating to OHIP coverage of chiropractic services (Sessional Paper No. P-119):

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

(Tabled December 13, 2004) Mr. Flynn and Mr. Rinaldi.

(Tabled December 14, 2004) Ms. Horwath, Mr. Marchese, Ms. Martel and Mr. O'Toole.

(Tabled December 16, 2004) Mr. Miller and Mr. Murdoch.

Petitions relating to funding cardiac rehabilitation services in the Niagara Region (Sessional Paper No. P-188):

(Tabled October 28, 2004) Mr. Craitor.

(Tabled November 1, 2004) Mr. Hudak.

(Tabled November 18, 2004) Mr. Arthurs.

Petitions relating to stopping public private partnership hospital deals and return to public funding (Sessional Paper No. P-208):

(Tabled November 25, 2004) Ms. Martel.

(Tabled November 25, 2004) Mrs. Sandals.

Petitions relating to restoring funding for eye exams, chiropractic and physiotherapy services (Sessional Paper No. P-127):

(Tabled December 13, 2004) Mr. Bisson and Mr. Miller.

(Tabled December 14, 2004) Mr. O'Toole.

(Tabled December 15, 2004) Mr. Klees and Mr. Murdoch.

Petition relating to Royal Victoria Hospital Cancer Centre (Sessional Paper No. P-217):
(Tabled December 9, 2004) Mr. Tascona.

Petition relating to cutting services at Cambridge Memorial Hospital (Sessional Paper No. P-215):
(Tabled December 8, 2004) Mr. Martiniuk.

Petition relating to a commitment to the continuation of pediatric and obstetric services at the Scarborough site of the Rouge Valley Health System (RVHS) (Sessional Paper No. P-211):
(Tabled June 21, 2004) Mr. Berardinetti.

Petition relating to providing basic dental services to all residents of the Province of Ontario (Sessional Paper No. P-207):
(Tabled November 24, 2004) Mrs. Cansfield.

Petition relating to maintaining a full service hospital at the Ajax/Pickering site (Sessional Paper No. P-129):
(Tabled November 22, 2004) Mr. Arthurs.

RESPONSES TO PETITIONS TABLED ON JANUARY 13, 2005

Petitions relating to facilitating the entry of skilled and professional newcomers to Canada into the workforce (Sessional Paper No. P-37):
(Tabled November 17, 23, 29, 30, 2004) Mr. Qaadri.

Petitions 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):
(Tabled December 1, 2004) Ms. Martel and Mrs. Munro.
(Tabled November 3, 17, 25, 2004) Mrs. Munro.

Petitions relating to OHIP coverage of chiropractic services (Sessional Paper No. P-119):
(Tabled November 22, 2004) Mr. Leal, Mr. Murdoch, Mr. Peterson and Mr. Qaadri.
(Tabled November 22, 2004) Ms. Matthews.
(Tabled November 23, 2004) Mr. Murdoch and Mr. Racco.
(Tabled November 23, 2004) Mr. Qaadri and Ms. Sandals.
(Tabled November 24, 2004) Ms. Horwath and Ms. Martel.
(Tabled November 25, 2004) Mr. Klees, Mr. Kormos, Ms. Martel and Mr. Sterling.
(Tabled November 25, 2004) Mr. Craitor.
(Tabled November 29, 2004) Mr. Martiniuk.
(Tabled December 1, 2004) Mr. Flaherty, Ms. Horwath, Ms. Martel and Mr. Miller.
(Tabled November 15, 2004) Mr. Arthurs, Ms. Churley, Mr. McNeely and Mr. Ouellette.
(Tabled November 15, 2004) Mr. Wilkinson.
(Tabled November 16, 2004) Ms. Churley, Mr. Hampton, Mr. Leal, Mr. Marchese, Mr. Murdoch, Mr. Prue, Mr. Qaadri and Mr. Sterling.
(Tabled November 17, 2004) Ms. Martel, Mr. Qaadri and Mr. Ruprecht.
(Tabled November 18, 2004) Mr. Kormos, Ms. Martel and Mr. Qaadri.
(Tabled November 3, 2004) Mr. Arnott, Mr. Arthurs and Mr. Klees.
(Tabled November 4, 2004) Mr. Qaadri.

Petitions relating to restoring funding for eye exams, chiropractic and physiotherapy services (Sessional Paper No. P-127):
(Tabled November 15, 2004) Ms. Churley and Mr. Murdoch.
(Tabled November 17 and 18, 2004) Ms. Martel.
(Tabled November 3, 2004) Ms. Churley and Mrs. Scott.
(Tabled November 4, 2004) Mr. Ouellette.

Petition relating to maintaining the current definitions of the District of Muskoka as part of northern Ontario (Sessional Paper No. P-136):

(Tabled November 23, 2004) Mr. Miller.

Petition relating to the Workplace Safety and Insurance Board (Sessional Paper No. P-139):

(Tabled November 25, 2004) Mr. Kular.

Petition relating to the Workers' Compensation Board (Sessional Paper No. P-156):

(Tabled December 1, 2004) Mr. Kular.

Petition relating to water testing in the riding of Simcoe-North and delaying the implementation of Regulation 170/03 (Sessional Paper No. P-159):

(Tabled November 29, 2004) Mr. Hardeman.

Petitions relating to clarifying that eye examination services will continue to be covered by OHIP and they are not dependent on referrals by family physicians (Sessional Paper No. P-167):

(Tabled November 15, 2004) Mr. McNeely.

(Tabled November 24, 2004) Mrs. Cansfield.

(Tabled November 25, 2004) Mr. Leal.

(Tabled November 29, 2004) Mr. Jackson.

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

(Tabled November 23, 2004) Mr. Miller.

Petitions 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 November 30, 2004) Mr. Arnott and Mr. Murdoch.

(Tabled November 2, 2004) Mr. Hudak.

(Tabled November 23, 2004) Mr. Lalonde.

(Tabled November 17, 2004) Mr. Arnott and Mr. Dunlop.

(Tabled October 27, 28, November 3, 16 and 24, 2004) Mr. Arnott.

Petition relating to keeping home care services under public control and create a permanent professional workforce employed directly by Community Care Access Centre (Sessional Paper No. P-190):

(Tabled November 1, 2004) Ms. Martel.

Petitions relating to enacting legislation banning ownership of pit bulls in the Province of Ontario (Sessional Paper No. P-192):

(Tabled November 1, 2004) Mr. Ruprecht.

(Tabled November 15, 2004) Mr. Delaney.

Petition relating to funding temporary long-term care beds in the Sudbury Region (Sessional Paper No. P-193):

(Tabled November 17, 2004) Ms. Martel.

Petitions relating to instituting a refundable collection program for pop drinks, bottles of beer, wine, tetra pack juices and can containers (Sessional Paper No. P-196):

(Tabled November 15 and 17, 2004) Mr. Ruprecht.

Petition relating to re-instating OHIP funding for Sexual Reassignment Surgery (SRS) for transgendered individuals (Sessional Paper No. P-198):
(Tabled November 18, 2004) Ms. Churley.

RESPONSES TO PETITIONS TABLED ON FEBRUARY 1, 2005

Petition relating to cormorant population (Sessional Paper No. P-80):
(Tabled December 13, 2004) Mr. Murdoch.

Petitions relating to providing better access to GO Train service on the Milton Line for residents of western Mississauga. (Sessional Paper No. P-93):
(Tabled November 15 and 25, 2004) Mr. Delaney.

Petition relating to amending insurance regulations to make motorcycle insurance more affordable (Sessional Paper No. P-99):
(Tabled June 15, 2004) Mr. Rinaldi.

Petitions relating to protecting pension benefits for active employees and retirees of Stelpipe and Welland Pipe (Sessional Paper No. P-106):
(Tabled October 27, 2004) Mrs. Mitchell.
(Tabled June 7, 10 and 14, 2004) Mr. Kormos.

Petitions relating to freezing gas prices, lowering taxes on gas and initiating a Royal Commission to investigate gas prices (Sessional Paper No. P-114):
(Tabled November 22, 2004) Mr. O'Toole.
(Tabled November 3, 2004) Mr. Martiniuk.

Petition relating to reinstating the Town of Paris as an independent stand alone municipality. (Sessional Paper No. P-120):
(Tabled October 26, 2004) Mr. Levac.

Petitions relating to maintaining the current definition of the District of Muskoka as part of northern Ontario (Sessional Paper No. P-136):
(Tabled November 30 and December 7, 2004) Mr. Miller.

Petition relating to extending the boundaries of Franktown, Ontario and declaring a school zone around Calvary Christian Academy including Highway 15 (Sessional Paper No. P-164):
(Tabled June 24, 2004) Mr. Sterling.

Petitions relating to reversing the decision to close the Leslie M. Frost Centre (Sessional Paper No. P-169):
(Tabled November 30 and December 13, 2004) Mr. Miller.
(Tabled November 24, 2004) Ms. Scott.

Petitions 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 December 6, 2004) Mr. Hudak
(Tabled December 7, 2004) Mrs. Mitchell
(Tabled December 8, 2004) Mr. Arnott
(Tabled December 9, 2004) Mr. Runciman and Ms. Scott
(Tabled November 2, 2004) Mr. Hudak.

Petitions relating to funding for a children's treatment centre in Simcoe County and York Region so that core rehabilitative services can be delivered to the children and youth in Simcoe County and York Region (Sessional Paper no. P-179):

- (Tabled November 4, 2004) Mr. Tascona.
- (Tabled November 29, 2004) Mr. Dunlop.
- (Tabled November 30, 2004) Mr. Wilson.
- (Tabled October 20, 2004) Mr. Tascona.

Petition relating to financial commitments to include Ontario Association of Residence Treating Youth (per diem agencies) in the 2004/2005 Budget (Sessional Paper no. P-181):

- (Tabled December 15, 2004) Mr. Racco.

Petitions relating to Ontario Health premium being referred to as a tax (Sessional Paper no. P-185):

- (Tabled October 26, 2004) Mr. Wilson.
- (Tabled October 27, 2004) Mr. Klees.

Petition relating to financial commitments to include Ontario Association of Residence Treating Youth (per diem agencies) in the 2004/2005 Budget (Sessional Paper no. P-186):

- (Tabled November 24, 2004) Mr. Jackson.

Petition relating to passing Bill 14 and opening Ontario's Adoption Records (Sessional Paper no. P-195):

- (Tabled November 15, 2004) Ms. Churley.

Petitions relating to instituting a refundable collection program for pop drinks, bottles of beer, wine, tetra pack juices and can containers (Sessional Paper no. P-196):

- (Tabled December 8, 2004) Mr. Miller.
- (Tabled December 7, 2004) Mr. Ruprecht.

Petition relating to implementing a province-wide wolf protection plan (Sessional Paper no. P-204):

- (Tabled November 23, 2004) Ms. Churley.

Petitions relating to regional centres for people with developmental disabilities (Sessional Paper no. P-210):

- (Tabled December 1, 2004) Mr. Hoy, Mr. Dunlop and Mr. Prue.
- (Tabled December 6, 2004) Mr. Dunlop.
- (Tabled December 7, 2004) Mr. Prue.

Petition relating to amending the Employment Standards Act 2000 (Sessional Paper no. P-212):

- (Tabled December 8, 2004) Mr. Kormos.

RESPONSES TO PETITIONS TABLED ON FEBRUARY 4, 2005

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

- (Tabled December 14, 2004) Mr. Qaadri.
- (Tabled December 15, 2004) Mr. Delaney.

Petitions relating to improving the Ontario Drug benefit Program and abandoning to plan to delist or increase seniors' drug fees (Sessional Paper No. P-53):

- (Tabled November 22, 2004) Mr. Martiniuk.

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

(Tabled November 29, 2004) Mr. O'Toole.

Petition relating to cormorant population (Sessional Paper No. P-80):

(Tabled December 16, 2004) Mr. Murdoch.

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):

(Tabled December 6, 2004) Mrs. Munro.

Petitions relating to OHIP coverage of chiropractic services (Sessional Paper No. P-119):

(Tabled December 6, 2004) Ms. Horwath and Mr. O'Toole.

(Tabled December 7, 2004) Ms. Martel and Ms. Scott.

(Tabled December 7, 2004) Mr. Milloy.

(Tabled December 8, 2004) Ms. Horwath and Mr. Leal.

Petition relating to restoring funding for eye exams, chiropractic and physiotherapy services (Sessional Paper No. P-127):

(Tabled December 8, 2004) Mr. Murdoch.

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

(Tabled November 24, 2004) Mr. Martiniuk.

Petitions relating to clarifying that eye examination services will continue to be covered by OHIP and they are not dependent on referrals by family physicians (Sessional Paper No. P-167):

(Tabled December 7, 2004) Mr. Leal.

(Tabled December 8, 2004) Mr. Ouellette.

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

(Tabled December 15, 2004) Ms. Scott.

Petition relating to calling on the federal government to inject \$3 billion into the Canada Health and Social Transfer for post-secondary education (Sessional Paper No. P-173):

(Tabled December 15, 2004) Mr. Kular.

Petitions relating to the ensuring that the Banting Homestead is kept in good repair and preserved (Sessional Paper No. P-189):

(Tabled November 22, 23, 30 and December 7, 2004) Mr. Wilson.

Petition relating to regulating sport parachuting activities for the safety of student and novice skydivers (Sessional Paper No. P-199):

(Tabled November 23, 2004) Mr. Tascona.

Petition relating to making public the operating agreement between Falls Management Company and the Ontario Lottery and Gaming Corporation (Sessional Paper No. P-216):

(Tabled December 8, 2004) Mr. Craitor.

Petition relating to printing warning labels of alcohol beverage containers indicating that drinking during pregnancy can cause Fetal Alcohol Spectrum Disorder (Sessional Paper No. P-218):

(Tabled December 9, 2004) Mr. Flynn.

Petition relating to access ramps into Pointe au Baril from the proposed Highway 400 (Sessional Paper No. P-221):

(Tabled December 14, 2004) Mr. Miller.
