



No. 71

N° 71

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**Votes and Proceedings**

**Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Tuesday**  
**October 7, 2008**

Sessional Day 79

**Mardi**  
**7 octobre 2008**

Jour de session 79

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

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

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**PRAYERS**  
**9:00 A.M.**

**PRIÈRES**  
**9 H**

**ORDERS OF THE DAY**

**ORDRE DU JOUR**

Government Notice of Motion Number 86 having been called, a point of order was raised regarding the orderliness of the motion.

The Speaker recessed the House from 9:07 a.m. to 9:30 a.m. and delivered the following ruling:-

The relevant part of the motion at issue reads as follows:-

“Any government substantive motion to extend or permanently adopt the provisional Standing Orders, and any amendments thereto, shall be called for debate no later than the third Thursday following resumption of the House in Fall, 2008. The debate on such motion shall be limited to 1 hour, to be apportioned equally among the recognized parties, at the end of which time the Speaker shall put every question necessary to dispose of the motion.”

I agree with the Member for Welland that there are 2 ways to interpret the motion, depending on how one takes the meaning of the phrase “and any amendments thereto”.

On one interpretation, the one-hour debate is allotted to a motion to either adopt or extend the provisional Standing Orders. Such a motion would be a substantive government motion, but it would also be fully subject to amendment. Therefore, an amendment from the floor during debate on a motion for extension or adoption which would propose to further amend the provisional Standing Orders along the lines proposed by the Government House Leader, would be in order.

A second interpretation is that one hour is allotted to debate on a motion to adopt or extend the provisional Standing Orders, and any further amendments to them. This is the interpretation underlying the form of the motion the Government House Leader has put before the House.

In my view it is fortunate for the House that, in effect, either interpretation essentially takes us to the same place. Because neither way of proceeding represents an advantage or disadvantage to any side of the House and in any event amounts to the same thing in this circumstance, albeit by slightly different procedural means, I find the motion to be in order, and to be consistent with the Order of the House of May 1, 2008 and with the process it set forth for dealing with our Standing Orders.

Moreover, a distinct benefit to the House of dealing with all of these amendments as a government notice of motion is that the entire proposal is on the Order Paper and has been given one day’s notice. The alternative would have been for all of the proposed further amendments to be moved spontaneously from the floor during debate. Though this would have been in order, it would not have afforded all members the opportunity to prepare for today’s debate.

Mr. McMeekin moved,

M. McMeekin propose,

That the Standing Orders as amended on May 1, 2008 be further amended as follows and adopted as the permanent Standing Orders of the House; and

That the permanent Standing Orders come into force at 12:01 a.m. on the Friday of the week that they are adopted by the House, except Standing Order 6(a) which shall come into force at 12:01 a.m. on January 1, 2009. Standing Order 6(a) as it existed immediately prior to the coming into force of the permanent Standing Orders shall remain in effect until 12:01 a.m. on January 1, 2009.

That the definition of “Routine Motion” in Standing Order 2 be amended by striking out “9” in the second line and substituting “6”.

That Standing Order 6(a) be struck out and the following substituted:-

6.(a) During a Parliament, the House shall meet:

(i) from the third Tuesday in February to the first Thursday in June; and

(ii) from the Monday following Labour Day to the second Thursday in December.

During these meeting periods, the House shall not meet during the following Constituency Weeks:

1. The week prescribed by the Regulations made under the *Education Act* for the school holiday in March;

2. The week in which Easter Monday falls;

3. The week in which Victoria Day falls;

4. The week in which Thanksgiving Day falls;

5. The week in which Remembrance Day falls, except that if Remembrance Day falls on a Saturday or a Sunday, the House shall instead not meet the week preceding Remembrance Day.

That clauses (a) and (b) of Standing Order 8 be struck out and the following substituted:-

8.(a) The weekly meeting schedule for the House when it is in session shall be:

| Day    | Time                          | Proceeding  |
|--------|-------------------------------|---|
| Monday | 10:30 a.m.                    | Introduction of Visitors  |
|        | 10:35 a.m.                    | Oral Questions  |
|        | Following Oral Questions      | Deferred Votes  |
|        | Following Deferred Votes      | Recess  |
|        | 1:00 p.m.                     | Introduction of Visitors  |
|        | 1:05 p.m.                     | <b><u>Routine Proceedings:</u></b><br>Members' Statements<br>Reports by Committees<br>Introduction of Bills<br>Motions<br>Statements by the Ministry and Responses<br>Petitions |
|        | Following Routine Proceedings | Orders of the Day   |
|        | 6:00 p.m.                     | Adjournment   |

|         |                          |                          |
|---------|--------------------------|--------------------------|
| Tuesday | 9:00 a.m.                | Orders of the Day        |
|         | 10:15 a.m.               | Recess                   |
|         | 10:30 a.m.               | Introduction of Visitors |
|         | 10:35 a.m.               | Oral Questions           |
|         | Following Oral Questions | Deferred Votes           |
|         | Following Deferred Votes | Recess                   |
|         | 3:00 p.m.                | Introduction of Visitors |

|  |                               |   |
|--|-------------------------------|---|
|  | 3:05 p.m.                     | <b><u>Routine Proceedings:</u></b><br>Members' Statements<br>Reports by Committees<br>Introduction of Bills<br>Motions<br>Statements by the Ministry and Responses<br>Petitions |
|  | Following Routine Proceedings | Orders of the Day   |
|  | 6:00 p.m.                     | Adjournment   |

|           |                               |   |
|-----------|-------------------------------|---|
| Wednesday | 9:00 a.m.                     | Orders of the Day   |
|           | 10:15 a.m.                    | Recess  |
|           | 10:30 a.m.                    | Introduction of Visitors  |
|           | 10:35 a.m.                    | Oral Questions  |
|           | Following Oral Questions      | Deferred Votes  |
|           | Following Deferred Votes      | Recess  |
|           | 3:00 p.m.                     | Introduction of Visitors  |
|           | 3:05 p.m.                     | <b><u>Routine Proceedings:</u></b><br>Members' Statements<br>Reports by Committees<br>Introduction of Bills<br>Motions<br>Statements by the Ministry and Responses<br>Petitions |
|           | Following Routine Proceedings | Orders of the Day   |
| 6:00 p.m. | Adjournment                   |   |

|          |                          |  |
|----------|--------------------------|--|
| Thursday | 9:00 a.m.                | Orders of the Day  |
|          | 10:15 a.m.               | Recess   |
|          | 10:30 a.m.               | Introduction of Visitors   |
|          | 10:35 a.m.               | Oral Questions   |
|          | Following Oral Questions | Deferred Votes   |
|          | Following Deferred Votes | Recess   |
|          | 1:00 p.m.                | Introduction of Visitors   |
|          | 1:05 p.m.                | <b><u>Routine Proceedings:</u></b><br>Members' Statements<br>Reports by Committees |

|  |  |   |
|--|--|---|
|  |  | Introduction of Bills<br>Motions<br>Statements by the Ministry and Responses<br>Petitions |
|  | Following Routine Proceedings              | Private Members' Public Business  |
|  | Following Private Members' Public Business | Orders of the Day   |
|  | 6:00 p.m.                                  | Adjournment   |

(b) The bells shall be rung for five minutes before the time appointed for the meeting of the House, and at 10:25 a.m. every day, to summon the members, and otherwise at the discretion of the Speaker.

That Standing Order 8 be amended by adding the following new clauses:-

(c.1) During any morning that the House meets, when the Speaker calls "Orders of the Day" the Government House Leader may indicate that no business, or no further business, as the case may be, is to be called that morning, whereupon the Speaker shall without motion immediately recess the House until 10:30 a.m.

(c.2) No later than 3:15 p.m. on any Monday, Tuesday or Wednesday that the House meets, the Government House Leader may indicate that no business is to be called during Orders of the Day on the next day's morning meeting, and in such case the House shall meet at 10:30 a.m. on that next day.

That clause (d) of Standing Order 8 be amended by striking out the words "during the week prescribed by the Regulations made under the *Education Act* for the school holiday in March" in the first, second and third lines and substituting "on the day on which there is a general election of members to serve in the Canadian House of Commons".

That Standing Order 9(b) be struck out.

That clause (d) of Standing Order 9 be amended by striking out the word "Routine" in the fourth line.

That clause (h) of Standing Order 28 be amended by striking out the word "Routine" in the sixth line.

That clause (a) of Standing Order 30 be amended by striking out "Deferred Votes" and substituting "Petitions".

That clause (b) of Standing Order 30 be amended by striking out "Petitions" and substituting "Deferred Votes".

That clause (c) of Standing Order 30 be amended by striking out "and any deferred votes," in the fifth line.

That clause (c) of Standing Order 32 be amended by striking out "notwithstanding Standing Order 46(a)" in the fourth and fifth lines.

That Standing Order 36 be struck out and the following substituted:-

36. Up to five minutes shall be allotted, immediately preceding "Oral Questions" and again immediately upon the resumption of the House in an afternoon meeting, for members to recognize guests.

That clause (a) of Standing Order 38 be amended by striking out “4:30 p.m.” and “5:00 p.m.” in the ninth line and substituting “noon” and “4:00 p.m.”, respectively.

That clause (b) of Standing Order 38 be amended by striking out “5:45 p.m.” in the second line and substituting “6:00 p.m.”, and by adding at the end of the clause “or, pursuant to Standing Order 6(c)(i) or (ii), to 6:45 p.m., as the case may be.”

That clause (e) of Standing Order 38 be amended by striking out “5:45” and substituting “6:00”.

That clause (b) of Standing Order 39 be amended by adding the word “Routine” before the word “Proceeding” in the second line.

That clause (c) of Standing Order 43 be amended by striking out “5:35” in the second line and substituting “5:50”.

That clause (b) of Standing Order 44 be amended by striking out “5:35” in the fifth line and substituting “5:50”.

That Standing Order 46(a) be amended by adding the following sentence:-

If at 10:15 a.m. on a Tuesday, Wednesday or Thursday the division bells are ringing for a vote on a motion to adjourn the debate, the Speaker shall interrupt the bell, conduct the division and then immediately recess the House pursuant to Standing Order 8(a).

That clause (b) of Standing Order 58 be struck out and the following substituted:-

(b) On the day designated for the presentation of the Budget, the Speaker shall recess the House immediately following Routine Proceedings until 4:00 p.m., except that if Routine Proceedings have not been completed by 4:00 p.m., the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of the Routine Proceeding currently occupying the House and immediately call Orders of the Day.

That the following new Standing Order be added:-

68.1 (a) Private Members’ Public Bills may be co-sponsored by up to one member from each of the recognized parties, and by any independent member. It shall be the responsibility of the co-sponsors to select which among them will move the motion for introduction and first reading of the bill. Any of the co-sponsors shall be entitled to move the motions for second or third reading of the bill. The names of the co-sponsors shall be indicated on the introduction copy of the bill and shall thereafter be printed on the face of the bill.

(b) Any one of the co-sponsors of such a bill may designate the bill as his or her item of business for Private Members’ Public Business, and any or all of the co-sponsors may speak during the time allotted by Standing Order 97(a)(i). The member designating the bill for the purposes of Private Members’ Public Business shall have charge of the bill in any committee.

(c) A co-sponsor may withdraw as a sponsor of the bill at any time by providing written notice to the Clerk of the House. His or her name shall be removed from the bill entry on the *Orders and Notices Paper*, and shall be removed from the face of the bill at any subsequent re-printing of the bill.

That clause (e) of Standing Order 125 be deleted and the following substituted:

(e) There shall be not less than three hours of debate in the House on such a bill, to take place at a time or times allotted by agreement of the House Leaders of the recognized Parties.

That the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering and making such technical and consequential changes as may be deemed necessary.

After some time, there being no further debate, the question having been put, the Acting Speaker (Mr. Arnott) declared his opinion that the Ayes had it, and a recorded vote having been demanded, the Acting Speaker then addressed the House as follows:-

Pursuant to Standing Order 9(d), the vote on Government Notice of Motion Number 86 be deferred until "Deferred Votes" today.

Après quelque temps, comme il n'y a plus de débat, la motion mise aux voix, le président par intérim, M. Arnott déclare qu'à son avis les voix favorables l'emportent et un vote par appel nominal ayant été demandé, ensuite, le Président par intérim s'adresse à l'Assemblée en ces mots:-

Conformément à l'article 9 d) du Règlement, le vote sur l'avis de motion numéro 86 émanant du Gouvernement soit différé jusqu'aux «Votes différés» aujourd'hui.

**10:45 A.M.**

**INTRODUCTION OF VISITORS**

Pursuant to Standing Order 36, the Speaker introduced visitors.

**10 H 45**

**PRÉSENTATION DES VISITEURS**

Conformément à l'article 36, le Président présente les visiteurs.

**ORAL QUESTIONS**

Pursuant to Standing Order 37, the House proceeded to Oral Questions.

**QUESTIONS ORALES**

Conformément à l'article 37, la Chambre passe aux questions orales.

**PETITIONS**

Petition relating to Pope John Paul II Day (Sessional Paper No. P-22) Mr. Delaney.

Petition relating to construction of an Ambulatory Surgery Centre to serve the Mississauga Halton area (Sessional Paper No. P-23) Mr. Delaney.

Petition relating to unlawful firearms in vehicles (Sessional Paper No. P-75) Mr. Colle.

Petition relating to passing Bill 50, the Provincial Animal Welfare Act 2008 (Sessional Paper No. P-101) Mr. Colle.

Petition relating to giving priority to restoring a government-funded outpatient therapy program in Cambridge, Ontario for stroke survivors (Sessional Paper No. P-121) Mr. Martiniuk.

**PÉTITIONS**

Pursuant to Standing Order 9(a), the Speaker recessed the House at 11:52 p.m. until 3:00 p.m.

Conformément à l'article 9 a), le Président ordonne une pause à l'Assemblée à 11 h 52 jusqu'à 15 h.

**3:00 P.M.**

**MEMBERS' STATEMENTS**

Pursuant to Standing Order 31, Members made statements.

**15 H**

**DÉCLARATIONS DES DÉPUTÉS**

Conformément à l'article 31, des députés font des déclarations.

**REPORTS BY COMMITTEES****RAPPORTS DES COMITÉS**

The Speaker addressed the House as follows:

I beg to inform the House that today the Clerk received the October 7, 2008 report of the Standing Committee on Government Agencies. Pursuant to Standing Order 107(f)(9), the Report is deemed to be adopted by the House (Sessional Paper No. 273).

**INTRODUCTION OF BILLS****DÉPÔT DES PROJETS DE LOI**

The following Bills were introduced and read the first time:-

Les projets de loi suivants sont présentés et lus une première fois:-

Bill 108, An Act respecting apologies. Hon. Mr. Bentley.

Projet de loi 108, Loi concernant la présentation d'excuses. L'hon. M. Bentley.

Bill 109, An Act to provide a tax credit for the purchase of equipment or devices for persons with disabilities. Mr. Murdoch.

Projet de loi 109, Loi prévoyant un crédit d'impôt pour l'achat d'appareils ou de dispositifs pour les personnes handicapées. M. Murdoch.

The following Bill was introduced, read the first time and referred to the Standing Committee on Regulations and Private Bills:-

Le projet de loi suivant est présenté, lu une première fois et renvoyé au Comité permanent des règlements et des projets de loi d'intérêt privé:-

Bill Pr10, An Act respecting Master's College and Seminary. Mr. Delaney.

**STATEMENTS BY THE MINISTRY AND RESPONSES****DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

Pursuant to Standing Order 35, Ministers made statements and Opposition Members responded.

Conformément à l'article 35, des ministres font des déclarations et des députés de l'opposition y répondent.

**DEFERRED VOTES****VOTES DIFFÉRÉS**

The deferred vote on Government Notice of Motion Number 86, to further amend the Standing Orders as amended on May 1, 2008 and adopt them as permanent Standing Orders of the House, was carried on the following division:-

AYES / POUR - 45

Aggelonitis  
Albanese  
Arthurs  
Balkissoon  
Bartolucci  
Bentley  
Brown  
Brownell  
Bryant  
Cansfield  
Carroll  
Chan

Colle  
Crozier  
Delaney  
Dhillon  
Dickson  
Fonseca  
Gravelle  
Hoy  
Jaczek  
Jeffrey  
Kular

Lalonde  
Mangat  
Mauro  
McMeekin  
McNeely  
Milloy  
Mitchell  
Moridi  
Murdoch  
Naqvi  
Oraziatti

Pendergast  
Qaadri  
Ramal  
Ruprecht  
Sandals  
Smith  
Smitherman  
Sousa  
Van Bommel  
Wilkinson  
Wynne

## NAYS / CONTRE - 20

|         |         |                                     |          |
|---------|---------|-------------------------------------|----------|
| Arnott  | Gélinas | Marchese                            | Savoline |
| Bailey  | Hillier | Miller (Hamilton East–Stoney Creek) | Shurman  |
| Bisson  | Horwath | Miller (Parry Sound–Muskoka)        | Sterling |
| Dunlop  | Jones   | Prue                                | Wilson   |
| Elliott | Kormos  | Runciman                            | Witmer   |

And it was,

Ordered, That the Standing Orders as amended on May 1, 2008 be further amended and adopted as the permanent Standing Orders of the House as in the motion.

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**ORDERS OF THE DAY**

A debate arose on the motion for Third Reading of Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act.

With unanimous consent, on motion by Mr. Bisson,

Ordered, That the debate be adjourned.

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**ORDRE DU JOUR**

Il s'élève un débat sur la motion portant troisième lecture du projet de loi 50, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

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

Il est ordonné que le débat soit ajourné.

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With unanimous consent, it was agreed that today's adjournment debate would take place before 5:45 p.m., notwithstanding Standing Order 38(b), and that at the conclusion of the adjournment debate the Acting Speaker shall adjourn the House.

One matter was then considered pursuant to Standing Order 38(a).

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The House then adjourned at 5:10 p.m.

À 17 h 10, la chambre a ensuite ajourné ses travaux.

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le président

**STEVE PETERS**

Speaker

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**SESSIONAL PAPERS PRESENTED  
PURSUANT TO STANDING ORDER 40**


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**DOCUMENTS PARLEMENTAIRES  
DÉPOSÉS CONFORMÉMENT À  
L'ARTICLE 40 DU RÈGLEMENT**

COMPENDIA:

Bill 108, An Act respecting apologies (No. 274).

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