



No. 95

N° 95

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**Votes and Proceedings**

**Procès-verbaux**

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Thursday**  
**November 27, 2008**

Sessional Day 103

**Jeudi**  
**27 novembre 2008**

Jour de session 103

**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.****ORDERS OF THE DAY**

Debate was resumed on the motion for Second Reading of Bill 118, An Act to amend the Highway Traffic Act to prohibit the use of devices with display screens and hand-held communication and entertainment devices and to amend the Public Vehicles Act with respect to car pool vehicles.

After some time, the motion was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on General Government.

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The Minister of Aboriginal Affairs having indicated that no further business would be called this morning, at 10:06 a.m., pursuant to Standing Order 8(d), the Acting Speaker (Mr. Wilson) recessed the House until 10:30 a.m.

**10:30 A.M.****INTRODUCTION OF VISITORS**

Pursuant to Standing Order 36, visitors were introduced.

**ORAL QUESTIONS**

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

With unanimous consent, the following motion was moved without notice:-

On motion by Mr. Bryant,

Ordered, That Government Order Number 14 be called immediately after "Deferred Votes" this morning.

**PRIÈRES****9 H****ORDRE DU JOUR**

Le débat reprend sur la motion portant deuxième lecture du projet de loi 118, Loi modifiant le Code de la route afin d'interdire l'usage d'appareils à écran et d'appareils portatifs de télécommunications et de divertissement et modifiant la Loi sur les véhicules de transport en commun à l'égard des véhicules de covoiturage.

Après quelque temps, la motion est déclarée adoptée et en conséquence, ce projet de loi est lu une deuxième fois et renvoyé au Comité permanent des affaires gouvernementales.

**PRÉSENTATION DES VISITEURS**

Conformément à l'article 36, les visiteurs sont présentés.

**QUESTIONS ORALES**

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

Sur la motion de M. Bryant,

**DEFERRED VOTES****VOTES DIFFÉRÉS**

The deferred vote on Government Notice of Motion Number 92 was carried on the following division:-

**AYES / POUR - 51**

Aggelonitis	Colle	Jaczek	Ramal
Albanese	Craitor	Lalonde	Ramsay
Arthurs	Crozier	Leal	Rinaldi
Balkissoon	Delaney	Levac	Sandals
Bentley	Dickson	Matthews	Sergio
Best	Dombrowsky	McMeekin	Smith
Bradley	Duguid	McNeely	Smitherman
Brownell	Duncan	Meilleur	Takhar
Bryant	Flynn	Moridi	Watson
Cansfield	Fonseca	Naqvi	Wilkinson
Caplan	Gerretsen	Oraziotti	Wynne
Carroll	Gravelle	Phillips	Zimmer
Chan	Hoy	Pupatello	

**NAYS / CONTRE - 20**

Arnott	Klees	Miller (Hamilton East–Stoney Creek)	Runciman
Elliott	Kormos	Miller (Parry Sound–Muskoka)	Scott
Gélinas	MacLeod	Munro	Wilson
Hudak	Marchese	Murdoch	Witmer
Jones	Martiniuk	Ouellette	Yakabuski

And it was,

Ordered, That, pursuant to Standing Order 47 and notwithstanding any other Standing Order or Special Order of the House, when the Order of the Day is called for resuming the adjourned debate on Government Order Number 14, the Speaker shall put every question necessary to dispose of the motion and any amendments thereto, which questions shall be decided without further debate or amendment; and

That, except in the case of a recorded division arising from morning Orders of the Day, pursuant to Standing Order 9(c), no deferral of any vote shall be permitted; and

That, in the case of any division relating to any proceedings on Government Order Number 14, the division bell shall be limited to five minutes.

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The Order of the Day for resuming the adjourned debate on Government Order Number 14 having been called, in accordance with the Order of the House passed earlier today, the Speaker put the question forthwith on the following amendment moved by Mr. Hudak,

That the Government motion be amended by striking out “during the week of December 15th, 2008” and replacing it with the following:

“during the months of January and/or February 2009 when the legislature is not sitting – rather than rushing the pre-budget hearings through under the cover of Christmas – and in the following 19 vulnerable communities among the hardest hit by Ontario’s economic downturn:

Brampton; Brantford; Cambridge; Chatham; Cornwall; Guelph; Hamilton; Ingersoll; Kitchener-Waterloo; Lindsay; London; Oakville; Oshawa; Owen Sound; Smiths Falls; St. Catharines; St. Thomas; Welland; and Windsor.”

And the amendment to the motion was lost on the following division:-

AYES / POUR - 16

Arnott	Klees	Munro	Scott
Elliott	MacLeod	Murdoch	Wilson
Hudak	Martiniuk	Ouellette	Witmer
Jones	Miller (Parry Sound-Muskoka)	Runciman	Yakabuski

NAYS / CONTRE - 48

Aggelonitis	Carroll	Gravelle	Phillips
Albanese	Chan	Hoy	Pupatello
Arthurs	Colle	Jaczek	Ramal
Balkissoon	Crozier	Lalonde	Rinaldi
Bentley	Delaney	Leal	Sandals
Best	Dickson	Matthews	Sergio
Bradley	Dombrowsky	McMeekin	Smith
Brown	Duguid	McNeely	Smitherman
Brownell	Duncan	Meilleur	Takhar
Bryant	Flynn	Moridi	Watson
Cansfield	Fonseca	Naqvi	Wilkinson
Caplan	Gerretsen	Oraziotti	Wynne

The main motion by Ms. Smith, having then been put, was carried on the following division:-

AYES / POUR - 49

Aggelonitis	Colle	Jaczek	Pupatello
Arthurs	Craitor	Lalonde	Ramal
Balkissoon	Crozier	Leal	Rinaldi
Bentley	Delaney	Levac	Sandals
Best	Dickson	Matthews	Sergio
Bradley	Duguid	McMeekin	Smith
Brown	Duncan	McNeely	Smitherman
Brownell	Flynn	Meilleur	Takhar
Bryant	Fonseca	Moridi	Watson
Cansfield	Gerretsen	Naqvi	Wilkinson
Caplan	Gravelle	Oraziotti	Wynne
Carroll	Hoy	Phillips	Zimmer
Chan			

NAYS / CONTRE - 13

Arnott	MacLeod	Murdoch	Scott
Elliott	Martiniuk	Ouellette	Wilson
Hudak	Miller (Parry Sound-Muskoka)	Runciman	Yakabuski
Jones			

And it was,

Ordered, That, notwithstanding the Order of the House dated May 1, 2008, for the purpose of conducting its 2009 Pre-Budget Consultation, the Standing Committee on Finance and Economic Affairs shall have authority to meet and adjourn from place to place in Ontario during the week of December 15th, 2008.

Pursuant to Standing Order 9(a), the Speaker recessed the House at 12:02 p.m. until 1:00 p.m.

Conformément à l'article 9 a), le Président ordonne une pause à l'Assemblée à 12 h 02 jusqu'à 13 h.

**1:00 P.M.**

**13 H**

**INTRODUCTION OF VISITORS**

**PRÉSENTATION DES VISITEURS**

Pursuant to Standing Order 36, visitors were introduced.

Conformément à l'article 36, les visiteurs sont présentés.

**MEMBERS' STATEMENTS**

**DÉCLARATIONS DES DÉPUTÉS**

Pursuant to Standing Order 31, Members made statements.

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

**REPORTS BY COMMITTEES**

**RAPPORTS DES COMITÉS**

Mr. Rinaldi from the Standing Committee on Estimates reported the following Resolutions:-

Resolved, That Supply in the following amounts and to defray the expenses of the following ministries be granted to Her Majesty for the fiscal year ending March 31, 2009:-

**MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE**

901	Ministry Administration	\$	15,581,300
902	Economic Development and Trade		566,773,800

**MINISTRY OF ABORIGINAL AFFAIRS**

2001	Ministry of Aboriginal Affairs	\$	55,497,800
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**MINISTRY OF HEALTH AND LONG-TERM CARE**

1401	Ministry Administration	\$	157,595,800
1402	Health Policy and Research		761,799,200
1403	E-Health and Information Management		522,847,000
1405	Ontario Health Insurance		14,067,625,600
1406	Public Health		680,749,000
1411	Local Health Integration Networks and Related Health Service Providers		20,077,877,400
1412	Provincial Programs and Stewardship		3,410,390,600
1407	Health Capital		936,413,400

**MINISTRY OF NORTHERN DEVELOPMENT AND MINES**

2201	Ministry Administration	\$	10,087,700
2202	Northern Development		724,703,500
2203	Mines and Minerals		46,581,400

**MINISTRY OF RESEARCH AND INNOVATION**

4301	Research and Innovation	\$	504,983,900
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**MINISTRY OF LABOUR**

1601	Ministry Administration	\$	24,585,900
1602	Pay Equity Commission		4,476,700
1603	Labour Relations		23,389,400
1604	Occupational Health and Safety		89,651,300
1605	Employment Rights and Responsibilities		27,997,300

**MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

101	Ministry Administration	\$	37,685,800
107	Better Public Health and Environment		65,801,600
108	Strong Agriculture, Food and Bio-product Sectors and Strong Rural Communities		696,546,500

**MINISTRY OF FINANCE**

1201	Ministry Administration	\$	138,856,200
1202	Tax Policy and Budget		69,454,100
1203	Economic, Fiscal, and Financial Policy		1,964,647,500
1204	Financial Services Industry Regulation		8,401,000
1208	Investing in Ontario		1,000

**MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES**

3001	Ministry Administration	\$	12,200,000
3002	Postsecondary Education		5,533,102,000
3003	Employment Ontario		1,125,054,900
3004	Strategic Policy and Programs		13,187,000

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**STATEMENTS BY THE MINISTRY AND  
RESPONSES**

Pursuant to Standing Order 35, a Minister made a statement and Opposition Members responded.

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**DÉCLARATIONS MINISTÉRIELLES ET  
RÉPONSES**

Conformément à l'article 35, un ministre fait une déclaration et des députés de l'opposition y répondent.

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**PETITIONS**

Petition relating to ensuring that the Cambridge Court House remains open (Sessional Paper No. P-151) Mr. Martiniuk.

Petition relating to ensuring that emergency dispatch services continue to be provided locally by Muskoka Ambulance Communications Service (Sessional Paper No. P-152) Mr. Miller (Parry Sound–Muskoka).

Petition relating to the people of Restoule and the Nipissing Forest Management Plan (Sessional Paper No. P-155) Mr. Miller (Parry Sound–Muskoka).

Petition relating to recognizing Tom Longboat Day on June 4 (Sessional Paper No. P-167) Mr. Colle.

Petition relating to holding public hearings on Bill 119 (Sessional Paper No. P-172) Mr. Miller (Parry Sound–Muskoka).

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**PÉTITIONS**

Petition relating to the strike by CUPE local 3903 at York University (Sessional Paper No. P-175) Mr. Shurman.

Petition relating to WSIB premiums for independent and sole proprietors or partners. (Sessional Paper No. P-176) Ms. Scott.

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**PRIVATE MEMBERS' PUBLIC  
BUSINESS**

M<sup>me</sup> Gélinas moved,

Second Reading of Bill 124, An Act to amend the Smoke-Free Ontario Act with respect to cigarillos.

A debate arising, further proceedings were reserved until the end of the time allotted for Private Members' Public Business.

Mr. Brown then moved,

That, in the opinion of this House, the third Sunday in July be established as Lake Superior Day, to acknowledge and celebrate the lake's importance in enhancing the quality of our lives.

A debate arising, further proceedings were reserved until the end of the time allotted for Private Members' Public Business.

Mr. Balkissoon then moved,

Second Reading of Bill 123, An Act to amend the Environmental Assessment Act.

There being no further debate, pursuant to Standing Order 98(e), the Acting Speaker (Mr. Wilson) suspended the proceedings until the end of the time allotted for Private Members' Public Business.

The question having been put on the motion for Second Reading of Bill 124, An Act to amend the Smoke-Free Ontario Act with respect to cigarillos, it was carried on the following division:-

**AFFAIRES D'INTÉRÊT PUBLIC  
ÉMANANT DES DÉPUTÉS**

M<sup>me</sup> Gélinas propose,

Deuxième lecture du projet de loi 124, Loi modifiant la Loi favorisant un Ontario sans fumée en ce qui a trait aux cigarillos.

Un débat s'ensuit; la suite de la discussion est renvoyée à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

Ensuite, M. Brown propose,

Un débat s'ensuit; la suite de la discussion est renvoyée à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

Un débat s'ensuit; la suite de la discussion est renvoyée à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

Ensuite, M. Balkissoon propose,

Deuxième lecture du projet de loi 123, Loi modifiant la Loi sur les évaluations environnementales.

En l'absence d'autres débats, conformément à l'alinéa 98 e) du Règlement, le président par intérim, M. Wilson suspend la séance jusqu'à la fin du temps imparti pour les affaires d'intérêt public émanant des députés.

La motion portant deuxième lecture du projet de loi 124, Loi modifiant la Loi favorisant un Ontario sans fumée en ce qui a trait aux cigarillos, mise aux voix, est adoptée par le vote suivant:-

## AYES / POUR - 32

Albanese	Crozier	Leal	Qaadri
Balkissoon	Flynn	Levac	Ramal
Best	Fonseca	Mangat	Rinaldi
Brown	Gélinas	Marchese	Ruprecht
Brownell	Jaczek	Martiniuk	Scott
Bryant	Kormos	Moridi	Sergio
Cansfield	Kular	Pendergast	Takhar
Colle	Lalonde	Phillips	Wynne

## NAYS / CONTRE - 4

Barrett	Klees	Miller (Parry Sound–Muskoka)	Shurman
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And the Bill was accordingly read the second time and Ordered referred to the Standing Committee on General Government.

En conséquence, ce projet de loi est lu une deuxième fois et renvoyé au Comité permanent des affaires gouvernementales.

The question having been put on Mr. Brown's Resolution Number 60, it was declared carried.

La motion, mise aux voix, sur la résolution numéro 60 de M. Brown est déclarée adoptée.

The question having been put on the motion for Second Reading of Bill 123, An Act to amend the Environmental Assessment Act, it was declared carried and the Bill was accordingly read the second time and Ordered referred to the Standing Committee on General Government.

La motion portant deuxième lecture du projet de loi 123, Loi modifiant la Loi sur les évaluations environnementales, mise aux voix, est déclarée adoptée et le projet de loi est en conséquence lu une deuxième fois et renvoyé au Comité permanent des affaires gouvernementales.

The Acting Speaker (Mr. Wilson) 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 November 27, 2008.

Le président par intérim, M. Wilson 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 27 novembre 2008.

Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act.

Projet de loi 50, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act.

Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

Bill 97, An Act to increase access to qualified health professionals for all Ontarians by amending the Regulated Health Professions Act, 1991.

Projet de loi 97, Loi visant à accroître l'accès des Ontariennes et des Ontariens aux professionnels de la santé qualifiés en modifiant la Loi de 1991 sur les professions de la santé réglementées.



Bill 114, An Act respecting Budget measures, interim appropriations and other matters, to amend the Ottawa Congress Centre Act and to enact the Ontario Capital Growth Corporation Act, 2008.

Projet de loi 114, Loi concernant les mesures budgétaires, l'affectation anticipée de crédits et d'autres questions, modifiant la Loi sur le Centre des congrès d'Ottawa et édictant la Loi de 2008 sur la Société ontarienne de financement de la croissance.

Bill 119, An Act to amend the Workplace Safety and Insurance Act, 1997.

Projet de loi 119, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

Mr. Phillips moved, That the House do now adjourn.

M. Phillips propose que l'Assemblée ajourne les débats maintenant.

The question, having been put on the motion, was declared carried.

Cette motion, mise aux voix, est déclarée adoptée.

The House then adjourned at 4:27 p.m.

À 16 h 27, 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**

Infrastructure Ontario Annual Report 2006-2007 / Infrastructure Ontario rapport annuel 2006-2007 (No. 298).

Infrastructure Ontario Annual Report 2007-2008 / Infrastructure Ontario rapport annuel 2007-2008 (No. 299).

Ontario Realty Corporation Annual Report 2006-2007 / Société immobilière de l'Ontario rapport annuel de 2006-2007 (No. 296).

Ontario Realty Corporation Annual Report 2007-2008 / Société immobilière de l'Ontario rapport annuel de 2007-2008 (No. 297).

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