



No. 168

N° 168

Votes and Proceedings

Procès-verbaux

Legislative Assembly
of Ontario

Assemblée législative
de l'Ontario

Wednesday
September 30, 2009

Sessional Day 176

Mercredi
30 septembre 2009

Jour de session 176

1st Session,
39th Parliament

1^{re} session
39^e législature

PRAYERS
9:00 A.M.

PRIÈRES
9 H

ORDERS OF THE DAY

Debate was resumed on the motion for Second Reading of Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters.

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

Pursuant to Standing Order 9(a), the Deputy Speaker recessed the House at 10:15 a.m. until 10:30 a.m.

10:30 A.M.

The Speaker addressed the House as follows:-

I beg to inform the House that the Clerk has received from the Chief Electoral Officer and laid upon the Table the following certificate of a by-election:-

ELECTORAL DISTRICT OF ST. PAUL'S –
ERIC HOSKINS
PROVINCE OF ONTARIO

Mrs. Deborah Deller
Clerk of the Legislative Assembly
Room 104
Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A2

ORDRE DU JOUR

Le débat reprend sur la motion portant deuxième lecture du projet de loi 177, Loi modifiant la Loi sur l'éducation en ce qui concerne le rendement des élèves, la gouvernance des conseils scolaires et d'autres questions.

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

Conformément à l'article 9 a) du Règlement, le Vice-Président ordonne une pause à l'Assemblée à 10 h 15 jusqu'à 10 h 30.

10 H 30

Le Président s'adresse à l'Assemblée comme suit:-

CIRCONSCRIPTION ÉLECTORALE DE
ST. PAUL'S – ERIC HOSKINS
PROVINCE DE L'ONTARIO

Madame Deborah Deller
Greffière de l'Assemblée législative
Édifice de l'Assemblée législative
Bureau 104
Queen's Park
Toronto (Ontario)
M7A 1A2

Dear Mrs. Deller:

A Writ of Election dated the Nineteenth day of August, 2009, was issued by the Honourable Lieutenant Governor of the Province of Ontario, and was addressed to Lynn Morrow, Returning Officer for the Electoral District of St. Paul's, for the election of a Member to represent the said Electoral District of St. Paul's in the Legislative Assembly of this Province in the room of Michael Bryant, who, since his election as representative of the said Electoral District of St. Paul's, has resigned his seat. This is to certify that, a poll having been granted and held in St. Paul's on the Seventeenth day of September, 2009, Eric Hoskins has been returned as duly elected as appears by the Return of the said Writ of Election, dated the Twenty-fifth day of September, 2009, which is now lodged of record in my office.

GREG ESSENSA
CHIEF ELECTORAL OFFICER
Toronto, September 28, 2009

Eric Hoskins, Member for the Electoral District of St. Paul's, having taken the Oath and subscribed the Roll, took his seat.

INTRODUCTION OF VISITORS

Pursuant to Standing Order 36, visitors were introduced.

ORAL QUESTIONS

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

DEFERRED VOTES

The deferred vote on Government Notice of Motion Number 138 on allocation of time on Bill 201, An Act to provide for review of expenses in the public sector, was carried on the following division:-

Madame,

Un décret de convocation des électeurs et des électrices a été émis le dix-neuvième jour d'août 2009 par l'honorable lieutenant-gouverneur de la province de l'Ontario à l'adresse de Lynn Morrow, directrice du scrutin de la circonscription électorale de St. Paul's, en vue de l'élection d'un député pour représenter ladite circonscription électorale de St. Paul's à l'Assemblée législative de la province à la place de Michael Bryant qui, depuis son élection à titre de député de ladite circonscription électorale de St. Paul's, a démissionné. Nous attestons par la présente qu'un scrutin ayant été décidé et tenu dans St. Paul's le dix-septième jour de septembre 2009, Eric Hoskins a été dûment élu, tel qu'en fait foi le rapport de ladite élection, en date du vingt-cinquième jour de septembre 2009, qui a été déposé au registre de mon bureau.

GREG ESSENSA
DIRECTEUR GÉNÉRAL DES ÉLECTIONS
Toronto, le 28 septembre 2009

Eric Hoskins, député de la circonscription électorale de St. Paul's, ayant prêté serment et signé le registre, a pris son siège.

PRÉSENTATION DES VISITEURS

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

QUESTIONS ORALES

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

VOTES DIFFÉRÉS

AYES / POUR - 50

Aggelonitis	Crozier	Leal	Ramal
Albanese	Delaney	Levac	Ruprecht
Balkissoon	Dickson	Matthews	Sandals
Bartolucci	Dombrowsky	McGuinty	Sergio
Bentley	Duguid	McMeekin	Smitherman
Berardinetti	Duncan	McNeely	Sorbara
Best	Flynn	Meilleur	Sousa
Bradley	Fonseca	Milloy	Takhar
Brotten	Gerretsen	Mitchell	Van Bommel
Brown	Gravelle	Oraziotti	Watson
Cansfield	Hoskins	Pendergast	Wynne
Caplan	Hoy	Phillips	Zimmer
Colle	Jaczek		

NAYS / CONTRE - 23

Arnott	Hillier	Miller (Hamilton East–Stoney Creek)	Prue
Bailey	Klees	Miller (Parry Sound–Muskoka)	Runciman
Bisson	Kormos	Munro	Savoline
Elliott	MacLeod	Murdoch	Shurman
Hampton	Marchese	O’Toole	Yakabuski
Hardeman	Martiniuk	Ouellette	

And it was,

Ordered, That, pursuant to Standing Order 47 and notwithstanding any other Standing Order or Special Order of the House relating to Bill 201, An Act to provide for review of expenses in the public sector, when Bill 201 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 Finance and Economic Affairs; and

That the Standing Committee on Finance and Economic Affairs be authorized to meet on Thursday, October 1, 2009 during its regular meeting times 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 5:00 p.m. on Wednesday, September 30, 2009. On Thursday, October 1, 2009, at no later than 5:00 p.m., 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 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 129(a); and

That the Committee shall report the bill to the House no later than Monday, October 5, 2009. 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 Finance and Economic Affairs, 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 that same day; and

That, when the Order for Third Reading of the bill is called, one hour shall be allotted to the Third Reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill 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 the Second or Third Reading votes shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 5 minutes.

Pursuant to Standing Order 9(a), the Speaker recessed the House at 11:47 a.m. until 3:00 p.m.

Conformément à l'article 9 a) du Règlement, le Président ordonne une pause à l'Assemblée à 11 h 47 jusqu'à 15 h.

3:00 P.M.

15 H

INTRODUCTION OF VISITORS

PRÉSENTATION DES VISITEURS

Pursuant to Standing Order 36, visitors were introduced.

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

MEMBERS' STATEMENTS

DÉCLARATIONS DES DÉPUTÉS

Pursuant to Standing Order 31, Members made statements.

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

Following remarks by Mr. Lalonde, the House observed a moment of silence in remembrance of Private Patrick Lormand of the 2nd Battalion, Royal 22^e Régiment Battle Group.

The Speaker addressed the House as follows:-

I beg to inform the House that I have today laid upon the Table a Report of the Ombudsman of Ontario respecting the Ministry of Health and Long-Term Care's decision-making concerning the funding of Avastin for colorectal cancer patients (Sessional Paper No. 511).

MOTIONS

MOTIONS

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

On motion by Mr. Duguid,

Sur la motion de M. Duguid,

Ordered, That the member from St. Paul's (Mr. Hoskins) replaces the member from Kitchener-Conestoga (Ms. Pendergast) on the Standing Committee on Finance and Economic Affairs.

PETITIONS

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

Petition relating to the funding of Lakeridge Health Bowmanville Hospital (Sessional Paper No. P-210) Mr. O'Toole.

Petition relating to a blended or harmonized sales tax (Sessional Paper No. P-224) Mr. Hardeman and Mr. Yakabuski.

Petition relating to harmonizing the PST and GST and the Taxpayer Protection Act (Sessional Paper No. P-251) Mr. Sterling.

Petition relating to making positron emission tomography (PET) scanning available through the Sudbury Regional Hospital (Sessional Paper No. P-272) M^{me} Gélinas.

Petition relating to not reducing or eliminating financial incentives that rural communities and small towns need to attract and retain doctors (Sessional Paper No. P-274) Mr. O'Toole.

Petition relating to enacting Ontario's comprehensive tax reform measures (Sessional Paper No. P-282) Mr. Leal.

Petition relating to maintaining the Donald Family as a license bureau in Whitby and the Region of Durham (Sessional Paper No. P-283) Mr. Dickson.

Petition relating to cancelling the HST in relation to condo fees (Sessional Paper No. P-289) Mr. Martiniuk.

ORDERS OF THE DAY

Opposition Day

Mr. Hudak moved,

That, in respect of the Auditor General's forthcoming report on eHealth Ontario, the Legislative Assembly of Ontario authorize the Standing Committee on Public Accounts as follows:

That the Standing Committee on Public Accounts shall meet for the purposes of reviewing the Auditor General's report;

That the Subcommittee of the Committee shall have the authority to call before the Committee any witnesses it deems necessary to conduct a review of the report, including, but not limited to, Premier McGuinty, Minister Smitherman, Minister Caplan, current and former members of the eHealth Ontario Board of Directors and current and former employees of eHealth Ontario;

That the Subcommittee can, through Speaker's warrant, compel the attendance of any person to attend and give evidence;

That the Subcommittee can, through Speaker's warrant, require any person to produce into evidence such documents and things as the Subcommittee may specify;

That the members of the Committee shall be permitted to obtain production and review of any document or thing and disclosure of any viva voce evidence it deems necessary;

That any witness compelled to appear before the Committee may attend with counsel and shall be required to give testimony under oath pursuant to section 59 of the Legislative Assembly Act;

ORDRE DU JOUR

Jour de l'opposition

M. Hudak propose,

That, in respect of the Auditor General's forthcoming report on eHealth Ontario, the Legislative Assembly of Ontario authorize the Standing Committee on Public Accounts as follows:

That the Standing Committee on Public Accounts shall meet for the purposes of reviewing the Auditor General's report;

That the Subcommittee of the Committee shall have the authority to call before the Committee any witnesses it deems necessary to conduct a review of the report, including, but not limited to, Premier McGuinty, Minister Smitherman, Minister Caplan, current and former members of the eHealth Ontario Board of Directors and current and former employees of eHealth Ontario;

That the Subcommittee can, through Speaker's warrant, compel the attendance of any person to attend and give evidence;

That the Subcommittee can, through Speaker's warrant, require any person to produce into evidence such documents and things as the Subcommittee may specify;

That the members of the Committee shall be permitted to obtain production and review of any document or thing and disclosure of any viva voce evidence it deems necessary;

That any witness compelled to appear before the Committee may attend with counsel and shall be required to give testimony under oath pursuant to section 59 of the Legislative Assembly Act;

That the Standing Committee on Public Accounts has priority over all other Committees with respect to its sitting time;

That the Committee shall complete its review and file its report on this matter no later than 60 days after the release of the Auditor General's report;

That the Committee be authorized to meet at the call of the Chair and notwithstanding prorogation; and

That the Committee may, if requested, permit any portion of its proceedings to occur in camera.

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

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

AYES / POUR - 20

Arnott	Gélinas	Martiniuk	Runciman
Bailey	Hardeman	Miller (Parry Sound-Muskoka)	Savoline
Bisson	Hillier	Munro	Sterling
Dunlop	Hudak	O'Toole	Witmer
Elliott	Klees	Ouellette	Yakabuski

NAYS / CONTRE - 44

Albanese	Flynn	Levac	Phillips
Balkissoon	Fonseca	Mangat	Qaadri
Berardinetti	Gerretsen	Matthews	Ramal
Brown	Hoskins	McMeekin	Ramsay
Cansfield	Hoy	McNeely	Rinaldi
Caplan	Jaczek	Meilleur	Ruprecht
Colle	Jeffrey	Milloy	Sandals
Delaney	Johnson	Mitchell	Sousa
Dickson	Kular	Moridi	Van Bommel
Dombrowsky	Lalonde	Oraziotti	Wynne
Duguid	Leal	Pendergast	Zimmer

With unanimous consent, it was agreed:-

That, notwithstanding the Order of the House earlier today regarding allocation of time on Bill 201, An Act to provide for review of expenses in the public sector, the Progressive Conservative caucus can file amendments with the Clerk of the Committee up until the call to order by the Chair of the Standing Committee on Finance and Economic Affairs on the morning of October 1, 2009.

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

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

le président

STEVE PETERS

Speaker

RESPONSES TO PETITIONS**RÉPONSES AUX PÉTITIONS**

Petition relating to enhancing long-term care (Sessional Paper No. P-161):

(Tabled May 27, 2009) Mr. Arnott.

(Tabled May 11, 28, 2009) Ms. Jones.

(Tabled April 29, 2009) Mrs. Witmer.

Petition relating to Safety-Net payment program (Sessional Paper No. P-199):

(Tabled April 27, 30, 2009) Mr. Hardeman.

Petition relating to introducing a population-needs-based funding formula for hospitals and approve the new expansion of Cambridge Memorial Hospital (Sessional Paper No. P-216):

(Tabled March 25; April 8, 22, 29; May 6, 2009) Mr. Martiniuk.

Petition relating to bringing the Phoenix Coyotes to Southern Ontario (Sessional Paper No. P-241):

(Tabled May 25, 2009) Mr. Colle.

Petition relating to the OPP reviewing the current criteria for issuing amber alerts (Sessional Paper No. P-255):

(Tabled May 27, 2009) Mr. Marchese.

Petition relating to Personal Support Workers (Sessional Paper No. P-265):

(Tabled June 3, 2009) Mr. Miller (Hamilton East–Stoney Creek).
