

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

Votes and Proceedings

No. 229

Procès-verbaux

N° 229

1st Session
42nd Parliament

Tuesday
March 2, 2021

1^{re} session
42^e législature

Mardi
2 mars 2021

9:00 A.M.
PRAYERS

9 H
PRIÈRES

ORDERS OF THE DAY

Second Reading of Bill 251, An Act to enact, amend and repeal various Acts in respect of human trafficking matters.

Debate arose and after some time the debate adjourned at 10:13 a.m.

ORDRE DU JOUR

Deuxième lecture du projet de loi 251, Loi édictant, modifiant et abrogeant diverses lois en ce qui concerne les questions de traite des personnes.

Il s'élève un débat et après quelque temps, à 10 h 13, le débat était ajourné.

10:15 A.M.

10 H 15

The Speaker delivered the following ruling:-

Le Président a rendu la décision suivante :-

Yesterday, the House Leader of the Official Opposition (Ms. Sattler), rose on a question of privilege concerning the recent election of a Member from the government party to the position of Vice-Chair of the Standing Committee on Estimates.

Standing Order 120(b) requires the Chair of the Standing Committee on Estimates to be a Member of a recognized opposition party. The House Leader of the Official Opposition correctly pointed to a long-standing practice that Committee Chairs and Vice-Chairs have generally shared a party affiliation. She argued that a deviation from this practice amounts to a breach of parliamentary privilege.

The Government House Leader (Mr. Calandra) also spoke to this matter.

Before I address the substance of the argument of the House Leader of the Official Opposition, I'd like to take a moment to briefly discuss parliamentary privilege. *Erskine May*, the pre-eminent authority on Westminster parliamentary procedure, defines parliamentary privilege in the following terms (at page 239 of its 25th edition):

“Parliamentary privilege is the sum of certain rights enjoyed by each House collectively...and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals.”

There are a number of specific parliamentary privileges, each one falling into one of these two categories: the individual privileges of Members, and the collective privileges of the House. Examples of individual Members' privileges include freedom of speech, exemption from jury duty, and exemption from being subpoenaed to attend court as a witness. Examples of the collective privileges of the House include the right of the House to the attendance of its Members, the right to institute inquiries, the power to discipline, and the right to regulate its internal affairs.

While the House Leader of the Official Opposition's written notice addressed the issue as a matter of privilege, her presentation in the House made a case purely about the procedural orderliness of what occurred in the Standing Committee on Estimates when it elected its Vice-Chair. The House Leader of the Official Opposition did not establish how the matter impacts upon any of the privileges of the House, collectively; her individual privileges as a Member of this Assembly; or the ability of the Standing Committee on Estimates to fully discharge its role. No nexus to parliamentary privilege was shown or demonstrated.

I therefore find that the House Leader of the Official Opposition has not established a *prima facie* case of privilege.

The matter raised by the House Leader of the Official Opposition is a point of order, but because the orderliness of the procedure in question occurred in a Committee, it is beyond my consideration. Speakers have long held that matters arising in Committee must be dealt with in the Committee, and may only find their way to the House through a formal Committee report made pursuant to Standing Order 124(b).

In closing, I will note that our formal rules of procedure, the Standing Orders, are but one element of a mixture of sources that inform and determine how parliamentary business is conducted. Precedent, tradition, custom, and long-standing practices are also part of our procedure. Insofar as they work well and have done so for a long time, careful consideration should be given when changes and deviations are being contemplated. It is one of the collective privileges of the House that it has the right to settle its own code of procedure. As a collective activity, it works best when all Members have the opportunity to discuss and understand the motivations and possible impacts of changes to procedure and practice, even if everyone might not agree.

I thank the House Leader of the Official Opposition and the Government House Leader for their submissions.

QUESTION PERIOD

PÉRIODE DE QUESTIONS

The Speaker informed the House of the following changes in the Order of Precedence for Private Members' Public Business:-

Le Président a informé l'Assemblée des changements suivants dans l'ordre de priorité des affaires d'intérêt public émanant des députées et députés :-

Ms. Berns-McGown assumes Ballot Item number 60;
Mr. Glover assumes Ballot Item number 75.

DEFERRED VOTES

VOTES DIFFÉRÉS

Second Reading of Bill 245, An Act to amend and repeal various statutes, to revoke various regulations and to enact the Ontario Land Tribunal Act, 2021.

Deuxième lecture du projet de loi 245, Loi modifiant et abrogeant diverses lois, abrogeant divers règlements et édictant la Loi de 2021 sur le Tribunal ontarien de l'aménagement du territoire.

Carried on the following division:-

Adoptée par le vote suivant :-

AYES / POUR - 42

Anand
Bailey
Blais
Bouma
Calandra
Cho (Willowdale)
Coe
Collard
Coteau
Downey
Dunlop

Elliott
Fraser
Fullerton
Ghamari
Gill
Harris
Hunter
Jones
Khanjin
Lecce
McDonell

McKenna
McNaughton
Miller (Parry Sound-Muskoka)
Mulroney
Nicholls
Park
Pettapiece
Phillips
Piccini
Roberts

Scott
Simard
Skelly
Smith (Bay of Quinte)
Smith (Peterborough-Kawartha)
Thanigasalam
Thompson
Wai
Walker
Yurek

NAYS / CONTRE - 15

Bisson	Horwath	Monteith-Farrell	Singh (Brampton East)
Fife	Karpoche	Sattler	Stiles
Gélinas	Lindo	Schreiner	Vanthof
Harden	Mantha	Singh (Brampton Centre)	

Referred to the Standing Committee on the Legislative Assembly.

Renvoyé au Comité permanent de l'Assemblée législative.

The House recessed at 12:11 p.m.

À 12 h 11, l'Assemblée a suspendu la séance.

3:00 P.M.

15 H

REPORTS BY COMMITTEES

RAPPORTS DE COMITÉS

The Speaker informed the House,

Le Président a informé l'Assemblée,

That the Clerk received the Report on Intended Appointments dated March 2, 2021 of the Standing Committee on Government Agencies. Pursuant to Standing Order 111(f)(9), the Report is deemed to be adopted by the House (Sessional Paper No. 697).

Que le greffier a reçu le rapport sur les nominations prévues daté le 2 mars 2021 du Comité permanent des organismes gouvernementaux. Conformément à l'article 111 f) 9) du Règlement, le rapport est réputé adopté par l'Assemblée (Document parlementaire n° 697).

PETITIONS

PÉTITIONS

Film Classification Act and on-screen smoking (Sessional Paper No. P-10) M^{me} Gélinas.

Les accents de la langue française sur les documents et cartes émis par le gouvernement de l'Ontario (Document parlementaire n° P-174) M^{me} Gélinas.

Health care providers and the temporary pandemic pay program (Sessional Paper No. P-230) M^{me} Gélinas.

Evictions and support of tenants during the COVID-19 pandemic (Sessional Paper No. P-242) Ms. Berns-McGown.

Neurological movement disorder clinic (Sessional Paper No. P-243) M^{me} Gélinas.

Optometry (Sessional Paper No. P-249) Ms. Fife.

Life insurance policies and seniors (Sessional Paper No. P-305) Ms. Skelly.

Changes to the *Workplace Safety and Insurance Act, 1997* (Sessional Paper No. P-309) Mr. Smith (Peterborough—Kawartha).

Human trafficking (Sessional Paper No. P-312) Mr. Smith (Peterborough—Kawartha).

Highway 413 (Sessional Paper No. P-313) Mr. Schreiner.

ORDERS OF THE DAY

ORDRE DU JOUR

Second Reading of Bill 251, An Act to enact, amend and repeal various Acts in respect of human trafficking matters.

Deuxième lecture du projet de loi 251, Loi édictant, modifiant et abrogeant diverses lois en ce qui concerne les questions de traite des personnes.

Debate resumed and after some time,

Le débat a repris et après quelque temps,

The Acting Speaker (Mr. Hatfield) informed the House of the following changes in the Order of Precedence for Private Members' Public Business:-

Le président suppléant (M. Hatfield) a informé l'Assemblée des changements suivants dans l'ordre de priorité des affaires d'intérêt public émanant des députées et députés :-

Mr. Glover assumes Ballot Item number 64;
Ms. Fife assumes Ballot Item number 75.

Debate resumed and after some time,

Le débat a repris et après quelque temps,

With unanimous consent,

Avec le consentement unanime,

That notwithstanding Standing Order 9(a), the House agreed to commence Private Members' Public Business before 6:00 p.m. today.

Que nonobstant l'article 9 a) du Règlement, l'Assemblée a accepté de commencer les affaires d'intérêt public émanant des députées et députés avant 18 h aujourd'hui.

**PRIVATE MEMBERS' PUBLIC
BUSINESS**

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

Ms. Khanjin moved,

M^{me} Khanjin propose,

Second Reading of Bill 255, An Act to proclaim Sickle Cell Disease Awareness Day and Thalassaemia Awareness Day.

Deuxième lecture du projet de loi 255, Loi proclamant la Journée de sensibilisation à la drépanocytose et la Journée de sensibilisation aux thalassémies.

Debate arose and after some time,

Il s'élève un débat et après quelque temps,

The question was then put.

La question a ensuite été mise aux voix.

Carried.

Adoptée.

Referred to the Standing Committee on Regulations and Private Bills.

Renvoyé au Comité permanent des règlements et des projets de loi d'intérêt privé.

The House adjourned at 5:47 p.m.

À 17 h 47, l'Assemblée a ajourné ses travaux.

le président

TED ARNOTT

Speaker

**PETITIONS TABLED PURSUANT TO
STANDING ORDER 42(a)**

**PÉTITIONS DÉPOSÉES
CONFORMÉMENT À L'ARTICLE
42 a) DU RÈGLEMENT**

The Long-Term Care Homes Act (Sessional Paper No. P-13) (Tabled March 2, 2021) Mr. Nicholls.
Optometry (Sessional Paper No. P-249) (Tabled March 2, 2021) Mr. Nicholls and Mr. Pettapiece.