

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

43RD PARLIAMENT, 1ST SESSION    43E LÉGISLATURE, 1RE SESSION

VOTES AND PROCEEDINGS

PROCÈS-VERBAUX

No. 100

N° 100

Monday  
October 23, 2023

Lundi  
23 octobre 2023

Hon. Ted Arnott  
Speaker

L'hon. Ted Arnott  
le président

**9:00 A.M.**

Prayers

**ORDERS OF THE DAY**

Amendment to the amendment to the motion regarding the censure of the Member for Hamilton Centre.

Debate resumed and after some time,

John Jordan moved, under Standing Order 51 “That this question be now put”.

Vote deferred.

Second Reading of **Bill 135**, An Act to amend the Connecting Care Act, 2019 with respect to home and community care services and health governance and to make related amendments to other Acts.

Debate resumed and after some time, the debate adjourned at 10:15 a.m.

**10:15 A.M.****DEFERRED VOTES**

Motion for closure on the amendment to the amendment to the motion regarding the censure of the Member for Hamilton Centre.

Carried on the following division:

*Ayes/pour (63)*

---

Anand	Barnes	Bethlenfalvy	Bouma
Byers	Calandra	Cho (Scarborough North)	Cho (Willowdale)
Coe	Crawford	Cuzzetto	Dowie
Downey	Dunlop	Fedeli	Flack
Ford (Etobicoke North)	Gallagher Murphy	Ghamari	Gill
Hardeman	Harris	Hogarth	Holland
Jones (Chatham-Kent— Leamington)	Jones (Dufferin— Caledon)	Jordan	Kanapathi
Ke	Kerzner	Khanjin	Leardi
Lecce	Lumsden	Martin	McCarthy
McGregor	Mulroney	Pang	Parsa
Piccini	Pierre	Quinn	Rae

**9 H**

Prières

**ORDRES DU JOUR**

Sous-amendement à la motion concernant la censure de la députée de Hamilton-Centre.

Le débat a repris et après quelque temps,

John Jordan a proposé, conformément à l'article 51 du Règlement « Que cette question soit maintenant mise aux voix ».

Le vote est différé.

Deuxième lecture du **projet de loi 135**, Loi modifiant la Loi de 2019 pour des soins interconnectés en ce qui concerne les services de soins à domicile et en milieu communautaire et la gouvernance de la santé et apportant des modifications connexes à d'autres lois.

Le débat a repris et après quelque temps, à 10 h 15, le débat était ajourné.

**10 H 15****VOTES DIFFÉRÉS**

Motion de clôture sur le sous-amendement à la motion concernant la censure de la députée de Hamilton-Centre.

Adoptée par le vote suivant :

Rickford	Riddell	Sabawy	Sandhu
Sarkaria	Sarrazin	Saunderson	Scott
Skelly	Smith (Parry Sound— Muskoka)	Smith (Peterborough— Kawartha)	Smith (Scarborough Centre)
Smith (Thornhill)	Surma	Thompson	Tibollo
Wai	Williams	Yakabuski	

*Nays/contre (22)*

---

Andrew	Begum	Bell	Bourgouin
Burch	French	Gélinas	Harden
Jama	Karpoche	Kernaghan	Mamakwa
Pasma	Sattler	Schreiner	Stevens
Stiles	Taylor	Vanthof	Vaugeois
West	Wong-Tam		

The question was then put on the motion, as follows:

La question sur la motion a ensuite été mise aux voix, comme suite :

Hon. Paul Calandra moved,

L'hon. Paul Calandra a proposé,

That this House expresses its disapproval of, and dissociates itself from, continued disreputable conduct by the Member for Hamilton Centre, most specifically her use of social media to make antisemitic and discriminatory statements related to the existence of the State of Israel and its defence against Hamas terrorists; and

That this House demands the Member desist from further conduct that is inappropriate and unbecoming of a Member of the Legislative Assembly of Ontario; and

That the Speaker is authorized to not recognize the Member for Hamilton Centre in the House until the Member retracts and deletes her statements on social media and makes an apology in her place in the House.

Carried on the following division:

Adoptée par le vote suivant :

*Ayes/pour (63)*

---

Anand	Barnes	Bethlenfalvy	Bouma
Byers	Calandra	Cho (Scarborough North)	Cho (Willowdale)
Coe	Crawford	Cuzzetto	Dowie
Downey	Dunlop	Fedeli	Flack
Ford (Etobicoke North)	Gallagher Murphy	Ghamari	Gill
Hardeman	Harris	Hogarth	Holland
Jones (Chatham-Kent— Leamington)	Jones (Dufferin— Caledon)	Jordan	Kanapathi
Ke	Kerzner	Khanjin	Learidi
Lecce	Lumsden	Martin	McCarthy
McGregor	Mulroney	Pang	Parsa
Piccini	Pierre	Quinn	Rae

Rickford	Riddell	Sabawy	Sandhu
Sarkaria	Sarrazin	Saunderson	Scott
Skelly	Smith (Parry Sound— Muskoka)	Smith (Peterborough— Kawartha)	Smith (Scarborough Centre)
Smith (Thornhill)	Surma	Thompson	Tibollo
Wai	Williams	Yakabuski	

*Nays/contre (23)*

---

Andrew	Begum	Bell	Bourgouin
Burch	French	Gates	Gélinas
Harden	Jama	Karpoche	Kernaghan
Mamakwa	Pasma	Sattler	Schreiner
Stevens	Stiles	Taylor	Vanthof
Vaugeois	West	Wong-Tam	

Ordered, That this House expresses its disapproval of, and dissociates itself from, continued disreputable conduct by the Member for Hamilton Centre, most specifically her use of social media to make antisemitic and discriminatory statements related to the existence of the State of Israel and its defence against Hamas terrorists; and

That this House demands the Member desist from further conduct that is inappropriate and unbecoming of a Member of the Legislative Assembly of Ontario; and

That the Speaker is authorized to not recognize the Member for Hamilton Centre in the House until the Member retracts and deletes her statements on social media and makes an apology in her place in the House.

---

The House recessed at 11:56 a.m.

À 11 h 56, l'Assemblée a suspendu la séance.

---

**1:00 P.M.**

**13 H**

The Speaker delivered the following ruling:

Le Président a rendu la décision suivante :

Earlier today, the Deputy Government House Leader (Trevor Jones) rose on a point of order regarding the motion on notice for Opposition Day No. 3, standing in the name of the Leader of the Official Opposition (Marit Stiles), which is scheduled for debate this afternoon. The Official Opposition House Leader (John Vanthof) also spoke to the point of order. After taking some time to understand the Members' comments and the procedural authorities, I am prepared to rule on this matter.

The crux of the argument made by the Deputy Government House Leader is that the motion is out of order on the grounds that it violates the *sub judice* convention, as well as the Standing Order 25(g), which provides that a Member shall be called to order by the Speaker if he or she:

- (g) Refers to any matter that is the subject of a proceeding,
  - (i) that is pending in a court or before a judge for judicial determination; or
  - (ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an Act of the Legislature,

*where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding.*

In brief, this is a restriction on the part of our House to refrain from discussing matters that are before a judicial or quasi-judicial body. In other words, it is a self-imposed restriction that the Legislative Assembly places upon itself so as to avoid prejudice to a judicial case. At its core is the principle that the separation between legislative and judicial bodies is to be respected. It applies to statements, debate and Question Period, and as the Member correctly points out, it has also been applied to the text of motions.

The text of the Opposition Day motion includes a preamble that raises a number of questions about various Government actions, and outstanding inquiries into those actions that the Member suggests are being conducted. The motion includes a statement that the Premier “has admitted that he regularly uses his personal phone to conduct Government business and those communications might be relevant to these inquiries” and the motion culminates in a proposed call on the Premier to “cease his access to information appeal and disclose the contents of his personal phone and email accounts to the Information and Privacy Commissioner.”

The Deputy Government House Leader argues that this is a reference to a request for information made to the Government, which was denied and is currently being appealed in accordance with Ontario’s access to information regime. Such appeals are made through the Information and Privacy Commissioner. The Deputy Government House Leader identifies the Information and Privacy Commissioner as a quasi-judicial body, an assertion with which I agree, and correctly observes that Standing Order 25(g) is applicable to matters that are the subject of proceedings before any quasi-judicial body.

I have taken the time to review our relevant body of precedents and to assess the text of the motion in question. The question I must consider is whether a debate and a subsequent House decision on the motion would create a real and substantial danger to a proceeding.

In his submission, the Deputy Government House Leader noted that the request for information and subsequent appeal were made by Global News, while the motion standing in the name of the Leader of the Official Opposition, “calls on the Premier to cease his access to information appeal”. It is unclear to me at present whether the motion is referring to the appeal described by the Deputy Government House Leader, but it is not the role of the Speaker to make this determination.

In any case, I am not satisfied that the House simply calling on the Premier to withdraw an appeal would create a real and substantial danger of prejudice to the quasi-judicial proceeding.

In a statement made on May 8, 2008, Speaker Peters quoted a 1976 report by a special committee of the Canadian House of Commons, which was set up to review the “rights and immunities of members.” The Committee considered the *sub judice* convention and recommended that:

“when there is doubt in the mind of the Chair, a presumption should exist in favour of allowing debate and against application of the convention.”

Consequently, I find that the motion is in order and that debate can proceed.

I thank the Members for their submissions.

## **INTRODUCTION OF GOVERNMENT BILLS**

The following Bill was introduced and read the first time:

## **DÉPÔT DE PROJETS DE LOI ÉMANANT DU GOUVERNEMENT**

Le projet de loi suivant est présenté et lu une première fois :

**Bill 142**, An Act to enact the Consumer Protection Act, 2023, to amend the Consumer Reporting Act and to amend or repeal various other Acts. Hon. Todd J. McCarthy (Minister of Public and Business Service Delivery).

**Projet de loi 142**, Loi visant à édicter la Loi de 2023 sur la protection du consommateur, à modifier la Loi sur les renseignements concernant le consommateur et à modifier ou abroger diverses autres lois. L'hon. Todd J. McCarthy (Ministre des Services au public et aux entreprises).

## MOTIONS

On motion by Trevor Jones,

Ordered, That the Standing Committee on Finance and Economic Affairs be authorized to meet during the winter 2023-2024 adjournment of the House at the call of the Chair.

## MOTIONS

Sur la motion de Trevor Jones,

## PETITIONS

No./N°	Petition title/Titre de la pétition	Presented by/Présentée par
<b>P-31</b>	Replacement workers	Wayne Gates
<b>P-31</b>	Replacement workers	Jamie West
<b>P-36</b>	Ehlers Danlos Syndrome (EDS)	Jill Andrew
<b>P-42</b>	Northern Health Travel Grant	Lise Vaugeois
<b>P-51</b>	Residents Bill of Rights	Catherine Fife
<b>P-55</b>	Gender-affirming health care	Chandra Pasma
<b>P-129</b>	Firearms confiscation	Bobbi Ann Brady
<b>P-136</b>	Université de Sudbury	Guy Bourgouin
<b>P-155</b>	Chemical spill in Mimico Creek and Humber Creek	Bhutila Karpoche

## PÉTITIONS

## ORDERS OF THE DAY

Opposition Day

Marit Stiles moved,

Whereas the Government is under criminal investigation by the RCMP for their removal of lands from the Greenbelt; and

Whereas the Auditor General is in the process of reviewing whether there has been mismanagement and abuse of Ministerial Zoning Orders; and

Whereas there are outstanding questions about an inappropriate relationship between a former Government Minister and a land speculator, and incorrect information provided to the Integrity Commissioner about this relationship; and

Whereas there are outstanding questions about whether there was preferential treatment given to a foreign company to build a private spa on public land at Ontario Place; and

Whereas there are outstanding questions about preferential treatment given to Government donors and personal friends of the Premier with respect to the building of Highway 413; and

## ORDRES DU JOUR

Jour de l'opposition

Marit Stiles a proposé,

Whereas there are outstanding questions about unqualified patronage appointments to public agencies, boards, and commissions; and

Whereas the Premier has admitted that he regularly uses his personal phone to conduct Government business and those communications might be relevant to these inquiries;

Therefore the Legislative Assembly calls on the Premier to cease his access to information appeal and disclose the contents of his personal phone and email accounts to the Information and Privacy Commissioner.

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.

Lost on the following division:

Rejetée par le vote suivant :

*Ayes/pour (30)*

---

Andrew	Armstrong	Begum	Blais
Bourgouin	Bowman	Burch	Fife
Fraser	French	Gates	Gélinas
Harden	Hazell	Hsu	Kernaghan
Mamakwa	Mantha	McCrimmon	Pasma
Rakocevic	Sattler	Shamji	Stevens
Stiles	Taylor	Vanthof	Vaugeois
West	Wong-Tam		

*Nays/contre (55)*

---

Anand	Barnes	Bouma	Byers
Calandra	Cho (Scarborough North)	Cho (Willowdale)	Coe
Crawford	Cuzzetto	Dowie	Downey
Dunlop	Flack	Gallagher Murphy	Ghamari
Gill	Hardeman	Harris	Hogarth
Holland	Jones (Chatham-Kent— Leamington)	Jones (Dufferin— Caledon)	Jordan
Kanapathi	Kerzner	Kusendova-Bashta	Learidi
Lecce	Martin	McCarthy	McGregor
Mulroney	Oosterhoff	Pang	Pierre
Pirie	Rae	Rickford	Riddell
Sabawy	Sandhu	Sarkaria	Sarrazin
Saunderson	Scott	Skelly	Smith (Parry Sound— Muskoka)
Smith (Peterborough— Kawartha)	Smith (Thornhill)	Surma	Thompson
Wai	Williams	Yakabuski	

Second Reading of **Bill 135**, An Act to amend the Connecting Care Act, 2019 with respect to home and community care services and health governance and to make related amendments to other Acts.

Debate resumed, during which the Acting Speaker (Bhutila Karpoche) interrupted the proceedings and announced that there had been six and one-half hours of debate and that the debate would be deemed adjourned.

The Deputy Government House Leader (Trevor Jones) directed that the debate should continue.

Debate resumed and after some time, the House adjourned at 5:59 p.m.

### SESSIONAL PAPERS PRESENTED PURSUANT TO STANDING ORDER 43

No., Suffix/N°, Suffixe	Title/Titre	Date tabled/Date de dépôt
365	Soldiers' Aid Commission, 2022-2023 Annual Report/Commission d'aide aux anciens combattants, Rapport annuel 2022-2023	October 20, 2023
366	Cabinet Office, Certificate pursuant to Standing Order 110(f)(1) re Intended Appointments: October 20, 2023	October 20, 2023
367	Compendia: Hon. Todd J. McCarthy, <b>Bill 142</b> , An Act to enact the Consumer Protection Act, 2023, to amend the Consumer Reporting Act and to amend or repeal various other Acts/L'hon. Todd J. McCarthy, <b>Projet de loi 142</b> , Loi visant à édicter la Loi de 2023 sur la protection du consommateur, à modifier la Loi sur les renseignements concernant le consommateur et à modifier ou abroger diverses autres lois	October 23, 2023

### RESPONSES TO PETITIONS

Deuxième lecture du **projet de loi 135**, Loi modifiant la Loi de 2019 pour des soins interconnectés en ce qui concerne les services de soins à domicile et en milieu communautaire et la gouvernance de la santé et apportant des modifications connexes à d'autres lois.

Le débat a repris. La présidente suppléante (Bhutila Karpoche) a interrompu les travaux et a annoncé qu'il y avait eu six heures et demie de débat et que le débat serait réputé ajourné.

Le leader parlementaire adjoint du gouvernement (Trevor Jones) a indiqué que le débat devrait se poursuivre.

Le débat a repris et après quelque temps, à 17 h 59, l'Assemblée a ajourné ses travaux.

### DOCUMENTS PARLEMENTAIRES DÉPOSÉES CONFORMÉMENT À L'ARTICLE 43 DU RÈGLEMENT

No./N°	Petition title/Titre de la pétition	Presented by/Présentée par	Date tabled/Date de dépôt
P-44	Affordable housing	Doly Begum	May 15, 2023
P-53	Greenbelt expansion	Terence Kernaghan Mike Schreiner	May 16, 2023 May 17, 2023
P-116	Investments in seniors' services	Brian Saunderson	May 15, 2023



<b>P-117</b>	Bird-friendly building design	Peggy Sattler	May 15, 2023
<b>P-118</b>	Licensing of internationally trained healthcare workers	Doly Begum	May 15, 2023
<b>P-119</b>	Minister's Zoning Order in Haldimand County	Bobbi Ann Brady	May 16, 2023