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**Official Report
of Debates
(Hansard)**

Tuesday 19 June 2012

**Journal
des débats
(Hansard)**

Mardi 19 juin 2012

**Standing Committee on
Finance and Economic Affairs**

Strong Action for Ontario Act
(Budget Measures), 2012

**Comité permanent des finances
et des affaires économiques**

Loi de 2012 sur une action
énergique pour l'Ontario
(mesures budgétaires)

Chair: Bob Delaney
Clerk: Valerie Quioc Lim

Président : Bob Delaney
Greffière : Valerie Quioc Lim

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES**

Tuesday 19 June 2012

Mardi 19 juin 2012

The committee met at 0901 in room 151.

**STRONG ACTION FOR ONTARIO ACT
(BUDGET MEASURES), 2012
LOI DE 2012 SUR UNE ACTION
ÉNERGIQUE POUR L'ONTARIO
(MESURES BUDGÉTAIRES)**

Consideration of the following bill:

Bill 55, An Act to implement Budget measures and to enact and amend various Acts / Projet de loi 55, Loi visant à mettre en oeuvre les mesures budgétaires et à édicter et à modifier diverses lois.

The Chair (Mr. Bob Delaney): Good morning, everybody. It's with a heavy heart that I tell you this is the last day that we're all going to get together here. After 82 witness deputations and this being the fourth day of our clause-by-clause, I'm sorry to inform you that in fact this is not Groundhog Day and that it will end.

Before we get under way, there are just a few comments I'd like to make. Throughout this process, which has involved very tight deadlines, I would like very much to commend the clerks' staff, and my clerk, Val—

Applause.

The Chair (Mr. Bob Delaney): —in particular, as well as the legislative legal counsel. My clerk has ensured—

Mr. Yasir Naqvi: The lawyers in the background are clapping.

Interjection: The sound of one hand clapping.

The Chair (Mr. Bob Delaney): Well, from time to time you have to say God bless the lawyers, eh?

I have to say that not once have I mistakenly said “section” where I should say “schedule” and “schedule” where I should say “section” because there's always been a little voice beside me, and thank you very much, Val.

I also want to say that, particularly yesterday, if you had visited the committee and had come from someplace else—if you were from away—you might actually look around and figure that here were some hard-working elected members who had the best interests of the province at heart. In that sense, I have to tell you it was a pleasure to chair and I'm looking forward to more of it today.

With that in mind, we will pick up where we left off.

Mr. Peter Shurman: Point of order.

The Chair (Mr. Bob Delaney): Mr. Shurman.

Mr. Peter Shurman: I just want to say, without making it sound too much like a mutual admiration society, that it takes a firm hand of the Chair to steer things through as readily and speedily as you have, and so I think I join with all of my fellow committee members in thanking you for doing that.

The Chair (Mr. Bob Delaney): Thank you.

Mr. Yasir Naqvi: Thank you, Chair.

The Chair (Mr. Bob Delaney): Thank you, my friend.

When we last left off, we were considering schedule 29—just before we begin, is there a unanimous consent motion that anybody would like to make?

Mr. Yasir Naqvi: Chair?

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: I seek unanimous consent that our staff can accompany us—right behind us so that they can assist us during the duration of the day.

Mr. Peter Shurman: And I would parallel that with additional support staff at the table, pending any need of the chairs for other deputants that we may call.

The Chair (Mr. Bob Delaney): The Chair notes that we did this yesterday as an exception. Do we have unanimous consent?

Interjections: Agreed.

The Chair (Mr. Bob Delaney): Okay. This is not intended to set a precedent, but it is intended to reflect the gravity of the affair that we're dealing with and the short time span that we've had to deal with it. Unanimous consent having been sought and granted, one staff member is welcome to join each party at the table on this meeting and this meeting only.

We are considering schedule 29 to the bill. We are looking at number 141 in your package: a PC amendment. Mr. McNaughton.

Mr. Monte McNaughton: I move that section 16 of schedule 29 to the bill be amended by adding the following subsection:

“Annual review of toll

“(1.1) Beginning on the March 1 before the period of time specified in a regulation made under subsection (1) ends, and on every March 1 after that, the minister shall commence a review of the toll to be payable for the operation of a vehicle on Highway 407 east in the 12-month period beginning on the next June 1, and the review shall include public consultation on the proposed toll by,

“(a) setting out the proposed toll on the ministry’s website on March 1; and

“(b) inviting public input on the proposed toll to be made until the next April 30.”

The Chair (Mr. Bob Delaney): Thank you. Discussion? Mr. McNaughton.

Mr. Monte McNaughton: Well, this amendment requires the minister to commence a review of the toll to be payable for the operation of the new section of Highway 407 east. This amendment requires the ministry to set out the toll on the ministry website. So again, it’s ensuring complete transparency when the province is in control of this section of the 407.

The Chair (Mr. Bob Delaney): Mr. Naqvi?

Mr. Yasir Naqvi: Chair, our recommendation is that the committee members vote against this particular motion. The regime of annual toll adjustment based on CPI in the proposed act contemplates an automatic and transparent mechanism, one that is consistent with the use of the CPI in other tolling jurisdictions.

The proposed amendment to section 16 to add a review and consultation feature runs counter to the default mechanism of allowing tolls to track changes to CPI, and would in any event not authorize the minister to override the automatic adjustment, nor obligate the results of the review and consultation to be implemented.

Further, Chair, the proposed act contemplates a mechanism for overriding the annual CPI adjustment, which is a regulation by the Lieutenant Governor in Council, and such a regulation would, under current rules, be posted for 45 days on the regulatory registry for public review and comment.

The Chair (Mr. Bob Delaney): Mr. Shurman?

Mr. Peter Shurman: I’d like to add to the comments of my colleague Mr. McNaughton with regard to this amendment. This is nothing more, nothing less, than an item bearing on the accountability and transparency of the government in a section of 407 where we’re dealing with tolls that accrue directly to the province and which are managed by the province. So what we seek is a mechanism for review, for the public to be able to scrutinize and for the public to be able to make comment and input, which is why we refer directly to the website.

Goodness knows, there’s been enough negative conversation about 407 as it exists to date, coming from the Liberal side—and that’s not a shot—over the years. Now that we have an opportunity to expand 407 and control tolls on that portion ourselves, we think it’s essential that the transparency aspect exist, and we think that we’re presenting at least the beginnings of a working mechanism for that.

The Chair (Mr. Bob Delaney): Further discussion? Shall the amendment carry? All those in favour? All those opposed? The amendment carries.

Shall schedule 29, section 16, as amended, carry? Carried.

We are at number 142 in your package. We’re considering schedule 29, section 17: NDP motion, Mr. Prue.

Mr. Michael Prue: I move that section 17 of schedule 29 to the bill be amended by adding the following clause: “(f.1) prescribing information for the purpose of clause 11(3.2)(c);”

The Chair (Mr. Bob Delaney): Discussion?

Mr. Michael Prue: Discussion: This is related to amendment number 140, which the committee has already approved. It’s just consequential to it; that is, related to the driver’s licence provisions.

The Chair (Mr. Bob Delaney): Further discussion?

Mr. Peter Shurman: Can I get another line from Mr. Prue on how it modifies 140 specifically? I mean, we supported 140, so I suspect we would support 142, provided we have a good understanding of what we’re discussing here.

Mr. Michael Prue: I can’t tell you much more than is written. It’s a linkage between the two—(f) is providing that the Arbitration Act, 1991, or any provision of that act does not apply to the appeals under section 8, so it’s just a linkage. That’s what I was told by our staff who worked on it, and that’s all.

The Chair (Mr. Bob Delaney): Mr. Naqvi?

Mr. Yasir Naqvi: Chair, I’ll just share what I have here. I do understand it’s a consequential amendment to 140, which passed, and essentially that it proposes a regulation-making power premised on the adoption of the notice contemplated in motion 140. So I think it gives the regulation-making power. We can call a friend, if that helps.

Mr. Peter Shurman: Call a friend? Why don’t we take a two-minute recess?

Mr. Yasir Naqvi: Sure, fine.

The Chair (Mr. Bob Delaney): A two-minute recess. *The committee recessed from 0910 to 0911.*

The Chair (Mr. Bob Delaney): Let’s come back to order.

We’re considering amendment number 142 in your package. Is there any further discussion? Shall the amendment carry? The amendment carries, in my opinion.

Shall schedule 29, section 17, as amended, carry? Carried.

There being no amendments proposed for schedule 29, sections 18 through 22, inclusive, shall sections 18 through 22, inclusive, be considered together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall schedule 29, sections 18 through 22, inclusive, carry? In my opinion, they carry.

Shall schedule 29, as amended, carry? In my opinion, it carries.

We are now considering schedule 30. Sections 1, 2 and 3 have no amendments proposed. Shall we consider them together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall schedule 30—

Mr. Yasir Naqvi: A recorded vote, Chair.

The Chair (Mr. Bob Delaney): A recorded vote requested.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

The Chair (Mr. Bob Delaney): I declare the sections carried.

Now we've got a little bit of work to do on schedule 30, section 4. In your package at number 143, we have an NDP motion: Ms. Forster.

Ms. Cindy Forster: I move that subsection 9(1.7) of the Hospital Labour Disputes Arbitration Act, as set out in subsection 4(1) of schedule 30 to the bill, be struck out and the following substituted:

“Same

“(1.7) The written reasons must demonstrate that the board of arbitration has considered the criteria set out in subsection (1.1), and may deal with other matters as the board considers appropriate.”

The Chair (Mr. Bob Delaney): Any discussion or explanation?

Ms. Cindy Forster: Schedule 30 establishes a new arbitration regime under the Hospital Labour Disputes Arbitration Act. This addresses the need for schedule 30 changes that force the union, employer and arbitrator to address each of the criteria, including the ability to pay, and build some flexibility in on this.

The unions and the arbitration community want more flexibility in addressing the criteria and therefore more flexibility to be able to cut a deal to resolve the issues.

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: Thanks, Chair. I think we've discussed this type of particular motion before. The government motion 144 already addresses this motion by eliminating the word “proper” from this subsection. By removing the word “clearly” as proposed here, it would mean that arbitrators would not have to demonstrate clear consideration of the criteria on which he or she received submissions from a party.

The purpose of the proposed legislation is to increase accountability and transparency within the interest arbitration system while preserving the essential independence of the decision-making process.

The Chair (Mr. Bob Delaney): Mr. McNaughton.

Mr. Monte McNaughton: We're opposing this amendment. This motion allows for obscurity in the arbitrator's decision and it can be viewed as a method for the arbitrator to hide behind union demands, so the PCs will oppose this amendment.

The Chair (Mr. Bob Delaney): Ms. Forster.

Ms. Cindy Forster: The arbitration community does not agree, and we certainly heard from a number of the unions during the deputation stage with respect to the central bargaining process that hospitals are in. It's different from other arbitration processes in that you might have 200 hospitals, for example, in one central process, and I think that is why they want more flexibility around these issues.

I heard the Ontario Hospital Association was here and that actually the new CEO of the OHA was in support of

some of the changes, particularly around the ability to pay. But in a central process how are you going to be able to consider 200 different hospitals or 300 different nursing homes who are all involved in one process if you have to be very strict around the ability-to-pay criteria? I think this is why they're looking for some flexibility in this area.

The Chair (Mr. Bob Delaney): Any further discussion? Shall the amendment carry?

Interjection: No.

The Chair (Mr. Bob Delaney): All those in favour?

Mr. Monte McNaughton: Recorded vote.

The Chair (Mr. Bob Delaney): Recorded vote requested.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, I declare the amendment lost.

We move on to number 144 in your package. A government motion, Ms. Piruzza.

Mrs. Teresa Piruzza: Sure.

I move that subsections 9(1.4), (1.5), (1.6) and (1.7) of the Hospital Labour Disputes Arbitration Act, as set out in subsection 4(1) of schedule 30 to the bill, be struck out and the following substituted:

“Submissions re criteria

“(1.4) A party shall make submissions to the board of arbitration on any of the criteria set out in subsection (1.1) in respect of which the party intends to request written reasons from the board.

“Reasons

“(1.5) When the board of arbitration gives its decision, it shall provide written reasons upon the request of either party.

“Same

“(1.6) The written reasons must clearly demonstrate that the board of arbitration has considered the criteria on which a party has made submissions under subsection (1.4), and may deal with other matters as the board considers appropriate.”

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: The proposed subsections 9(1.4), (1.5), (1.6) and (1.7) of the Hospital Labour Disputes Arbitration Act would require the parties, unless they jointly agree otherwise, to provide submissions on each of the statutory criteria listed in the act and would require, upon the request of either party, a board of arbitration to provide written reasons which clearly demonstrate that the board of arbitration had given proper consideration to each of those criteria.

The proposed motion would amend those provisions to require a party to make submissions only on the criteria set out in the act in respect of which it intends to request written reasons from the board of arbitration and a corresponding requirement on a board of arbitration to provide written reasons on the request of either party and to include in those reasons a clear demonstration that the board of arbitration has considered the criteria on which they receive submissions from a party.

The Chair (Mr. Bob Delaney): Mr. Fedeli.

Mr. Victor Fedeli: We will be supporting this motion as it outlines the criteria by which the arbitrator may render his or her decision. It also specifies that the decision must be provided in writing and must clearly demonstrate the arbitrator has considered the criteria which the party has submitted.

0920

The Chair (Mr. Bob Delaney): Further discussion? Mr. Prue.

Mr. Michael Prue: Although this is slightly different from our motion which was just defeated, we think that it does much the same thing, so we are going to support it.

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): A recorded vote having been requested, all those in favour?

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): The amendment carries.

Continuing in schedule 30, section 4, in your packages at number 145, a government motion: Ms. Wong.

Ms. Soo Wong: I move that subsections 9(4), (5), (6), (7), (8) and (9) of the Hospital Labour Disputes Arbitration Act, as set out in subsection 4(3) of schedule 30 to the bill, be struck out and the following substituted:

“Time for final submissions

“(4) If the board of arbitration has not given its decision on or before the date that is 14 months after the referral date, each of the parties shall, on or before the date that is 15 months after the referral date, make its final written submissions to the board, including,

“(a) any submissions required by subsection (1.4); and

“(b) a list of any matters that the parties have already agreed upon.

“Time for decision

“(5) The board of arbitration shall give its decision on or before the date that is 16 months after the referral date, unless an extension is obtained under subsection (8).

“Same

“(6) The 16-month deadline applies,

“(a) even if replacements have been appointed under one or more of subsections 6(8), (9), (10), (11), (14) and (18.4);

“(b) even if one or both of the parties fail to make final written submissions in accordance with subsection (4).

“Same

“(7) Even if subsection 10(2) applies after the referral date, it does not operate so as to extend the 16-month deadline and, despite the operation of that subsection, the board shall give its decision on or before the date that is 16 months after the referral date.

“Application to OLRB for extension

“(8) The parties may jointly apply to the Ontario Labour Relations Board for an order extending the 16-month deadline, and in that case the following rules apply:

“1. The application must be filed with the board before the 16-month deadline expires.

“2. The board,

“(i) must deal with the application on an expedited basis,

“(ii) may grant only one extension in each arbitration proceeding, and

“(iii) may grant an extension only in exceptional circumstances.

“3. The extension, if granted, must not exceed two months after the date that is 16 months after the referral date.

“Termination of board of arbitration

“(9) The appointment of the board of arbitration is immediately terminated if it fails to comply with the 16-month deadline and one of the following conditions exists:

“1. No application has been made for an extension.

“2. An application for an extension has been dismissed.

“3. An application for an extension has been granted but the board of arbitration has not given its decision before the expiry of the extension period.”

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: The proposed subsections 9(4), (5), (6), (7), (8) and (9) of the Hospital Labour Disputes Arbitration Act would provide the timelines to complete an interest arbitration proceeding. The purpose of this proposed change is to extend each timeline by four months. Specifically, the motion would amend timeline references as follows: 12 months to 16 months, 11 months to 15 months, and 10 months to 14 months. Based upon the feedback that we received from stakeholders, it was felt an extra four months was necessary to allow for central bargaining to occur first, and we heard that sometimes it can take a few months for unions and management to find, agree upon and have the initial meeting with an arbitrator.

The Chair (Mr. Bob Delaney): Further discussion?

Mr. Monte McNaughton: We can't support this amendment. This motion extends the arbitration deadline to 14 months after the referral date but before 15 months. This gives the arbitrator 16 months to render a decision. This is a change from the standing 11- and 12-month cut-off. In our view, it's a soft amendment, and we can't support it.

The Chair (Mr. Bob Delaney): Further discussion?

Mr. Yasir Naqvi: Recorded vote, Chair.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

In your packages at number 146, we have a government motion. Mrs. Piruzza.

Mrs. Teresa Piruzza: I move that subsection 9(13) of the Hospital Labour Disputes Arbitration Act, as set out in subsection 4(3) of schedule 30 to the bill, be amended by striking out “submissions that comply with subsection (1.4)” and substituting “any submissions required by subsection (1.4)”.

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: Chair, the proposed subsection 9(13) of the Hospital Labour Disputes Arbitration Act refers to the parties’ obligation to file final written submissions with the Ontario Labour Relations Board in circumstances where a matter is referred to the Ontario Labour Relations Board. The purpose of this amendment is to make the text consistent with the amendment proposed regarding subsections 9(1.4), (1.5), (1.6) and (1.7).

The Chair (Mr. Bob Delaney): Any further discussion? Shall the amendment—

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): Recorded vote requested.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): I declare the amendment carried.

In your package at 147, a government motion. Ms. Wong.

Ms. Soo Wong: I move that subsections 9(14), (15) and (18) of the Hospital Labour Disputes Arbitration Act, as set out in subsection 4(3) of schedule 30 to the bill, be amended by striking out “final submissions” wherever it appears and substituting in each case “final written submissions”.

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: Chair, the proposed subsections 9(14), (15) and (18) of the Hospital Labour Disputes Arbitration Act refer to the parties’ obligation to file final written submissions with the Ontario Labour Relations Board in circumstances where a matter is referred to the Ontario Labour Relations Board. The purpose of this proposed change is to ensure consistent use of the phrase “final written submissions.”

The Chair (Mr. Bob Delaney): Any further discussion?

Mr. Yasir Naqvi: Recorded vote, Chair.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Number 148, government motion. Mrs. Piruzza.

Mrs. Teresa Piruzza: I move that subsection 9(19) of the Hospital Labour Disputes Arbitration Act, as set out in subsection 4(3) of schedule 30 to the bill, be amended by striking out “Subsections (1.1), (1.6) and (1.7)” at the beginning and substituting “Subsections (1.1), (1.5) and (1.6)”.

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: The proposed subsection 9(19) of the Hospital Labour Disputes Arbitration Act refers to requirements applying to a decision of the Ontario Labour Relations Board in circumstances where a matter is referred to the Ontario Labour Relations Board. The purpose of this amendment is to make the text consistent with the amendment proposed regarding subsections 9(1.4), (1.5), (1.6) and (1.7).

The Chair (Mr. Bob Delaney): Any further discussion?

Mr. Yasir Naqvi: Recorded vote, Chair.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Finally in this section, we have an NDP motion. Ms. Forster.

Ms. Cindy Forster: I move that subsection 4(3) of schedule 30 to the bill is amended by adding the following subsections as subsections (26) and (27) of the Hospital Labour Disputes Arbitration Act:

“Limited application if multiple parties

“(26) If more than one trade union or more than one employer have agreed to participate jointly in bargaining and arbitration, subsections (4) to (25) do not apply with respect to any local issues that are the subject of the joint bargaining and arbitration, except after arbitration about any central issues that are the subject of the joint bargaining and arbitration has concluded.

“Referral date for local issues

“(27) With respect to any local issues that are the subject of joint bargaining and arbitration, the referral date shall be deemed to be the date on which bargaining and arbitration about any central issues that are the subject of joint bargaining and arbitration concludes.”

The Chair (Mr. Bob Delaney): Thank you. And just for clarity, on subsection (26), would you just read the first line one more time?

0930

Ms. Cindy Forster: “If more than one trade union and more than one employer have agreed to participate....”

The Chair (Mr. Bob Delaney): Thank you. Any discussion on that?

Ms. Cindy Forster: Yes. The hospital sector and the nursing home sector for many years have participated in a different arbitration system than firefighters, police and other groups that have the right to actually go to arbitration, as opposed to the right to strike.

In the hospital sector, the central process happens first. I would say 90% of the hospitals participate in the central bargaining process—maybe even more than that; maybe 95%. The parties agree; they set out a memorandum of agreement for joint bargaining between the unions and the employer on what’s included in central bargaining and what’s included in local bargaining.

They go through the central process. They often may agree to do a mediation/arbitration process, so that they perhaps get a deal and don’t even have to go to arbitration. It certainly saves a lot of money for the taxpayer, participating in a central process, because instead of having 180 or 200 hospitals or 200 nursing homes each going to an individual arbitration, it’s done once.

Once the central part is agreed to, or there is an award, then the local part starts. Those are local issues that both employers and unions want dealt with at a local table because they’re specific to that particular nursing home or to that particular hospital. You don’t want those kinds of issues actually determined at a central table. Many times it takes a year or a year and a half, sometimes two years, to actually get the central part resolved; then the local part starts. That’s really the more important part, because it actually is about the working lives of employees. It’s about how your vacation gets scheduled; it’s about how you call into work or how your paycheque arrives. It’s all of the things that affect the day-to-day work of hospital employees and nursing home employees, so it’s very important to those people to be able to have time in this process to be able to negotiate the local issues. That’s why we’re actually looking for the clock to start ticking again at the 16-month point.

Very often, most of those local issues get settled at the table. They don’t even end up going to arbitration. I can tell you, for example, last year in the nursing home bargaining, there were very few out of the almost 200 nursing homes that participate that even went to an arbitration table, because the time was given to allow those things to settle.

I’m hoping that you’ll take another look at this and support this amendment.

The Chair (Mr. Bob Delaney): Further discussion? Mr. Naqvi.

Mr. Yasir Naqvi: The government’s recommendation is to vote against this motion for the reason that motion 145, which we just passed, would address the issue of central and local bargaining raised in this particular motion; that is, 149.

The proposed changes in government motion 145 would extend each timeline by four months. Specifically, the motion would amend timelines referenced as follows: 12 months to 16 months, 11 months to 15 months and 10 months to 14 months. This extended timeframe would address time concerns associated with central and local bargaining within the proposed framework and provide more flexibility in how central and local bargaining could occur; that is, both local and central bargaining could occur concurrently or sequentially, before or after central bargaining.

The Chair (Mr. Bob Delaney): Thank you. Any further discussion?

Ms. Cindy Forster: I understand that the amendment was made to try and address that, but it doesn’t. It doesn’t address it because, in fact, the central bargaining process generally takes 18 months to two years, and so it doesn’t really give any time for that local process to occur, and it never happens at the same time; it always happens after the central process is completed.

The Chair (Mr. Bob Delaney): Mr. Prue.

Mr. Michael Prue: If there is an expert at this table on this, it has to be Ms. Forster. That was her job before she came here. She understands this process inside out. If she’s telling you that’s the way it is, that’s the way it is. I suggest that the government should listen, because we do need that extra little time frame set aside to make sure that all those small local issues are properly heard and in some cases adjudicated upon.

The Chair (Mr. Bob Delaney): Further discussion?

Mr. Yasir Naqvi: Recorded vote, Chair.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment is lost.

Shall schedule 30, section 4, as amended, carry? In my opinion, the section carries.

We are considering schedule 30, section 5; in your package, government motion number 150. Ms. Piruzza.

Mrs. Teresa Piruzza: I move that subsection 17.1(2) of the Hospital Labour Disputes Arbitration Act, as set out in section 5 of Schedule 30 to the bill, be amended by striking out “Subsections 9(1.4) to (1.7)” at the beginning and substituting “Subsections 9(1.4) to (1.6)”.

The Chair (Mr. Bob Delaney): Mr. Naqvi?

Mr. Yasir Naqvi: Chair, the purpose of this amendment is to make the text consistent with the amendment proposed regarding subsections 9(1.4), (1.5), (1.6) and (1.7).

The Chair (Mr. Bob Delaney): Further discussion?

Mr. Yasir Naqvi: Recorded vote.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

In your package, numbered 151, a government motion. Ms. Wong.

Ms. Soo Wong: I move that subsection 17.1(3) of the Hospital Labour Disputes Arbitration Act, as set out in section 5 of schedule 30 to the bill, be struck out and the following substituted:

“Same

“(3) If the referral date falls on or after March 27, 2012 but before the day on which the Strong Action for Ontario Act (Budget Measures), 2012 receives royal Assent,

“(a) the parties shall make their final written submissions to the board of arbitration on or before the date that is 15 months after the date of royal assent, not as provided in subsection 9(4); and

“(b) the board of arbitration shall give its decision on or before the date that is 16 months after the date of royal assent, not as provided in subsection 9(5).”

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: Chair, the purpose of this amendment is to make the text consistent with the amendment proposed regarding subsections 9(4), (5), (6) (7), (8) and (9).

The Chair (Mr. Bob Delaney): Further discussion? Mr. McNaughton.

Mr. Monte McNaughton: I think the purpose of this amendment is again we’re seeing the government kick their decisions down the road. This motion extends the length of time for decisions to be rendered by the arbitrator from 12 months to 15 months. We’ve been consistent on this. We’re not going to support this and we hope that the committee doesn’t support this proposed amendment as well.

The Chair (Mr. Bob Delaney): Okay, understood. This will be my first suggestion during the day: Let’s all be really careful about the language. Dull is good.

Mr. Monte McNaughton: Sorry, Chair. I said that the government was kicking decisions down the road. That’s it, and it’s true.

The Chair (Mr. Bob Delaney): Okay. Let’s just be really careful about the language.

Mr. Yasir Naqvi: A recorded vote, Chair.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

There being no further proposed amendments to section 5 of schedule 30, shall schedule 30, section 5, as amended, carry? All those in favour? All those opposed? The schedule carries, in my opinion.

Interjection.

0940

The Chair (Mr. Bob Delaney): I’m sorry, the clerk points out that I may have counted too quickly. Can we please have that vote again? We’re considering schedule 30, section 5. All those in favour? All those opposed? In my opinion, the section carries, as amended.

There are no proposed amendments to schedule 30, sections 6, 7 and 8. Permission to consider them together?

Interjection: Yes.

The Chair (Mr. Bob Delaney): Shall schedule 30, sections 6, 7 and 8, carry? In my opinion, the sections carry.

We’re considering schedule 30, as amended. In our packages, there is a notice numbered 152. Mr. Prue.

Mr. Michael Prue: Yes. As indicated by Ms. Horwath yesterday, the NDP will be voting against four additional schedules, of which this is one. They all relate to the arbitration process. This should come as no surprise. We believe that the Hospital Labour Disputes Arbitration Act should be held in the same esteem as the acts relating to the paramedics and to the firefighters, which this committee has already deleted, so we will be voting against this schedule.

Further on that, motion 149, which was defeated, was central to our possible support of this section—or schedule, excuse me. I’m using the right word: It’s schedule, yes—

The Chair (Mr. Bob Delaney): Oh, good. I’m glad I’m not the only one who does that.

Mr. Michael Prue: Yes, that’s a Bob Delaney-ism there. I meant “schedule”—because we felt that it was absolutely important to allow the flexibility in the bargaining process to go beyond the central stage and into the local stage, and that would further compound our reason for not supporting this. Therefore, we will not be supporting this schedule and we ask the committee members to treat hospital workers and nurses, who work in often-dangerous circumstances, the same way as they have seen fit to treat firefighters and paramedics.

The Chair (Mr. Bob Delaney): Any further discussion before we vote on the schedule?

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): A recorded vote having been requested, shall schedule 30, as amended, carry?

Ayes

Naqvi, Piruzza, Wong.

Nays

Fedeli, Forster, McNaughton, Prue, Shurman.

The Chair (Mr. Bob Delaney): I declare the schedule lost.

We're considering schedule 31. There being no proposed amendments to sections 1 through 77, inclusive, may we consider sections 1 through 77, inclusive?

Mr. Yasir Naqvi: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 through 77, inclusive, of schedule 31 carry? In my opinion, the sections carry.

Thank you all for your patience.

Shall schedule 31 carry? In my opinion, the schedule carries.

We'll now consider schedule 32. There are no proposed amendments to sections 1 and 2. Consider them both together? Okay.

Shall sections 1 and 2 of schedule 32 carry? In my opinion, they carry.

There is a proposed new section to schedule 32, numbered 2.1, PC motion number 153 in your packages. Mr. Shurman.

Mr. Peter Shurman: Thank you very much, Chair.

I move that schedule 32 to the bill be amended by adding the following section:

“Parliamentary assistants’ salaries

“2.1(1) Despite subsections 3(4) and (5) of the Executive Council Act, any amounts payable out of the consolidated revenue fund in respect of parliamentary assistants’ salaries shall not be paid for that purpose but may instead be applied to reduce the province’s debt and deficit.

“Same

“(2) Subsection (1) no longer applies after the next balanced budget of Ontario is presented.”

The Chair (Mr. Bob Delaney): Thank you. This amendment attempts to indirectly amend the Executive Council Act, which is not open in the bill, and therefore I rule it out of order.

Mr. Peter Shurman: Point of order, then, if I may. This is under the aegis of the interim appropriations act and all payments made by government—

The Chair (Mr. Bob Delaney): Mr. Shurman, I am sorry on this one, because we're going to run tight on time here—

Mr. Peter Shurman: Chair, I have to have an opportunity to speak, because you may be in conflict of interest here.

The Chair (Mr. Bob Delaney): As prescribed in standing order 121(a), “No debate shall be permitted on any decision of the Chair.”

Mr. Peter Shurman: And as prescribed in standing order 27, “No member is entitled to vote upon any ques-

tion in which he or she has a direct pecuniary interest, and the vote of any member who has such an interest shall be disallowed.” You are the Chair and you yourself receive this salary.

The Chair (Mr. Bob Delaney): Shall the Chair’s ruling be appealed to the Speaker?

Mr. Peter Shurman: Absolutely.

The Chair (Mr. Bob Delaney): All those in favour of appealing the Chair’s ruling to the Speaker, please raise your hand.

All those opposed, please raise your hand.

I declare Mr. Shurman’s request to appeal to the Speaker lost, and the Chair’s decision will stand.

There are no amendments proposed to sections 3, 4 and 5. Shall we consider sections 3, 4 and 5 together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall sections 3, 4 and 5 of schedule 32 carry? In my opinion, the sections carry.

In your package, at number 154, is a proposed new section 5.1. It is a PC motion. Mr. Shurman.

0950

Mr. Peter Shurman: Thank you very much, Chair. It’s a long one.

I move that schedule 32 to the bill be amended by adding the following section:

“Restriction re payments for air ambulances

“5.1(1) Despite any other provision of this act, no amount may be paid out of the consolidated revenue fund under this act in respect of the sub-item referred to as ‘Air Ambulance’ under item 1412-2 set out in the estimates and supplementary estimates for 2012-13 until a select committee of the assembly is established in accordance with this section.

“Composition

“(2) The committee must be composed of nine members, four of whom are members of the party forming the government, three of whom are members of the party forming the official opposition and two of whom are members of the third party.

“Chair

“(3) The Chair of the committee must be elected by the committee members from among those committee members who are members of a recognized party in opposition to the government.

“Terms of reference

“(4) The committee is authorized to investigate and report on questions raised, directly or indirectly, with regard to the government of Ontario’s oversight, governance and accountability mechanisms for,

“(a) Ontario’s air emergency system as a whole;

“(b) Ontario’s air ambulance agency, commonly known as Ornge, and its subsidiaries and affiliates; and

“(c) the emergency health services branch of the Ministry of Health and Long-Term Care.

“Same

“(5) The committee is also authorized to investigate and report on the following matters:

"1. Structural and operational issues at Ornge that have affected, or continue to affect, the quality of patient care and crew safety, and how to address those issues.

"2. The receipt and use of funds by Ornge and its subsidiaries and affiliates, including matters of executive compensation and procurement.

"3. The role that ministers, political advisers and public servants have played in decisions, operations, advice and negotiations about any of these matters.

"4. The role that lobbyists, consultants, lawyers and other external parties have played in decisions, operations, advice and negotiations about any of these matters.

"5. Such other matters as the committee considers relevant.

"Power re recommendations

"(6) The committee may make recommendations, based on its findings of fact, to prevent mismanagement of Ontario's air emergency system and to prevent misuse of the public resources provided for it. For example, the recommendations may address any of the following matters:

"1. Options for strengthening Ontario's air emergency system for patients and for front-line staff of the air ambulance agency.

"2. The adequacy of the current accountability framework for Ontario's air emergency system as a whole.

"3. Changing the governance, accountability and transparency measures that apply to Ornge and to Ontario's air emergency system as a whole in order to strengthen public oversight.

"4. Extending the application of the Freedom of Information and Protection of Privacy Act and the Public Sector Salary Disclosure Act to all aspects of Ornge and its subsidiaries and affiliates.

"5. Amending accountability legislation in order to enhance compliance and enforcement.

"6. Possible findings of fault and sanctions against current or former ministers, political advisers, public servants, lobbyists, consultants, lawyers and other external parties.

"Other powers

"(7) In order to undertake its study and develop its recommendations, the committee has all of the powers of a standing committee and is authorized to do the following:

"1. Meet at its discretion, from place to place, at the call of the Chair. The committee is authorized to meet whether or not the assembly is in session and for as many hours per day as the Chair considers necessary.

"2. Conduct public hearings where it deems necessary. If the committee decides to travel, each caucus is permitted to bring no more than two staff to provide policy, research and communications support.

"3. If public hearings are conducted in Toronto, allow participation globally by means of Web conference, tele-conference and video-conference arrangements.

"4. Adopt any procedures and methods that the committee considers expedient for conducting its study and developing its recommendations.

"5. Compel the production of papers relating to its terms of reference.

"6. Compel the attendance of witnesses and examine them under oath.

"Report

"(8) The committee shall report its recommendations to the assembly as soon as is reasonably possible at the conclusion of its investigation and, if the assembly is not sitting, shall deposit its report with the Clerk.

"Committee survives prorogation

"(9) If the committee does not report its recommendations to the assembly before the session is prorogued, the committee survives the prorogation and it may continue to meet despite the prorogation. Any evidence adduced and documents received may be brought forward to the following session.

"Interpretation

"(10) Expressions used in this section have the same meaning as in the standing orders of the Legislative Assembly of Ontario unless the context requires otherwise."

The Chair (Mr. Bob Delaney): Thank you. Given the nature of this particular proposal, the Chair will declare a short recess while we confer with legislative counsel.

The committee recessed from 0955 to 1014.

The Chair (Mr. Bob Delaney): Let's come back to order, please and thank you.

Before the Chair called the recess, Mr. Shurman had moved number 154 in your package. The Chair wished to just confer with legislative legal counsel. The amendment is beyond the scope of the bill, as it introduces a concept that is foreign to the principle of the bill that was agreed upon at second reading, and I therefore rule the amendment out of order.

We'll now consider section 6 of schedule 32. We have a PC amendment at number 155 in your package. That would be Mr. Shurman.

Mr. Peter Shurman: Well, given the ruling that you've just given us, I believe that this becomes moot, Chair.

The Chair (Mr. Bob Delaney): Okay. So this is either out of order or withdrawn.

Mr. Peter Shurman: Consider it withdrawn.

The Chair (Mr. Bob Delaney): There being no amendments proposed in either sections 6 or 7, may we consider the two of them together? Yes. Shall schedule 32, sections 6 and 7, carry? In my opinion, both sections carry.

There have been no amendments approved to schedule 32. Shall schedule 32 carry? Schedule 32, in my opinion, carries.

We are now considering schedule 33. In sections 1 to 3 of schedule 33, there are no amendments proposed. May we consider sections 1 to 3 of schedule 33 together? Yes. Shall sections 1, 2 and 3 of schedule 33 carry? In

my opinion, the sections carry. Shall schedule 33 carry? In my opinion, schedule 33 carries.

We'll consider schedule 34. In section 1 of your package at number 156, we have a PC motion. Mr. Fedeli.

Mr. Victor Fedeli: I move that section 1 of schedule 34 to the bill be amended by adding the following subsection:

“(2) Section 15 of the act is amended by adding the following subsections:

“Performance agreement

“(3) If the minister delegates powers or duties under subsection (1), the minister and the delegate shall enter into a performance agreement setting out measurable performance goals and objectives for the delegate.

“Annual performance assessment

“(4) Every year, the delegate shall prepare a performance assessment demonstrating that the performance goals and objectives set out in the performance agreement are being met.

“Failure to meet performance goals, etc.

“(5) If the minister believes that a delegate has failed to meet the performance goals and objectives set out in the performance agreement, the minister shall give the delegate written notice of his belief and require that the delegate fulfill the requirements of the performance agreement within such time period as may be specified in the notice.

“Failure to comply

“(6) If a delegate fails to comply with a notice given under subsection (5), the minister may terminate the performance agreement and revoke the delegation made under subsection (1).”

The Chair (Mr. Bob Delaney): Thank you. Any discussion on this? Mr. Fedeli.

Mr. Victor Fedeli: This amendment adds a measurable performance agreement for the delegate when the minister delegates his or her powers or duties under subsection (1), and this will require a performance review that is to be public.

The Chair (Mr. Bob Delaney): Further discussion? Shall the amendment carry? In my opinion, the amendment carries.

Shall schedule 34, section 1, as amended, carry? In my opinion, the section carries.

We're considering schedule 34, section 2, in your packages at number 157, an NDP motion: Mr. Prue.

Mr. Michael Prue: I move that subsection 23.1(1) of the Lakes and Rivers Improvement Act, as set out in subsection 2(1) of schedule 34 to the bill, be struck out and the following substituted:

1020

“Plans for operation and management

“(1) If the minister considers it necessary or expedient for the purposes of this act, the minister may order the owner of a dam or other structure or work that has been constructed on a lake or river, or a person who has applied under sections 14 or 16 for an approval to construct, alter, improve or repair a dam, other structure or work on

a lake or river, to, in accordance with the regulations and with guidelines approved by the minister,

“(a) prepare or amend a plan for the operation and maintenance of the existing or proposed dam, other structure or work; or

“(b) participate in the preparation or amendment of a plan referred to in clause (a).”

The Chair (Mr. Bob Delaney): Thank you. Any discussion?

Mr. Michael Prue: Yes. By way of discussion, this motion would reinstate the ability of the minister to ensure that plans for operation and maintenance of dams or other structures are effective by ensuring they are prepared in accordance with guidelines and regulations.

What this schedule does is it removes that responsibility from the minister to actually follow guidelines and regulations. I've been advised by one group by the name of Ecojustice—I think they put it succinctly. I'd just like to read the rationale they gave to me that certainly convinced me, which was:

“Currently under LIRA, section 23.1, the minister may order the owner of an existing or new dam to prepare or amend a management plan for the operation and maintenance of a dam, in accordance with the regulations and with guidelines approved by the minister. A proposed amendment to this section would remove the requirement that the management plan be prepared in accordance with regulations and guidelines. This broadens the discretion of the minister in what is required in a management plan. At the same time, it does not provide guidance or ensure consistency with respect to what is required in a management plan.”

So I would move this amendment.

The Chair (Mr. Bob Delaney): Any further discussion? Shall the amendment carry?

Mr. Peter Shurman: Recorded vote.

The Chair (Mr. Bob Delaney): Recorded vote requested.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

The Chair (Mr. Bob Delaney): I declare the amendment carried.

Interjection.

Mr. Michael Prue: Then why did you want it recorded?

Mr. Peter Shurman: We have our reasons.

Interjections.

Mr. Peter Shurman: We want a select committee for Ornge.

The Chair (Mr. Bob Delaney): And now I can truthfully say that that's out of order.

Moving along, then, shall schedule 34, section 2, as amended, carry? In my opinion, the section carries.

Mr. Peter Shurman: Chair, we withdraw the next amendment.

The Chair (Mr. Bob Delaney): Please note that, in your package, number 158, PC motion on schedule 34, section 3, has been withdrawn.

There being no proposed amendments to schedule 34, section 3, shall schedule 34, section 3, carry? In my opinion, the section carries.

We're considering schedule 34, section 4. In your package, number 159, a PC amendment: Mr. McNaughton.

Mr. Monte McNaughton: I move that section 4 of schedule 34 to the bill be struck out and the following substituted:

“Commencement

“4(1) Subject to subsection (2), this schedule comes into force on the day the Strong Action for Ontario Act (Budget Measures), 2012 receives royal assent.

“Same

“(2) Sections 1 to 3 come into force on a day to be named by proclamation of the Lieutenant Governor.”

The Chair (Mr. Bob Delaney): Any discussion? Mr. Naqvi.

Mr. Yasir Naqvi: Chair, our recommendation is that the members of the committee vote against this particular motion. The proposed motion will result in implementation delays that will reduce the government's ability to find savings immediately. The delay will create uncertainty regarding when the proposed related changes in the budget bill will come into force, if at all.

The Chair (Mr. Bob Delaney): Any further discussion?

Shall the amendment carry?

Mr. Yasir Naqvi: No.

The Chair (Mr. Bob Delaney): All those in favour? All those opposed? There being a tie vote, it's the convention of the Chair that the status quo will remain, and I declare the motion lost.

There being no amendments to schedule 34, section 4, shall schedule 34, section 4, carry? In my opinion, the section carries.

We are now ready to consider schedule 34 in total. In your packages is a notice from the NDP at number 160—

Mr. Peter Shurman: A five-minute recess?

The Chair (Mr. Bob Delaney): A five-minute request. If you recess, we've got to come back and vote. Is there any discussion before you request a recess?

Mr. Peter Shurman: I'll be happy to have the five-minute recess after the vote if the Chair wishes to extend that latitude.

The Chair (Mr. Bob Delaney): Okay.

Mr. Peter Shurman: Either way.

The Chair (Mr. Bob Delaney): All right.

Mr. Michael Prue: In terms of discussion, I would ask my colleagues to ignore 160.

The Chair (Mr. Bob Delaney): Okay. Invocation of the new category established yesterday of “ignore”: Please ignore number 160.

May we then proceed to the vote on schedule 34 following—

Mr. Peter Shurman: Can we have our five-minute recess now?

The Chair (Mr. Bob Delaney): You can absolutely have a five-minute recess now. There will be a five-minute recess before the vote. We will see you back here at 10:32.

The committee recessed from 1027 to 1032.

The Chair (Mr. Bob Delaney): Thank you, everyone. Let's get back to work. I'm very conscious of the time, and I think I speak for everybody when I say that we would actually like to conclude all of our deliberations on the budget bill before we get to the 2 o'clock part where all of the amendments are deemed moved. So, as I said to everybody yesterday, please treat time as if you were a chess player. There is only a finite amount of it, and we would like it not to run out on us.

We are considering schedule number 34, as amended. Shall schedule 34, as amended, carry? In my opinion, the schedule carries.

We move to consideration of schedule 35. Sections 1 to 21, which represent the totality of schedule 35, have no amendments proposed. Shall we consider sections 1 to 21 together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 to 21 of schedule 35 carry? In my opinion, the sections carry.

We are now ready to consider schedule 35. In your package, there is a notice from the NDP at number 161. Mr. Prue.

Mr. Michael Prue: Yes. This one I'm going to ask you not to ignore. This is consequential to schedule 28, which was passed by the committee yesterday and on which the New Democratic Party members voted no. Because it is consequential, we believe that we cannot support it. I am fully mindful of the fact that my colleagues from both other parties supported 28 and are likely to support this, but we do not.

The Chair (Mr. Bob Delaney): Thank you. Mr. Naqvi.

Mr. Yasir Naqvi: Once again, I'm disappointed by the comments that I'm hearing from Mr. Prue in regard to schedule 35. As I had mentioned in regard to schedules 6, 7 and 13 yesterday when I was seeking unanimous consent to have them reopened, the purpose of this particular schedule, similar to those schedules, is to operationalize the flexibility that is required to complete the modernization of the land registration system as contemplated by the passage of schedule 28 that relates to ServiceOntario. So the passage of this particular schedule is important because it will allow for the actual implementation of schedule 28, which was voted by this committee possible. Therefore, I urge all members of the committee, and especially those of the NDP, to vote in support of the passage of schedule 35.

The Chair (Mr. Bob Delaney): Any further discussion? Mr. Prue.

Mr. Michael Prue: It is precisely for the reasons enunciated by Mr. Naqvi that we are voting no. As he said, this is going to allow schedule 28 to be imple-

mented, and we disagree with that. But we know full well what's going to happen, and no one should take any umbrage. We are prepared for the vote and for the outcome.

The Chair (Mr. Bob Delaney): The Chair is particularly gratified to see the discussion focus on the issue and not the people, and I do want to thank both of you for that.

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): A recorded vote has been requested.

Ayes

McNaughton, Naqvi, Piruzza, Wong.

Nays

Forster, Prue.

The Chair (Mr. Bob Delaney): In my opinion, the schedule carries.

Here come your votes, folks. We're considering schedule 36 to the bill. There are no proposed amendments to the sections in schedule 36. May I have your consent to consider sections 1 through 98, inclusive, together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 through 98, inclusive, of schedule 36, carry? In my opinion, they carry.

Bear with us a moment or two.

We'll now move to consideration of schedule 36, which is unamended. In your packages at number 162 is a note from the New Democratic Party. Mr. Prue?

1040

Mr. Michael Prue: Yes, for the same reasons enunciated in the previous vote, although this deals with the Land Titles Act, as opposed to the Land Registration Reform Act. The rationale and the reasons are exactly the same. I would expect that the rationale and the reasons of my colleague opposite will be the same and the vote will be the same, but we feel compelled to say it.

The Chair (Mr. Bob Delaney): Is there further discussion? Mr. Naqvi.

Mr. Yasir Naqvi: Chair, I think we just cannot assume how the vote is going to take place and give our reasons based on that, but the member opposite from Beaches–East York is entitled to his view and I disagree with that respectfully. I want to reassert that, in light of the fact that schedule 28 was passed by this committee, the removal of this schedule would not allow for the operational flexibility required to complete the modernization of the land registration system and would create inconsistencies and gaps in the application of the interdependent land registration statutes and will inhibit cost-effective service delivery. Therefore, I strongly urge all members of this committee, in light of the fact that schedule 28 is now passed, as amended, to pass this

schedule 36 so that schedule 28 could be made operational.

The Chair (Mr. Bob Delaney): Are there any further comments?

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): A recorded vote having been requested, shall schedule 36 carry?

Ayes

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

Nays

Forster, Prue.

The Chair (Mr. Bob Delaney): In my opinion, the schedule carries.

We will move to consideration of schedule 37. Sections 1, 2 and 3 contain no proposed amendments. Shall we consider sections 1, 2 and 3 together?

Shall schedule 37, sections 1, 2 and 3 carry? In my opinion, the sections carry.

There being no proposed amendments to schedule 37, shall schedule 37 carry? In my opinion, the schedule carries.

We'll move to consideration of schedule 38. Schedule 38, section 1, in your packages at number 163, a PC amendment. Mr. Fedeli.

Mr. Victor Fedeli: I move that section 1 of schedule 38 to the bill be amended by adding the following subsection:

“(2) Section 61 of the act is amended by adding the following subsections:

“Salary, members of executive council

“(1.3) Until the public accounts for a fiscal year indicate that the province did not have a deficit for the year, the annual salary of every member of the executive council shall be determined with reference to the annual salary of a member of the assembly that was in effect on March 26, 2009, despite subsection 3(4.1) of the Executive Council Act.

“Same

“(1.4) Subsection (1.3) ceases to have effect on the day the applicable public accounts are laid before the assembly.

“Interpretation, deficit

“(1.5) For the purposes of subsection (1.3), the province is considered not to have a deficit for a fiscal year if the expenditures of the province for the fiscal year do not exceed the revenues for the year.”

The Chair (Mr. Bob Delaney): This amendment attempts to indirectly amend the Executive Council Act, which is not open in the bill, and I therefore rule it out of order.

There being no further amendments to schedule 38, section 1, shall schedule 38, section 1, carry? In my opinion, the schedule carries.

There is a proposal for a new section, a section 1.1, in your package at number 164, a PC motion. Mr. Shurman.

Mr. Peter Shurman: I move that schedule 38 to the bill be amended by adding the following section:

“1.1 The act is amended by adding the following section:

“Select committee on Ornge

“Select committee

“109(1) A select committee of the assembly shall be established with the composition, terms of reference, powers and duties described in this section.

“Composition

“(2) The committee must be composed of nine members, four of whom are members of the party forming the government, three of whom are members of the party forming the official opposition and two of whom are members of the third party.

“Chair

“(3) The Chair of the committee must be elected by the committee members from among those committee members who are members of a recognized party in opposition to the government.

“Terms of reference

“(4) The committee is authorized to investigate and report on questions raised, directly or indirectly, with regard to the government of Ontario’s oversight, governance and accountability mechanisms for,

“(a) Ontario’s air emergency system as a whole;

“(b) Ontario’s air ambulance agency, commonly known as Ornge, and its subsidiaries and affiliates; and

“(c) the emergency health services branch of the Ministry of Health and Long-Term Care.

“Same

“(5) The committee is also authorized to investigate and report on the following matters:

“1. Structural and operational issues at Ornge that have affected, or continue to affect, the quality of patient care and crew safety, and how to address those issues.

“2. The receipt and use of funds by Ornge and its subsidiaries and affiliates, including matters of executive compensation and procurement.

“3. The role that ministers, political advisers and public servants have played in decisions, operations, advice and negotiations about any of these matters.

“4. The role that lobbyists, consultants, lawyers and other external parties have played in decisions, operations, advice and negotiations about any of these matters.

“5. Such other matters as the committee considers relevant.

“Power re recommendations

“(6) The committee may make recommendations, based on its findings of fact, to prevent mismanagement of Ontario’s air emergency system and to prevent misuse of the public resources provided for it. For example, the recommendations may address any of the following matters:

“1. Options for strengthening Ontario’s air emergency system for patients and for front-line staff of the air ambulance agency.

“2. The adequacy of the current accountability framework for Ontario’s air emergency system as a whole.

“3. Changing the governance, accountability and transparency measures that apply to Ornge and to Ontario’s air emergency system as a whole in order to strengthen public oversight.

“4. Extending the application of the Freedom of Information and Protection of Privacy Act and the Public Sector Salary Disclosure Act to all aspects of Ornge and its subsidiaries and affiliates.

“5. Amending accountability legislation in order to enhance compliance and enforcement.

“6. Possible findings of fault and sanctions against current or former ministers, political advisers, public servants, lobbyists, consultants, lawyers and other external parties.

“Other powers

“(7) In order to undertake its study and develop its recommendations, the committee has all of the powers of a standing committee and is authorized to do the following:

“1. Meet at its discretion, from place to place, at the call of the Chair. The committee is authorized to meet whether or not the assembly is in session and for as many hours per day as the Chair considers necessary.

“2. Conduct public hearings where it deems necessary. If the committee decides to travel, each caucus is permitted to bring no more than two of its own staff to provide policy, research and communications support.

“3. If public hearings are conducted in Toronto, allow participation globally by means of Web conference, teleconference and video-conference arrangements.

“4. Adopt any procedures and methods that the committee considers expedient for conducting its study and developing its recommendations.

“5. Compel the production of papers relating to its terms of reference.

“6. Compel the attendance of witnesses and examine them under oath.

“Report

“(8) The committee shall report its recommendations to the assembly as soon as is reasonably possible at the conclusion of its investigation and, if the assembly is not sitting, shall deposit its report with the Clerk.

“Committee survives prorogation

“(9) If the committee does not report its recommendations to the assembly before the session is prorogued, the committee survives the prorogation and it may continue to meet despite the prorogation. Any evidence adduced and documents received may be brought forward to the following session.

“Interpretation

“(10) Expressions used in this section have the same meaning as in the standing orders of the Legislative Assembly of Ontario unless the context requires otherwise.”

1050

The Chair (Mr. Bob Delaney): Thank you. The Chair has had an opportunity to confer with the legal counsel on this. The amendment is beyond the scope of the bill, as it introduces a concept that is foreign to the principle of the bill that was agreed upon at second reading, and I therefore rule the amendment out of order.

Interjection.

The Chair (Mr. Bob Delaney): Oh, I like that. Nice try.

There are no amendments proposed for schedule 38, section 2. Shall schedule 38, second 2, carry? In my opinion, the section carries.

There have been no amendments to schedule 38. Shall schedule 38 carry? In my opinion, the schedule carries.

We are now considering schedule 39. There are two sections to schedule 39. Neither has a proposed amendment. May we consider sections 1 and 2 together?

Mr. Yasir Naqvi: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 and 2 to schedule 39 carry? In my opinion, the sections carry.

Shall schedule 39 carry? In my opinion, the schedule carries.

We are now at schedule 40. There are no amendments proposed to sections 1 through 9, inclusive. Shall we consider sections 1 through 9, inclusive, together?

Mr. Yasir Naqvi: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 through 9, inclusive, carry? In my opinion, the sections carry.

There are no amendments proposed to schedule 40. Shall schedule 40 carry? In my opinion, the schedule carries.

We are now considering schedule 41. There are no amendments proposed to sections 1 and 2. Consider the two together?

Mr. Yasir Naqvi: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 and 2 carry? In my opinion, the sections carry.

In your package, at number 165, for schedule 41, section 3, is an NDP motion. Ms. Forster?

Ms. Cindy Forster: I move that section 11.1 of the Ministry of Infrastructure Act, 2011, as set out in section 3 of schedule 41 to the bill, be amended by adding the following subsection:

“Exception

“(1.1) However, the minister cannot transfer to another minister or to a crown agency the control of an interest in real property owned or leased, directly or indirectly, by the Ontario Northland Transportation Commission unless a report setting out the details of the proposed transfer is laid before the assembly and the assembly passes a resolution authorizing the proposed transfer.”

The Chair (Mr. Bob Delaney): Mr. Fedeli?

Mr. Victor Fedeli: Thank you, Chair. I am going to vote against this, and I’m quite surprised that the motion was even presented. As we look at the GO Transit contract that was not given to Ontario Northland last year, all

of the communities up and down the line, all of the mayors, all of the chambers of commerce and in fact every union member that I ever met said to me, “We’ve got to get Ontario Northland out of the Ministry of Northern Development and Mines and into the Ministry of Transportation.” That has been said by the union leaders, including right here at our committee hearings only a week ago in this very room on those very chairs. That’s exactly what they asked for: that Ontario Northland be transferred from one ministry to another. This motion would absolutely block that from happening easily. So I am absolutely going to encourage my members and all members to vote against this.

The Chair (Mr. Bob Delaney): Okay, thank you. Mr. Bisson?

Mr. Gilles Bisson: Effectively, if this motion was adopted, it would kill the privatization of ONTC. I urge members of this committee to vote for it. There’s a choice to be made. I know where we stand as New Democrats on this: We’re opposed to the privatization of ONTC. I guess the true Conservative colours are coming out. They’re in favour of privatization. So vote with me, Mr. Fedeli and Conservatives, and you can help do what northern Ontario wants.

The Chair (Mr. Bob Delaney): Mr. Naqvi?

Mr. Yasir Naqvi: Chair, I’m going to raise a point of order that you rule that this motion is out of order as it is outside of the scope of schedule 41. Schedule 41 deals only with real property under the control of the Minister of Infrastructure. The Minister of Infrastructure does not control the Ontario Northland Transportation Commission, nor any property or assets held by the commission. The motion therefore seeks to deal with real property that is outside the scope of schedule 41. Property held by the Ontario Northland Transportation Commission is held pursuant to the provisions of the Ontario Northland Transportation Commission Act.

Interjections.

The Chair (Mr. Bob Delaney): Can I have a little order in the committee while the speaker continues. Thank you.

Mr. Yasir Naqvi: Thanks, Chair.

There are no provisions in the budget bill with respect to the Ontario Northland Transportation Commission Act, the Ontario Northland Transportation Commission or any other real property owned or leased by the Ontario Northland Transportation Commission. As a result, Chair, it’s my assertion that the amendment is beyond the scope of the budget bill and is therefore out of order, and I await your ruling.

The Chair (Mr. Bob Delaney): The Chair will take a 10-minute recess while this point is considered.

Mr. Michael Prue: We would ask for unanimous consent to just hear it.

The Chair (Mr. Bob Delaney): I’m sorry?

Mr. Michael Prue: We would ask for unanimous consent to have it heard.

The Chair (Mr. Bob Delaney): To have what heard?

Mr. Michael Prue: This amendment.

Mr. Gilles Bisson: We're asking for unanimous consent that it be allowed to stand in the bill.

The Chair (Mr. Bob Delaney): We haven't ruled on it. Mr. Naqvi has raised a point of order. The Chair needs a recess to seek some advice on the point of order.

We're in recess for 10 minutes.

The committee recessed from 1057 to 1113.

The Chair (Mr. Bob Delaney): Let us come back to order. After some detailed discussion with legislative counsel on item number 165 in your package, the motion moved by Ms. Forster, I am prepared to render my ruling. This amendment is beyond the scope of the bill as it introduces a concept that is foreign to the principle of the bill that was agreed to at second reading. I therefore rule the amendment out of order.

Mr. Michael Prue: Given the Chair's ruling, I would seek unanimous consent to have this heard.

Mr. Gilles Bisson: To be able to vote on it.

The Chair (Mr. Bob Delaney): Mr. Prue has asked unanimous consent to have the amendment heard. Is there unanimous consent?

Interjections.

The Chair (Mr. Bob Delaney): I heard a no.

We are considering schedule 41, section 3, which now has no proposed amendments and, indeed—let's see. I request permission to consider schedule 41, sections 3, 4 and 5, none of which have a proposed amendment. Do I have that permission?

Interjection: Yes.

The Chair (Mr. Bob Delaney): Shall schedule 41, sections 3, 4 and 5, carry? In my opinion, the sections carry.

There have been no amendments to schedule 41. Shall schedule 41 carry? In my opinion, the schedule carries.

We'll move to consideration of schedule 42. Sections 1, 2 and 3 have no proposed amendments. Consider the three together? Shall sections 1, 2 and 3 of schedule 42 carry? In my opinion, the sections carry.

In your package, at number 166, for schedule 42, section 4, is a PC motion. Mr. McNaughton.

Mr. Monte McNaughton: I move that section 11.1 of the Ministry of Revenue Act, as set out in section 4 of schedule 42 to the bill, be amended by adding the following subsection:

“Publication in Gazette

“(2.1) If the minister enters into a memorandum of understanding or agreement under subsection (2), the following information must be published in The Ontario Gazette:

“1. The name of the ministry or public body that is party to the memorandum of understanding or agreement.

“2. The services that the minister will provide to the ministry or public body.

“3. The term of the memorandum of understanding or agreement.”

The Chair (Mr. Bob Delaney): Discussion?

Mr. Yasir Naqvi: Our recommendation is to vote against this motion. The information described in clauses 1 and 2 of the proposed motion would be prescribed by

regulation as provided for in the amendment under section 5 of schedule 42. As a result, the motion duplicates making public information that will in part be made public through the regulation.

The Chair (Mr. Bob Delaney): Further discussion?

Mr. Monte McNaughton: Our amendment requires the minister to provide notice in the Gazette when the minister enters into an agreement of when the ministry will provide services. The notice must include what public body, the terms of the agreement and what services the ministry will perform.

The Chair (Mr. Bob Delaney): Further discussion? Shall the amendment carry? All those in favour? All those opposed? In my opinion, the amendment carries.

Shall schedule 42, section 4, as amended, carry? In my opinion, the section carries.

Sections 5 and 6 contain no proposed amendments. Consider them together? Shall schedule 42, sections 5 and 6, carry? Carried.

Shall schedule 42, as amended, carry? In my opinion, the schedule carries.

We are considering schedule 43. There are no amendments proposed to sections 1 and 2. Consider the two together? Shall sections 1 and 2 carry? In my opinion, the sections carry.

Shall schedule 43 carry? In my opinion, the schedule carries.

We'll consider schedule 44—a new section to schedule 44. In your packages, at number 167, is a government motion. Ms. Piruzza.

Mrs. Teresa Piruzza: I move that schedule 44 to the bill be amended by adding the following section:

“0.1 Subsection 6.1(2.3) of the Niagara Escarpment Planning and Development Act is repealed and the following substituted:

““Exception

“(2.3) Despite subsection (2.2), an application, request or proposal to redesignate land in the Niagara Escarpment plan to the land use designation of minor urban centre, urban area or escarpment recreation area of the Niagara Escarpment plan or to amend the Niagara Escarpment plan to permit urban uses may be considered as part of the review conducted under section 17 and the consultations conducted under subsection 17(2). However, such an application, request or proposal must be included in the amendments to the plan proposed by the minister under subsection 17(3) in order for the amendment to go forward for consideration in accordance with subsections 17(4) and (5).”

1120

The Chair (Mr. Bob Delaney): Thank you very much. This amendment attempts to amend a section of the act that is not currently open, and I therefore rule the amendment out of order.

We'll move to the consideration of schedule 44, section 1. I'm advised by the clerk that the order in which the documents appear in your package should be changed and it should go 170, 168, 169. Mr. Shurman?

Mr. Peter Shurman: Point of order. The Progressive Conservative Party wishes to withdraw 168, 169 and 170.

The Chair (Mr. Bob Delaney): Thank you. Items 168, 169 and 170 are withdrawn.

Following the withdrawal of the motions and the ruling that the government motion is out of order, schedule 44 is thus unamended. Schedule 44 contains two sections. May we consider the two sections together? Yes. Shall section 1 and section 2 of schedule 44 carry? In my opinion, the sections carry.

Shall schedule 44 carry? In my opinion, the schedule carries.

We're considering schedule 45. There are three sections to schedule 45. May we consider the three sections together? Yes. Shall sections 1, 2 and 3 of schedule 45 carry? In my opinion, the sections carry.

There are no amendments proposed to the preamble. Shall the preamble to schedule 45 carry? Carried.

Shall schedule 45 carry? Carried.

We are now considering schedule 46. Section 1 to schedule 46 contains no proposed amendment. Shall section 1 carry? In my opinion, section 1 carries.

In section 2 of schedule 46, I have a PC motion, number 171 in your package. Mr. Fedeli.

Mr. Victor Fedeli: I move that section 2 of the bill be amended by adding the following subsection:

“(2) Section 15 of the act is amended by adding the following subsection:

“Considerations in making regulation

“(1.1) In making or amending a regulation under clause (1)(g.1), (g.2) or (g.3), the Lieutenant Governor in Council shall consider,

“(a) the ability of the province of Ontario to pay financial assistance under this act; and

“(b) the economic conditions that exist in Ontario at the time the regulation is made or amended, as the case may be.”

The Chair (Mr. Bob Delaney): Any discussion? Mr. Fedeli? No?

Mr. Naqvi?

Mr. Yasir Naqvi: The government's recommendation to the committee members is to vote against this motion. The motion would likely have limited fiscal impact because the regulations that the Lieutenant Governor in Council would have the authority to make would not address the amount of the cap for most consumers, those not in multi-unit complexes and not subject to an exemption, which would be 3,000 kilowatt hours per month under section 1 of schedule 46. The Lieutenant Governor in Council may already consider many factors, including the fiscal state of the province, when making regulations.

We are not aware of any other aspects of the Ontario clean energy benefit program or other programs where the Lieutenant Governor in Council is directed to take such factors into account when making regulations relating to the administration of a program. It is not clear what minimum due diligence the Lieutenant Governor in Council would be required to undertake to satisfy the requirements that the proposed motion would impose.

Given the apparent lack of precedent and the ambiguities associated with satisfying the legal requirement imposed on the Lieutenant Governor in Council, there is a risk that accepting this motion could establish an undesirable precedent for future regulations.

Pursuant to the act, the Ontario clean energy benefit program is funded by voted appropriations, and thus the expenditure on the program is determined through the estimates and supply process. The Ontario clean energy benefit costs totalled \$300 million in 2010-11 and are estimated to total \$159 million in 2011-12 based on interim actual results. The projected cost in budget 2012 is \$170 million in 2012-13.

The Chair (Mr. Bob Delaney): Mr. Fedeli.

Mr. Victor Fedeli: This change on page 171 is all about transparency. This changes the appointments from a ministerial letter to the Lieutenant Governor in Council, and that makes them subject to legislative oversight.

The Chair (Mr. Bob Delaney): Any further discussion?

Shall the amendment carry? All those in favour, please raise their hands. All those opposed? In my opinion, the amendment is lost.

There are no amendments for sections 2, 3, 4, 5 and 6, inclusive. Shall sections 2 through 6—

Interjection.

The Chair (Mr. Bob Delaney): Let me restate that: There are no amendments proposed to sections 2 and 3, inclusive. Shall we consider sections 2 and 3 together?

Mr. Yasir Naqvi: Yes.

The Chair (Mr. Bob Delaney): Shall sections 2 and 3 carry? Carried.

Shall schedule 46 carry? In my opinion, the schedule carries.

Mr. Peter Shurman: Chair?

The Chair (Mr. Bob Delaney): Mr. Shurman?

Mr. Peter Shurman: I wish to withdraw the forthcoming amendment 172.

1130

The Chair (Mr. Bob Delaney): Is that the only one?

Mr. Peter Shurman: It's the only one I'm withdrawing, for now.

The Chair (Mr. Bob Delaney): Make it a point of order. It makes my life easier.

Mr. Peter Shurman: Point of order.

The Chair (Mr. Bob Delaney): Point of order, Mr. Shurman.

Mr. Peter Shurman: The Progressive Conservative Party wishes to withdraw our amendment 172 under the forthcoming schedule 47 for consideration.

The Chair (Mr. Bob Delaney): Notice is given that number 172 is withdrawn.

We'll consider schedule 47. There are no amendments to sections 1 and 2. May we consider the two of them together? Okay. Shall sections 1 and 2 carry? In my opinion, the sections carry.

There is one amendment proposed for section 3, a PC amendment. Mr. McNaughton.

Mr. Monte McNaughton: I move that section 3 of schedule 47 to the bill be struck out and the following substituted:

“Commencement

“3(1) Subject to subsection (2), this schedule comes into force on the day the Strong Action for Ontario Act (Budget Measures), 2012 receives Royal Assent.

“Same

“(2) Sections 1 and 2 come into force on a day to be named by proclamation of the Lieutenant Governor.”

The Chair (Mr. Bob Delaney): Discussion? Mr. Naqvi?

Mr. Yasir Naqvi: As stated earlier on similar motions, the government recommendation is to vote against this motion. The delay would create uncertainty regarding when the proposed related changes in the budget will come into force, if at all. Further, the motion would add an extra administrative step, causing an undesirable delay in implementation.

The Chair (Mr. Bob Delaney): Mr. McNaughton?

Mr. Monte McNaughton: We support this. It gives a date when the act will come into effect. It doesn't permit the government to let the act sit with council.

The Chair (Mr. Bob Delaney): Any further discussion? Shall the amendment carry? All those in favour? All those opposed? In my opinion, the amendment is lost.

Shall schedule 7, section 3 carry? In my opinion, the section carries.

Just to quickly recap, there have been no amendments adopted in schedule 47. Shall schedule 47 carry? In my opinion, the schedule carries.

We're considering schedule 48. There are no amendments proposed to sections 1, 2 and 3. Consider sections 1, 2 and 3 together?

Shall sections 1, 2 and 3 carry? In my opinion, the sections carry.

Shall schedule 48 carry? In my opinion, the schedule carries.

We'll consider schedule 49. Schedule 49 has four sections. There are no proposed amendments to sections 1 through 4 inclusive. Consider sections 1 through 4, inclusive?

Mr. Yasir Naqvi: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 through 4, inclusive, of schedule 49 carry? In my opinion, the sections carry.

Shall schedule 49 carry? In my opinion, the schedule carries.

There is a new schedule 49.1 proposed in your package at number 174, a PC motion. Mr. McNaughton.

Mr. Monte McNaughton: I move that the bill be amended by adding the following schedule:

“Schedule 49.1

“Ontario Lottery and Gaming Corporation Act, 1999

“1(1) Section 12 of the Ontario Lottery and Gaming Corporation Act, 1999 is amended by adding ‘Subject to subsection (2)’ at the beginning.

“(2) Section 12 of the act is amended by adding the following subsections:

““Same, casinos and charity casinos

“(2) The corporation shall not authorize a casino or charity casino to be established unless the corporation has taken the steps specified in the regulation and the conditions specified in the regulation have been met.

“Expansion

“(3) The requirements mentioned in this section for establishing a casino or charity casino at a specific location do not apply to expanding a casino or charity casino that has been established in accordance with this act if the expansion is done at that location.

“Definitions

“(4) In this section,

““casino” means the part of a gaming site that is used for the purpose of playing or operating games of chance, but does not include a charity casino or slot machine facility; (“casino”)

““charity casino” means a gaming site at which the betting limits and number of games of chance do not exceed the prescribed limit; (“casino de bienfaisance”)

““game of chance” means a lottery scheme conducted and managed by the corporation,

“(a) that is played on or through a slot machine, or

“(b) that is played on tables or on wheels of fortune, including card games, dice games, roulette or keno, and includes all other lottery schemes that are prescribed; (“jeu de hasard”)

““Regulation” means Ontario regulation 347/00 (Requirements for Establishing a Casino or Charity Casino) made under this act, except for subsection 4(5), as that regulation read on January 1, 2003; (“Règlement”)

““slot machine facility” means a gaming site where games of chance are operated on or through a slot machine and includes the premises where services ancillary to the games of chance are provided, but does not include a casino or a charity casino. (“salle d’appareils à sous”)

“Commencement

“(2) This schedule comes into force on the day the Strong Action for Ontario Act (Budget Measures), 2012 receives royal assent.”

Le Président (M. Bob Delaney): Merci beaucoup.

Mr. Monte McNaughton: And correct me if I'm wrong.

Le Président (M. Bob Delaney): Votre français n'était pas mal. Thank you very much.

This amendment attempts to add a new schedule to the bill that would amend an act that is not open in the bill, and I therefore rule the amendment out of order.

Mr. Monte McNaughton: Chair?

The Chair (Mr. Bob Delaney): Mr. McNaughton.

Mr. Monte McNaughton: Can I seek unanimous consent to introduce this new schedule into the bill?

The Chair (Mr. Bob Delaney): Is there unanimous consent? I heard a no.

We are now considering schedule 50. There are no amendments proposed in sections 1 through 6, inclusive, of schedule 50. Shall we consider sections 1 through 6, inclusive, together? Okay.

Shall sections 1 through 6 of schedule 50 carry? In my opinion, the sections carry.

Shall schedule 50 carry? In my opinion, the schedule carries.

We'll consider schedule 51. Schedule 51 contains three sections with no amendments proposed. Shall we consider sections 1, 2 and 3 together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1, 2 and 3 of schedule 51 carry? In my opinion, the sections carry.

Shall schedule 51 carry?

Mr. Yasir Naqvi: Chair?

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: I ask for a 20-minute recess. I'm sorry.

The Chair (Mr. Bob Delaney): Twenty minutes will take us up to 12 noon. Can we get you down to anything less?

Mr. Yasir Naqvi: Twenty-minute recess, Chair.

The Chair (Mr. Bob Delaney): You are entitled to a 20-minute recess. We will reconvene for the vote just before going to lunch at 12 noon.

Mr. Yasir Naqvi: We'll reconvene—

The Chair (Mr. Bob Delaney): We'll come back here to vote on schedule 51 just before we break for lunch at 12 noon. Vote first, eat later, just like your mom would tell you.

We've got a fair amount to go through. Can I get you back at 12:40?

Interjection.

The Chair (Mr. Bob Delaney): The clerk advises that the House gave us 9 to 12, 1 to whenever, so it's out of our hands. We'll see you back here at 1 o'clock. We're in recess.

The committee recessed from 1141 to 1301.

The Chair (Mr. Bob Delaney): Good afternoon, everybody, and for francophones like Mr. McNaughton, bon après-midi.

M. Peter Shurman: Bonjour, monsieur le Président. Nous sommes tous ici pour nos audiences.

M. Gilles Bisson: Et on est ici pour vous écouter, puis regarder le beau travail que vous faites comme Président de notre comité.

Le Président (M. Bob Delaney): Merci beaucoup.

M. Peter Shurman: Et pour faire du travail pour nos personnes de Hansard là-bas.

M. Gilles Bisson: Je vais essayer. Je pense que M. Shurman voulait dire qu'on applaudit le beau travail des mesdames de Hansard.

M. Peter Shurman: Exactement.

The Chair (Mr. Bob Delaney): It's true. We did not acknowledge the work of Hansard.

Mr. Peter Shurman: We're live on television and we're doing this stuff. Good afternoon to everybody out there.

The Chair (Mr. Bob Delaney): Well, I think what everybody out there can get is the fact that throughout all of these days and through the deputations, they can be

assured that the people they sent to Queen's Park have acted like responsible, mature adults in the committee. It has been, in fact, a real pleasure to chair you and I've enjoyed every moment of it.

Go ahead, Mr. Fedeli.

Mr. Victor Fedeli: Chair, in case I don't get a chance at the end of the day, on behalf of all the paper companies throughout northern Ontario, I want to thank you and the committee and all of the masses who are here. The paper companies throughout Kapuskasing and Iroquois Falls thank you for this production.

Interjections.

The Chair (Mr. Bob Delaney): While chaos reigns, a point of order from Mr. Shurman.

Mr. Peter Shurman: I just want to say that if we are going to thank the paper companies, we also ought to tip our hats to the legal profession.

The Chair (Mr. Bob Delaney): Of course. I am reminded of a comment attributed to the late Field Marshal Bernard Montgomery, who, following the war, came to the conclusion that wars will end when the opposing armies run out of paper.

Okay, let us come back to what is it that we were doing. If you can remember, we are sitting on our vote for schedule 51, which is unamended, and we are now at the vote. Shall schedule 51 carry? In my opinion, the schedule carries.

We are now at a PC motion proposing to add a new schedule, that being number 175 in your package, and that will be read by Mr. Fedeli.

Mr. Victor Fedeli: Thank you, Chair. I move that Bill 55 be amended—that should say “be amended,” I believe—by adding the following schedule:

“Schedule 51.1

“Ontario Northland Transportation Commission Act

“1. The Ontario Northland Transportation Commission Act is amended by adding the following section:

““Restriction re privatization

““(7.1)(1) The commission cannot exercise its authority under subsection 7(3) to discontinue an undertaking or cease to provide a service before a report under this section about the proposed action is laid before the assembly.

““Same, transfer of assets, etc.

““(2) The commission cannot exercise its authority under subsection 7(4) to transfer assets and liabilities to another person before a report under this section about the proposed action is laid before the assembly.

““Same, disposition by crown

““(3) The crown cannot dispose of all or part of its interest in the commission before a report under this section about the proposed action is laid before the assembly.

““Deadline

““(4) The report must be laid before the assembly no later than October 3, 2012.

““Report on proposed action

““(5) The report, to be commissioned by the Minister of Northern Development and Mines, must be prepared

by an independent third party and must include the following:

“1. An assessment of the future viability of the commission and its operations, in whole or in part, taking into account the potential for economic growth and other opportunities relating to the development of the area known as the northern Ontario Ring of Fire.

“2. An assessment of the economic impact of the proposed action in northern Ontario, including spinoff economic effects and the potential impact on jobs.

“3. Recommendations and options with respect to the proposed action and how the proposed action should be carried out.

“4. An assessment of the adequacy of the revenue to be received by the commission or by the crown, directly or indirectly, in connection with the proposed action.”

“Commencement

“2. This schedule comes into force on the day the Strong Action for Ontario Act (Budget Measures), 2012 receives royal assent.”

Mr. Gilles Bisson: Chair, point of order.

The Chair (Mr. Bob Delaney): Mr. Bisson, on a point of order.

Mr. Gilles Bisson: Just by point of order, I want to intend that the New Democrats would be voting for this particular amendment.

Mr. Victor Fedeli: Chair?

The Chair (Mr. Bob Delaney): Before you go on, Mr. Fedeli, the amendment that you’ve just read attempts to add a new schedule to the bill, which would amend an act that is not open in the bill. I therefore rule the amendment out of order.

Mr. Victor Fedeli: Chair, I seek unanimous consent to have this motion heard and voted on.

Mr. Gilles Bisson: Agreed.

Mr. Yasir Naqvi: No.

The Chair (Mr. Bob Delaney): I heard a no.

Mr. Gilles Bisson: Point of order: On the record, New Democrats voted in the affirmation.

The Chair (Mr. Bob Delaney): It may be a point of privilege, but it’s not a point of order.

Mr. Gilles Bisson: Point of order: But it is in Hansard that we supported the call for unanimous consent, on the record.

The Chair (Mr. Bob Delaney): It is indeed. Thank you, sir.

We will now begin consideration of schedule 52. We have no amendments on schedule 52, sections 1, 2 and 3. May we consider sections 1, 2 and 3 together? Yes. Shall sections 1, 2 and 3 of schedule 52 carry? In my opinion, the sections carry.

We’ve got a little bit of work to do on schedule 52, section 4. Let’s begin with number 176 in your package. We have an NDP motion. Ms. Forster.

Ms. Cindy Forster: I move that subsection 2.7(11) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be struck out and the following substituted:

“Same

“(11) The written reasons must demonstrate that the arbitrator has considered the criteria set out in subsection (5), and may deal with other matters as the arbitrator considers appropriate.”

The Chair (Mr. Bob Delaney): Thank you. Just before we proceed, may I kindly ask that if we’ve got some conferences that involve a little bit of conversation, you take them at least a little further away from the speaker. That would be really nice. Please and thank you.

Discussion? Mr. Naqvi.

Mr. Yasir Naqvi: I think we’ve spoken about this particular motion before. Government motion 176 already addresses this motion by eliminating the word “proper” from the subsection. By removing the word “clearly,” as proposed here, it would mean that arbitrators would not have to demonstrate clear consideration of the criteria on which he or she receives submissions from a party.

The purpose of the proposed legislation is to increase accountability and transparency within the interest arbitration system while preserving the essential independence of the decision-making process.

The Chair (Mr. Bob Delaney): Ms. Forster.

Ms. Cindy Forster: As we said before in the other amendments that were around arbitration, we believe that our proposal provides more flexibility within the system, hence our amendment.

The Chair (Mr. Bob Delaney): Is there any further discussion on the amendment? Shall the amendment carry?

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): A recorded vote having been requested, all those in favour of the amendment?

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): The amendment is lost.

We move to number 177 in your package, a government motion. Ms. Piruzza.

Mrs. Teresa Piruzza: I move that subsections 2.7(8), (9), (10) and (11) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be struck out and the following substituted:

“Submissions re criteria

“(8) A party shall make submissions to the arbitrator on any of the criteria set out in subsection (5) in respect of which the party intends to request written reasons from the arbitrator.

“Reasons

“(9) When the arbitrator gives a decision, he or she shall provide written reasons upon the request of either party.

“Same

“(10) The written reasons must clearly demonstrate that the arbitrator has considered the criteria on which a party has made submissions under subsection (8), and may deal with other matters as the arbitrator considers appropriate.

The Chair (Mr. Bob Delaney): Mr. Naqvi.

Mr. Yasir Naqvi: The proposed subsections 2.7(8), (9), (10) and (11) of the Ontario Provincial Police Collective Bargaining Act, 2006, will require parties, unless they jointly agree otherwise, to provide submissions in each of the statutory criteria listed in the act and would require, upon the request of either party, an arbitrator to provide written reasons which clearly demonstrate that the arbitrator had given proper consideration to each of those criteria.

The proposed motion would amend those provisions to require a party to make submissions only on the criteria set out in the act in respect of which it intends to request written reasons from the arbitrator, and a corresponding requirement on an arbitrator to provide written reasons on the request of either party and to include in those reasons a clear demonstration that the arbitrator has considered the criteria on which he or she received submissions from a party.

The Chair (Mr. Bob Delaney): Further discussion? Mr. Prue.

Mr. Michael Prue: The discussion’s over. I need a five-minute recess to consider this.

The Chair (Mr. Bob Delaney): Okay. There being no further discussion, a five-minute recess is sought before the vote on number 177 in your package. We are in recess for five minutes and hopefully a little bit less.

The committee recessed from 1313 to 1316.

The Chair (Mr. Bob Delaney): Let’s come back to order. We are considering motion number 177.

Mr. Yasir Naqvi: Recorded vote, Chair.

Ayes

Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the motion carries.

In your package at 178, an NDP motion on the same section, section 4 of schedule 52. Mr. Prue.

Mr. Michael Prue: If I could seek the advice of the Chair, this was a consequential motion to 176, which was the NDP motion that has been defeated. We are not sure if it is consequential to 177. We would like to withdraw it unless it is consequential to 177. That’s what we’re not sure of.

The Chair (Mr. Bob Delaney): I think, in the interests of prudence, the Chair will just have a quick look at

it with the clerk and legal counsel. Sit tight. This will be a short recess.

The committee recessed from 1317 to 1322.

The Chair (Mr. Bob Delaney): Thank you for that most interesting legal challenge. The amendment under discussion, number 178 in your package, does not, in the opinion of our legal counsel, appear to be dependent on anything that has fallen or on anything either yet to come or passed, so it’s in order.

Mr. Michael Prue: If it’s in order, I’ll just move it.

I move that sections 2.3, 2.4, 2.5, 2.6, 2.7 and 2.8 of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be struck out and the following substituted:

“Transition

“2.3(1) This section applies only if schedule 52 to the Strong Action for Ontario Act (Budget Measures), 2012 receives royal assent.

“Same

“(2) Sections 5 and 6, as they read immediately before March 27, 2012, continue to apply if the referral date falls before March 27, 2012.”

The Chair (Mr. Bob Delaney): Any discussion, description?

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): Okay.

Mr. Prue, anything on that?

Mr. Michael Prue: No.

The Chair (Mr. Bob Delaney): All right.

Ayes

Fedeli, Forster, McNaughton, Prue, Shurman.

Nays

Naqvi, Piruzza, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

In your package, at number 179, we have a government motion. I am advised that number 179 is—all right. Ms. Piruzza, go ahead and move it.

Mrs. Teresa Piruzza: I have a feeling I know what you’re going to say when I’m done, but okay.

The Chair (Mr. Bob Delaney): I gave it away.

Mrs. Teresa Piruzza: I move that subsections 2.7(12), (13), (14), (16) and (17) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be struck out and the following substituted:

“Time for final submissions

“(12) If the arbitrator has not given his or her decision on or before the date that is 14 months after the referral date, each of the parties shall, on or before the date that is 15 months after the referral date, make its final written submissions to the arbitrator, including,

“(a) any submissions required by subsection (8); and

“(b) a list of any matters that the parties have already agreed upon.

“Time for decision

“(13) The arbitrator shall give his or her decision on or before the date that is 16 months after the referral date, unless an extension is obtained under subsection (16).

“Same

“(14) The 16-month deadline applies even if one or both of the parties fail to make final written submissions in accordance with subsection (12).

“Application to OLRB for extension

“(16) The parties may jointly apply to the Ontario Labour Relations Board for an order extending the 16-month deadline, and in that case the following rules apply:

“1. The application must be filed with the board before the 16-month deadline expires.

“2. The board,

“i. must deal with the application on an expedited basis,

“ii. may grant only one extension in each arbitration proceeding, and

“iii. may grant an extension only in exceptional circumstances.

“3. The extension, if granted, must not exceed two months after the date that is 16 months after the referral date.

“Termination of arbitrator’s appointment

“(17) The appointment of the arbitrator is immediately terminated if he or she fails to comply with the 16-month deadline and one of the following conditions exists:

“1. No application has been made for an extension.

“2. An application for an extension has been dismissed.

“3. An application for an extension has been granted but the arbitrator has not given his or her decision before the expiry of the extension period.”

The Chair (Mr. Bob Delaney): Thank you very much. In the previous amendment, we struck out section 2.7, which would render this motion out of order and, as such, it is out of order.

In your package at 180, a government motion. Ms. Wong.

Ms. Soo Wong: I move that subsection 2.7(21) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be amended by striking out “submissions that comply with subsection (8)” and substituting “any submissions required by subsection (8)”.

The Chair (Mr. Bob Delaney): For much the same reason as the previous government motion, that too is out of order as it proposes an amendment to a section that has previously been struck.

Government motion number 181. Ms. Piruzza.

Mrs. Teresa Piruzza: I move that subsection 2.7(27) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be amended by striking out “Subsections (5), (10),

(11) and (15)” at the beginning and substituting “Subsections (5), (9), (10) and (15)”.

The Chair (Mr. Bob Delaney): And as previously stated, as subsection 2.7 has been struck, that too is out of order.

In your package, number 182, a government motion. Ms. Wong.

Ms. Soo Wong: I move that subsection 2.8(4) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 4 of schedule 52 to the bill, be struck out and the following substituted:

“Same

“(4) If the referral date falls on or after March 27, 2012 but before the day on which the Strong Action for Ontario Act (Budget Measures), 2012 receives royal assent,

“(a) the parties shall make their final written submissions to the arbitrator on or before the date that is 15 months after the date of royal assent, not as provided in subsection 2.7(12); and

“(b) the arbitrator shall give his or her decision on or before the date that is 16 months after the date of royal assent, not as provided in subsection 2.7(13).”

1330

The Chair (Mr. Bob Delaney): For much the same reason earlier subsection (2.8) was struck, this amendment is also out of order.

Shall schedule 52, section 4, as amended, carry? In my opinion, the section carries.

In schedule 52, there are no changes proposed to sections 5, 6 and 7. May we consider sections 5, 6 and 7 together? Shall sections 5, 6 and 7 carry? In my opinion, the sections carry.

We’re considering schedule 52, section 8. We have an NDP motion. Mr. Prue.

Mr. Michael Prue: I move that section 10 of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in section 8 of schedule 52 to the bill, be struck out and the following substituted:

“Implementation of agreements

“10. The Minister of Government Services or such other minister as may be designated under the Executive Council Act for the purposes of this section shall by order implement agreements and awards made in accordance with the collective bargaining procedures available to public servants employed under part III of the Public Service of Ontario Act, 2006, who are represented by the association.”

The Chair (Mr. Bob Delaney): Discussion? Mr. Naqvi.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): Any further discussion? Just before we go to the vote, Mr. Prue, would you read, under 10, just the third line?

Mr. Michael Prue: “And awards made in accordance with the collective bargaining procedures applicable to public”.

The Chair (Mr. Bob Delaney): Thank you. No further discussion? We have a request for a recorded vote.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): I declare the amendment lost.

There being no amendments in schedule 52, section 8, shall schedule 52, section 8, carry? In my opinion, the section carries.

We're considering schedule 52, section 9. We have an NDP motion. Mr. Prue? Number 184 in your package.

Mr. Michael Prue: I move that clause 11(a) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in subsection 9(1) of schedule 52 to the bill, be struck out.

The Chair (Mr. Bob Delaney): Discussion?

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): We have a request for a recorded vote.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): I declare the amendment lost.

In your package at 185, on the same section 9 of schedule 52, we have an NDP motion. Ms. Forster.

Ms. Cindy Forster: I move that clause 11(2)(a) of the Ontario Provincial Police Collective Bargaining Act, 2006, as set out in subsection 9(2) of schedule 52 to the bill, be struck out.

The Chair (Mr. Bob Delaney): Any discussion?

Mr. Yasir Naqvi: A recorded vote, Chair.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment is lost.

Shall schedule 52, section 9, carry? In my opinion, the section carries.

In your package, at number 186, an NDP amendment: Ms. Forster.

Ms. Cindy Forster: I move that subsection 10(2) of schedule 52 to the bill be struck out.

The Chair (Mr. Bob Delaney): Discussion?

Mr. Yasir Naqvi: A recorded vote.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment is lost.

There are no remaining amendments to schedule 52, section 10. Shall schedule 52, section 10, carry?

Interjection.

The Chair (Mr. Bob Delaney): I heard a no. Let's take it again from the top. Let's make sure that—sorry, Ms. Forster.

Ms. Cindy Forster: Section 10, the arbitration section?

The Chair (Mr. Bob Delaney): Section 10, the section to which the previous amendment had been made and lost. There are consequently no amendments proposed to section 10 of schedule 52.

Ms. Cindy Forster: Is section 10 the arbitration section?

The Chair (Mr. Bob Delaney): I'm sorry. Again?

Ms. Cindy Forster: Is section 10 that you're wanting us to vote on the arbitration section?

The Chair (Mr. Bob Delaney): Let's just make sure.

For the purposes of precision in answering Ms. Forster's question, our legal counsel will provide some input.

Ms. Laura Hopkins: Section 10 of the schedule, which is on page 277 of the bill, relates to section 21 of the act. As you'll notice in section 10 of the schedule, the proposed subsection (3.1) refers to a number of provisions. The last one is section 2.7. Section 2.7 is one of the arbitration provisions that was struck out by an earlier amendment, so this section relates to the arbitration provisions.

The Chair (Mr. Bob Delaney): Did that answer your question?

Ms. Cindy Forster: It does, thank you.

The Chair (Mr. Bob Delaney): Okay, we have a request for a recorded vote. Shall schedule 52, section 10, carry? All those in favour? All those opposed? In my opinion, as no one has voted for the section, the section is lost.

We'll consider schedule 52, section 11. There are no proposed amendments. Shall schedule 52, section 11, carry?

Mr. Yasir Naqvi: Recorded vote.

Ayes

Naqvi, Piruzza, Wong.

The Chair (Mr. Bob Delaney): All those opposed? I declare the section carried.

We are now considering schedule 52, as amended.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): A recorded vote has been requested—

Mr. Michael Prue: We need a five-minute recess.

The Chair (Mr. Bob Delaney): —and so has a five-minute recess, that would be about 1:47 or earlier.

The committee recessed from 1342 to 1352.

The Chair (Mr. Bob Delaney): It's time to call the question. We are voting on schedule 52, as amended.

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): With a recorded vote requested.

Mr. Peter Shurman: What are we voting on?

The Chair (Mr. Bob Delaney): We're voting on schedule 52, as amended.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, schedule 52 is lost.

Mr. Peter Shurman: Liberals don't want to work.

The Chair (Mr. Bob Delaney): Somebody doesn't want to do something, and that's for the lawyers to figure out.

We are going to consider schedule 53. This one seems to be a relatively simple matter. There are no amendments proposed for sections 1 through 11, inclusive, which is all of schedule 53. Shall we consider sections 1 through 11, inclusive, of schedule 53?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 through 11, inclusive, carry? In my opinion, the sections carry.

Shall schedule 53 carry? In my opinion, the schedule carries.

We are now at schedule 54. Schedule 54: There are no amendments proposed for—

Mr. Monte McNaughton: Number 187.

The Chair (Mr. Bob Delaney): Yes, we know that. We're just looking it up here.

There are no amendments proposed to sections 1 and 2 of schedule 54. Consider sections 1 and 2 together?

Interjections: Yes.

The Chair (Mr. Bob Delaney): Shall sections 1 and 2 carry? Carried.

The Chair (Mr. Bob Delaney): There is one amendment proposed in section 3, a PC motion, number 187 in your package. Mr. McNaughton.

Mr. Monte McNaughton: I move that subsection 42(2) of the Personal Property Security Act, as set out in

subsection 3(1) of schedule 54 to the bill, be amended by striking out “minister” and substituting “Lieutenant Governor in Council”.

The Chair (Mr. Bob Delaney): Discussion? Mr. Naqvi?

Mr. Yasir Naqvi: Our recommendation to the committee members is to vote against this motion. Currently, the authority to appoint the registrar is with the minister. The minister typically appoints one registrar director to deal with issues across a number of statutes to ensure consistency of administration. This would necessitate cabinet approval instead of only a minister's approval, rendering the appointment approval process more lengthy. A registrar's appointment is typically made only every few years. The schedule as proposed would maintain the minister's current authority to appoint the position established in the statute. The motion before us will just create an additional burden in that whole process.

The Chair (Mr. Bob Delaney): Mr. McNaughton.

Mr. Monte McNaughton: We support this because it changes appointments from ministerial letter to the Lieutenant Governor in Council, making them subject to legislative oversight, so again, more transparency and accountability.

The Chair (Mr. Bob Delaney): Further discussion? Shall the amendment carry? All those in favour? All those opposed? As we have a tie, the Chair will revert to the status quo, which means that the amendment is lost.

Shall schedule 54, section 3, carry? Carried.

We can now consider schedule 54, sections 4 to 10. There are no proposed amendments for schedules 4 to 10. Shall we consider 4 to 10 together? Yes. Shall sections 4 to 10 carry? In my opinion, the sections carry.

Shall schedule 54 carry? In my opinion, the schedule carries.

Considering schedule 55, there are no amendments in sections 1 to 3. Shall we consider sections 1 to 3, which is the totality of schedule 55, together? Yes. Shall sections 1 to 3 carry? In my opinion, the sections carry.

Shall schedule 55 carry? In my opinion, the schedule carries.

In schedule 56, there are no amendments proposed for sections 1 and 2. Shall we consider the two together? Yes. Shall sections 1 and 2 carry? In my opinion, the sections carry.

We are considering section 3 of schedule 56. In your package, we are at number 188. We have an NDP motion. Mr. Prue.

Mr. Michael Prue: I move that subsection 122(5.6) of the Police Services Act, as set out in subsection 3(2) of schedule 56 to the bill, be struck out and the following substituted:

“Same

“(5.6) The written reasons must demonstrate that the arbitration board has considered the criteria set out in subsection (5), and may deal with other matters as the board considers appropriate.”

The Chair (Mr. Bob Delaney): Discussion?

Mr. Yasir Naqvi: Chair, as I've stated earlier, the government recommendation is to vote against this motion. Government motion 189 already addresses this motion by eliminating the word "proper" from this subsection. Removing the word "clearly," as proposed here, would mean that an arbitrator would not have to demonstrate clear consideration of the criteria on which he or she receives submissions from a party. The purpose of the proposed legislation is to increase accountability and transparency within the interest arbitration system while preserving the essential independence of the decision-making process.

The Chair (Mr. Bob Delaney): Thank you. Further discussion?

Shall the amendment carry? All those in favour? All those opposed? I declare the amendment lost.

In your package at number 189, government motion. Mrs. Piruzza.

1400

Mrs. Teresa Piruzza: I move that subsections 122(5.3), (5.4), (5.5) and (5.6) of the Police Services Act, as set out in subsection 3(3) of schedule 56 to the bill, be struck out and the following substituted:

"Submissions re criteria

"(5.3) A party shall make submissions to the arbitration board on any of the criteria set out in subsection (5) in respect of which the party intends to request written reasons from the board.

"Reasons

"(5.4) When the arbitration board gives its decision or award, it shall provide written reasons upon the request of either party.

"Same

"(5.5) The written reasons must clearly demonstrate that the arbitration board has considered the criteria on which a party has made submissions under subsection (5.3), and may deal with other matters as the board considers appropriate."

The Chair (Mr. Bob Delaney): Discussion?

Mr. Yasir Naqvi: The proposed subsections 122(5.3), (5.4), (5.5) and (5.6) of the Police Services Act would require the parties, unless they jointly agree otherwise, to provide submissions on each of the statutory criteria listed in the act and would require, upon the request of either party, an arbitrator to provide written reasons which clearly demonstrate that the arbitrator had given proper consideration to each of those criteria.

The proposed motion would amend those provisions to require a party to make submissions only on the criteria set out in the act in respect of which it intends to require written reasons from the arbitrator, and a corresponding requirement on an arbitrator to provide written reasons on the request of either party and to include in those reasons a clear demonstration that the arbitrator has considered the criteria on which he or she receives submissions from a party.

The Chair (Mr. Bob Delaney): Any further discussion?

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): Recorded vote requested.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

We almost got it. The time is now past 2 o'clock.

Pursuant to the order of the House dated May 31, 2012, I am required to 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.

From this point forward, those amendments which have not yet been moved shall be deemed to have been moved. Any division required shall be deferred until all questions have been put and taken in succession, with one 20-minute waiting period allowed pursuant to standing order 129(a).

That takes us to government motion—

Mr. Yasir Naqvi: Chair, just a point of clarification: Can we still ask for recorded votes at this stage, or no?

The Chair (Mr. Bob Delaney): Yes, you can ask for recorded votes, and the recorded votes are taken down and all held at the end.

Mr. Yasir Naqvi: Okay.

The Chair (Mr. Bob Delaney): One of the prerogatives of the Chair is, I think, to give everybody a chance to just sort of take a break because, with the next part, although it shouldn't be too long, there won't be much opportunity to give everybody a break. So we are going to be in recess for 15 minutes.

The committee recessed from 1405 to 1420.

The Chair (Mr. Bob Delaney): Welcome back. We are at number 190 in your packages, dealing with subsection 3(3) of schedule 56 to the bill, subsections 122(5.7), (5.8), (5.9), (5.10) and (5.11) of the Police Services Act.

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): This is deemed to be moved by Mr. Naqvi; a recorded vote has been requested.

Mr. Monte McNaughton: This is 190, for clarification?

The Chair (Mr. Bob Delaney): This is number 190.

So if it's a recorded vote, we're going to stand them all down until the end. Just remember that when you start asking for recorded votes.

We're at number 191 in your package, a government motion deemed moved by Mr. Naqvi, dealing with subsection 3(3) of schedule 56 to the bill, subsection 122(5.15) of the Police Services Act.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): We have a recorded vote requested.

Mr. Michael Prue: Are they all going to be recorded?

Ms. Cindy Forster: We might as well do them now if they're going to all be recorded.

Mr. Michael Prue: If they're all going to be recorded, let's just do them.

The Chair (Mr. Bob Delaney): Understanding what Mr. Prue has mentioned, there are some sections here where we can go through and do a lot of them together. Let's see how it goes.

Number 192, deemed moved by Mr. Naqvi, deals with subsection 3(3) of schedule 56 to the bill, subsection 122(5.21) of the Police Services Act.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): A recorded vote requested. So we're going to stand down schedule 56, section 3. We'll come back to it during recorded votes.

We're considering schedule 56, section 4. We have a government motion deemed moved by Mr. Naqvi, dealing with section 4 of schedule 56 to the bill, subsection 122.2(4) of the Police Services Act.

Mr. Yasir Naqvi: Recorded vote.

Ms. Cindy Forster: Would you mind just reading the number in the corner of the pages so that we all are on the same page?

The Chair (Mr. Bob Delaney): Oh, I'm sorry. I meant to say number 193. If I didn't say that, I apologize. I intend to say that for all of them, so if I miss one, just let me know and I'll do that.

We're at schedule 56, section 5. There are no amendments to schedule 56, sections 5, 6 and 7. Consider the sections together? Yes? Shall schedule 56, sections 5, 6 and 7, carry? In my opinion, they are carried.

For our vote on schedule 56, we will come back to that once we've dealt with the recorded votes.

We'll deal with schedule 57. There are no amendments to sections 1 and 2. Consider them both together? Yes. Shall sections 1 and 2 carry? In my opinion, the sections carry.

Shall schedule 57 carry? In my opinion, the schedule carries.

We'll deal with schedule 58, a government motion, number 195, deemed moved by Mr. Naqvi, dealing with subsection 1(4) of 58 to the bill, subsection 10(7) of the Provincial Parks and Conservation Reserves Act, 2006. All those in favour of the amendment? All those opposed? The amendment carries.

In your packages at number 196 is an NDP motion deemed moved by Mr. Prue. It deals with subsection 1(4) of schedule 58 to the bill, subsection 10(7) of the Provincial Parks and Conservation Reserves Act, 2006. Shall the amendment carry? All those in favour? All those opposed? The amendment is lost.

Shall schedule 58, section 1, as amended, carry? In my opinion, the section carries.

There are no amendments proposed to schedule 58, sections 2, 3, 4, 5 and 6. Consider them all as a block? Yes. Shall sections 2, 3, 4, 5 and 6 carry? In my opinion, the sections carry.

In your package at number 198 is a PC motion deemed moved—

Mr. Peter Shurman: Point of order: We'll withdraw that.

The Chair (Mr. Bob Delaney): Number 198 in your package is withdrawn.

We're looking at schedule 58, section 7 in your package at number 199, deemed moved by Mr. Shurman, dealing with section 7 of schedule 58 to the bill. Shall the amendment carry? All in favour of the amendment? All opposed? As there is a tie vote, the Chair will default to the status quo, and the amendment is lost.

Shall section 7 of schedule 58 carry? In my opinion, the section carries.

To move on in numerical order in your package, you may wish to look at the notice number 200.

1430

We'll now consider 58, as amended. Shall schedule 58, as amended, carry? In my opinion, the schedule carries.

We'll begin consideration of schedule 59. Schedule 59, number 201 in your package, deemed moved by Mr. Prue, deals with section 1 of schedule 59 to the bill, section 2 of the Public Lands Act. Shall the amendment carry? All those in favour? All those opposed? In my opinion, the amendment is lost.

We will now deal, in your package, with number 202, a PC motion deemed moved by Mr. Shurman. Shall the amendment carry? In my opinion, the amendment carries.

Mr. Peter Shurman: Point of order.

The Chair (Mr. Bob Delaney): Mr. Shurman?

Mr. Peter Shurman: The next one, 203, is withdrawn.

The Chair (Mr. Bob Delaney): Thank you. At the moment, it's a little ahead of order.

Mr. Peter Shurman: I'm trying to be judicious.

The Chair (Mr. Bob Delaney): Okay. Shall schedule 59, section 1, as amended, carry? In my opinion, the section carries.

There are no proposed amendments to sections 2 and 3 of schedule 59. Shall the sections carry? Carried.

Mr. Shurman has withdrawn number 203 in your package.

Mr. Peter Shurman: That's correct.

The Chair (Mr. Bob Delaney): We are dealing with schedule 59, section 4 of the bill. In your package, number 204, is a PC motion, deemed moved by Mr. Shurman, dealing with section 4 of schedule 59 to the bill. Shall the amendment carry? All those in favour? All those opposed? There being a tie, the Chair will default to the status quo and the amendment is lost.

Shall schedule 59, section 4, carry? In my opinion, the section carries.

Shall schedule 59, as amended, carry? Carried.

We'll now deal with number 206 in your—I'm sorry. We're dealing with schedule 60. I'm getting a little ahead of myself. Actually, looking at the numbering, I'm getting way ahead of myself. Dealing with schedule 60, there are no amendments proposed to sections 1 through 6. May we consider sections 1 through 6 together? Shall sections 1 through 6 of schedule 60 carry? Carried. Shall schedule 60 carry? Carried.

We are going to deal with schedule 61. There are 55 sections in schedule 61. There are no amendments proposed for any of the sections. May I consider sections 1 through 55 together? Yes. Shall sections 1 through 55 of schedule 61 carry? Carried. Shall schedule 61 carry? In my opinion, the schedule carries.

We'll deal with schedule 62. There are six sections in schedule 62. There are no amendments proposed for any section in schedule 62. May we consider sections 1 through 6 together? Yes. Shall sections 1 through 6 of schedule 62 carry? Carried. Shall schedule 62 carry? Carried.

We're dealing with schedule 63. There are no amendments proposed for the five sections of schedule 63. Consider sections 1 through 5, inclusive, together? Yes. Shall sections 1 through 5 of schedule 63 carry? Carried. Shall schedule 63 carry? Carried.

There are no amendments proposed for sections 1 to 4 of schedule 64. Consider sections 1 to 4 of schedule 64 together? Yes. Shall sections 1 to 4 carry? Carried. Shall schedule 64 carry? Carried.

There are no amendments proposed for sections 1 through 4 of schedule 65. Consider sections 1 through 4 together? Yes. Shall sections 1 through 4 carry? Carried. Shall schedule 65 carry? Carried.

We're considering schedule 66. There are no amendments proposed for sections 1 through 9, inclusive. Consider sections 1 through 9, inclusive, together? Yes. Shall sections 1 through 9, inclusive, in schedule 66 carry? Carried. Shall schedule 66 carry? Carried.

1440

We're now considering schedule 67.

Mr. Peter Shurman: Point of order.

The Chair (Mr. Bob Delaney): Mr. Shurman.

Mr. Peter Shurman: I just want to question the Liberals. Are you sure you don't want to withdraw this and stop scaring investors and such?

Mr. Yasir Naqvi: I'll let the Chair rule on that point of order.

The Chair (Mr. Bob Delaney): Well, it gives the Chair a chance to rest his voice.

We are considering schedule 67, section 1: government amendment number 206 in your package.

Mr. Peter Shurman: Recorded vote.

The Chair (Mr. Bob Delaney): And a recorded vote is requested.

This government amendment deemed moved by Mr. Naqvi deals with schedule 67, section 1 of the bill, section 2 of the Taxpayer Protection Act, 1999. We will stand down schedule 67 until the consideration of—actually, we can do one more thing in schedule 67. There are no amendments proposed to section 2. Shall section 2 carry? Carried. We'll stand down the remainder of schedule 67 pending resolution of amendment number 206 in your package.

We will now consider schedule 68. There are no amendments proposed for sections 1, 2 and 3 of schedule 68. Request permission to consider sections 1, 2 and 3

together? Yes. Shall sections 1, 2 and 3 of schedule 68 carry? Carried.

Section 4, number 207 in your package: An NDP motion deemed moved by Mr. Prue deals with subsection 4(1) of schedule 68 to the bill, subsection 10(2.4) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): We have a request for a recorded vote.

In your package at number 208 is a government motion deemed moved by Mr. Naqvi dealing with subsection 4(1) of schedule 68 to the bill, subsections 10(2.1), (2.2), (2.3) and (2.4) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): With a recorded vote requested.

In your package at number 209, a government motion deemed moved by Mr. Naqvi dealing with subsection 4(2) of schedule 68 to the bill, subsections 10(6), (7), (8), (9), (10) and (11) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): With a recorded vote requested.

In your packages, number 210: a government motion deemed moved by Mr. Naqvi dealing with subsection 4(2) of schedule 68 to the bill, subsection 10(15) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): With a recorded vote requested.

In your packages at number 211: a government motion deemed moved by Mr. Naqvi dealing with subsection 4(2) of schedule 68 to the bill, subsections 10(16), (17) and (20) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): We will deal with—oh, we've got one more.

Mr. Peter Shurman: Point of order.

The Chair (Mr. Bob Delaney): Mr. Shurman.

Mr. Peter Shurman: I'd just like to seek clarification. Between now and when we do these recorded votes, can we get counsel to confirm or advise whether the arbitration decision of the TTC recently awarded, which was 8% over four years, had been contemplated in the government's fiscal plan as outlined in this budget? We need to know that to vote correctly.

The Chair (Mr. Bob Delaney): At this point, there is no more debate, pursuant to the order of the House. It is probable that at some point following the consideration of this and before the recorded votes, the Chair may call a recess for you to consult whomever you feel appropriate.

Mr. Peter Shurman: I recognize how you're attempting to steer the ship through the waters, and I appreciate that response.

The Chair (Mr. Bob Delaney): Thank you.

We are at number 212 in your package. This is a government motion deemed moved by Mr. Naqvi dealing with subsection 4(2) of schedule 68 to the bill, subsection 10(21) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): A recorded vote. We will deal with schedule 68, section 4 following the resolution of the recorded votes requested.

We're dealing with schedule 68, section 5; in your package, at number 213, is a government motion deemed moved by Mr. Naqvi dealing with section 5 of schedule 68 to the bill, subsection 20.1(2) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): With a recorded vote requested. We will determine the disposition of schedule 68, section 5 once the recorded votes have been taken.

We are dealing with number 214 in your package, in schedule 68, section 6, a government motion deemed moved by Mr. Naqvi, dealing with section 5 of schedule 68 to the bill, subsection 20.1(3) of the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

Mr. Yasir Naqvi: Recorded vote.

The Chair (Mr. Bob Delaney): Okay.

There are no amendments proposed to schedule 68, section 7. Shall the section carry? In my opinion, the section carries.

Mr. Yasir Naqvi: Chair, section 6 as well.

The Chair (Mr. Bob Delaney): Section 6 is where you have your last—

Mr. Yasir Naqvi: No, motion 214 deals with section 5.

The Chair (Mr. Bob Delaney): Oh, I'm sorry. You are correct. We've got a little typographical error in some of the documents here. I stand corrected. Please forgive the Chair. We'll do these just out of order.

There are no amendments proposed for schedule 68, section 6. Shall schedule 68, section 6, carry? In my opinion, the section carries. And when the recorded votes have been taken, we'll determine the disposition of schedule 68.

We are now considering schedule 69 of the bill. There are no amendments proposed for the 17 sections in schedule 69. May we consider sections 1 through 17 together? Shall sections 1 through 17 of schedule 69 carry? In my opinion, the sections carry. Shall schedule 69 carry? In my opinion, the schedule carries.

While the Chair and the clerk get ourselves organized for the recorded votes requested, the Chair is going to say a 10-minute recess.

The committee recessed from 1452 to 1457.

The Chair (Mr. Bob Delaney): Okay, ladies and gents, we've got a few recorded votes to do here. Let's take it from the top.

Number 190, dealing with schedule 56, section 3. Looking at 190, all those in favour?

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): The amendment carries.

Number 191 in your package: All those in favour?

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): The amendment carries.

Still in schedule 56, section 3, number 192 in your package. All those in favour?

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): The amendment carries.

Shall schedule 56, section 3, as amended, carry? The section carries.

We are dealing with number 193 in your package: schedule 56, section 4. Shall the amendment carry?

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): The amendment carries.

Shall schedule 56, section 4, as amended, carry? All those in favour? All those opposed? In my opinion, the section carries.

Shall schedule—

Mr. Yasir Naqvi: Recorded vote, Chair.

The Chair (Mr. Bob Delaney): You've already had your chance to—

Mr. Yasir Naqvi: On the overall schedule?

The Chair (Mr. Bob Delaney): Yes, you can request that. A recorded vote having been requested on schedule 56, shall schedule 56, as amended, carry?

Ayes

Naqvi, Piruzza, Wong.

Nays

Fedeli, Forster, McNaughton, Prue, Shurman.

The Chair (Mr. Bob Delaney): I declare the schedule lost.

In your packages, we are at number 206.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries. All the extra hands were out of order.

Shall schedule 67, section 1, as amended, carry? All those in favour? All those opposed? In my opinion, the section carries.

Shall schedule 67, as amended, carry? All those in favour? All those opposed? In my opinion, the schedule carries.

Mr. Peter Shurman: I believe we did call a recorded vote.

The Chair (Mr. Bob Delaney): Well, you couldn't have called a recorded vote on the entire schedule, because we hadn't gotten to that.

Mr. Peter Shurman: Can we have a recorded vote on it, then? I think it's pretty obvious what it is.

The Chair (Mr. Bob Delaney): Well, the vote has already happened.

Mr. Peter Shurman: All right. No sweat.

The Chair (Mr. Bob Delaney): I'll revert back to your comment about it being rather obvious who voted how.

We are at number 207 in your package. We're dealing with schedule 68, section 4.

Mr. Yasir Naqvi: Sorry, Chair, where are we now?

The Chair (Mr. Bob Delaney): We're at number 207 in your package. We're dealing with schedule 68, we're on section 4, and this is the NDP amendment to subsection 4(1) etc. etc.

Ayes

Forster, Prue.

Nays

Fedeli, McNaughton, Naqvi, Piruzza, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment is lost.

We are dealing now with number 208 in your package, still on schedule 68, section 4.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): I declare the amendment carried.

We're dealing with number 209 in your package, a government motion deemed moved by Mr. Naqvi.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Number 210 in your package, a government motion deemed moved by Mr. Naqvi.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): The amendment carries.

Number 211, a government motion.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Number 212 in your package, a government motion.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Shall schedule 68, section 4, as amended, carry? Carried.

In your package at number 213, we have a government motion.

Ayes

Fedeli, Forster, McNaughton, Naqvi, Piruzza, Prue, Shurman, Wong.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Shall schedule 68—

Interjection.

The Chair (Mr. Bob Delaney): The same typographical error. I couldn't read my own arrow.

In your package at number 214, a government motion.

Ayes

Forster, Naqvi, Piruzza, Prue, Wong.

Nays

Fedeli, McNaughton, Shurman.

The Chair (Mr. Bob Delaney): In my opinion, the amendment carries.

Shall schedule 68, section 5, as amended, carry? In my opinion, the section carries.

Mr. Peter Shurman: A recorded vote on the full section, please, Chair.

The Chair (Mr. Bob Delaney): A recorded vote on the full section?

Mr. Yasir Naqvi: I concur.

The Chair (Mr. Bob Delaney): Anybody not want a recorded vote on this?

Just to make sure that everybody knows what we're voting on, seeing as how everyone wants a record of it, we are voting on schedule 68, as amended.

Ayes

Naqvi, Piruzza, Wong.

Nays

Fedeli, Forster, McNaughton, Prue, Shurman.

The Chair (Mr. Bob Delaney): I declare the schedule lost.

Don't get wrapped up yet. Don't anybody go away yet. We are not done. As they say in software, the first 99% is easy. We haven't got much left.

Interjection.

The Chair (Mr. Bob Delaney): We're not quite there. We're not quite yet at the name.

If you go back to the actual bill, at the front of the bill, we stood down these sections so that we could consider the balance of the bill. Shall sections 1, 2 and 3 carry? Carried.

This is the part you didn't want to rush out of the room, just in case you missed.

Shall the title of the bill carry? Carried.

Shall Bill 55 carry?

Interjection: Carried.

The Chair (Mr. Bob Delaney): I'm sorry. Let me do that again because this is important.

Shall Bill 55, as amended, carry? I declare, in my opinion, the bill carries.

Shall I report the bill, as amended, to the House?

Interjection: Agreed.

The Chair (Mr. Bob Delaney): Ladies and gentlemen, I thank you all for your time, and I especially thank and acknowledge all of the forbearance of the people from the different ministries who have enjoyed our company here at the back of the room. May you all have a good day, and I'm absolutely—

Mr. Yasir Naqvi: Point of order.

The Chair (Mr. Bob Delaney): Yes, Mr. Naqvi.

Mr. Yasir Naqvi: I just want to take this opportunity to thank you, first of all, for an excellent job that you've done as the Chair throughout the proceeding and keeping the decorum, the tone and the flow of the work. So thank you very much.

And through you to all the staff, especially the clerk, for their effort in making the work of this committee go so smoothly.

I also want to thank all the members for their cooperation. There were some heated exchanges, but I think we were all doing our job in order to ensure that we represent the people of Ontario.

As a small token of my appreciation, I have small cups of chocolate ice cream for all members of the committee and staff, which will be distributed very soon.

Mr. Peter Shurman: I'd like to add to that. I can't say very much. I certainly don't have any chocolate ice cream, and I want to make sure when I eat mine that I don't spit it out.

But I do want to say that in a very difficult—basically seven to eight months—period since we've been back in the House post-election, it hasn't been easy for anybody. We've had some very difficult moments in this committee, but at the end of the day, on a budget where clearly the parties do not agree and on a series of amendments where we're all over the road, we are able to go back to the House.

I think it'll be up to the finance minister and the Premier to say this, but I'm optimistic that nobody's going to the polls. I'm thrilled to be sitting and working with a number of people who, while coming from different directions, bring a degree of professionalism to their jobs and have demonstrated it for the past week and a half. Thank you all very much.

The Chair (Mr. Bob Delaney): Thank you. And Mr. Prue, have the last word.

Mr. Michael Prue: Yes, if I could say, I often wander the halls here and yell, "Another day in paradise." I must say that a few moments in this place were not exactly total paradise, but in the overall event we have come to a conclusion.

I trust, as Mr. Shurman has said, that there will not be an election. There need not be one. We have now a

budget that's been approved by committee. The last vote was unanimous to send it off to the House, and I'm hoping tomorrow that we can all come together, pass the budget and go on with the other business we have, which is committee reports and the like, over the summer, and serve the people of Ontario. Thank you very much.

The Chair (Mr. Bob Delaney): Ladies and gentlemen, for whatever its strengths and failings may be, this committee has sent the Legislature of the province of Ontario a budget. We are adjourned.

The committee adjourned at 1513.

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