



No. 122

N° 122

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## Votes and Proceedings

## Procès-verbaux

Legislative Assembly  
of Ontario

Assemblée législative  
de l'Ontario

**Monday**  
**April 4, 2005**

Daytime Meeting - Sessional Day 176  
Evening Meeting - Sessional Day 177

**Lundi**  
**4 avril 2005**

Séance de l'après-midi - jour de session 176  
Séance du soir - jour de session 177

**1<sup>st</sup> Session,**  
**38<sup>th</sup> Parliament**

**1<sup>re</sup> session**  
**38<sup>e</sup> législature**

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**PRAYERS**  
**1:30 P.M.**

**PRIÈRES**  
**13 H 30**

**MOTIONS**

**MOTIONS**

Mr. Duncan moved,

M. Duncan propose,

That pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, April 4, 2005, for the purpose of considering government business.

The question being put on the motion, it was carried on the following division:-

La motion, mise aux voix, est adoptée par le vote suivant:-

**AYES / POUR - 70**

Arnott	Delaney	Jackson	Miller	Ruprecht
Arthurs	Dhillon	Jeffrey	Mitchell	Sergio
Baird	Di Cocco	Kennedy	Mossop	Smith
Bartolucci	Dombrowsky	Klees	Munro	Sterling
Bentley	Duguid	Kwinter	Oraziotti	Takhar
Berardinetti	Duncan	Lalonde	O'Toole	Tory
Bradley	Dunlop	Leal	Ouellette	Van Bommel
Broten	Flaherty	Levac	Parsons	Watson
Brownell	Flynn	Marsales	Peters	Wilkinson
Bryant	Fonseca	Matthews	Phillips	Witmer
Cansfield	Gerretsen	Mauro	Racco	Wong
Caplan	Gravelle	McMeekin	Ramal	Wynne
Chambers	Hardeman	McNeely	Rinaldi	Yakabuski
Cordiano	Hoy	Meilleur	Runciman	Zimmer

**NAYS / CONTRE - 6**

Bisson	Kormos	Marchese	Martel	Prue
Horwath				

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Following remarks by Mr. McGuinty, Mr. Tory and Mr. Hampton, the House observed a moment of silence in respect of the death of His Holiness Pope John Paul II.

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The Speaker delivered the following ruling:-

On Tuesday, March 29, 2005, the Member for Simcoe North (Mr. Dunlop) rose on a question of privilege concerning the circumstances surrounding a public announcement by the Minister of Community Safety and Correctional Services (Mr. Kwinter) on March 22, 2005. According to the Member, only government Members received advance notice of the announcement, and the Ministry ignored or rebuffed Opposition requests for information about the announcement, contrary to the custom and tradition of the House.

I have had an opportunity to review the *Hansard* for that day, together with our precedents and the relevant parliamentary authorities.

Our precedents indicate that although the Speaker has a duty to preserve Members' rights to seek information under the Standing Orders, there are limits to the Speaker's authority. For example, on October 9, 1997, at page 801 of the *Journals* of that day, Speaker Stockwell made the following remarks concerning Ministry financial information that was released to Opposition members only after it had been released to government Members and the media:

... I appreciate that the member would have preferred that all members could have received the information at the same time. However, the Speaker cannot require the government to release such information -- or to release it at a certain time. There is nothing in our rules or our practice that would permit the Speaker to control the dissemination of that kind of information. It is clear from any number of previous Speakers' rulings that these types of situations do not amount to a *prima facie* case of privilege.

I agree with this view and find therefore that a *prima facie* case of privilege has not been established.

In closing, I thank the Member for Simcoe North for raising his concern.

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### PETITIONS

Petition relating to passing Bill 3, An Act to protect anaphylactic students (Sessional Paper No. P-180) Mr. Levac.

Petition relating to placing restrictions on the eligibility of persons who act as volunteers in schools (Sessional Paper No. P-183) Mr. Flaherty.

Petition relating to removing the present minimum amount regarding non-refundable income tax credit prescribed in the Income Tax Act (Sessional Paper No. P-200) Mr. O'Toole.

Petition relating to stopping public private partnership hospital deals and return to public funding (Sessional Paper No. P-208) Mr. Leal.

Petition relating to consulting with farmers to develop a long-term strategy to ensure the viability of agriculture in Ontario (Sessional Paper No. P-243) Mr. O'Toole.

Petition relating to Rural Revolution's resolution concerning farm income (Sessional Paper No. P-250) Mr. Hardeman.

Petition relating to keeping the Rideau Regional Centre open (Sessional Paper No. P-258) Mr. Sterling.

Petitions relating to creating new landlord-tenant legislation (Sessional Paper No. P-263) Mr. Bisson and Mr. Ruprecht.

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### ORDERS OF THE DAY

A debate arose on the motion for Second Reading of Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997.

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

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

### PÉTITIONS

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### ORDRE DU JOUR

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

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

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

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6:45 P.M.

18 H 45

**ORDERS OF THE DAY**

A debate arose on the motion for Second Reading of Bill 92, An Act to amend the Municipal Act, 2001.

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

The House then adjourned at 9:30 p.m.

**ORDRE DU JOUR**

Il s'élève un débat sur la motion portant deuxième lecture du projet de loi 92, Loi modifiant la Loi de 2001 sur les municipalités.

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

À 21 h 30, la chambre a ensuite ajourné ses travaux.

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le président

**ALVIN CURLING**

Speaker

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