



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 55**

**THIRD SESSION, THIRTY-NINTH LEGISLATURE**

**PRAYER**

**10:00 O'CLOCK A.M.**

By leave, it was agreed for the House to deal with Second Reading of Bill (No. 202).

Mr. LAMOUREUX moved:

THAT Bill (No. 202) – The Highway Traffic Amendment Act (Bicycle Helmets)/Loi modifiant le Code de la route (casques de bicyclettes), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. LAMOUREUX, Ms. IRVIN-ROSS, Messrs. MAGUIRE and NEVAKSHONOFF, Hon. Mr. GERRARD, Mr. ALTEMEYER and Mrs. STEFANSON having spoken,

And Ms. HOWARD speaking at 11:00 a.m. The debate was allowed to remain in her name.

Mr. BRICK moved:

Resolution No. 16: Flood Worker Recognition

WHEREAS Manitobans in many regions are dealing with high levels of flooding this spring, as rivers spill over their banks and run-off causes overland flooding; and

WHEREAS flood workers and volunteers standing shoulder to shoulder play a vital role in assisting their communities in building dykes and assisting with evacuations; and

WHEREAS all sectors, recognizing the exceptional circumstances of natural disasters, consistently work with government to put the needs of Manitoba citizens first in disasters of this nature; and

WHEREAS public service employees at all levels provide outstanding support and assistance in dealing with these exceptional circumstances to make the best of a bad situation; and

**Tuesday, June 9, 2009**

---

WHEREAS this support continues in full force as Manitobans dedicate their time and energy to protecting their friends, neighbours and even strangers against spring flooding;

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba commend all Manitobans who have been working to combat spring flooding across the province; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba extend a thank you to all those who sacrificed their time and labour to help fellow Manitobans mitigate the effects of this flooding.

And a debate arising,

And Ms. BRICK, Mrs. TAILLIEU, Hon. Mr. ASHTON, Messrs. SCHULER, DEWAR and LAMOUREUX and Hon. Ms. MELNICK having spoken,

And the Question being put. It was agreed to, unanimously.

---

**1:30 O'CLOCK P.M.**

The following petitions were presented and read:

Mr. BOROTSIK – Legislative Assembly of Manitoba to request that the Attorney General consider refunding all monies collected from photo radar tickets given to motorists driving the regular posted speed limit in construction zones where no workers were present. (J. Hodgin, L. White, M. Gagnon and others)

Mr. BRIESE – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider upgrading the Ring Dike Road at Ste. Rose du Lac into a Provincial Road and to consider upgrading the Ring Dike Road at the same time that work is being done at the junction of PTH 68 and PTH 5. (J. Dupre, E. MacMilan, W. Robertson and others)

Mr. DYCK – Legislative Assembly of Manitoba to urge the Minister of Health to ensure that patients who are awaiting placement in a personal care home are not moved to distant communities and to consider working with the RHA and the community to speed construction and expansion of long term care facilities in the region. (J. Froese, N. Thiessen, F. Wall and others)

Mr. SCHULER – Legislative Assembly of Manitoba to request that the Minister of Transportation consider the immediate twinning of the PTH #15 Floodway Bridge for the safety of the citizens of Manitoba. (R. Rogers, J. Aitken, G. Godfmedsen and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba to urge the Minister of Health to consider rethinking her refusal to allow an ophthalmologist to practice in Swan River and to consider working with the community to provide this service without further delay. (C. Broda, M. Sarrel, K. Patzer and others)

Mrs. TAILLIEU –Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation consider meeting as soon as possible with his federal counterparts to finalize the cost-sharing arrangements needed to move the twinning of the Trans Canada Highway forward in order to ensure that the federal monies available for this important project do not lapse and consider making the completion of the dividing of the Trans Canada Highway in Headingley in 2009 an urgent Provincial Government priority. (E. Gramiak, D. Bassett, B. Michalenko and others)

Mr. EICHLER – Legislative Assembly of Manitoba to request that the Attorney General consider refunding all monies collected from photo radar tickets given to motorists driving the regular posted speed limit in construction zones where no workers were present. (C. Armishaw, I. Armishaw, T. Propp and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request that the Premier and the NDP Government to call a meeting of a Standing Committee of the Legislature and invite representatives of the WRHA to appear before it. (D. Valdez, N. Robinson, R. Johnson and others)

---

Ms. BLADY, Chairperson of the Standing Committee on Legislative Affairs, presented its Fifth Report, which was read as follows:

### **Meeting**

Your Committee met on the following occasions in Room 254 of the Legislative Building:

- Thursday, June 4, 2009
- Monday, June 8, 2009

### **Matter under Consideration**

- **Bill (No. 6)** – The East Side Traditional Lands Planning and Special Protected Areas Act/Loi sur l'aménagement des terres traditionnelles situées du côté est et les zones protégées spéciales

### **Committee Membership**

Committee Membership for the Thursday, June 4, 2009 meeting:

- Ms. BLADY
- Hon. Mr. CHOMIAK
- Mr. DERKACH
- Mr. EICHLER
- Mr. GOERTZEN
- Mr. REID
- Hon. Mr. ROBINSON
- Hon. Mr. STRUTHERS
- Hon. Mr. SWAN
- Mrs. TAILLIEU
- Hon. Ms. WOWCHUK

Your Committee elected Ms. BLADY as the Chairperson.

Your Committee elected Mr. REID as the Vice-Chairperson.

Committee Membership for the Monday, June 8, 2009 meeting:

- Ms. BLADY (*Chairperson*)
- Hon. Mr. BLAIKIE
- Mr. CALDWELL
- Mr. GRAYDON
- Mr. MAGUIRE
- Mr. MARTINDALE
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Mrs. ROWAT
- Mr. SARAN
- Hon. Mr. STRUTHERS

Your Committee elected Mr. MARTINDALE as the Vice-Chairperson.

### **Public Presentations**

Your Committee heard the following seven presentations on **Bill (No. 6)** – The East Side Traditional Lands Planning and Special Protected Areas Act/Loi sur l'aménagement des terres traditionnelles situées du côté est et les zones protégées spéciales:

Chief David Harper	Garden Hill First Nation
Chief Gilbert Andrews	God's Lake First Nation
Chief Gilbert Andrews on behalf of	Manto Sipi Cree Nation
Chief Oliver Okemow	
Chief Gilbert Andrews on behalf of	Bunibonibee Cree Nation
Chief Bailey Colon	
Michael Anderson	Manitoba Keewatinowi Okimakanak Inc. (MKO)
Moses Okimaw	Private Citizen
Vivek Voora	International Institute for Sustainable Development

### **Bill Considered and Reported**

- **Bill (No. 6)** – The East Side Traditional Lands Planning and Special Protected Areas Act/Loi sur l'aménagement des terres traditionnelles situées du côté est et les zones protégées spéciales

Your Committee agreed to report this Bill, with the following amendments:

*THAT the Bill be amended by adding the following after Clause 1:*

**Objectives**

**1.1** The objectives of this Act include

(a) developing a new government-to-government relationship between the Wabanong Nakaygum Okimawin (East Side) First Nations and the government arising out of the east side planning initiative; and

(b) implementing the goals and objectives of the Wabanong Nakaygum Okimawin Council of Chiefs Accord dated April 3, 2007, in accordance with the principles set out in that accord.

*THAT the Bill be amended by adding the following after Clause 2:*

**Aboriginal rights protected**

**2.1** This Act is not to be interpreted so as to abrogate or derogate from the aboriginal and treaty rights of the aboriginal peoples of Canada that are recognized and affirmed by section 35 of the *Constitution Act, 1982*.

On motion of Mr. SELBY, the Report of the Committee was received.

\_\_\_\_\_

Hon. Ms. ALLAN presented:

Report of the Manitoba Labour Management Review Committee, Sections 87.1 to 87.3 of the Labour Relations Act, dated March 2, 2009.

(Sessional Paper No. 84)

\_\_\_\_\_

Pursuant to Rule 26(1), Mrs. DRIEDGER, Messrs. JENNISSEN and BRIESE, Ms. MARCELINO and Mr. LAMOUREUX made Members' Statements.

\_\_\_\_\_

Mr. GOERTZEN moved the following Opposition Day Motion:

THAT the Provincial Government consider refunding the fines and court costs collected from those people who received photo radar tickets while traveling in construction zones with no construction workers present and traveling at or below the normal speed limit.

And a debate arising,

And Mr. GOERTZEN, Hon. Mr. ASHTON, Mr. MCFADYEN, Hon. Mr. LEMIEUX, Mrs. STEFANSON, Hon. Mr. CHOMIAK, Mrs. DRIEDGER, Hon. Messrs. BLAIKIE and GERRARD, Mr. SCHULER, Ms. SELBY, Mrs. MITCHELSON and Hon. Mr. BJORNSEN having spoken,

And the Question being put. It was negatived, on the following division:

**YEA**

BOROTSIK	HAWRANIK
BRIESE	LAMOUREUX
CULLEN	MAGUIRE
DERKACH	MCFADYEN
DRIEDGER	MITCHELSON
DYCK	PEDERSEN
EICHLER	ROWAT
FAURSCHOU	SCHULER
GERRARD	STEFANSON
GOERTZEN	TAILLIEU.....21
GRAYDON	

**NAY**

ALLAN	MACKINTOSH
ALTEMEYER	MARCELINO
ASHTON	MARTINDALE
BLADY	MCGIFFORD
BLAIKIE	MELNICK
BJORNSON	NEVAKSHONOFF
BRAUN	OSWALD
BRICK	REID
CHOMIAK	ROBINSON
DEWAR	RONDEAU
DOER	SARAN
HOWARD	SELBY
IRVIN-ROSS	SELINGER
JENNISSEN	STRUTHERS
JHA	WHITEHEAD
KORZENIOWSKI	WOWCHUK.....33
LEMIEUX	

---

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 24) – The Colleges Amendment and Le Collège Universitaire de Saint-Boniface Amendment Act (College Degrees)/Loi modifiant la Loi sur les collèges et la Loi sur le Collège universitaire de Saint-Boniface (grades des collèges), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

**Tuesday, June 9, 2009**

---

And Hon. Ms. MCGIFFORD and Mr. HAWRANIK having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly concurred in, read a Third Time and passed.

---

In accordance with Rule 31(8), the Government House Leader announced that the Reserve Forces Week Resolution sponsored by the Honourable Member for St. James will be considered Tuesday, September 15, 2009.

---

The House then adjourned at 4:45 p.m. until 1:30 p.m., Wednesday, June 10, 2009.

Hon. George HICKES,  
Speaker.