



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 57

THIRD SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

By leave, it was agreed, with respect to the Special Committee on Senate Reform, to extend the reporting deadline of the Committee until October 8, 2009.

By leave, it was agreed to amend the title of the Private Members' Resolution to be considered on Tuesday, September 15, 2009 to Reserve Forces Day.

In accordance with Rule 31(9), the Opposition House Leader announced that the Supporting a Foreign Trade Zone at CentrePort Canada Resolution will be considered Thursday, September 17, 2009.

By leave, it was agreed for the House to deal with Second Reading of Bill (No. 238).

Ms. BLADY moved:

THAT Bill (No. 238) – The Service Animals Protection Act/Loi sur la protection des animaux d'assistance, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Ms. BLADY, Mr. EICHLER and Ms. HOWARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

By leave, it was agreed for the House to deal with Concurrence and Third Reading of Bill (No. 228).

Ms. BRAUN moved:

THAT Bill (No. 228) – The Grandparents' Day Act/Loi sur la Fête des grands-parents, 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,

And Ms. BRAUN, Mr. LAMOUREUX, Mrs. ROWAT and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

Mrs. TAILLIEU moved:

Resolution No. 17: 80th Anniversary of Women as “Persons”

WHEREAS until October 18, 1929, Canadian women were not considered “persons” under the law; and

WHEREAS because of this interpretation of *The British North America Act*, women had no legal rights; and

WHEREAS governments often used this interpretation of the law to keep women out of positions of leadership such as the Senate of Canada; and

WHEREAS the efforts of five Canadian women, including Nellie McClung of Manitoba, led to a landmark British Privy Council decision in 1929 known as the Persons Case, which finally granted women legal status as “persons”; and

WHEREAS because of the contributions of these women, known as the “Famous Five”, women were granted legal rights and the ability to participate fully in politics and affairs of the state; and

WHEREAS over the last 80 years since being granted status as persons, women have made remarkable achievements in positions of leadership across all sectors of Canadian society.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba recognize the efforts of the “Famous Five” to the advancement of women’s rights and gender equality; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba commemorate the 80th anniversary of the Persons Case as an important event in the history of this province and country.

And a debate arising,

And Mrs. TAILLIEU, Ms. MARCELINO, Mrs. DRIEDGER, Hon. Ms. ALLAN, Mrs. MITCHELSON, Ms. HOWARD and Mr. LAMOUREUX having spoken,

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

1:30 O'CLOCK P.M.

On motion of Mr. MCFADYEN, Bill (No. 231) – The Elections Finances Amendment Act (Abolishing the Vote Tax)/Loi modifiant la Loi sur le financement des campagnes électorales (abolition de la subvention sur les votes), was read a First Time and had its purposes outlined.

The following petitions were presented and read:

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. (J. Baryliuk, C. Ross, A. Smith 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. (I. Dyck, C. Klassen, J. Krahn 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. (S. Therrien, L. Ritchot, S. Verhaeghe 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. (G. Williams, C. King, S. King 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. (R. Harris, B. Schoenratt, M. Borland and others)

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. (M. Powers, E. Higgs, C. Sisson 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. (D. Caron, L. Harris, K. Gompf 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. (L. Franco, F. Peters, L. Watson and others)

Mr. DERKACH, Chairperson of the Standing Committee on Public Accounts, presented its Fifth Report, which was read as follows:

Meetings

Your Committee met on the following occasions in Room 255 of the Legislative Building:

- December 5, 2003
- September 7, 2004
- September 8, 2004
- November 28, 2005
- August 15, 2007
- June 10, 2009

Matters under Consideration

- Auditor General's Report – Voluntary Sector Grant Accountability: Perspectives and Practices – Enhancing Board Governance in Not-For-Profit Organizations Report – February, 2005
- Auditor General's Report – An Examination of RHA Governance in Manitoba dated January, 2003

Committee Membership

Committee Membership for the December 5, 2003 meeting:

- Mr. AGLUGUB
- Hon. Mr. GERRARD
- Mr. LOEWEN
- Mr. MALOWAY (*Vice-Chairperson*)
- Mr. MARTINDALE
- Mrs. MITCHELSON
- Ms. OSWALD
- Mr. REIMER (*Chairperson*)
- Mr. SANTOS
- Hon. Mr. SELINGER
- Mrs. TAILLIEU

Committee Membership for the September 7, 2004 meeting:

- Mr. AGLUGUB
- Hon. Mr. GERRARD
- Ms. IRVIN-ROSS
- Mr. LOEWEN
- Mr. MALOWAY (*Vice-Chairperson*)
- Mr. MARTINDALE
- Mrs. MITCHELSON
- Ms. OSWALD
- Mr. REIMER (*Chairperson*)
- Hon. Mr. SELINGER
- Mrs. TAILLIEU

Committee Membership for the September 8, 2004 meeting:

- Mr. AGLUGUB
- Hon. Mr. GERRARD
- Ms. IRVIN-ROSS
- Mr. LOEWEN
- Mr. MALOWAY (*Vice-Chairperson*)
- Mr. MARTINDALE
- Mrs. MITCHELSON
- Ms. OSWALD
- Mr. REIMER (*Chairperson*)
- Hon. Mr. SELINGER
- Mrs. TAILLIEU

Substitutions received during committee proceedings at the September 8, 2004 meeting:

- Mrs. ROWAT for Mrs. MITCHELSON

Committee Membership for the November 28, 2005 meeting:

- Mr. CALDWELL
- Mr. CUMMINGS
- Mr. HAWRANIK
- Mr. MAGUIRE
- Mr. MALOWAY (*Vice-Chairperson*)
- Mr. MARTINDALE
- Mr. NEVAKSHONOFF
- Mr. REIMER (*Chairperson*)
- Mr. SANTOS
- Hon. Mr. SELINGER

Committee Membership for the August 15, 2007 meeting:

- Mr. DERKACH
- Mrs. DRIEDGER
- Mr. FAURSCHOU
- Ms. HOWARD
- Ms. KORZENIOWSKI
- Mr. LAMOUREUX
- Mr. MAGUIRE
- Mr. MALOWAY
- Mr. MARTINDALE
- Hon. Mr. SELINGER
- Mr. SWAN

Your Committee elected Mr. DERKACH as the Chairperson at the August 15, 2007 meeting.

Your Committee elected Mr. MALOWAY as the Vice-Chairperson at the August 15, 2007 meeting.

Committee Membership for the June 10, 2009 meeting:

- Mr. ALTEMEYER
- Mr. BOROTSIK
- Ms. BRAUN
- Mr. DERKACH (*Chairperson*)
- Ms. HOWARD (*Vice-Chairperson*)
- Mr. LAMOUREUX
- Mr. MARTINDALE
- Mr. MAGUIRE
- Ms. SELBY
- Hon. Mr. SELINGER
- Mrs. STEFANSON

Officials Speaking on Record

Officials speaking on the record at the December 5, 2003 meeting:

- Mr. Jon Singleton, Auditor General of Manitoba
- Ms. Bonnie Lysyk, Deputy Auditor General and Chief Operating Officer

Officials speaking on the record at the September 7, 2004 meeting:

- Mr. Jon Singleton, Auditor General
- Ms. Bonnie Lysyk, Deputy Auditor General and Chief Operating Officer

Officials speaking on the record at the September 8, 2004 meeting:

- Mr. Jon Singleton, Auditor General
- Ms. Bonnie Lysyk, Deputy Auditor General and Chief Operating Officer

Officials speaking on the record at the August 15, 2007 meeting:

- Hon. Ms. OSWALD
- Heather Reichert, Acting Deputy Minister of Health

Officials speaking on the record at the June 10, 2009 meeting:

- Ms. Carol Bellringer, Auditor General of Manitoba
- Hon. Ms. OSWALD
- Ms. Arlene Wilgosh, Deputy Minister of Health and Healthy Living
- Ms. Sandra Hardy, Deputy Minister of Culture, Heritage, Tourism and Sport

Reports Considered and Passed

Your Committee considered and passed the following reports as presented:

- Auditor General's Report – Voluntary Sector Grant Accountability: Perspectives and Practices – Enhancing Board Governance in Not-For-Profit Organizations Report – February, 2005
- Auditor General's Report – An Examination of RHA Governance in Manitoba dated January, 2003

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

Hon. Mr. RONDEAU presented:

Report on Recommendations for Reducing or Eliminating the use of Diesel Fuel to Supply Power in Off-Grid Communities.

(Sessional Paper No. 87)

Hon. Mr. ROBINSON, the Minister of Aboriginal and Northern Affairs made a statement recognizing today, June 11, 2009 as the one year anniversary of the Prime Minister's apology to survivors of Indian Residential Schools.

Mr. MCFADYEN and, by leave, Hon. Mr. GERRARD commented on the statement.

During Oral Questions, Mr. Speaker interjected and requested that the words "get up on his hind legs" spoken by the Honourable Member for Brandon West be withdrawn.

WHEREUPON Mr. BOROTSIK withdrew his remarks.

Subsequently during Oral Questions, Mr. Speaker interjected and requested that the words "the Animal House kind of approach he takes to politics, public policy and this Legislature" spoken by the Honourable First Minister be withdrawn.

WHEREUPON Hon. Mr. DOER withdrew his remarks.

Pursuant to Rule 26(1), Ms. SELBY, Mrs. STEFANSON, Messrs. WHITEHEAD, FAURSCHOU and ALTEMEYER made Members' Statements.

Thursday, June 11, 2009

In accordance with Rule 27, Mrs. ROWAT rose on a Grievance.

By leave, it was agreed to have Bill (No. 228) given Royal Assent on June 11, 2009, notwithstanding the Sessional Order adopted in the House on June 1, 2009.

Hon. Mr. CHOMIAK moved:

THAT 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, as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Mrs. STEFANSON and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to, on division.

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

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 5) – The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)/Loi modifiant le Code de la route (promotion de la santé et de la sécurité dans les véhicules automobiles), as amended and reported from the Standing Committee on Social and Economic Development, and subsequently amended, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Mr. MAGUIRE and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

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

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 14) – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Messrs. CHOMIAK and GERRARD having spoken,

And the Question being put. It was agreed to.

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

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 18) – The Regulated Health Professions Act/Loi sur les professions de la santé réglementées, as amended and reported from the Standing Committee on Human Resources, and subsequently amended, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Mrs. DRIEDGER, Hon. Mr. GERRARD and Mr. LAMOUREUX having spoken,

And the Question being put. It was agreed to.

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

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 20) – The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)/Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics (fiabilité du réseau électrique), reported from the Standing Committee on Social and Economic Developments, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Messrs. CULLEN, LAMOUREUX and FAURSCHOU having spoken,

And the Question being put. It was agreed to.

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

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 27) – The Gaming Control Amendment Act/Loi modifiant la Loi sur la Commission de régie du jeu, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

Thursday, June 11, 2009

And a debate arising,

And Hon. Mr. CHOMIAK and Mr. SCHULER having spoken,

And the Question being put. It was agreed to.

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

The House resumed the Interrupted Debate on the Proposed Motion of Hon. Mr. CHOMIAK:

THAT Bill (No. 16) – The Police Services Act/Loi sur les services de police, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. GOERTZEN having spoken,

And Mr. LAMOUREUX speaking at 4:00 p.m.

In accordance with the Sessional Order agreed to by the House on June 1, 2009, the debate was interrupted to put the Question.

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 30) – The Budget Implementation and Tax Statutes Amendment Act, 2009/Loi d'exécution du budget de 2009 et modifiant diverses dispositions législatives en matière de fiscalité), as amended and reported from the Standing Committee on Human Resources, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Messrs. BOROTSIK, LAMOUREUX and CULLEN having spoken,

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

YEA

ALLAN	MACKINTOSH
ALTEMEYER	MARCELINO
ASHTON	MARTINDALE
BLADY	MCGIFFORD
BLAIKIE	MELNICK
BJORNSON	NEVAKSHONOFF
BRAUN	OSWALD
CHOMIAK	REID
DEWAR	ROBINSON
DOER	RONDEAU
HOWARD	SARAN
IRVIN-ROSS	SELBY
JENNISSEN	SELINGER
JHA	STRUTHERS
KORZENIOWSKI	SWAN
LEMIEUX	WOWCHUK.....32

NAY

BOROTSIK	HAWRANIK
BRIESE	LAMOUREUX
CULLEN	MAGUIRE
DRIEDGER	MCFADYEN
DYCK	MITCHELSON
EICHLER	PEDERSEN
FAURSCHOU	ROWAT
GERRARD	SCHULER
GOERTZEN	STEFANSON
GRAYDON	TAILLIEU.....20

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

His Honour, John HARVARD, Lieutenant Governor of the Province of Manitoba, having entered the House at 4:37 p.m., and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

Your Honour:

At this sitting, the Legislative Assembly has passed certain Bills that I ask Your Honour to give assent to.

(No. 2) – The Animal Care Amendment Act/Loi modifiant la Loi sur le soin des animaux

(No. 3) – The Forest Amendment Act/Loi modifiant la Loi sur les forêts

(No. 5) – The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)/Loi modifiant le Code de la route (promotion de la santé et de la sécurité dans les véhicules automobiles)

(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

(No. 7) – The Food Safety and Related Amendments Act/Loi sur la salubrité des aliments et modifications connexes

(No. 11) – The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act/Loi modifiant le Code de la route et la Loi sur la Société d'assurance publique du Manitoba

(No. 12) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

(No. 13) – The Medical Amendment Act/Loi modifiant la Loi médicale

(No. 14) – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)

(No. 15) – The Victims' Bill of Rights Amendment Act/Loi modifiant la Déclaration des droits des victimes

(No. 17) – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail

(No. 18) – The Regulated Health Professions Act/Loi sur les professions de la santé réglementées

(No. 19) – The Mortgage Dealers Amendment and Securities Amendment Act/Loi modifiant la Loi sur les courtiers d'hypothèques et la Loi sur les valeurs mobilières

(No. 20) – The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)/Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics (fiabilité du réseau électrique)

(No. 21) – The Labour Mobility Act/Loi sur la mobilité de la main-d'œuvre

(No. 22) – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives

Thursday, June 11, 2009

(No. 23) – The Buildings and Mobile Homes Amendment Act/Loi modifiant la Loi sur les bâtiments et les maisons mobiles

(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)

(No. 25) – The Statistics Amendment Act/Loi modifiant la Loi sur les statistiques

(No. 27) – The Gaming Control Amendment Act/Loi modifiant la Loi sur la Commission de régie du jeu

(No. 28) – The Private Investigators and Security Guards Amendment Act/Loi modifiant la Loi sur les détectives privés et les gardiens de sécurité

(No. 29) – The Environment Amendment Act/ Loi modifiant la Loi sur l'environnement

(No. 30) – The Budget Implementation and Tax Statutes Amendment Act, 2009/Loi d'exécution du budget de 2009 et modifiant diverses dispositions législatives en matière de fiscalité

(No. 32) – The Centre culturel franco-manitobain Act/Loi sur le Centre culturel franco-manitobain

(No. 228) – The Grandparents' Day Act/Loi sur la Fête des grands-parents

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly as follows:

"In Her Majesty's name, His Honour assents to these Bills."

At 4:43 p.m., His Honour was then pleased to retire.

Pursuant to Rule 2(1), the House then adjourned at 4:45 p.m., Thursday, June 11, 2009.

Hon. George HICKES,
Speaker.