



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 11

FOURTH SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

The following Bills were respectively read a First Time and had their purposes outlined:

(No. 10) – The Proceedings Against the Crown Amendment Act/Loi modifiant la Loi sur les procédures contre la Couronne

(Hon. Mr. BJORNSON)

(No. 208) – The Consumer Protection Amendment Act (Ban on Government Cheque Cashing Fees)/Loi modifiant la Loi sur la protection du consommateur (interdiction d'exiger des frais d'encaissement de chèques du gouvernement)

(Mrs. MITCHELSON)

The following petitions were presented and read:

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. McIvor, K. Pudiewich, M. Sersen 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. (E. Nemetchek, M. Nemetchek, A. Zinchuk and others)

Mrs. STEFANSON – Legislative Assembly of Manitoba to request the Minister of Conservation to consider acknowledging that more timely action should have been taken to address the shortcomings with the lagoons in the Whiteshell Provincial Park in order to protect the environment and to consider immediately developing short and long-term strategies to address the shortcomings with lagoons in the Whiteshell Provincial Park and to consider implementing them as soon as possible. (J. Kelly, F. Kupiak, H. Kovacs and others)

Mr. GRAYDON – Legislative Assembly of Manitoba to request the Minister responsible for the administration of The Liquor Control Act to consider working with MLCC to find alternate means of addressing rising administrative costs; and to consider working with MLCC to revise the decision to implement a significant annual license fee increase; and to consider ensuring that the unique challenges faced by small businesses are better taken into account in the future. (A. Pelletier, J. Heinrichs, C. Scott and others)

Mr. BOROTSIK – Legislative Assembly of Manitoba to request that the Minister of Education Citizenship and Youth consider removing education funding by school tax or education levies from all property in Manitoba and consider finding a more equitable method of funding education such as general revenue following the Constitutional funding of education by the Province of Manitoba. (K. Zdebiak, D. Reder, J. Laporte and others)

Pursuant to Rule 26(1), Ms. SELBY, Mr. CULLEN, Ms. BLADY, Mr. FAURSCHOU and Ms. BRICK made Members' Statements.

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

THAT the following address be presented to His Honour the Lieutenant Governor:

We, the Members of the Legislative Assembly of Manitoba thank your Honour for the gracious speech addressed to us at this Fourth Session of the Thirty-Ninth Legislature of Manitoba.

And the proposed amendment moved by Mr. MCFADYEN as follows:

THAT the motion be amended by adding at the end the following words:

But this House regrets:

- (a) That the Government's Throne Speech was long on problems, but short on solutions; and
- (b) That the speech failed to address the fact that Winnipeg is the country's murder capital, the child poverty capital, and Manitoba has the lowest GDP per capita in the west; and
- (c) That the speech fails to address the high taxes that Manitoba families already pay under the current NDP Government; however the PC Caucus does support some positive initiatives in the Throne Speech, including the NDP Government's decision to avoid increasing taxes by refusing to move to a harmonized sales tax in a manner that would add to the already high taxes that Manitobans pay; and
- (d) That the speech references fiscal restraint, and yet the NDP Government has failed to practice fiscal restraint and has increased the size of its cabinet, while at the same time closing the Addictions Foundation of Manitoba over the holiday season, and putting some of the most vulnerable Manitobans at risk; and
- (e) That the speech indicates that the NDP Government's plans to use the Rainy Day Fund to pay for justice and child protection costs, which are important services provided by the province, and something that should already have been factored into the budgeting process; and
- (f) That instead of using the last decade of general global economic prosperity to move our province forward, the NDP Government has squandered an opportunity to make Manitoba a Have Province, and has instead left a legacy of debt for Manitobans; and

- (g) That the speech reinforces the government's lack of understanding of Manitoba's agriculture sector, as evidenced by the absence of any new programs or services to help producers facing economic challenges brought on by factors such as: adverse weather conditions; trade-related matters such as BSE and Country of Origin Labelling; and, public policy decisions based on politics and not on sound science, such as Bill 17; and
- (h) That the speech continues this government's history of paying lip service to the needs of rural Manitoba, as evidenced by its ongoing failure to develop broad-based strategies aimed at cultivating growth and opportunities in our rural communities, the spin-off benefits of which are felt throughout the entire provincial economy; and
- (i) That the speech revisits the government's habit of making promises about its commitment to protecting the environment in areas such as restoring the health of Lake Winnipeg, the creation of new parks and protection areas, and recycling, yet as its track record has shown, it has proven woefully slow in translating such promises into meaningful and timely actions; and
- (j) That the speech failed to put forward a plan to provide timely access to health care for all Manitobans, to address the closure of 17 rural emergency rooms, to bring back more than 1500 doctors who have left Manitoba since the NDP Government took office, and to shorten long wait times that threaten the health and well being of all Manitobans; and
- (k) That this Government continually fails to acknowledge the challenges facing Manitoba seniors – such as the shortage of safe, affordable housing, the availability of assisted living spaces and other long-term care options, better caregiver supports, and Pharmacare deductibles, which have increased almost every year under this Government; and
- (l) That this speech is rife with previous announcements and old health care capital commitments - some as old as 2003 – with no time line or reassurance that these projects will ever get off the ground; and
- (m) That this speech fails to acknowledge the lack of accountability at many of Manitoba's Crown Corporations and fails to put an end to wasteful, costly projects like the NDP-directed west side Bipole line and the NDP Government's Enhanced Driver License initiative; and
- (n) That this speech fails to lay out a vision for Manitoba Hydro, and as such is ignoring an asset that Manitobans take pride in, particularly given the ability of our province to generate clean power in an era when clean energy is coveted by other jurisdictions; and
- (o) That this speech does not propose solutions to combat child poverty in our province, or to better protect children in care by reducing the caseloads of social workers; and
- (p) That this speech takes a few small steps in the right direction with the funding for a police helicopter that the PC Caucus advocated for, and a commitment to start tracking gang members and known drug dealers; however it doesn't go far enough, especially given the horrendous summer of crime we just experienced with innocent victims getting shot at weddings and people being lit on fire in their back yard.

And as a consequence, the Government has thereby lost the trust and confidence of the people of Manitoba and this House.

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mrs. TAILLIEU,

And Ms. BRICK, Mr. EICHLER, Hon. Ms. HOWARD, Mrs. STEFANSON and Mr. JHA having spoken,

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

YEA

BOROTSIK	HAWRANIK
BRIESE	LAMOUREUX
CULLEN	MAGUIRE
DERKACH	MCFADYEN
DRIEDGER	MITCHELSON
EICHLER	PEDERSEN
FAURSCHOU	ROWAT
GERRARD	SCHULER
GOERTZEN	STEFANSON..... 19
GRAYDON	

NAY

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

And the debate continuing on the main motion.

And Messrs. JHA (by leave) and HAWRANIK having spoken,

The debate was allowed to remain open.

Monday, December 14, 2009

By leave, during the debate, it was agreed to temporarily set aside the Throne Speech debate to deal with a Sessional Order, with the understanding that this is not to count as an interruption of or affect the number of days of debate held on the Throne Speech.

By leave, Hon. Mr. CHOMIAK moved:

THAT the following Sessional Orders apply to this Session despite any other rule or practice of this House:

Monday, December 14, 2009

1. Monday, December 14, 2009, is to be considered the seventh day of debate on the motion for the Address in Reply to the Speech from the Throne. At 4:30 p.m. on that day, if the question on the amendment to the motion has not been put, the Speaker must interrupt the proceedings and, without seeing the clock, put the question on the amendment.

Tuesday, December 15, 2009

2. Tuesday, December 15, 2009, is to be considered the eighth day of debate on the motion for the Address in Reply to the Speech from the Throne. At 4:30 p.m. on that day, the Speaker must interrupt the proceedings and, without seeing the clock, put every question necessary to dispose of the main motion for the Address in Reply to the Speech from the Throne.

At the conclusion of business on that day, the Speaker must adjourn the House without a motion for adjournment.

Tuesday, March 23, 2010 — Session to Resume

3. Subject to rule 2(2), the 4th Session of the 39th Legislature is to resume on Tuesday, March 23, 2010.

Last sitting day in March, 2010 — Interim Supply

4. The House must, if necessary, sit beyond the usual adjournment hour on the last sitting day in March, 2010, to conclude the business of interim supply for the 2010-2011 fiscal year as follows on that day:
 - (a) One hour before the usual adjournment hour on that day, all questions on resolutions respecting interim supply in the Committee of Supply must be put, and the Committee's report must be presented to and received by the House.
 - (b) 30 minutes before the usual adjournment hour on that day, all stages for the passage of *The Interim Appropriation Act, 2010* (including all related motions, committee stage and all three readings, but not including royal assent) must be completed.

For this purpose, all other House business under Orders of the Day, including the budget debate if it is under consideration, is to be set aside.

If the House or a committee of the House has not concluded any item or stage described above by the required hour, the Speaker or chairperson, as the case may be, must interrupt the proceedings at that time and, without seeing the clock, put all questions necessary to dispose of the required items without further debate or amendment. For this purpose, if a recorded vote has been requested, the reference in subrule 14(3) to "one hour" is to be read as "five minutes".

Royal Assent of *The Interim Appropriation Act, 2010* must take place before the House adjourns on that day.

Wednesday, June 16, 2010 — Completion of Estimates

5. Despite any time remaining for consideration of the business of supply, by the end of Wednesday, June 16, 2010, the Committee of Supply must complete its consideration of the estimates (including supplementary estimates, if any) for the 2010-2011 fiscal year, other than the concurrence motion.

Despite sub-rule 78(4), by the start of Orders of the Day on that day, the Official Opposition House Leader must table in the House a list of the Ministers of the Crown who may be called for questioning in the debate on the concurrence motion.

At 4:00 p.m. on that day, the chairpersons of the Committees of Supply and of the Whole House must interrupt the proceedings and immediately put all questions necessary to dispose of the remaining matters without debate, amendment, adjournment or recorded vote.

Thursday, June 17, 2010 — Completion of Business of Supply

6. The House must, if necessary, sit beyond the usual adjournment hour on Thursday, June 17, 2010, to conclude the business of supply for the 2010-2011 fiscal year as follows by 6:00 p.m. on that day:
 - (a) By 4:00 p.m. on that day, the question on the concurrence motion in the Committee of Supply must be put, the committee's report must be presented to and received by the House, and the question on the concurrence motion in the House must be put.
 - (b) By 6:00 p.m. on that day, all stages for the passage of the following bills (including all related motions, committee stage and all three readings, but not including royal assent) must be completed:

The Appropriation Act, 2010

The Loan Act, 2010

The Budget Implementation and Tax Statutes Amendment Act, 2010

If the House or a committee of the House has not concluded any item or stage described above by the required hour, the Speaker or chairperson, as the case may be, must interrupt the proceedings at that time and, without seeing the clock, put all questions necessary to dispose of the required items without further debate or amendment. For this purpose, if a recorded vote has been requested, the reference in subrule 14(3) to "one hour" is to be read as "five minutes".

Royal Assent of *The Appropriation Act, 2010*, *The Loan Act, 2010* and *The Budget Implementation and Tax Statutes Amendment Act, 2010* must take place before the House adjourns on that day.

Priority of actions to be taken

7. Where

- (a) these Sessional Orders require the Speaker or a chairperson to take any action at a specified time; and
- (b) at the specified time, a point of order or a matter of privilege has been raised and is under consideration by the House or committee;

the point of order or matter of privilege is to be set aside, and no other point of order or matter of privilege may be raised, until the required action has been taken and all matters relating to the required action have been resolved.

Interruption of proceedings

8. Where these Sessional Orders require the Speaker or a chairperson to interrupt proceedings to take any action, the interruption is to take place and the action is to be taken whether or not the Orders of the Day have been called.

No deferral of vote

9. Subrule 14(4) does not apply to a division to be taken on a question required to be put under these Sessional Orders.

And a debate arising,

And the Question being put. It was agreed to.

By leave, subsequently during the debate, it was agreed to temporarily set aside the Throne Speech debate to deal with a concurrence motion in the committee report regarding the recommendations of the Judicial Compensation Committee, with the understanding that this is not to count as an interruption of or affect the number of days of debate held on the Throne Speech.

Hon. Mr. CHOMIAK moved:

THAT in accordance with subsections 11.1(5) and (6) of The Provincial Court Act, the Report of the Standing Committee on Legislative Affairs respecting the Judicial Compensation received on December 1, 2009, be concurred in.

And a debate arising,

And the Question being put. It was agreed to.

Monday, December 14, 2009

By leave, subsequently during the debate, it was agreed to temporarily set aside the Throne Speech debate to deal with Second reading of Bill (No. 300) – An Act to amend An Act to incorporate The Portage District General Hospital Foundation/Loi modifiant la Loi constituant en corporation la Fondation de l'Hôpital général du district Portage, with the understanding that this is not to count as an interruption of or affect the number of days of debate held on the Throne Speech.

Mr. FAURSCHOU moved:

THAT Bill (No. 300) – An Act to amend An Act to incorporate The Portage District General Hospital Foundation/Loi modifiant la Loi constituant en corporation la Fondation de l'Hôpital général du district Portage, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. FAURSCHOU 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.

The House then adjourned at 5:00 p.m. until 1:30 p.m. Tuesday, December 15, 2009.

Hon. George HICKES,
Speaker.