



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 49

SECOND SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYERS

10:00 O'CLOCK A.M.

The House resumed the Adjourned Debate on the Proposed Motion of Ms. BRICK:

THAT Bill (No. 300) – The Winnipeg Foundation Act/Loi sur la Fondation dénommée « The Winnipeg Foundation », be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

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.

Ms. IRVIN-ROSS moved:

THAT Bill (No. 301) – The Jewish Foundation of Manitoba Act/Loi sur la Fondation dénommée « The Jewish Foundation of Manitoba », be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Ms. IRVIN-ROSS, Mrs. STEFANSON, Mr. LOEWEN and Hon. Mr. GERRARD 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 resumed the Adjourned Debate on the Proposed Motion of Mr. SCHULER:

THAT Bill (No. 212) – The Pension Freedom Act (Pension Benefits Act Amended)/Loi sur la liberté de choix en matière de pension (modification de la Loi sur les prestations de pension), be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. REID and EICHLER, Ms. BRICK and Mr. MAGUIRE having spoken,

And Mr. MARTINDALE speaking at 11:00 a.m. The debate was allowed to remain in his name.

The House resumed the Interrupted Debate on the Proposed Resolution of Mr. NEVAKSHONOFF:

Resolution No. 3: Gun Registry

WHEREAS the Federal Government introduced the ill-conceived federal gun registration scheme; and

WHEREAS the firearms registry scheme will serve only to penalize law-abiding gun owners; and

WHEREAS many serious crimes are committed with illegal guns from the United States which is not adequately addressed in the Federal Government's registry program; and

WHEREAS the cost of this program was initially estimated at \$2 million but has since ballooned to over \$2 billion; and

WHEREAS by scrapping the registry, these funds could be diverted towards important areas such as gun smuggling prevention and support programs and policies; and

WHEREAS the Manitoba Government has spoken out against the program on numerous occasions and will not prosecute registration offences under the firearms Act or the Criminal Code; and

WHEREAS several provinces have asked Ottawa to suspend the registry.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Federal Government to abandon the gun registry and to divert funds and energy towards other more necessary areas of crime prevention; and

BE IT FURTHER RESOLVED that this Assembly direct the Clerk of the Legislative Assembly to send a copy of this resolution to the Federal Government.

And the debate continuing,

And Hon. Mr. MACKINTOSH having spoken,

And the Question being put. Pursuant to Rule 23(4), the division is deferred as the first item of business during the next Private Members' Hour.

Ms. OSWALD moved:

Resolution No. 4: Conditional Sentencing

WHEREAS the Federal Government amended the Criminal Code to allow for conditional sentencing in 1995; and

WHEREAS conditional sentencing was intended to be imposed consistent with the fundamental principles of sentencing, which are that “a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender”; and

WHEREAS Parliament created the conditional sentence to address minor crime without resorting to imprisonment; and

WHEREAS the conditional sentence was never meant as a sentencing option for crimes of serious violence, sexual assault and related offences, driving offences involving death or serious bodily harm, or theft committed in the context of a breach of trust; and

WHEREAS the courts frequently grant conditional sentences in these cases and appeal courts have frequently upheld such sentences; and

WHEREAS it is Manitoba’s position that imposing a conditional sentence in these circumstances offends the fundamental principles of sentencing and brings the justice system into disrepute;

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Federal Government to amend the Criminal Code so that those convicted of serious crimes of violence, including sexual assault and offences involving death or serious bodily harm cannot be eligible for a conditional sentence.

And a debate arising,

And Ms. OSWALD, Messrs. DYCK and LAMOUREUX having spoken,

And the Question being put. It was agreed to.

Mr. DYCK moved:

Resolution No. 5: Community Foundations

WHEREAS the community foundation movement in Manitoba, and in Canada, began with the establishment of The Winnipeg Foundation in 1921; and

WHEREAS the number of community foundations in Manitoba has grown to 31 today; and

WHEREAS Manitoba has more community foundations per capita than any other region of the country; and

WHEREAS from 2000 to 2001 the amount of grants provided to Manitoba communities through community foundations increased by \$2.5 million or 29.2 per cent; and

WHEREAS Manitoba's community foundations had more than \$332 million in assets under management at the end of 2001, a 50 per cent increase from the previous year; and

WHEREAS growth of community foundations in Manitoba generated enough demand to hire a Regional Coordinator in July 2001 to identify needs of community foundations; provide information, education and technical assistance to community foundations; strengthen the relationship between communities and community foundations; encourage communication amongst community foundations; and promote philanthropy and the community foundation movement; and

WHEREAS community foundations pool the charitable gifts of many donors into permanent, income-earning endowment funds that benefit local communities; and

WHEREAS community foundations make grants to support a wide range of local initiatives – from health, education and social services to arts and culture and the environment; and

WHEREAS community foundations provide leadership to their communities by bringing people together from all sectors to identify and address local issues; and

WHEREAS the community foundation movement is often described as the fastest growing form of philanthropy in Canada.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba commend the province's community foundations on their demonstrated commitment and leadership in strengthening local communities across Manitoba; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider continuing to work in co-operation with Community Foundations of Canada, the national umbrella organization for community foundations, to broaden the community foundation movement in Manitoba.

And a debate arising,

And Messrs. DYCK, JHA and LAMOUREUX having spoken,

And the Question being put. It was agreed to.

Mr. EICHLER moved:

Resolution No. 7: Retaining Youth in Rural Manitoba

WHEREAS in April 2002 a discussion paper commissioned by the Canadian Rural Partnership and researched by R.A. Malatest & Associates entitled, *Rural Youth Migration: Exploring the Reality Behind the Myths/A Rural Youth Discussion Paper*, was released; and

WHEREAS this document reflected the input of more than 2,100 current and former rural youth, community leaders and government officials from all regions across Canada, ranging in age from 15 to 29; and

WHEREAS the results of this research suggest that out-migration from rural areas will likely continue, if not accelerate, in the near future; and

WHEREAS irrespective of their current status, almost all youth were unanimous in their opinion that there was a need for a "Rural Youth Strategy"; and

WHEREAS it is estimated that at most, only 1 in 4 rural youth who leave their community will return to the same community within 10 years; and

WHEREAS only 19% of study respondents thought that their rural community afforded an opportunity to pursue post-secondary education; and

WHEREAS only 23% of study respondents believed they would be able to make a good living should they remain in their community; and

WHEREAS 74% of study respondents aged 15 to 19 indicated that they intend to live in an urban community in the future; and

WHEREAS a 2002 Statistics Canada Research Paper entitled, *Recent Migration Patterns in Rural and Small Town Canada*, shows that between 1971 and 1996, rural and small town out-migration in Canada was consistently highest in the 20 to 24 age class; and

WHEREAS the *Rural Youth Discussion Paper* contained more than 20 strategic options designed to enhance the attractiveness of rural communities to Canadian youth that could be implemented by communities, employers and other agencies; and

WHEREAS if changes are not made to increase accessibility of youth in rural communities to education and training; to enhance employment opportunities for rural youth; to encourage active participation by youth in civic decisions; to enhance tax and fiscal programs for youth choosing to remain in, or move to a rural setting; to implement work orientation and rural "exposure" programs for urban youth; and, to increase the amount social activities and infrastructure targeted at rural youth, there is a risk that Manitoba will continue to suffer net losses of its rural population aged 15-29.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider working in co-operation with the Canadian Rural Partnership, municipal governments, employers, educational institutions, members of the community and rural youth to implement strategies to help rural communities become more "youth friendly".

And a debate arising,

And Messrs. EICHLER, NEVAKSHONOFF and LAMOUREUX having spoken,

And the Question being put. It was agreed to.

Ms. KORZENIOWSKI moved:

Resolution No. 8: Korean War Veterans

WHEREAS July 27, 2003 marked the 50th anniversary of the cease-fire that ended the Korean War; and

WHEREAS almost 34,000 Canadians, including many Manitobans, served in the Korean conflict, and as peacekeepers in the subsequent cease-fire, making Korea one of Canada's largest military mobilizations; and

WHEREAS 516 Canadians paid the ultimate sacrifice, including 37 Manitobans, and 17 soldiers from CFB Shilo who died in a train accident near Canoe River, B.C. November 21st, 1950 en route to Korea; and

WHEREAS our province recognizes the sacrifices of those who have lost their lives in war, through the commemorative naming of more than 4,200 lakes, bays, islands and other geographical features; and

WHEREAS in September 1998 the Korean Veterans Association erected a cairn in Brookside Cemetery in Winnipeg honouring Manitobans who lost their lives in Korea, and those who died in the Canoe River train accident.

WHEREAS Manitobans who served in the Korean War wish to have one day set aside each year to remember their comrades;

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider recognizing July 27 as Korean War Veterans Day in Manitoba.

And a debate arising,

And Ms. KORZENIOWSKI, Messrs. REIMER and LAMOUREUX having spoken,

And the Question being put. It was agreed to.

Mr. REIMER moved:

Resolution No. 9: Graffiti Prevention Programs

WHEREAS graffiti is an act of vandalism that costs hundreds of thousands of dollars to remove or cover every year; and

WHEREAS the presence of graffiti causes an area to look unsafe, making people concerned about their personal safety and reducing the appeal and property values of that area; and

WHEREAS graffiti may lead to an increase in other crimes and acts of violence; and

WHEREAS gang members or associates may use graffiti as a method of communication to promote a gang, mark territory, recruit new members or intimidate a neighbourhood; and

WHEREAS efforts such as the Graffiti Awareness and Abatement Program, a joint City of Calgary/Calgary Police Service initiative for recording, reporting and removing graffiti, led to a noticeable reduction in graffiti; and

WHEREAS graffiti prevention techniques such as motion detector lights, increased lighting, locking gates, clinging vines and shrubbery, durable fences and anti-graffiti coatings can all help property become less of a graffiti target.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider working together with the province's cities to formulate a comprehensive graffiti prevention program that includes educating property and business owners on the use of graffiti prevention techniques to help deter would-be graffiti writers.

And a debate arising,

And Mr. REIMER, Ms. IRVIN-ROSS and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. EICHLER – Legislative Assembly of Manitoba to request that the Minister of Transportation and Government Services to consider having Highway 227 paved from the junction of Highway 248 and 227 all the way to Highway 16 the Yellow Head route and to request the Premier of Manitoba to consider supporting said initiatives to ensure for the safety of our Manitobans and all Canadians who travel along Manitoba Highways. (L. Kelly, B. Bernadin, J. MacMillan and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year. (F.M. Nagutom, C. Santiago, P. Imocencio and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba to request the Minister of Health to ensure that his attempts to balance his department's finances are not at the expense of the health and well-being of seniors and other vulnerable Manitobans suffering from this debilitating disease; to consider reversing his decision to deny Alzheimer's patients in personal care homes access to certain medications; and to consider implementing a provincial Alzheimer's strategy. (L. Schmidt, E. Kantyluk, J. Hemmerling and others)

Mr. MURRAY – Legislative Assembly of Manitoba to request the Premier of Manitoba to consider ending his government's plan to force all workers involved in the floodway expansion to pay union dues even if they are not part of a union; and to consider ensuring any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project. (D. Lewis, V. Robertson, B. Lewis and others)

Mrs. TAILLIEU – Legislative Assembly of Manitoba to request the Premier of Manitoba to consider reversing his decision to increase Pharmacare deductibles by 5 percent in Budget 2004; to consider reducing health care bureaucracy, as previously promised, and direct those savings into sustaining Pharmacare; and to consider re-evaluating his government's priorities and to consider suspending his government's plans to spend \$100 million on new VLTs at a time when seniors and fixed income Manitobans cannot afford medication. (B. Nohlgren, M. Nohlgren, J. Varndell and others)

Mr. FAURSCHOU – Legislative Assembly of Manitoba to request that the Minister of Transportation and Government Services to consider having Highway 227 paved from the junction of Highway 248 and 227 all the way to Highway 16 the Yellow Head route and to request the Premier of Manitoba to consider supporting said initiatives to ensure for the safety of our Manitobans and all Canadians who travel along Manitoba Highways. (M. Simpson, J. Simpson, G. Suggett and others)

On Motion of Hon. Mr. GERRARD Bill (No. 214) – The Health Services Amendment Act/Loi modifiant la Loi sur les services de santé, was read a First Time and had its purposes outlined.

Pursuant to Rule 26(1), Messrs. NEVAKSHONOFF, EICHLER, JHA and MAGUIRE and Ms. BRICK made Members' Statements.

During a point of order raised by the Honourable Member for Inkster, Mr. Speaker interjected and cautioned all Honourable Members regarding the use of the words "bold-faced lies" or "liars".

WHEREUPON Mr. LAMOUREUX apologized for his remarks.

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 53) – The Statutes Correction and Minor Amendments Act, 2004/Loi corrective de 2004, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. MACKINTOSH and Mr. LAMOUREUX having spoken,

The debate was, on motion of Mr. DERKACH, adjourned.

Hon. Mr. SELINGER moved:

THAT Bill (No. 54) – The Budget Implementation and Tax Statutes Amendment Act, 2004/Loi d'exécution du budget de 2004 et modifiant diverses dispositions législatives en matière de fiscalité, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Messrs. SELINGER and GERRARD and Mr. LAMOUREUX having spoken,

The debate was, on motion of Mr. LOEWEN, adjourned.

Hon. Mr. SELINGER presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 54).

(Sessional Paper No. 75)

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. SALE:

THAT Bill (No. 10) – The Gaming Control Amendment Act/Loi modifiant la Loi sur la Commission de régie du jeu, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. ROCAN,

And Hon. Mr. GERRARD 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 resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. ASHTON:

THAT Bill (No. 31) – The Floodway Authority Act/Loi sur la Commission du canal de dérivation, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Hon. Mr. GERRARD, Messrs. LAMOUREUX and PENNER 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 resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. SELINGER:

THAT Bill (No. 33) – The Public Servants Insurance Amendment Act/Loi modifiant la Loi sur l'assurance des employés du gouvernement, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. DYCK,

And Messrs. LOEWEN and LAMOUREUX 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 resumed the Adjourned Debate on the Proposed Motion of Hon. Ms. MCGIFFORD:

THAT Bill (No. 34) – The University of Winnipeg Amendment Act/Loi modifiant la Loi sur l'Université de Winnipeg, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. DYCK,

And Mr. LAMOUREUX 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.

Thursday, June 3, 2004

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. SELINGER:

THAT Bill (No. 35) – The Credit Unions and Caisses Populaires Amendment Act/Loi modifiant la Loi sur les caisses populaires et les credit unions, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. DYCK,

And Mrs. TAILLIEU having spoken,

And Mr. LAMOUREUX speaking at 5:30 p.m. The debate was allowed to remain in his name.

By leave, the House reverted to "Tabling of Reports".

Mr. Speaker presented:

Recommendations of the Legislative Assembly Management Commission concerning the Report for MLA Pay, Allowances and Retirement Benefits 2004.

(Sessional Paper No. 76)

By leave, Hon. Mr. MACKINTOSH moved:

WHEREAS the Members of the Legislative Assembly assert that salary increases are not appropriate at this time, recognizing the difficulties that are being faced by Manitobans as a result of economic conditions including the BSE issue, the Assembly recommends that the commissioner on MLA Allowances review the section regarding recommendations for salary increases with a view of deferring them at this time. We therefore respectfully reject the Report to the Legislative Assembly of Manitoba.

And a debate arising,

And Hon. Mr. MACKINTOSH, Mr. DERKACH and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The House then adjourned at 5:39 p.m. until 1:30 p.m. Monday, June 7, 2004.

Hon. George HICKES,
Speaker.