



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 59

THIRD SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYERS

9:00 O'CLOCK A.M.

By leave, Bill (No. 48) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, was withdrawn from the Standing Committee on Legislative Affairs and transferred to Human Resources.

The House resolving into Committee of Supply. The Proceedings were interrupted at 12:00 p.m. with the understanding that the Committee of Supply would resume following Routine Proceedings.

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. GOERTZEN – Legislative Assembly of Manitoba to request that the Minister of Family Services and Housing consider changes to the departmental policy that pays family members a reduced amount of money for room and board when they care for their special-needs dependants at home versus the amount paid to a non-parental care provider outside the family home and to consider examining on a case-by-case basis the merits of paying family members to care for special-needs dependants at home versus paying to institutionalize them. (M. Froese, E. Froese, A. Schellenberg and others)

Mr. EICHLER– Legislative Assembly of Manitoba to request the Provincial Government to consider funding the PAA to ensure that we receive a reasonable COLA, and that any loss of purchasing power we will face will be minor. (R. Harknes, T. Balian, R. Tromb and others)

Mr. SCHULER – Legislative Assembly of Manitoba to request the Provincial Government to consider providing East St. Paul with local ambulance service which would service both East and West St. Paul and to consider improving the way that ambulance service is supplied to all Manitoba's by utilizing technologies such as GPS in conjunction with a Medical Transportation Co-ordination Center (MTCC) which will ensure that patients receive the nearest ambulance in the least amount of time and to consider ensuring that appropriate funding is provided to maintain superior response times and sustainable services. (J. Saurette, R. Saurette, D. Saurette and others)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request the Provincial Government to consider funding the PAA to ensure that we receive a reasonable COLA, and that any loss of purchasing power we will face will be minor. (A. Smith, C. Kotylak, D. Thompson and others)

By leave, Mr. REIMER for Mr. ROCAN – Legislative Assembly of Manitoba to request the Minister of Intergovernmental Affairs and Trade to consider conducting a review of the circumstances outlined and to consider making a recommendation for redress to the Government of Manitoba. (G. Bzdel, B. Van Raes, J. Chudzik)

Mrs. STEFANSON – Legislative Assembly of Manitoba to request the Premier of Manitoba to consider accepting that the funding and delivery of public education is exclusively a provincial responsibility and to consider eliminating the Education Support Levy and Special Levy from all residential property and farmland in Manitoba. (K. Mason, C. Middleton, C. Loader)

Mrs. MITCHELSON – Legislative Assembly of Manitoba to request that the Minister Responsible for Manitoba Hydro and the Government of Manitoba consider ensuring an informed, appropriate and fair Wuskwatim Project Development Agreement (PDA) Referendum vote, and a vote overseen by an Independent Qualified Third Party such as Elections Manitoba. (J. Spence, K. Spence, D. McDonald and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the Government did not act on fixing the Crocus fund back in 2001. (C. Bains, S. Matharoo, N. Brar)

Ms. BRICK, Chairperson of the Standing Committee on Intergovernmental Affairs, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on Monday, June 6, 2005 at 9:30 a.m. in room 254 of the Legislative Building.

Matters under Consideration:

- **Bill (No. 29)** – The Municipal Councils and School Boards Elections Act/Loi sur les élections municipales et scolaires
- **Bill (No. 35)** – The Capital Region Partnership Act/Loi sur le Partenariat de la région de la capitale

Committee Membership:

Substitutions received prior to commencement of meeting:

- Mr. MAGUIRE for Mrs. DRIEDGER
- Mr. CUMMINGS for Mr. REIMER
- Mr. DYCK for Mr. SCHULER
- Mr. CULLEN for Mrs. STEFANSON
- Mr. DEWAR for Mr. SWAN
- Mr. JENNISSEN for Mr. AGLUGUB

Substitutions made, by leave, during committee proceedings:

- Mr. MARTINDALE for Ms. KORZENIOWSKI

Public Presentations:

Your Committee heard three presentations on **Bill (No. 29)** – The Municipal Councils and School Boards Elections Act/Loi sur les élections municipales et scolaires, from the following organizations:

Doug Dobrowolski	Association of Manitoba Municipalities
Val Turner	Manitoba Municipal Administrators Association
Mel Graham	Inter-Organizational Access Committee

Your Committee heard three presentations on **Bill (No. 35)** – The Capital Region Partnership Act/Loi sur le Partenariat de la région de la capitale, from the following organizations:

Don Forfar, Chairperson	Mayors & Reeves of the Capital Region
Bob Stefaniuk, Reeve	RM of Richot
Wilf Taillieu, Reeve	RM of Headingly

Written Submissions:

Your Committee received one written submission on **Bill (No. 29)** – The Municipal Councils and School Boards Elections Act/Loi sur les élections municipales et scolaires, from the following organization:

Councillor Jae Eadie	City of Winnipeg
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Bills Considered and Reported:

Bill (No. 29) – The Municipal Councils and School Boards Elections Act/Loi sur les élections municipales et scolaires

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

THAT Clause 26(a) of the Bill be amended by striking out "section 29" and substituting "section 27".

Bill (No. 35) – The Capital Region Partnership Act/Loi sur le Partenariat de la région de la capitale

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

THAT Clause 4(1)(b) of the Bill be amended by striking out "unique and".

On motion of Ms. BRICK, the Report of the Committee was received.

Mr. REID, Chairperson of the Standing Committee on Legislative Affairs, presented its Seventh Report, which was read as follows:

Meetings:

Your Committee met on Monday, June 6, 2005 at 9:30 a.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 5)** – The Manitoba Public Insurance Corporation Amendment Act (Injury Compensation Appeal Commission)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (Commission d'appel des accidents de la route)
- **Bill (No. 8)** – The Manitoba Council on Aging Act/Loi sur le Conseil manitobain du vieillissement
- **Bill (No. 16)** – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune
- **Bill (No. 30)** – The Manitoba Agricultural Services Corporation Act/Loi sur la Société des services agricoles du Manitoba
- **Bill (No. 31)** – The Condominium Amendment Act/Loi modifiant la Loi sur les condominiums
- **Bill (No. 34)** – The Highway Traffic Amendment Act/Loi modifiant le Code de la route
- **Bill (No. 39)** – The Investment Trust Unitholders' Protection Act/Loi sur l'immunité des détenteurs d'unités de sociétés de placement
- **Bill (No. 41)** – The Drivers and Vehicles Act and The Highway Traffic Amendment Act/Loi sur les conducteurs et les véhicules et Loi modifiant le Code de la route
- **Bill (No. 50)** - The Statutes Correction and Minor Amendments Act, 2005/Loi corrective de 2005

Committee Membership:

Substitutions received prior to commencement of meeting:

- Hon. Mr. LEMIEUX for Mr. DEWAR
- Hon. Ms. WOWCHUK for Hon. Mr. MACKINTOSH
- Hon. Ms. OSWALD for Hon. Mr. ROBINSON
- Hon. Mr. STRUTHERS for Hon. Mr. SMITH
- Mr. EICHLER for Mr. DYCK

Substitutions made, by leave, during committee proceedings:

- Hon. Mr. MACKINTOSH for Hon. Mr. STRUTHERS

Public Presentations:

Your Committee heard 2 presentations on **Bill (No. 8)** – The Manitoba Council on Aging Act/Loi sur le Conseil manitobain du vieillissement, from the following organizations:

Gerry Kaplin
Norma Drosdowech

Manitoba Committee of Seniors
Manitoba Council on Aging

Your Committee heard 1 presentation on **Bill (No. 16)** – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune, from the following organization:

Wyman Sangster

Manitoba Lodgers and Outfitters Association

Your Committee heard 1 presentation on **Bill (No. 30)** – The Manitoba Agricultural Services Corporation Act/Loi sur la Société des services agricoles du Manitoba, from the following organization:

Ian Wishart Keystone Agricultural Producers

Your Committee heard 1 presentation on **Bill (No. 31)** – The Condominium Amendment Act/Loi modifiant la Loi sur les condominiums, from the following individual:

George Mulder Private Citizen

Your Committee heard 1 presentation on **Bill (No. 34)** – The Highway Traffic Amendment Act/Loi modifiant le Code de la route, from the following individual:

Diane Rybak Private Citizen

Bills Considered and Reported:

Bill (No. 5) – The Manitoba Public Insurance Corporation Amendment Act (Injury Compensation Appeal Commission)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (Commission d'appel des accidents de la route)

Your Committee agreed to report this Bill, without amendment.

Bill (No. 8) – The Manitoba Council on Aging Act/Loi sur le Conseil manitobain du vieillissement

Your Committee agreed to report this Bill, without amendment.

Bill (No. 16) – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune

Your Committee agreed to report this Bill, without amendment.

Bill (No. 30) – The Manitoba Agricultural Services Corporation Act/Loi sur la Société des services agricoles du Manitoba

Your Committee agreed to report this Bill, without amendment.

Bill (No. 31) – The Condominium Amendment Act/Loi modifiant la Loi sur les condominiums

Your Committee agreed to report this Bill, without amendment.

Bill (No. 34) – The Highway Traffic Amendment Act/Loi modifiant le Code de la route

Your Committee agreed to report this Bill, without amendment.

Bill (No. 39) – The Investment Trust Unitholders' Protection Act/Loi sur l'immunité des détenteurs d'unités de sociétés de placement

Your Committee agreed to report this Bill, without amendment.

Bill (No. 41) – The Drivers and Vehicles Act and The Highway Traffic Amendment Act/Loi sur les conducteurs et les véhicules et Loi modifiant le Code de la route

Your Committee agreed to report this Bill, without amendment.

Bill (No. 50) - The Statutes Correction and Minor Amendments Act, 2005/Loi corrective de 2005

Your Committee agreed to report this Bill, without amendment.

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

By leave, Ms. BRICK, Chairperson of the Standing Committee on Human Resources, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on the following occasions:

- Thursday, June 2, 2005 at 6:30 p.m.
- Monday, June 6, 2005 at 6:30 p.m.

All meetings were held in Room 254 of the Legislative Building.

Matters under Consideration:

- **Bill (No. 25)** – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail

Committee Membership:

At the Thursday, June 2, 2005 meeting your committee elected Mr. SCHELLENBERG as the Vice Chair.

At the Monday, June 6, 2005 meeting your committee elected Mr. JHA as the Vice Chair.

Substitutions received prior to commencement of the Thursday, June 2, 2005 meeting:

- Mr. CULLEN for Mr. FAURSCHOU
- Mr. LOEWEN for Mr. MURRAY
- Mr. ROCAN for Mr. SCHULER
- Mr. AGLUGUB for Mr. DEWAR
- Mr. SCHELLENBERG for Mr. REID

Substitutions received prior to commencement of the Monday, June 6, 2005 meeting:

- Ms. KORZENIOWSKI for Mr. AGLUGUB
- Mr. JHA for Mr. ALTEMEYER
- Mr. MALOWAY for Hon. Ms. OSWALD
- Mr. MARTINDALE for Mr. SANTOS
- Mr. CALDWELL for Mr. SCHELLENBERG

- Hon. Ms. MCGIFFORD for Mr. CALDWELL
- Mr. SCHULER for Mrs. DRIEDGER
- Mr. PENNER for Mr. LOEWEN
- Mrs. ROWAT for Mrs. MITCHELSON

Public Presentations:

Your Committee heard 49 presentations on **Bill (No. 25)** – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail, from the following individuals and/or organizations:

David Sinclair	Private Citizen
Graham Starmer	Manitoba Chamber of Commerce
Darlene Dziewit	President, Manitoba Federation of Labour
Ted Hudson	Private Citizen
Gerry Schedler	Private Citizen
Craig Schedler	Private Citizen
Liz Elliott	Private Citizen
Gerald Allen	Private Citizen
Doug Dobrowski	Association of Manitoba Municipalities
Bruce Hacault	Private Citizen
Lois Wales	Manitoba Government Employees Union
Robin Reed	President, Frontier Teachers Association
Peter Wohlgemut	Borderland Teachers Association
Ray Perreault	Private Citizen
Ron Perreault	Private Citizen
Les Lilley	Private Citizen
Harvey Levin	Private Citizen
Karen Mozden	Private Citizen
Alex Forrest	United Firefighters of Winnipeg
Debbie Woodman	Private Citizen
Brenda McAdam	Private Citizen
Anne Savignac	Private Citizen
Robert Smith	Private Citizen
Shannon Martin	Canadian Federation of Independent Business
Brian Ardern	President, Manitoba Teachers Society
Diane Zuk	President, Pembina Trails Teachers Association
Kathy Coulombe	Private Citizen
Heidi Eigenkind	Private Citizen
Darlene Kernot	Private Citizen
Dorothy Wigmore	Private Citizen
Ron Nash	Private Citizen
Ruth-Ann Furgala	Manitoba Association of School Trustees
Dave Sauer	Private Citizen
Bob Dolyniuk	Manitoba Trucking Association
David Markham	Mining Association of Manitoba
Patrick Campbell	Private Citizen

Bill Gardner & Stephen Copen	Manitoba Employers Council & Employers Task Force
Kevin Connolly	Private Citizen
Don Penney	CN Railway
Patrick Riley	Canadian Pacific Railway
Chris Christensen	South Eastern Manitoba Labour Council
Dave Gledhill	Private Citizen
Dave Angus	Winnipeg Chamber of Commerce
Terrence Turner	Private Citizen
Neil Curry	Canadian Manufacturers & Exporters
John Jacobs	Private Citizen
Alan Payne	Private Citizen
Rory Roman	Private Citizen
Gloriafer Shand	Private Citizen

Written Submissions:

Your Committee received 14 written submissions on **Bill (No. 25)** – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail, from the following individuals and/or organizations:

Donna McDonald	Manitoba Nurses' Union
Hilda Froese	Garden Valley School Division
Lisa Steffler	Private Citizen
John Steffler	Private Citizen
Carol Harvey	St. James-Assiniboia School Division
Charlene Bergen	Private Citizen
Stephen Hunt	United Steelworkers
Linda Davies	Private Citizen
Jim Baker	Manitoba Hotel Association
Bruce Campbell	Public Service Alliance of Canada
Donna Fedorkiw	Private Citizen
Kim Knox-Powers	Private Citizen
Stan Letwyn	Private Citizen
Cliff Anderson	Private Citizen

Bills Considered and Reported:

Bill (No. 25) – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail

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

THAT the proposed section 2.1, as set out in Clause 4 of the Bill, be amended by renumbering it as subsection 2.1(1) and adding the following as subsection 2.1(2):

Board to consult industries, employers and workers

2.1(2) Before a regulation is made under subsection (1), the board must provide an opportunity for consultation with affected industries, employers and workers, and report the results of the consultation to the minister.

On motion of Ms. BRICK, the Report of the Committee was received.

Following Oral Questions, Hon. Mr. GERRARD rose on a Matter of Privilege and moved:

THAT this matter be referred to the Committee on Legislative Affairs for consideration of disciplinary action respecting the Minister of Child and Family Services, the Member from Riel.

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

WHEREUPON Mr. Speaker informed the House he would take the matter under advisement.

Subsequently following Oral Questions, Mr. PENNER rose on a Matter of Privilege and moved:

THAT this Legislative Assembly ask the Premier to clarify his statement to the Legislature dealing with the matter of declaring a disaster area versus a state of emergency and which declaration constitute evacuation and which declaration would require the Province and Federal Government to assist in paying for and through disaster assistance.

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

WHEREUPON Mr. Speaker informed the House he would take the matter under advisement.

Pursuant to Rule 26(1), Mr. DYCK, Hon. Mr. SALE, Messrs. MAGUIRE, ALTEMEYER and LAMOUREUX made Members' Statements.

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

Hon. Mr. ASHTON moved:

THAT Bill (No. 9) – The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

And a debate arising,

Tuesday, June 7, 2005

And Hon. Mr. ASHTON, Mr. REIMER, Hon. Mr. GERRARD and Mr. LOEWEN 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. MACKINTOSH moved:

THAT Bill (No. 11) – The Provincial Court Amendment Act (Justices of the Peace)/Loi modifiant la Loi sur la Cour provinciale (juges de paix), 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. MACKINTOSH and Mr. GOERTZEN 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. MACKINTOSH moved:

THAT Bill (No. 18) – Le Collège de Saint-Boniface Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le Collège de Saint-Boniface, as amended and 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 Hon. Mr. MACKINTOSH, Mrs. ROWAT, Mr. LAMOUREUX 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.

By unanimous consent, it was agreed that during the consideration of the concurrence motion in Committee of Supply, that questions will be posed to the Minister of Family Services and Housing.

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 20) – The Life Leases Amendment Act/Loi modifiant la Loi sur les baux viagers, 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. MACKINTOSH and Mr. 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. MACKINTOSH moved:

THAT Bill (No. 24) – The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du consommateur (communication du coût du crédit et modifications diverses), 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. MACKINTOSH and Mr. ROCAN 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. MACKINTOSH moved:

THAT Bill (No. 26) – The Margarine Repeal Act/Loi abrogeant la Loi sur la margarine, 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 Hon. Mr. MACKINTOSH, Messrs. EICHLER and PENNER having spoken,

And the Question being put. It was agreed to.

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

Tuesday, June 7, 2005

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 27) – The Horse Racing Commission Amendment and Horse Racing Regulation Repeal Act/Loi modifiant la Loi sur la Commission hippique et abrogeant la Loi sur les courses de chevaux, 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 Hon. Mr. MACKINTOSH and Mr. EICHLER 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. MACKINTOSH moved:

THAT Bill (No. 32) – The Rural Municipality of Kelsey By-law No. 5/02 Validation Act/Loi validant le Règlement 5/02 de la municipalité rurale de Kelsey, 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 Hon. Mr. MACKINTOSH 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.

The House resolving into Committee of Supply.

The House then adjourned at 5:31 p.m. until 1:30 p.m. Wednesday, June 8, 2005.

Hon. George HICKES,
Speaker.