



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 66

THIRD SESSION, FORTIETH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. FRIESEN – Legislative Assembly of Manitoba to urge the Provincial Government to stop breaking their promises, stop the delays and keep their commitment to proceed with the construction of Tabor Home in 2014. (D. Smith, B. Nield, V. Pringle and others)

Mr. EICHLER – Legislative Assembly of Manitoba to urge the Provincial Government to reverse the PST increase and to restore the right of Manitobans to vote in a referendum on increases to the PST. (K. Eyford, C. McKay, R. Howe and others)

Mr. JHA, Chairperson of the Standing Committee on Justice, presented its Second Report, which was read as follows:

Meetings:

Matters under Consideration

- **Bill (No. 49)** – The Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba
- **Bill (No. 52)** – The Non-Smokers Health Protection Amendment Act (Prohibitions on Flavoured Tobacco and Other Amendments)/Loi modifiant la Loi sur la protection de la santé des non-fumeurs (interdiction visant le tabac aromatisé et autres modifications)
- **Bill (No. 57)** – The Highway Traffic Amendment Act (Countermeasures Against Drug-Impaired Driving)/Loi modifiant le Code de la route (conduite avec facultés affaiblies par la drogue)
- **Bill (No. 60)** – The Restorative Justice Act/Loi sur la justice réparatrice
- **Bill (No. 66)** – The Statutes Correction and Minor Amendments Act, 2014/Loi corrective de 2014

Committee Membership

- Hon. Mr. ALLUM
- Hon. Ms. BLADY
- Mr. CALDWELL
- Mrs. DRIEDGER
- Mr. GOERTZEN

- Mr. GRAYDON
- Mr. JHA (*Chairperson*)
- Mr. NEVAKSHONOFF
- Mr. PEDERSEN
- Hon. Mr. SWAN
- Ms. WIGHT

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

Public Presentations

Your Committee heard the following two presentations on **Bill (No. 49)** – The Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba:

Ken Guilford	Private Citizen
John McDonald	Private Citizen

Your Committee heard the following 10 presentations on **Bill (No. 52)** – The Non-Smokers Health Protection Amendment Act (Prohibitions on Flavoured Tobacco and Other Amendments)/Loi modifiant la Loi sur la protection de la santé des non-fumeurs (interdiction visant le tabac aromatisé et autres modifications):

Erin Crawford	Canadian Cancer Society, Manitoba Office
Daniel More	Brigham Enterprises
Mike Klander	Rothmans, Benson & Hedges
Rob Cunningham	Canadian Cancer Society, National Office
Murray Gibson	MANTRA - Manitoba Tobacco Reduction Alliance
Ken Guilford	Private Citizen
Mel Hinds	Private Citizen
Ken Dalton	Thomas Hinds Tobacconist Limited
Margaret Bernhardt-Lowdon	Manitoba Lung Association, Executive Director
Tessa Bortoluzzi, Erin Andrushuk, Hayley Ward, Ashpreet Maan, Marlies Morris (<i>by leave</i>)	Manitoba Swat (Student Workers against Tobacco)

Your Committee heard the following presentation on **Bill (No. 57)** – The Highway Traffic Amendment Act (Countermeasures Against Drug-Impaired Driving)/Loi modifiant le Code de la route (conduite avec facultés affaiblies par la drogue):

Ken Guilford	Private Citizen
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Your Committee heard the following presentation on **Bill (No. 60)** – The Restorative Justice Act/Loi sur la justice réparatrice:

Ken Guilford	Private Citizen
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Your Committee heard the following presentation on **Bill (No. 66)** – The Statutes Correction and Minor Amendments Act, 2014/Loi corrective de 2014:

Ken Guilford

Private Citizen

Written Submissions

Your Committee received the following nine written submissions on **Bill (No. 52)** – The Non-Smokers Health Protection Amendment Act (Prohibitions on Flavoured Tobacco and Other Amendments)/Loi modifiant la Loi sur la protection de la santé des non-fumeurs (interdiction visant le tabac aromatisé et autres modifications):

Luc Martial

Casa Cubana/Spike Marks Inc.

John Fitzgerald

Imperial Tobacco Canada

Andrew Klukas

Western Convenience Stores Association

Glen D. Ross

Glen D. Ross Agencies Ltd.

Ruth Couldwell

Private Citizen

Val Burgess

Private Citizen

Harold Bidzinski

Private Citizen

Jarred Skolnik

Private Citizen

Ren Kumar

Sheffield & Sons Tobacconists

Bills Considered and Reported

- **Bill (No. 49)** – The Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 52)** – The Non-Smokers Health Protection Amendment Act (Prohibitions on Flavoured Tobacco and Other Amendments)/Loi modifiant la Loi sur la protection de la santé des non-fumeurs (interdiction visant le tabac aromatisé et autres modifications)

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

THAT Clause 2(1) of the Bill be amended in the proposed definition "flavoured tobacco product", in the part after clause (c), by adding ", pipe tobacco" after "chewing tobacco".

THAT Clause 2(1) of the French version of the Bill be amended in clause (a) of the proposed definition "produit du tabac au menthol" by striking out "l'une ou l'autre des caractéristiques" and substituting "les caractéristiques".

THAT Clause 2(1) of the French version of the Bill be amended

(a) in the proposed definition "produit du tabac"; and

(b) in the proposed definition "produit du tabac aromatisé", in the part after clause (c);

by striking out "tabac sans fumée" and substituting "tabac à priser".

THAT Clause 7 of the Bill be replaced with the following:

Coming into force

7 This Act comes into force on a day to be fixed by proclamation.

- **Bill (No. 57)** – The Highway Traffic Amendment Act (Countermeasures Against Drug-Impaired Driving)/Loi modifiant le Code de la route (conduite avec facultés affaiblies par la drogue)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 60)** – The Restorative Justice Act/Loi sur la justice réparatrice

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 66)** – The Statutes Correction and Minor Amendments Act, 2014/Loi corrective de 2014

Your Committee agreed to report this Bill, without amendment on a recorded vote of yeas 6, nays 4.

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

Pursuant to Rule 26(1), Messrs. GAUDREAU and EWASKO, Hon. Ms. BLADY, Mr. FRIESEN and Hon. Mr. GERRARD made Members' Statements.

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

THAT Bill (No. 55) – The Environment Amendment Act (Reducing Pesticide Exposure)/Loi modifiant la Loi sur l'environnement (réduction de l'exposition aux pesticides), reported from the Standing Committee on Intergovernmental Affairs, be concurred in and be now read a Third Time and passed.

And the debate continuing,

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

And Hon. Messrs. GERRARD and MACKINTOSH having spoken,

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

YEA

ALLAN	KOSTYSHYN
ALLUM	LEMIEUX
ALTEMEYER	MACKINTOSH
BJORNSON	MALOWAY
BLADY	MARCELINO (Logan)
BRAUN	MARCELINO (Tyndall Park)
CALDWELL	MELNICK
CHIEF	NEVAKSHONOFF
CHOMIAK	OSWALD
DEWAR	SARAN
GAUDREAU	SELBY
GERRARD	STRUTHERS
HOWARD	SWAN
IRVIN-ROSS	WIEBE
JHA	WIGHT..... 30

NAY

BRIESE	MITCHELSON
CULLEN	PALLISTER
DRIEDGER	PEDERSEN
EICHLER	PIWNIUK
EWASKO	ROWAT
FRIESEN	SCHULER
GOERTZEN	SMOOK
GRAYDON	STEFANSON
HELWER	WISHART..... 19
MARTIN	

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

Hon. Ms. HOWARD moved:

THAT Bill (No. 73) – The Budget Implementation and Tax Statutes Amendment Act, 2014/Loi d'exécution du budget de 2014 et modifiant diverses dispositions législatives en matière de fiscalité, be now read a Second Time and be referred to a Committee of this House.

(Recommended by His Honour, the Lieutenant Governor)

And a debate arising,

And Hon. Ms. HOWARD, Mr. FRIESEN and Hon. Mr. GERRARD having spoken,

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

YEA

ALLAN	KOSTYSHYN
ALLUM	LEMIEUX
ALTEMEYER	MACKINTOSH
BJORNSON	MALOWAY
BLADY	MARCELINO (Logan)
BRAUN	MARCELINO (Tyndall Park)
CALDWELL	MELNICK
CHIEF	NEVAKSHONOFF
CHOMIAK	OSWALD
DEWAR	SARAN
GAUDREAU	SELBY
HOWARD	STRUTHERS
IRVIN-ROSS	SWAN
JHA	WIEBE 28

NAY

BRIESE	HELWER
CULLEN	MARTIN
DRIEDGER	MITCHELSON
EICHLER	PEDERSEN
EWASKO	PIWNIUK
FRIESEN	ROWAT
GERRARD	SCHULER
GOERTZEN	SMOOK
GRAYDON	STEFANSON 18

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

Hon. Ms. HOWARD presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 73).

(Sessional Paper No. 70)

By leave, it was agreed to allow the Member for Steinbach to file a revised version of the Private Members' Resolution titled Celebrating the 50th Anniversary of the Mennonite Heritage Village Museum in order for it to appear on the June 5, 2014 Order Paper.

Wednesday, June 4, 2014

The House then adjourned at 5:01 p.m. until 10:00 a.m. Thursday, June 5, 2014.

Hon. Daryl REID,
Speaker.