



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 41**

**SECOND SESSION, THIRTY-EIGHTH LEGISLATURE**

**PRAYERS**

**1:30 O'CLOCK P.M.**

Ms. BRICK, Chairperson of the Standing Committee on Social and Economic Development, presented its Second Report, which was read as follows:

**Meetings:**

Your Committee met on Tuesday, May 18, 2004 at 10:00 a.m. in Room 254 of the Legislative Building.

**Matters under Consideration:**

- **Bill (No. 9)** – The Manitoba Immigration Council Act/Loi sur le Conseil de l'immigration du Manitoba
- **Bill (No. 14)** – The Gas Tax Accountability Act (Financial Administration Act Amended)/Loi sur l'obligation reditionnelle concernant la taxe sur l'essence (modification de la Loi sur la gestion des finances publiques)
- **Bill (No. 20)** – The University College of the North Act/Loi sur le Collège universitaire du Nord
- **Bill (No. 26)** – The Certified Management Accountants Act/Loi sur les comptables en management accrédités

**Committee Membership:**

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

Substitutions received prior to commencement of the meeting:

- Hon. Mr. SELINGER for Ms. IRVIN-ROSS
- Hon. Ms. MCGIFFORD for Hon. Mr. MACKINTOSH
- Mr. LOEWEN for Mrs. DRIEDGER
- Mr. GOERTZEN for Mr. MURRAY
- Mr. DEWAR for Hon. Mr. SALE

**Public Presentations:**

Your Committee heard three presentations on Bill (No. 14) – The Gas Tax Accountability Act (Financial Administration Act Amended)/Loi sur l'obligation redditionnelle concernant la taxe sur l'essence (modification de la Loi sur la gestion des finances publiques) from the following organizations:

Chris Lorenc, President	Manitoba Heavy Construction Association
Stuart Briese	Association of Manitoba Municipalities
Bob Dolyniuk	Manitoba Trucking Association

Your Committee heard one presentation on Bill (No. 20) – The University College of the North Act/Loi sur le Collège universitaire du Nord, from the following organization:

Michael Anderson	Manitoba Keewatinowi Okimakanak
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Your Committee heard two presentations on Bill (No. 26) – The Certified Management Accountants Act/Loi sur les comptables en management accrédités, from the following organizations:

Len Hampson	Certified General Accountants Association
Carleen Mackay	Society of Management Accountants of Manitoba

**Written Submissions:**

Your Committee received one written submission on Bill (No. 20) – The University College of the North Act/Loi sur le Collège universitaire du Nord, from the following organization:

Shirley Fontaine	Assembly of Manitoba Chiefs
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**Bills Considered and Reported:**

- **Bill (No. 9)** – The Manitoba Immigration Council Act/Loi sur le Conseil de l'immigration du Manitoba

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 14)** – The Gas Tax Accountability Act (Financial Administration Act Amended)/Loi sur l'obligation redditionnelle concernant la taxe sur l'essence (modification de la Loi sur la gestion des finances publiques)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 20)** – The University College of the North Act/Loi sur le Collège universitaire du Nord

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

*THAT the following be added after Clause 4(1)(a) of the Bill:*

(a.1) facilitate the creation and sharing of knowledge in an atmosphere of open and critical thought;

*THAT Clause 16(2) of the Bill be amended by striking out “culture” and substituting “cultures”.*

- **Bill (No. 26)** – The Certified Management Accountants Act/Loi sur les comptables en management accrédités

Your Committee agreed to report this Bill without amendment.

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

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

**Meetings:**

Your Committee met on Tuesday, May 18, 2004 at 10:00 a.m. in Room 255 of the Legislative Building.

**Matters Under Consideration:**

- **Bill (No. 11)** – The Manitoba Public Insurance Corporation Amendment Act (Protection of Crown Assets)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (protection des biens de l'État)
- **Bill (No. 15)** – The Highway Traffic Amendment Act (Police Powers Respecting Unsafe Drivers and Miscellaneous Amendments)/Loi modifiant le Code de la route (pouvoirs de la police concernant les conducteurs dangereux et modifications diverses)
- **Bill (No. 16)** – The Manitoba Public Insurance Corporation Amendment Act (Denial of Benefits for Offenders)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (refus de versement de prestations aux contrevenants)
- **Bill (No. 29)** – The Public Trustee Amendment Act/Loi modifiant la Loi sur le curateur public
- **Bill (No. 41)** – The Profits of Criminal Notoriety Act/Loi sur les profits découlant de la notoriété en matière criminelle

**Membership Resignations / Elections:**

Your Committee elected Mr. MARTINDALE as the Chairperson.

Your Committee elected Ms. IRVIN-ROSS as the Vice-Chairperson.

Substitutions received prior to commencement of meeting:

- Mr. CUMMINGS for Mr. SCHULER
- Ms. KORZENIOWSKI for Mr. SCHELLENBERG
- Mr. FAURSCHOU for Mr. GOERTZEN

**Public Presentations:**

Your Committee heard 2 presentations on Bill (No. 15) – The Highway Traffic Amendment Act (Police Powers Respecting Unsafe Drivers and Miscellaneous Amendments)/Loi modifiant le Code de la route (pouvoirs de la police concernant les conducteurs dangereux et modifications diverses), from the following organizations:

Rod Sudburry  
Patrol Sgt. Rob Riffel

MADD Winnipeg  
Winnipeg Police Service

Your Committee heard 1 presentation on Bill (No. 41) – The Profits of Criminal Notoriety Act/Loi sur les profits découlant de la notoriété en matière criminelle, from the following organization:

Ken Mandziuk

Manitoba Association of Rights and Liberties

**Bills Considered and Reported:**

- **Bill (No. 11)** – The Manitoba Public Insurance Corporation Amendment Act (Protection of Crown Assets)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (protection des biens de l'État)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 15)** – The Highway Traffic Amendment Act (Police Powers Respecting Unsafe Drivers and Miscellaneous Amendments)/Loi modifiant le Code de la route (pouvoirs de la police concernant les conducteurs dangereux et modifications diverses)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 16)** – The Manitoba Public Insurance Corporation Amendment Act (Denial of Benefits for Offenders)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (refus de versement de prestations aux contrevenants)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 29)** – The Public Trustee Amendment Act/Loi modifiant la Loi sur le curateur public

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 41)** – The Profits of Criminal Notoriety Act/Loi sur les profits découlant de la notoriété en matière criminelle

Your Committee agreed to report this Bill without amendment.

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

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Hon. Mr. SELINGER presented:

Supplementary Information for Legislative Review 2004-2005 – Departmental Expenditure Estimates – Revenue Estimates.

(Sessional Paper No. 68)

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Pursuant to Rule 26(1), Messrs. FAURSCHOU and AGLUGUB, Mrs. TAILLIEU, Ms. OSWALD and Hon. Mr. GERRARD made Members' Statements.

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By unanimous consent, it was agreed to have one section of Committee of Supply to meet in Room 255 to consider the estimates of Energy, Science and Technology and Civil Service Commission, concurrently with the House.

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By unanimous consent, it was agreed to waive the quorum requirements and any recorded votes arising in the section of Committee of Supply sitting in Room 255.

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By leave, Hon. Ms. WOWCHUK moved:

WHEREAS May 20<sup>th</sup>, 2004, marks a full year since a single case of BSE was detected in an Alberta cow; and

WHEREAS the U.S. federal government responded immediately by closing their border to all live ruminant imports from Canada; and

WHEREAS this decision has cost the Canadian cattle industry more than \$3 billion since May 20<sup>th</sup>, 2003; and

WHEREAS the economic impact to Manitoba has been in excess of \$1 million a day; and

WHEREAS the emotional and psychological impact on producers across Canada and in Manitoba have been immeasurable; and

WHEREAS there is no scientific basis on which to keep the border closed to live ruminant imports from Canada; and

WHEREAS ruminant producers such as goat, sheep, and bison producers have been adversely affected without any scientific basis for their inclusion in the ban; and

WHEREAS Canadian and Manitoba livestock products are among the safest in the world; and

WHEREAS producers and the rural economy continue to struggle as a consequence of BSE and the closed border; and

WHEREAS the agriculture industry has been further stressed by low crop prices, a potential U.S. countervail on hogs, a significant downsizing of the PMU and potato industries, and subsequent decreases in farm income levels; and

WHEREAS early federal programming did not provide Manitoba producers equal access to program funds; and

WHEREAS international trade is a federal responsibility.

THEREFORE BE IT RESOLVED that this Legislative Assembly urge the Federal Government to increase and strengthen their efforts to open the U.S border to live ruminant trade; and

BE IT FURTHER RESOLVED that this Legislature urge the Federal Government to fully implement the findings and recommendations of the international panel which investigated Canada's single case of BSE; and

BE IT FURTHER RESOLVED that this Legislature request additional support from the Federal Government to assist Manitoba in building their slaughter capacity; and

BE IT FURTHER RESOLVED that this Resolution be forwarded to the Canadian Prime Minister, the President of the United States, the Federal Minister of Agriculture, the Federal Minister of International Trade, and all Manitoba Liberal Members of Parliament.

And a debate arising,

And Hon. Ms. WOWCHUK, Mr. MURRAY, Hon. Mr. DOER, Mr. PENNER, Hon. Mr. GERRARD, Messrs. NEVAKSHONOFF and CUMMINGS, Hon. Mr. SMITH, Mr. EICHLER, Hon. Mr. BJORNSON, Mrs. TAILLIEU, Mrs. ROWAT, Mr. LAMOUREUX, Hon. Mr. STRUTHERS and Mr. DERKACH having spoken,

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

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

THAT Bill (No. 21) – The Non-Smokers Health Protection Act (Various Acts Amended)/Loi sur la protection de la santé des non-fumeurs (modification de diverses dispositions législatives), be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mrs. TAILLIEU, Mrs. ROWAT, Mrs. DRIEDGER, Mr. FAURSCHOU and Hon. Mr. RONDEAU 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.

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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 38 tabled on April 27, 2004, was further amended in order that the estimates of Enabling Appropriations be considered in Room 255 following Civil Service Commission.

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

THAT Bill (No. 5) – The Manitoba Public Insurance Corporation Amendment Act (Claimant Advisers)/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (conseillers des demandeurs), 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. TWEED,

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.

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

THAT Bill (No. 12) – The Highways and Transportation Amendment and Highway Traffic Amendment Act (Trucking Productivity Improvement Fund)/Loi modifiant la Loi sur la voirie et le transport et le Code de la route (Fonds d'amélioration de la productivité de l'industrie du transport routier), 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 the Question being put. It was agreed to.

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

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

THAT Bill (No. 24) – The Travel Manitoba Act/Loi sur la Société Voyage Manitoba, 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. CUMMINGS 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.

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

THAT Bill (No. 25) – The Amusements Amendment Act/Loi modifiant la Loi sur les divertissements, 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 Mrs. TAILLIEU,

And Messrs. CUMMINGS and LAMOUREUX having spoken,

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

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The House then adjourned at 5:31 p.m. until 10:00 a.m. Thursday, May 20, 2004.

Hon. George HICKES,  
Speaker.