



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 61

FIFTH SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

On motion of Mr. GOERTZEN, Bill (No. 221) – The Criminal Property Forfeiture Amendment Act/Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement, was read a First Time and had its purposes outlined.

The following petitions were presented and read:

Mr. BRIESE – Legislative Assembly of Manitoba to request the appropriate ministers of the Provincial Government to consider outlining to Parks Canada the importance that a viable recreational facility in the Mount Agassiz area would play in the local and provincial economies and to consider working with all stakeholders, including Parks Canada, to help develop a plan for a viable, multi-season recreation facility in the Mount Agassiz area. (R. Dumesnil, A. Vanderburgh, V. Bodnar and others)

Mr. PEDERSEN – Legislative Assembly of Manitoba to urge the Provincial Government to build the Bipole III transmission line on the shorter and more reliable east side of Lake Winnipeg, in order to save each Manitoba family of four \$11,748. (R. Massinon, R. Massinon, G. Massinon and others)

Mr. GOERTZEN – Legislative Assembly of Manitoba to request the Minister of Justice to consider ensuring that all court orders for car thieves are vigorously monitored and enforced and to consider ensuring all breaches of court orders on car thieves are reported to police and vigorously prosecuted. (B. Gilmore, B. Menard, C. Turner and others)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request the Provincial Government to consider enacting a compensation program to help address the extra costs facing agricultural producers due to severe flooding in the Rural Municipality of Sifton and to consider developing a long-term strategy to more effectively address future flooding events in the R.M of Sifton. (R. Plaisier, K. Batho, M. Plaisier and others)

Mr. REID, Chairperson of the Standing Committee on Human Resources, presented its First Report, which was read as follows:

Meetings:

Your Committee met on June 9, 2011.

Matters under Consideration

- **Bill (No. 20)** – The Defibrillator Public Access Act/Loi sur l'accès du public aux défibrillateurs
- **Bill (No. 21)** – The Organ and Tissue Donation Awareness Day Act/Loi sur la Journée de sensibilisation aux dons d'organes et de tissus
- **Bill (No. 24)** – The Innovation Funding Act/Loi sur le financement de l'innovation
- **Bill (No. 26)** – The Université de Saint-Boniface Act/Loi sur l'Université de Saint-Boniface
- **Bill (No. 38)** – The Regional Health Authorities Amendment Act (Accountability and Transparency)/Loi modifiant la Loi sur les offices régionaux de la santé (responsabilisation et transparence)
- **Bill (No. 42)** – The Caregiver Recognition Act/Loi sur la reconnaissance de l'apport des aidants naturels
- **Bill (No. 50)** – The Thompson Nickel Belt Sustainability Act/Loi sur la viabilité de la ceinture nickélique de Thompson

Committee Membership

- Hon. Mr. BJORNSON
- Hon. Mr. CHOMIAK
- Mrs. DRIEDGER
- Mr. EICHLER
- Mr. JENNISSEN
- Hon. Ms. OSWALD
- Mr. REID
- Hon. Mr. RONDEAU
- Mrs. ROWAT
- Hon. Ms. SELBY
- Mrs. TAILLIEU

Your Committee elected Mr. REID as the Chairperson.

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

Substitutions received during committee proceedings:

- Hon. Mr. ASHTON for Hon. Mr. CHOMIAK
- Hon. Mr. CHOMIAK for Hon. Mr. ASHTON

Public Presentations

Your Committee heard the following presentation on **Bill (No. 20)** – The Defibrillator Public Access Act/Loi sur l'accès du public aux défibrillateurs:

Diana Bayles

Heart and Stroke Foundation

Your Committee heard the following presentation on **Bill (No. 21)** – The Organ and Tissue Donation Awareness Day Act/Loi sur la Journée de sensibilisation aux dons d'organes et de tissus:

Dr. Brendan McCarthy Transplant Manitoba

Your Committee heard the following three presentations on **Bill (No. 26)** – The Université de Saint-Boniface Act/Loi sur l'Université de Saint-Boniface:

Jeff Leclerc	University of Manitoba
Leo Robert	St. Boniface College
Daniel Boucher	Société Franco-Manitobain

Your Committee heard the following three presentations on **Bill (No. 42)** – The Caregiver Recognition Act/Loi sur la reconnaissance de l'apport des aidants naturels:

Darell Hominuk	Multiple Sclerosis Society of Manitoba
Syva-lee Wildenmann	Rupert's Land Caregiver Services
Nadine Konyk	Private Citizen

Written Submissions

Your Committee received the following written submission on **Bill (No. 20)** – The Defibrillator Public Access Act/Loi sur l'accès du public aux défibrillateurs:

Jodi Possia Paramedic Association of Manitoba

Your Committee received the following written submission on **Bill (No. 26)** – The Université de Saint-Boniface Act/Loi sur l'Université de Saint-Boniface:

Edward H. Lipsett Private Citizen

Bills Considered and Reported

- **Bill (No. 20)** – The Defibrillator Public Access Act/Loi sur l'accès du public aux défibrillateurs

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 21)** – The Organ and Tissue Donation Awareness Day Act/Loi sur la Journée de sensibilisation aux dons d'organes et de tissus

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 24)** – The Innovation Funding Act/Loi sur le financement de l'innovation

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 26)** – The Université de Saint-Boniface Act/Loi sur l'Université de Saint-Boniface

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 38)** – The Regional Health Authorities Amendment Act (Accountability and Transparency)/Loi modifiant la Loi sur les offices régionaux de la santé (responsabilisation et transparence)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 42)** – The Caregiver Recognition Act/Loi sur la reconnaissance de l'apport des aidants naturels

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 50)** – The Thompson Nickel Belt Sustainability Act/Loi sur la viabilité de la ceinture nickélique de Thompson

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

Your committee voted to defeat Clause 2 of the Bill.

Your committee voted to defeat Clause 3 of the Bill.

Your committee voted to defeat Clause 4 of the Bill.

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

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

Meetings:

Your Committee met on June 9, 2011.

Matters under Consideration

- **Bill (No. 13)** – The Preparing Students for Success Act (Various Acts Amended)/Loi visant la réussite scolaire (modification de diverses dispositions législatives)
- **Bill (No. 15)** – The Firefighters and Paramedics Arbitration Amendment Act/Loi modifiant la Loi sur l'arbitrage relatif aux pompiers et aux travailleurs paramédicaux
- **Bill (No. 23)** – The Employment Standards Code Amendment Act/Loi modifiant le Code des normes d'emploi
- **Bill (No. 28)** – The Public Schools Amendment Act (Reporting Bullying and Other Harm)/Loi modifiant la Loi sur les écoles publiques (obligation de faire rapport des cas d'intimidation et des préjudices subis)
- **Bill (No. 32)** – The Essential Services (Health Care) and Related Amendments Act/Loi sur les services essentiels (soins de santé) et modifications connexes
- **Bill (No. 33)** – The Pension Benefits Amendment Act/Loi modifiant la Loi sur les prestations de pension
- **Bill (No. 34)** – The Workers Compensation Amendment Act (Presumption re OFC Personnel)/Loi modifiant la Loi sur les accidents du travail (présomption s'appliquant au personnel du bureau du commissaire aux incendies)

Committee Membership

- Hon. Ms. ALLAN
- Ms. BRAUN
- Ms. BRICK
- Mr. CULLEN
- Mr. DYCK
- Mr. GOERTZEN
- Hon. Ms. HOWARD
- Mr. MARTINDALE
- Mr. PEDERSEN
- Mr. SARAN
- Mr. WIEBE

Your Committee elected Ms. BRICK as the Chairperson.

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

Public Presentations

Your Committee heard the following six presentations on **Bill (No. 13)** – The Preparing Students for Success Act (Various Acts Amended)/Loi visant la réussite scolaire (modification de diverses dispositions législatives):

Floyd Martens, Vice-Chair	Manitoba School Boards Association
Brian O'Leary	Manitoba Association of School Superintendents
Paul Olson	Manitoba Teachers' Society
Suzanne Hrynyk, Board Chair	Winnipeg School Division
Ian Mogilevsky, President	Manitoba Association for Christian Home Schools
John Bobbette	Winnipeg Technical College

Your Committee heard the following two presentations on **Bill (No. 28)** – The Public Schools Amendment Act (Reporting Bullying and Other Harm)/Loi modifiant la Loi sur les écoles publiques (obligation de faire rapport des cas d'intimidation et des préjudices subis):

Paul Olson	Manitoba Teachers' Society
Rebecca Ulrich	Canadian Red Cross

Written Submissions

Your Committee received one written submission on **Bill (No. 13)** – The Preparing Students for Success Act (Various Acts Amended)/Loi visant la réussite scolaire (modification de diverses dispositions législatives), from:

Marty Snelling, Chairperson	Brandon School Division Board of Trustees
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Bills Considered and Reported

- **Bill (No. 13)** – The Preparing Students for Success Act (Various Acts Amended)/Loi visant la réussite scolaire (modification de diverses dispositions législatives)

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

THAT Clause 9 of the Bill be amended by adding the following after the proposed subsection 259.1(3):

Application

259.1(4) Subsection (3) applies only in respect of a child who has withdrawn from parental control.

- **Bill (No. 15)** – The Firefighters and Paramedics Arbitration Amendment Act/Loi modifiant la Loi sur l'arbitrage relatif aux pompiers et aux travailleurs paramédicaux

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 23)** – The Employment Standards Code Amendment Act/Loi modifiant le Code des normes d'emploi

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 28)** – The Public Schools Amendment Act (Reporting Bullying and Other Harm)/Loi modifiant la Loi sur les écoles publiques (obligation de faire rapport des cas d'intimidation et des préjudices subis)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 32)** – The Essential Services (Health Care) and Related Amendments Act/Loi sur les services essentiels (soins de santé) et modifications connexes

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

THAT Clause 3(1)(a) of the Bill be amended by adding the following after subclause (v):

(v.1) Diagnostic Services of Manitoba Inc.,

- **Bill (No. 33)** – The Pension Benefits Amendment Act/Loi modifiant la Loi sur les prestations de pension

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 34)** – The Workers Compensation Amendment Act (Presumption re OFC Personnel)/Loi modifiant la Loi sur les accidents du travail (présomption s'appliquant au personnel du bureau du commissaire aux incendies)

Your Committee agreed to report this Bill without amendment.

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

Hon. Mr. BLAIKIE presented:

Annual Report of the Tire Stewardship Manitoba for the fiscal year ending December 31, 2010
(Sessional Paper No. 83)

Annual Report of the Manitoba Association for Resource Recovery Corp. for the fiscal year ending December 31, 2010.
(Sessional Paper No. 84)

Hon. Ms. MELNICK on behalf of Hon. Mr. ASHTON, the Minister responsible for Emergency Measures, made a statement regarding the status of flooding in Manitoba.

Mr. BRIESE and, by leave, Hon. Mr. GERRARD commented on the statement.

Pursuant to Rule 26(1), Mr. SARAN, Mrs. DRIEDGER, Hon. Ms. MELNICK and Messrs. MAGUIRE and DEWAR made Members' Statements.

Mr. MCFADYEN moved the following Opposition Day Motion:

That the Legislative Assembly urge the Provincial Government to consider repealing sections 70.2 – 70.4 of *The Elections Finances Act*.

And a debate arising,

And Mr. MCFADYEN, Hon. Mr. STRUTHERS, Mrs. STEFANSON, Hon. Mr. CHOMIAK, Mr. EICHLER, Hon. Ms. HOWARD, Mrs. DRIEDGER, Hon. Mr. GERRARD, Messrs. BOROTSIK, DEWAR, MAGUIRE, GRAYDON and SCHULER, Mrs. MITCHELSON, Messrs. FAURSCHOU and PEDERSEN, Mrs. ROWAT, Mrs. TAILLIEU and Messrs. CULLEN and GOERTZEN having spoken,

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

YEA

BOROTSIK
BRIESE
CULLEN
DRIEDGER
DYCK
EICHLER
FAURSCHOU
GOERTZEN
GRAYDON

MAGUIRE
MCFADYEN
MITCHELSON
PEDERSEN
ROWAT
SCHULER
STEFANSON
TAILLIEU..... 17

NAY

ALLAN
ALTEMEYER
ASHTON
BLADY
BLAIKIE
BRAUN
BRICK
CALDWELL
CHOMIAK
DEWAR
GERRARD
HOWARD
JENNISSEN
JHA
KORZENIOWSKI
LEMIEUX

MACKINTOSH
MARCELINO
MARTINDALE
MELNICK
NEVAKSHONOFF
OSWALD
REID
ROBINSON
RONDEAU
SARAN
SELBY
STRUTHERS
SWAN
WHITEHEAD
WIEBE
WOWCHUK..... 32

During the debate, Mr. Speaker interjected and cautioned all Honourable Members with regards to the use of the word "minions",

And Hon. Mr. CHOMIAK voluntarily withdrew his remarks.

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

THAT Bill (No. 44) – The Civil Service Superannuation and Related Amendments Act/Loi sur la pension de la fonction publique et modifications connexes, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mrs. STEFANSON 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. WOWCHUK:

THAT Bill (No. 51) – The Budget Implementation and Tax Statutes Amendment Act, 2011/Loi d'exécution du budget de 2011 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 the debate continuing,

And Mrs. STEFANSON 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.

By unanimous consent it was agreed to have the Private Members Resolution being considered tomorrow, June 14, 2011 transferred from the name of the Member for Selkirk to the name of the Member for Flin Flon.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 31) – The Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba, reported from the Standing Committee on Justice, the House resumed the Interrupted Debate on the Proposed Amendment of Mrs. TAILLIEU:

THAT Bill 31 be amended in Clause 3 by adding the following after the proposed subsection 161.1(2):

Compensation may be withheld

161.1(2.1) If, in relation to an accident, a person is charged with an offence referred to in subsection (3), the corporation must, until the disposition of the charge, withhold payment of compensation under this Part to the person.

Entitlement to interest

161.1(2.2) When a compensation payment has been withheld under subsection (2.1) and the person is ultimately not convicted of the offence or of another offence referred to in subsection (3) in relation to the accident, the corporation must pay the person interest on the unpaid portion of the compensation payable to the person. The interest rate to be paid is the prejudgment rate of interest determined under section 79 of *The Court of Queen's Bench Act*, computed from the day on which the person was entitled to the payment.

And the debate continuing on the amendment,

And Mr. GOERTZEN having spoken,

And the Question being put on the amendment. It was negatived.

The House then adjourned at 4:59 p.m. until 10:00 a.m. Tuesday, June 14, 2011.

Hon. George HICKES,
Speaker.