



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 108

SECOND SESSION, FORTIETH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

The following petitions were presented and read:

Mr. WISHART – Legislative Assembly of Manitoba to request that the Minister of Conservation and Water Stewardship reconsider his decision to grant an environmental license for the construction of a sewage lagoon at this site. (A. Verheul, L. Verheul, B. Verheul and others)

Mr. EWASKO – Legislative Assembly of Manitoba to request that the Minister of Conservation and Water Stewardship reconsider his decision to grant an environmental license for the construction of a sewage lagoon at this site. (Y. Maluish, B. Smallwood, B. Turenne and others)

Following Oral Questions, Mr. Speaker made the following ruling:

Following the Daily Prayer on Wednesday, September 11, 2013, the Honourable Member for River Heights rose on a matter of privilege taking issue with the Presiding Officer ruling a word used by the Honourable Member on the previous day as unparliamentary. At the conclusion of his remarks, the Honourable Member for River Heights moved "THAT this matter be referred to a committee of this House." The Honourable Government House Leader also offered advice to the Chair. I took the matter under advisement in order to consult with the procedural authorities.

I thank both Honourable Members for their advice to the Chair.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has it been demonstrated that the Member's privileges have been breached in order to warrant putting the matter to the House?

In this ruling, I am going to address the issue of whether privileges have been breached before I address the issue of timeliness.

The Member indicated in raising this matter of privilege that the Speaker had ruled language used by the Member on the previous day as unparliamentary. However, in looking at page 4915 of Hansard for September 10, it is very clear that as Speaker, in fact I did not rule language unparliamentary and only offered a caution. I will remind the House that I said, and I quote "I must say that the word that was chosen by the Honourable Member for River Heights causes me some concern. Perhaps it is not an unparliamentary word, but I think we've all agreed that we're making significant progress here with respect to language, and that word that was chosen by the Honourable Member for River Heights was very close to the line." I then went on to offer a caution to all Members when rising on a question or on a response to it or as part of speeches in the House to pick and choose words carefully. So it is clear that the word was not ruled unparliamentary.

Also, I would like to inform the House that Beauchesne citation 485(1) advises that unparliamentary words may be brought to the attention of the House either by the Speaker or by a Member. When the question is raised about unparliamentary language by a Member it must be done as a point of order and not as a question of privilege.

In addition, I would note for the House that O'Brien and Bosc advise on page 100 of the second edition of House of Commons Procedure and Practice that a limitation on freedom of speech for Members is provided by the authority of the Speaker under the Standing Orders to preserve order or decorum. This finding is supported by a 1996 ruling by Speaker Dacquay which states in part "Freedom of speech is the protection of Members to say what they wish in the House without interference from outside bodies or agencies or fear of repercussions from outside agencies, but it does not guarantee Members the right to say absolutely anything they want in the House. The House, through the Speaker, can impose limits or rules. A Speaker should not be absolutely interventionist, but in those rare cases where language impinges on the dignity or decorum or sensibilities of the House, the Speaker does have the authority to request the withdrawal of unparliamentary language."

I would also like to reference for the House that page 619 of O'Brien and Bosc advises that when dealing with language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words at issue were directed; the degree of provocation; and most importantly whether or not the remarks created disorder in the Chamber. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the next day.

So taking these references and sources into account, it is clear that there is not a prima facie case of privilege in this situation.

To address the issue of timeliness, the Honourable Member for River Heights indicated that he needed to see the words in Hansard before raising the issue. However, in this particular situation, the Honourable Member actually should have raised the issue on the day it happened, as he was raising an objection to a decision made by the Chair. If the Honourable Member was unhappy with a decision of the Chair, he should have challenged the decision of the Speaker at that time, and not raised the issue on the following day.

In addition, it is worth noting that although the decisions of the Speaker can be challenged, they are not to be debated, as this could be viewed by others as a reflection on the Presiding Officer. Beauchesne citation 71(1) states that the Speaker should be protected against reflections on his or her actions. O'Brien and Bosc advise on page 615 that "reflections must not be cast in debate on the conduct of the Speaker or other Presiding Officers...and only by means of a substantive motion...may the actions of the Chair be challenged, criticized or debated." The 24th edition of Erskine May states on page 61 that the actions of the Speaker cannot be criticized incidentally in debate or on any form of proceedings except for a substantive motion.

These findings are supported by numerous rulings from Manitoba Speakers, including Speakers Murray, Hanuschak, Walding, Phillips, Rocan, Dacquay and Hickes.

I would therefore encourage Members to exercise caution when raising issues that could be construed by others as reflecting on the Chair. Rulings and decisions made by the Speaker can be appealed, but to raise them as matters of discussion in the House is not appropriate. If a Member wishes to discuss a ruling or decision made by the Speaker, my door is always open, and I would encourage Members to have a private discussion with me in my office.

On a final note, I can appreciate this has been a long, challenging session for a variety of reasons, and that at times Members may have experienced feelings of frustration. As your Presiding Officer, I take seriously my role as the custodian of decorum. I try my best to allow a free flow of discussion and debate between Members, however when exchanges become too heated, it is my role to intervene and remind Members about treating each other respectfully so that we may exhibit the decorum that Manitobans expect from their elected representatives. I see this as a partnership between the Chair and all Members, and I will continue to work to the best of my capabilities to ensure we have a respectful environment in which to share our debates and express our thoughts.

Pursuant to Rule 26(1), Messrs. GRAYDON, PETERSEN and SMOOK, Ms. BRAUN and Mr. ALLUM made Members' Statements.

Hon. Mr. SWAN moved:

THAT Bill (No. 33) – The Municipal Modernization Act (Municipal Amalgamations)/Loi sur la modernisation des municipalités (fusions), 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. Messrs. SWAN and LEMIEUX, Messrs. PEDERSEN and BRIESE, Hon. Mr. GERRARD, Mr. GRAYDON, Hon. Mr. CHOMIAK and Mrs. ROWAT having spoken,

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

Hon. Ms. HOWARD moved:

THAT Bill (No. 40) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation, 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. Ms. HOWARD, Mr. GOERTZEN, Hon. Messrs. GERRARD and RONDEAU and Mr. CULLEN having spoken,

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

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

By leave, it was agreed to set aside the sessional order provisions for today regarding report stage and concurrence and third reading motions so that all requests for recorded votes on report stage amendments are deferred until 2:55 p.m. and that all requests for recorded votes on concurrence and third reading motions are deferred until 4:55 p.m., with the understanding that at both 2:55 p.m. and 4:55 p.m. the bells can ring for up to one hour on the first deferred item but that all successive deferred recorded votes are to take place without further bell ringing.

By leave, the House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. LEMIEUX:

THAT Bill (No. 33) – The Municipal Modernization Act (Municipal Amalgamations)/Loi sur la modernisation des municipalités (fusions), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And the debate continuing,

And the Question being put, the division is deferred to take place at 4:55 p.m.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources:

Mr. GOERTZEN moved:

THAT Bill 18 be amended by replacing Clause 3 with the following:

3 The following is added after section 1.1 and before Part I:

Interpretation: bullying

1.2(1) In this Act, "**bullying**" is a pattern of behaviour — whether by physical act or by verbal, written or electronic (including social media, text messaging, instant messaging, website or e-mail) communication — that

- (a) places a pupil in actual or reasonable fear of harm to his or her person or damage to his or her property; or
- (b) creates or is certain to create a hostile environment for the pupil who is the subject of the behaviour.

Differentiating characteristics

1.2(2) Bullying includes, but is not limited to, acts reasonably perceived as being motivated by an actual or perceived differentiating characteristic, such as

- (a) race, colour, religion, ancestry or national origin;
- (b) physical appearance;
- (c) a mental, physical, developmental or sensory disability;
- (d) gender, gender identity or sexual orientation;
- (e) socioeconomic status; or
- (f) academic status;

or by association with a person who has or is perceived to have one or more of these characteristics.

Hostile environment

1.2(3) For the purposes of this section, "**hostile environment**" means that

- (a) the person who is the subject of conduct that could be bullying subjectively views the conduct as bullying; and
- (b) the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying.

What is not bullying?

1.2(4) Bullying does not include any action or behaviour of staff or a school volunteer that is necessary for the performance of the person's responsibilities, such as

- (a) selecting sports team participants;
- (b) speaking to the faith principles of an independent faith-based school;

(c) issuing normal classroom instruction; and

(d) making a comment where there is no intent or reasonable expectation that a pupil's feelings could be distressed.

And a debate arising,

Mr. GOERTZEN, Hon. Ms. ALLAN, Mr. FRIESEN and Hon. Mr. GERRARD having spoken,

And the Question being put, the division is deferred to take place at 2:55 p.m.

Mr. GOERTZEN then moved:

THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):

(c) by adding the following after clause (k.2):

(k.3) provide educational programming for pupils and parents in preventing, identifying, responding to, and reporting incidents of bullying, including cyberbullying, with the program for pupils written and presented in age-appropriate language;

And a debate arising,

Mr. GOERTZEN, Hon. Ms. ALLAN and Mr. EWASKO having spoken,

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

Mr. GOERTZEN then moved:

THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):

(c) by adding the following after clause (t):

(t.1) in consultation with the minister, create an online and anonymous mechanism for the reporting of bullying in schools within six months after this clause comes into force;

And a debate arising,

Mr. GOERTZEN and Hon. Ms. ALLAN having spoken,

And the Question being put, the division is deferred to take place at 2:55 p.m.

Mr. GOERTZEN then moved:

THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):

(c) by adding the following after clause (z):

(z.1) before the start of each school year, give the minister a written report as to the number of established incidents of bullying within the school division or school district in the previous school year, which the minister must include in the department's annual report.

And a debate arising,

Mr. GOERTZEN and Hon. Ms. ALLAN having spoken,

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

Mr. GOERTZEN then moved:

THAT Bill 18 be amended in Clause 4(2) in the proposed clause 41(1.8)(a) by striking out "or" at the end of subclause (iii), striking out "and" at the end of subclause (iv) and adding the following after subclause (iv):

(v) ethnicity,

(vi) the awareness and understanding of, and respect for, people living with social disadvantage, or

(vii) religion or creed, or religious belief; and

And a debate arising,

Mr. GOERTZEN, Hon. Ms. ALLAN, Hon. Mr. GERRARD and Mr. FRIESEN having spoken,

And the Question being put, the division is deferred to take place at 2:55 p.m.

Mr. GOERTZEN then moved:

THAT Bill 18 be amended in Clause 5(1) by striking out "and" at the end of Clause 5(1)(a) and adding the following after Clause 5(1)(b):

(c) by adding the following after clause (d):

(d.1) in relation to bullying, a statement that

(i) there will be disciplinary consequences or interventions, or both, for a person who commits an act of bullying or cyberbullying, or falsely accuses another person of bullying or cyberbullying as a means of retaliation or reprisal, and

(ii) the disciplinary consequences or interventions will be progressively more serious for repeated or more serious acts of bullying or false accusations.

And a debate arising,

Mr. GOERTZEN, Hon. Ms. ALLAN and Mr. FRIESEN having spoken,

And the Question being put, the division is deferred to take place at 2:55 p.m.

Mr. GOERTZEN then moved:

THAT Bill 18 be amended by adding the following after Clause 5:

5.1 The following is added after section 47.1.1 as section 47.1.1.1:

No retaliation for reporting

47.1.1.1(1) No person shall take or threaten reprisal or retaliatory action against a person for reporting unacceptable conduct, as defined in section 47.1.1, to the principal or to other school staff.

Protection extends to anyone who reports

47.1.1.1(2) Subsection (1) applies to protect a person who must report unacceptable conduct under subsection 47.1.1(1), and to any other person who reports unacceptable conduct.

And a debate arising,

Mr. GOERTZEN, Hon. Ms. ALLAN and Mr. EWASKO having spoken,

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

Mr. GOERTZEN then moved:

THAT Bill 18 be amended by renumbering Clause 6 as Clause 6(2) and adding the following as Clause 6(1):

6(1) Subsections 47.1.1(2) and (3) are replaced with the following:

Investigation by principal

47.1.1(2) A principal who receives a credible report or complaint of bullying or other unacceptable conduct must

(a) promptly investigate the matter;

(b) make a record of the investigation and any action taken as a result; and

(c) notify the appropriate law enforcement authority about the matter if, after an investigation, the principal reasonably suspects that an offence under provincial or federal law may have occurred.

Principal to notify parent or guardian

47.1.1(3) If, after an investigation, the principal believes that a pupil has engaged in bullying or other unacceptable conduct or been negatively affected by such conduct, the principal must

(a) notify the parent or guardian of the pupil who engaged in the conduct, and the parent or guardian of any pupil negatively affected, of the nature of the conduct; and

(b) advise them of the steps taken to protect the safety of any pupil negatively affected, and the disciplinary action that the principal

(i) has taken or intends to take to prevent further acts of bullying or other unacceptable conduct, or

(ii) intends to recommend to the school board if the principal recommends suspension or expulsion under subsection 48(4).

And a debate arising,

Mr. GOERTZEN, Hon. Ms. ALLAN and Mr. FRIESEN having spoken,

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

Mr. GOERTZEN then moved:

THAT Bill 18 be amended by adding the following after Clause 8:

Court of Appeal reference

*8.1 After this Bill is enacted but before the day fixed by proclamation under section 9 (coming into force), the Lieutenant Governor in Council must refer **The Public Schools Amendment Act (Safe and Inclusive Schools)** to The Court of Appeal for an opinion as to whether it is inconsistent with the purposes and provisions of the **Canadian Charter of Rights and Freedoms**. **The Constitutional Questions Act** applies, with necessary changes, to the reference.*

And a debate arising,

Mr. GOERTZEN and Hon. Ms. ALLAN having spoken,

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

Hon. Ms. HOWARD moved:

THAT Bill (No. 31) – The Workplace Safety and Health Amendment Act/Loi modifiant la Loi sur la sécurité et l'hygiène du travail, 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. Ms. HOWARD, Mrs. ROWAT and Hon. Mr. GERRARD having spoken,

And the Question being put, the division is deferred to take place at 4:55 p.m.

Hon. Ms. HOWARD moved:

THAT Bill (No. 34) – The Property Registry Statutes Amendment Act/Loi modifiant diverses lois relatives à l'Office d'enregistrement des titres et des instruments, 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. Ms. HOWARD and Hon. Mr. STRUTHERS having spoken,

And Hon. Mr. GERRARD speaking at 2:55 p.m. The debate was allowed to remain in his name, in order to proceed with the deferred votes on Report Stage Amendments.

The division on the Proposed Motion of Mr. GOERTZEN was deferred to take place today at 2:55 p.m.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources:

THAT Bill 18 be amended by replacing Clause 3 with the following:

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(a) places a pupil in actual or reasonable fear of harm to his or her person or damage to his or her property; or

(b) creates or is certain to create a hostile environment for the pupil who is the subject of the behaviour.

Differentiating characteristics

1.2(2) Bullying includes, but is not limited to, acts reasonably perceived as being motivated by an actual or perceived differentiating characteristic, such as

- (a) race, colour, religion, ancestry or national origin;
- (b) physical appearance;
- (c) a mental, physical, developmental or sensory disability;
- (d) gender, gender identity or sexual orientation;
- (e) socioeconomic status; or
- (f) academic status;

or by association with a person who has or is perceived to have one or more of these characteristics.

Hostile environment

1.2(3) For the purposes of this section, "**hostile environment**" means that

- (a) the person who is the subject of conduct that could be bullying subjectively views the conduct as bullying; and
- (b) the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying.

What is not bullying?

1.2(4) Bullying does not include any action or behaviour of staff or a school volunteer that is necessary for the performance of the person's responsibilities, such as

- (a) selecting sports team participants;
- (b) speaking to the faith principles of an independent faith-based school;
- (c) issuing normal classroom instruction; and
- (d) making a comment where there is no intent or reasonable expectation that a pupil's feelings could be distressed.

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

YEA

BRIESE	MITCHELSON
CULLEN	PALLISTER
DRIEDGER	PEDERSEN
EICHLER	ROWAT
EWASKO	SCHULER
FRIESEN	SMOOK
GOERTZEN	STEFANSON
GRAYDON	WISHART..... 17
HELWER	

NAY

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ASHTON	MARCELINO (Tyndall Park)
BJORNSON	MELNICK
BLADY	NEVAKSHONOFF
BRAUN	OSWALD
CALDWELL	PETERSEN
CHOMIAK	ROBINSON
CROTHERS	RONDEAU
DEWAR	SARAN
GAUDREAU	SELBY
GERRARD	SELINGER
HOWARD	STRUTHERS
IRVIN-ROSS	SWAN
JHA	WHITEHEAD
KOSTYSHYN	WIEBE
LEMIEUX	WIGHT..... 34

The division on the Proposed Motion of Mr. GOERTZEN was deferred to take place today at 2:55 p.m.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources:

THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):

(c) by adding the following after clause (t):

(t.1) in consultation with the minister, create an online and anonymous mechanism for the reporting of bullying in schools within six months after this clause comes into force;

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

YEA

BRIESE	HELWER
CULLEN	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GERRARD	SMOOK
GOERTZEN	STEFANSON
GRAYDON	WISHART..... 18

NAY

ALLAN	MALOWAY
ALLUM	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHOMIAK	RONDEAU
CROTHERS	SARAN
DEWAR	SELBY
GAUDREAU	SELINGER
HOWARD	STRUTHERS
IRVIN-ROSS	SWAN
JHA	WHITEHEAD
KOSTYSHYN	WIEBE
LEMIEUX	WIGHT..... 33
MACKINTOSH	

The division on the Proposed Motion of Mr. GOERTZEN was deferred to take place today at 2:55 p.m.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources:

THAT Bill 18 be amended in Clause 4(2) in the proposed clause 41(1.8)(a) by striking out "or" at the end of subclause (iii), striking out "and" at the end of subclause (iv) and adding the following after subclause (iv):

(v) ethnicity,

(vi) the awareness and understanding of, and respect for, people living with social disadvantage, or

(vii) religion or creed, or religious belief; and

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

YEA

BRIESE	HELWER
CULLEN	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GERRARD	SMOOK
GOERTZEN	STEFANSON
GRAYDON	WISHART..... 18

NAY

ALLAN	MALOWAY
ALLUM	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHOMIAK	RONDEAU
CROTHERS	SARAN
DEWAR	SELBY
GAUDREAU	SELINGER
HOWARD	STRUTHERS
IRVIN-ROSS	SWAN
JHA	WHITEHEAD
KOSTYSHYN	WIEBE
LEMIEUX	WIGHT..... 33
MACKINTOSH	

The division on the Proposed Motion of Mr. GOERTZEN was deferred to take place today at 2:55 p.m.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources:

THAT Bill 18 be amended in Clause 5(1) by striking out "and" at the end of Clause 5(1)(a) and adding the following after Clause 5(1)(b):

(c) by adding the following after clause (d):

(d.1) in relation to bullying, a statement that

(i) there will be disciplinary consequences or interventions, or both, for a person who commits an act of bullying or cyberbullying, or falsely accuses another person of bullying or cyberbullying as a means of retaliation or reprisal, and

(ii) the disciplinary consequences or interventions will be progressively more serious for repeated or more serious acts of bullying or false accusations.

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

YEA

BRIESE	HELWER
CULLEN	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GERRARD	SMOOK
GOERTZEN	STEFANSON
GRAYDON	WISHART..... 18

NAY

ALLAN	MALOWAY
ALLUM	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHOMIAK	RONDEAU
CROTHERS	SARAN
DEWAR	SELBY
GAUDREAU	SELINGER
HOWARD	STRUTHERS
IRVIN-ROSS	SWAN
JHA	WHITEHEAD
KOSTYSHYN	WIEBE
LEMIEUX	WIGHT..... 33
MACKINTOSH	

The House resumed the Interrupted Debate on the Proposed Motion of Hon. Ms. HOWARD:

THAT Bill (No. 34) – The Property Registry Statutes Amendment Act/Loi modifiant diverses lois relatives à l'Office d'enregistrement des titres et des instruments, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And the debate continuing,

And Hon. Mr. GERRARD and Mr. CULLEN having spoken,

And the Question being put, the division is deferred to take place at 4:55 p.m.

Hon. Ms. HOWARD moved:

THAT Bill (No. 37) – The Emergency Measures Amendment Act/Loi modifiant la Loi sur les mesures d'urgence, 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. Ms. HOWARD, Hon. Mr. ASHTON, Mr. EICHLER and Hon. Mr. GERRARD having spoken,

And the Question being put, the division is deferred to take place at 4:55 p.m.

Hon. Ms. HOWARD moved:

THAT Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Ms. HOWARD, Hon. Ms. ALLAN, Mr. FRIESEN, Hon. Mr. GERRARD, Messrs. EWASKO and GOERTZEN and Hon. Ms. HOWARD (by leave) having spoken,

And the Question being put, the division is deferred to take place at 4:55 p.m.

The division on the Proposed Motion of Hon. Mr. LEMIEUX was deferred to take place today at 4:55 p.m.

THAT Bill (No. 33) – The Municipal Modernization Act (Municipal Amalgamations)/Loi sur la modernisation des municipalités (fusions), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

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

YEA

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ALTEMEYER	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETERSEN
CALDWELL	ROBINSON
CHIEF	RONDEAU
CHOMIAK	SARAN
CROTHERS	SELBY
DEWAR	SELINGER
GAUDREAU	STRUTHERS
HOWARD	SWAN
IRVIN-ROSS	WHITEHEAD
JHA	WIEBE
KOSTYSHYN	WIGHT..... 35
LEMIEUX	

NAY

BRIESE	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GERRARD	SMOOK
GOERTZEN	STEFANSON
GRAYDON	WISHART..... 17
HELWER	

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

The division on the Proposed Motion of Hon. Ms. HOWARD was deferred to take place today at 4:55 p.m.

THAT Bill (No. 31) – The Workplace Safety and Health Amendment Act/Loi modifiant la Loi sur la sécurité et l'hygiène du travail, 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 the Question being put. It was agreed to, on the following division:

YEA

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ALTEMEYER	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHIEF	RONDEAU
CHOMIAK	SARAN
CROTHERS	SELBY
DEWAR	SELINGER
GAUDREAU	STRUTHERS
GERRARD	SWAN
HOWARD	WHITEHEAD
IRVIN-ROSS	WIEBE
JHA	WIGHT..... 36
KOSTYSHYN	
LEMIEUX	

NAY

BRIESE	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GOERTZEN	SMOOK
GRAYDON	STEFANSON
HELWER	WISHART..... 16

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

The division on the Proposed Motion of Hon. Ms. HOWARD was deferred to take place today at 4:55 p.m.

THAT Bill (No. 34) – The Property Registry Statutes Amendment Act/Loi modifiant diverses lois relatives à l'Office d'enregistrement des titres et des instruments, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

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

YEA

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ALTEMEYER	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHIEF	RONDEAU
CHOMIAK	SARAN
CROTHERS	SELBY
DEWAR	SELINGER
GAUDREAU	STRUTHERS
HOWARD	SWAN
IRVIN-ROSS	WHITEHEAD
JHA	WIEBE
KOSTYSHYN	WIGHT..... 35
LEMIEUX	

NAY

BRIESE	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GERRARD	SMOOK
GOERTZEN	STEFANSON
GRAYDON	WISHART..... 17
HELWER	

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

The division on the Proposed Motion of Hon. Ms. HOWARD was deferred to take place today at 4:55 p.m.

THAT Bill (No. 37) – The Emergency Measures Amendment Act/Loi modifiant la Loi sur les mesures d'urgence, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

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

YEA

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ALTEMEYER	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHIEF	RONDEAU
CHOMIAK	SARAN
CROTHERS	SELBY
DEWAR	SELINGER
GAUDREAU	STRUTHERS
GERRARD	SWAN
HOWARD	WHITEHEAD
IRVIN-ROSS	WIEBE
JHA	WIGHT..... 36
KOSTYSHYN	
LEMIEUX	

NAY

BRIESE	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GOERTZEN	SMOOK
GRAYDON	STEFANSON
HELWER	WISHART..... 16

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

The division on the Proposed Motion of Hon. Ms. HOWARD was deferred to take place today at 4:55 p.m.

THAT Bill (No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources, be concurred in and be now read a Third Time and passed.

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

YEA

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ALTEMEYER	MARCELINO (Tyndall Park)
ASHTON	MELNICK
BJORNSON	NEVAKSHONOFF
BLADY	OSWALD
BRAUN	PETTERSEN
CALDWELL	ROBINSON
CHIEF	RONDEAU
CHOMIAK	SARAN
CROTHERS	SELBY
DEWAR	SELINGER
GAUDREAU	STRUTHERS
GERRARD	SWAN
HOWARD	WHITEHEAD
IRVIN-ROSS	WIEBE
JHA	WIGHT..... 36
KOSTYSHYN	
LEMIEUX	

NAY

BRIESE	MITCHELSON
DRIEDGER	PALLISTER
EICHLER	PEDERSEN
EWASKO	ROWAT
FRIESEN	SCHULER
GOERTZEN	SMOOK
GRAYDON	STEFANSON
HELWER	WISHART..... 16

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

His Honour, Philip LEE, Lieutenant Governor of the Province of Manitoba, having entered the House at 6:12 p.m., and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

Your Honour:

At this sitting, the Legislative Assembly has passed certain Bills that I ask Your Honour to give assent to.

(No. 2) – The Highway Traffic Amendment Act (Respect for the Safety of Emergency and Enforcement Personnel)/Loi modifiant le Code de la route (sécurité du personnel d'urgence et des agents d'exécution de la loi)

(No. 10) – The Correctional Services Amendment Act/Loi modifiant la Loi sur les services correctionnels

(No. 18) – The Public Schools Amendment Act (Safe and Inclusive Schools)/Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité)

(No. 21) – The Highway Traffic Amendment Act (Impoundment of Vehicles — Ignition-Interlock Program)/Loi modifiant le Code de la route (mise en fourrière des véhicules — programme de verrouillage du système de démarrage)

(No. 23) – The Highway Traffic Amendment Act (Increased Sanctions for Street Racing)/Loi modifiant le Code de la route (sanctions accrues en matière de courses sur route)

(No. 31) – The Workplace Safety and Health Amendment Act/Loi modifiant la Loi sur la sécurité et l'hygiène du travail

(No. 33) – The Municipal Modernization Act (Municipal Amalgamations)/Loi sur la modernisation des municipalités (fusions)

(No. 34) – The Property Registry Statutes Amendment Act/Loi modifiant diverses lois relatives à l'Office d'enregistrement des titres et des instruments

(No. 37) – The Emergency Measures Amendment Act/Loi modifiant la Loi sur les mesures d'urgence

(No. 40) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

(No. 204) – The Manitoba Human Trafficking Awareness Day Act/Loi sur la Journée manitobaine de sensibilisation à la traite de personnes

(No. 208) – The Universal Newborn Hearing Screening Act/Loi sur le dépistage systématique des déficiences auditives chez les nouveau-nés

(No. 209) – The Special Olympics Awareness Week Act/Loi sur la Semaine de sensibilisation aux Jeux Olympiques spéciaux

(No. 211) – The Personal Information Protection and Identity Theft Prevention Act/Loi sur la protection des renseignements personnels et la prévention du vol d'identité

(No. 300) – The Brandon Area Foundation Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation « The Brandon Area Foundation »

Friday, September 13, 2013

(No. 301) – The Jewish Foundation of Manitoba Amendment Act/Loi modifiant la Fondation dénommée « The Jewish Foundation of Manitoba »

(No. 302) – Les Franciscaines Missionnaires de Marie Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation Les Franciscaines Missionnaires de Marie

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly as follows:

"In Her Majesty's name, His Honour assents to these Bills."

At 6:18 p.m., His Honour was then pleased to retire.

The House then adjourned at 6:25 p.m., Friday, September 13, 2013.

Hon. Daryl REID,
Speaker.