



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 79

FOURTH SESSION, FORTY-SECOND LEGISLATURE

PRAYER AND LAND ACKNOWLEDGEMENT

10:00 O'CLOCK A.M.

Ms. LAMOUREUX moved:

THAT Bill (No. 208) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, 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 Ms. LAMOUREUX and Messrs. WISHART and ALTOMARE and Hon. Mr. EWASKO 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. GERRARD moved:

THAT Bill (No. 201) – The Regional Health Authorities Amendment Act/Loi modifiant la Loi sur les offices régionaux de la santé, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

And Mr. TEITSMA, Ms. LATHLIN and Messrs. ISLEIFSON and LAMONT having questioned the Member,

And the debate continuing,

And Messrs. TEITSMA, KINEW and ISLEIFSON having spoken,

In accordance with Rule 25, the debate was interrupted at 10:55 a.m. to put the Second Reading Question on Selected Bill (No. 201).

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

Hon. Mr. GERRARD moved:

Resolution No. 27: Calling on the Provincial Government to Adopt the International Holocaust Remembrance Alliance Definition of Antisemitism

WHEREAS antisemitism is a multi-faceted problem that requires a multi-faceted strategy encompassing a range of ministries and agencies; and

WHEREAS the Legislative Assembly acknowledges the debilitating impacts of racism and its various manifestations that seek to undermine efforts to promote and foster inclusiveness and respect; and

WHEREAS implementation of a “whole-of-government” approach in combating antisemitism requires consistent interpretation of Acts, regulations and policies designed to protect Manitobans from discrimination and hate amounting to antisemitism; and

WHEREAS the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism is a critical tool in combatting this form of hatred; and

WHEREAS IHRA now comprises 45 member nations including most of the world’s democratic countries, and the organization's non-legally binding IHRA definition and its illustrative examples are recognized as invaluable by civil services and law enforcement in preserving Holocaust remembrance and combatting antisemitism; and

WHEREAS there is a growing North American movement that has seen 27 U.S. states adopt the IHRA definition while in Canada, Alberta and Ontario have done so by Order in Council.

THEREFORE BE IT RESOLVED that the Provincial Government be urged to adopt the working definition of antisemitism and the list of illustrative examples of it adopted by the International Holocaust Remembrance Alliance plenary on May 26, 2016, in interpreting Acts, regulations and policies designed to protect Manitobans from discrimination and hate amounting to antisemitism.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

And Mrs. COX and Ms. NAYLOR having questioned the Member,

And the debate continuing,

And Mrs. COX and Messrs. KINEW and LAMONT having spoken,

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

1:30 O'CLOCK P.M.

Hon. Mrs. STEFANSON, the First Minister, made a statement regarding Domestic Violence Awareness Month.

Ms. FONTAINE and, by leave, Ms. LAMOUREUX commented on the statement.

Pursuant to Rule 28(1), Messrs. MICHALESKI, MOSES, GUENTER, WASYLIW and LAMONT made Members' Statements.

The following petition was presented and read to the Legislative Assembly of Manitoba:

Hon. Mr. GERRARD – To urge the Provincial Government to consider hearing loss as a medical treatment under Manitoba Health; and to provide income based coverage for hearing aids to all who need them as hearing has been proven to be essential to Manitobans' cognitive, mental, and social health and well-being.

By leave, it was agreed by the House to allow Report Stage Amendment No. 7 to be moved by Hon. Mr. GERRARD on Bill (No. 22) – The Environment Amendment Act (Pesticide Restrictions)/Loi modifiant la Loi sur l'environnement (restrictions applicables aux pesticides), despite the fact that it is not listed on today's Order Paper.

The House resumed the debate on the Proposed Motion of Hon. Mr. PIWNIUK:

THAT Bill (No. 46) – The Highway Traffic Amendment Act/Loi modifiant le Code de la route, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. PIWNIUK having spoken,

And Mr. WIEBE and Hon. Mr. GERRARD having questioned the Minister,

And the debate continuing,

And Mr. WIEBE, Hon. Mr. GERRARD and MLA LINDSEY 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 Order of the Day having been read for consideration of Report Stage Amendments of Bill (No. 22) – The Environment Amendment Act (Pesticide Restrictions)/Loi modifiant la Loi sur l'environnement (restrictions applicables aux pesticides), reported from the Standing Committee on Agriculture and Food:

Hon. Mr. GERRARD moved:

THAT Bill 22 be amended in Clause 3, in the proposed subsection 40.5(2), by striking out "or" at the end of clause (a), adding "or" at the end of clause (b) and adding the following after clause (b):

(c) a golf course.

And a debate arising,

And Hon. Mr. GERRARD and Ms. NAYLOR having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 22 be amended in Clause 3, in the proposed subsection 40.5(2), by striking out "or" at the end of clause (a), adding "or" at the end of clause (b) and adding the following after clause (b):

(c) the legislative precinct, as defined in *The Legislative Security Act*.

And a debate arising,

And Hon. Mr. GERRARD and Ms. NAYLOR having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 22 be amended in Clause 3, in the proposed subsection 40.5(2), by striking out "or" at the end of clause (a), adding "or" at the end of clause (b) and adding the following after clause (b):

(c) an outdoor sports field.

And a debate arising,

And Hon. Mr. GERRARD and Ms. NAYLOR having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 22 be amended in Clause 3, in the proposed subsection 40.5(2), by striking out "or" at the end of clause (a), adding "or" at the end of clause (b) and adding the following after clause (b):

(c) park land within a municipality, including Assiniboine Forest Park, Assiniboine Park, and Kildonan Park.

And a debate arising,

And Hon. Mr. GERRARD and Ms. NAYLOR having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 22 be amended in Clause 3, in the proposed subsection 40.5(2), by striking out "or" at the end of clause (a), adding "or" at the end of clause (b) and adding the following after clause (b):

(c) land within 100 metres of the premises of a public school, independent school, university, college or private vocational institution.

And a debate arising,

And Hon. Mr. GERRARD and Ms. NAYLOR having spoken,

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

By leave, Hon. Mr. GERRARD then moved:

THAT Bill 22 be amended in Clause 3, in the proposed subsection 40.5(2), by striking out "or" at the end of clause (a), adding "or" at the end of clause (b) and adding the following after clause (b):

(c) within the boundaries of

(i) the City of Winnipeg,

(ii) a city, town, village or local urban district established or continued under *The Municipal Act*, or

(iii) a community that is continued or designated under *The Northern Affairs Act*.

And a debate arising,

And Hon. Mr. GERRARD and Ms. NAYLOR having spoken,

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

By leave, Hon. Mr. GERRARD withdrew their seventh distributed Report Stage Amendment to Bill (No. 22).

In accordance with Rule 139(10), Hon. Mr. GERRARD requested that their first, second, third, fourth, fifth, sixth and seventh Report Stage Amendments to Bill (No. 24) be grouped for consideration.

The Order of the Day having been read for consideration of Report Stage Amendments of Bill (No. 24) – The Real Property Valuation Board and Related Amendments Act/Loi sur la Commission de l'évaluation des biens réels et modifications connexes, reported from the Standing Committee on Social and Economic Development:

Hon. Mr. GERRARD moved:

THAT Bill 24 be amended in Clause 1 by striking out clause (d) of the proposed definition "designated Act".

Hon. Mr. GERRARD then moved:

THAT Bill 24 be amended by striking out Clause 3(a)(iv).

Hon. Mr. GERRARD then moved:

THAT Bill 24 be amended by striking out Clause 29(4).

Hon. Mr. GERRARD then moved:

THAT Bill 24 be amended in Clause 30:

(a) by striking out the proposed clause (1)(a);

(b) in the part before the proposed subclause (2)(a)(i), by striking out "or The Surface Rights Board"; and

(c) in the proposed subsection (3),

(i) in clause (b), by striking out “The Land Value Appraisal Commission, The Municipal Board or The Surface Rights Board” and substituting “The Land Value Appraisal Commission or The Municipal Board”; and

(ii) in clause (c) of the English version, by striking out “The Land Value Appraisal Commission, The Municipal Board or The Surface Rights Board” and substituting “The Land Value Appraisal Commission or The Municipal Board”.

Hon. Mr. GERRARD then moved:

THAT Bill 24 be amended by replacing Clause 30(5) with the following:

Hearings recommenced before Real Property Valuation Board

30(5) *In the case of an oral current hearing before The Land Value Appraisal Commission in which the presentation of oral evidence or argument has begun (including, for certainty, a hearing in which the presentation of evidence and argument has finished but The Land Value Appraisal Commission has not yet made a decision),*

(a) *on the coming into force of this section, the hearing is terminated;*

(b) *the application in respect of the terminated hearing is deemed to have been re-filed before the board;*

(c) *within 60 days after the coming into force of this section, the board must notify each party in writing about the application of this section to the hearing;*

(d) *the board must hear the application by way of a new hearing, without regard to oral evidence or argument previously brought in the current hearing;*

(e) *the board must obtain copies of all written evidence and argument filed with, and any interlocutory decisions made by The Land Value Appraisal Commission before the commencement of oral evidence or argument before that body; and*

(f) *an interlocutory decision or order made by The Land Value Appraisal Commission in the hearing is deemed to be a decision or order of the board.*

Hon. Mr. GERRARD then moved:

THAT Bill 24 be amended in Clause 31 by striking out "The Land Value Appraisal Commission, The Municipal Board and The Surface Rights Board" and substituting "The Land Value Appraisal Commission and The Municipal Board".

Hon. Mr. GERRARD then moved:

THAT Bill 24 be amended by striking out Clause 36 and the centred heading before it.

And a debate arising,

And Hon. Mr. GERRARD, Mr. WIEBE and Hon. Mr. GOERTZEN having spoken,

And the Question being put on the following amendments: [Clause 1], [Clause 3(a)(iv)], [Clause 29(4)], [Clause 30], [Clause 30(5)], [Clause 31] and [Clause 36]. They were negatived, on division.

The Order of the Day having been read for consideration of Report Stage Amendments of Bill (No. 36) – The Manitoba Hydro Amendment and Public Utilities Board Amendment Act/Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics, reported from the Standing Committee on Social and Economic Development:

Mr. KINEW moved:

THAT Bill 36 be amended in Clause 13 by adding the following after the proposed section 39.5:

Rates frozen during transitional period

39.5.1(1) Despite this Act or any other Act, rates for power supplied during the transitional period must not be increased.

Rates to be published

39.5.1(2) Throughout the transitional period, the corporation must publish the applicable rates on its website.

Transitional period

39.5.1(3) In this section, "**transitional period**" means the period beginning on the day section 39 comes into force and ending on the last day before the first rate period under the definition "rate period".

And a debate arising,

And Mr. KINEW having spoken,

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

YEA

ALTOMARE	MARCELINO
ASAGWARA	MOSES
BRAR	NAYLOR
BUSHIE	REDHEAD
FONTAINE	SALA
KINEW	SANDHU
LATHLIN	SMITH (Point Douglas)
LINDSEY	WASYLIW
MALOWAY	WIEBE 18

NAY

CLARKE	LAMONT
COX	LAMOUREUX
CULLEN	MARTIN
EICHLER	MICHALESKI
EWASKO	MICKLEFIELD
FRIESEN	MORLEY-LECOMTE
GERRARD	NESBITT
GOERTZEN	PEDERSEN
GORDON	PIWNIUK
GUENTER	SCHULER
GUILLEMARD	SMOOK
HELWER	SQUIRES
ISLEIFSON	STEFANSON
JOHNSON	TEITSMA
JOHNSTON	WHARTON
KHAN	WISHART
LAGASSÉ	WOWCHUK 35
LAGIMODIERE	

The House then adjourned at 4:10 p.m. until 1:30 p.m. Wednesday, November 2, 2022.

Hon. Myrna DRIEDGER,
Speaker.