

Tuesday, October 23, 2018



PRAYER

SITTING AT 10:00 A.M.

**ORDERS OF THE DAY**

**PRIVATE MEMBERS' BUSINESS**

**SECOND READINGS – PUBLIC BILLS:**

Hon. Mr. FLETCHER –

(No. 203) – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances

Hon. Mr. FLETCHER –

(No. 204) – The Electoral Divisions Amendment Act/Loi modifiant la Loi sur les circonscriptions électorales

Hon. Mr. FLETCHER –

(No. 206) – The Brookside Cemetery Recognition Act/Loi sur la désignation du cimetière Brookside

Hon. Mr. FLETCHER –

(No. 207) – The Legal Profession Amendment Act (Queen's Counsel Appointments)/Loi modifiant la Loi sur la profession d'avocat (nomination de conseillers de la Reine)

Hon. Mr. FLETCHER –

(No. 209) – The Gift of Life Act (Human Tissue Gift Act Amended)/Loi sur le don de la vie (modification de la Loi sur les dons de tissus humains)

Hon. Mr. FLETCHER –

(No. 210) – The Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur la Société d'assurance publique du Manitoba

Hon. Mr. FLETCHER –

(No. 214) – The Workplace Safety and Health Amendment Act/Loi modifiant la Loi sur la sécurité et l'hygiène du travail

Hon. Mr. FLETCHER –

(No. 215) – The Election Financing Amendment Act/Loi modifiant la Loi sur le financement des élections

Hon. Mr. GERRARD –

(No. 216) – The Human Rights Code Amendment Act/Loi modifiant le Code des droits de la personne

**Selected Bill (Second Reading vote to be held October 25)**

Ms. FONTAINE –

(No. 227) – The Animal Care Amendment Act (Dog Breeding and Exotic Animals)/Loi modifiant la Loi sur le soin des animaux (élevage de chiens et animaux interdits)

Mrs. GUILLEMARD –

(No. 230) – The Fetal Alcohol Spectrum Disorder Awareness Day Act/Loi sur la Journée de sensibilisation à l'ensemble des troubles causés par l'alcoolisation fœtale

Ms. KLASSEN –

(No. 231) – The Municipal Harassment Policy Act (Various Acts Amended)/Loi sur les politiques municipales en matière de harcèlement (modification de diverses dispositions législatives)

**Selected Bill (Second Reading vote to be held October 25)**

Hon. Mr. FLETCHER –

(No. 232) – The Efficiency Manitoba Amendment Act/Loi modifiant la Loi sur la Société pour l'efficacité énergétique au Manitoba

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**DEBATE ON SECOND READINGS – PUBLIC BILLS:**

On the Proposed Motion of Mr. ALTEMEYER –

(No. 222) – The Residential Tenancies Amendment Act (Protecting Tenants from Rising Utility Costs)/Loi modifiant la Loi sur la location à usage d'habitation (protection des locataires contre l'augmentation des coûts des services publics)

(Mr. SMITH (Southdale) – 7 minutes)

On the Proposed Motion of Mr. MARTIN –

(No. 200) – The Planning Amendment Act/Loi modifiant la Loi sur l'aménagement du territoire  
(Mr. SWAN – 1 minute)

On the Proposed Motion of Mrs. SMITH (Point Douglas) –

(No. 223) – The Child and Family Services Amendment Act/Loi modifiant la Loi sur les services à l'enfant et à la famille

(Mr. SMITH (Southdale) – 5 minutes)

On the Proposed Motion of Ms. FONTAINE –

(No. 228) – The Animal Shelter and Rescue Awareness Day Act/Loi sur la Journée de sensibilisation aux refuges et aux établissements de secours pour animaux

(Mr. GRAYDON – 7 minutes)

On the Proposed Motion of Mr. LAGIMODIERE –

(No. 201) – The Manitoba Conservation Officers Recognition Day Act/Loi sur la Journée de reconnaissance des agents de conservation du Manitoba

(Ms. FONTAINE – 8 minutes)

On the Proposed Motion of Mr. SWAN –

(No. 225) – The Human Rights Code Amendment Act (Genetic Characteristics)/Loi modifiant le Code des droits de la personne (caractéristiques génétiques)

(Mr. HELWER – 4 minutes)

On the Proposed Motion of Mr. WIEBE –

(No. 224) – The Public Schools Amendment Act (No Disclosure Without Consent)/Loi modifiant la Loi sur les écoles publiques (divulgence interdite sans consentement)

(Mr. HELWER – 6 minutes)

On the Proposed Motion of Mr. SWAN –

(No. 233) – The Health Services Insurance Amendment Act/Loi modifiant la Loi sur l'assurance-maladie

(Mr. MARTIN – 9 minutes)

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## **RESOLUTION:**

### **Hon. Mr. FLETCHER – Conflict of Interest**

**20.** WHEREAS “Manitoba has the oldest and arguably the weakest conflict of interest legislation in Canada”, according to the scathing April 2018 report of Conflict of Interest Commissioner, Jeffrey Schnoor, Q.C. which proposed 84 recommendations; and

WHEREAS the Provincial Government has failed to act on previous resolutions on this issue raised by the Member from Assiniboia nor use his proposed Bills as a framework to introduce its own legislation; and

WHEREAS conflict of interest legislation is largely intended to assist elected representatives by providing an objective understanding against which they gauge their actions, and to satisfy themselves and the public that they are acting appropriately; and

WHEREAS Manitobans need an update to the long overdue system of conflict of interest rules that will greatly enhance the public confidence but not compromise the privacy interests of elected provincial representatives; and

WHEREAS broader disclosure, which is required in the 21st century, must include all personal assets, private interest and be extended beyond financial measurements; and

WHEREAS the investments markets, federal and provincial taxes, and ease of investing through electronic methods has changed dramatically and quite significantly in the last few years; and

WHEREAS MLAs currently do not have to disclose their penny stock holdings, stock holdings, ETFs, bond holdings or property owned outside of Manitoba; and

WHEREAS the federal guidelines are far more comprehensive than those in Manitoba and the Federal Finance Minister has recently been accused of conflict of interest surrounding property outside of Canada and family trusts; and

WHEREAS individuals who are hired as exempt staff or constituency assistants for Ministers and MLAs using taxpayer funds often also serve as members of the Board of Directors of political parties, organizations, or fundraising activities, thus creating a potential conflict of interest based on those competing roles; and

WHEREAS it is in everyone's interest to strengthen the conflict of interest legislation with the philosophy "trust and verify".

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba be urged to update the conflict of interest legislation to include better definitions of immediate family, all investment vehicles, property, trusts, corporations in Canada or liquid assets that are traded anywhere in the world by employing the legislation introduced by the Member of Assiniboia on Conflict of Interest as a possible framework for new and much needed made in Manitoba Conflict of Interest legislation which also includes disclosure and appropriate political activities for those who work for or with MLAs or cabinet Ministers.

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**DEBATE ON RESOLUTIONS:**

1. Mr. SWAN – Cuts to Outpatient Physiotherapy and Occupational Services  
(Mr. JOHNSTON – 9 minutes/124 minutes remaining)
4. Mr. KINEW – Cuts to the Special Drugs Program  
(Mr. MICKLEFIELD – 8 minutes/122 minutes remaining)
5. Mr. LAGIMODIERE – Recognition of Wetland Importance  
(Ms. MARCELINO (Logan) – 9 minutes/125 minutes remaining)

7. Mr. WIEBE – Provincial Government Cuts to Education Hurt Manitoba Students  
(Mr. SARAN – 9 minutes/124 minutes remaining)
9. Mr. LINDSEY – Workers Compensation Coverage for Work Related Stress  
(Mrs. GUILLEMARD – 10 minutes/129 minutes remaining)
10. Mr. ISLEIFSON – Celebrating a New School in Brandon  
(Mr. SWAN – 4 minutes/126 minutes remaining)
11. Mr. MARCELINO (Tyndall Park) – Standing Up for Worker Safety  
(Mr. CURRY – 5 minutes/124 minutes remaining)
12. Mr. JOHNSON – Celebrating Freedom Road  
(Mr. LINDSEY – 8 minutes/124 minutes remaining)
13. Mr. ALTEMEYER – Protect Manitoba Waterways from Transboundary Water Projects  
(Mr. WOWCHUK – 9 minutes/123 minutes remaining)
14. Mr. PIWNIUK – Trans Mountain Pipeline  
(Ms. FONTAINE – 9 minutes/124 minutes remaining)
17. Ms. MARCELINO (Logan) – Protecting Manitoba’s Lakes, Rivers and Communities  
(Ms. MORLEY-LECOMTE – 2 minutes/132 minutes remaining)
19. Mrs. SMITH (Point Douglas) – Celebrating Pride in Manitoba  
(Mr. MARTIN – 6 minutes/123 minutes remaining)
16. Mr. LAGASSÉ – Celebrating National Indigenous Peoples Day  
(Mr. ALLUM – 3 minutes/66 minutes remaining)
3. Mr. ALLUM – Restore Public Transit Funding for Municipalities  
(Mr. HELWER – 2 minutes/11 minutes remaining)

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**SITTING AT 1:30 P.M.**

## **ROUTINE PROCEEDINGS**

### **INTRODUCTION OF BILLS**

Hon. Mrs. STEFANSON –

(No. 2) – The Child and Family Services Amendment Act (Guardianship Support)/Loi modifiant la Loi sur les services à l'enfant et à la famille (aide aux tuteurs)

Hon. Mrs. COX –

(No. 13) – The Concussion in Youth Sport Act/Loi sur les commotions cérébrales chez les jeunes athlètes

Hon. Mr. FLETCHER –

(No. 202) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative

Hon. Mr. FLETCHER –

(No. 205) – The Statutory Holidays Act (Various Acts Amended)/Loi sur les jours fériés (modification de diverses dispositions législatives)

Mrs. SMITH (Point Douglas) –

(No. 217) – The Workplace Safety and Health Amendment and Legislative Assembly Management Commission Amendment Act (Workplace-Related Harassment and Violence)/Loi modifiant la Loi sur la sécurité et l'hygiène du travail et Loi modifiant la Loi sur la Commission de régie de l'Assemblée législative (harcèlement et violence au travail)

Mr. WIEBE –

(No. 220) – The Public Schools Amendment Act (Anaphylaxis Policy)/Loi modifiant la Loi sur les écoles publiques (politique sur l'anaphylaxie)

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## **COMMITTEE REPORTS**

## **TABLING OF REPORTS**

## **MINISTERIAL STATEMENTS**

## **MEMBERS' STATEMENTS**

## **ORAL QUESTIONS**

## **PETITIONS**

Mr. ALLUM  
Hon. Mr. FLETCHER  
Hon. Mr. GERRARD  
Mrs. SMITH (Point Douglas)

## **GRIEVANCES**

## **ORDERS OF THE DAY (continued)**

### **GOVERNMENT BUSINESS**

#### **COMMITTEE OF THE WHOLE**

To consider and report the following Bill for Concurrence and Third Reading:

Hon. Mr. FIELDING –

(No. 34) – The Budget Implementation and Tax Statutes Amendment Act, 2018/Loi d'exécution du budget de 2018 et modifiant diverses dispositions législatives en matière de fiscalité  
(5 hours 40 minutes)

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#### **COMMITTEE OF SUPPLY**

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#### **DEBATE ON SECOND READINGS:**

On the Proposed Motion of Hon. Ms. SQUIRES –

(No. 29) – The Wildlife Amendment Act (Safe Hunting and Shared Management)/Loi modifiant la Loi sur la conservation de la faune (pratiques de chasse sécuritaires et gestion intégrée de la faune)

And the Proposed Motion of Hon. Mr. CULLEN as follows:

*THAT this question be now put.*

(Mr. ALLUM – 11 minutes)

On the Proposed Motion of Hon. Mr. EICHLER –

(No. 35) – The Crown Lands Amendment Act (Improved Management of Community Pastures and Agricultural Crown Lands)/Loi modifiant la Loi sur les terres domaniales (gestion améliorée des pâturages communautaires et des terres domaniales agricoles)

(Mr. ALLUM – 25 minutes)

On the Proposed Motion of Hon. Mr. CULLEN –

(No. 36) – The Highway Traffic Amendment Act (Impaired Driving Offences)/Loi modifiant le Code de la route (conduite avec facultés affaiblies)

(Mr. LINDSEY – 28 minutes)

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#### **SECOND READINGS:**

Hon. Mr. SCHULER –

(No. 28) – The Public Sector Construction Projects (Tendering) Act/Loi sur les projets de construction dans le secteur public (appels d'offres)

Hon. Mr. CULLEN –

(No. 30) – The Statutes Correction and Minor Amendments Act, 2018/Loi corrective de 2018

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**DEBATE ON GOVERNMENT MOTIONS:**

On the Proposed Motion of Hon. Mrs. STEFANSON – Special Committee on Proactive Disclosure Requirements for Provincial Candidates

THAT a Special Committee on Proactive Disclosure Requirements for Provincial Candidates (the Special Committee) be established to study and make recommendations regarding the requirement of candidates seeking office in, but not limited to, the Manitoba Legislative Assembly to disclose matters including (but not limited to):

- a) past criminal background checks;
- b) adult and child abuse registry checks, and
- c) other matters which may be relevant for those who are seeking or holding office; and

THAT, except as otherwise provided in this motion, the Special Committee shall have the same status and follow the same practices and rules as a Standing Committee of the House, including:

- a) having the same membership composition as the current composition of the Standing Committees of the House; and
- b) having the power to establish a sub-committee for the purposes of carrying out any part of the Special Committee's work; and

THAT, within the parameters of the practices and Rules of the House and the instructions of this motion, the Special Committee be authorized to decide how it will conduct its business, including deciding to hold meetings at such times and places it considers advisable to receive briefs and hear presentations; and

THAT, despite Rule 4(12) the committee may meet in the months of June, July and August; and

THAT the Special Committee be able to call witnesses, including, but not limited to, the Chief Electoral Officer of Elections Manitoba, representatives from political parties, academia and other experts in ethics, political science or whatever field the Special Committee deems appropriate; and

THAT the Special Committee must report to the House by October 3, 2018.

(Hon. Mr. FLETCHER – 3 minutes)

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On the Proposed Motion of Hon. Mr. CULLEN –

THAT the Standing Committee on Legislative Affairs (the Committee) study the report titled: *Modernizing Manitoba's Conflict of Interest Legislation – Recommendations of the Conflict of Interest Commissioner*, by Jeffrey Schnoor, Q.C., dated April 2018, and make recommendations regarding how best to proceed with changes to the rules governing Members of the Legislative Assembly in *The Legislative Assembly and Executive Council Conflict of Interest Act* and *The Legislative Assembly Act*; and



THAT, within the parameters of the practices and Rules of the House and the instructions of this motion, the Committee be authorized to decide how it will conduct its business, including deciding to hold meetings at such times and places it considers advisable to receive briefs and hear presentations; and

THAT, despite Rule 4(12) the Committee may meet in the months of June, July and August; and

THAT the Committee be able to call witnesses, including, but not limited to, the Conflict of Interest Commissioner, and other experts in ethics, political science or whatever field the Committee deems appropriate; and

THAT the Committee must report to the House by November 8, 2018.  
(Hon. Mr. FLETCHER – 4 minutes)

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### **GOVERNMENT MOTIONS:**

Hon. Mr. GOERTZEN –

That the First Report of The Standing Committee on The Rules of The House received on October 4, 2018, be concurred in.

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Hon. Mr. CULLEN –

THAT despite Rules 3, 4 and 23 of our Rules, Orders and Forms of Proceeding, for any emergency sitting days during the remainder of the 3<sup>rd</sup> Session of the 41<sup>st</sup> Legislature, in addition to sitting on Mondays, Tuesdays, Wednesdays and Thursdays, the House shall also meet from 10:00 a.m. to 5:00 p.m. on Fridays, with Routine Proceedings to be held at 10:00 a.m. on Fridays; and

THAT despite rule 4(4) of our Rules, Orders and Forms of Proceeding, for any emergency sitting days during the remainder of the 3<sup>rd</sup> Session of the 41<sup>st</sup> Legislature, when any steps of the Main and Capital Supply procedure are considered, the House shall adjourn no later than 9:00 p.m.

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Hon. Mr. CULLEN –

**1.** THAT effective immediately and until prorogation of the 3<sup>rd</sup> Session of the 41<sup>st</sup> Legislature, the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba be amended as follows:

*(a) by deleting Sub-rule 23(4) and substituting the following:*

**Private Members' Business**

**23(4)** Subject to sub-rule 4(3), Private Members' Business shall be considered as follows when the House sits on Tuesdays and Thursdays:

**Tuesday:**

**10:00 a.m. to 11:00 a.m.** (Private Members' Hour)

Private Bills  
Public Bills  
Motions

**11:00 a.m. to 12:00 noon** (Private Members' Hour)

Private Members' Resolutions  
Motions

**Thursday:**

**10:00 a.m. to 11:00 a.m.** (Private Members' Hour)

Public Bills  
Private Bills  
Motions

**11:00 a.m. to 12:00 noon** (Private Members' Hour)

Private Members' Resolutions  
Motions  
Deferred votes from previous Tuesday Private Members' Business at 11:55 a.m.

**Sequence of Private Members' Bills**

**23(4.1)** Private Members' Private Bills and Private Members' Public Bills shall be called in the following sequence as listed on the *Order Paper*:

- (a) Report Stage;
- (b) Debate on Report Stage;
- (c) Concurrence and Third Readings;
- (d) Debate on Concurrence and Third Readings;
- (e) Second Readings;
- (f) Debate on Second Readings.

When a Private Member's Public Bill or Private Bill is called for debate and is not disposed of within that hour, it shall be placed on the bottom of the list of bills of that type on the *Order Paper*.

**House Leaders**

**23(4.2)** House Leaders of Recognized Parties have the authority to call Private Members' Bills for debate in the first Hour of Private Members' Business.

- (a) On Tuesday mornings the Government House Leader or designate shall call Private Members' Bills for debate.

- (b) On Thursday mornings the Official Opposition House Leader or designate, or the House Leaders or designates of other Recognized Opposition Parties, shall call Private Members' Bills for debate.
- (c) If there is more than one Recognized Opposition Party:
  - i. The House Leaders or designates of all Recognized Opposition Parties must submit to the Speaker an agreement on dividing time on Thursday mornings.
  - ii. In the event of an impasse the Speaker shall make a determination as to this division of time.

*(b) by deleting Rule 24 and substituting the following:*

**Selected Bills**

**24(1)** Each recognized party may select up to three Private Members' Bills per session to proceed to a Second Reading debate and vote.

**Bills to proceed to a Second Reading vote**

**24(2)** Each Independent Member may select one Private Members' Bill per session to proceed to a Second Reading debate and vote, and despite Rule 69(1), an Independent Member will not require a seconder to move each Reading motion for their selected Private Members' Bill.

**Written notice**

**24(3)** Written notice of each selected Bill, indicating the sitting day and time when the debate and vote will occur, must be provided to the Speaker by the Government House Leader (or designate) and the Independent Member no later than two weeks prior to the scheduled end of the Fall Sitings.

**Scheduling Independent Members' Selected Bills**

**24(4)** As part of the written notice required in 24(3), an Independent Member and the Government House Leader or designate must agree on a date and time for the debate and vote on the selected Bill, and notify the Speaker in writing of the details.

- (a) In the event of an impasse, the Speaker shall make a determination as to the scheduling of these debates.
- (b) The Government House Leader or designate will call Independent Members' Private Members' Bills for debate on Tuesdays.

**2.** THAT the Clerk may re-number the Rules, Orders and Forms of Proceedings of the Legislative Assembly and make other minor corrections that in no way alter the intended meaning of these Amendments.

**3.** THAT the Clerk prepare revised rule books incorporating all amendments, additions and deletions.

# NOTICE PAPER

## NOTICE OF COMMITTEE MEETINGS:

The Standing Committee on LEGISLATIVE AFFAIRS will meet in Room 255, Legislative Building, Winnipeg, Manitoba on Wednesday, October 24, 2018 and if necessary on Thursday, October 25, 2018 at 6:00 p.m. to consider a Bill referred.

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The Standing Committee on SOCIAL AND ECONOMIC DEVELOPMENT will meet in Room 254, Legislative Building, Winnipeg, Manitoba on Wednesday, October 24, 2018 and if necessary on Thursday, October 25, 2018 at 6:00 p.m. to consider Bills referred.

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