



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 45

SECOND SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYERS

10:00 O'CLOCK A.M.

By leave, it was agreed to proceed with condolence motions under Orders of the Day for the morning and afternoon of Thursday, May 27, 2004.

Hon. Mr. DOER moved:

THAT this House convey to the family of the late June WESTBURY, who served as a Member of the Legislative Assembly of Manitoba, its sincere sympathy in their bereavement and its appreciation of her devotion to duty in a useful life of active community and public service; and that Mr. Speaker be requested to forward a copy of this resolution to the family.

And Hon. Messrs. DOER and GERRARD, Mr. MURRAY, Hon. Mr. SALE, Mr. LOEWEN, Mrs. STEFANSON, Messrs. SANTOS and LAMOUREUX having spoken,

The motion was agreed to, the House standing.

Hon. Mr. DOER moved:

THAT this House convey to the family of the late Peter BURTNIAK, who served as a Member of the Legislative Assembly of Manitoba, its sincere sympathy in their bereavement and its appreciation of his devotion to duty in a useful life of active community and public service; and that Mr. Speaker be requested to forward a copy of this resolution to the family.

And Hon. Mr. DOER, Mr. MURRAY, Hon. Messrs. STRUTHERS and GERRARD and Mr. SCHELLENBERG having spoken,

The motion was agreed to, the House standing.

The following petitions were presented and read:

Mrs. DRIEDGER – Legislative Assembly of Manitoba to request the Minister of Health to ensure that his attempts to balance his department's finances are not at the expense of the health and well-being of seniors and other vulnerable Manitobans suffering from this debilitating disease; to consider reversing his decision to deny Alzheimer's patients in personal care homes access to certain medications; and to consider implementing a provincial Alzheimer's strategy. (L. Lavallee, R.E. Rockola, R. Nedohin and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year. (D. Anderson, A. Sunka, A. Gomes and others)

Mr. GOERTZEN – Legislative Assembly of Manitoba to request the Premier of Manitoba to consider ending his government's forced unionization plan of companies involved with the Red River Floodway expansion and to consider entering into discussions with business, construction and labour groups to ensure any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project. (M. Rempel, M. Rempel, R. Rempel)

Mr. MURRAY – Legislative Assembly of Manitoba to request the Premier of Manitoba to consider ending his government's forced unionization plan of companies involved with the Red River Floodway expansion and to consider entering into discussions with business, construction and labour groups to ensure any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project. (C. Smeltz, M. Jenkyns, L. Foster and others)

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

Meetings:

Your Committee met on Tuesday, May 25, 2004 at 6:30 p.m. in Room 255 of the Legislative Building.

Matters Under Consideration:

- **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)

Membership Resignations / Elections:

Substitutions received prior to commencement of meeting:

- Mr. ROCAN for Mr. GOERTZEN
- Mrs. DRIEDGER for Mr. SCHULER

- Hon. Mr. STRUTHERS for Ms. BRICK
- Hon. Mr. RONDEAU for Hon. Ms. MCGIFFORD
- Hon. Mr. SMITH for Hon. Mr. SELINGER
- Ms. BRICK for Hon. Ms. ALLAN
- Mr. SANTOS for Hon. Mr. SMITH

Public Presentations:

Your Committee heard 20 presentations on 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) from the following organizations:

Rob Cunningham	National Cancer Society and Canadian Cancer Society Manitoba Division
Aaron Yanofsky	Manitoba Youth for Clean Air
JoAnn Douglas and Vhana Moldowan	Manitoba Lung Association
Dr. Jay Duncan	Manitoba Medical Association
Mervin Toderian	Parkland Regional Health Authority
Deanne Olson	Rivercrest Motor Hotel
Walter Kuz	The Rennie Hotel
Dr. Sandra Burt	University of Waterloo, Political Sciences Department
Heidi Howarth	Trails West Hotel
Edna Milne	Fort Rouge and Imperial Veterans
John Petrinka	Veteran's Association
Murray Gibson	Manitoba Tobacco Reduction Alliance
Margaret Bernherdt-Lowdon	Heart and Stroke Foundation of Manitoba
Dr. Dhaliwal	CancerCare Manitoba
Ken Leslie	Alliance for Prevention of Chronic Disease
Dr. Sande Harlos	Winnipeg Regional Health Authority
Dr. Joel Kettner	Chief Medical Officer of Health
Jim Baker	Manitoba Hotel Association
Rob Hilliard and Pete Walker	Manitoba Federation of Labour
Sheila Babiman	Duke of Kent Legion

Written Submissions:

Your Committee received 4 written submissions for 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), from the following organizations:

Roslyn Cullen	Assiniboine Regional Health Authority
Larry Hogue and Carmel Olson	Brandon Regional Health Authority
Michael Ferrabee	Canadian Restaurant and Foodservices Association
Randy B. Lock	Regional Health Authorities of Manitoba

Bills Considered and Reported:

- **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)

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

THAT the proposed clause (g) of the definition of “enclosed public place”, as set out in Clause 2(2)(b) of the Bill, be amended by striking out “other than a licensed premises of a class prescribed by regulation.”

THAT the proposed clause 1(2)(b), as set out in Clause 2(6) of the Bill, be amended by striking out “that is an enclosed public place under subsection (1).”

THAT the proposed clause 9(1)(a.1), as set out in Clause 7(a) of the Bill, be struck out.

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

Ms. IRVIN-ROSS, Vice-Chairperson of the Standing Committee on Legislative Affairs, presented its Fourth Report, which was read as follows:

Meetings:

Your Committee met on Tuesday, May 25, 2004 at 6:30 p.m. in Room 254 of the Legislative Building.

Matters under Consideration:

- **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)
- **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)
- **Bill (No. 24)** – The Travel Manitoba Act/Loi sur la Société Voyage Manitoba

Committee Membership:

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

Substitutions received prior to commencement of meeting:

- Hon. Mr. LEMIEUX for Ms. BRICK
- Ms. IRVIN-ROSS for Mr. DEWAR
- Hon. Mr. ROBINSON for Hon. Mr. MACKINTOSH
- Mr. CUMMINGS for Mr. HAWRANIK
- Mr. MAGUIRE for Mr. LOEWEN
- Mrs. TAILLIEU for Mr. REIMER

Substitutions made by leave during committee proceedings:

- Mr. PENNER for Mrs. TAILLIEU
- Mr. NEVAKSHONOFF for Ms. KORZENIOWSKI

Public Presentations:

Your Committee heard four presentations on 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), from the following organizations:

David Rolfe	Keystone Agricultural Producers
Michael Martel	Forest Industry Association of Manitoba
Bob Dolyniuk	Manitoba Trucking Association
Chris Lorenc	Manitoba Heavy Construction Association

Your Committee heard three presentations on Bill (No. 24) – The Travel Manitoba Act/Loi sur la Société Voyage Manitoba, from the following organizations:

Jim Baker	Manitoba Hotel Association
Max Johnson	Ministerial Advisory Council on Tourism
Jim Carr	Business Council of Manitoba

Bills Considered and Reported:

- **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)

Your Committee agreed to report this Bill without amendment.

- **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)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 24)** – The Travel Manitoba Act/Loi sur la Société Voyage Manitoba

Your Committee agreed to report this Bill without amendment.

On motion of Ms. IRVIN-ROSS, the Report of the Committee was received.

On Motion of Hon. Mr. MACKINTOSH Bill (No. 47) – The Legal Aid Services Society of Manitoba Amendment Act/Loi modifiant la Loi sur la Société d'aide juridique du Manitoba, was read a First Time and had its purposes outlined.

Thursday, May 27, 2004

Pursuant to Rule 26(1), Ms. KORZENIOWSKI, Messrs. ROCAN, JENNISEN, PENNER and MARTINDALE made Members' Statements.

Hon. Mr. DOER moved:

THAT this House convey to the family of the late Israel ASPER, who served as a Member of the Legislative Assembly of Manitoba, its sincere sympathy in their bereavement and its appreciation of his devotion to duty in a useful life of active community and public service; and that Mr. Speaker be requested to forward a copy of this resolution to the family.

And Hon. Messrs. DOER and GERRARD, Mr. MURRAY, Hon. Mr. SALE, Messrs. LOEWEN and JHA, Mrs. STEFANSON, Hon. Mr. SELINGER, Mrs. DRIEDGER, Messrs. SANTOS and LAMOUREUX, Ms. KORZENIOWSKI, Messrs. ALTEMEYER and GOERTZEN having spoken,

The motion was agreed to, the House standing.

The House then adjourned at 5:05 p.m. until 1:30 p.m. Monday, May 31, 2004.

Hon. George HICKES,
Speaker.