



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 7

FIRST SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

The following Bills were severally read a First Time and had their purposes outlined:

(No. 201) – The Liquor Control Amendment Act (Fetal Alcohol Spectrum Disorder Prevention)/Loi modifiant la Loi sur la réglementation des alcools (prévention de l'ensemble des troubles causés par l'alcoolisation fœtale)

(Mr. LAMOUREUX)

(No. 204) – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels

(Hon. Mr. GERRARD)

(No. 205) – The Manitoba Hydro Amendment Act/Loi modifiant la Loi sur l'Hydro-Manitoba

(Hon. Mr. GERRARD)

The following petitions were presented and read:

Mrs. TAILLIEU – Legislative Assembly of Manitoba to request the Minister of Family Services and Housing to consider re-staffing the Social Worker position(s) in Lynn Lake in order to provide needed services to Northwestern Manitoba in a timely manner and to consider mediating outstanding accounts payable due to the Lynn Lake Friendship Centre by Cree Nation Child and Family Caring Agency in order to allow the Designated Safe House and Receiving Home to resume regular operations and services, and continued utilization of these operations and services. (G. Montgomery, H. Hrechka, M. R. Dumas and others)

Mrs. ROWAT – Legislative Assembly of Manitoba to urge the Minister of Infrastructure and Transportation to act on this situation by considering the construction of turning lanes that would reduce the danger posed in traffic access to Brandon Hills Estates which is home to 85 residents. (J. More, V. More, D. Laursen and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to urge the Premier and his NDP Government to cooperate in uncovering the truth in why the Government did not act on what it knew and to consider calling a public inquiry on the Crocus Fund Fiasco. (H. Douglas, J. Douglas, B. Douglas and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba to request the Premier of Manitoba and the Minister of Health to consider providing CancerCare Manitoba with the appropriate funding necessary to provide the standard care treatment – Avastin – to all colon cancer patients and to consider accelerating the process by which new cancer treatment drugs are added to the formulary so that more Manitobans are able to be treated in the most effective manner possible. (T. Forrest, L. Forrest, B. Bilenky and others)

Mr. Speaker presented:

Annual Report of the Legislative Assembly Management Commission for the fiscal year ending March 31, 2006.

(Sessional Paper No. 13)

Annual Report of the Legislative Assembly Management Commission for the fiscal year ending March 31, 2007.

(Sessional Paper No. 14)

Hon. Mr. STRUTHERS presented:

Five Year Report on the Status of Forestry for the period of April 1, 2001 to March 31, 2006.

(Sessional Paper No. 15)

Hon. Mr. BJORNSON presented:

Annual Report of the Teachers' Retirement Allowances Fund for the year ending December 31, 2006.

(Sessional Paper No. 16)

Hon. Mr. BJORNSON for Hon. Ms. MCGIFFORD presented:

Annual Report of the Adult Learning Centres for the year ending June 30, 2006.

(Sessional Paper No. 17)

Annual Report of the The Manitoba Student Aid Program for the program year ending July 31, 2006.

(Sessional Paper No. 18)

During Oral Questions, Mr. FAURSCHOU rose on a point of order regarding that on page 155 of Hansard dated June 13, 2007, the Premier's response to a question is marked as inaudible and request that the tapes be reviewed.

WHEREUPON Mr. Speaker informed the House he would take the matter under advisement.

Thursday, June 14, 2007

Pursuant to Rule 26(1), Ms. BRICK, Mrs. DRIEDGER, Messrs. NEVAKSHONOFF, GRAYDON and ALTEMEYER made Members' Statements.

By leave, Hon. Mr. CHOMIAK moved:

That the following Sessional Orders apply to this and the next Session despite any other rule or practice of this House:

"Specified Bills" defined

1. In these Sessional Orders, "**specified Bills**" means

(a) in relation to the fall sitting of the 1st Session of the 39th Legislature, government Bills that appeared on the Notice Paper on June 14, 2007, and are distributed in the House on or before October 12, 2007; and

(b) in relation to the spring sitting of the 2nd Session of the 39th Legislature, government Bills that are distributed in the House on or before May 1, 2008;

but does not include a supply Bill or a *Budget Implementation and Tax Statutes Amendment Act*.

Spring Sitting of the 1st Session, 39th Legislature (ending on June 14, 2007)

2. The House must, if necessary, sit beyond the usual adjournment hour on Thursday, June 14, 2007, to conclude the business of interim supply for the 2007-08 fiscal year as follows by 6:00 p.m. on that day:

(a) By 4:00 p.m. on that day, all questions on resolutions respecting interim supply in the Committee of Supply must be put, and the Committee's report must be presented to and received by the House.

(b) By 6:00 p.m. on that day, all stages for the passage of *The Interim Appropriation Act, 2007* (including all related motions and all three readings, but not including royal assent) must be completed.

If the Committee of Supply, the Committee of the Whole, or the House has not concluded any item or stage described above by the required hour, the chairperson or the Speaker, as the case may be, must interrupt the proceedings at that time and, without seeing the clock, put all questions necessary to dispose of the required items without further debate, amendment or recorded vote.

Royal Assent of *The Interim Appropriation Act, 2007* must take place before the House adjourns on that day.

Fall Sitting of the 1st Session, 39th Legislature (Sept. 25, 2007 to Nov. 8, 2007)

3. Subject to rule 2(2), the 1st Session of the 39th Legislature is to resume on Tuesday, September 25, 2007, and is to adjourn on Thursday, November 8, 2007.

October 16, 2007

4. By the end of Tuesday, October 16, 2007, the Committee of Supply must complete its consideration of the estimates (including supplementary estimates, if any) for the 2007-08 fiscal year, other than the concurrence motion.

At 4:00 p.m. on that day, the chairpersons of the Committees of Supply and of the Whole House must interrupt the proceedings and immediately put all questions necessary to dispose of the remaining matters without debate, amendment, adjournment or recorded vote.

5. At 5:00 p.m. on Tuesday, October 16, 2007, the Speaker must interrupt the proceedings and, without seeing the clock, call for Second Reading of bills for any specified Bills that have not yet been moved for Second Reading. Every minister responsible for such a Bill must be given the opportunity to move a motion for Second Reading of each such Bill for which he or she is responsible. After the motion is moved and spoken to by the minister, the debate of the motion stands adjourned, without a motion for adjournment, in the name of the Whip of the Official Opposition, whether or not he or she is present in the House.

October 23, 2007

6. At 5:00 p.m. on Tuesday, October 23, 2007, the Speaker must interrupt the proceedings and, without seeing the clock, put all questions required to conclude the Second Reading Stage on all specified Bills then at that stage. The questions must be decided without further debate or amendment.

October 25, 2007

7. The House must, if necessary, sit beyond the usual adjournment hour on Thursday, October 25, 2007, to conclude the business of supply for the 2007-08 fiscal year as follows by 6:00 p.m. on that day:

(a) By 4:00 p.m. on that day, the question on the concurrence motion in the Committee of Supply must be put, the Committee's report must be presented to and received by the House, and the question on the concurrence motion in the House must be put.

(b) By 6:00 p.m. on that day, all stages for the passage of the following bills (including all related motions and all three readings, but not including royal assent) must be completed:

The Appropriation Act, 2007

The Loan Act, 2007

The Budget Implementation and Tax Statutes Amendment Act, 2007

If the Committee of Supply, the Committee of the Whole, or the House has not concluded any item or stage described above by the required hour, the chairperson or the Speaker, as the case may be, must interrupt the proceedings at that time and, without seeing the clock, put all questions necessary to dispose of the required items without further debate, amendment or recorded vote.

Royal Assent of *The Appropriation Act, 2007*, *The Loan Act, 2007* and *The Budget Implementation and Tax Statutes Amendment Act, 2007* must take place before the House adjourns on that day.

November 6, 2007

8. At 5:00 p.m. on Tuesday, November 6, 2007, the Speaker must interrupt the proceedings and, without seeing the clock, take all steps necessary to conclude Report Stage on all the specified Bills that are then at that stage.

If a motion for a Report Stage amendment was previously moved, the Speaker must put the question necessary to dispose of the motion without further debate or amendment.

The Speaker must allow each motion for a Report Stage amendment for which notice was given in accordance with subrule 138(6) to be moved. Immediately after the motion has been moved and spoken to by the mover of the motion, the Speaker must put the question necessary to dispose of the motion without further debate or amendment.

Subrule 138(7) does not apply.

November 8, 2007

9. At 5:00 p.m. on Thursday, November 8, 2007, the Speaker must interrupt the proceedings and, without seeing the clock, take all steps necessary to conclude Concurrence and Third Reading on

(a) each specified Bill for which a Concurrence and Third Reading motion has previously been moved; and

(b) each specified Bill for which a Concurrence and Third Reading motion may then be put under subrule 138(14), if the minister responsible for the Bill wishes to put the motion.

In the case of a Bill referred to in clause (a), the Speaker must put all questions necessary to dispose of the motion without further debate or amendment.

In the case of a Bill referred to in clause (b), the Speaker must allow the motion to be moved. Immediately after it is moved, the Speaker must put the question necessary to dispose of the motion without debate or amendment.

Royal Assent of all bills that have had Third Reading agreed to must take place before the House adjourns on that day.

At the conclusion of business on that day, the Speaker must adjourn the House without a motion for adjournment. Subject to rule 2(2), the House is not to meet during the following week.

Fall Sitting of the 2nd Session, 39th Legislature (Nov. 20, 2007 – Dec. 6, 2007)

10. Subject to rule 2(2), the 2nd Session of the 39th Legislature is to begin on Tuesday, November 20, 2007, with a Speech from the Throne.

11. If the Speaker has not put every question necessary to dispose of the main motion for the Address in Reply to the Speech from the Throne under rule 45(5) by 4:00 p.m. on Thursday, December 6, 2007, the Speaker must do so at that time.

Spring Sitting of the 2nd Session, 39th Legislature (Apr. 9, 2008 or sooner – June 12, 2008)

12. Subject to rule 2(2), the 2nd Session of the 39th Legislature is to resume no later than Wednesday, April 9, 2008.

May 15, 2008

13. At 5:00 p.m. on Thursday, May 15, 2008, the Speaker must interrupt the proceedings and, without seeing the clock, call for Second Reading of bills for any specified Bills that have not yet been moved for Second Reading. Every minister responsible for such a Bill must be given the opportunity to move a motion for Second Reading of each such Bill for which he or she is responsible. After the motion is moved and spoken to by the minister, the debate of the motion stands adjourned, without a motion for adjournment, in the name of the Whip of the Official Opposition, whether or not he or she is present in the House.

May 22, 2008

14. At 5:00 p.m. on Thursday, May 22, 2008, the Speaker must interrupt the proceedings and, without seeing the clock, put all questions required to conclude Second Reading on all specified Bills then at that stage. The questions must be decided without further debate or amendment.

At the conclusion of business on that day, the Speaker must adjourn the House without a motion for adjournment. Subject to rule 2(2), the House then stands adjourned to 1:30 p.m. on Monday, June 2, 2008.

June 5, 2008

15. The House must, if necessary, sit beyond the usual adjournment hour on Thursday, June 5, 2008, to conclude the business of supply for the 2008-09 fiscal year as follows by 6:00 p.m. on that day:

(a) By 4:00 p.m. on that day, the question on the concurrence motion in the Committee of Supply must be put, the Committee's report must be presented to and received by the House, and the question on the concurrence motion in the House must be put.

(b) By 6:00 p.m. on that day, all stages for the passage of the following bills (including all related motions and all three readings, but not including royal assent) must be completed:

The Appropriation Act, 2008

The Loan Act, 2008

The Budget Implementation and Tax Statutes Amendment Act, 2008

If the Committee of Supply, the Committee of the Whole, or the House has not concluded any item or stage described above by the required hour, the chairperson or the Speaker, as the case may be, must interrupt the proceedings at that time and, without seeing the clock, put all questions necessary to dispose of the required items without further debate, amendment or recorded vote.

Royal Assent of *The Appropriation Act, 2008*, *The Loan Act, 2008* and *The Budget Implementation and Tax Statutes Amendment Act, 2008* must take place before the House adjourns on that day.

June 10, 2008

16. At 5:00 p.m. on Tuesday, June 10, 2008, the Speaker must interrupt the proceedings and, without seeing the clock, take all steps necessary to conclude Report Stage on all the specified Bills then at that stage.

If a motion for a Report Stage amendment was previously moved, the Speaker must put the question necessary to dispose of the motion without further debate or amendment.

The Speaker must allow each motion for a Report Stage amendment for which notice was given in accordance with subrule 138(6) to be moved. Immediately after the motion has been moved and spoken to by the mover of the motion, the Speaker must put the question necessary to dispose of the motion without further debate or amendment.

Subrule 138(7) does not apply.

June 12, 2008

17. At 5:00 p.m. on Thursday, June 12, 2008, the Speaker must interrupt the proceedings and, without seeing the clock, take all steps necessary to conclude Concurrence and Third Reading on

(a) each specified Bill for which a Concurrence and Third Reading motion has previously been moved; and

(b) each specified Bill for which a Concurrence and Third Reading motion may then be put under subrule 138(14), if the minister responsible for the Bill wishes to put the motion.

In the case of a Bill referred to in clause (a), the Speaker must put all questions necessary to dispose of the motion without further debate or amendment.

In the case of a Bill referred to in clause (b), the Speaker must allow the motion to be moved. Immediately after it is moved, the Speaker must put the question necessary to dispose of the motion without debate or amendment.

Royal Assent of all bills that have had Third Reading agreed to must take place before the House adjourns on that day.

Priority of actions to be taken

18. Where

(a) these Sessional Orders require the Speaker or a chairperson to take any action at a specified time; and

(b) at the specified time, a point of order or a matter of privilege has been raised and is under consideration by the House or committee;

the point of order or matter of privilege is to be set aside, and no other point of order or matter of privilege may be raised, until the required action has been taken and all matters relating to the required action have been resolved.

Interruption of proceedings

19. Where these Sessional Orders require the Speaker or a chairperson to interrupt proceedings to take any action, the interruption is to take place and the action is to be taken whether or not the Orders of the Day have been called.

No deferral of vote

20. Subrule 14(4) does not apply to a division to be taken on a question required to be put under these Sessional Orders.

And a debate arising,

And the Question being put. It was agreed to.

Following Oral Questions, Hon. Mr. GERRARD rose on a Matter of Urgent Public Importance and moved:

THAT in accordance with Rule 36(1), the ordinary business of the House be set aside to discuss a Matter of Urgent Public Importance, namely, the urgent need for the Province of Manitoba to take immediate action to protect the land on and near the site of Upper Fort Garry from further residential and commercial development as a provincial heritage site of national historical value.

By leave, it was agreed to proceed with the debate.

And Hon. Mr. GERRARD, Mr. MCFADYEN and Hon. Mr. ROBINSON having spoken.

The debate was terminated.

The House resolving into Committee of Supply. The Proceedings, by leave, were temporarily interrupted to permit Mr. Speaker to resume the Chair.

Ms. KORZENIOWSKI, Chairperson of the Committee of Supply, presented the Report of the Proceedings of the Committee of June 12, 2007 to June 14, 2007 as follows:

IN THE COMMITTEE

The following Resolutions were adopted:

RESOLVED that a sum not exceeding \$5,401,597,200 being 60% of the total amount to be voted as set forth in Part A (Operating Expenditure) of the Estimates, be granted to Her Majesty for the Fiscal Year ending the 31st day of March, 2008.

RESOLVED that a sum not exceeding \$446,482,050 being 75% of the total amount to be voted as set out in Part B (Capital Investment) of the Estimates, be granted to Her Majesty for the Fiscal Year ending the 31st day of March, 2008.

Resolutions were reported and the Report was received.

Hon. Mr. SELINGER moved:

THAT there be granted to Her Majesty on account of Certain Expenditures of the Public Service for the Fiscal Year ending March 31, 2008 out of the Consolidated Fund, the sums of \$5,401,597,200 being 60% of the total amount to be voted as set out in Part A (Operating Expenditure) and \$446,482,050 being 75% of the total amount to be voted as set out in Part B (Capital Investment) of the estimates, laid before the House at the present Session of the Legislature.

And the Question being put. It was agreed to.

On motion of Hon. Mr. SELINGER, Bill (No. 2) – The Interim Appropriation Act, 2007/Loi de 2007 portant affectation anticipée de crédits, was read a First Time and ordered for Second Reading immediately.

On motion of Hon. Mr. SELINGER, Bill (No. 2) – The Interim Appropriation Act, 2007/Loi de 2007 portant affectation anticipée de crédits, was read a Second Time and be referred to Committee of the Whole.

The House resolving into Committee of the Whole.

Bill (No. 2) – The Interim Appropriation Act, 2007/Loi de 2007 portant affectation anticipée de crédits was considered in Committee of the Whole and reported without amendment.

Bill (No. 2) – The Interim Appropriation Act, 2007/Loi de 2007 portant affectation anticipée de crédits, as reported from the Committee of the Whole, was concurred in, read for a Third Time and passed.

By leave, Hon. Mr. CHOMIAK moved:

THAT notwithstanding any Rule or Practice of this House, Bill (No. 17) – The Employment Standards Code Amendment Act (Leave for Reservists)/Loi modifiant le Code des normes d'emploi (congé à l'intention des réservistes) be reinstated during the 1st Session of the 39th Legislature at the stage it was at when the 38th Legislature was dissolved.

And a debate arising,

And the Question being put. It was agreed to.

By leave, it was agreed that Bill (No. 17) – The Employment Standards Code Amendment Act (Leave for Reservists)/Loi modifiant le Code des normes d'emploi (congé à l'intention des réservistes) will now be considered as Bill (No. 12).

By leave, the House reverted to "Committee Reports".

By leave, Mr. MARTINDALE, Chairperson of the Standing Committee on Human Resources, presented its First Report (*5th Session – 38th Legislature*), which was read as follows:

Meetings:

Your Standing Committee on Human Resources presents the following as its First Report.

Your Committee met on Thursday April 19, 2007, at 4:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 12)** – The Employment Standards Code Amendment Act (Leave for Reservists)/Loi modifiant le Code des normes d'emploi (congé à l'intention des réservistes)

Committee Membership

Committee Membership for the meeting:

- Hon. Ms. ALLAN
- Mr. ALTEMEYER
- Mr. DEWAR
- Mrs. DRIEDGER
- Ms. KORZENIOWSKI
- Hon. Mr. LEMIEUX
- Mr. MARTINDALE (*Chairperson*)
- Mr. PENNER
- Mr. REIMER
- Mr. SCHULER
- Mr. SWAN

Your Committee elected Ms. KORZENIOWSKI as the Vice-Chairperson.

Bills Considered and Reported

- **Bill (No. 12)** – The Employment Standards Code Amendment Act (Leave for Reservists)/Loi modifiant le Code des normes d'emploi (congé à l'intention des réservistes)

Your Committee agreed to report this Bill without amendment.

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

By leave, Hon. Mr. CHOMIAK, Chairperson of the Special Committee of Seven Persons, presented its First Report, which was read as follows:

Meetings:

Your Special Committee of Seven Persons presents the following as its First Report.

Your Committee prepared the following list of the proportional representation of Members by party to compose the Standing Committees ordered by the House:

AGRICULTURE AND FOOD (11)

Government Members: 7

Official Opposition Members: 4

CROWN CORPORATIONS (11)

Government Members: 7

Official Opposition Members: 4

HUMAN RESOURCES (11)

Government Members: 7

Official Opposition Members: 4

INTERGOVERNMENTAL AFFAIRS (11)

Government Members: 7

Official Opposition Members: 4

JUSTICE (11)

Government Members: 7

Official Opposition Members: 4

LEGISLATIVE AFFAIRS (11)

Government Members: 7

Official Opposition Members: 4

PRIVATE BILLS (11)

Government Members: 7

Official Opposition Members: 4

PUBLIC ACCOUNTS (11)

Government Members: 6

Official Opposition Members: 4

Independent Members: 1

RULES OF THE HOUSE (11)

Government Members: 7

Official Opposition Members: 3

Independent Members: 1

SOCIAL AND ECONOMIC DEVELOPMENT (11)

Government Members: 7

Official Opposition Members: 4

STATUTORY REGULATIONS & ORDERS (11)

Government Members: 7

Official Opposition Members: 4

On motion of Hon. Mr. CHOMIAK, the Report of the Committee was received.

By leave, Hon. Mr. CHOMIAK moved:

THAT Bill (No. 12) – The Employment Standards Code Amendment Act (Leave for Reservists)/Loi modifiant le Code des normes d'emploi (congé à l'intention des réservistes), 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 Mr. SCHULER (by leave) having spoken,

And the Question being put. It was agreed to.

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

By leave, on motion of Hon. Mr. SELINGER, Bill (No. 25) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative, was read a First Time.

By leave, on motion of Hon. Mr. SELINGER, Bill (No. 25) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative, was read a Second Time and referred to a Committee of this House.

(Recommended by His Honour, the Lieutenant Governor)

Hon. Mr. SELINGER presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 25).

(Sessional Paper No. 19)

The House resolving into Committee of the Whole.

Thursday, June 14, 2007

Bill (No. 25) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative was considered in Committee of the Whole and reported without amendment.

Bill (No. 25) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative, as reported from the Committee of the Whole, was concurred in, read for a Third Time and passed.

His Honour, John HARVARD, Lieutenant Governor of the Province of Manitoba, having entered the House at 4:45 p.m., and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

Your Honour:

The Legislative Assembly of Manitoba asks Your Honour to accept the following Bill:

(No. 2) – The Interim Appropriation Act, 2007/Loi de 2007 portant affectation anticipée de crédits

To this Bill the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:

"In Her Majesty's name, the Lieutenant Governor thanks the Legislative Assembly, and assents to this Bill".

* * *

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. 12) – The Employment Standards Code Amendment Act (Leave for Reservists)/Loi modifiant le Code des normes d'emploi (congé à l'intention des réservistes)

(No. 25) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative

To this Bill 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 4:48 p.m., His Honour was then pleased to retire.

Thursday, June 14, 2007

By leave, it was agreed to waive the notice requirement for any Private Member's Resolutions brought forward on September 25, 2007.

Pursuant to Rule 2(1), the House then adjourned at 4:50 p.m., Thursday, June 14, 2007.

Hon. George HICKES,
Speaker.