



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 27

FIFTH SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

Mr. Speaker laid upon the Table of the House:

LEGISLATIVE ASSEMBLY OF MANITOBA

To the Speaker of the Legislative Assembly.

I, Gerald HAWRANIK, Member of the Legislative Assembly of Manitoba for the electoral division of Lac du Bonnet, do hereby declare that it is my intention to resign my seat in the Legislative Assembly for the electoral division aforesaid.

Given under my hand and seal at the Legislative Offices this 25th day of March, 2011.

(Signed) Gerald Hawranik

Witness: R. Squires (signed)

Witness: T. Chestnut (signed)

To His Honour, the Lieutenant Governor in Council:

I beg to advise that I have received the written resignation of Mr. Gerald HAWRANIK, Member for the Electoral Division of Lac du Bonnet in the Legislative Assembly of Manitoba dated the 25th day of March, 2011.

Pursuant to section 24 of The Legislative Assembly Act, I do now request Your Honour in Council to pass an Order-in-Council for the filling of the vacancy in the representation of the Electoral Division of Lac du Bonnet.

Dated at Winnipeg, this 25th day of March, 2011.

(Signed) Honourable George Hickes
Speaker
Legislative Assembly of Manitoba

(Sessional Paper No. 26)

The following petitions were presented and read:

Mr. GOERTZEN – Legislative Assembly of Manitoba to request the Minister of Justice to consider ensuring that all court orders for car thieves are vigorously monitored and enforced and to consider ensuring all breaches of court orders on car thieves are reported to police and vigorously prosecuted. (M. R Ferguson, F. Pankiewicz, P. Pecold and others)

Mr. BRIESE – Legislative Assembly of Manitoba to request the Minister of Justice to consider working with the RCMP, the federal government and communities to develop strategies to address service challenges in rural Manitoba, such as the possibility of having response units that could be dispatched to regions affected by crime waves and to consider working with stakeholders to determine if the current RCMP detachment boundaries are designed to ensure the swiftest and most effective service delivery. (D. Roger, C. Young, G. Hunking and others)

Mr. NEVAKSHONOFF, Chairperson of the Standing Committee on Crown Corporations, presented its First Report, which was read as follows:

Meetings:

Your Committee met on the following occasions in the Legislative Building:

- September 29, 2010 (4th Session – 39th Legislature)
- February 28, 2011

Matters under Consideration

- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2009
- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2010

Committee Membership

Committee Membership for the September 29, 2010 meeting:

- Mr. BOROTSIK
- Ms. BRICK
- Mr. GOERTZEN
- Mr. GRAYDON
- Mr. JHA (*Vice-Chairperson*)
- Hon. Mr. MACKINTOSH
- Hon. Ms. MCGIFFORD
- Mr. PEDERSEN
- Mr. SARAN
- Hon. Mr. SWAN
- Mr. REID

Your Committee elected Mr. REID as the Chairperson.

Committee Membership for the February 28, 2011 meeting:

- Ms. BLADY
- Mr. BOROTSIK
- Ms. BRICK (*Vice-Chairperson*)
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Mr. EICHLER
- Mr. GRAYDON
- Hon. Mr. MACKINTOSH
- Hon. Ms. MARCELINO
- Mr. MARTINDALE
- Mr. NEVAKSHONOFF

Your Committee elected Mr. NEVAKSHONOFF as the Chairperson.

Officials Speaking on Record at the September 29, 2010 meeting:

- Ken Hildahl, President & CEO
- Carmen Neufeld, Chair, MLCC Board of Commissioners

Officials Speaking on Record at the February 28, 2011 meeting:

- Ken Hildahl, President & CEO
- Ingrid Loewen, Chief Financial & Strategy Officer

Report Considered and Passed

Your Committee considered and passed the following report as presented:

- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2009

Report Considered but not Passed

Your Committee considered the following report but did not pass it:

- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2010

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

Mr. REID, Chairperson of the Standing Committee on Crown Corporations, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on the following occasions in the Legislative Building:

- November 21, 2007 (2nd Session – 39th Legislature)
- March 16, 2009 (3rd Session – 39th Legislature)
- October 12, 2010 (4th Session – 39th Legislature)
- April 4, 2011

Matters under Consideration

- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2007
- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2008
- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2009
- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2010

Committee Membership

Committee membership for the November 21, 2007 meeting:

- Mr. BOROTSIK
- Mr. DEWAR
- Mr. EICHLER
- Mr. FAURSCHOU
- Mr. GRAYDON
- Mr. JHA (*Vice-Chairperson*)
- Ms. KORZENIOWSKI
- Ms. MARCELINO
- Mr. REID (*Chairperson*)
- Ms. SELBY
- Hon. Mr. SELINGER

Committee membership for the March 16, 2009 meeting:

- Ms. BLADY
- Ms. BRICK
- Mr. CULLEN
- Mr. DEWAR
- Mr. GRAYDON
- Hon. Ms. IRVIN-ROSS
- Ms. MARCELINO (*Vice-Chairperson*)
- Mr. REID (*Chairperson*)
- Mrs. ROWAT
- Hon. Mr. SWAN
- Mrs. TAILLIEU

Committee membership for the October 12, 2010 meeting:

- Hon. Mr. ASHTON
- Mr. BJORNSON
- Mr. BRIESE
- Mr. EICHLER
- Mr. FAURSCHOU
- Mr. JHA (*Vice-Chairperson*)
- Mr. KORZENIOWSKI
- Mr. MARTINDALE
- Mr. PEDERSEN

- Mr. REID (*Chairperson*)
- Mr. SARAN

Committee membership for the April 4, 2011 meeting:

- Hon. Mr. ASHTON
- Ms. BLADY
- Mr. BOROTSIK
- Mr. GRAYDON
- Mr. MARTINDALE
- Mr. PEDERSEN
- Mr. REID
- Mrs. ROWAT
- Mr. SARAN
- Mr. WHITEHEAD
- Mr. WIEBE

Your Committee elected Mr. REID as the Chairperson.

Your Committee elected Mr. SARAN as the Vice-Chairperson.

Officials Speaking on Record

Officials Speaking on Record at the November 21, 2007 meeting:

- Winston Hodgins, MLC President & Chief Executive Officer

Officials Speaking on Record at the March 16, 2009 meeting:

- Winston Hodgins, MLC President & Chief Executive Officer
- Tim Valgardson, MLC Board Chairperson

Officials Speaking on Record at the October 12, 2010 meeting:

- Winston Hodgins, MLC President & Chief Executive Officer
- Tim Valgardson, MLC Board Chairperson

Officials Speaking on Record at the April 4, 2011 meeting:

- Winston Hodgins, MLC President & Chief Executive Officer

Reports Considered and Passed

Your Committee considered and passed the following reports as presented:

- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2007
- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2008
- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2009

Reports Considered but not Passed

Your Committee considered the following report but did not pass it:

- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2010

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

Mr. NEVAKSHONOFF, Chairperson of the Standing Committee on Social and Economic Development, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on January 31, 2011.

Matters under Consideration

- **Bill (No. 14)** – The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments)/Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance (contrôle de certains médicaments couverts et modifications diverses)

Committee Membership

- Mr. ALTEMEYER
- Mrs. DRIEDGER
- Mr. GOERTZEN
- Hon. Ms. MARCELINO
- Mr. MARTINDALE
- Mr. NEVAKSHONOFF (*Chairperson*)
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Mr. REID
- Mrs. ROWAT
- Mr. SARAN

Your Committee elected Mr. ALTEMEYER as the Vice-Chairperson.

Public Presentations

Your Committee heard the following presentation on **Bill (No. 14)** – The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments)/Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance (contrôle de certains médicaments couverts et modifications diverses):

Dr. William D.B. Pope

College of Physicians and Surgeons of Manitoba

Written Submissions

Your Committee received the following written submission on **Bill (No. 14)** – The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments)/Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance (contrôle de certains médicaments couverts et modifications diverses):

Dr John E. Gray

Canadian Medical Protective Association

Bills Considered and Reported

- **Bill (No. 14)** – The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments)/Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance (contrôle de certains médicaments couverts et modifications diverses)

Your Committee agreed to report this Bill without amendment.

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

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

Meetings:

Your Committee met on March 17, 2011.

Matters under Consideration

- **Bill (No. 6)** – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail
- **Bill (No. 11)** – The Planning Amendment Act/Loi modifiant la Loi sur l'aménagement du territoire

Committee Membership

- Mr. ALTEMEYER (*Vice-Chairperson*)
- Mr. BRIESE
- Mr. GOERTZEN
- Hon. Ms. HOWARD
- Hon. Mr. LEMIEUX
- Mr. MARTINDALE
- Hon. Ms. MCGIFFORD
- Mr. NEVAKSHONOFF (*Chairperson*)
- Ms. ROWAT
- Mr. SARAN
- Mrs. TAILLIEU

Substitutions received during committee proceedings:

- Hon. Ms. MARCELINO for Mr. MARTINDALE

Public Presentations

Your Committee heard the following presentation on **Bill (No. 6)** – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail:

Alex Forrest

United Firefighters of Winnipeg

Bills Considered and Reported

- **Bill (No. 6)** – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 11)** – The Planning Amendment Act/Loi modifiant la Loi sur l'aménagement du territoire

Your Committee agreed to report this Bill without amendment.

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

Ms. BRICK, Chairperson of the Standing Committee on Legislative Affairs, presented its First Report, which was read as follows:

Meetings:

Your Committee met on the following occasions:

- October 8, 2010 at 10:00 a.m. in Room 255 of the Legislative Building
- March 1, 2011 at 1:00 p.m. in Room 255 (partly *in camera*)

Matters under Consideration:

- Recommendation for the re-appointment of the Ombudsman
- Recommendation for the appointment of the Children's Advocate

Committee Membership:

Committee membership for the October 8, 2010 meeting:

- Hon. Mr. BLAIKIE
- Mr. BOROTSIK
- Ms. BRAUN (*Vice-Chair*)
- Mr. GOERTZEN
- Hon. Ms. IRVIN-ROSS
- Mrs. MITCHELSON
- Mr. SARAN

- Mrs. TAILLIEU
- Mr. REID (*Chair*)
- Hon. Mr. SWAN
- Mr. WIEBE

Committee membership for the March 1, 2011 meeting:

- Mr. BOROTSIK
- Ms. BRICK
- Mr. CULLEN
- Mr. DEWAR
- Mr. GOERTZEN
- Hon. Ms. HOWARD
- Hon. Ms. IRVIN-ROSS
- Mr. MARTINDALE
- Mr. SCHULER
- Ms. SELBY
- Hon. Mr. SWAN

At the March 1, 2010 meeting, your Committee elected Ms. BRICK as the Chairperson and Mr. DEWAR as the Vice-Chairperson.

Motions agreed to at the October 8, 2010 Standing Committee meeting:

- *THAT the sub-committee of the Standing Committee on Legislative Affairs be struck to manage the process of hiring a new Children's Advocate, under the terms and conditions as follows:*
 - (a) *the subcommittee may only report back to the committee with a recommendation that has received a general level of acceptance by all members;*
 - (b) *the subcommittee consist of four government members, two official opposition members and one independent member;*
 - (c) *the subcommittee have the authority to call their own meetings, the ability to meet in camera, and be able to undertake duties it deems necessary in order to fulfil its responsibilities in the hiring process;*
 - (d) *the subcommittee appoint an expert advisory panel of three members to assist in the hiring process and ultimately provide the subcommittee with a prioritized list of candidates;*
 - (e) *the subcommittee establish the terms of reference for the expert advisory panel, and that Legislative Assembly staff may be authorized by the Chair to attend all meetings of the subcommittee and the expert advisory panel.*

Agreements reached at the March 1, 2011 Standing Committee meeting:

- It was unanimously agreed to allow Hon. Mr. GERRARD to attend the *in camera* proceedings.

- It was unanimously agreed to permit the Legislative Assembly Human Resources Office staff to attend the *in camera* proceedings.
- It was unanimously agreed for Susan Scott to immediately advise the Lieutenant Governor in Council of the recommendation. (*in camera*)
- It was unanimously agreed that if the recommended candidate does not accept the offer, the sub-committee would meet again to consider further options. (*in camera*)

Motions agreed to at the March 1, 2010 Standing Committee meeting:

- *THAT the Standing Committee on Legislative Affairs recommends to the Lieutenant Governor in Council that Ms. Irene Hamilton be re-appointed for a second term of six years as the Ombudsman, commencing April 1, 2011.*
- *THAT the Standing Committee on Legislative Affairs now meet in camera.*
- *THAT the report and recommendations of the Sub-Committee be received. (in camera)*
- *THAT the Standing Committee on Legislative Affairs recommends to the Lieutenant Governor in Council that Ms. Darlene MacDonald be appointed as the Children's Advocate. (in camera)*
- *THAT the Standing Committee on Legislative Affairs authorizes the Chairperson to advise the Speaker of the appointment of the Children's Advocate once the offer has been accepted, and to ask the Speaker to inform all MLAs in writing of this appointment as well as issue a press release prior to presentation of the committee report to the Assembly.*
- *THAT the Standing Committee on Legislative Affairs authorize the Chairperson to ask the Speaker to inform all MLAs in writing of the reappointment of the Ombudsman prior to the presentation of the committee report to the Assembly.*

Sub-Committee Report

At the March 1, 2011 meeting of the Standing Committee on Legislative Affairs, the Sub-Committee presented its report.

Sub-Committee Meetings:

Your Sub-Committee met on the following occasions:

- October 8, 2010 at 10:28 a.m.
- November 18, 2010 at 10:00 a.m.
- January 20, 2011 at 10:00 a.m.

All meetings were held *in camera* in Room 255 of the Legislative Building.

Sub-Committee Membership:

Sub-Committee membership for the October 8, 2010 meeting:

- Mr. BOROTSIK
- Ms. BRAUN
- Hon. Mr. GERRARD
- Hon. Ms. IRVIN-ROSS
- Mrs. MITCHELSON

Tuesday, April 12, 2011

- Hon. Mr. SWAN
- Mr. WIEBE

At the October 8, 2010 meeting, your Sub-Committee elected Ms. BRAUN as the Chairperson and Mr. WIEBE as the Vice-Chairperson.

Sub-Committee membership for the November 18, 2010 meeting:

- Mr. BOROTSIK
- Ms. BRAUN (*Chair*)
- Hon. Mr. GERRARD
- Hon. Ms. HOWARD
- Mrs. MITCHELSON
- Hon. Mr. STRUTHERS
- Mr. WIEBE (*Vice-Chair*)

Sub-Committee membership for the January 20, 2011 meeting:

- Ms. BRAUN (*Chair*)
- Hon. Mr. GERRARD
- Hon. Ms. HOWARD
- Mrs. MITCHELSON
- Mrs. ROWAT
- Hon. Mr. SWAN
- Mr. WIEBE (*Vice-Chair*)

Staff present for all Sub-Committee and Panel meetings:

- Susan Scott, Director, Legislative Assembly Human Resource Services
- Judy Wegner, Manager, Legislative Assembly Human Resource Services
- Monique Grenier, Clerk Assistant/Committee Clerk

Sub-Committee Agreements:

Your Sub-Committee reached the following agreements during the meeting on January 20, 2011:

- It was agreed to accept the report and recommendations of the Expert Advisory Panel.
- It was agreed to recommend to the Standing Committee on Legislative Affairs that Darlene MacDonald be appointed as the Children's Advocate.

Expert Advisory Panel Activities:

As agreed to by the Sub-Committee, the following individuals served as members of the Expert Advisory Panel:

- Don Potter
- Debra Woodgate

- David Barnard

The Expert Advisory Panel met on the following occasions:

- November 4, 2010
- November 9, 2010
- November 23, 2010
- December 1, 2010
- December 13, 2010
- December 14, 2010
- December 15, 2010
- January 4, 2011
- January 7, 2011
- January 10, 2011

All meetings were held *in camera* on the 10th Floor of the Woodsworth Building (1035 – 405 Broadway).

The Expert Advisory Panel considered applications for the position of the Children's Advocate as follows:

- Sixty-eight applications were received for the position.
- Three individuals were interviewed for the position on January 4, 2011.

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

Ms. Speaker presented:

Annual Report of the Legislative Assembly Management Commission for the fiscal year ending March 31, 2011.

(Sessional Paper No. 27)

Hon. Mr. ASHTON, the Minister responsible for Emergency Measures, made a statement regarding flood preparations in Manitoba this spring and the Government's financial commitment to flood protection.

Mr. BRIESE and, by leave, Hon. Mr. GERRARD commented on the statement.

Pursuant to Rule 26(1), Messrs. EICHLER and WHITEHEAD, Mrs. ROWAT, Ms. BRAUN and Mr. GOERTZEN made Members' Statements.

Hon. Ms. WOWCHUK moved:

THAT this House approves in general the budgetary policy of the government.

Tuesday, April 12, 2011

And a debate arising,

And Hon. Ms. WOWCHUK having spoken.

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

Hon. Ms. WOWCHUK delivered to Mr. Speaker two messages from His Honour, the Lieutenant Governor of the Province of Manitoba as follows:

Philip LEE
Lieutenant Governor

The Lieutenant Governor transmits to the Legislative Assembly of Manitoba, Estimates of sums required for the services of the Province for Capital Expenditures, and recommends these Estimates to the Legislative Assembly.

WINNIPEG, MANITOBA
April 12, 2011

(Sessional Paper No. 28)

Philip LEE
Lieutenant Governor

The Lieutenant Governor transmits to the Legislative Assembly of Manitoba, Estimates of sums required for the services of the Province for the fiscal year ending the 31st day of March 2012 and recommends these Estimates to the Legislative Assembly.

WINNIPEG, MANITOBA
April 12, 2011

(Sessional Paper No. 29)

Hon. Ms. HOWARD moved:

THAT this House do now adjourn.

And the Question being put. It was agreed to.

The House then adjourned at 4:01 p.m. until 1:30 p.m. Wednesday, April 13, 2011.

Hon. George HICKES,
Speaker.