



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 88

SECOND SESSION, FORTIETH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

In accordance with Rule 31(9), the Opposition House Leader announced that the Repatriation Program for Manitoban International Medical Graduates (IMGs) Resolution will be considered next Thursday, August 15, 2013.

By leave, it was agreed for the House to deal with debate on Second Reading of Bill (No. 205).

The House resumed the Interrupted Debate on the Proposed Motion of Mr. PALLISTER:

THAT Bill (No. 205) – The Election Financing Amendment Act/Loi modifiant la Loi sur le financement des élections, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. MALOWAY,

And Mr. WISHART, Hon. Mr. SWAN, Mrs. ROWAT and Messrs. NEVAKSHONOFF and EICHLER having spoken,

And Ms. WIGHT speaking at 11:00 a.m. The debate was allowed to remain in her name.

Mr. SMOOK moved:

Resolution No. 31: Provincial Government Fails Manitoba Youth

WHEREAS Manitoba has the highest child poverty rate in the country at 11.1 per cent, considerably above the national average of 8.2 percent; and

WHEREAS across Canada child poverty rates are decreasing however in Manitoba 5000 more children live in poverty than in 2005; and

WHEREAS Manitoba has posted the highest inflation rate in the country in June at a time when Manitoba youth are facing an increasingly tough time finding opportunities in this province; and

WHEREAS from 2000 to 2012 Manitoba witnessed a net loss of approximately 56,000 persons through interprovincial migration, in 2011/12 alone Manitoba experienced a net loss of 4,675 people; and

WHEREAS Manitoba's labour force is facing pressure from other provinces that are experiencing strong economic growth with young people feeling the attraction of strong economies in B.C., Alberta and Saskatchewan; and

WHEREAS between 2007 and 2012 Manitoba's high school dropout rate was the second highest among all Canadian provinces.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba acknowledge that the Provincial Government has not made children and youth a priority and as a result some of Manitoba's best and brightest are leaving Manitoba; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba acknowledge that the policies of the Provincial Government with respect to children and youth are harming the very people they are meant to help; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to adopt policies aimed at keeping youth in Manitoba.

And a debate arising,

And Mr. SMOOK, Hon. Mr. BJORNSON, Mr. EWASKO, Hon. Mr. CHIEF and Mr. FRIESEN having spoken,

And Ms. WIGHT speaking at 12:00 p.m. The debate was allowed to remain in her name.

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. GOERTZEN – Legislative Assembly of Manitoba to request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA Services. (V. Burachynsky, A. Sherritt, G. Smierc and others)

Mr. WISHART – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (J. Breckman, D. Cherewayko, M. Girard and others)

Mr. EWASKO – Legislative Assembly of Manitoba to urge the Minister of Infrastructure and Transportation to recognize the serious safety concerns of Provincial Road 520 and to address its poor condition by prioritizing its renewal. (D. Dewit, R. Loewen, J. Neufeld and others)

Mrs. ROWAT – Legislative Assembly of Manitoba to request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA Services. (E. Hernandez, A. Victor, D. Dubbert and others)

Mr. PEDERSEN – Legislative Assembly of Manitoba to request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school age services and fund ABA Services for individuals diagnosed with Autism Spectrum Disorder. (S. Clyde, M. Goran, K. Dvorak and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba to request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA Services. (S. Reid, T. Soriano, L. Brack and others)

Mr. CULLEN – Legislative Assembly of Manitoba to request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school age services and fund ABA Services for individuals diagnosed with Autism Spectrum Disorder. (K. Menard, L. Epp, B. Hilton and others)

Mr. EICHLER – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (R. Morton, G. Neufeld, K. Kilpatrick and others)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request that the Minister of Local Government afford local governments the respect they deserve and reverse his decision to force municipalities with fewer than 1,000 constituents to amalgamate. (S. Simpson, W. Capri, D. Braybrook and others)

Mr. BRIESE – Legislative Assembly of Manitoba to request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA Services. (J. Thiessen, L. Andrushuk, B. Goncalves and others)

Mrs. MITCHELSON – Legislative Assembly of Manitoba to request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school age services and fund ABA Services for individuals diagnosed with Autism Spectrum Disorder. (I. Harnet, P. Bosak, C. Osborne others)

Mr. HELWER – Legislative Assembly of Manitoba to request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA Services. (N. Parker, J. Parker, D. Baum and others)

Mr. SCHULER – Legislative Assembly of Manitoba to request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA Services. (R. Grantham, J. Brison, C. Black and others)

Mr. SMOOK – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (L. Kinds, W. Zacharias, G. Pommen and others)

Mr. FRIESEN – Legislative Assembly of Manitoba to request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school age services and fund ABA Services for individuals diagnosed with Autism Spectrum Disorder. (J. Schenkeveld, K. Kalupar, R. Tervoort and others)

Mr. GRAYDON – Legislative Assembly of Manitoba to request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school age services and fund ABA Services for individuals diagnosed with Autism Spectrum Disorder. (K. Urbanski, C. Kubicz, C. Profiti and others)

Mr. ALLUM, Chairperson of the Standing Committee on Justice, presented its First Report, which was read as follows:

Meetings:

Your Committee met on August 7, 2013 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 8)** – The Provincial Court Amendment Act/Loi modifiant la Loi sur la Cour provinciale
- **Bill (No. 10)** – The Correctional Services Amendment Act/Loi modifiant la Loi sur les services correctionnels
- **Bill (No. 16)** – The Department of Justice Amendment Act/Loi modifiant la Loi sur le ministère de la Justice
- **Bill (No. 21)** – The Highway Traffic Amendment Act (Impoundment of Vehicles — Ignition-Interlock Program)/Loi modifiant le Code de la route (mise en fourrière des véhicules — programme de verrouillage du système de démarrage)
- **Bill (No. 23)** – The Highway Traffic Amendment Act (Increased Sanctions for Street Racing)/Loi modifiant le Code de la route (sanctions accrues en matière de courses sur route)
- **Bill (No. 25)** – The Statutory Publications Modernization Act/Loi sur la modernisation du mode de diffusion des publications officielles
- **Bill (No. 36)** – The Public Guardian and Trustee Act/Loi sur le tuteur et curateur public
- **Bill (No. 38)** – The Provincial Offences Act and Municipal By-law Enforcement Act/Loi sur les infractions provinciales et Loi sur l'application des règlements municipaux

Committee Membership

- Mr. ALLUM
- Mr. ALTEMEYER
- Hon. Mr. BJORNSON
- Mr. CALDWELL
- Ms. CROTHERS
- Mr. DEWAR
- Mr. EICHLER
- Mr. HELWER
- Mr. MAGUIRE
- Hon. Mr. SWAN
- Mr. WISHART

Your Committee elected Mr. ALLUM as the Chairperson.

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

Substitutions received during committee proceedings:

- Mr. BRIESE for Mr. MAGUIRE

Public Presentations

Your Committee heard the following six presentations on **Bill (No. 36)** – The Public Guardian and Trustee Act/Loi sur le tuteur et curateur public:

Kerry Anderson	Private Citizen
Margaret Anderson	Private Citizen
Bertha Travers	Private Citizen
Jeff Sinclair	Private Citizen
Daryl Wallman	Private Citizen
Errol Pinnock	Private Citizen

Your Committee heard the following three presentations on **Bill (No. 38)** – The Provincial Offences Act and Municipal By-law Enforcement Act/Loi sur les infractions provinciales et Loi sur l'application des règlements municipaux:

Doug Dobrowolski	Association of Manitoba Municipalities
Steve Strang	Rural Municipality of St. Clements
Harold Dick	City of Winnipeg

Written Submissions

Your Committee received the following written submission on **Bill (No. 36)** – The Public Guardian and Trustee Act/Loi sur le tuteur et curateur public:

A. Leonard Anderson	Private Citizen
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Bills Considered and Reported

- **Bill (No. 8)** – The Provincial Court Amendment Act/Loi modifiant la Loi sur la Cour provinciale

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 10)** – The Correctional Services Amendment Act/Loi modifiant la Loi sur les services correctionnels

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 16)** – The Department of Justice Amendment Act/Loi modifiant la Loi sur le ministère de la Justice

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 21)** – The Highway Traffic Amendment Act (Impoundment of Vehicles — Ignition-Interlock Program)/Loi modifiant le Code de la route (mise en fourrière des véhicules — programme de verrouillage du système de démarrage)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 23)** – The Highway Traffic Amendment Act (Increased Sanctions for Street Racing)/Loi modifiant le Code de la route (sanctions accrues en matière de courses sur route)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 25)** – The Statutory Publications Modernization Act/Loi sur la modernisation du mode de diffusion des publications officielles

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 36)** – The Public Guardian and Trustee Act/Loi sur le tuteur et curateur public

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 38)** – The Provincial Offences Act and Municipal By-law Enforcement Act/Loi sur les infractions provinciales et Loi sur l'application des règlements municipaux

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

THAT Clause 2 of Schedule B to the Bill (The Municipal By-law Enforcement Act) be amended as follows:

(a) in the definition "by-law enforcement officer", by adding ", and includes a designated employee or officer under The Planning Act" at the end;

(b) in the definition "municipality", by adding "and a planning district under The Planning Act" at the end.

THAT Clause 3 of Schedule B to the Bill (The Municipal By-law Enforcement Act) be amended by adding the following after subsection 3(3):

Authority of planning districts

3(3.1) In addition to requiring administrative penalties to be paid in respect of the contravention of its own by-laws, a planning district may require penalties to be paid under this Act in respect of the contravention of the by-laws of its member municipalities referred to in section 14 of *The Planning Act*.

THAT Clause 6(3) of Schedule B to the Bill (The Municipal By-law Enforcement Act) be amended by adding "if it has one or, if not, the vehicle identification number" at the end.

THAT Clause 8 of Schedule B to the Bill (The Municipal By-law Enforcement Act) be replaced with the following:

Limitation period — one year

8 A penalty notice may not be issued more than one year after the designated by-law contravention for which it is issued is alleged to have occurred.

*THAT Clause 27(3) of Schedule B to the Bill (The Municipal By-law Enforcement Act) be amended in the proposed section 178.1 of **The City of Winnipeg Charter** by striking out everything after clause (b) and substituting "may not be enforced under *The Summary Convictions Act*."*

*THAT Clause 28(3) of Schedule B to the Bill (The Municipal By-law Enforcement Act) be amended in the proposed subsection 236(3) of **The Municipal Act** by striking out everything after clause (b) and substituting "may not be enforced under *The Summary Convictions Act*."*

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

During Oral Questions, Mr. GOERTZEN rose on a point of order regarding quality of answers provided by the Minister of Education in question period.

And Hon. Mr. SWAN having spoken to the point of order,

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

Pursuant to Rule 26(1), Ms. WIGHT, Mr. FRIESEN, Hon. Mr. STRUTHERS and Messrs. WISHART and GAUDREAU made Members' Statements.

The House resumed the Interrupted Debate on the Proposed Motion of Hon. Ms. OSWALD:

THAT Bill (No. 4) – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. FRIESEN having spoken,

Mr. GOERTZEN moved:

THAT this House do now adjourn.

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

YEA

BRIESE
CULLEN
DRIEDGER
EICHLER
EWASKO
FRIESEN
GERRARD
GOERTZEN
GRAYDON

HELWER
MAGUIRE
MITCHELSON
PALLISTER
PEDERSEN
ROWAT
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NAY

ALLAN
ALLUM
ALTEMEYER
ASHTON
BJORNSON
BLADY
BRAUN
CHIEF
CHOMIAK
CROTHERS
DEWAR
GAUDREAU
IRVIN-ROSS
JHA
KOSTYSHYN

LEMIEUX
MACKINTOSH
MALOWAY
MARCELINO (Logan)
MELNICK
NEVAKSHONOFF
OSWALD
PETTERSEN
RONDEAU
SARAN
SELBY
SELINGER
STRUTHERS
SWAN
WIGHT..... 30

And Mr. GOERTZEN moved:

THAT the debate be now adjourned.

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

YEA

BRIESE
CULLEN
DRIEDGER
EICHLER
EWASKO
FRIESEN
GERRARD
GOERTZEN
GRAYDON

HELWER
MAGUIRE
MITCHELSON
PEDERSEN
ROWAT
SCHULER
SMOOK
WISHART..... 17

NAY

ALLAN
ALLUM
ALTEMEYER
ASHTON
BJORNSON
BLADY
BRAUN
CHIEF
CHOMIAK
CROTHERS
DEWAR
GAUDREAU
IRVIN-ROSS
JHA
KOSTYSHYN

LEMIEUX
MACKINTOSH
MALOWAY
MARCELINO (Logan)
MELNICK
NEVAKSHONOFF
OSWALD
PETTERSEN
RONDEAU
SARAN
SELBY
SELINGER
STRUTHERS
SWAN
WIGHT..... 30

The debate was allowed to remain in the name of Mr. GOERTZEN.

The House then adjourned at 5:22 p.m. until 1:30 p.m. Monday, August 12, 2013.

Hon. Daryl REID,
Speaker.