

Tuesday, June 23, 1998



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 69

FOURTH SESSION, THIRTY-SIXTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petitions were presented:

Mr. SANTOS - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (S. J. Thomas, S. Turbovsky, D. Fredette and others)

Mr. MALOWAY - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (K. Bagnall, P. Sangalang, J. Guevara and others)

Mr. DEWAR - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (M. Arnott, K. Pickell, L. Brezowski and others)

Ms. MIHYCHUK - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (A. Gajerski-Cauley, J. Radimer, C.H. Coltart and others)

Mr. MARTINDALE - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (R.A. Cuthbert, L. Chambers and K. Craig)

Mr. LAMOUREUX - Minister of Justice to consider establishing an Independent Review Committee to report to the Legislature on ways in which our judicial system may better service the public of Manitoba (H. Klassen, E. Cordova, R. Quinit and others)

The following petitions were read and received:

Mr. LAMOUREUX - Minister of Justice to consider establishing an Independent Review Committee to report to the Legislature on ways in which our judicial system may better service the public of Manitoba (W. Summers, R. A. Santos, L.C. Marcaida and others)

Mr. JENNISSEN - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (D. Frederick, E. Batke, D. Farly and others)

Tuesday, June 23, 1998

Ms. MIHYCHUK - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (E. Butler, G. Duncan, N. Duncan and others)

Mr. MARTINDALE - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (M. Jenkins, G. Booth, H. Massey and others)

Mr. LAURENDEAU, Chairperson of the Committee of Supply reported progress having been made on June 22, 1998. Report was received and the Committee of Supply obtained leave to sit again.

By leave, Mr. PENNER, Chairperson of the Standing Committee on Law Amendments, presented its Fourth Report, which was read as follows:

Your Committee meet on Thursday, June 18, 1998 at 10:00 a.m. and on Monday, June 22, 1998 at 10:00 a.m. and 3:00 p.m. in Room 255 of the Legislative Building to consider Bills referred.

At the Thursday, June 18, 1998 meeting, your Committee heard representation on Bills as follows:

Bill (No. 28) - The Employment Standards Code and Consequential Amendments; Code des normes d'emploi et modifications corrélatives

Candace Bishoff

Winnipeg Chamber of Commerce

Bill (No. 32) -The Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les municipalités et modifications corrélatives

John Nicol

Union of Manitoba Municipalities

David M. Sanders

Colliers Pratt McGarry

Bill (No. 33) - The Municipal Assessment Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'évaluation municipale et modifications corrélatives

Councillor John Angus

Standing Committee on Fiscal Issues, City of
Winnipeg

David M. Sanders

Colliers Pratt McGarry

Bill (No. 38) - The Planning Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement du territoire et modifications corrélatives

Stewart Briese

Union of Manitoba Municipalities

Valinda Morris

Provincial Council of Women in Manitoba

Tuesday, June 23, 1998

Bill (No. 40) - The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act; Loi sur la violence familiale et la protection, la prévention et l'indemnisation en matière de harcèlement criminel et modifications corrélatives

Diane Peters	Private Citizen
Marilyn McGonigal	Private Citizen

Bill (No. 45) - The Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba

Kristine Cowley	Canadian Paraplegic Association
Garth Smorang, Q.C.	Manitoba Bar Association
Dr. Greg Stewart	Manitoba Chiropractors Association
Frank Bueti	Private Citizen
Jerry Kruk	CAA Manitoba

Bill (No. 54) -The Engineering and Geoscientific Professions and Consequential Amendments Act; Loi sur les ingénieurs et les géoscientifiques et modifications corrélatives

Dave Ennis	The Association of Professional Engineers
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Bill (No. 55) -The Certified Applied Science Technologists Act; Loi sur les technologues agréés des sciences appliquées

Ralph Caldwell	Certified Technicians and Technologists Association of Manitoba
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Written Submissions

Bill (No. 28) - The Employment Standards Code and Consequential Amendments; Code des normes d'emploi et modifications corrélatives

John Doyle	Manitoba Federation of Labour
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Bill (No. 38) - The Planning Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement du territoire et modifications corrélatives

Carolyn Garlich	Council of Women of Winnipeg
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Bill (No. 40) - The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act; Loi sur la violence familiale et la protection, la prévention et l'indemnisation en matière de harcèlement criminel et modifications corrélatives

Valerie Price	Manitoba Association for Rights and Liberties
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Tuesday, June 23, 1998

Bill (No. 45) - The Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba

Steven Fletcher Private Citizen

At the June 22, 1998 10:00 a.m. meeting, your Committee heard representation on Bills as follows:

Bill (No. 26) - The Teachers' Society Amendment Act; Loi modifiant la Loi sur l'Association des enseignants du Manitoba

Ian MacIntyre Manitoba Teachers Society

Bill (No. 34) - The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

Garry Draper Fort Labosse School Division # 41

Bill (No. 43) - The Victims' Rights and Consequential Amendments Act; Loi sur les droits des victimes et modifications corrélatives

Kim Futch Private Citizen
Bob Hatch Citizens Against Violence

Bill (No. 53) - The Apprenticeship and Trades Qualifications Act; Loi sur l'apprentissage et la qualification professionnelle

Ken Pearn Winnipeg Construction Association
Dave Martin Manitoba Building Trades Council
John Doyle Manitoba Federation of Labour

Written Submission

Bill (No. 43) - The Victims' Rights and Consequential Amendments Act; Loi sur les droits des victimes et modifications corrélatives

Valerie Price Manitoba Association for Rights and Liberties

At the June 22, 1998, 10:00 a.m. meeting, your Committee agreed to defer consideration of Bill (No. 2) - The Elections Amendment Act; Loi modifiant la Loi électorale, until a future meeting of the Committee.

At the June 22, 1998, 10:00 a.m. meeting, your Committee elected Mr. SVEINSON as its Vice-Chairperson.

Tuesday, June 23, 1998

Your Committee has considered:

Bill (No. 8) - The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels

Bill (No. 39) -The Highway Traffic Amendment Act (2); Loi n° 2 modifiant le Code de la route

Bill (No. 45) - The Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba

Bill (No. 54) -The Engineering and Geoscientific Professions and Consequential Amendments Act; Loi sur les ingénieurs et les géoscientifiques et modifications corrélatives

Bill (No. 300) -The Brandon University Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant la Fondation de l'Université de Brandon

Bill (No. 301) -An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la Loi constituant la Fondation de l'Hôpital générale de Dauphin

Bill (No. 302) - The St. Paul's College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le «St. Paul's College»

Bill (No. 303) - The Brandon Area Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation «The Brandon Area Foundation»

and has agreed to report the same without amendment.

Your Committee has considered:

Bill (No. 10) - The Mining Tax Amendment Act; Loi modifiant la Loi sur la tax minière

and has agreed to report the same, on division, with the following amendment:

MOTION:

THAT the proposed clause 44(3)(a.1), as set out in subsection 2(1) of the Bill, be struck out and the following substituted:

(a.1) where the amount in the mining community reserve exceeds \$10,000,000., direct the expenditure from the reserve of the amount, or any part of the amount, by which the reserve exceeds \$10,000,000. to encourage and assist exploration projects that contribute to the welfare and employment of persons residing in mining communities;

Tuesday, June 23, 1998

Your Committee has also considered:

Bill (No. 26) - The Teachers' Society Amendment Act; Loi modifiant la Loi sur l'Association des enseignants du Manitoba

and has agreed to report the same with the following amendment:

MOTION:

THAT the proposed subsections 17(3) and (4), as set out in section 9 of the Bill, be amended by striking out "clauses (2)(a) to (c)" and substituting "clauses (2)(a) and (b)".

Your Committee has also considered:

Bill (No. 28) - The Employment Standards Code and Consequential Amendments; Code des normes d'emploi et modifications corrélatives

and has agreed to report the same with the following amendments:

MOTION:

THAT subsection 1(1) be amended by striking out the definition "working day".

MOTION:

THAT section 32 be amended

(a) in the section heading, by striking out "industry"; and

(b) in the part preceding clause (a), by striking out "in the construction industry" and substituting "employed in construction".

MOTION:

THAT clause 62(m) be amended by striking out "in the construction industry" and substituting "in construction".

MOTION:

THAT clause 67(2)(j) be amended by striking out "in the construction industry" and substituting "in construction".

MOTION:

THAT subsection 144(1) be amended by striking out clauses (ll) and (mm).

Tuesday, June 23, 1998

Your Committee has also considered:

Bill (No. 32) - The Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les municipalités et modifications corrélatives

and has agreed to report the same, with the following amendment:

MOTION:

THAT the following be added after section 39:

39.1 Subsection 431(3) is amended by striking out “the term of office for which the employee was elected expires or”.

Your Committee has also considered:

Bill (No. 33) - The Municipal Assessment Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'évaluation municipale et modifications corrélatives

and has agreed to report the same with the following amendment:

MOTION:

THAT section 6 of the Bill be repealed and the following substituted:

6(1) Subsection 14(1) is amended by striking out everything after “error or omission” and substituting “, authorize and direct a municipal administrator to amend the annual assessment roll that immediately precedes the annual assessment roll being prepared under section 9.”

6(2) Subsection 14(2) is amended by striking out everything after “error or omission” and substituting “, amend the last revised assessment roll as defined in section 205 of The City of Winnipeg Act.”

Your Committee has also considered:

Bill (No. 38) - The Planning Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement du territoire et modifications corrélatives

and has agreed to report the same with the following amendments:

MOTION:

THAT the proposed clause 43(1)(b), as set out in section 33 of the Bill, be amended by striking out “serve” and substituting “give it second reading and serve”.

Tuesday, June 23, 1998

MOTION:

THAT the proposed subsection 14(1), as set out in section 72 of the Bill, be amended by striking out “or the authority granted under section 28, 42, 53 or 55 of The Planning Act” in the part preceding clause (a) and substituting “or the temporary posting of a notice under subsection 28(3), 42(3), 53(3) or 55(5) of The Planning Act”.

MOTION:

THAT the proposed clause 14(1)(b), as set out in subsection 73(2) of the Bill, be amended by striking out “section 28, 42, 53 or 55” and substituting “subsection 28(3), 42(3), 53(3) or 55(5).”

Your Committee has also considered:

Bill (No. 40) - The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act; Loi sur la violence familiale et la protection, la prévention de l'indemnisation en matière de harcèlement criminel et modifications corrélatives

and has agreed to report the same, with the following amendment:

MOTION:

THAT subsection 23(1) be amended by striking out “the name of the other person to the person being stalked” and substituting “to him or her the name of the other person, and any additional information necessary to identify the other person,”.

Your Committee has also considered:

Bill (No. 43) - The Victims' Rights and Consequential Amendments Act; Loi sur les droits des victimes et modifications corrélatives

and has agreed to report the same with the following amendment:

MOTION:

THAT subsection 17(1) of the French version be struck out and the following substituted:

Maintien

17(1) La Caisse d'assistance aux victimes est maintenue sous le nom de « Fonds d'aide aux victimes ».

Tuesday, June 23, 1998

Your Committee has also considered:

Bill (No. 55) - The Certified Applied Science Technologists Act; Loi sur les technologues agréés des sciences appliquées

and has agreed to report the same, with the following amendment:

MOTION:

THAT section 21 of the French version of the Bill be amended

(a) in clause (a), by striking out “technicien agréé, technologue agréé,” and substituting “technicien agréé en ingénierie, technologue agréé en ingénierie”; and

(b) in clause (b), by striking out “des techniciens agréés, des technologues agréés,” and substituting “des techniciens agréés en ingénierie, des technologues agréés en ingénierie,”.

Your Committee recommends that the fees paid with respect to the following Private Bills be refunded, less the cost of printing:

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| Bill (No. 300) - | The Brandon University Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant la Fondation de l'Université de Brandon |
| Bill (No. 301) - | An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la Loi constituant la Fondation de l'Hôpital générale de Dauphin |
| Bill (No. 302) - | The St. Paul's College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le «St. Paul's College» |
| Bill (No. 303) - | The Brandon Area Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation «The Brandon Area Foundation» |

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

Tuesday, June 23, 1998

Pursuant to Rule 20(1), Messrs. LAMOUREUX, HELWER, STRUTHERS and FAURSCHOU, and Ms. WOWCHUK made Members' Statements.

On motion of Mr. HICKES:

ORDERED that the composition of the Standing Committee on Law Amendments be amended as follows:

Tuesday, June 23, 1998 at 6:00 p.m.:
Ms. BARRETT for Ms. FRIESEN,
Mr. JENNISSEN for Mr. REID.

Wednesday, June 24, 1998 at 3:00 p.m.:
Mr. MALOWAY for Ms. BARRETT,
Ms. WOWCHUK for Mr. STRUTHERS.

On motion of Mr. HELWER:

ORDERED that the composition of the Standing Committee on Law Amendments be amended as follows:

Monday, June 22, 1998 at 7:30 p.m.:
Mr. DYCK for Hon. Mrs. McINTOSH.

Tuesday, June 23, 1998 at 6:00 p.m.:
Mr. McALPINE for Hon. Mr. PRAZNIK,
Mrs. DRIEDGER for Mr. DYCK.

By leave, it was agreed to waive Private Members' Business for today, June 23, 1998, only.

Madam Speaker having left the Chair and the House resolving itself into a Committee to consider of the Supply to be granted to Her Majesty;

And the House continuing in Committee.

The House then adjourned at 6:02 p.m. until 1:30 p.m. tomorrow.

Hon. Louise Dacquay,
Speaker.