



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 53

THIRD SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

By leave, it was agreed for the House to deal with Second Reading of Bill (No. 217).

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

THAT Bill (No. 217) – The Hunting, Fishing and Trapping Heritage Act/Loi sur la chasse, la pêche sportive et le piégeage patrimoniaux, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. DEWAR and PEDERSEN, Hon. Messrs. ASHTON and GERRARD, Messrs. WHITEHEAD and CULLEN having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

By leave, it was agreed for the House to deal with Second Reading of Bill (No. 226).

The House resumed the Interrupted Debate on the Proposed Motion of Mrs. ROWAT:

THAT Bill (No. 226) – The Pregnancy and Infant Loss Awareness Day Act/Loi sur la Journée de sensibilisation au deuil périnatal, 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 Ms. MARCELINO,

And Mr. CULLEN, Ms. KORZENIOWSKI and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

Mr. BRIESE moved:

Resolution No. 15: Removal of Provincial Sales Tax from Certain Services Used by Manitoba's Municipal Governments

WHEREAS Manitoba's municipal governments continue to struggle with deteriorating infrastructure such as roads, bridges, recreational facilities, water and wastewater systems, among others, leading to a multi-billion dollar infrastructure deficit; and

WHEREAS Manitoba's municipal governments are continually upgrading or replacing their infrastructure, a process that can lead to these governments accessing professional services such as architects, lawyers, accountants, electricians and engineers; and

WHEREAS in Budget 2002 the Government of Manitoba added the retail sales tax (RST) to the labour component of all mechanical and electrical contracts used by municipal governments; and,

WHEREAS in Budget 2004 the Government of Manitoba further extended the application of the RST to certain legal, accounting, architectural, engineering, and security and private investigation services used by municipal governments; and,

WHEREAS to Manitoba's municipal governments, the application of the RST to the aforementioned services is essentially viewed as adding a tax on top of a tax; and,

WHEREAS in 2004 the Government of Canada removed the Goods and Services Tax from all municipal purchases, which results in some \$700,000,000 in savings in municipalities across Canada annually.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Government of Manitoba to consider immediately developing a plan to remove the Retail Sales Tax from the services provided to municipalities that were exempt prior to the 2002 and 2004 provincial budgets.

And a debate arising,

Thursday, June 4, 2009

And Messrs. BRIESE, CALDWELL and MAGUIRE, Hon. Mr. ASHTON, Mr. DERKACH and Hon. Mr. STRUTHERS having spoken,

And Mr. BOROTSIK speaking at 12:00 p.m. The debate was allowed to remain in his name.

1:30 O'CLOCK P.M.

On motion of Mr. LAMOUREUX, Bill (No. 215) – The Elections Amendment and Elections Finances Amendment Act/Loi modifiant la Loi électorale et la Loi sur le financement des campagnes électorales, was read a First Time and had its purposes outlined.

The following petitions were presented and read:

Mr. PEDERSEN – Legislative Assembly of Manitoba to request that the Attorney General consider refunding all monies collected from photo radar tickets given to motorists driving the regular posted speed limit in construction zones where no workers were present. (G. Wieler, S. Johnston, L. Znak and others)

Mr. BRIESE – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider upgrading the Ring Dike Road at Ste. Rose du Lac into a Provincial Road and to consider upgrading the Ring Dike Road at the same time that work is being done at the junction of PTH 68 and PTH 5. (M. Maguet, A. Ingelbeen, E. Bernardin and others)

Mr. DYCK – Legislative Assembly of Manitoba to urge the Minister of Health to ensure that patients who are awaiting placement in a personal care home are not moved to distant communities and to consider working with the RHA and the community to speed construction and expansion of long term care facilities in the region. (U. John, J. Hamm, B. Friesen and others)

Mr. SCHULER – Legislative Assembly of Manitoba to request that the Minister of Transportation consider the immediate twinning of the PTH #15 Floodway Bridge for the safety of the citizens of Manitoba. (B. Acton, J. Onsowich, G. Smith and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba to urge the Minister of Health to consider working with the Interlake Regional Health Authority to provide midwifery services to women in this health region. (D. Unger, L. Rempel, J. Reimer and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request that the Premier and the NDP Government to call a meeting of a Standing Committee of the Legislature and invite representatives of the WRHA to appear before it. (E. Tongol, J. Tongol, T. Polvoros and others)

Mr. EICHLER – Legislative Assembly of Manitoba to request that the Attorney General consider refunding all monies collected from photo radar tickets given to motorists driving the regular posted speed limit in construction zones where no workers were present. (L. Weisz, K. Dunsmore, L. Klimpke and others)

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

Meetings

Your Committee met on June 3, 2009 in room 254 of the Legislative Building.

Matters under Consideration

- **Bill (No. 5)** – The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)/Loi modifiant le Code de la route (promotion de la santé et de la sécurité dans les véhicules automobiles)
- **Bill (No. 20)** – The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)/Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics (fiabilité du réseau électrique)
- **Bill (No. 24)** – The Colleges Amendment and Le Collège Universitaire de Saint-Boniface Amendment Act (College Degrees)/Loi modifiant la Loi sur les collèges et la Loi sur le Collège universitaire de Saint-Boniface (grades des collèges)
- **Bill (No. 29)** – The Environment Amendment Act/Loi modifiant la Loi sur l'environnement

Committee Membership

- Hon. Mr. ASHTON
- Mr. CULLEN
- Mr. DERKACH
- Mr. DEWAR
- Mr. DYCK
- Hon. Ms. IRVIN-ROSS
- Ms. MARCELINO
- Hon. Ms. MCGIFFORD
- Mrs. MITCHELSON
- Ms. SELBY
- Hon. Mr. STRUTHERS

Your Committee elected Ms. SELBY as the Chairperson.

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

Substitutions received during committee proceedings:

- Mr. MAGUIRE for Mr. MITCHELSON
- Hon. Mr. RONDEAU for Mr. DEWAR

Public Presentations

Your Committee heard the following eight presentations on **Bill (No. 5)** – The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)/Loi modifiant le Code de la route (promotion de la santé et de la sécurité dans les véhicules automobiles):

Derek Hay	Radio Amateurs of Canada
Bob Dolyniuk	Manitoba Trucking Association
Jeff Dovyak	ARES-Amateur Radio Emergency Service
Loretta Corbeil	Manitoba Lung Association
Geof Bawden	Winnipeg Amateur Radio Club
Joan Wilson	Unicity Taxi
Curtis Basso	Manitoba Association of School Business Officials
Phil Walding	Duffy's Taxi

Your Committee heard the following presentation on **Bill (No. 20)** – The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)/Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics (fiabilité du réseau électrique):

Gaile Whelan-Enns	Manitoba Wild Lands
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Your Committee heard the following three presentations on **Bill (No. 29)** – The Environment Amendment Act/Loi modifiant la Loi sur l'environnement:

Greg Bruce	Ducks Unlimited Canada
Gaile Whelan-Enns	Manitoba Wild Lands
Glen Koroluk	Beyond Factory Farming

Written Submissions

Your Committee received the following two written submissions on **Bill (No. 5)** – The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)/Loi modifiant le Code de la route (promotion de la santé et de la sécurité dans les véhicules automobiles):

Bryan H. Crowley	Consider the Possibilities
Murray Gibson	Manitoba Tobacco Reduction Alliance

Bills Considered and Reported

- **Bill (No. 5)** – The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)/Loi modifiant le Code de la route (promotion de la santé et de la sécurité dans les véhicules automobiles)

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

THAT Clause 3 of the Bill be amended by adding the following after the proposed subsection 215.1(3):

Exception C police, fire and ambulance personnel

215.1(3.1) Subsection (2) does not apply to any of the following persons in relation to the use of a hand-operated electronic device in carrying out his or her duties:

- (a) a member of the Royal Canadian Mounted Police Force or another police officer, police constable or constable;
- (b) a firefighter employed by a fire department;
- (c) an ambulance operator as defined in section 1 of *The Emergency Medical Response and Stretcher Transportation Act*.

- **Bill (No. 20)** – The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)/Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics (fiabilité du réseau électrique)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 24)** – The Colleges Amendment and Le Collège Universitaire de Saint-Boniface Amendment Act (College Degrees)/Loi modifiant la Loi sur les collèges et la Loi sur le Collège universitaire de Saint-Boniface (grades des collèges)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 29)** – The Environment Amendment Act/Loi modifiant la Loi sur l'environnement

Your Committee agreed to report this Bill without amendment.

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

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

Meeting

Your Committee met on Wednesday, June 3, 2009 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 12)** – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation
- **Bill (No. 14)** – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)
- **Bill (No. 19)** – The Mortgage Dealers Amendment and Securities Amendment Act/Loi modifiant la Loi sur les courtiers d'hypothèques et la Loi sur les valeurs mobilières
- **Bill (No. 22)** – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives

Committee Membership

Committee Membership for the Wednesday, June 3, 2009 meeting:

- Mr. ALTEMEYER
- Hon. Mr. BJORNSON
- Ms. BRAUN (*Chairperson*)
- Ms. BRICK
- Mr. BRIESE
- Mrs. DRIEDGER
- Mr. FAURSCHOU
- Hon. Mr. MACKINTOSH
- Mr. NEVAKSHONOFF (*Vice-Chairperson*)
- Mr. PEDERSEN
- Hon. Mr. SELINGER

Public Presentations

Your Committee heard the following five presentations on **Bill (No. 12)** – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation:

Ron Penner	The Professional Property Managers' Association
Larry Todd	Private Citizen
Lois Todd	Private Citizen
Jean Yves Rochon	Manitoba Council on Aging
George McBride	Private Citizen

Your Committee heard the following six presentations on **Bill (No. 14)** – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage):

Antoine Hacault	Cash Store Financial
Gloria Desorcy	Manitoba Branch of the Consumers Association of Canada
Robert Thompson	The Money Tree
Byron Williams	Public Interest Law Centre
John Silver	Community Financial Counselling Services
Laurie Johnson	New Directions for Children, Youth, Adults & Families

Thursday, June 4, 2009

Your Committee heard the following two presentations on **Bill (No. 19)** – The Mortgage Dealers Amendment and Securities Amendment Act/Loi modifiant la Loi sur les courtiers d'hypothèques et la Loi sur les valeurs mobilières:

Buzz Grant
Daryl Harris

Mortgage Logic
Canadian Association of Accredited Mortgage Professionals

Your Committee heard the following presentation on **Bill (No. 22)** – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives:

Randy Schroeder

Granny's Poultry Cooperative (MB) Ltd.

Written Submissions

Your Committee received the following two written submissions on **Bill (No. 14)** – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage):

Gerry Charlebois
Hon. Stan Keyes, P.C.

A1 Financing & Loans
Canadian Payday Loan Association

Your Committee received the following written submission on **Bill (No. 19)** – The Mortgage Dealers Amendment and Securities Amendment Act/Loi modifiant la Loi sur les courtiers d'hypothèques et la Loi sur les valeurs mobilières:

Murray J. Taylor

IGM Financial Inc.

Bill Considered and Reported

- **Bill (No. 12)** – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

Your Committee agreed to report this Bill, without amendment:

- **Bill (No. 14)** – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)

Your Committee agreed to report this Bill, without amendment:

- **Bill (No. 19)** – The Mortgage Dealers Amendment and Securities Amendment Act/Loi modifiant la Loi sur les courtiers d'hypothèques et la Loi sur les valeurs mobilières

Your Committee agreed to report this Bill, without amendment:

- **Bill (No. 22)** – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives

Your Committee agreed to report this Bill, without amendment:

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

Pursuant to Rule 26(1), Mr. SARAN, Mrs. DRIEDGER, Ms. SELBY, Mrs. ROWAT and Hon. Ms. ALLAN made Members' Statements.

By leave, it was agreed, with respect to the Special Committee on Senate Reform, to extend the reporting deadline of the Committee until June 11, 2009.

By Leave, Hon. Mr. CHOMIAK moved:

THAT Bill (No. 11) – The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act/Loi modifiant le Code de la route et la Loi sur la Société d'assurance publique du Manitoba, as amended and 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 Hon. Mr. CHOMIAK, Messrs. GOERTZEN and LAMOUREUX 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, Hon. Mr. CHOMIAK moved:

THAT Bill (No. 13) – The Medical Amendment Act/Loi modifiant la Loi médicale, 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 Hon. Mr. CHOMIAK and Mrs. DRIEDGER 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, Hon. Mr. CHOMIAK moved:

THAT Bill (No. 15) – The Victims' Bill of Rights Amendment Act/Loi modifiant la Déclaration des droits des victimes, 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 Hon. Mr. CHOMIAK and Mr. GOERTZEN 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, Hon. Mr. BJORNSON moved:

THAT Bill (No. 19) – The Mortgage Dealers Amendment and Securities Amendment Act/Loi modifiant la Loi sur les courtiers d'hypothèques et la Loi sur les valeurs mobilières, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

And a debate arising

And Hon. Mr. BJORNSON and Mr. FAURSCHOU 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, Hon. Mr. CHOMIAK moved:

THAT Bill (No. 22) – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

And a debate arising

And Hon. Mr. CHOMIAK and Mr. FAURSCHOU 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, the Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 12) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation, reported from the Standing Committee on Legislative Affairs:

Hon. Mr. GERRARD moved:

THAT Bill 12 be amended in Clause 17 by replacing the proposed section 29.2 with the following:

Rules re pets

29.2 A landlord may not discriminate against owners of pets, but may provide rules about pets, and in this case, subsections 11(2) and (3) (house rules) apply.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

And the Question being put. It was negatived.

By Leave, Hon. Mr. SWAN moved:

THAT Bill (No. 12) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read a Third Time and passed.

And a debate arising

And Hon. Mr. SWAN, Messrs. FAURSCHOU and GOERTZEN, Hon. Mr. GERRARD and Mr. LAMOUREUX having spoken,

And the Question being put. It was agreed to.

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

The House then adjourned at 4:58 p.m. until 1:30 p.m., Monday, June 8, 2009.

Hon. George HICKES,
Speaker.