



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 14**

**THIRD SESSION, FORTIETH LEGISLATURE**

**PRAYER**

**1:30 O'CLOCK P.M.**

On motion of Mrs. DRIEDGER, Bill (No. 210) – The Centennial of Manitoba Women's Right to Vote Act/Loi sur le centenaire de l'obtention du droit de vote par les Manitobaines, was read a First Time and had its purposes outlined.

The following petitions were presented and read:

Mrs. ROWAT – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (R. Lazaruk, L. Hunter, G. Lysyshin and others)

Mr. BRIESE – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (M. Snedden, W. Gillies, F. De Bruin and others)

Mr. EICHLER – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (L. Salmon, S. Williams, R. Scaife and others)

Mr. CULLEN – Legislative Assembly of Manitoba to urge the Provincial Government to not raise the PST without holding a provincial referendum. (S. Bruce, T. Dinsmore, T. Bjornson and others)

Mrs. STEFANSON – Assembly of Manitoba to request that the Minister of Conservation and Water Stewardship reconsider his decision to grant an environmental license for the construction of a sewage lagoon at this site. (R. Jakilazek, G. Cunday, G. Kozuska and others)

Hon. Ms. BRAUN presented:

Annual Report of the Office of the Fire Commissioner for the fiscal year ending March 31, 2013.

(Sessional Paper No. 8)

Pursuant to Rule 26(1), Hon. Mr. BJORNSON and Messrs. EWASKO, WHITEHEAD, EICHLER and NEVAKSHONOFF made Members' Statements.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Ms. HOWARD:

THAT Bill (No. 20) – The Manitoba Building and Renewal Funding and Fiscal Management Act (Various Acts Amended)/Loi sur le financement du renouvellement des infrastructures et la gestion financière (modification de diverses dispositions législatives), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And on the Proposed Amendment of Mr. GOERTZEN:

*THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following:*

Bill (No. 20) – The Manitoba Building and Renewal Funding and Fiscal Management Act (Various Acts Amended)/Loi sur le financement du renouvellement des infrastructures et la gestion financière (modification de diverses dispositions législatives), reported from the Standing Committee on Social and Economic Development, be not concurred in and read a Third Time but that it be concurred in and read a Third Time this day six months hence.

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

**YEA**

BRIESE  
CULLEN  
DRIEDGER  
EICHLER  
EWASKO  
FRIESEN  
GERRARD  
GOERTZEN  
GRAYDON

HELWER  
MITCHELSON  
PALLISTER  
PEDERSEN  
ROWAT  
SCHULER  
SMOOK  
STEFANSON  
WISHART..... 18

NAY

ALLAN	MACKINTOSH
ALLUM	MALOWAY
ALTEMEYER	MARCELINO (Logan)
ASHTON	MARCELINO (Tyndall Park)
BJORNSON	MELNICK
BRAUN	NEVAKSHONOFF
CALDWELL	OSWALD
CHIEF	ROBINSON
CHOMIAK	RONDEAU
CROTHERS	SARAN
DEWAR	SELBY
GAUDREAU	STRUTHERS
HOWARD	SWAN
IRVIN-ROSS	WHITEHEAD
KOSTYSHYN	WIEBE
LEMIEUX	WIGHT..... 32

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 27) – The Highway Traffic Amendment Act (Charter Bus Service)/Loi modifiant le Code de la route (services d'autobus nolisés), reported from the Standing Committee on Human Resources, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. EICHLER:

*THAT Bill 27 be amended by adding the following after Clause 4:*

*4.1 The following is added after section 290:*

**Restrictions on non-resident charter bus operators**

**290.0.1(1)** Despite anything in this Part, if the transport board issues a certificate for the operation of a public service vehicle bus to an applicant who is not resident in Manitoba, the transport board must prescribe as a condition of the certificate that the applicant is not entitled to operate a charter trip that begins and ends in Manitoba.

**Meaning of resident in Manitoba**

**290.0.1(2)** For the purpose of this section, an applicant for a certificate is resident in Manitoba if

- (a) the applicant is an individual who ordinarily resides in Manitoba;
- (b) the public service vehicle buses to be operated under the certificate are registered in Manitoba and have Manitoba licence plates;
- (c) the applicant is incorporated under *The Corporations Act*;

(d) the applicant's head office is located in Manitoba; or

(e) the applicant is a corporation liable to pay tax in Manitoba in accordance with section 3(2) of *The Income Tax Act*.

And the debate continuing on the amendment,

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

Hon. Mr. ASHTON having spoken,

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

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The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 42) – The Highway Traffic Amendment Act (Enhancing Passenger Safety)/Loi modifiant le Code de la route (sécurité accrue des passagers), reported from the Standing Committee on Human Resources, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. EICHLER:

*THAT Bill 42 be amended in Clause 2 by adding the following after the proposed subsection 146(3):*

**Exceptions**

**146(3.1)** Subsections (1), (2) and (3) do not apply to

(a) a trailer that is being towed, or a vehicle that is being driven, in a parade;

(b) a farm truck that is being used to transport farm workers from a farmyard to a field, from a field to another field, or from a field to a farmyard; or

(c) a vehicle that is being used to transport firefighters or emergency medical responders who are responding to a fire or other emergency.

And the debate continuing on the amendment,

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

Hon. Mr. ASHTON having spoken,

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

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

THAT Bill (No. 11) – The Proceedings Against the Crown Amendment Act/Loi modifiant la Loi sur les procédures contre la Couronne, reported from the Standing Committee on Human Resources, be concurred in and be now read a Third Time and passed.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Hon. Ms. HOWARD,

And the Question being put. It was agreed to.

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

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

THAT Bill (No. 39) – The Government Efficiency Act (Various Acts Amended or Replaced to Consolidate Boards and Agencies and Eliminate Government Appointments)/Loi sur l'efficacité gouvernementale (modification ou remplacement de diverses lois — fusion d'organismes et non-participation aux nominations), as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And the debate continuing,

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

And Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

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

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Hon. Mr. SWAN moved:

THAT Bill (No. 13) – The Fish and Wildlife Enhancement Fund Act/Loi sur le Fonds de mise en valeur du poisson et de la faune, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Messrs. SWAN and MACKINTOSH, Mr. BRIESE, Hon. Mr. GERRARD and Mr. NEVAKSHONOFF having spoken,

And the Question being put. It was agreed to.

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

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Hon. Mr. SWAN moved:

THAT Bill (No. 19) – The Waste Reduction and Prevention Amendment and Environment Amendment Act/Loi modifiant la Loi sur la réduction du volume et de la production des déchets et la Loi sur l'environnement, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Messrs. SWAN and MACKINTOSH, Mr. BRIESE and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to, on division.

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

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 24) – The Endangered Species Amendment Act (Ecosystem Protection and Miscellaneous Amendments)/Loi modifiant la Loi sur les espèces en voie de disparition (protection des écosystèmes et diverses modifications), reported from the Standing Committee on Social and Economic Development, and subsequently amended, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH, Mr. BRIESE and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to, on division.

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

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Hon. Mr. SWAN moved:

THAT Bill (No. 30) – The Forest Health Protection Amendment Act (Heritage Trees)/Loi modifiant la loi sur la protection de la santé des forêts (arbres remarquables), reported from the Standing Committee on Social and Economic Development, and subsequently amended, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Messrs. SWAN and MACKINTOSH, Mr. BRIESE and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

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

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By leave the House agreed to:

- Bring Bill (No. 2) to Second Reading today, as per the Sessional Order;
- Not see the clock today until Bill (No. 2) has passed Second Reading and been referred to a Standing Committee;

**Monday, December 2, 2013**

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- Notwithstanding Rule 92(8), refer Bill (No. 2) to a Standing Committee for Tuesday, December 3, 2013;
- Have Bill (No. 2) available for consideration at Report Stage, if necessary, and for Concurrence and Third Reading on Thursday, December 5, 2013, assuming the bill is reported back to the House on Wednesday, December 4, 2013;
- Have Bill (No. 32), the Manitoba Institute for Purchasing Management Association of Canada Amendment Act considered a Third Session specified Bill and as such not required to come to a Concurrence and Third Reading vote before the House rises on Thursday, December 5, 2013;
- Complete filing of Report Stage Amendments for Bill (No. 2) by 5:00 p.m. Wednesday, December 4, 2013 and that distribution of these amendments occur Thursday morning, December 5, 2013;
- Not rise on Thursday, December 5, 2013 until Concurrence and Third Reading of Bill (No. 2) has been completed and that the vote on Concurrence and Third Reading of Bill (No. 2) will take place prior to the previously specified Second Session Bills.

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Hon. Ms. BRAUN moved:

THAT Bill (No. 2) – The Highway Traffic Amendment Act (Safety of Workers in Highway Construction Zones)/Loi modifiant le Code de la route (sécurité des travailleurs dans les zones de construction), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Ms. BRAUN, Mr. GOERTZEN, Hon. Mr. ASHTON, Mrs. ROWAT, Hon. Mr. GERRARD and Mr. 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.

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The House then adjourned at 4:58 p.m. until 10:00 a.m. Tuesday, December 3, 2013.

Hon. Daryl REID,  
Speaker.