


Tuesday, August 8, 2000

	<b>LEGISLATIVE ASSEMBLY OF MANITOBA</b>
	<b>ORDER PAPER</b> No. 74 and NOTICE PAPER
	<b>FIRST SESSION, THIRTY-SEVENTH LEGISLATURE</b>

**PRAYERS**

**SITTING AT 1:30 P.M.**

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

Mr. PENNER (Steinbach)

**READING AND RECEIVING PETITIONS**

Mrs. DRIEDGER

Mr. FAURSCHOU

**PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES**

Privileges and Elections

**MINISTERIAL STATEMENTS AND TABLING OF REPORTS**

**NOTICES OF MOTIONS**

**INTRODUCTION OF BILLS**

**ORAL QUESTIONS**

**MEMBERS' STATEMENTS**

**GRIEVANCES**

**ORDERS OF THE DAY**

**REPORT STAGE:**

(No. 7) – The Protection for Persons in Care Act/Loi sur la protection des personnes recevant des soins

(Hon. Mr. CHOMIAK)  
(Amendment – Hon. Mr. CHOMIAK)

(No. 12) – The Public Schools Amendment Act/Loi modifiant la Loi sur les écoles publiques  
(Hon. Mr. CALDWELL)  
[Amendments (4) – Mrs. SMITH (Fort Garry)]

(No. 29) – The Health Sciences Centre Repeal and Consequential Amendments Act/Loi  
abrogeant la Loi sur le Centre des sciences de la santé et modifications corrélatives  
(Hon. Mr. CHOMIAK)

(No. 33) – The Highway Traffic Amendment and Consequential Amendments Act/Loi modifiant  
le Code de la route et modifications corrélatives  
(amended)  
(Hon. Mr. MACKINTOSH)  
[Amendment (1) – Mr. PRAZNIK]  
(Hon. Mr. MACKINTOSH)  
[Amendment (2) – Mr. PRAZNIK]  
(Hon. Mr. MACKINTOSH)

(No. 35) – The Planning Amendment Act/Loi modifiant la Loi sur l'aménagement du territoire  
(Hon. Ms. FRIESEN)

(No. 37) – The Miscellaneous Health Statutes Repeal Act/Loi abrogeant diverses lois en matière  
de santé  
(Hon. Mr. CHOMIAK)

(No. 42) – The Public Schools Amendment and Consequential Amendments Act/Loi modifiant la  
Loi sur les écoles publiques et modifications corrélatives  
(amended)  
(Hon. Mr. CALDWELL)  
[Amendments (6) – Mrs. SMITH (Fort Garry)]  
[Amendment (1) – Mrs. SMITH (Fort Garry)]  
[Mr. PENNER (Emerson) – 4 mins.]

(No. 43) – The Sustainable Development Amendment and Consequential Amendments Act/Loi  
modifiant la Loi sur le développement durable et modifications corrélatives  
(Hon. Mr. LATHLIN)

(No. 48) – The Rural Development Bonds Amendment Act/Loi modifiant la Loi sur les  
obligations de développement rural  
(Hon. Ms. FRIESEN)

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**THIRD READINGS:**

(No. 5) – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune  
(amended)  
(Hon. Mr. LATHLIN)  
[Mr. PENNER (Steinbach) – 33 mins.]

(No. 6) – The Water Resources Conservation and Protection and Consequential Amendments Act/Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives  
(amended)  
(Hon. Mr. LATHLIN)

(No. 8) – The Enforcement of Judgments Conventions and Consequential Amendments Act/Loi sur les conventions relatives à l'exécution des jugements et modifications corrélatives  
(Hon. Mr. MACKINTOSH)

(No. 10) – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives  
(Hon. Mr. LEMIEUX)

(No. 13) – The Taxicab Amendment Act/Loi modifiant la Loi sur les taxis  
(Hon. Mr. ASHTON)

(No. 14) – The Provincial Railways Amendment Act/Loi modifiant la Loi sur les chemins de fer provinciaux  
(amended)  
(Hon. Mr. ASHTON)

(No. 15) – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau  
(Hon. Mr. LATHLIN)

(No. 16) – The City of Winnipeg Amendment Act (2)/Loi n° 2 modifiant la Loi sur la Ville de Winnipeg  
(amended)  
(Hon. Ms. FRIESEN)

(No. 20) – The Farm Machinery and Equipment Amendment Act/Loi modifiant la Loi sur les machines et le matériel agricoles  
(amended)  
(Hon. Ms. WOWCHUK)

(No. 21) – The Water Resources Administration Amendment Act/Loi modifiant la Loi sur l'aménagement hydraulique  
(Hon. Mr. LATHLIN)

(No. 22) – The Court of Queen's Bench Surrogate Practice Amendment Act/Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine  
(Hon. Mr. MACKINTOSH)

(No. 23) – The Jury Amendment Act/Loi modifiant la Loi sur les jurés  
(amended)  
(Hon. Mr. MACKINTOSH)

(No. 25) – The Interpretation and Consequential Amendments Act/Loi d'interprétation et modifications corrélatives  
(Hon. Mr. MACKINTOSH)

(No. 26) – The Court of Queen's Bench Amendment Act/Loi modifiant la Loi sur la Cour du Banc de la Reine

(Hon. Mr. MACKINTOSH)

(No. 27) – The Correctional Services Amendment Act/Loi modifiant la Loi sur les services correctionnels

(Hon. Mr. MACKINTOSH)

(No. 28) – The Northern Affairs Amendment and Planning Amendment Act/Loi modifiant la Loi sur les Affaires du Nord et la Loi sur l'aménagement du territoire

(Hon. Mr. ROBINSON)

(No. 30) – The Social Services Administration Amendment Act/Loi modifiant la Loi sur les services sociaux

(Hon. Mr. SALE)

(No. 31) – The Electronic Commerce and Information, Consumer Protection Amendment and Manitoba Evidence Amendment Act/Loi sur le commerce et l'information électroniques, modifiant la Loi sur la protection du consommateur et la Loi sur la preuve au Manitoba

(amended)

(Hon. Ms. MIHYCHUK)

(No. 32) – The Victims' Rights Amendment Act/Loi modifiant la Loi sur les droits des victimes

(amended)

(Hon. Mr. MACKINTOSH)

(No. 34) – The Statute Law Amendment Act, 2000/Loi de 2000 modifiant diverses dispositions législatives

(Hon. Mr. MACKINTOSH)

(No. 36) – The Summary Convictions Amendment Act/Loi modifiant la Loi sur les poursuites sommaires

(amended)

(Hon. Mr. MACKINTOSH)

(No. 39) – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances

(Hon. Mr. LEMIEUX)

(No. 40) – The Business Names Registration Amendment, Corporations Amendment and Partnership Amendment Act/Loi modifiant la Loi sur l'enregistrement des noms commerciaux, la Loi sur les corporations et la Loi sur les sociétés en nom collectif

(Hon. Mr. LEMIEUX)

(No. 41) – The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act/Loi modifiant la Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et modifications corrélatives

(Hon. Mr. SELINGER)

(No. 45) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants

(amended)  
(Hon. Mr. CALDWELL)

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**DEBATE ON SECOND READINGS:**

On the Proposed Motion of Hon. Ms. BARRETT –

(No. 18) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail  
(Mr. SCHULER) (Stands)

On the Proposed Motion of Hon. Mr. SELINGER –

(No. 38) – The Statute Law Amendment (Taxation) Act, 2000/Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité  
(Mr. LOEWEN)

On the Proposed Motion of Hon. Ms. BARRETT –

(No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail

[Mrs. SMITH (Fort Garry) – 23 mins.]

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**DEBATE ON GOVERNMENT MOTION:**

On the Proposed Motion of Hon. Ms. WOWCHUK –

WHEREAS excess rainfall in the fall of 1998 and spring of 1999 resulted in over one million acres of land going unseeded, primarily in the southwest, but also in other areas of the province; and

WHEREAS the federal government has recognized the disaster situation and is compensating people for mould and other property damage under the Disaster Financial Assistance Arrangements (DFAA); and

WHEREAS farmers lost chemical and fertilizer inputs and incurred extra costs to restore their land and for weed control, at the same time as they had no 1999 crop to sell; and

WHEREAS the Manitoba Government has repeatedly requested support from the federal government, which has the lead responsibility for disaster financing, for farmers who sustained damage to their land; and

WHEREAS the Manitoba Government pursued support for compensation under Section 25 of the DFAA, which specifies loss of applied fertilizer and land restoration and was turned down by the federal government; and

WHEREAS the Manitoba Government requested a Canada/Manitoba agreement for the provision of assistance similar to the levels provided in the 1996 Saguenay River Flood, the 1997 Red River Valley Flood and the 1998 Eastern Canada Ice storm, and the federal government has refused; and

WHEREAS there has been all-party cooperation on lobbying the federal government for assistance for Manitoba farmers.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the federal government to reconsider its position on funding for the 1999 flooding which occurred throughout the province, but specifically in the southwest, and include loss of applied fertilizer and land restoration as eligible costs under the DFAA; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the federal government to consider programs and assistance similar to that provided for disasters such as the 1996 Saguenay River Flood, the 1997 Red River Valley Flood and the 1998 Eastern Canada ice storm.

And the Proposed Motion of Mr. PITURA in amendment thereto as follows:

*THAT the motion be amended by adding the following after the first "BE IT FURTHER RESOLVED" clause:*

BE IT FURTHER RESOLVED that the Legislative Assembly urge the Government of Manitoba to acknowledge that the Minister of Finance has indicated that the Fiscal Stabilization Fund should be saved for use during disasters only; and

BE IT FURTHER RESOLVED that there is agreement that all sides of this House agree that the 1999 flood constitutes a disaster; and

BE IT FURTHER RESOLVED that the Legislative Assembly urge the Government of Manitoba to now acknowledge that its 2000 budget fails to address the very serious issue of providing any assistance to farmers affected by the 1999 flood; and

BE IT FURTHER RESOLVED that the Legislative Assembly urge the Government of Manitoba to consider immediately revisiting the issue of providing assistance to farmers affected by the 1999 flood and consider accessing the Fiscal Stabilization Fund in order to provide the needed disaster relief; and  
[Mr. PENNER (Emerson)]

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**GOVERNMENT MOTIONS:**

Hon. Mr. DOER –

WHEREAS the Manitoba portion of the Hudson Bay Basin is essential to the social, economic and environmental well-being of our Province; and

WHEREAS the Manitoba portion of the Hudson Bay Basin provides potable water for 100,000 Manitobans, employment for 3500 Manitobans in the fishing industry— an industry that generates \$25 million for Manitoba and Canada each year-, a vibrant tourism industry, and a way of life for aboriginal communities; and

WHEREAS the Manitoba portion of the Hudson Bay Basin is critical to sustaining the eco-systems of our Province; and

WHEREAS the State of North Dakota has proposed the construction of an outlet that would divert water out of Devils Lake and into the Sheyenne River and subsequently into the Red River; and

WHEREAS the Province of Manitoba has raised serious concerns about the potential effects of the Devils Lake outlet proposal on water quality in Manitoba including high salt content, possible biota transfer, and possible fish pathogens that could enter the Manitoba portion of the Hudson Bay Basin; and

WHEREAS as recently as 1993, the State of North Dakota was advocating for the construction of an inlet into Devils Lake from the Missouri River Basin and as recently as 1997, the Governor of North Dakota re-iterated his support for an inlet; and

WHEREAS the combination of an inlet and an outlet at Devils Lake would constitute a new version of the Garrison diversion project and would have potentially devastating effects on the Manitoba portion of the Hudson Bay basin.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba oppose the unilateral diversion of water into the Red River by the State of North Dakota either through the Devils Lake outlet proposal or through a reformulated Garrison Diversion proposal; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba call on the governments of the United States and Canada to ensure that there is a complete and comprehensive environmental impact statement on the Devils Lake outlet proposal that includes potential impacts on Canadian waters; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba support the Provincial government in calling for the public release of all studies done to date on the potential impacts of the Devils Lake outlet.

Hon. Ms. MCGIFFORD—

WHEREAS the Canadian Broadcasting Corporation (CBC) plays a vital and unique role in providing both local and national television coverage across the entire country; and

WHEREAS the legislated mandate of the CBC is to "reflect Canada and its regions to national and regional audiences, while servicing the special needs of those regions"; and

WHEREAS earlier this year, the Canadian Radio-Television and Telecommunications Commission (CRTC), when renewing the CBC's licenses in light of its mandate, called for the CBC to present a more accurate representation of all the communities of the country by developing more programming produced outside of Toronto including a return to regional weekend newscasts; and

WHEREAS CBC president Robert Rabinovitch has recently confirmed that CBC intends to cancel, with few exceptions, local and regional supper-hour news programs that are produced on a provincial and/or regional basis and move to a Toronto-based newscast with greatly reduced local content; and

WHEREAS this would result in the demise of Manitoba's supper-hour news program "24 Hours"; and

WHEREAS "24 Hours" is an important source of investigative journalism and commentary on current affairs in Manitoba that reaches all areas of the province; and

WHEREAS "24 Hours" has been recognized across Canada and beyond with many awards, including the 1997 Best Newscast Award, at the New York Festival for film and video, largely due to its exceptional reporting of the 1997 Red River Flood; and

WHEREAS CBC television plays an important role in Manitoba as a training ground in the film and television industry and as a showcase for young journalists, producers and entertainers; and

WHEREAS the Legislatures of Newfoundland, New Brunswick, Nova Scotia and Prince Edward Island have all passed resolutions calling for the preservation of province-based, newscasts and local programming; and

WHEREAS the House of Commons Heritage Committee recently passed a motion that opposed the dismantling of CBC's existing regional television and called on the federal government to provide adequate funding to the CBC for regional television capacity.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba considers CBC's newscast "24 Hours" to be a valuable asset to the life of our community that contributes in a unique and substantive way to Manitobans' knowledge about, and understanding of our province; and

BE IT FURTHER RESOLVED that this Legislature urge the Canadian Broadcasting Corporation to reconsider any plan to eliminate Manitoba's supper-hour newscast "24 Hours"; and

BE IT FURTHER RESOLVED that this Legislature call on the federal government to take whatever steps are necessary to ensure that CBC's local newscasts and programming are maintained in Manitoba.

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**MOTION:**

THAT Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

THAT Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of Ways and Means for raising of the Supply to be granted to Her Majesty.



THAT Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider and report of Bills referred.

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## **PRIVATE MEMBERS' BUSINESS**

### **SECOND READINGS – PUBLIC BILLS:**

(No. 200) – The Lotteries Accountability and Consequential Amendments Act/Loi sur l'obligation redditionnelle en matière de loteries et modifications corrélatives  
(Mr. REIMER) (Printed)

(No. 201) – The Electoral Divisions Amendment Act/Loi modifiant la Loi sur les circonscriptions électorales  
(Mr. HELWER) (Printed)

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### **PROPOSED RESOLUTIONS:**

8. Mr. PITURA – Enhancing the Viability of the Port of Churchill
9. Mr. ENNS – Water Use Strategy
10. Mrs. DACQUAY – Continuation of the Previous Government's Tourism Initiatives
11. Mr. NEVAKSHONOFF – Aboriginal and Inner City Representation
12. Mr. STRUTHERS – Support of Agriculture
13. Mr. DEWAR – Aboriginal Veteran Thomas George Prince
14. Mr. MAGUIRE – Problems with the Federal Government's Proposed Endangered Species Legislation
15. Mr. REID – EI Surplus
16. Mr. HELWER – Youth Entrepreneurs and Employment
17. Mr. FILMON – Balanced Budget Legislation
18. Mr. PENNER (Emerson) – Rural Diversification
19. Mrs. DRIEDGER – Child Pornography
20. Ms. ALLAN – Nunavut
21. Mr. CUMMINGS – Lack of a Federal Contribution to Highways Programs
22. Mr. FILMON – The Importance of Enacting Workfare

23. Mrs. SMITH (Fort Garry) – Accountability In Education
24. Ms. ALLAN – CRTC
25. Mr. PRAZNIK – Enhancing Community Policing Efforts
26. Mr. ROCAN – Rate Payer Protection and Crown Corporations
27. Mr. STEFANSON – Quarterly Health Progress Reports
28. Mr. REIMER – Continuation of the Canada-Manitoba Infrastructure Works Program
29. Mr. MALOWAY – The Tobin Tax
30. Mr. MAGUIRE – The Impact of the 1999 Manitoba Flood
31. Ms. CERILLI – Multi-Lateral Agreement on Investment and the World Trade Organization
32. Mr. LAURENDEAU – The Film Industry
33. Hon. Mr. GERRARD – Compensation for 1999 Spring Flooding to Southwestern Manitoba
34. Ms. ASPER – Measuring and Enhancing the Effectiveness of Computer Assisted Training
35. Mr. SMITH (Brandon West) – Port of Churchill
36. Mr. HELWER – Employment Insurance Surplus
37. Hon. Mr. GERRARD – Compensation to Business of Southwestern Manitoba affected by the 1999 Flooding Conditions
38. Ms. KORZENIOWSKI – International Year of Older Persons
39. Mrs. SMITH (Fort Garry) – Youth News Network and School Board Autonomy
40. Mr. SCHULER – Manitoba Federation of Labor’s Position on Taxes
41. Mr. SCHULER – Property Tax Cuts
42. Mr. DERKACH – Tuition Fees Freeze
43. Ms. KORZENIOWSKI – Airline Restructuring in Canada
44. Mr. PRAZNIK – Youth Criminal Justice Act
45. Mr. PENNER (Steinbach) – Federal Immigration Policy
46. Mr. STEFANSON – Health Care Promises

47. Mr. TWEED – 32 Hour Work Week
48. Mr. PITURA – Sustainable Development
49. Mr. JENNISSEN – Sayisi Dene
50. Mrs. MITCHELSON – Number of Beds Added
51. Mr. REIMER – Telemarketing Fraud
52. Mrs. DRIEDGER – Organ Donations
53. Mr. LAURENDEAU – Fetal Alcohol Syndrome
54. Mr. DERKACH – Doubling Community Colleges Enrolment
55. Mr. RONDEAU – School Breakfast Program
56. Mr. CUMMINGS – School Safety
57. Mr. MARTINDALE – Habitat for Humanity
58. Mr. PENNER (Steinbach) – Business Development Strategies
59. Mr. LOEWEN – Manitoba Hydro and Downtown Revitalization
60. Mr. NEVAKSHONOFF – Crown Lands
61. Mr. AGLUGUB – Immigration Levels
62. Ms. CERILLI – Recreation Opportunities in Manitoba
63. Mr. SCHELLENBERG – Automated Teller Machines (ATMs)
64. Mr. MALOWAY – Credit Card Interest Rates
65. Mr. DEWAR – Dredging of Red River in Interlake Region
66. Mr. SANTOS – Professional and Technical Accreditation
67. Mr. MARTINDALE – Sinclair Park Kids at Risk Program
68. Mr. SANTOS – Partisan Political Contributions
69. Mr. ROCAN – State of the Canadian Grain Industry
70. Mr. AGLUGUB – Immigration Application and Landing Fees
71. Mr. REID – Fuel Taxes

72. Mr. SCHELLENBERG – Water Exports
  73. Mr. GILLESHAMMER – Canada-US Agricultural Trade Disputes
  74. Mr. STRUTHERS – Garrison & Devils Lake Diversions
  75. Mr. DYCK – Continuation of the Children First Strategy
  76. Mr. SMITH (Brandon West) – A Non-Partisan Committee on Defining Agricultural Disasters
  77. Mr. PENNER (Emerson) – Agricultural Income Disaster Assistance (AIDA)
  78. Mr. JENNISSEN – VIA
  79. Mr. ENNS – Railway Running Rights
  80. Ms. ASPER – Culture of Peace
  81. Mr. RONDEAU – Literacy
  1. Mrs. DACQUAY – Breast Health Awareness  
(Ms. CERILLI – 14 mins./123 mins. remaining)
  2. Mr. FAURSCHOU – Graduated Driver’s Licenses  
(Mr. RONDEAU – 4 mins./126 mins. remaining)
  3. Mr. FAURSCHOU – Post Secondary Education – Accessibility and Affordability  
(Mr. STRUTHERS – 12 mins./124 mins. remaining)
  4. Mrs. MITCHELSON – Nurses Recruitment and Retention  
(Hon. Mr. ASHTON - 8 mins./125 mins. remaining)
  5. Mr. LOEWEN – REDI Program Success  
[Mr. SMITH (Brandon West) – 14 mins./123 mins. remaining]
  6. Mr. DYCK – Commercialization in the Classroom  
(Mr. SCHELLENBERG - 8 mins./124 mins. remaining)
  7. Mr. GILLESHAMMER – Foreign Trade  
[Mr. SMITH (Brandon West) –12 mins./125 mins. remaining]
  82. Mr. MARTINDALE – Human Rights Violations in Burma
  83. Ms. KORZENIOWSKI – Peacekeeping Day
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# NOTICE PAPER

## NOTICE OF MOTION FOR THURSDAY NEXT:

Hon. Mr. ASHTON –

(No. 52) – The Highway Traffic Amendment Act/Loi modifiant le Code de la route

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## NOTICE OF COMMITTEE MEETING:

The Standing Committee on INDUSTRIAL RELATIONS will meet in Room 255, Legislative Building, Winnipeg, Manitoba on Wednesday, August 9, 2000 at 10:00 a.m. to consider Bills referred.