



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 52

SECOND SESSION, THIRTY-SEVENTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petition was presented:

Mrs. DRIEDGER – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (R. Vandenbergue, R. Knudsen, R. McMillan and others)

The following petitions were read and received:

Mr. SCHULER – Legislative Assembly of Manitoba request that the Minister responsible for Manitoba Hydro consider alternative routes for the additional 230KV and 500KV lines proposed for the RM of East St. Paul (C. Kohli, J. Corbett, E. Short and others)

Mrs. STEFANSON – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (W. Bilton, B. Pooles, G. Stefanson)

Mrs. DRIEDGER – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (M. Hockley, K. Hay, M. Watchorn and others)

Mr. HELWER – Legislative Assembly of Manitoba request that the Minister of Transportation and Government Services consider upgrading Provincial Trunk Highway #9 and the Selkirk Corridor thoroughfares immediately (H. Jones, M. Krystia, M. Wood and others)

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

Your Committee met on:

- Monday, June 18, 2001 at 6:30 p.m.
- Thursday, June 21, 2001 at 6:30 p.m.

All meetings were held in Room 255 of the Legislative Building to consider Bills referred.

Matters Under Consideration:

June 18, 2001 at 6:30 p.m. meeting:

- Bill (No. 7) – The Manitoba Hydro Amendment Act/Loi modifiant la Loi sur l'Hydro-Manitoba
- Bill (No. 8) – The Mines and Minerals Amendment Act/Loi modifiant la Loi sur les mines et les minéraux
- Bill (No. 10) – The Safer Communities and Neighbourhoods and Consequential Amendments Act/Loi visant à accroître la sécurité des collectivités et des quartiers et modifications corrélatives
- Bill (No. 41) – An Act to Comply with the Supreme Court of Canada Decision in *M. v. H.*/Loi visant l'observation de la décision de la Cour suprême du Canada dans l'arrêt *M. c. H.*

June 21, 2001 at 6:30 p.m. meeting:

- Bill (No. 8) – The Mines and Minerals Amendment Act/Loi modifiant la Loi sur les mines et les minéraux
- Bill (No. 10) – The Safer Communities and Neighbourhoods and Consequential Amendments Act/Loi visant à accroître la sécurité des collectivités et des quartiers et modifications corrélatives
- Bill (No. 41) – An Act to Comply with the Supreme Court of Canada Decision in *M. v. H.*/Loi visant l'observation de la décision de la Cour suprême du Canada dans l'arrêt *M. c. H.*

Membership Resignations / Elections:

At the Monday, June 18, 2001 meeting, your Committee elected:

- Ms. KORZENIOWSKI as Vice-Chairperson.

Substitutions received prior to commencement of meeting on June 18, 2001 at 6:30 p.m.:

- Mr. PRAZNIK for Mr. LAURENDEAU;
- Mr. TWEED for Mr. FAURSCHOU;
- Mr. PITURA for Mrs. MITCHELSON;
- Mrs. STEFANSON for Mrs. SMITH (Fort Garry);
- Ms. KORZENIOWSKI for Mr. NEVAKSHONOFF;
- Hon. Ms. MIHYCHUK for Ms. ALLAN;
- Hon. Ms. BARRETT for Mr. SANTOS;
- Hon. Mr. CALDWELL for Mr. AGLUGUB;
- Hon. Mr. SELINGER for Hon. Mr. SMITH (Brandon West);
- Hon. Mr. MACKINTOSH for Hon. Mr. SALE.

Substitutions received prior to commencement of meeting on June 21, 2001 at 6:30 p.m.:

- Mr. SANTOS for Hon. Mr. SELINGER;
- Mr. LAURENDEAU for Mr. PRAZNIK.
- Mr. REIMER for Mr. TWEED.

Substitutions received during meeting on June 18, 2001 at 6:30 p.m., by leave:

- Mr. LOEWEN for Mr. PITURA.

Motions:

At the Monday, June 18, 2001 at 6:30 p.m. meeting, your Committee passed the following motion, on a count out vote yeas 5, nays 4:

That the Committee on Law Amendments call through the list of presenters and hear any who are in attendance. Those who are not in attendance will be called at a subsequent hearing.

Public Presentations:

Your Committee heard representation on Bills at the following meetings:

- Monday, June 18, 2001 at 6:30 p.m.
- Thursday, June 21, 2001 at 6:30 p.m.

The following individuals and/or organizations made presentations on Bill (No. 7) - The Manitoba Hydro Amendment Act/Loi modifiant la Loi sur l'Hydro-Manitoba:

Paul Moist	C.U.P.E.
Albert Cerilli	President, Manitoba Federation of Union Retirees
Michelle Forest	Private Citizen

The following individuals and/or organizations made presentations on Bill (No. 10) – The Safer Communities and Neighbourhoods and Consequential Amendments Act/Loi visant à accroître la sécurité des collectivités et des quartiers et modifications corrélatives:

Fred Curry	Private Citizen
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The following individuals and/or organizations made presentations on Bill (No. 41) - An Act to Comply with the Supreme Court of Canada Decision in *M. v. H.*/Loi visant l'observation de la décision de la Cour suprême du Canada dans l'arrêt *M. c. H.*:

Lorri Millan and Nadin Gilroy	Private Citizens
Karen Boily and Carole Boily	Private Citizens
Gilles Marchildon	Private Citizen
Kristine Barr	Private Citizen
Debbie Patterson	Private Citizen
Elliot Levin	Private Citizen
Roy Purvis	Private Citizen
Noreen Stevens	Private Citizen
Donna Huen	Rainbow Resource Centre
Jordan Kunda	Private Citizen
Keith Louise Fulton	Private Citizen
Maxine Hasselriis	Private Citizen
Timothy Preston	Private Citizen
Lloyd Fisher	Private Citizen
Loraine MacKenzie Shepherd	Private Citizen
Pete Walker	Manitoba Federation of Labour

Robin Brownlie	Private Citizen
Maureen Pendergast and Sharon Pchajek	Private Citizens
Brother Thomas Novak	Private Citizen
Kerry Cazzorla	Private Citizen
Kim Simard	Canada Family Action Coalition
Mike Tutthil	Private Citizen
Kerri Olinkin	Private Citizen
Susan VanDreser	Private Citizen
Krista Piche	Private Citizen
Norma Drosdowech	Private Citizen
Irene McKenzie	Private Citizen
Valerie Wadehul	Private Citizen
Tim Jeffrey	Private Citizen
Jenny Gerbasi	Private Citizen
John Mann	Private Citizen
Karin Erhardt	Private Citizen
Brad Tyler-West	Private Citizen
Robert Crittenden	Private Citizen
Sally Naumko	Private Citizen
Kate Tate	Private Citizen
Asher Webb	Private Citizen
Michael Law	The Gay and Lesbian Issues Sub-Section of the Manitoba Bar Association
Krishna Lalbiharie	Canadian Federation of Students
Penny Piper	Manitoba Association of Women and Law
Anne Gregory	Private Citizen
Margaret McKenty	Private Citizen
John Krowina	Private Citizen
David Schesnuk	Private Citizen
Marianne Crittenden	Private Citizen
Lorraine Waldner	Private Citizen
Fae Simon and Rosaline Dearing	Winnipeg Child and Family Services
Karen Delaney	Private Citizen
Mark Golden	Private Citizen
Rory Grewar	Private Citizen
Henry Makow	Private Citizen
Adele Perry	Private Citizen
David Joycey	Private Citizen
Joann Gorham	Private Citizen
Elsy Gagne	Private Citizen

Written Submissions:

The following individuals and / or organizations offered written submissions to the Committee on Bill (No. 41) – An Act to Comply with the Supreme Court of Canada Decision in *M. v. H.*/Loi visant l'observation de la décision de la Cour suprême du Canada dans l'arrêt *M. c. H.*

Ken Mandziuk	Manitoba Association for Rights and Liberties
Harry Mesman	Member of the Canadian Labour Congress Solidarity and Pride Working Group
Sally Naumko	Private Citizen
Donald Teel	Private Citizen
John McKenzie	Private Citizen
Sarah Inness	Private Citizen

Bills Considered and Reported:

Bill (No. 8) – The Mines and Minerals Amendment Act/Loi modifiant la Loi sur les mines et les minéraux

Your Committee agreed to report this Bill, without amendment.

Bill (No. 10) – The Safer Communities and Neighbourhoods and Consequential Amendments Act/Loi visant à accroître la sécurité des collectivités et des quartiers et modifications corrélatives

Your Committee agreed to report this Bill, without amendment.

Bill (No. 41) – An Act to Comply with the Supreme Court of Canada Decision in *M. v. H.*/Loi visant l'observation de la décision de la Cour suprême du Canada dans l'arrêt *M. c. H.*

Your Committee agreed to report this Bill, without amendment.

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

Mr. NEVAKSHONOFF, Chairperson of the Standing Committee on Municipal Affairs, presented its First Report, which was read as follows:

Your Committee met on Thursday, June 21, 2001 at 6:30 p.m. in Room 254 of the Legislative Building to consider Bills referred.

Matters Under Consideration:

- Bill (No. 16) – The Farm Practices Protection Amendment Act/Loi modifiant la Loi sur la protection des pratiques agricoles
- Bill (No. 20) – The Farm Products Marketing and Consequential Amendments Act/Loi sur la commercialisation des produits agricoles et modifications corrélatives

Membership Resignations / Elections:

Your Committee elected Mr. NEVAKSHONOFF as the Chairperson.

Your Committee elected M. DEWAR as the Vice-Chairperson.

Substitutions received prior to commencement of meeting:

- Mr. MAGUIRE for Mrs. DACQUAY
- Mr. PITURA for Mr. LOEWEN
- Mr. CUMMINGS for Mr. REIMER
- Mr. STRUTHERS for Ms. ALLAN
- Mr. NEVAKSHONOFF for Hon. Mr. MACKINTOSH
- Hon. Ms. WOWCHUK for Mr. MARTINDALE
- Mr. SCHELLENBERG for Ms. CERILLI

Public Presentations:

Your Committee heard two presentations on Bill (No. 16) – The Farm Practices Protection Amendment Act/Loi modifiant la Loi sur la protection des pratiques agricoles, from the following individuals and/or organizations:

Ted Muir	Manitoba Pork Council
Don Dewar	Keystone Agricultural Producers

Your Committee heard six presentations on Bill (No. 20) – The Farm Products Marketing and Consequential Amendments Act/Loi sur la commercialisation des produits agricoles et modifications corrélatives, from the following individuals and/or organizations:

Larry McIntosh	Peak of the Market
Bill Uruski	Vice-Chairperson, Manitoba Turkey Producers
Waldie Klassen	Chairman, Manitoba Chicken Producers
Bill Swan	Manitoba Milk Producers
Ted Muir	Manitoba Pork Council
Tom Dooley	Aikins, MacAuley, Thorvaldson

Bills Considered and Reported:

Bill (No. 16) – The Farm Practices Protection Amendment Act/Loi modifiant la Loi sur la protection des pratiques agricoles

Your Committee agreed to report this Bill, without amendment.

Bill (No. 20) – The Farm Products Marketing and Consequential Amendments Act/Loi sur la commercialisation des produits agricoles et modifications corrélatives

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

THAT the definition "producer" in section 1 be amended by adding the following after clause (b):

and includes a person who takes possession of a farm product from a producer under any form of security for a debt;

THAT clause 6(1)(b) be replaced with the following:

(b) requiring persons who produce or market a regulated product to provide the board or commission with any information or record relating to the production or marketing of the regulated product that the board or commission considers necessary;

THAT clause 6(1)(l) be amended by striking out "surplus removal" and substituting "product purchase".

THAT section 11 be amended by adding "or out of any other money payable to it" at the end.

THAT clause 14(a) be amended by striking out "establishment, operation and control" and substituting "establishment and operation".

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

Pursuant to Rule 23(1), Ms. ASPER, Messrs. PENNER (Emerson), RONDEAU and DYCK and Ms. ALLAN made Members' Statements.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. MACKINTOSH:

THAT Bill (No. 33) – The Highway Traffic Amendment and Consequential Amendments Act (2)/Loi n° 2 modifiant le Code de la route et modifications corrélatives, 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. ROCAN,

And Mr. PRAZNIK 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.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. MACKINTOSH:

THAT Bill (No. 35) – The Improved Enforcement of Support Payments (Various Acts Amended) Act/Loi visant à faciliter la perception des paiements alimentaires (modification de diverses dispositions législatives), 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. LAURENDEAU,

And Messrs. MARTINDALE and PRAZNIK 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.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. MACKINTOSH:

THAT Bill (No. 37) – The Inter-jurisdictional Support Orders Act/Loi sur l'établissement et l'exécution réciproque des ordonnances alimentaires, 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. ROCAN,

And Mr. PRAZNIK 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.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. MACKINTOSH:

THAT Bill (No. 36) – The Enhanced Debt Collection (Various Acts Amended) Act/Loi visant à faciliter le recouvrement des créances (modification de diverses dispositions législatives), 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. ROCAN,

And Mr. PRAZNIK having spoken,

And the Question being put. It was agreed to.

Monday, June 25, 2001

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

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. MACKINTOSH:

THAT Bill (No. 46) – The Provincial Court Amendment and Court of Queen's Bench Amendment Act/Loi modifiant la Loi sur la Cour provinciale et la Loi sur la Cour du Banc de la Reine, 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. PITURA,

And Mr. PRAZNIK 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.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. MACKINTOSH:

THAT Bill (No. 49) – The Statutes Correction and Minor Amendments Act, 2001/Loi corrective de 2001, 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 Mrs. DACQUAY,

And Mr. PRAZNIK 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.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. CHOMIAK:

THAT Bill (No. 50) – The Regional Health Authorities Amendment (Accountability) Act/Loi modifiant la Loi sur les offices régionaux de la santé (responsabilités), be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. CUMMINGS, PRAZNIK, DERKACH and ENNS 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.

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

THAT Bill (No. 11) – The Highway Traffic Amendment and Consequential Amendments Act/Loi modifiant le Code de la route et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. GILLESHAMMER 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.

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 17) – The Student Aid Act/Loi sur l'aide aux étudiants, as reported from the Standing Committee on Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH having spoken,

The debate was, on motion of Mr. DERKACH, adjourned.

Bill (No. 19) – The Crown Lands Amendment Act/Loi modifiant la Loi sur les terres domaniales, as reported from the Standing Committee on Economic Development, was concurred in, read a Third Time and passed.

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 24) – The Liquor Control Amendment and Consequential Amendments Act/Loi modifiant la Loi sur la réglementation des alcools et modifications corrélatives, as reported from the Standing Committee on Law Amendments, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH having spoken,

The debate was, on motion of Mr. LAURENDEAU, adjourned.

Monday, June 25, 2001

Bill (No. 39) – The Archives and Recordkeeping Act/Loi sur les archives et la tenue de dossiers, as amended and reported from the Standing Committee on Economic Development, was concurred in, read a Third Time and passed.

By leave, it was agreed that the Standing Committee on Law Amendments would meet at 10:00 a.m. on Thursday, June 28, 2001, concurrently with the House.

By leave, it was agreed to waive the quorum requirement in the House for Thursday, June 28, 2001.

The House resolving into the Committee of Supply.

And the House continuing in Committee.

The House then adjourned at 6:00 p.m. until 1:30 p.m. Tuesday, June 26, 2001.

Hon. George HICKES,
Speaker.