



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS

FOURTH SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

Hon. Mr. DOER moved:

THAT this House convey to the family of the late Warner H. JORGENSEN, who served as a Member of the Legislative Assembly of Manitoba, its sincere sympathy in their bereavement and its appreciation of his devotion to duty in a useful life of active community and public service; and that Mr. Speaker be requested to forward a copy of this resolution to the family.

And Hon. Mr. DOER, Mr. MCFADYEN, Mrs. TAILLIEU, Mr. PENNER and Hon. Mr. GERRARD having spoken,

The motion was agreed to, the House standing.

Hon. Mr. DOER moved:

THAT this House convey to the family of the late Gordon Ellwood JOHNSTON, who served as a Member of the Legislative Assembly of Manitoba, its sincere sympathy in their bereavement and its appreciation of his devotion to duty in a useful life of active community and public service; and that Mr. Speaker be requested to forward a copy of this resolution to the family.

And Hon. Mr. DOER, Hon. Mr. GERRARD, Messrs. MCFADYEN, FAURSCHOU and LAMOUREUX having spoken,

The motion was agreed to, the House standing.

Mr. MARTINDALE moved:

THAT Bill (No. 300) – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba, 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 Mr. MARTINDALE, Messrs. GOERTZEN and DEWAR, Hon. Mr. GERRARD and Ms. KORZENIOWSKI 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. MACKINTOSH moved:

THAT the fees paid with respect to Bill (No. 300) – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba, be refunded, less the cost of printing.

And the Question being put. It was agreed to.

Hon. Mr. GERRARD moved:

THAT Bill (No. 214) – The Environment Amendment Act (Methamphetamine)/Loi modifiant la Loi sur l'environnement (méthamphétamine), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

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

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

Mr. LAMOUREUX moved:

THAT Bill (No. 215) – The Child and Family Services Amendment Act (Drug-Endangered Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille (enfants mis en danger par la drogue), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. LAMOUREUX having spoken,

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

Tuesday, June 13, 2006

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

THAT Bill (No. 204) – The Good Samaritan Protection Act/Loi sur l’immunité du bon samaritain, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. LAMOUREUX speaking at 12:20 p.m. The debate was allowed to remain in his name.

1:30 O’CLOCK P.M.

The following petitions were presented and read:

Mrs. ROWAT – Legislative Assembly of Manitoba to request the Provincial Government to consider stopping the removal of these positions from our community (Minnedosa), and to consider utilizing current technology in order to maintain these positions in their existing location. (L. Malugz, C. McNabb, L. Moffat and others)

Mrs. TAILLIEU – Legislative Assembly of Manitoba to urge the Minister of Family Services and Housing and the Premier to consider amending legislation to improve the process by which grandparents can obtain reasonable access to their grandchildren. (M. Quesnel, J. Spanau, J. Betteridge and others)

Mr. DERKACH – Legislative Assembly of Manitoba to request the Provincial Government to consider stopping the removal of these positions from our community (Minnedosa), and to consider utilizing current technology in order to maintain these positions in their existing location. (W. Hopkins, T. Ritchie, P. Collen and others)

By leave, Mr. FAURSCHOU for Mr. REIMER – Legislative Assembly of Manitoba to urge the Minister of Family Services and Housing and the Premier to consider amending legislation to improve the process by which grandparents can obtain reasonable access to their grandchildren. (A. Procyshyn, J. Procyshyn, M. Bennet and others)

Hon. Mr. GERRARD – Legislative Assembly of Manitoba to request the Provincial Government to immediately cancel its plans to support the construction of the OlyWest Hog Plant and Rendering Factory near any urban residential area. (L. Turner, A. Ceru, K. McIntosh and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to urge the Premier and his NDP Government to cooperate in uncovering the truth in why the Government did not act on what it knew and to consider calling a public inquiry on the Crocus Fund Fiasco. (R. Lecomte, G. Lecomte, G. Lecomte and others)

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

Meetings:

Your Committee met on the following occasions:

- Thursday, June 8, 2006 at 8:30 a.m.
- Thursday, June 8, 2006 at 12:00 p.m.
- Monday, June 12, 2006 at 9:00 a.m.

All meetings were held in Room 255 of the Legislative Building.

Matters under Consideration:

- **Bill (No. 25)** – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)
- **Bill (No. 29)** – The Degree Granting Act/Loi sur l'attribution de grades
- **Bill (No. 32)** – The Real Property Amendment Act/Loi modifiant la Loi sur les biens reels
- **Bill (No. 33)** – The Northern Affairs Act/Loi sur les affaires du Nord
- **Bill (No. 34)** – The Public Interest Disclosure (Whistleblower Protection) Act/Loi sur les divulgations faites dans l'intérêt public (protection des divulgateurs d'actes répréhensibles)
- **Bill (No. 41)** – The Pharmaceutical Act/Loi sur les pharmacies

Committee Membership:

Committee Membership for the meeting on June 8, 2006 at 8:30 a.m.:

- Ms. BRICK (*Chairperson*)
- Mr. CALDWELL
- Mr. DERKACH
- Mr. GOERTZEN
- Mr. HAWRANIK
- Hon. Mr. LATHLIN
- Mr. MARTINDALE (*Vice-Chairperson*)
- Hon. Ms. MCGIFFORD
- Mr. REIMER
- Hon. Mr. RONDEAU
- Hon. Mr. SELINGER

Committee Membership for the meeting on June 8, 2006 at 12:00 p.m.:

- Ms. BRICK (*Chairperson*)
- Mr. DERKACH
- Mr. DEWAR
- Mr. GOERTZEN
- Mr. HAWRANIK
- Ms. IRVIN-ROSS

- Hon. Mr. LATHLIN
- Mr. MARTINDALE (*Vice-Chairperson*)
- Hon. Ms. MCGIFFORD
- Mr. REIMER
- Hon. Mr. SELINGER

Committee Membership for the meeting on June 12, 2006 at 9:00 a.m.:

- Ms. BRICK (*Chairperson*)
- Mr. CUMMINGS
- Mr. GOERTZEN
- Mr. HAWRANIK
- Ms. KORZENIOWSKI
- Hon. Mr. LATHLIN
- Mr. MARTINDALE (*Vice-Chairperson*)
- Hon. Ms. MCGIFFORD
- Hon. Mr. SALE
- Mr. SCHULER
- Hon. Mr. SELINGER

Substitutions received during committee proceedings for the meeting on June 12, 2006 at 9:00 a.m.:

- Mr. DEWAR for Ms. KORZENIOWSKI
- Mr. JENNISSEN for Hon. Mr. LATHLIN
- Mr. ALTEMEYER for Hon. Mr. SELINGER
- Mr. AGLUGUB for Hon. Ms. MCGIFFORD

Public Presentations:

Your Committee heard five presentations on **Bill (No. 25)** – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage), from the following individuals and organizations:

Michael Thompson	President and CEO - Canadian Payday Loan Association
Gloria Desorcy	Manitoba Branch of the Consumers Association Canada
Catharine Johannson	Private Citizen
Mary Lou Bourgeois	Private Citizen
David Love	Private Citizen

Your Committee heard one presentation on **Bill (No. 29)** – The Degree Granting Act/Loi sur l'attribution de grades, from the following individual:

Catharine Johannson	Private Citizen
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Your Committee heard two presentations on **Bill (No. 32)** – The Real Property Amendment Act/Loi modifiant la Loi sur les biens réels, from the following organizations:

Louis Harper	Manitoba Keewatinookinwew Okimowin (MKO)
Carl Braun	Treaty Land Entitlement Committee of Manitoba Inc.

(e) section 56 (order as to costs) as it relates to the costs of an intervener;

(f) section 57 (fees).

Bill (No. 29) – The Degree Granting Act/Loi sur l'attribution de grades

Your Committee agreed to report this Bill without amendment.

Bill (No. 32) – The Real Property Amendment Act/Loi modifiant la Loi sur les biens réels

Your Committee agreed to report this Bill without amendment.

Bill (No. 33) – The Northern Affairs Act/Loi sur les affaires du Nord

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

THAT Clauses 181(1) and (2) of the Bill be replaced with the following:

Land acquired becomes Crown land

181(1) Land in northern Manitoba held by the government, including land acquired by the minister under section 180, is Crown land within the meaning of *The Crown Lands Act* and is vested in the Crown.

Dispositions: consultation and ministerial approval

181(2) Crown land in northern Manitoba may be disposed of as provided for in *The Crown Lands Act*, if

(a) in the case of a disposition of Crown land located in, or within eight kilometres of, a community, the minister has consulted the council of the community and approved the disposition; or

(b) in any other case, the minister has approved the disposition.

Bill (No. 34) – The Public Interest Disclosure (Whistleblower Protection) Act/Loi sur les divulgations faites dans l'intérêt public (protection des divulgateurs d'actes répréhensibles)

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

THAT Clause 30(3) be replaced with the following:

Ombudsman may investigate

30(3) Upon receiving information under this section, the ombudsman may investigate wrongdoing. In that event, Part 3 applies, other than subsection 21(3) (protection from reprisal).

Bill (No. 41) – The Pharmaceutical Act/Loi sur les pharmacies

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

THAT the definition "practitioner" in the English version of Clause 1(1) of the Bill be amended by striking out "and" at the end of clause (a) and substituting "or".

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

Hon. Mr. SELINGER presented:

Annual Report of The Civil Service Superannuation Board for the year ending December 31, 2005.

(Sessional Paper No. 108)

Annual Report of the Crown Corporations Council for the year ending December 31, 2005.

(Sessional Paper No. 109)

Annual Report of the Supplementary Loans and Guarantee Authority for the fiscal year ending March 31, 2006.

(Sessional Paper No. 110)

Pursuant to Rule 26(1), Messrs. DERKACH and JENNISSEN, Mrs. DRIEDGER, Mr. MARTINDALE and Hon. Mr. GERRARD made Members' Statements.

In accordance with Rule 27, Mr. ROCAN rose on a Grievance.

By leave, it was agreed for Bill (No. 212) – The Historic Trans-Canada Highway Act/Loi sur l'ancienne route transcanadienne to be reinstated during the 5th Session of the 38th Legislature at the same stage it was at when the 4th Session prorogued.

By leave, it was agreed for the following Bills to be reinstated during the 5th Session of the 38th Legislature at the same stage it was at when the 4th Session prorogued:

- (No. 25) – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)
- (No. 28) – The Manitoba Museum Amendment Act/Loi modifiant la Loi sur le Musée du Manitoba
- (No. 29) – The Degree Granting Act/Loi sur l'attribution de grades
- (No. 32) – The Real Property Amendment Act/Loi modifiant la Loi sur les biens réels
- (No. 33) – The Northern Affairs Act/Loi sur les affaires du Nord

- (No. 38) – The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)/Loi modifiant la Loi sur la Société d'habitation et de rénovation (fonds destiné à la revitalisation des logements)
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In accordance with the Sessional Order agreed to by the House on June 9, 2005, the following Bills are to be reinstated during the 5th Session of the 38th Legislature at the same stage it was at when the 4th Session prorogued:

- (No. 34) – The Public Interest Disclosure (Whistleblower Protection) Act/Loi sur les divulgations faites dans l'intérêt public (protection des divulgateurs d'actes répréhensibles)
 - (No. 39) – The Court of Queen's Bench Small Claims Practices Amendment Act/Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine
 - (No. 40) – The Medical Amendment Act/Loi modifiant la Loi médicale
 - (No. 41) – The Pharmaceutical Act/Loi sur les pharmacies
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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 12) – The Highways and Transportation Amendment Act/Loi modifiant la Loi sur la voirie et le transport, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH, Messrs. PENNER and MAGUIRE 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.

Hon. Mr. ASHTON moved:

THAT Bill (No. 14) – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And a debate arising,

And Hon. Mr. ASHTON, Messrs. CULLEN and LAMOUREUX 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.

Hon. Mr. ASHTON moved:

THAT Bill (No. 20) – The Family Farm Practices Protection Amendment and Farm Lands Ownership Amendment Act/Loi modifiant la Loi sur la protection des exploitations agricoles familiales et la Loi sur la propriété agricole, reported from the Standing Committee on Agriculture and Food, be concurred in and be now read for a Third Time and passed.

And a debate arising,

And Hon. Mr. ASHTON and Mr. EICHLER having spoken,

And the Question being put. It was agreed to.

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

Hon. Mr. ASHTON moved:

THAT Bill (No. 11) – The Winter Heating Cost Control Act/Loi sur la limitation des frais de chauffage en hiver, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And a debate arising,

And Hon. Mr. ASHTON, Mrs. MITCHELSON and Mr. LAMOUREUX having spoken,

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

YEA

AGLUGUB	MACKINTOSH
ALLAN	MALOWAY
ALTEMEYER	MARTINDALE
ASHTON	MCGIFFORD
BJORNSON	MELNICK
BRICK	NEVAKSHONOFF
CALDWELL	OSWALD
CHOMIAK	REID
DEWAR	RONDEAU
DOER	SALE
IRVIN-ROSS	SCHELLENBERG
JENNISSON	SELINGER
JHA	SMITH
KORZENIOWSKI	STRUTHERS
LATHLIN	SWAN
LEMIEUX	WOWCHUK..... 32

NAY

CULLEN	LAMOUREUX
CUMMINGS	MAGUIRE
DERKACH	MCFADYEN
DRIEDGER	MITCHELSON
DYCK	PENNER
EICHLER	ROCAN
FAURSCHOU	ROWAT
GERRARD	SCHULER
GOERTZEN	STEFANSON
HAWRANIK	TAILLIEU 20

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

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 27) – The Tobacco Damages and Health Care Costs Recovery Act/Loi sur le recouvrement du montant des dommages et du coût des soins de santé imputables au tabac, 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. MACKINTOSH and GERRARD and Mr. MCFADYEN having spoken,

And Hon. Mr. DOER speaking at 5:00 p.m.

In accordance with the Sessional Order agreed to by the House on June 9, 2005, the debate was interrupted to put the Question in order to conclude the Concurrence and Third Reading stage on all Bills.

And the Question being put. It was agreed to.

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

Bill (No. 4) – The Dangerous Goods Handling and Transportation Amendment Act/Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses, as amended and reported from the Standing Committee on Legislative Affairs, was concurred in, read a Third Time and passed.

Bill (No. 13) – The Conservation Districts Amendment Act/Loi modifiant la Loi sur les districts de conservation, reported from the Standing Committee on Justice, was concurred in, read a Third Time and passed.

Bill (No. 15) — The Emergency Measures Amendment Act/Loi modifiant la Loi sur les mesures d'urgence, reported from the Standing Committee on Legislative Affairs, was concurred in, read a Third Time and passed.

Bill (No. 16) — The Corporations Amendment Act/Loi modifiant la Loi sur les corporations, reported from the Standing Committee on Justice, was concurred in, read a Third Time and passed.

Bill (No. 17) – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières, as amended and reported from the Standing Committee on Legislative Affairs, was concurred in, read a Third Time and passed.

Bill (No. 19) – The Agri-Food and Rural Development Council Act/Loi sur le Conseil du développement agroalimentaire et rural, reported from the Standing Committee on Agriculture and Food, was concurred in, read a Third Time and passed, on division.

Bill (No. 21) – The Public Health Act/Loi sur la santé publique, as amended and reported from the Standing Committee on Social and Economic Development, was concurred in, read a Third Time and passed.

Bill (No. 22) – The Elections Reform Act/Loi sur la réforme électorale, as amended and reported from the Standing Committee on Legislative Affairs, was concurred in, read a Third Time and passed.

Bill (No. 23) – The Safer Communities and Neighbourhoods Amendment Act/Loi modifiant la Loi visant à accroître la sécurité des collectivités et des quartiers, reported from the Standing Committee on Legislative Affairs, was concurred in, read a Third Time and passed.

Bill (No. 24) – The Consumer Protection Amendment Act (Government Cheque Cashing Fees)/Loi modifiant la Loi sur la protection du consommateur (frais d'encaissement des chèques du gouvernement), as amended and reported from the Standing Committee on Social and Economic Development, was concurred in, read a Third Time and passed.

Tuesday, June 13, 2006

The following Bills, reported from the Standing Committee on Agriculture and Food, were respectively concurred in, read a Third Time and passed:

(No. 30) – The Fires Prevention and Emergency Response Act/Loi sur la prévention des incendies et les interventions d'urgence

(No. 31) – The Animal Diseases Amendment Act/Loi modifiant la Loi sur les maladies des animaux

Bill (No. 35) – The Public Schools Finance Board Amendment and The Public Schools Amendment Act/Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques, reported from the Standing Committee on Social and Economic Development, was concurred in, read a Third Time and passed.

Bill (No. 36) – The Youth Drug Stabilization (Support for Parents) Act/Loi sur la stabilisation des mineurs toxicomanes (aide aux parents), as amended and reported from the Standing Committee on Social and Economic Development, was concurred in, read a Third Time and passed.

Bill (No. 37) – The Labour-Sponsored Investment Funds Act, 2006 (Various Acts Amended)/Loi de 2006 sur les fonds de placement des travailleurs (modification de diverses dispositions législatives), reported from the Standing Committee on Legislative Affairs, was concurred in, read a Third Time and passed.

His Honour, John HARVARD, Lieutenant-Governor of the Province of Manitoba, having entered the House at 5:12 p.m., and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

Your Honour:

The Legislative Assembly of Manitoba asks Your Honour to accept the following Bills:

(No. 44) – The Appropriation Act, 2006/Loi de 2006 portant affectation de crédits

(No. 45) – The Loan Act, 2006/Loi d'emprunt de 2006

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:

"In her Majesty's name, the Lieutenant Governor thanks the Legislative assembly, and assents to these Bills".

* * *

Mr. Speaker addressed His Honour in the following words:

Your Honour,

At this sitting, the Legislative Assembly has passed a Bill that I ask Your Honour to give assent to.

(No. 4) – The Dangerous Goods Handling and Transportation Amendment Act/Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses

(No. 11) – The Winter Heating Cost Control Act/Loi sur la limitation des frais de chauffage en hiver

(No. 12) – The Highways and Transportation Amendment Act/Loi modifiant la Loi sur la voirie et le transport

(No. 13) – The Conservation Districts Amendment Act/Loi modifiant la Loi sur les districts de conservation

(No. 14) – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau

(No. 15) – The Emergency Measures Amendment Act/Loi modifiant la Loi sur les mesures d'urgence

(No. 16) – The Corporations Amendment Act/Loi modifiant la Loi sur les corporations

(No. 17) – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières

(No. 19) – The Agri-Food and Rural Development Council Act/Loi sur le Conseil du développement agroalimentaire et rural

(No. 20) – The Family Farm Protection Amendment and Farm Lands Ownership Amendment Act/Loi modifiant la Loi sur la protection des exploitations agricoles familiales et la Loi sur la propriété agricole

(No. 21) – The Public Health Act/Loi sur la santé publique

(No. 22) – The Elections Reform Act/Loi sur la réforme électorale

(No. 23) – The Safer Communities and Neighbourhoods Amendment Act/Loi modifiant la Loi visant à accroître la sécurité des collectivités et des quartiers

(No. 24) – The Consumer Protection Amendment Act (Government Cheque Cashing Fees)/Loi modifiant la Loi sur la protection du consommateur (frais d'encaissement des chèques du gouvernement)

Tuesday, June 13, 2006

(No. 27) – The Tobacco Damages and Health Care Costs Recovery Act/Loi sur le recouvrement du montant des dommages et du coût des soins de santé imputables au tabac

(No. 30) – The Fires Prevention and Emergency Response Act/Loi sur la prévention des incendies et les interventions d'urgence

(No. 31) – The Animal Diseases Amendment Act/Loi modifiant la Loi sur les maladies des animaux

(No. 35) – The Public Schools Finance Board Amendment and The Public Schools Amendment Act/Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques

(No. 36) – The Youth Drug Stabilization (Support for Parents) Act/Loi sur la stabilisation des mineurs toxicomanes (aide aux parents)

(No. 37) – The Labour-Sponsored Investment Funds Act, 2006 (Various Acts Amended)/Loi de 2006 sur les fonds de placement des travailleurs (modification de diverses dispositions législatives)

(No. 42) – The Budget Implementation and Tax Statutes Amendment Act, 2006/Loi d'exécution du budget de 2006 et modifiant diverses dispositions législatives en matière de fiscalité

(No. 300) – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba

To these Bill the Royal Assent was announced by the Clerk of the Legislative Assembly as follows:

"In Her Majesty's name, His Honour assents to these Bills."

At 5:18 p.m., His Honour was then pleased to retire.

The House then adjourned at 5:20 p.m. Tuesday, June 13, 2006.

Hon. George HICKES,
Speaker.