



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 47

FIRST SESSION, FORTIETH 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).

Mr. EICHLER moved:

THAT Bill (No. 217) – The Portage Diversion Compensation Act (Water Resources Administration Act Amended)/Loi sur l'indemnisation relative au canal Portage (modification de la Loi sur l'aménagement hydraulique), be now read a Second Time and be referred to a Committee of this House.

WHEREUPON Mr. Speaker made the following ruling:

Bill 217 seeks to amend The Water Resources Administration Act to allow victims of the flooding that occurred in 2011 as a result of the operation of the Portage Diversion, or that might occur in future years, to claim compensation for flood damage and economic losses. If adopted as proposed, the entitlement to compensation would impose an additional or new charge on the Consolidated fund. Although the intent of the Bill may be a laudable goal, it is problematic because it means the bill is a money bill requiring the expenditure of public funds. Our rule 65 and longstanding parliamentary practice provide that any Bill causing any expenditure of public funds or any new or additional charge on the public revenue must be accompanied by a message from the Lieutenant-Governor. That message can only be provided by a Minister of the Crown; therefore only a Minister can introduce what is generally known as a “money bill.”

In looking at the content of Bill 217, and based on legal advice provided by the Legislative Counsel Office, I am satisfied that Bill 217 is indeed a money bill and is the type of bill that can only be introduced by a Minister of the Crown. Since the Bill was not introduced by a Minister of the Crown, and does not have a message from the Lieutenant Governor, which constitutionally can only be given to a Minister of the Crown, I must therefore rule that the Bill is out of order due to the expenditure of public funds and cannot be proceeded with. The Bill can either remain on the Order Paper with the designation “out of order” or the Member for Lakeside can ask for unanimous consent for the Bill to be withdrawn.

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

And a debate arising,

And Mr. EICHLER, Hon. Mr. STRUTHERS, Messrs. BRIESE, NEVAKSHONOFF, WISHART and CULLEN and Hon. Mr. GERRARD having spoken,

The debate was allowed to remain open.

In accordance with Rule 31(9), the Opposition House Leader announced that the Provincial Government Fails Manitoba Youth Resolution will be considered next Thursday, June 14, 2012.

Mr. PEDERSEN moved:

Resolution No. 11: Manitoba Hydro Financial Stability Review

WHEREAS Manitoba Hydro has seen its net incomes plummet from a surplus of \$346 million in Fiscal Year 2007-2008 to a projected deficit of \$51 million in the current fiscal year; and

WHEREAS Manitoba Hydro asked the Public Utilities Board for permission to draw on the \$23 million consumer rate deferral account to mitigate its projected operating deficit; and

WHEREAS Manitoba Hydro has applied for emergency rate increases of 3.5% for the current year and foresees similar annual rate increases for the next 10 years to offset deteriorating export revenues caused by a fundamental shift in North American electricity generation; and

WHEREAS Manitoba Hydro is undertaking a \$20 billion capital development plan under direction from the Provincial Government to expand export sales revenues; and

WHEREAS Manitoba Hydro predicts that it will not maintain its stated debt to equity ratio of 75:25 because of additional capital expenditures; and

WHEREAS the Provincial Government has mandated Manitoba Hydro spend over \$1 billion more than required to develop a Western BiPole III route that is less technically reliable; and

WHEREAS the Provincial Government has drawn over \$2.3 billion from Manitoba Hydro to fund the core government's record breaking operating deficits.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to undertake a comprehensive, independent financial review of Manitoba Hydro to ensure a stable, publicly owned Crown Corporation for the benefit of all Manitobans in the future.

And a debate arising,

And Mr. PEDERSEN, Hon. Mr. STRUTHERS, Mr. HELWER, Hon. Mr. BJORNSON and Mr. GRAYDON, having spoken,

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

During the Debate, Mr. Speaker interjected and requested that the words "you can take your bill and shove it" spoken by the Honourable Member for Emerson be withdrawn.

WHEREUPON Mr. GRAYDON withdrew his remarks.

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. GOERTZEN – Legislative Assembly of Manitoba to request that the Minister of Health to ensure additional personal care homes and long-term care space are made available in the City of Steinbach on a priority basis. (E. Butland, E. Dueck, E. Henzel others)

Mr. BRIESE – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider making the installation of traffic lights at the intersection of PTH 16 and PTH 5 North a priority project in order to help protect the safety of the motorists and pedestrians who use it. (R. Smith, W. Zachowski, T. Unger and others)

Mr. WIEBE, Chairperson of the Standing Committee on Human Resources, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on June 6, 2012 at 6:00 p.m. in Room 254 of the Legislative Building.

Matters under Consideration

- **Bill (No. 2)** – The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended)/Loi sur la protection de l'accessibilité aux études universitaires (modification de la Loi sur le Conseil de l'enseignement postsecondaire)

Committee Membership

- Mr. EWASKO
- Hon. Mr. KOSTYSHYN
- Mr. NEVAKSHONOFF
- Hon. Mr. ROBINSON
- Mrs. ROWAT
- Mr. SARAN
- Mr. SCHULER
- Hon. Ms. SELBY
- Mr. SMOOK
- Hon. Mr. SWAN
- Mr. WIEBE

Your Committee elected Mr. WIEBE as the Chairperson.

Your Committee elected Mr. SARAN as the Vice-Chairperson.

Public Presentations

Your Committee heard the following twenty four presentations on **Bill (No. 2)** – The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended)/Loi sur la protection de l'accessibilité aux études universitaires (modification de la Loi sur le Conseil de l'enseignement postsecondaire):

Jack Zupko	Private Citizen
Jennifer Black	Private Citizen
Bilan Arte, President	University of Manitoba Students' Union
Zach Fleisher	Private Citizen
Allen Mills	Private Citizen
Nicolas Audette, President	Local 38 University of St. Boniface Student Association
Mohamed Ammoumou	Canadian Federation of Student Manitoba
Pamela McLeod	The University of Winnipeg
Lloyd Axworthy	Private Citizen
Tyler Blashko and Nawal Tajdin (<i>by leave</i>)	Private Citizen
Sharon Alward	University of Manitoba Faculty Association
Matt McLean	Canadian Union of Public Employees - local 3909
Kwesi Bruce	Private Citizen
Kyra Wilson	Private Citizen
Ashley Shewchuk	Private Citizen
Wendy Josephson	Private Citizen
James Beddome, Leader	Green Party of Manitoba
Monica Igweagu	Private Citizen
Irene Fubara-Manuel	Private Citizen
Jordan Poitras	Private Citizen
Kaleigh Krochak	Private Citizen
Cameron Monkmaa	Private Citizen
Theodoros Messinezis Zegeye-Gebrehiwot	Private Citizen
Paula Ducharme	Private Citizen

Written Submissions

Your Committee received the following three written submissions on **Bill (No. 2)** – The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended)/Loi sur la protection de l'accessibilité aux études universitaires (modification de la Loi sur le Conseil de l'enseignement postsecondaire):

Alexandra Dansen	Private Citizen
Lauren Bosc, President	University of Winnipeg Students' Association
Ericka Beaudry	Private Citizen

Bill Considered and Reported

- **Bill (No. 2)** – The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended)/Loi sur la protection de l'accessibilité aux études universitaires (modification de la Loi sur le Conseil de l'enseignement postsecondaire)

Your Committee agreed to report this Bill without amendment.

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

Mr. PETTERSEN, 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 6, 2012 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 3)** – The Highway Traffic Amendment Act (Speed Limits in School Zones)/Loi modifiant le Code de la route (limites de vitesse dans les zones scolaires)
- **Bill (No. 5)** – The Highway Traffic Amendment Act (Inter-City Bus Service)/Loi modifiant le Code de la route (service d'autobus interurbain)
- **Bill (No. 10)** – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières
- **Bill (No. 18)** – The Affordable Utility Rate Accountability Act/Loi sur la responsabilisation en matière de tarifs de services publics abordables
- **Bill (No. 20)** – The Planning Amendment Act (Inland Port Area)/Loi modifiant la Loi sur l'aménagement du territoire (zone intermodale)
- **Bill (No. 27)** – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances
- **Bill (No. 31)** – The Bilingual Service Centres Act/Loi sur les centres de services bilingues
- **Bill (No. 32)** – The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic)/Loi modifiant le Code de la route (pouvoirs des autorités chargées de la circulation à l'égard des bicyclettes)

Committee Membership

- Hon. Mr. ASHTON
- Ms. BRAUN
- Mr. BRIESE
- Mr. DEWAR
- Mr. EICHLER
- Mr. HELWER
- Hon. Mr. LEMIEUX
- Mr. PETTERSEN

- Mrs. STEFANSON
- Hon. Mr. STRUTHERS
- Mr. WHITEHEAD

Your Committee elected Mr. Pettersen as the Chairperson.

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

Public Presentations

Your Committee heard the following seven presentations on **Bill (No. 3)** – The Highway Traffic Amendment Act (Speed Limits in School Zones)/Loi modifiant le Code de la route (limites de vitesse dans les zones scolaires):

Doug Dobrowolski, President	Association of Manitoba Municipalities
Christian Sweryda	Private Citizen
Charles Feaver	Bike to the Future
Dr. Lynne Warda	Winnipeg Regional Health Authority – Injury Prevention Program
Tom McMahon	Private Citizen
Jon Giroux	Private Citizen
Anders Swanson	Active and Safe Routes to School Program

Your Committee heard the following presentation on **Bill (No. 5)** – The Highway Traffic Amendment Act (Inter-City Bus Service)/Loi modifiant le Code de la route (service d'autobus interurbain):

Doug Dobrowolski, President	Association of Manitoba Municipalities
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Your Committee heard the following two presentations on **Bill (No. 18)** – The Affordable Utility Rate Accountability Act/Loi sur la responsabilisation en matière de tarifs de services publics abordables:

Gloria Desorcy	The Consumers Association of Canada - Manitoba Branch
James Beddome, Leader	Green Party of Manitoba

Your Committee heard the following three presentations on **Bill (No. 27)** – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances:

Frank Zinatelli and Gary Senft (<i>by leave</i>)	Canadian Life and Health Insurance Association and Great West Life Assurance Company
Lindsay Olson	Insurance Bureau of Canada
Scott Feasey	IBAM – Insurance Brokers Association of Manitoba

Your Committee heard the two presentations on **Bill (No. 31)** – The Bilingual Service Centres Act/Loi sur les centres de services bilingues:

Daniel Boucher	Société Franco-Manitobain
Phillipe Richer	AJEFM – Association des juristes d'expression française du Manitoba inc.

Your Committee heard the following two presentations on **Bill (No. 32)** – The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic)/Loi modifiant le Code de la route (pouvoirs des autorités chargées de la circulation à l'égard des bicyclettes):

Charles Feaver
Jason Carter

Bike to the Future
Sport for Life

Written Submissions

Your Committee received the following written submission on **Bill (No. 18)** – The Affordable Utility Rate Accountability Act/Loi sur la responsabilisation en matière de tarifs de services publics abordables:

Peter Miller

Green Action Centre

Your Committee received the following two written submissions on **Bill (No. 32)** – The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic)/Loi modifiant le Code de la route (pouvoirs des autorités chargées de la circulation à l'égard des bicyclettes):

Dean Kriellaars
Doug Dobrowolski

Private Citizen
Association of Manitoba Municipalities

Bills Considered and Reported

- **Bill (No. 3)** – The Highway Traffic Amendment Act (Speed Limits in School Zones)/Loi modifiant le Code de la route (limites de vitesse dans les zones scolaires)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 5)** – The Highway Traffic Amendment Act (Inter-City Bus Service)/Loi modifiant le Code de la route (service d'autobus interurbain)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 10)** – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 18)** – The Affordable Utility Rate Accountability Act/Loi sur la responsabilisation en matière de tarifs de services publics abordables

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 20)** – The Planning Amendment Act (Inland Port Area)/Loi modifiant la Loi sur l'aménagement du territoire (zone intermodale)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 27)** – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 31)** – The Bilingual Service Centres Act/Loi sur les centres de services bilingues

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 32)** – The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic)/Loi modifiant le Code de la route (pouvoirs des autorités chargées de la circulation à l'égard des bicyclettes)

Your Committee agreed to report this Bill without amendment.

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

Hon. Mr. SWAN presented:

Annual Review of the Office of the Chief Medical Examiner for the year ending December 31, 2011.

(Sessional Paper No. 63)

Mr. Speaker presented:

Annual Report of the Ombudsman (Freedom of Information and Protection of Privacy Act and Personal Health Information Act) for the year ending December 31, 2011.

(Sessional Paper No. 64)

Pursuant to Rule 26(1), Mr. HELWER, Hon. Mr. LEMIEUX, Mr. PEDERSEN, Ms. BLADY and Ms. CROTHERS made Members' Statements.

By unanimous consent, it was agreed to have two sections of the Committee of Supply to meet concurrently with the House on June 7, 2012 in order for the House to consider Second Reading of Bills.

By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 37 tabled on May 1, 2012, was further amended in order that the estimates of Children and Youth Opportunities be considered in Room 255 prior to the estimates of Immigration and Multiculturalism.

By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 37 tabled on May 1, 2012, was further amended in order that the estimates of Innovation, Energy and Mines and Sport be considered in Room 255 following the estimates of Immigration and Multiculturalism.

In accordance to Rule 28(3), the Government House Leader announced that an Opposition Day Motion will be considered on Monday, June 11, 2012.

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

THAT Bill (No. 8) – The Highway Traffic Amendment Act (Use of Child Safety Seats)/Loi modifiant le Code de la route (utilisation de sièges de sécurité pour enfants), 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. TAILLIEU,

And Mrs. DRIEDGER 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. CHOMIAK:

THAT Bill (No. 24) – The Energy Savings Act/Loi sur les économies d'énergie, 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 Hon. Mr. GERRARD,

And Messrs. HELWER 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.

Hon. Mr. LEMIEUX moved:

THAT Bill (No. 23) – The Local Government Statutes Amendment Act/Loi modifiant certaines lois d'administration locale, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. LEMIEUX and Messrs. BRIESE and SCHULER 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. SWAN:

THAT Bill (No. 38) – The Statutes Correction and Minor Amendments Act, 2012/Loi corrective de 2012, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mrs. TAILLIEU 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.

The House resumed the Interrupted Debate on the Proposed Motion of Hon. Ms. IRVIN-ROSS:

THAT Bill (No. 7) – The Community Renewal Act/Loi sur la revalorisation des collectivités, 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. WISHART,

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.

Hon. Mr. STRUTHERS moved:

THAT Bill (No. 34) – The Public-Private Partnerships Transparency and Accountability Act/Loi sur la transparence et la responsabilité en matière de partenariats public-privé, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. STRUTHERS, Mrs. STEFANSON, Hon. Mr. GERRARD and Mr. HELWER 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, during the debate, it was agreed to set aside the Business of the House in order for the House to resolve into Committee of Supply. The section of Supply sitting in the Chamber having risen in order to permit Mr. Speaker to resume the Chair.

Hon. Ms. HOWARD moved:

THAT Bill (No. 33) – The Election Financing Act and Elections Amendment Act/Loi sur le financement des élections et Loi modifiant la Loi électorale, be now read a Second Time and be referred to a Committee of this House.

(Recommended by His Honour, the Lieutenant Governor)

And a debate arising,

And Hon. Ms. HOWARD, Mrs. TAILLIEU, Hon. Mr. GERRARD and Mr. GOERTZEN 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. Ms. HOWARD presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 33).

(Sessional Paper No. 65)

Hon. Ms. HOWARD moved:

THAT Bill (No. 35) – The Retail Businesses Holiday Closing Amendment Act/Loi modifiant la Loi sur les jours fériés dans le commerce de détail, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Ms. HOWARD, Messrs. CULLEN and GOERTZEN 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.

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 29) – The Contaminated Sites Remediation Amendment Act/Loi modifiant la Loi sur l'assainissement des lieux contaminés, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. MACKINTOSH, Mr. MAGUIRE 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.

Hon. Mr. RONDEAU moved:

THAT Bill (No. 37) – The Highway Traffic Amendment and Summary Convictions Amendment Act (Bicycle Helmets)/Loi modifiant le Code de la route et la Loi sur les poursuites sommaires (casques de bicyclettes), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. RONDEAU, Hon. Mr. GERRARD and Mrs. DRIEDGER 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.

Thursday, June 7, 2012

The House then adjourned at 5:20 p.m. until 1:30 p.m. Monday, June 11, 2012.

Hon. Daryl REID,
Speaker.