



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 54**

**SECOND SESSION, THIRTY-NINTH LEGISLATURE**

**PRAYER**

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

By leave, on motion of Hon. Mr. BJORNSON, Bill (No. 45) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, was read a First Time and had its purposes outlined.

The following petition was presented and read:

Mr. DYCK – Legislative Assembly of Manitoba to request the Minister of Health to strongly consider giving priority for funding to develop and staff a new 100 bed long-term-care facility so that clients are not exposed to unsafe conditions and so that Boundary Trails Health Centre beds remain available for acute care patients instead of waiting placement clients. (I. Krieger, S. Martens, L. Martens and others)

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

**Meetings:**

Your Committee met on the following occasions:

- Monday May 26, 2008 at 4:00 p.m.
- Tuesday May 27, 2008 at 4:00 p.m.
- Wednesday May 28, 2008 at 6:00 p.m.
- Friday June 6, 2008 at 10:00 a.m.

All meetings were held in Room 254 of the Legislative Building.

**Matters under Consideration**

- **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative
- **Bill (No. 13)** – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure)
- **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre

- **Bill (No. 16)** – The Child Care Safety Charter (Community Child Care Standards Act Amended)/Charte sur la sécurité des enfants en garderie (modification de la Loi sur la garde d'enfants)
- **Bill (No. 19)** – The Liquor Control Amendment Act/Loi modifiant la Loi sur la réglementation des alcools
- **Bill (No. 21)** – The Advisory Council on Workforce Development Act/Loi sur le Conseil consultatif du développement de la main-d'œuvre
- **Bill (No. 22)** – The Worker Recruitment and Protection Act/Loi sur le recrutement et la protection des travailleurs
- **Bill (No. 23)** – The International Labour Cooperation Agreements Implementation Act/Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail
- **Bill (No. 27)** – The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)/Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique)
- **Bill (No. 31)** – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée
- **Bill (No. 32)** – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels
- **Bill (No. 33)** – The Salvation Army Grace General Hospital Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation « The Salvation Army Grace General Hospital »
- **Bill (No. 34)** – The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants)
- **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

### **Committee Membership**

Committee Membership for the Monday May 26, 2008 meeting:

- Mr. ALTEMEYER
- Ms. BRAUN (*Chairperson*)
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Hon. Mr. STRUTHERS
- Mrs. TAILLIEU

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

Substitutions received during committee proceedings:

- Hon. Ms. MELNICK for Hon. Mr. STRUTHERS

Committee Membership for the May 27, 2008 meeting:

- Mr. ALTEMEYER (*Vice-chairperson*)
- Ms. BRAUN (*Chairperson*)
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. MELNICK
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Mrs. TAILLIEU

Substitutions received during committee proceedings:

- Mrs. ROWAT for Mrs. STEFANSON

Committee Membership for the May 28, 2008 meeting:

- Mr. ALTEMEYER (*Vice-chairperson*)
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. MELNICK
- Hon. Ms. OSWALD
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Mrs. TAILLIEU

Committee Membership for the June 6, 2008 meeting:

- Hon. Ms. ALLAN
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. GRAYDON
- Hon. Ms. IRVIN-ROSS
- Mr. MAGUIRE
- Mr. MARTINDALE
- Hon. Ms. OSWALD
- Hon. Mr. ROBINSON
- Hon. Mr. SWAN
- Mrs. TAILLIEU

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

Substitutions received during committee proceedings:

- Mr. DERKACH for Mrs. TAILLIEU
- Mrs. TAILLIEU for Mr. CULLEN

**Public Presentations**

Your Committee heard the following one presentation on **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative:

Ken Waddell Private Citizen

Your Committee heard the following one presentation on **Bill (No. 13)** – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure):

Chris Lorenc Manitoba Heavy Construction Association

Your Committee heard the following sixteen presentations on **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre:

Mark Nantais	Canadian Vehicle Manufacturers' Association
David Adams	Association of International Automobile Manufacturers of Canada
Gaile Whelan-Enns	Manitoba Wildlands
Nick Roberts	Manitoba Used Car Dealers' Association
Bruce Giesbrecht	Manitoba Motor Dealers Association
Colin Craig	Canadian Taxpayers Federation
Margaret Bernhardt-Lowdon	Manitoba Lung Association
Harvey Stevens	Resource Conservation Manitoba
Curtis Hull	Climate Change Connection
Kristal Bayes	Private Citizen
Trevor Gates	Private Citizen
Ken Waddell	Private Citizen
Howard Rubuck	Private Citizen
Andrew Basham	Green Party of Manitoba
David Enns	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following one presentation on **Bill (No. 19)** – The Liquor Control Amendment Act/Loi modifiant la Loi sur la réglementation des alcools:

Fred Curry Private Citizen

Your Committee heard the following one presentation on **Bill (No. 21)** – The Advisory Council on Workforce Development Act/Loi sur le Conseil consultatif du développement de la main-d'œuvre:

John Doyle Manitoba Federation of Labour

**Monday, June 9, 2008**

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Your Committee heard the following three presentations on **Bill (No. 22)** – The Worker Recruitment and Protection Act/Loi sur le recrutement et la protection des travailleurs:

Ross Eastley	Canadian Migration Institute
John Ryan	Canadian Society of Immigration Consultants
Darrell Rankin	The Communist Party

Your Committee heard the following six presentations on **Bill (No. 27)** – The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)/Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique):

Cliff Trinder	Private Citizen
Gene Nerbas	Assiniboine Valley Producers
Gaile Whelan-Enns	Manitoba Wildlands
Keith Perron	Private Citizen
Stanley Cochrane	Private Citizen
Antoine Hacault	Private Citizen

Your Committee heard the following twelve presentations on **Bill (No. 31)** – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée:

Gaile Whelan-Enns	Manitoba Wildlands
Blake Taylor	Private Citizen
Mimi Raglan	Private Citizen
Brian Bowman	Private Citizen
Elizabeth Fleming	Private Citizen
Colin Craig	Canadian Taxpayers Federation
Gloria Desorcy	Manitoba Branch of the Consumers Association of Canada
Trevor Gates	Private Citizen
Ken Waddell	Private Citizen
Christine Waddell	Private Citizen
Kelly deGroot	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following seven presentations on **Bill (No. 32)** – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels:

Blake Taylor	Private Citizen
Mimi Raglan	Private Citizen
Charles Cruden	Private Citizen
Laurie Thompson	Manitoba Institute for Patient Safety
George Fraser	Massage Therapy Association
Gloria Desorcy	Manitoba Branch of the Consumers Association of Canada
Pam Brown	Private Citizen

Your Committee heard the following two presentations on **Bill (No. 34)** – The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants):

Gordon Reimer	Private Citizen
Ken Waddell	Private Citizen

Your Committee heard the following one presentation on **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale:

David Sanders	Deloitte & Touche LLP Property Tax Services
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### **Written Submissions**

Your Committee received the following two written submissions on **Bill (No. 13)** – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure):

Ian Wishart	President, Keystone Agricultural Producers
Geoff Sine	Manitoba Trucking Association

Your Committee received the following one written submission on **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre:

Gordon Forman	National Association of Antique Automobiles Clubs of Canada Corporation
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Your Committee received the following two written submissions on **Bill (No. 31)** – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée:

Valerie Price	Executive Director, Manitoba Association for Rights and Liberties
Ruth Pryzner	Private Citizen

Your Committee received the following one written submission on **Bill (No. 32)** – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels:

Stuart Murray	St. Boniface Hospital and Research Foundation
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Your Committee received the following two written submissions on **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale:

Ron Bell	President, Association of Manitoba Municipalities
Antoine Hacault	Private Citizen

### **Bills Considered and Reported**

- **Bill (No. 13)** – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 16)** – The Child Care Safety Charter (Community Child Care Standards Act Amended)/Charte sur la sécurité des enfants en garderie (modification de la Loi sur la garde d'enfants)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 19)** – The Liquor Control Amendment Act/Loi modifiant la Loi sur la réglementation des alcools

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 21)** – The Advisory Council on Workforce Development Act/Loi sur le Conseil consultatif du développement de la main-d'œuvre

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 22)** – The Worker Recruitment and Protection Act/Loi sur le recrutement et la protection des travailleurs

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 23)** – The International Labour Cooperation Agreements Implementation Act/Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 27)** – The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)/Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 31)** – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée

Your Committee agreed to report this Bill without amendment on division.

- **Bill (No. 32)** – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels

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

*THAT the proposed clause 6(1), as set out in Clause 6(1) of the Bill, be replaced with the following:*

**Trustee to respond promptly**

**6(1)** A trustee shall respond to a request as promptly as required in the circumstances but not later than

(a) 24 hours after receiving it, if the trustee is a hospital and the information is about health care currently being provided to an in-patient;

(b) 72 hours after receiving it, if the information is about health care the trustee is currently providing to a person who is not a hospital in-patient; and

(c) 30 days after receiving it in any other case, unless the request is transferred to another trustee under section 8.

**Information provided in 24 hours**

**6(1.1)** In the circumstance mentioned in clause (1)(a) (hospital patient), the trustee is required only to make the information available for examination and need not, despite section 7, provide a copy or an explanation.

*THAT the proposed clause 23(1.1), as set out in Clause 14(2) of the Bill, be replaced with the following:*

**Timely disclosure to family**

**23(1.1)** When an immediate family member, or someone else with whom the patient or resident is known to have a close personal relationship, asks a trustee to disclose information under subsection (1), the trustee must disclose the information as soon as reasonably possible but not later than

(a) 24 hours after the request is made, if the trustee is a hospital and the information is about health care currently being provided to an in-patient; or

(b) 72 hours after the request is made, in any other case;

as long as the requirements of subsection (1) are met.

*THAT the proposed section 23.2, as set out in Clause 15 of the Bill, be replaced with the following:*



**Disclosure for fundraising**

**23.2(1)** If a trustee is

(a) a hospital or personal care home; or

(b) a health care facility or health services agency designated in the regulations for the purpose of this section;

it may disclose to a charitable fundraising foundation with which it is affiliated the name and mailing address of an individual who has been a patient of the hospital, who is or has been a resident of the personal care home, or who is receiving or has received services from the facility or agency.

**Conditions**

**23.2(2)** The trustee may make a disclosure under subsection (1) only if

(a) the trustee has notified the individual in writing that the trustee might disclose personal health information about the individual to a charitable fundraising foundation, or has posted a notice to that effect where it is likely to come to the individual's attention;

(b) the notice is in a form that the individual can reasonably be expected to understand;

(c) the individual has been given a reasonable opportunity to object to the disclosure and has not done so; and

(d) the trustee and the foundation comply with any additional requirements specified in the regulations.

*THAT the proposed clause 66(1)(i.1), as set out in Clause 29(c) of the Bill, be replaced with the following:*

(i.1) for the purpose of section 23.2 (charitable fundraising),

(i) designating health care facilities and health services agencies, and

(ii) specifying additional requirements under clause (2)(d);

*THAT the title is amended by adding "(2)" at the end.*

- **Bill (No. 33)** – The Salvation Army Grace General Hospital Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation « The Salvation Army Grace General Hospital »

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 34)** – The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants)

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

*THAT the following be added after Clause 1(5) of the Bill:*

*1(6) The following is added after clause 4(1)(l):*

(1.1) communicate to authorities the primary importance of a child's safety and security in the provision of child and family services and monitor the oversight provided by authorities of agencies in this regard;

*THAT the following be added after Clause 2(2) of the Bill:*

*2(3) The following is added after clause 24(e):*

(f) communicating to authorities the primary importance of a child's safety and security in the provision of child and family services and monitoring the oversight provided by authorities of agencies in this regard.

- **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

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

*THAT Clause 9 of the Bill be amended*

*(a) in the proposed subclause 15.1(3)(b), by striking out "property" and substituting "matter or matters agreed to"; and*

*(b) by replacing the proposed subsection 15.1(7) with the following:*

**Amendment and correction process saved**

**15.1(7)** Nothing in this section affects the power to amend or correct

(a) an assessment roll under section 13 or 14; or

(b) a tax roll under section 300 or 326 of *The Municipal Act* or section 340 or 341 of *The City of Winnipeg Charter*.

**Bills Considered and Not Reported**

- **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative

**Monday, June 9, 2008**

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- **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre

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

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Ms. BRAUN, 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:

- Monday May 26, 2008 at 4:00 p.m.
- Tuesday May 27, 2008 at 4:00 p.m.
- Wednesday May 28, 2008 at 6:00 p.m.
- Friday June 6, 2008 at 10:00 a.m.
- Saturday June 7, 2008 at 10:00 a.m.

All meetings were held in Room 254 of the Legislative Building.

### **Matters under Consideration**

- **Bill (No. 2)** – The Public Schools Amendment Act (Trans Fats and Nutrition)/Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition)
- **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative
- **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre
- **Bill (No. 24)** – The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices)/Loi modifiant la Loi sur les écoles publiques (cyberintimidation et utilisation de dispositifs électroniques)
- **Bill (No. 28)** – The Strengthening Local Schools Act (Public Schools Act Amended)/Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques)
- **Bill (No. 30)** – The Crown Lands Amendment Act/Loi modifiant la Loi sur les terres domaniales

### **Committee Membership**

Committee Membership for the Monday May 26, 2008 meeting:

- Mr. ALTEMEYER
- Ms. BRAUN (*Chairperson*)
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU

- Mrs. STEFANSON
- Hon. Mr. STRUTHERS
- Mrs. TAILLIEU

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

Substitutions received during committee proceedings:

- Hon. Ms. MELNICK for Hon. Mr. STRUTHERS

Committee Membership for the May 27, 2008 meeting:

- Mr. ALTEMEYER (*Vice-chairperson*)
- Ms. BRAUN (*Chairperson*)
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. MELNICK
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Mrs. TAILLIEU

Substitutions received during committee proceedings:

- Mrs. ROWAT for Mrs. STEFANSON

Committee Membership for the May 28, 2008 meeting:

- Mr. ALTEMEYER (*Vice-chairperson*)
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. MELNICK
- Hon. Ms. OSWALD
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Mrs. TAILLIEU

Committee Membership for the June 6, 2008 meeting:

- Hon. Ms. ALLAN
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. GRAYDON
- Hon. Ms. IRVIN-ROSS
- Mr. MAGUIRE

- Mr. MARTINDALE
- Hon. Ms. OSWALD
- Hon. Mr. ROBINSON
- Hon. Mr. SWAN
- Mrs. TAILLIEU

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

Substitutions received during committee proceedings:

- Mr. DERKACH for Mrs. TAILLIEU
- Mrs. TAILLIEU for Mr. CULLEN

Committee Membership for the Saturday June 7, 2008 meeting:

- Hon. Mr. BJORNSON
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. HAWRANIK
- Mr. JHA
- Ms. KORZENIOWSKI
- Hon. Ms. MCGIFFORD
- Hon. Ms. OSWALD
- Hon. Mr. RONDEAU
- Mr. SCHULER
- Mrs. STEFANSON

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

Substitutions received during committee proceedings:

- Mr. REID for Mr. JHA
- Hon. Ms. IRVIN-ROSS for Mr. REID

### **Bills Considered and Reported**

- **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre

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

*THAT Clause 18 of the Bill be amended by striking out "sections 17 and 18" and substituting "sections 16 and 17".*

- **Bill (No. 30)** – The Crown Lands Amendment Act/Loi modifiant la Loi sur les terres domaniales

Your Committee agreed to report this Bill without amendment.

### **Bills Considered and Not Reported**

- **Bill (No. 2)** – The Public Schools Amendment Act (Trans Fats and Nutrition)/Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition)
- **Bill (No. 24)** – The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices)/Loi modifiant la Loi sur les écoles publiques (cyberintimidation et utilisation de dispositifs électroniques)
- **Bill (No. 28)** – The Strengthening Local Schools Act (Public Schools Act Amended)/Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques)

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

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Mr. MARTINDALE, Chairperson of the Standing Committee on Legislative Affairs, presented its Second Report, which was read as follows:

### **Meetings:**

Your Committee met on the following occasions:

- Thursday May 29, 2008 at 4:00 p.m.
- Monday June 2, 2008 at 9:00 a.m.
- Monday June 2, 2008 at 8:00 p.m.
- Tuesday June 3, 2008 at 6:00 p.m.
- Wednesday June 4, 2008 at 10:00 a.m.
- Wednesday June 4, 2008 at 6:00 p.m.
- Thursday June 5, 2008 at 7:00 p.m.

All meetings were held in Room 254 of the Legislative Building.

### **Matters under Consideration**

- **Bill (No. 6)** – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières
- **Bill (No. 25)** – The Embalmers and Funeral Directors Amendment Act/Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres
- **Bill (No. 29)** – The Business Practices Amendment Act (Disclosing Motor Vehicle Information)/Loi modifiant la Loi sur les pratiques commerciales (communication de renseignements concernant les véhicules automobiles)
- **Bill (No. 38)** – The Balanced Budget, Fiscal Management and Taxpayer Accountability Act/Loi sur l'équilibre budgétaire, la gestion financière et l'obligation de rendre compte aux contribuables

### Committee Membership

Committee Membership for the May 29, 2008 meeting:

- Ms. BLADY
- Mr. BOROTSIK
- Mr. CULLEN
- Mr. DERKACH
- Ms. KORZENIOWSKI
- Mr. MALOWAY
- Hon. Ms. MCGIFFORD
- Mr. MARTINDALE (*Chairperson*)
- Ms. SELBY
- Hon. Mr. SELINGER
- Mrs. STEFANSON

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

Substitutions received during committee proceedings:

- Mr. MCFADYEN for Mr. CULLEN

Committee Membership for the June 2, 2008 9:00 a.m. meeting:

- Ms. BLADY
- Mr. BOROTSIK
- Ms. KORZENIOWSKI (*Vice-Chairperson*)
- Mr. MALOWAY
- Mr. MCFADYEN
- Hon. Ms. MCGIFFORD
- Mr. MARTINDALE (*Chairperson*)
- Mr. SCHULER
- Ms. SELBY
- Hon. Mr. SELINGER
- Mrs. STEFANSON

Committee Membership for the June 2, 2008 8:00 p.m. meeting:

- Mr. BOROTSIK
- Mr. DYCK
- Mr. HAWRANIK
- Ms. KORZENIOWSKI (*Vice-Chairperson*)
- Hon. Mr. LATHLIN
- Mr. MALOWAY
- Mr. MARTINDALE (*Chairperson*)
- Mr. MCFADYEN
- Hon. Ms. MCGIFFORD
- Ms. SELBY
- Hon. Mr. SELINGER

Committee Membership for the June 3, 2008 meeting:

- Ms. BLADY
- Mr. BOROTSIK
- Ms. BRAUN
- Mr. HAWRANIK
- Hon. Ms. IRVIN-ROSS
- Ms. KORZENIOWSKI (*Vice-Chairperson*)
- Mr. MARTINDALE (*Chairperson*)
- Mr. MCFADYEN
- Mrs. MITCHELSON
- Mr. SARAN
- Hon. Mr. SELINGER

Substitutions received during committee proceedings:

- Ms. BRICK for Ms. BLADY

Committee Membership for the June 4, 2008 10:00 a.m. meeting:

- Ms. BLADY
- Mr. BOROTSIK
- Ms. BRAUN
- Mr. CULLEN
- Hon. Ms. IRVIN-ROSS
- Ms. KORZENIOWSKI (*Vice-Chairperson*)
- Mr. MAGUIRE
- Mr. MARTINDALE (*Chairperson*)
- Mr. SARAN
- Hon. Mr. SELINGER
- Mrs. TAILLIEU

Committee Membership for the June 4, 2008 at 6:00 p.m. meeting:

- Hon. Ms. ALLAN
- Mr. ALTEMEYER
- Mr. BOROTSIK
- Mr. CULLEN
- Mr. HAWRANIK
- Mr. MAGUIRE
- Mr. MARTINDALE (*Chairperson*)
- Hon. MS. MELNICK
- Hon. MS. OSWALD
- Mr. SARAN
- Hon. Mr. SELINGER

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



Committee Membership for the June 5, 2008 at 7:00 p.m. meeting:

- Mr. ALTEMEYER (*Vice-Chairperson*)
- Mr. BOROTSIK
- Mr. DERKACH
- Mrs. DRIEDGER
- Mr. HAWRANIK
- Hon. Mr. LATHLIN
- Mr. MALOWAY
- Mr. MARTINDALE (*Chairperson*)
- Hon. Ms. MCGIFFORD
- Mr. SARAN
- Hon. Mr. SELINGER

### Public Presentations

Your Committee heard the following three presentations on **Bill (No. 6)** – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières:

Christine Waddell	Private Citizen
Ken Waddell	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following five presentations on **Bill (No. 25)** – The Embalmers and Funeral Directors Amendment Act/Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres:

Norm Larsen	Private Citizen
Nick Knysh	Knysh Funeral Chapel
Christine Waddell	Private Citizen
Ken Waddell	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following four presentations on **Bill (No. 29)** – The Business Practices Amendment Act (Disclosing Motor Vehicle Information)/Loi modifiant la Loi sur les pratiques commerciales (communication de renseignements concernant les véhicules automobiles):

Nick Roberts	Manitoba Used Car Dealers Association
Christine Waddell	Private Citizen
Ken Waddell	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following forty-four presentations on **Bill (No. 38)** – The Balanced Budget, Fiscal Management and Taxpayer Accountability Act/Loi sur l'équilibre budgétaire, la gestion financière et l'obligation de rendre compte aux contribuables:

Jesse Hamonic	Private Citizen
Graham Starmer	Private Citizen

Shannon Martin	Canadian Federation of Independent Business
Clayton Manness	Private Citizen
Ken Waddell	Private Citizen
Christine Waddell	Private Citizen
Brian Paterson	Private Citizen
Glen Cummings	Private Citizen
Trevor Gates	Private Citizen
Colin Craig	Canadian Taxpayers Federation
John Doyle	Manitoba Federation of Labour
Jim Carr	Business Council of Manitoba
Chuck Davidson	Winnipeg Chamber of Commerce
Rick Martel	Private Citizen
Jack Penner	Private Citizen
Dave Henderson	Private Citizen
Shaun McCaffrey	Private Citizen
Trevor Strome	Private Citizen
Chantel Henderson	Private Citizen
James Cotton	Private Citizen
Jim Spencer	Private Citizen
Rick Negrych	Private Citizen
Ken Mason	Private Citizen
Karen Boughton	Private Citizen
Keith Boughton	Private Citizen
Andy Sirski	Private Citizen
Howard Rybuck	Private Citizen
Gordon Gillies	Private Citizen
Peggy Prendergast	Private Citizen
Kelly Degroot	Private Citizen
Greg Georgeson	Private Citizen
Jim Huggard	Private Citizen
Dr. Robert Diamond	Private Citizen
William Gardner	Manitoba Employers Council
Gordie Dehnn	Private Citizen
Valerie Schtain-White	Private Citizen
Greg McIvor	Private Citizen
Wayne Benson	Private Citizen
David G. Newman, QC	Private Citizen
John Feldsted	Private Citizen
Gustav Nelson	Private Citizen
Mike Waddell	Private Citizen
Peter Holle	President, Frontier Center for Public Policy
Brent Olynyk	Private Citizen
David Enns	Private Citizen
Adam Cunliffe	Private Citizen

### Written Submissions

Your Committee received the following two written submissions on **Bill (No. 25)** – The Embalmers and Funeral Directors Amendment Act/Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres:

Barrie Webster	Funeral Planning and Memorial Society of Manitoba
Jody Nicholson	President, The Manitoba Funeral Service Association

Your Committee received the following twelve written submissions on **Bill (No. 38)** – The Balanced Budget, Fiscal Management and Taxpayer Accountability Act/Loi sur l'équilibre budgétaire, la gestion financière et l'obligation de rendre compte aux contribuables:

Joe & Joan Chamberlain	Private Citizen
Candace Bishoff	Private Citizen
John Sushelnitsky	Private Citizen
Jim Reid	Private Citizen
Beverley Ranson	Private Citizen
Iris Nowakowski	Private Citizen
Romeo Lemieux	Faculty of Education, Brandon University
Matt Kawchuk	Private Citizen
Gordon Henderson	Private Citizen
R.M. Swayze	Private Citizen
Pat Bowslaugh	Private Citizen
Lynne Fernandez	Canadian Centre for Policy Alternatives
Lloyd J. McKinney	Private Citizen

### Bills Considered and Reported

- **Bill (No. 6)** – The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 25)** – The Embalmers and Funeral Directors Amendment Act/Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres

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

*THAT the following be added after Clause 1 of the Bill:*

*1.1 The title is replaced with "THE FUNERAL DIRECTORS AND EMBALMERS ACT".*

*THAT the following be added after Clause 2 of the Bill:*

2.1 Subsection 7(2) is amended by striking out "under The Embalmers and Funeral Directors Act" and substituting "under The Funeral Directors and Embalmers Act".

THAT the proposed subsection 12(4.1), as set out in Clause 3(5) of the Bill, be amended in the part before clause (a) by striking out "After a hearing" and substituting "Within 60 days after a hearing".

THAT the proposed clause 12(4.1)(b), as set out in Clause 3(5) of the Bill, be amended by adding ", by registered mail," after "the decision".

THAT the proposed subsection 16.2(1), as set out in Clause 7 of the Bill, be amended by striking out "to the purchaser about those supplies or services" and substituting "about those supplies and services to the purchaser or a prospective purchaser, or to any other person requesting it,".

THAT Clause 9 of the Bill be amended by adding the following after the proposed clause 18(1)(e.2):

(e.3) the number of complaints received during the preceding year and their disposition;

THAT the following be added after Clause 11 of the Bill:

11.1 The following is added after section 22:

**C.C.S.M. reference**

**23** This Act may be referred to as chapter F195 of the *Continuing Consolidation of the Statutes of Manitoba*

- **Bill (No. 29)** – The Business Practices Amendment Act (Disclosing Motor Vehicle Information)/Loi modifiant la Loi sur les pratiques commerciales (communication de renseignements concernant les véhicules automobiles)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 38)** – The Balanced Budget, Fiscal Management and Taxpayer Accountability Act/Loi sur l'équilibre budgétaire, la gestion financière et l'obligation de rendre compte aux contribuables

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

THAT Clause 18 of the Bill be amended by striking out "2008" and substituting "2009".

THAT Clause 20(1) of the Bill be amended by striking out "2007-08" wherever it occurs and substituting "2008-09".

THAT Clause 22 of the Bill be replaced with the following:

**Coming into force**

**22** This Act comes into force on the day it receives royal assent.

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

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Mr. REID, Chairperson of the Standing Committee on Justice, presented its Third Report, which was read as follows:

**Meetings:**

Your Committee met on the following occasions in Room 255 of the Legislative Building:

- May 26, 2008
- May 27, 2008
- May 28, 2008
- May 29, 2008
- June 2, 2008 9:00 a.m.
- June 2, 2008 8:00 p.m.
- June 3, 2008
- June 4, 2008 10:00 a.m.
- June 4, 2008 6:00 p.m.
- June 5, 2008

**Matters under Consideration**

- **Bill (No. 26)** – The Legal Profession Amendment Act/Loi modifiant la Loi sur la profession d'avocat
- **Bill (No. 35)** – The Statutes Correction and Minor Amendments Act, 2008/Loi corrective de 2008
- **Bill (No. 37)** – The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act/Loi sur l'inscription des lobbyistes et modifiant la Loi électorale, la Loi sur le financement des campagnes électorales, la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative
- **Bill (No. 39)** – The Court of Appeal Amendment Act/Loi modifiant la Loi sur la Cour d'appel
- **Bill (No. 40)** – The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur les conducteurs et les véhicules, le Code de la route et la Loi sur la Société d'assurance publique du Manitoba

**Committee Membership**

Committee Membership for the May 26, 2008 meeting:

- Mr. BOROTSIK
- Ms. BRICK
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Mr. GRAYDON
- Ms. HOWARD
- Hon. Ms. IRVIN-ROSS

- Mr. JENNISSEN
- Mr. MARTINDALE
- Mr. MCFADYEN
- Mr. REID (*Chairperson*)

Your Committee elected Ms. BRICK as the Vice-Chairperson at the May 26, 2008 meeting, on a recorded vote of BRICK 6, BOROTSIK 3, GRAYDON 1.

Committee Membership for the May 27, 2008 meeting:

- Mr. BOROTSIK
- Ms. BRICK (*Vice-Chairperson*)
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Mr. GRAYDON
- Hon. Ms. IRVIN-ROSS
- Mr. MARTINDALE
- Mr. MCFADYEN
- Mr. REID (*Chairperson*)
- Mr. SARAN
- Ms. SELBY

Substitutions received during committee proceedings at the May 27, 2008 meeting:

- Hon. Mr. BJORNSON for Hon. Ms. IRVIN-ROSS
- Ms. KORZENIOWSKI for Mr. MARTINDALE
- Mrs. DRIEDGER for Mr. GRAYDON
- Mr. MARTINDALE for Ms. KORZENIOWSKI

Committee Membership for the May 28, 2008 meeting:

- Hon. Mr. BJORNSON
- Mr. BOROTSIK
- Ms. BRICK (*Vice-Chairperson*)
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Mr. JENNISSEN
- Mr. JHA
- Mr. MARCELINO
- Mr. MCFADYEN
- Mrs. MITCHELSON
- Mr. REID (*Chairperson*)

Committee Membership for the May 29, 2008 meeting:

- Mr. ALTEMEYER
- Mr. BRIESE
- Hon. Mr. CHOMIAK
- Mrs. DRIEDGER

- Mr. EICHLER
- Mr. GOERTZEN
- Ms. HOWARD
- Mr. MARCELINO
- Mr. REID (*Chairperson*)
- Mr. SARAN
- Hon. Mr. SWAN

Your Committee elected Mr. ALTEMEYER as the Vice-Chairperson at the May 29, 2008 meeting.

Substitutions received during committee proceedings at the May 29, 2008 meeting:

- Hon. Mr. BJORNSON for Hon. Mr. CHOMIAK

Committee Membership for the June 2, 2008 9:00 a.m. meeting:

- Mr. ALTEMEYER (*Vice-Chairperson*)
- Hon. Mr. CHOMIAK
- Mrs. DRIEDGER
- Mr. GOERTZEN
- Ms. HOWARD
- Mr. MARCELINO
- Mrs. MITCHELSON
- Mr. REID (*Chairperson*)
- Mr. SARAN
- Hon. Mr. SWAN
- Mrs. TAILLIEU

Committee Membership for the June 2, 2008 8:00 p.m. meeting:

- Mr. ALTEMEYER (*Vice-Chairperson*)
- Hon. Mr. CHOMIAK
- Mrs. DRIEDGER
- Mr. GOERTZEN
- Ms. HOWARD
- Mr. JHA
- Mr. MARCELINO
- Mr. PEDERSEN
- Mr. REID (*Chairperson*)
- Hon. Mr. SWAN
- Mrs. TAILLIEU

Committee Membership for the June 3, 2008 meeting:

- Hon. Mr. BJORNSON
- Ms. BRICK
- Mr. EICHLER
- Mr. GOERTZEN
- Mr. GRAYDON

**Monday, June 9, 2008**

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- Mr. JENNISSEN
- Mr. MARCELINO
- Mr. REID (*Chairperson*)
- Mrs. STEFANSON
- Hon. Mr. SWAN
- Hon. Ms. WOWCHUK

Your Committee elected Ms. BRICK as the Vice-Chairperson at the June 3, 2008 meeting, on a recorded vote of BRICK 6, EICHLER 4.

Committee Membership for the June 4, 2008 10:00 a.m. meeting:

- Mr. BRIESE
- Mr. DERKACH
- Mrs. DRIEDGER
- Ms. HOWARD
- Mr. JENNISSEN
- Hon. Ms. MCGIFFORD
- Mr. REID (*Chairperson*)
- Hon. Mr. RONDEAU
- Mrs. ROWAT
- Hon. Mr. STRUTHERS
- Hon. Mr. SWAN

Your Committee elected Ms. HOWARD as the Vice-Chairperson at the June 4, 2008 10:00 a.m. meeting.

Substitutions received during committee proceedings at the June 4, 2008 10:00 a.m. meeting:

- HAWRANIK for DRIEDGER

Committee Membership for the June 4, 2008 6:00 p.m. meeting:

- Hon. Mr. ASHTON
- Ms. BRICK
- Mr. BRIESE
- Mr. CALDWELL
- Hon. Mr. CHOMIAK
- Mr. DERKACH
- Mrs. DRIEDGER
- Mr. JENNISSEN
- Mr. JHA
- Mr. REID (*Chairperson*)
- Mrs. ROWAT

Your Committee elected Ms. BRICK as the Vice-Chairperson at the June 4, 2008 6:00 p.m. meeting, on a recorded vote of BRICK 6, BRIESE 3, JHA 1.

Substitutions received during committee proceedings at the June 4, 2008 6:00 p.m. meeting:

- Mr. GOERTZEN for Ms. ROWAT



Committee Membership for the June 5, 2008 meeting:

- Ms. BRAUN
- Ms. BRICK (*Vice-Chairperson*)
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Ms. KORZENIOWSKI
- Mr. MAGUIRE
- Mrs. MITCHELSON
- Mr. REID (*Chairperson*)
- Ms. SELBY
- Hon. Mr. SWAN
- Mrs. TAILLIEU

Substitutions received during committee proceedings at the June 5, 2008 meeting:

- Mr. MCFADYEN for Mrs. TAILLIEU

### Public Presentations

Your Committee heard the following two presentations on **Bill (No. 26)** – The Legal Profession Amendment Act/Loi modifiant la Loi sur la profession d'avocat:

Allan Fineblit  
Sidney Green

Law Society of Manitoba  
Private Citizen

Your Committee heard the following 69 presentations on **Bill (No. 37)** – The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act/Loi sur l'inscription des lobbyistes et modifiant la Loi électorale, la Loi sur le financement des campagnes électorales, la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative:

Graham Starmer  
Norma Gagne  
Shannon Martin  
Mike Waddell  
Stephen Montague  
Ken Waddell  
Christine Waddell  
Sam Uskiw  
Harvey Dann  
Pat Bowslaugh  
Loris Barsanti  
Brian Patterson  
Ray Sitter  
Jack Penner  
Trevor Gates  
Colin Craig

Manitoba Chambers of Commerce  
Private Citizen  
Canadian Federation of Independent Business  
Private Citizen  
Brandon University Students' Union  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Private Citizen  
Canadian Taxpayer's Federation

Michael Law	Manitoba Bar Association
John Doyle	Manitoba Federation of Labour
Jim Carr	Business Council of Manitoba
Sidney Green	Private Citizen
Jacqueline Stalker	Private Citizen
Mike Skaftfeld	Private Citizen
Nick Ternette	Private Citizen
Chuck Davidson	Winnipeg Chamber of Commerce
Brad Dowler	Private Citizen
Trevor Maguire	Private Citizen
Dale Smeltz	Private Citizen
Luc Lewandoski	Private Citizen
Don Watt	Private Citizen
Jack McLaughlin	Private Citizen
Doreen Bilodeau	Private Citizen
Brent Olynyk	Private Citizen
Jim Spencer	Private Citizen
Rick Negrych	Private Citizen
Karen Boughton	Private Citizen
Keith Boughton	Private Citizen
Georgina Jarema	Private Citizen
Jae Eadie	Private Citizen
Jeff Plantje	Private Citizen
Andy Sirski	Private Citizen
William Gould	Private Citizen
Stefan Paszlack	Private Citizen
David Jacks	Private Citizen
Howard Rybuck	Private Citizen
Michael Richards	Private Citizen
Greg Georgeson	Private Citizen
Glen Cummings	Private Citizen
Jim Huggard	Private Citizen
Darrell Rankin	Communist Party
Michael Tripple	Private Citizen
Trudy Turner	Private Citizen
Patricia Flaws	Private Citizen
Gustav Nelson	Private Citizen
Del Sexsmith	Private Citizen
Andrew Basham	Green Party of Manitoba
Brian Higgins	Private Citizen
Rudy Derksen	Private Citizen
George Fraser	Canadian Society of Association Executives
Sheila Michalski	Private Citizen
David Enns	Private Citizen
Doug Hutchings	Private Citizen
Gordon Gillies	Private Citizen
Kelly Degroot	Private Citizen

Dr. Robert Diamond	Private Citizen
Nataliya Hryshko	Private Citizen
Marni Larkin	Private Citizen
David Newman	Private Citizen
Craig Johnson	Private Citizen
David Keam	Private Citizen

Your Committee heard the following presentation on **Bill (No. 39)** – The Court of Appeal Amendment Act/Loi modifiant la Loi sur la Cour d'appel:

Ruth Adams	Private Citizen
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Your Committee heard the following presentation on **Bill (No. 40)** – The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur les conducteurs et les véhicules, le Code de la route et la Loi sur la Société d'assurance publique du Manitoba:

Ruth Adams	Private Citizen
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#### **Written Submissions**

Your Committee received the following written submission on **Bill (No. 26)** – The Legal Profession Amendment Act/Loi modifiant la Loi sur la profession d'avocat:

Bill Gade	Private Citizen
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Your Committee received the following 30 written submissions on **Bill (No. 37)** – The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act/Loi sur l'inscription des lobbyistes et modifiant la Loi électorale, la Loi sur le financement des campagnes électorales, la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative:

R. M. Swayze	Private Citizen
Clair and Valerie Davies	Private Citizen
P. Campbell	Private Citizen
Matt Kawchuk	Private Citizen
John Sushelnitsky	Private Citizen
Elizabeth Fleming	Private Citizen
Gordon Henderson	Private Citizen
Roméo Lemieux	Private Citizen
Iris Nowakowski	Private Citizen
Beverley Ranson	Private Citizen
Jim Reid	Private Citizen
Mr. Taggart	Private Citizen
Brian Short	International Association of Machinists and Aerospace
Ray Paziuk	Private Citizen
Elaine Henrotte	Private Citizen

Bev Reeves	Private Citizen
Antoine Gagne	Private Citizen
Jake & Lynn Kroeger	Private Citizen
Lloyd Osborne	Private Citizen
Kerry Maxwell	Private Citizen
Deanna Dolff	Private Citizen
Louise Mydyniski	Private Citizen
Mark Cohoe	Private Citizen
Leslie Porteous	Private Citizen
Joe & Joan Chamberlain	Private Citizen
Diane Cameron	Private Citizen
Brian Higgins	Private Citizen
Mark Tisdale	Private Citizen
Gaile Whelan Enns	Private Citizen
Sandra Johnston	Private Citizen

### **Bills Considered and Reported**

- **Bill (No. 26)** – The Legal Profession Amendment Act/Loi modifiant la Loi sur la profession d'avocat

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 35)** – The Statutes Correction and Minor Amendments Act, 2008/Loi corrective de 2008

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 37)** – The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act/Loi sur l'inscription des lobbyistes et modifiant la Loi électorale, la Loi sur le financement des campagnes électorales, la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative

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

*THAT Clause 3(1)(e) of Schedule A of the Bill be replaced with the following:*

(e) officers, directors or employees of a charitable or not-for-profit organization, unless the organization is constituted to serve employer, union or professional interests or the interests of for-profit organizations;

*THAT Clause 11 of Schedule A of the Bill be renumbered as Clause 11(1) and the following be added as Clause 11(2):*

### **Independence**

**11(2)** The person appointed as registrar must be one of the independent officers of the Assembly or the commissioner under *The Legislative Assembly and Executive Council Conflict of Interest Act*, or a person on the staff of one of them.

*THAT the following be added after Clause 19 of Schedule A:*

CONSEQUENTIAL AMENDMENT

*Consequential amendment, C.C.S.M. c. F175*

**19.1** *The definition "officer of the Legislative Assembly" in section 1 of **The Freedom of Information and Protection of Privacy Act** is amended by adding "the registrar appointed under **The Lobbyists Registration Act,**" after "Auditor General,".*

Your committee voted to defeat Clause 3 of Schedule C of the Bill.

Your committee voted to defeat Clause 7 of Schedule C of the Bill.

*THAT Schedule C to the Bill be amended by replacing Clause 11(1) with the following:*

*11(1) Subsections 54.1(1) and (2) are replaced with the following:*

**Advertising expense limits for year of fixed date elections:**

**54.1(1)** In the year of a fixed date election the total advertising expenses incurred outside an election period

(a) by a registered political party shall not exceed \$150,000.; and

(b) by a candidate shall not exceed \$5,000.

**Expenses incurred by others**

**54.1(2)** For the purposes of this section, advertising expenses are incurred

(a) by a registered political party if the expenses are incurred

(i) by an individual on the party's behalf with its knowledge and consent, or

(ii) by a constituency association of the party; and

(b) by a candidate if the expenses are incurred by an individual on the candidate's behalf with the candidate's knowledge and consent.

*THAT the proposed subsection 54.1(6), as set out in Clause 11(3) of Schedule C to the Bill, be amended*

*(a) in the part before clause (a), by striking out "by a registered political party in producing and distributing" and substituting "in respect of";*

*(b) in clause (b), by adding "or candidate" after "party"; and*

*(c) in the part after clause (b), by adding "that a registered political party or candidate produces and distributes, if the material is distributed outside the election period in that year," before "but".*

*THAT Clause 15 of Schedule C to the Bill be amended by striking out the proposed subsection 70.2(5).*

*THAT Clause 2(1) of Schedule D to the Bill be amended by striking out the proposed subsection 52.22(4.2).*

*THAT Clause 2 of Schedule E to the Bill be amended by replacing the proposed section 6.1 with the following:*

**Criteria or guidelines**

**6.1(1)** The commission must, as soon as reasonably practicable after the coming into force of this section, establish criteria or guidelines to ensure public funds are used appropriately in respect of

(a) material printed, mailed or distributed electronically; and

(b) advertising in newspapers, magazines or other periodicals, on the Internet, on radio or television, or on billboards, buses or other property normally used for commercial advertising;

by members and by caucuses of recognized political parties.

**Definition: "public funds"**

**6.1(2)** In subsection (1), "**public funds**" means

(a) money paid under section 52.23 of *The Legislative Assembly Act*; and

(b) money that is appropriated by the Legislature

(i) to enable a member to communicate with his or her constituents, or

(ii) for use by a caucus of a recognized political party or a member who does not belong to the caucus of a recognized political party.

**Parties without a commissioner to have a member invited**

**6.1(3)** When calling a meeting of the commission to consider the criteria or guidelines to be established under this section or the mailing expense budget to be established under section 6.3, the Speaker or the presiding commissioner, as the case may be, must also invite a member who has been designated by a political party that is represented in the Assembly but that is not represented on the commission.

**Interim criteria or guidelines**

**6.1(4)** If the Speaker is satisfied that the commission has been unable to develop the criteria or guidelines under subsection (1) in a timely fashion and by consensus, the Speaker must, after consulting with the leaders of the political parties represented in the Assembly, appoint an individual whose duty is to prepare interim criteria or guidelines.

**Distribution and effective date**

**6.1(5)** Once the individual appointed by the Speaker has prepared the interim criteria or guidelines, he or she must file them with the Speaker, who must then distribute copies to each member. The interim guidelines are effective on the date they are distributed by the Speaker and remain effective until criteria or guidelines are established under subsection (1).

*THAT Clause 2 of Schedule E to the Bill be amended by adding the following after the proposed subsection 6.3(1):*

**Minimum mailing expense budget: 2009-11 fiscal years**

**6.3(1.1)** For the 2009-10 and 2010-11 fiscal years,

(a) the total amount of the mailing expense budget established under subsection (1) must not be less than the average of the annual amounts expended by the members in the three fiscal years immediately preceding the 2009-10 fiscal year; and

(b) the percentage of the budget allocated

(i) to the official opposition must not be less than the average percentage of the mailing expense budget expended by the official opposition in each of the three fiscal years immediately preceding the 2009-10 fiscal year, and

(ii) to independent members must not be less than the average percentage of the mailing expense budget expended by independent members in each of the three fiscal years immediately preceding the 2009-10 fiscal year.

**Franking expenses excluded**

**6.3(1.2)** For the purpose of determining the amounts expended under subsection (1.1), the expenses incurred under subsections 52.22(1) and (3) of *The Legislative Assembly Act* are excluded.

*THAT the amendment to Clause 2 of Schedule E to the Bill be amended in the proposed subsection 6.3(1.1) by striking out "five" wherever it appears and substituting "three".*

- **Bill (No. 39)** – The Court of Appeal Amendment Act/Loi modifiant la Loi sur la Cour d'appel

Your Committee agreed to report this Bill without amendment.

**Monday, June 9, 2008**

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- **Bill (No. 40)** – The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act/Loi modifiant la Loi sur les conducteurs et les véhicules, le Code de la route et la Loi sur la Société d'assurance publique du Manitoba

Your Committee agreed to report this Bill without amendment.

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

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Pursuant to Rule 26(1), Ms. BLADY, Mrs. TAILLIEU, Ms. HOWARD, Mrs. ROWAT and Hon. Mr. STRUTHERS made Members' Statements.

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By leave, Hon. Mr. BJORNSON moved:

THAT Bill (No. 45) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, 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. Mr. BJORNSON having spoken,

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

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Hon. Mr. BJORNSON presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 45).

(Sessional Paper No. 60)

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

THAT Bill (No. 3) – The Highway Traffic Amendment Act/Loi modifiant le Code de la route, reported from the Standing Committee on Justice, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

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

THAT Bill (No. 4) – The Provincial Court Amendment Act (Family Mediators and Evaluators)/Loi modifiant la Loi sur la Cour provinciale (médiateurs et enquêteurs familiaux), reported from the Standing Committee on Justice, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

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

THAT Bill (No. 5) – The Witness Security Act/Loi sur la sécurité des témoins, reported from the Standing Committee on Justice, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

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

THAT Bill (No. 7) – The Child and Family Services Amendment Act (Child Pornography Reporting)/Loi modifiant la Loi sur les services à l'enfant et à la famille (obligation de signaler la pornographie juvénile), as amended and reported from the Standing Committee on Justice, be concurred in and be now read for a Third Time and passed.

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

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

THAT Bill (No. 8) – The Phosphorus Reduction Act (Water Protection Act Amended)/Loi sur la réduction du phosphore (modification de la Loi sur la protection des eaux), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

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

THAT Bill (No. 9) – The Protection for Persons in Care Amendment Act/Loi modifiant la Loi sur la protection des personnes recevant des soins, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

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

THAT Bill (No. 11) – The Optometry Amendment Act/Loi modifiant la Loi sur l'optométrie, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

And Mrs. DRIEDGER 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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The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. SELINGER:

THAT Bill (No. 12) – The Securities Transfer Act/Loi sur le transfert des valeurs mobilières, 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 the debate continuing,

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

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

THAT Bill (No. 18) – The Testing of Bodily Fluids and Disclosure Act/Loi sur l'analyse de fluides corporels et la communication des résultats d'analyse, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

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

And Mrs. DRIEDGER, Hon. Mr. GERRARD, Hon. Ms. OSWALD, Ms. BLADY, Hon. Mr. ASHTON (by leave), Messrs. FAURSCHOU and REID 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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The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. CHOMIAK:

THAT Bill (No. 20) – The Gunshot and Stab Wounds Mandatory Reporting Act/Loi sur la déclaration obligatoire des blessures par balle et par arme blanche, reported from the Standing Committee on Justice, be concurred in and be now read for a Third Time and passed.

And the debate continuing,

**Monday, June 9, 2008**

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

And Mr. MAGUIRE, Ms. BLADY, Hon. Mr. GERRARD and Mr. PEDERSEN having spoken,

And Hon. Mr. ASHTON (by leave) speaking at 5:00 p.m. The debate was allowed to remain in his name.

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The House then adjourned at 5:00 p.m. until 10:00 a.m. Tuesday, June 10, 2008.

Hon. George HICKES,  
Speaker.