



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 67

SECOND SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

By leave, it was agreed for the House to deal with Second Reading of Bill (No. 237).

Hon. Mr. FAURSCHOU moved:

THAT Bill (No. 237) – The Pet Cemeteries and Crematoriums Act/Loi sur les cimetières et les crématoriums pour animaux de compagnie, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. FAURSCHOU, Hon. Messrs. STRUTHERS and GERRARD, Messrs. MAGUIRE and GRAYDON having spoken,

And Hon. Mr. LEMIEUX speaking at 11:00 a.m. The debate was allowed to remain in his name.

In accordance with Rule 31(9), the Opposition House Leader announced that the Promoting Manitoba as an Inland Port Resolution will be considered next Thursday, September 18, 2008.

Hon. Mr. SCHULER moved:

Resolution No. 19: Education Strategy in Manitoba

WHEREAS despite an acknowledgement in 2002 by the Member for Brandon East that there was a need to improve student outcomes, the Minister of Education, Citizenship and Youth has failed to focus on results and has publicly stated, “in my first four years I’ve spent more time talking about taxes than the quality of education, and there’s something wrong with that”; and

WHEREAS the uncertainty and frustration surrounding the Minister of Education, Citizenship and Youth’s Tax Incentive Grant announcement was clear evidence that the Minister should have undertaken meaningful discussions with school divisions prior to making the announcement; and

Thursday, September 11, 2008

WHEREAS the Minister of Education, Citizenship and Youth imposed a moratorium on school closures while refusing to answer questions regarding where the funding would come from to keep declining enrolment schools open; and

WHEREAS the lack of details surrounding the policy of mandatory Physical Education and Health Education in Grades 11 and 12 announced by the NDP government left school divisions, teachers, parents and students confused and frustrated; and

WHEREAS in March 2007 the Minister of Education, Citizenship and Youth issued a last-minute directive to several school boards to re-write their budgets less than a week before the March 15th deadline, demonstrating a lack of respect for the budgetary process; and

WHEREAS the Minister of Education, Citizenship and Youth was aware of the Seven Oaks School Division land development scheme a year before it was made public, yet turned a blind eye and allowed the School Division to risk taxpayers' dollars meant for educating children on developing residential property; and

WHEREAS a report by the Auditor General stated that a letter sent by the former CEO of the Teachers' Retirement Allowances Fund to the Minister of Education, Citizenship and Youth regarding a \$10 million investment in the Manitoba Property Fund "received insufficient action on the part of the Minister"; and

WHEREAS the Minister of Education, Citizenship and Youth has repeatedly been heavily criticized by retired teachers, and refuses to support a Private Members Bill to guarantee the appointment of a retired teacher to the Board of the Teachers' Retirement Allowances Fund.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba condemn the Minister of Education, Citizenship and Youth for this criticized approach to the education of Manitoba's children and to important stakeholders in the education system.

And a debate arising,

And Mr. SCHULER, Hon. Mr. BJORNSON, Mr. BOROTSIK, Hon. Mr. RONDEAU, Mr. DYCK and Hon. Mr. GERRARD having spoken,

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

1:30 O'CLOCK P.M.

The following petitions were 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. (M. Hildebrand, S. Fehr, R. Dyck and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to urge the Provincial Government to consider establishing a 90 day guarantee for processing an application for a minimum of 80% of applicants that have family living in Manitoba and to consider removing the use of the restrictive job list when dealing with the family sponsor stream. (T. Valerio, D. Valerio, J. Advincula and others)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request the Minister of Health to consider creating a health care environment in which doctors want to work and build their careers in Manitoba and to consider making it a priority to recruit doctors to southwestern Manitoba so emergency rooms do not have to be closed when they are needed most. (D. Coughlan, A. Van Niessen, D. Hunter and others)

Hon. Mr. DOER, the First Minister made a statement recognizing today, September 11, 2008 marking the seventh anniversary of the September 11, 2001 terrorist attacks.

Mr. MCFADYEN and, by leave, Hon. Mr. GERRARD commented on the statement.

Pursuant to Rule 26(1), Messrs. SARAN and DYCK, Ms. HOWARD, Messrs. MAGUIRE and MARTINDALE made Members' Statements.

Hon. Mr. LEMIEUX moved:

THAT Bill (No. 47) – The CentrePort Canada Act/Loi sur la Société CentrePort Canada, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. LEMIEUX having spoken,

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

By leave, it was agreed for the House to first deal with the adjourned debates on the Report Stage Amendments to Bill (No. 37).

By leave, it was agreed to have the first three Report Stage Amendments proposed by the Honourable Official Opposition Leader to Bill (No. 37), remain standing in the name of the Honourable Minister of Family Services and Housing.

The Order of the Day having been read for consideration of Report Stage Amendment of 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, as amended and reported from the Standing Committee on Justice, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. MCFADYEN:

THAT Bill 37 be amended in Clause 6 of Schedule B by replacing the proposed subsection 49.1(2) with the following:

General election on second Tuesday in June

49.1(2) Subject to subsection (1) and section 51.1,

(a) a general election must be held on the sooner of

(i) Tuesday, June 14, 2011, or

(ii) a Tuesday not later than 35 days following the dissolution of the Legislature by the Lieutenant Governor pursuant to the Lieutenant Governor's exercise of those powers referred to in subsection (1); and

(b) thereafter, a general election must be held on the sooner of

(i) the second Tuesday in June in the fourth calendar year after election day for the last general election, or

(ii) a Tuesday not later than 35 days following the dissolution of the Legislature by the Lieutenant Governor pursuant to the Lieutenant Governor's exercise of those powers referred to in subsection (1).

And the debate continuing on the amendment,

And Messrs. HAWRANIK, MAGUIRE and PEDERSEN having spoken,

And the Question being put. It was negatived, on division.

Mr. MCFADYEN then moved:

THAT Bill 37 be amended in Clause 12 of Schedule B by striking out "must" and substituting "may" in the proposed subsection 64.1(1).

And a debate arising,

And Mr. MCFADYEN having spoken,

And the Question being put. It was negatived, on division.

Mr. MCFADYEN then moved:

THAT Bill 37 be amended in Clause 12 of Schedule B by replacing the proposed clause 64.1(3)(c) with the following:

(c) the permanent register of electors established and maintained by the Chief Electoral Officer of Canada.

And a debate arising,

And Mr. MCFADYEN having spoken,

The debate was, on motion of Hon. Mr. ASHTON, adjourned.

Mr. MCFADYEN then moved:

THAT Bill 37 be amended in Clause 25 of Schedule B by replacing the proposed subsections 186.1(2) and (3) with the following:

Notice of results of investigation

186.1(2) The commissioner shall make public the outcome of all investigations and may include, in the commissioner's discretion, in the publicly recorded information

(a) the name of each person investigated;

(b) the nature of the matter investigated with reference to the relevant sections of this or any other Act; and

(c) the disposition of the investigation and the reasons for the disposition.

And a debate arising,

And Messrs. MCFADYEN, BOROTSIK and LAMOUREUX having spoken,

The debate was, on motion of Hon. Mr. SWAN, adjourned.

By leave, it was agreed to proceed immediately with the Report Stage amendment sponsored by the Honourable Member for Steinbach with the understanding to continue with the remaining Report Stage amendment sponsored by the Honourable Official Opposition Leader.

Mr. GOERTZEN then moved:

THAT Bill 37 be amended by replacing Clause 11 of Schedule C, as amended at Committee, with the following:

11 Sections 54.1 and 54.2 are repealed.

And a debate arising,

And Messrs. GOERTZEN and MCFADYEN having spoken,

The debate was, on motion of Hon. Mr. ASHTON, adjourned.

Mr. MCFADYEN then moved:

THAT Bill 37 be amended by replacing Clause 12 of Schedule C with the following:

12 Subsection 56(1) is amended

(a) by replacing everything before clause (a) with the following:

Government advertising and publications in general election

56(1) No government department or Crown agency shall publish or advertise any information about its programs or activities in the last 90 days before polling day, and on polling day, in the case of a fixed date election, or during the election period for any other general election, unless the publication or advertisement

(b) by adding "or" at the end of clause (a), striking out "or" at the end of clause (b) and repealing clause (c).

And a debate arising,

And Mr. MCFADYEN having spoken,

The debate was, on motion of Hon. Mr. ASHTON, adjourned.

Mr. LAMOUREUX then moved,

THAT Bill 37 be amended in Clause 6 of Schedule B

(a) in the proposed clause 49.1(2)(a),

(i) by striking out "Tuesday, June 14, 2011" and substituting "Tuesday, October 18, 2011", and

(ii) by striking out "June 13, 2011" and substituting "October 17, 2011"; and

(b) in the proposed clause 49.1(2)(b), by striking out "second Tuesday in June" and substituting "third Tuesday in October".

And a debate arising,

And Mr. LAMOUREUX having spoken,

The debate was, on motion of Hon. Mr. ASHTON, adjourned.

Mr. LAMOUREUX then moved,

THAT Bill 37 be amended by striking out Clause 8 of Schedule B.

And a debate arising,

And Mr. LAMOUREUX having spoken,

The debate was, on motion of Hon. Mr. ASHTON, adjourned.

By leave, it was agreed for the House to deal with the Report Stage Amendments to Bill (No. 38) sponsored by the Honourable Member for Brandon-West, in a different sequence than originally filed.

The Order of the Day having been read for consideration of Report Stage Amendment of 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, as amended and reported from the Standing Committee on Legislative Affairs:

Mr. BOROTSIK moved:

THAT Bill 38 be amended by replacing Clause 3(1) with the following:

Balance at end of fiscal year

3(1) For the purposes of this Act, the balance as at the end of a fiscal year is the net income or loss as shown in the audited summary financial statements for the government reporting entity for that fiscal year, subject to any adjustments to be made for that fiscal year under subsection (2) or (3).

And a debate arising,

And Mr. BOROTSIK having spoken,

The debate was allowed to remain open.

The House then adjourned at 5:00 p.m. until 1:30 p.m. Monday, September 15, 2008.

Hon. George HICKES,
Speaker.