



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS** No. 77

**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. 208).

Hon. Mr. GERRARD moved:

THAT Bill (No. 208) – The Crown Appointment Review Act (Various Acts Amended)/Loi sur l'examen des nominations au sein des sociétés d'état (modification de diverses lois), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. GERRARD, Mr. MARTINDALE, Mrs. TAILLIEU, Ms. HOWARD, Mr. LAMOUREUX, Hon. Ms. MELNICK and Mr. MAGUIRE having spoken,

The debate was allowed to remain open.

Mr. DEWAR moved:

Resolution No. 24: Increased Aboriginal Involvement in the Economy

WHEREAS there are over 150,000 Aboriginal people living in the Province of Manitoba, making up in excess of 14% of the total population; and

WHEREAS with the median age of Aboriginal people is less than 25, a full decade younger than the median age of all Manitobans which represents a valuable opportunity for the Aboriginal population in Manitoba and the Manitoba economy; and

WHEREAS everyone should have the opportunity to take advantage of Manitoba's prosperity and economic growth; and

WHEREAS Aboriginal economic initiatives encouraged by the Provincial Government are wide and highly diverse; and

WHEREAS training initiatives are key to developing employment and local economic initiatives among Manitoba Aboriginal peoples; and

WHEREAS the Province has shown its commitment to training opportunities for Aboriginal people through initiatives like the University College of the North, the Manitoba Strategic Plan on Strengthening Aboriginal Participation in the Economy, Fire Spirit, and training for healthcare professionals; and

WHEREAS projects like Aboriginal Set-Aside for the Red River floodway expansion and Manitoba Hydro's Pre Project training, have been important for Aboriginal people in accessing training and job experience; and

WHEREAS the Provincial Government's commitment to First Nations people through the First Nations Economic Development Fund will provide an excellent opportunity to continue developing First Nations economic opportunity; and

WHEREAS the Métis economic development initiative discussed in the 2007 Speech from the Throne will be a further commitment to establishing sustainable Aboriginal economies in Manitoba.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba support the efforts of the Provincial Government in continuing to support the development of Aboriginal people's economies; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba support the efforts of the Provincial Government in continuing to develop additional training initiatives focused on Aboriginal people to help provide Aboriginal people with the skills needed to take full advantage of Manitoba's prosperity.

And a debate arising,

And Mr. DEWAR, Mrs. ROWAT, Hon. Mr. LATHLIN, Messrs. EICHLER and JENNISSEN and Hon. Mr. GERRARD having spoken,

And Mrs. TAILLIEU speaking at 12:00 p.m. The debate was allowed to remain in her name.

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

The following petitions were presented and read:

Mrs. TAILLIEU – Legislative Assembly of Manitoba to urge the Premier to consider reversing his decision to increase Pharmacare deductibles by 5 percent in Budget 2008 and to consider reducing health care bureaucracy, as previously promised, and to consider directing those savings into sustaining Pharmacare and improving patient care. (C. O'Dowda, J. McCormick, T. McCormick and others)

Mrs. ROWAT – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider hard surfacing of the unpaved portion of PR 340, south of Canadian Forces Base Shilo, towards Wawanesa. (L. Plett, J. Mathys, D. Williamson and others)

Mr. DYCK – Legislative Assembly of Manitoba to request the Minister of Education, Citizenship and Youth to consider providing the necessary facilities to Garden Valley School Division and to consider providing Garden Valley School Division an immediate date as to when to expect the necessary school facilities. (P. Fehr, G. Sawatzky, B. Sawatzky and others)

Mr. CULLEN – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider hard surfacing of the unpaved portion of PR 340, south of Canadian Forces Base Shilo, towards Wawanesa. (T. Riddle, J. Wilton, J. Wilton and others)

Mr. BOROTSIK – Legislative Assembly of Manitoba to request the Minister of Education Citizenship and Youth to consider removing education funding by school tax or education levies from all property in Manitoba and to consider finding a more equitable method of funding education such as general revenue following the Constitutional funding of education by the Province of Manitoba. (S. Segal, H. Offenloch, F. Offenloch and others)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider making the completion of the paving of the shoulders on the Trans Canada Highway an urgent Provincial Government priority and to clearly articulate a timeframe for paving the shoulders on the Trans Canada Highway in Manitoba. (M. Demare, M. MacLachlan, L. Williams and others)

Mr. BRIESE – Legislative Assembly of Manitoba to urge the Provincial Government to consider developing a comprehensive recovery strategy aimed at addressing both the immediate and the long-term effects of this year's excess moisture conditions and flooding; and to consider examining all types of programming to help producers recover from this disaster, including emergency, one-time programs, as well as improvements to the crop insurance program to address its shortfalls; and to consider addressing shortcomings with drainage and the processing of drainage permits. (E. Turko, A. Gurke, B. Schultz and others)

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Hon. Mr. ROBINSON presented:

Annual Report of Le Centre Culturel Franco-Manitobain for the fiscal year ending March 31, 2008.

(Sessional Paper No. 83)

Annual Report of the Manitoba Centennial Centre Corporation for the fiscal year ending March 31, 2008.

(Sessional Paper No. 84)

Annual Report of the Department of Culture, Heritage, Tourism and Sport for the fiscal year ending March 31, 2008.

(Sessional Paper No. 85)

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Hon. Mr. SELINGER presented:

Annual Report of The Property Registry Agency for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 86)

Annual Report of the Civil Service Commission for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 87)

Annual Report of the Special Operating Agencies Financing Authority for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 88)

Annual Report of the Employee Pensions and Other Costs for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 89)

Annual Report of the Enabling Appropriations and Other Appropriations for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 90)

Annual Report of the Fiscal Stabilization Fund for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 91)

Annual Report of the Debt Retirement Fund for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 92)

Annual Report of the Organization and Staff Development Agency for the fiscal year ending March 31, 2008.  
(Sessional Paper No. 93)

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Hon. Mr. CHOMIAK presented:

Manitoba Public Insurance Corporation, Quarterly Report, Six Months, March 1 to August 31, 2008.  
(Sessional Paper No. 94)

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Pursuant to Rule 26(1), Messrs. SCHULER, JENNISSEN and CULLEN, Hon. Ms. ALLAN and Mr. PEDERSEN made Members' Statements.

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In accordance with Rule 31(8), the Government House Leader announced that the Green Buildings Resolution will be considered next Tuesday, October 7, 2008.

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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, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. BOROTSIK:

*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 the debate continuing on the amendment,

And Mr. MCFADYEN, Mr. HAWRANIK, Hon. Mr. SELINGER, Mrs. DRIEDGER, Mr. FAURSCHOU, Hon. Mr. GERRARD and Mr. EICHLER having spoken,

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

**YEA**

BOROTSIK	HAWRANIK
BRIESE	LAMOUREUX
CULLEN	MAGUIRE
DRIEDGER	MCFADYEN
DYCK	MITCHELSON
EICHLER	PEDERSEN
FAURSCHOU	ROWAT
GERRARD	TAILLIEU..... 17
GOERTZEN	

NAY

ASHTON	LEMIEUX
BLADY	MACKINTOSH
BJORNSON	MARCELINO
BRAUN	MARTINDALE
BRICK	MCGIFFORD
CALDWELL	MELNICK
CHOMIAK	NEVAKSHONOFF
DEWAR	OSWALD
DOER	REID
HOWARD	ROBINSON
IRVIN-ROSS	RONDEAU
JENNISSEN	SARAN
JHA	SELINGER
KORZENIOWSKI	STRUTHERS
LATHLIN	SWAN ..... 30

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By leave, Mr. BOROTSIK then withdrew his Proposed Report Stage Amendments to Bill (No. 38) to Clause 3(1).

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by striking out Clause 3(3)(d).*

And a debate arising,

And Mr. BOROTSIK having spoken,

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

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Mr. BOROTSIK then moved:

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

(d) a decision of another level of government or of a regulatory body that resulted in a reduction in revenue of 5% or more in the fiscal year.

And a debate arising,

And Mr. BOROTSIK, Mrs. ROWAT, Hon. Messrs. SELINGER and GERRARD having spoken,

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

**YEA**

BOROTSIK	HAWRANIK
BRIESE	LAMOUREUX
CULLEN	MAGUIRE
DRIEDGER	MCFADYEN
DYCK	MITCHELSON
EICHLER	PEDERSEN
FAURSCHOU	ROWAT
GERRARD	TAILLIEU..... 17
GOERTZEN	

**NAY**

ALLAN	LEMIEUX
ASHTON	MACKINTOSH
BLADY	MARCELINO
BJORNSON	MARTINDALE
BRAUN	MCGIFFORD
BRICK	MELNICK
CALDWELL	NEVAKSHONOFF
CHOMIAK	OSWALD
DEWAR	REID
DOER	ROBINSON
HOWARD	RONDEAU
IRVIN-ROSS	SARAN
JENNISSEN	SELINGER
JHA	STRUTHERS
KORZENIOWSKI	SWAN ..... 31
LATHLIN	

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By leave, Mr. BOROTSIK then withdrew his Proposed Report Stage Amendments to Bill (No. 38) to Clause 3(3)(d).

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 3:*

**Negative net result requires offsetting result in next year**

**3.1(1)** If there is a negative net result in a single fiscal year, the government is required to achieve at least an offsetting positive net result in the next fiscal year.

**Salary reduction applies**

**3.1(2)** If the government fails to comply with subsection (1), for the next fiscal year the salary of each minister — including any person appointed as minister in that next year — must be reduced in accordance with subsection 6(2).

**Exception for change in government**

**3.1(3)** If a different political party forms the government in the year that the salary reduction provisions of subsection (2) apply, the salary reduction does not apply to a minister in the new government.

**Application to government change**

**3.1(4)** If there is a general election and the party forming the government after the election is different from the party forming the government before the election, subsection (1) does not require the government after the election to achieve an off setting positive net result in connection with a negative net result incurred in the fiscal year during which the election took place.

And a debate arising,

And Mr. BOROTSIK and Hon. Mr. SELINGER having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by striking out Clause 3(3)(c).*

And a debate arising,

And Mr. BOROTSIK having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended in the English version of Clause 3(3)(a) by adding "in Manitoba" after "disaster".*

And a debate arising,

And Mr. BOROTSIK, Hon. Mr. SELINGER and Mr. MAGUIRE having spoken,

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

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By leave, Mr. BOROTSIK then withdrew his Proposed Report Stage Amendment to Bill (No. 38) to Clause 9.

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 9:*

**Prohibition**

**9.1** Except as expressly permitted by another enactment, the government must not take or accept cash or other property from Manitoba Hydro, The Workers Compensation Board or the Manitoba Public Insurance Corporation.

And a debate arising,

And Mr. BOROTSIK, Hon. Mr. SELINGER, Mr. CULLEN, Hon. Mr. GERRARD and Mr. FAURSCOU having spoken,

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

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By leave, Mr. BOROTSIK then withdrew his Proposed Report Stage Amendments to Bill (No. 38) to Clauses 9(2) and 9.2.

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 10(1)(c):*

*(d) The Corporation Capital Tax Act.*

And a debate arising,

And Mr. BOROTSIK having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 10(1)(c):*

*(d) The Motive Fuel Tax Act.*

And a debate arising,

And Mr. BOROTSIK having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 10(1)(c):*

*(d) The Gasoline Tax Act.*

And a debate arising,

And Mr. BOROTSIK and Hon. Mr. SELINGER having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 15:*

**No increase in general purpose debt**

**15.1(1)** The government must ensure that the general purpose debt does not increase in a fiscal year.

**Salary reduction applies**

**15.1(2)** If the government fails to comply with subsection (1), for the next fiscal year the salary of each minister — including any person appointed as minister in that next year — must be reduced in accordance with subsection 6(2).

**Exception for change in government**

**15.1(3)** If a different political party forms the government in the year that the salary reduction provisions of subsection (2) apply, the salary reduction does not apply to a minister in the new government.

And a debate arising,

And Mr. BOROTSIK and Hon. Mr. SELINGER having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by adding the following after Clause 17(3):*

**17(4)**            *The following is added after subsection 65(1):*

**Summary financial statements to comply with GAAP**

**65(1.1)**            All summary financial statements under subsection (1) must be prepared in accordance with generally accepted accounting principles for the public sector.

And a debate arising,

And Mr. BOROTSIK and Hon. Mr. SELINGER having spoken,

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

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In accordance with the Sessional Order agreed to by the House on June 5, 2008 and further amended on June 10, 2008, the remaining necessary steps and the Question were put to conclude the Report Stage Amendments on Bills (No. 37) and (No. 38).

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended in Clause 20(1) by striking out "2008-09 fiscal year" wherever it occurs and substituting "2011-12 fiscal year".*

And Mr. BOROTSIK having spoken,

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

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Mr. BOROTSIK then moved:

*THAT Bill 38 be amended by replacing the title with the following:*

THE SUMMARY BUDGET ACT

And Mr. BOROTSIK having spoken,

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

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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, and subsequently amended, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. MCFADYEN:

*THAT Bill 37 be amended in Clause 3(2)(d) of Schedule A by striking out everything after "Assembly" and substituting "by or on behalf of a person respecting a personal matter;"*.

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

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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, and subsequently amended, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. MCFADYEN:

*THAT Bill 37 be amended by replacing Clause 5(1) of Schedule B with the following:*

*5(1) Clause 49(1)(c) is replaced with the following:*

(c) sets as election day a Tuesday

(i) that is 28 days after the date the writ is issued, in the case of a fixed date election,  
or

(ii) that is at least 28 days but not more than 35 days after the date the writ is issued,  
in the case of any other election.

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

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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, and subsequently amended, 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(1) with the following:*

**Powers of Lieutenant Governor preserved**

**49.1(1)** Nothing in this section affects the powers of the Lieutenant Governor, including the power to dissolve the Legislature in circumstances where the Lieutenant Governor reasonably believes that the government has lost the confidence of the Legislative Assembly.

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

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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, and subsequently amended, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. MCFADYEN:

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

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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, and subsequently amended, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. MCFADYEN:

*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 the Question being put. It was negated, on division.

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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, and subsequently amended, the House resumed the Adjourned Debate on the Proposed Amendment of Mr. GOERTZEN:

*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 the Question being put. It was negated, on division.

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The House then adjourned at 5:08 p.m. until 1:30 p.m. Wednesday, October 1, 2008.

Hon. George HICKES,  
Speaker.