



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 43

SECOND SESSION, THIRTY-SEVENTH LEGISLATURE

PRAYERS

10:00 O'CLOCK A.M.

Ms. ASPER moved:

THAT Bill (No. 300) – The Jewish Foundation of Manitoba Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation « The Jewish Foundation of Manitoba », be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Ms. ASPER having spoken,

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

Mr. SCHULER moved:

THAT Bill (No. 200) – The Electoral Divisions Amendment Act/Loi modifiant la Loi sur les circonscriptions électorales, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. SCHULER having spoken,

The debate was, on motion of Hon. Ms. BARRETT, adjourned.

Mrs. DRIEDGER moved:

Resolution No. 6: Child Pornography

WHEREAS children have the right to be protected from all forms of sexual abuse and exploitation; and

WHEREAS the use of children in pornographic material is in itself harmful to children; and

WHEREAS the possession of child pornography is deemed illegal under the Criminal Code of Canada; and

WHEREAS the British Columbia Appeal Court struck down the prohibition against the possession of child pornography; and

WHEREAS this action by the British Columbia Appeal Court significantly hinders the efforts of law enforcement officials to combat the spread of child pornography; and

WHEREAS the previous Progressive Conservative Government was committed to acquiring intervener status in the Supreme Court of Canada case considering the BC Appeal Court's decision allowing an individual to possess child pornography; and

WHEREAS laws protecting children from sexual exploitation must be paramount over an individual's desire to possess child pornography; and

WHEREAS the Provincial Government stated in the Speech from the Throne on November 25, 1999: "The Manitoba Government will continue to urge the Federal Government to take whatever steps are necessary to ensure that federal laws prohibiting the possession of child pornography remain enforceable – including, if there is absolutely no other alternative, resorting to the 'notwithstanding clause' in our constitution"; and

WHEREAS implementation of the Constitution Act, 1982, Section 33, the notwithstanding clause, for the standard five-year period would provide protection to a generation of children, wherever they reside in Canada, while providing the Federal Government with time to fully pursue the appeal in the Supreme Court of Canada and if necessary to make improvements to the Criminal Code ensuring that the possession of child pornography remains illegal.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Federal Government to consider invoking Section 33 of the Constitution Act, 1982, the notwithstanding clause, if necessary, to ensure that the possession of child pornography remains illegal under the Criminal Code of Canada.

And a debate arising,

And Mrs. DRIEDGER, Hon. Mr. MACKINTOSH, Messrs. SCHULER and MARTINDALE having spoken,

And Hon. Ms. MCGIFFORD speaking at 11:00 a.m. The debate was allowed to remain in her name.

Mr. DYCK moved:

Resolution No. 7: Accountability in Education

WHEREAS Manitoba parents recognize the importance of strong literacy skills for our children;
and

WHEREAS the previous Progressive Conservative administration took numerous steps to strengthen and enhance Manitoba's public education system; and

WHEREAS one component of this strengthening was the introduction of standards testing that allowed for the early identification of students' strengths and weaknesses relative to outcomes and standards; and

WHEREAS standards testing allows teachers and parents to provide remedial support to students with a learning difficulty before they leave school; and

WHEREAS any delay for remedial support at this point may negatively impact the student's performance in the middle school years as well as later learning; and

WHEREAS during the 1999 Provincial General Election, the New Democratic Party guaranteed that all students will be reading and writing fluently in their Grade 3 year, calling this their Grade 3 Guarantee, and as well, all students would "demonstrate a high level of computer literacy" by Grade 8; and

WHEREAS the Minister of Education and Training during an interview with the *Winnipeg Sun* last fall pled ignorance when asked about the status of his government's Grade 3 Guarantee; and

WHEREAS teachers and parents have expressed concerns that the Grade 3 diagnostic assessments will take away from classroom contact time, considering that a study by the Interlake School Division determined that a teacher requires a minimum of 1.5 hours to assess one student.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider providing statistics as to the number of Grade 3 students not able to meet the Grade 3 Guarantee, and publicly release the results of the Grade 3 diagnostic assessments on a school by school basis thereby offering accountability to the taxpayers of this Province.

And a debate arising,

And Mr. DYCK, Hon. Mr. CALDWELL and Mr. SCHELLENBERG having spoken,

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

1:30 O'CLOCK P.M.

The following petitions were presented:

Mr. SCHULER – Legislative Assembly of Manitoba request that the Minister responsible for Manitoba Hydro consider alternative routes for the additional 230KV and 500KV lines proposed for the RM of East St. Paul (H. Siemens, K. Siemens, D. Oliphant and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (R. Hood, R. Beck, R. Britton and others)

Mr. LOEWEN – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (S. Sylvestre, R. Sylvestre, L. Sylvestre and others)

The following petitions were read and received:

Mr. SCHULER – Legislative Assembly of Manitoba request that the Minister responsible for Manitoba Hydro consider alternative routes for the additional 230KV and 500KV lines proposed for the RM of East St. Paul (M. Wasylin, C. Wasylin, D. Cox and others)

Mr. LOEWEN – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (I. Steele, C. Steele, R. Huggan and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba request that the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes (J. Maxwell, M. Wiebe, Y. Jouletle and others)

Mr. SANTOS, Chairperson of the Committee of Supply, presented the Report of the Proceedings of the Committee of June 6, 2001 as follows:

CAPITAL SUPPLY

The following resolution was adopted:

RESOLVED that there be granted to HER MAJESTY a sum not exceeding THREE HUNDRED FORTY TWO MILLION, NINE HUNDRED FIFTY THOUSAND Dollars (\$342,950,000.00) for CAPITAL SUPPLY, for the fiscal year ending March 31, 2002.

SCHEDULE A

**Incremental Capital Authority Requirements
For Non-Budgetary Programs, 2001/2002**

Health Capital Program.....	\$ 126,800,000
The Manitoba Hydro-Electric Board	92,200,000
Manitoba Student Financial Assistance	72,300,000
The Manitoba Water Services Board.....	15,000,000
The Manitoba Agricultural Credit Corporation	12,700,000
Special Operating Agencies Financing Authority	
- Fleet Vehicles Agency	11,300,000
Communities Economic Development Fund	5,100,000
Manitoba Housing and Renewal Corporation.....	3,600,000
Rural Economic Development Initiatives	3,100,000
The Manitoba Film and Sound Recording Development Corporation	600,000
International Education.....	<u>250,000</u>
	<u>\$ 342,950,000</u>

Resolution was reported.

Report was received and the Committee of Supply obtained leave to sit again.

The following Bills were, by leave, severally introduced, had the purposes outlined thereof and were read a First Time:

(No. 31) – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

(Hon. Ms. FRIESEN)

(No. 33) – The Highway Traffic Amendment and Consequential Amendments Act (2)/Loi n° 2 modifiant le Code de la route et modifications corrélatives

(Recommended by His Honour, the Lieutenant Governor)

(Hon. Mr. MACKINTOSH)

(No. 43) – The Auditor General Act/Loi sur le vérificateur général

(Recommended by His Honour, the Lieutenant Governor)

(Hon. Mr. SELINGER)

Thursday, June 7, 2001

(No. 46) – The Provincial Court Amendment and Court of Queen's Bench Amendment Act/Loi modifiant la Loi sur la Cour provinciale et la Loi sur la Cour du Banc de la Reine

(Recommended by His Honour, the Lieutenant Governor)
(Hon. Mr. MACKINTOSH)

(No. 48) – The City of Winnipeg Amendment (Pensions) Act/Loi modifiant la Loi sur la Ville de Winnipeg (régime de retraite)

(Hon. Ms. FRIESEN)

By leave, Hon. Mr. MACKINTOSH introduced Bill (No. 49) – The Statutes Correction and Minor Amendments Act, 2001/Loi corrective de 2001, which was read a First Time.

By leave, Hon. Mr. CHOMIAK introduced Bill (No. 50) – The Regional Health Authorities Amendment (Accountability) Act/Loi modifiant la Loi sur les offices régionaux de la santé (responsabilités), and outlined the purposes thereof, it was read a First Time.

(Recommended by His Honour, the Lieutenant Governor)

Hon. Mr. MACKINTOSH presented:

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

(Sessional Paper No. 167)

Hon. Mr. SELINGER presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 43).

(Sessional Paper No. 168)

Hon. Mr. MACKINTOSH presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 46).

(Sessional Paper No. 169)

Hon. Mr. CHOMIAK presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 50).

(Sessional Paper No. 170)

During Oral Questions, Mr. LAURENDEAU rose on a point of order regarding Beauchesne citation 417 and leader's latitude.

And Hon. Mr. MACKINTOSH having spoken to the point of order,

WHEREUPON Mr. Speaker ruled that there was no point of order,

From his decision, Mr. LAURENDEAU appealed to the House,

And the Question being put. "Shall the ruling of the Chair be sustained?"

It was agreed to, on the following division:

YEA

AGLUGUB	MALOWAY
ALLAN	MARTINDALE
ASHTON	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SHELLENBERG
JENNISSON	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LATHLIN	STRUTHERS
LEMIEUX	WOWCHUK..... 30

NAY

CUMMINGS	MAGUIRE
DACQUAY	MURRAY
DERKACH	PENNER (Emerson)
DRIEDGER	PENNER (Steinbach)
DYCK	PITURA
ENNS	PRAZNIK
FAURSCHOU	REIMER
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
HELWER	STEFANSON
LAURENDEAU	TWEED 23
LOEWEN	

Subsequently, during Oral Questions, Mr. LAURENDEAU rose on a point of order regarding Beausnesne citation 417 and leader's latitude.

And Hon. Mr. ASHTON having spoken to the point of order,

WHEREUPON Mr. Speaker ruled that there was no point of order,

From his decision, Mr. LAURENDEAU appealed to the House,

And the Question being put. "Shall the ruling of the Chair be sustained?"

It was agreed to, on the following division:

YEA

AGLUGUB	MALOWAY
ALLAN	MARTINDALE
ASHTON	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SHELLENBERG
JENNISSON	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LATHLIN	STRUTHERS
LEMIEUX	WOWCHUK.....31
MACKINTOSH	

NAY

CUMMINGS	MAGUIRE
DACQUAY	MITCHELSON
DERKACH	MURRAY
DRIEDGER	PENNER (Emerson)
DYCK	PENNER (Steinbach)
ENNS	PITURA
FAURSCHOU	SCHULER
HELWER	SMITH (Fort Garry)
LAURENDEAU	STEFANSON
LOEWEN	TWEED20

Thursday, June 7, 2001

Pursuant to Rule 23(1), Mr. SCHELLENBERG, Mrs. DACQUAY, Ms. ASPER, Mrs. SMITH (Fort Garry) and Ms. KORZENIOWSKI made Members' Statements.

By leave, the House reverted to "Introduction of Bills".

By leave, Hon. Ms. MIHYCHUK introduced Bill (No. 28) – The Labour-Sponsored Investment Funds (Various Acts Amended) Act/Loi sur les fonds de placement des travailleurs (modification de diverses dispositions législatives), and outlined the purposes thereof, it was read a First Time.
(Recommended by His Honour, the Lieutenant Governor)

Hon. Ms. MIHYCHUK presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 28).

(Sessional Paper No. 171)

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 22) – The Cancer Treatment and Research Foundation Amendment and Consequential Amendments Act/Loi modifiant la Loi sur la Fondation de traitement du cancer et de recherche en oncologie et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. CHOMIAK having spoken,

The debate was, on motion of Mrs. DRIEDGER, adjourned.

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 42) – The Regulated Health Professions Statutes Amendment Act/Loi modifiant diverses lois sur les professions de la santé réglementées, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. CHOMIAK having spoken,

The debate was, on motion of Mrs. DRIEDGER, adjourned.

Thursday, June 7, 2001

The House then adjourned at 5:01 p.m. until 1:30 p.m. Monday, June 11, 2001.

Hon. George HICKES,
Speaker.