



## LEGISLATIVE ASSEMBLY OF MANITOBA

### VOTES AND PROCEEDINGS No. 56

SECOND SESSION, THIRTY-NINTH LEGISLATURE

#### PRAYER

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. CULLEN – Legislative Assembly of Manitoba to urge the Provincial Government to abandon the NDP Detour on the basis that it will result in massive environmental, social and economic, and damage to Manitoba and to consider proceeding with the route originally recommended by Manitoba Hydro, subject to necessary regulatory approvals. (R. Grenier, M. Everett, D. Dearsley and others)

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. (J. Friesen, L. Zacharias, H. Tremblay and others)

Mrs. MITCHELSON – 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. (T. Richards, H. Klan, M. Loftus and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba to request the Premier of Manitoba and the Minister of Health to consider providing CancerCare Manitoba with the appropriate funding necessary to provide the standard care treatment – Avastin – to all colon cancer patients and to consider accelerating the process by which new cancer treatment drugs are added to the formulary so that more Manitobans are able to be treated in the most effective manner possible. (E. Wray, L. Iredale, J. Coates and others)

Mr. BRIESE – Legislative Assembly of Manitoba to urge the Minister of Family Services and Housing to consider addressing the shortage of Early Childhood Educators by enabling child care centres to provide competitive wages and benefits; and to consider adequately planning for the future child care needs of growing communities, and to consider making the development of a sustainable and accessible child care system a priority; and to consider the development of a governance body that would provide direction and support to the volunteer boards of child care centres and to consider the development of regionalized central wait lists for child care; and to encourage all Members of the Legislative Assembly to consider becoming more closely involved with the operations of the licensed daycare facilities in their constituencies. (M. D'Almeida, D. Surasry, G. Mazurow and others)

Mr. MAGUIRE – 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. (R. Pitt, A. Porter, B. Scott and others)

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Hon. Mr. CHOMIAK presented:

Annual Report of The Manitoba Law Foundation for the fiscal year ending March 31, 2007.  
(Sessional Paper No. 61)

Annual Report of the Provincial Court of Manitoba for the fiscal year ending March 31, 2007.  
(Sessional Paper No. 62)

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During Oral Questions, Mr. Speaker interjected and requested that the words "anywhere near the truth" spoken by the Honourable Minister of Health be withdrawn.

WHEREUPON Hon. Ms. OSWALD withdrew her remarks.

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Pursuant to Rule 26(1), Mrs. MITCHELSON, Hon. Ms. OSWALD, Mrs. DRIEDGER, Ms. BRAUN and Hon. Mr. GERRARD made Members' Statements.

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The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 25) – The Embalmers and Funeral Directors Amendment Act/Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres, as amended and reported from the Standing Committee on Legislative Affairs, the House resumed the Interrupted Debate on the Proposed Amendment of Hon. Mr. GERRARD:

*THAT Bill 25 be amended in Clause 7 by adding the following after the proposed subsection 16.1(1):*

**Code of ethics requirement**

**16.1(1.1)** The code of ethics must include a provision prohibiting a funeral director from soliciting the sale of any supplies or services of the funeral director by telephone or in a hospital, health care centre or nursing home.

And the debate continuing on the amendment,

And Hon. Mr. SELINGER having spoken,

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

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Hon. Mr. GERRARD then moved:

*THAT Bill 25 be amended in Clause 7 by replacing the proposed section 16.2 with the following:*

**Requirement to disclose information**

**16.2(1)** A funeral director, or a person acting for or on behalf of a funeral director, who sells, offers for sale, or negotiates a sale of any of the supplies or services provided by the funeral director must

- (a) provide an itemized list of the supplies or services to be provided to the purchaser; and
- (b) disclose other information to the purchaser about those supplies or services in accordance with this section and the regulations.

**Time to disclose information**

**16.2(2)** The funeral director, or a person acting for or on behalf of a funeral director, must provide the itemized list of supplies or services and disclose the information specified in the regulations before the earliest of the following occurs:

- (a) any supplies or services are provided by the funeral director;
- (b) the purchaser makes a payment in connection with the provision of the supply or service;
- (c) the purchaser enters into the sale.

And a debate arising,

And Hon. Messrs. GERRARD and SELINGER having spoken,

And the Question being put on the amendment. It was negatived.

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The Order of the Day having been read for consideration of Report Stage Amendment of 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), reported from the Standing Committee on Social and Economic Development:

Mr. DERKACH moved:

*THAT the Bill be amended in Clause 4 by adding the following after the proposed section 12.7:*

**Government may purchase land**

**12.8(1)** The government may, upon the written request of a person otherwise entitled to claim compensation under section 12.2 for property damage or economic loss resulting from artificial flooding of the person's land, instead of paying compensation under this Act for that damage or economic loss, purchase that land from the person in accordance with *The Land Acquisition Act* and lease it back to the person for a nominal fee.

**No compensation payable for purchased land**

**12.8(2)** Despite sections 12.1 and 12.2, no compensation may be claimed by a person under this Act in respect of an economic loss resulting from artificial flooding if it relates to land that was previously sold by the person to the government under subsection (1) and leased back to the person.

And a debate arising,

And Mr. DERKACH, Hon. Ms. MELNICK, Mrs. STEFANSON, Messrs. MAGUIRE and BOROTSIK having spoken,

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

**YEA**

BOROTSIK	GRAYDON
BRIESE	HAWRANIK
CULLEN	MAGUIRE
DERKACH	MCFADYEN
DRIEDGER	MITCHELSON
DYCK	PEDERSEN
EICHLER	ROWAT
FAURSCHOU	SCHULER
GERRARD	STEFANSON
GOERTZEN	TAILLIEU ..... 20

NAY

ALLAN	MALOWAY
ALTEMEYER	MARCELINO
ASHTON	MARTINDALE
BLADY	MCGIFFORD
BJORNSON	MELNICK
BRAUN	NEVAKSHONOFF
BRICK	OSWALD
CHOMIAK	REID
DEWAR	ROBINSON
DOER	RONDEAU
HOWARD	SARAN
IRVIN-ROSS	SELBY
JHA	SELINGER
KORZENIOWSKI	STRUTHERS
LATHLIN	SWAN
LEMIEUX	WOWCHUK..... 33
MACKINTOSH	

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The Order of the Day having been read for consideration of Report Stage Amendment of 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, reported from the Standing Committee on Justice:

Mr. GRAYDON moved:

*THAT Bill 40 be amended in Clause 5 by adding "unless the application is for a class 5L licence, in which case the additional charge does not apply" at the end of the proposed clause 10(2)(a).*

And a debate arising,

And Mr. GRAYDON, Hon. Mr. CHOMIAK, Messrs. FAURSCHOU and CULLEN having spoken,

And the Question being put on the amendment. It was negatived.

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Mr. GRAYDON then moved:

*THAT Bill 40 be amended in Clause 50 by adding the following after Clause 50(1):*

*50(1.1) The following is added after subsection 33(1):*

**Regulation development**

**33(1.0.1)** In developing regulations under clause (1)(h), the minister must provide opportunity for public consultation and must hold public hearings.

And a debate arising,

And Messrs. GRAYDON and FAURSCHOU, Mrs. TAILLIEU, Mr. CULLEN and Hon. Mr. CHOMIAK having spoken,

And the Question being put on the amendment. 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. 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), as amended and reported from the Standing Committee on Social and Economic Development:

Mr. SCHULER moved:

*THAT Bill 28 be amended in Clause 2 by adding the following after the proposed subsection 41(1.5):*

**Low enrolment schools to receive additional funding**

**41(1.6)** In determining the amount of operational support to be paid to a school division under subsection 173(1.1), the minister must take into account the additional funding requirements of schools in the division that have low enrolment, including funding to ensure

- (a) student safety through — but not limited to — the providing of adequate adult supervision at all times that students are present, including over the lunch period;
- (b) the maintenance of quality programming in classes where there are low student numbers, including through the increased use of technology and additional professional development; and
- (c) the recruitment and retention of sufficient numbers of qualified staff to ensure the maintenance of quality programming, including extra-curricular activities.

And a debate arising,

And Mr. SCHULER, Hon. Messrs. BJORNSON and GERRARD having spoken,

And the Question being put on the amendment. It was negatived.

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Mr. SCHULER then moved:

*THAT Bill 28 be amended by replacing Clause 6 with the following:*

*C.C.S.M. c. P260 amended*

*6 Subsection 8(2) of **The Public Schools Finance Board Act** is amended*

*(a) in clause (a), by adding ", particularly as they pertain to students in kindergarten to Grade 8" at the end; and*

*(b) by adding the following after clause (b):*

*(b.1) the additional funding requirements of schools with low enrolment, including funding to ensure the proper maintenance of school buildings;*

And a debate arising,

And Mr. SCHULER having spoken,

In accordance with the Sessional Order agreed to by the House on June 5, 2008 the debate was interrupted to put the Question.

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

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The House then adjourned at 5:05 p.m. until 10:00 a.m. Thursday, June 12, 2008.

Hon. George HICKES,  
Speaker.