



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 44

THIRD SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mrs. ROWAT – Legislative Assembly of Manitoba to urge the Premier to consider ensuring that acute care and emergency services are available to the residents of Rivers and surrounding areas in their local hospital and to live up to his promise to not close the Rivers Hospital and to request that the Minister of Health consider developing a long term solution to the chronic shortages of frontline healthcare professionals in rural Manitoba. (B. English, D. Hammond, M. Hammond and others)

Mr. LOEWEN – Legislative Assembly of Manitoba to request the Provincial Government to recognize the need for a public high school in the southwest region of Winnipeg and in conjunction with the Public Schools Finance Board, to consider adequate funding to establish a high school in the southwest sector of Winnipeg. (P. Lougheed, B. Rosenfeld, G. Braun and others)

Mr. SCHULER – Legislative Assembly of Manitoba to request the Provincial Government to consider providing East St. Paul with local ambulance service which would service both East and West St. Paul and to consider improving the way that ambulance service is supplied to all Manitoba's by utilizing technologies such as GPS in conjunction with a Medical Transportation Co-ordination Center (MTCC) which will ensure that patients receive the nearest ambulance in the least amount of time and to consider ensuring that appropriate funding is provided to maintain superior response times and sustainable services. (D. Glowacki, N. Gerbrandt, J. Remple and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year. (G. Menta, N. Badiani, S. Shah)

Mr. GOERTZEN – Legislative Assembly of Manitoba to request the Premier of Manitoba to consider covering the cost of insulin pumps that are prescribed by an Endocrinologist or Medical Doctor under the Manitoba Health Insurance Plan. (B. Penner, B. Bigg, L. Plett and others)

Tuesday, May 10, 2005

During Oral Questions, Mr. Speaker interjected and requested that the words "drive-by student activist" spoken by the Honourable Minister of Advanced Education and Training be withdrawn.

WHEREUPON Ms. MCGIFFORD withdrew her remarks.

Pursuant to Rule 26(1), Mrs. TAILLIEU, Messrs. JENNISSEN and EICHLER, Ms. IRVIN-ROSS and Mr. LAMOUREUX made Members' Statements.

Prior to Orders of the Day, Mr. LAMOUREUX rose on a Matter of Urgent Public Importance and moved:

THAT the ordinary business of the House be set aside to discuss a Matter of Urgent Public Importance, namely, the need to debate the government's handling of the Crocus Fund and the impact it has had on the 33,000-plus share holders and the Manitoba taxpayer.

And Mr. LAMOUREUX and Hon. Mr. MACKINTOSH having spoken to the urgency of the motion,

WHEREUPON Mr. Speaker ruled as follows:

I thank the Honourable Members for their advice to the Chair on whether the motion proposed by the Honourable Member for Inkster should be debated today. The notice required by Rule 36(1) was provided. Under our rules and practices, the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter.

I do not doubt that this matter is one that is of serious concern to a number of Members in the House.

I have listened very carefully to the arguments put forward, however I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today. Although Members believe this issue to be a serious one, I do not believe that the public interest will be harmed if the business of the House is not set aside to debate the motion today.

Additionally, I would like to note that there are other avenues for Members to raise this issue, including questions in Question Period, and raising the item during either estimates debate or consideration of the concurrence motion in supply.

Therefore, with the greatest of respect, I must rule that this matter does not meet the criteria set by our rules and precedents and I rule the motion out of order as a Matter of Urgent Public Importance.

By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 37 tabled on March 17, 2005, was further amended in order that the estimates of Capital Investment, Civil Service Commission, Legislative Assembly, Employee Pensions and other Costs, Enabling and Other Appropriations and Sport be considered in Room 255.

Hon. Ms. WOWCHUK moved:

THAT Bill (No. 27) – The Horse Racing Commission Amendment and Horse Racing Regulation Repeal Act/Loi modifiant la Loi sur la Commission hippique et abrogeant la Loi sur les courses de chevaux, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Ms. WOWCHUK and Mr. LAMOUREUX having spoken,

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

Hon. Mr. LATHLIN moved:

THAT Bill (No. 32) – The Rural Municipality of Kelsey By-law No. 5/02 Validation Act/Loi validant le Règlement 5/02 de la municipalité rurale de Kelsey, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. LATHLIN and Mr. LAMOUREUX having spoken,

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

Hon. Mr. SMITH moved:

THAT Bill (No. 33) – The Planning Act/Loi sur l'aménagement du territoire, 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. SMITH having spoken,

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

Hon. Mr. SMITH presented:

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

(Sessional Paper No. 79)

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 34) – The Highway Traffic Amendment Act/Loi modifiant le Code de la route, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. MACKINTOSH and Mr. LAMOUREUX having spoken,

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

By leave, it was agreed to set aside the Business of the House in order for the House to resolve into Committee of Supply. The section of Supply sitting in the Chamber having risen in order to permit Mr. Speaker to resume the Chair.

Hon. Mr. SMITH moved:

THAT Bill (No. 35) – The Capital Region Partnership Act/Loi sur le Partenariat de la région de la capitale, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. SMITH having spoken,

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

Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 36) – The Courts Administration Improvement Act/Loi visant à améliorer l'administration des tribunaux, 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. MACKINTOSH having spoken,

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

Hon. Mr. MACKINTOSH presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 36).

(Sessional Paper No. 80)

Hon. Mr. SMITH moved:

THAT Bill (No. 37) – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. SMITH having spoken,

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

Hon. Mr. LEMIEUX moved:

THAT Bill (No. 41) – The Drivers and Vehicles Act and The Highway Traffic Amendment Act/Loi sur les conducteurs et les véhicules et Loi modifiant le Code de la route, 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. LEMIEUX having spoken,

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

Hon. Mr. LEMIEUX presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 41).

(Sessional Paper No. 81)

Hon. Mr. SELINGER moved:

THAT Bill (No. 31) – The Condominium Amendment Act/Loi modifiant la Loi sur les condominiums, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. SELINGER having spoken,

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

Hon. Mr. SALE moved:

THAT Bill (No. 42) – The Health Services Insurance Amendment and Prescription Drugs Cost Assistance Amendment Act/Loi modifiant la Loi sur l'assurance-maladie et la Loi sur l'aide à l'achat de médicaments sur ordonnance, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. SALE having spoken,

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

Hon. Mr. SALE moved:

THAT Bill (No. 43) – 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. SALE having spoken,

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

Hon. Mr. SELINGER moved:

THAT Bill (No. 38) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. SELINGER having spoken,

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

Hon. Mr. SELINGER moved:

THAT Bill (No. 39) – The Investment Trust Unitholders' Protection Act/Loi sur l'immunité des détenteurs d'unités de sociétés de placement, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. SELINGER having spoken,

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

By leave, it was agreed to revert to the Second Reading Debate on Bill (No. 31) – The Condominium Amendment Act/Loi modifiant la Loi sur les condominiums in order to allow for Hon. Mr. SELINGER to conclude his remarks.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 22) – The Water Protection Act/Loi sur la protection des eaux, reported from the Standing Committee on Social and Economic Development, the House resumed the Adjourned Debate on the Proposed Amendment of Hon. Mr. GERRARD:

THAT Bill 22 be amended by renumbering Clause 2 as Clause 2(1) and adding the following as Clause 2(2):

No net loss of wetlands

2(2) Given the unique role that wetlands play in Manitoba's aquatic ecosystems, another purpose of this Act is to ensure there is no net loss of wetlands in Manitoba.

And the debate continuing on the amendment,

And Mr. PENNER having spoken,

The debate was allowed, by leave, to remain in the name of Mr. CUMMINGS.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 22) – The Water Protection Act/Loi sur la protection des eaux, reported from the Standing Committee on Social and Economic Development, the House resumed the Adjourned Debate on the Proposed Amendment of Hon. Mr. GERRARD:

THAT Bill 22 be amended in Clause 21(1) by adding the following at the end:

At least one of the five must be an active farmer who is representative of agricultural practices in Manitoba.

And the proposed sub-amendment moved by Mr. PENNER as follows:

THAT the amendment to Clause 21(1) of Bill 22 be amended by adding "and at least one must be a representative of the Association of Manitoba Municipalities" at the end.

And the debate continuing on the sub-amendment,

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And Hon. Mr. ASHTON having spoken,

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 22) – The Water Protection Act/Loi sur la protection des eaux, reported from the Standing Committee on Social and Economic Development, the House resumed the Adjourned Debate on the Proposed Amendment of Hon. Mr. GERRARD:

THAT Bill 22 be amended by adding the following after Clause 31:

Appeal

31.1 Any person who is affected by an order or decision of the minister under this Act may, within 30 days after the making of the order or decision, appeal the order or decision to The Municipal Board, and the decision of The Municipal Board, notwithstanding anything to the contrary in *The Municipal Board Act*, is final and not subject to further appeal.

And the debate continuing on the amendment,

And Mr. PENNER having spoken,

The debate was allowed, by leave, to remain in the name of Mr. FAURSCHOU.

The House then adjourned at 5:30 p.m. until 1:30 p.m. Wednesday, May 11, 2005.

Hon. George HICKES,
Speaker.