



**LEGISLATIVE ASSEMBLY OF MANITOBA**

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**VOTES AND PROCEEDINGS No. 80**

**FIRST SESSION, THIRTY-SEVENTH LEGISLATURE**

**PRAYERS**

**10:00 O'CLOCK A.M.**

Mr. Speaker having left the Chair and the House resolving itself into a Committee to consider of the Supply to be granted to Her Majesty;

And the House continuing in Committee, the Proceedings were interrupted at 12:00 p.m. with the understanding that the Committee of Supply would resume following Routine Proceedings.

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

The following petitions were presented:

Mr. PENNER (Steinbach) – Legislative Assembly of Manitoba urge the government to hold plebiscites in affected communities before any new gaming licences are issued in the Province of Manitoba (B. Lesage, T. Fehler, D. Klassen and others)

Mrs. DRIEDGER – Legislative Assembly of Manitoba urge the government to consider holding plebiscites in affected communities before any new gaming licences are issued in the Province of Manitoba. (R. Phelps, G. Langhon, R. Paetkau and others)

Mrs. SMITH (Fort Garry) – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (J. Cameron, G. McCall, C. McCall and others)

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The following petitions were read and received:

Mr. LOEWEN – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (R. Burrton, G. Wiebe, V. Wilson and others)

Mr. DYCK – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (H. Bueckert, H. Elias, M. Elias and others)

Mr. SCHULER – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (M. Panchuk, A. Faykes, E. Peters and others)

Mr. REIMER – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (A. Judt, H. Judt, A. Schoubye and others)

**Thursday, August 17, 2000**

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Mrs. DRIEDGER – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (Y. Martin, H. Barber, M. Barber and others)

Mr. FAURSCHOU – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (C. Alder, L. Hiebert, H. McCormick and others)

Mrs. SMITH (Fort Garry) – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (D. Stasiuk, E. Stasiuk, J. Franks and others)

Mr. ENNS – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (L. Isaacs, L. Isaacs, L. Froese and others)

Mr. ROCAN – Minister of Education and Training to withdraw Bill 12 – The Public Schools Amendment Act (L. Wilton, D. Wilton, L. Bergsma and others)

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Hon. Ms. BARRETT, the Minister of Labour, made a statement regarding the death of Steve Ewing, an employee injured in the explosion at Hudson's Bay Mining and Smelting on August 8, 2000.

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

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Hon. Ms. MCGIFFORD presented:

Annual Report of Le Centre Culturel Franco-Manitobain for the fiscal year ending March 31, 2000.

(Sessional Paper No. 212)

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By leave, prior to Introduction of Bills, the House reverted to "Presenting Reports by Standing and Special Committees".

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By leave, Mr. REID, Chairperson of the Standing Committee on Industrial Relations, presented its Third Report, which was read as follows:

Your Committee met on Monday, August 14, 2000 at 6:30 p.m., Tuesday, August 15, 2000 at 10:00 a.m., Tuesday, August 15, 2000 at 6:30 p.m., and Wednesday, August 16, 2000 at 3:00 p.m. in Room 255 of the Legislative Building to consider Bills referred.

At the Monday, August 14, 2000 at 6:30 p.m. meeting, Mr. SMITH (Brandon West) moved that time allowed be 15 minutes for presentations, 5 minutes for questions. The motion was agreed to.

**Thursday, August 17, 2000**

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At the Tuesday, August 15, 2000 at 6:30 p.m. meeting, Mr. SMITH (Brandon West) moved that the Committee sits until all presentations are complete. The motion was agreed to on a counted vote.

At that meeting, Hon. Mr. SALE moved whereas all registered presenters have been heard, I move that public presentations on the Bill 44 now be concluded. The motion was agreed to on a counted vote (yeas 6, nays 4).

At the Monday, August 14, 2000 at 6:30 p.m., Tuesday, August 15, 2000 at 10:00 a.m., and Tuesday, August 15, 2000 at 6:30 p.m. meetings, your Committee heard representation on Bills as follows:

(No. 18) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail

Roger Cameron	Railway Association of Canada
Gordon Peters	CANDO Contracting
Doug Oschewski	Canadian Autoworkers Union
Wendy Sol	Communications, Energy and Paperworkers Union Canada
Al Cerilli	Manitoba Federation of Union Retirees
Rob Hilliard	Manitoba Federation of Labour

(No. 44) – The Labour Relations Amendment Act (2)/Loi no 2 modifiant la Loi sur les relations du travail

Gordon Peters	CANDO Contracting
Joyce Reynolds	Canadian Restaurant Association
Jan Speelman	Manitoba Teacher's Society
Roy Eyjolfson	Seagram Company Limited, Gimli
Heather Ostop	Private Citizen
Peter Woolford	Retail Council of Canada and Retail Merchants Association of Manitoba
Robert Desjarlais	United Steel Workers Union Local 6166
Sidney Green	Private Citizen
Irene Merie and Murray Siegler	Winnipeg Chamber of Commerce
Rob Hilliard	Manitoba Federation of Labour
Jim Carr	Business Council of Manitoba
Candace Bishoff	Manitoba Employers Council
Dan Overall	Manitoba Chambers of Commerce
Edward Huebert	Mining Association of Manitoba
Brenda Andre	Perkins Family Restaurants
Terry Cooper	Manitoba Association of School Trustees
Jim Baker	Manitoba Hotel Association
Paul Moist	Canadian Union of Public Employees
Dan Kelly	Canadian Federation of Independent Business
Peter Wightman	Construction Labour Relations Association of Manitoba

Bernard Christophe	United Food and Commercial Workers Union Local 832
Colin Robinson	Private Citizen
Randy Porter	Portage Labour Council
Chris Christenson	South Eastern Manitoba Labour Council
Grant Ogonowski	Private Citizen
Roland Boisvert	Manitoba French Chamber of Commerce
Ron Hambly	Winnipeg Construction Association
George Floresco	Canadian Union of Postal Workers
David Condon	Canadian Union of Postal Workers – Prairie Region
Brian Short	International Association of Machinists and Aero Space Workers
Grant Mitchell	Private Citizen
George Fraser	Manitoba Home Builders Association
Maureen Hancharyk	Manitoba Nurses' Union
James Hogaboam	Delivery Drivers Alliance of Manitoba
Kenneth Emberly	Citizens for Democracy and Less Poverty
Darlene Dziewit	Private Citizen
Julie Sheeska	Private Citizen
Joy Ducharme	Private Citizen
Alice Ennis	Private Citizen
Kelly Gaspar	Private Citizen
Colin Trigwell	Private Citizen
Graham Starmer	Coalition of Manitoba Businesses
Gerry Roxas	Communications, Energy and Paper Workers Union of Canada Local 830
Dale Paterson	Canadian Auto Workers
Maria Soares	Union of Needle Trades, Industrial and Textile Employees Local 459
Neal Curry	Westland Plastics Ltd.
Bob Dolyniuk	Manitoba Truckers Association
Lydia Kubrakovich and Krishna Lalbiharie	Canadian Federation of Students
Todd Scarth	Canadian Centre for Policy Alternatives
Albert Cerilli	Manitoba Federation of Union Retirees
Peter Olfert	Manitoba Government Employees Union
John Godard	Private Citizen
Mario M. Javier	Private Citizen
Thomas Novak and Margot Lavoie	Manitoba Oblates – Justice and Peace Committee
Larry McIntosh	Private Citizen
David Newman	Private Citizen
Rod Giesbrecht	Private Citizen
Robert D. Ziegler	Private Citizen

Written Submissions:

(No. 44) – The Labour Relations Amendment Act (2)/Loi no 2 modifiant la Loi sur les relations du travail

Bryan Walton	Canadian Council Of Grocery Distributors
Keith McDougall	Canadian Federation Of Independent Grocers
Shirley Canty	Manitoba Motor Dealers Association
Jonas Sammons	Alliance of Manufacturers and Exporters Canada
Ilene Lecker	Private Citizen
George Bergen	Private Citizen
United Steel Workers of America	
Bob Stevens	Manitoba Restaurant Association
David Martin	Manitoba Building Trades Council
Ron Teeple	Brandon District Labour Council

Your Committee has considered:

(No. 18) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail  
and has agreed to report the same, without amendment, on a counted vote (yeas 6, nays 3).

Your Committee has also considered:

(No. 44) – The Labour Relations Amendment Act (2)/Loi no 2 modifiant la Loi sur les relations du travail

and has agreed to report the same with the following amendments, on a counted vote (yeas 6, nays 4):

**MOTION:**

*THAT section 3 of the Bill be replaced by the following:*

3                    *Subsection 12(2) is amended by striking out everything after "employee" and substituting "was because of conduct of the employee that was related to the strike or lockout and resulted in a conviction for an offence under the Criminal Code (Canada) and, in the opinion of the board, would be just cause for dismissal of the employee even in the context of a strike or lockout."*

**MOTION:**

*THAT the proposed subsection 40(1), as set out in subsection 6(1) of the Bill, be amended by striking out everything before item 1 and substituting the following:*

**Certification, representation vote, or dismissal**

**40(1)** Subject to this Part, when the board receives an application for certification and is satisfied that the employees were not subject to intimidation, fraud, coercion or threat and that their wishes for union representation were expressed freely as required by section 45, the board shall do the following when it receives an application for certification:

**MOTION:**

*THAT the proposed clause 69(1)(b), as set out in subsection 10(1) of the Bill, be struck out and the following substituted:*

- (b) in the case of the construction industry, of the members of the union in the craft unit;

**MOTION:**

*THAT section 23 of the Bill be replaced with the following:*

23                    *The following is added after section 87:*

SETTLEMENT OF SUBSEQUENT AGREEMENTS

**Dispute about subsequent agreements**

**87.1(1)** Where a collective agreement has expired and a strike or lockout has commenced, the employer or the bargaining agent for a unit may apply in writing to the board to settle the provisions of a collective agreement if

- (a) at least 60 days have elapsed since the strike or lockout commenced;
- (b) the parties have attempted to conclude a new collective agreement with the assistance of a conciliation officer or mediator for at least 30 days during the period of the strike or lockout; and
- (c) the parties have not concluded a new collective agreement.

**Notice**

**87.1(2)** The board shall promptly notify the parties when it receives an application.

**Board to determine if good faith bargaining**

**87.1(3)** On receiving an application, the board shall inquire into negotiations between the parties and determine

- (a) whether or not they are bargaining in good faith in accordance with subsection 63(1); and
- (b) whether or not they are likely to conclude a collective agreement within 30 days if they continue bargaining.

**Discretion of board**

**87.1(4)** The board may delay making a determination under subsection (3) until it is satisfied that the party making the application has bargained sufficiently and seriously with respect to those provisions of the collective agreement that are in dispute between the parties.

**No settlement if good faith bargaining and agreement is likely**

**87.2(1)** If the board finds under subsection 87.1(3) that the parties are bargaining in good faith and are likely to conclude a collective agreement within 30 days if they continue bargaining, it shall decline to settle the provisions of a collective agreement between them and notify them of that fact. The board may, however, appoint a board representative, or request the minister to appoint a conciliation officer, to confer with the parties to assist them in settling the provisions of a collective agreement.

**New application if no agreement within further 30 days**

**87.2(2)** If 30 days have elapsed since notice was given under subsection (1) and the parties have failed to conclude a collective agreement, either party may make a new application to the board under subsection 87.1(1).

**Settlement**

**87.3(1)** If the board finds under subsection 87.1(3) that a party is not bargaining in good faith, or that the parties are bargaining in good faith but are unlikely to conclude a collective agreement within 30 days if they continue bargaining,

- (a) the employees shall immediately terminate the strike, or the employer shall immediately terminate the lockout;
- (b) the employer shall reinstate the employees as provided for in subsection 87(5); and
- (c) the provisions of a collective agreement between the parties shall be settled
  - (i) by an arbitrator, if the parties serve a notice of their wish for arbitration under subsection (2), or
  - (ii) by the board within 90 days of its finding, in any other case.

**Arbitration**

**87.3(2)** Within 10 days after a finding by the board that a party is not bargaining in good faith, or that the parties are bargaining in good faith but are unlikely to conclude a collective agreement through further bargaining, the employer and the bargaining agent may serve a notice on the board stating that they wish to have the collective agreement settled by arbitration. The notice must name a person who has agreed to act as arbitrator.

**Arbitrator to settle collective agreement**

**87.3(3)** The arbitrator shall settle the provisions of the collective agreement within 60 days after notice is served on the board under subsection (2).

**Arbitration provisions of this Act apply**

**87.3(4)** The provisions of this Act respecting arbitration apply, with necessary modifications, to an arbitrator acting under this section.

**Term of collective agreement**

**87.3(5)** A collective agreement settled by an arbitrator or the board under this section is effective for a period of one year following the expiry date of the previous collective agreement, or for any longer period the parties agree to.

**Collective agreement binding**

**87.3(6)** A collective agreement settled under this section is binding on the parties and on the employees in the unit as though it were a collective agreement voluntarily entered into between the parties, but the parties may nevertheless amend its provisions by a subsequent written agreement.

**Subsections 87(6) and (8) apply**

**87.3(7)** Subsections 87(6) and (8) apply, with necessary changes, to the settlement of a collective agreement under this section.

**Review**

**87.4** The minister shall request the Manitoba Labour Management Review Committee to review the operation of sections 87.1 to 87.3 at least once in each 24-month period after those sections come into force and provide a report to the minister setting out their findings. The minister shall table the report in the Legislative Assembly as soon as possible after receiving it.

**MOTION:**

*THAT the proposed subsection 130(1), as set out in subsection 27(1) of the Bill, be struck out and replaced with the following:*

**Referral of grievance to board**

**130(1)** When an employee in a unit bound by a collective agreement, or the bargaining agent, initiates a grievance under the agreement, the bargaining agent may refer the grievance, including any question about its arbitrability, to the board to be dealt with in accordance with this section.

On motion of Mr. REID, the Report of the Committee was received.

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Pursuant to Rule 23(1), Messrs. JENNISSEN, LOEWEN, STRUTHERS, ENNS and SMITH (Brandon West) made Members' Statements.

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By leave, it was agreed to waive the requirements as set out in Rule 76(1) in order for the Committee of Supply to meet in Room 255 to consider the estimates of the concurrence motion with the understanding that House business will continue in the Chamber for August 17, 2000.

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 4) – The Elections Finances Amendment Act/Loi modifiant la Loi sur le financement des campagnes électorales, be now read a Third Time and passed.



And a debate arising,

And Hon. Mr. MACKINTOSH, Mr. GILLESHAMMER, Mrs. MITCHELSON, Mr. LOEWEN and Hon. Mr. GERRARD having spoken,

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

**YEA**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK..... 29
MALOWAY	

**NAY**

CUMMINGS	MAGUIRE
DACQUAY	MITCHELSON
DERKACH	PENNER (Emerson)
DRIEDGER	PENNER (Steinbach)
DYCK	PITURA
ENNS	PRAZNIK
FAURSCHOU	REIMER
FILMON	ROCAN
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 23
LOEWEN	

The Bill was accordingly read a Third Time and passed.

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 42) – The Public Schools Amendment and Consequential Amendments Act/Loi modifiant la Loi sur les écoles publiques et modifications corrélatives, be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH, Mrs. SMITH (Fort Garry), Mr. DERKACH, Hon. Mr. GERRARD and Mr. FAURSCHOU having spoken,

And the Question being put. It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

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Hon. Ms. FRIESEN moved:

THAT Bill (No. 6) – The Water Resources Conservation and Protection and Consequential Amendments Act/Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives, be now read a Third Time and passed.

And a debate arising,

And Hon. Ms. FRIESEN, Messrs. MAGUIRE and LOEWEN, Hon. Mr. GERRARD and Mr. FAURSCHOU having spoken,

And the Question being put. It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

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Hon. Ms. FRIESEN moved:

THAT Bill (No. 15) – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau, be now read a Third Time and passed.

And a debate arising,

And Hon. Ms. FRIESEN, Mr. MAGUIRE and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

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Hon. Mr. SELINGER moved:

THAT Bill (No. 17) – The Elections Amendment Act/Loi modifiant la Loi électorale, be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. SELINGER, Mr. LAURENDEAU and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Third Time and passed.

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Hon. Mr. SELINGER moved:

THAT Bill (No. 26) – The Court of Queen's Bench Amendment Act/Loi modifiant la Loi sur la Cour du Banc de la Reine, be now read a Third Time and passed.

And a debate arising,

And Hon. Messrs. SELINGER and GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Third Time and passed.

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Hon. Mr. SELINGER moved:

THAT Bill (No. 35) – The Planning Amendment Act/Loi modifiant la Loi sur l'aménagement du territoire, be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. SELINGER, Messrs. ENNS and DERKACH, Hon. Mr. GERRARD, Messrs. LOEWEN, FAURSCHOU and PENNER (Emerson) having spoken,

And the Question being put. It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 43) – The Sustainable Development Amendment and Consequential Amendments Act/Loi modifiant la Loi sur le développement durable et modifications corrélatives, be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH, Mr. PENNER (Emerson) and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

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Hon. Ms. FRIESEN moved:

THAT Bill (No. 47) – The Civil Service Amendment Act/Loi modifiant la Loi sur la fonction publique, be now read a Third Time and passed.

And a debate arising,

And Hon. Ms. FRIESEN and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

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Hon. Ms. WOWCHUK moved:

THAT Bill (No. 48) – The Rural Development Bonds Amendment Act/Loi modifiant la Loi sur les obligations de développement rural, be now read a Third Time and passed.

And a debate arising,

And Hon. Ms. WOWCHUK, Messrs. LOEWEN and PENNER (Steinbach), Hon. Mr. GERRARD and Mr. DERKACH having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Third Time and passed.

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The concurrence motion required pursuant to Rule 76(1) having been considered in the Committee of Supply and reported to the House, it was subsequently concurred in.

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Mr. Speaker having left the Chair and the House resolving itself into a Committee to consider of the Ways and Means of raising the Supply to be granted to Her Majesty:

**IN THE COMMITTEE**

RESOLVED that towards making good Certain Sums of Money for Capital Purposes, the sum of ONE BILLION, THIRTY MILLION Dollars (\$1,030,000,000.00) be granted out of the Consolidated Fund.

RESOLVED that towards making good Certain Sums of Money granted to Her Majesty for the Public Service of the Province for the Fiscal Year ending the 31st day of March 2001, the sum of FIVE BILLION, NINE HUNDRED SEVENTY-FOUR MILLION, FOUR HUNDRED FORTY-FIVE THOUSAND, ONE HUNDRED DOLLARS (\$5,974,445,100.00), as set forth in Schedule A (Operating Expenditure) be granted out of the Consolidated Fund.

**Thursday, August 17, 2000**

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RESOLVED that towards making good Certain Sums of Money granted to Her Majesty for the Public Service of the Province for the Fiscal Year ending the 31st day of March 2001, the sum of FIFTY-FOUR MILLION DOLLARS (\$54,000,000.00), as set out in Schedule B (Capital Investment) be granted out of the Consolidated Fund.

Resolutions were reported.

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

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By leave, on motion of Hon. Mr. SELINGER, Bill (No. 50) – The Appropriation Act, 2000/Loi de 2000 portant affectation de crédits, and that the same be now received, read a First Time, and be ordered for Second Reading Immediately.

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By unanimous consent, it was agreed to proceed with Report Stage of Bills 18 and 44 upon completion of the Main and Capital procedures.

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By leave, on motion of Hon. Mr. SELINGER, Bill (No. 50) – The Appropriation Act, 2000/Loi de 2000 portant affectation de crédits, be now read a Second Time, and be referred to a Committee of this House.

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By leave, on motion of Hon. Mr. SELINGER, Bill (No. 49) – The Loan Act, 2000/Loi d'emprunt de 2000, and that the same be now received, read a First Time, and be ordered for Second Reading Immediately.

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By leave, on motion of Hon. Mr. SELINGER, Bill (No. 49) – The Loan Act, 2000/Loi d'emprunt de 2000, be now read a Second Time, and be referred to a Committee of this House.

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By leave, Hon. Mr. MACKINTOSH moved:

THAT Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider and report of Bill (No. 38) – The Statute Law Amendment (Taxation) Act, 2000/Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité, Bill (No. 49) – The Loan Act, 2000/Loi d'emprunt de 2000 and Bill (No. 50) – The Appropriation Act, 2000/Loi de 2000 portant affectation de crédits, for Third Reading.

And the Question being put. It was agreed to.

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Bill (No. 49) – The Loan Act, 2000/Loi d'emprunt de 2000, was considered in the Committee of the Whole and reported without amendment and, by leave, was concurred in.

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By leave, Bill (No. 49) – The Loan Act, 2000/Loi d’emprunt de 2000, was read a Third Time and passed.

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Bill (No. 50) – The Appropriation Act, 2000/Loi de 2000 portant affectation de crédits, was considered in the Committee of the Whole and reported without amendment and, by leave, was concurred in.

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By leave, Bill (No. 50) – The Appropriation Act, 2000/Loi de 2000 portant affectation de crédits, was read a Third Time and passed.

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Bill (No. 38) – The Statute Law Amendment (Taxation) Act, 2000/Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité, was considered in the Committee of the Whole and reported without amendment and, by leave, was concurred in.

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By leave, Bill (No. 38) – The Statute Law Amendment (Taxation) Act, 2000/Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité, was read a Third Time and passed.

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By leave, Bill (No. 18) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail, reported from the Standing Committee on Industrial Relations, was concurred in.

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By leave, Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 18) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail, be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. MACKINTOSH, Messrs. SCHULER, ENNS, FAURSCHOU and MAGUIRE and Hon. Mr. GERRARD having spoken,

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

**YEA**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK.....29
MALOWAY	

**NAY**

CUMMINGS	MAGUIRE
DACQUAY	MITCHELSON
DERKACH	PENNER (Emerson)
DRIEDGER	PENNER (Steinbach)
DYCK	PITURA
ENNS	PRAZNIK
FAURSCHOU	REIMER
FILMON	ROCAN
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED .....23
LOEWEN	

The Bill was accordingly read a Third Time and passed.

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By leave, the Order of Day having been read for consideration of Bill (No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail, as amended and reported from the Standing Committee on Industrial Relations:

Hon. Ms. BARRETT moved:

*THAT the Bill be amended in section 32 by striking out "30 days" and substituting "60 days".*

And a debate arising,

And Hon. Ms. BARRETT having spoken,

And the Question being put on the amendment. It was agreed to.

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Mr. PRAZNIK then moved, as amended by leave:

*THAT the Bill be amended in section 32 by striking out "60" and substituting "1,860".*

And a debate arising,

And Mr. PRAZNIK, Hon. Mr. GERRARD and Mr. LOEWEN having spoken,

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

**YEA**

CUMMINGS	MAGUIRE
DACQUAY	MITCHELSON
DERKACH	PENNER (Emerson)
DRIEDGER	PENNER (Steinbach)
DYCK	PITURA
ENNS	PRAZNIK
FAURSCHOU	REIMER
FILMON	ROCAN
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 23
LOEWEN	

**NAY**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK..... 29
MALOWAY	

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail, as amended and reported from the Standing Committee on Industrial Relations and subsequently amended, be concurred in.



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

**YEA**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK..... 29
MALOWAY	

**NAY**

CUMMINGS	MAGUIRE
DACQUAY	MITCHELSON
DERKACH	PENNER (Emerson)
DRIEDGER	PENNER (Steinbach)
DYCK	PITURA
ENNS	PRAZNIK
FAURSCHOU	REIMER
FILMON	ROCAN
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 23
LOEWEN	

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By leave, Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail, be now read a Third Time and passed.

And a debate arising,

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

Mr. LAURENDEAU moved an amendment as follows:

*THAT the motion be amended by deleting all of the words after the word "THAT" and substituting the following therefore:*

Bill (No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail, be not now read a Third Time but be referred to back to the Standing Committee on Industrial Relations for the purpose of reconsidering clauses 3, 6(1), 23, 27(1), 27(2), 27(3) and 27(4).

WHEREUPON Mr. Speaker ruled the amendment in order.

And the debate continuing on the amendment,

And Messrs. SCHULER, PENNER (Emerson) and ROCAN, Hon. Mr. GERRARD and Mr. PRAZNIK having spoken,

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

**YEA**

CUMMINGS	LOEWEN
DACQUAY	MAGUIRE
DERKACH	MITCHELSON
DRIEDGER	PENNER (Emerson)
DYCK	PENNER (Steinbach)
ENNS	PITURA
FAURSCHOU	PRAZNIK
FILMON	REIMER
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 22

**NAY**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK..... 29
MALOWAY	

And debate continuing on the main motion,

And Mrs. MITCHELSON having spoken,

Mrs. MITCHELSON moved an amendment as follows:

*THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore:*

Bill (No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail, be not now read a Third Time but that it be read a Third Time this day six months hence.

WHEREUPON Mr. Speaker ruled the amendment in order.

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

**YEA**

CUMMINGS	LOEWEN
DACQUAY	MAGUIRE
DERKACH	MITCHELSON
DRIEDGER	PENNER (Emerson)
DYCK	PENNER (Steinbach)
ENNS	PITURA
FAURSCHOU	PRAZNIK
FILMON	REIMER
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 22

**NAY**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SHELLENBERG
JENNISSON	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK..... 29
MALOWAY	

And debate continuing on the main motion,

And Messrs. LOEWEN, DERKACH and PRAZNIK having spoken,

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

**YEA**

AGLUGUB	MARTINDALE
ALLAN	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSON	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LEMIEUX	STRUTHERS
MACKINTOSH	WOWCHUK..... 29
MALOWAY	

**NAY**

CUMMINGS	LOEWEN
DACQUAY	MAGUIRE
DERKACH	MITCHELSON
DRIEDGER	PENNER (Emerson)
DYCK	PENNER (Steinbach)
ENNS	PITURA
FAURSCHOU	PRAZNIK
FILMON	REIMER
GERRARD	SCHULER
GILLESHAMMER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 22

The Bill was accordingly read a Third Time and passed.

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By leave, Hon. Mr. MACKINTOSH moved:

THAT when the House adjourns today it shall stand adjourned until a time fixed by Mr. Speaker, upon the request of the Government.

And a debate arising,

And Mrs. MITCHELSON, Hon. Messrs. GERRARD and DOER having spoken,

And the Question being put. It was agreed to.

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His Honour, Peter LIBA, Lieutenant-Governor of the Province of Manitoba, having entered the House at 4:28 a.m., and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for Your Honour the acceptance of these Bills:

(No. 49) – The Loan Act, 2000/Loi d'emprunt de 2000

(No. 50) – The Appropriation Act, 2000/Loi de 2000 portant affectation de crédits

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:

"His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence and assents to these Bills in Her Majesty's name."

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Mr. Speaker addressed His Honour in the following words:

May it please Your Honour:

The Legislative Assembly, at its present session, passed Bills, which in the name of the Assembly, I present to Your Honour and to which Bills I respectfully request Your Honour's Assent:

(No. 4) – The Elections Finances Amendment Act/Loi modifiant la Loi sur le financement des campagnes électorales

(No. 5) – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune

(No. 6) – The Water Resources Conservation and Protection and Consequential Amendments Act/Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives

(No. 7) – The Protection for Persons in Care Act/Loi sur la protection des personnes recevant des soins

- (No. 8) – The Enforcement of Judgments Conventions and Consequential Amendments Act/Loi sur les conventions relatives à l'exécution des jugements et modifications corrélatives
- (No. 10) – The Cooperatives Amendment Act/Loi modifiant la Loi sur les coopératives
- (No. 12) – The Public Schools Amendment Act/Loi modifiant la Loi sur les écoles publiques
- (No. 13) – The Taxicab Amendment Act/Loi modifiant la Loi sur les taxis
- (No. 14) – The Provincial Railways Amendment Act/Loi modifiant la Loi sur les chemins de fer provinciaux
- (No. 15) – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau
- (No. 16) – The City of Winnipeg Amendment Act (2)/Loi n° 2 modifiant la Loi sur la Ville de Winnipeg
- (No. 17) – The Elections Amendment Act/Loi modifiant la Loi électorale
- (No. 18) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail
- (No. 20) – The Farm Machinery and Equipment Amendment Act/Loi modifiant la Loi sur les machines et le matériel agricoles
- (No. 21) – The Water Resources Administration Amendment Act/Loi modifiant la Loi sur l'aménagement hydraulique
- (No. 22) – The Court of Queen's Bench Surrogate Practice Amendment Act/Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine
- (No. 23) – The Jury Amendment Act/Loi modifiant la Loi sur les jurés
- (No. 25) – The Interpretation and Consequential Amendments Act/Loi d'interprétation et modifications corrélatives
- (No. 26) – The Court of Queen's Bench Amendment Act/Loi modifiant la Loi sur la Cour du Banc de la Reine
- (No. 27) – The Correctional Services Amendment Act/Loi modifiant la Loi sur les services correctionnels
- (No. 28) – The Northern Affairs Amendment and Planning Amendment Act/Loi modifiant la Loi sur les Affaires du Nord et la Loi sur l'aménagement du territoire
- (No. 29) – The Health Sciences Centre Repeal and Consequential Amendments Act/Loi abrogeant la Loi sur le Centre des sciences de la santé et modifications corrélatives

- (No. 30) – The Social Services Administration Amendment Act/Loi modifiant la Loi sur les services sociaux
- (No. 31) – The Electronic Commerce and Information, Consumer Protection Amendment and Manitoba Evidence Amendment Act/Loi sur le commerce et l'information électroniques, modifiant la Loi sur la protection du consommateur et la Loi sur la preuve au Manitoba
- (No. 32) – The Victims' Rights Amendment Act/Loi modifiant la Loi sur les droits des victimes
- (No. 33) – The Highway Traffic Amendment and Consequential Amendments Act/Loi modifiant le Code de la route et modifications corrélatives
- (No. 34) – The Statute Law Amendment Act, 2000/Loi de 2000 modifiant diverses dispositions législatives
- (No. 35) – The Planning Amendment Act/Loi modifiant la Loi sur l'aménagement du territoire
- (No. 36) – The Summary Convictions Amendment Act/Loi modifiant la Loi sur les poursuites sommaires
- (No. 37) – The Miscellaneous Health Statutes Repeal Act/Loi abrogeant diverses lois en matière de santé
- (No. 38) – The Statute Law Amendment (Taxation) Act, 2000/Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité
- (No. 39) – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances
- (No. 40) – The Business Names Registration Amendment, Corporations Amendment and Partnership Amendment Act/Loi modifiant la Loi sur l'enregistrement des noms commerciaux, la Loi sur les corporations et la Loi sur les sociétés en nom collectif
- (No. 41) – The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act/Loi modifiant la Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et modifications corrélatives
- (No. 42) – The Public Schools Amendment and Consequential Amendments Act/Loi modifiant la Loi sur les écoles publiques et modifications corrélatives
- (No. 43) – The Sustainable Development Amendment and Consequential Amendments Act/Loi modifiant la Loi sur le développement durable et modifications corrélatives
- (No. 44) – The Labour Relations Amendment Act (2)/Loi n° 2 modifiant la Loi sur les relations du travail
- (No. 45) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants
- (No. 47) – The Civil Service Amendment Act/Loi modifiant la Loi sur la fonction publique

**Thursday, August 17, 2000**

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(No. 48) – The Rural Development Bonds Amendment Act/Loi modifiant la Loi sur les obligations de développement rural

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly as follows:

"In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these Bills."

At 4:35 a.m., His Honour was then pleased to retire.

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By leave, Hon. Mr. MACKINTOSH moved:

THAT this House do now adjourn.

And the Question being put. It was agreed to.

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The House then adjourned at 4:37 a.m., August 18, 2000.

Hon. George HICKES,  
Speaker.