



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 60

THIRD SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petitions were presented and read:

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. (J. Boorsma, L. Boorsma, D. Boorsma and others)

Mr. ROCAN – Legislative Assembly of Manitoba to request the Minister of Intergovernmental Affairs and Trade to consider conducting a review of the circumstances outlined and to consider making a recommendation for redress to the Government of Manitoba. (J. Meszaros, R. Mundurka, T. Karalski)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request the Provincial Government to consider funding the PAA to ensure that we receive a reasonable COLA, and that any loss of purchasing power we will face will be minor. (F. Cole, V. Lyons, E. Mullett and others)

Mrs. MITCHELSON – Legislative Assembly of Manitoba to request that the Minister Responsible for Manitoba Hydro and the Government of Manitoba consider ensuring an informed, appropriate and fair Wuskwatim Project Development Agreement (PDA) Referendum vote, and a vote overseen by an Independent Qualified Third Party such as Elections Manitoba. (C. Kobliski, K. Bighetty, A. Linklater and others)

Mr. EICHLER – Legislative Assembly of Manitoba to request the Provincial Government to consider funding the PAA to ensure that we receive a reasonable COLA, and that any loss of purchasing power we will face will be minor. (E. Todd, C. Thaxton, D. Reynolds and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the Government did not act on fixing the Crocus fund back in 2001. (D. Fauni, R. Quinto, S. Phillips)

Mr. REID, Chairperson of the Standing Committee on Legislative Affairs, presented its Eighth Report, which was read as follows:

Meetings:

Your Committee met on the following occasions. All meetings were held in Room 255 of the Legislative Building:

- Monday, June 6, 2005 at 6:30 p.m.
- Tuesday, June 7, 2005 at 9:30 a.m.
- Tuesday, June 7, 2005 at 6:30 p.m.

Matters under Consideration

- **Bill (No. 33)** – The Planning Act/Loi sur l'aménagement du territoire
- **Bill (No. 48)** – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants
- **Bill (No. 51)** – The Labour-Sponsored Investment Funds Act (Various Acts Amended)/Loi sur les fonds de placement des travailleurs (modification de diverses dispositions législatives)

Consideration of Bill (No. 48) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants commenced in the Standing Committee on Legislative Affairs on June 6, 2005 at 6:30 p.m. with presenters being heard and written submissions being agreed to but was transferred to the Standing Committee on Human Resources for consideration at meetings to be held on June 7, 2005.

Committee Membership:

At the June 6, 2005 meeting, your Committee elected Mr. NEVAKSHONOFF as the Vice-Chairperson.

Substitutions received prior to commencement of meeting:

- Ms. IRVIN-ROSS for Hon. Mr. LEMIEUX
- Hon. Mr. RONDEAU for Hon. Mr. MACKINTOSH
- Mr. NEVAKSHONOFF for Hon. Ms. OSWALD
- Hon. Mr. BJORNSON for Mr. SWAN
- Hon. Mr. SMITH for Hon. Ms. WOWCHUK
- Mr. LOEWEN for Mr. EICHLER
- Mr. MAGUIRE for Mr. FAURSCHOU
- Mrs. DRIEDGER for Mr. GOERTZEN
- Mr. HAWRANIK for Mr. REIMER

Substitutions made, by leave, during committee proceedings held on June 6, 2005 at 6:30 p.m.:

- Mr. EICHLER for Mr. LOEWEN
- Mr. MARTINDALE for Hon. Mr. SELINGER
- Mr. LOEWEN for Mr. EICHLER

Wednesday, June 8, 2005

At the June 7, 2005 at 9:30 a.m. meeting, your Committee elected Ms. IRVIN-ROSS as the Vice-Chairperson.

Substitutions made, by leave, during committee proceedings held on June 7, 2005 at 9:30 a.m.:

- Mr. JENNISSEN for Hon. Mr. BJORNSON
- Mr. AGLUGUB for Mr. NEVAKSHONOFF
- Mr. CALDWELL for Mr. MARTINDALE
- Mrs. MITCHELSON for Mrs. DRIEDGER
- Mr. EICHLER for Mr. HAWRANIK

At the June 7, 2005 at 6:30 p.m. meeting, your Committee elected Mr. NEVAKSHONOFF as the Vice-Chairperson.

Substitutions received prior to commencement of meeting:

- Mr. NEVAKSHONOFF for Ms. IRVIN-ROSS
- Mr. MALOWAY for Mr. AGLUGUB
- Hon. Mr. SELINGER for Mr. CALDWELL

Substitutions made, by leave, during committee proceedings held on June 7, 2005 at 6:30 p.m.:

- MAGUIRE for TAILLIEU

Public Presentations:

Your Committee heard 18 presentations on **Bill (No. 33)** – The Planning Act/Loi sur l'aménagement du territoire, from the following individuals and / or organizations:

David Rolfe	Keystone Agricultural Producers
Larry Schweitzer	Manitoba Cattle Producers Association
Chris Fulsher	Manitoba Municipal Administrators Association
John Bannister	Dairy Farmers of Manitoba
Garry Wasylowski	Association of Manitoba Municipalities
Cheryl Kennedy Courcelles	Private Citizen
Carol Clegg	Private Citizen
Leon Clegg	Private Citizen
Alan Baron	Private Citizen
Ruth Pryzner	Private Citizen
Fred Tait	Private Citizen
David Sanders	Private Citizen
Glen Koroluk	Private Citizen
Peter Mah	Manitoba Pork Council
Lindy Clubb	Wolfe Creek Conservation
Al Rogosin	Private Citizen
Glenda Whiteman	CROW Inc. (Concerned Residents of Winnipeg Inc.)
Andrew Dickson	Private Citizen

Your Committee heard 10 presentations on **Bill (No. 48)** – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, from the following individuals and / or organizations:

Ray Sitter	Private Citizen
Ray Derksen	Manitoba Association of School Superintendents
Pat Bowslaugh	Private Citizen
Gordon Henderson	Private Citizen
James Penner	Private Citizen
Jean Todd	Private Citizen
Laurena Leskiw	Private Citizen
Deanna Dolff	Private Citizen
Doug Kinney	Private Citizen
Shirley Augustine	Private Citizen

Your Committee heard 3 presentations on **Bill (No. 51)** – The Labour-Sponsored Investment Funds Act (Various Acts Amended)/Loi sur les fonds de placement des travailleurs (modification de diverses dispositions législatives), from the following individuals:

Bernie Bellan	Private Citizen
Paul Sveinson	Private Citizen
Chris Christensen	Private Citizen

Written Submissions:

Your Committee received 8 written submissions on **Bill (No. 33)** – The Planning Act/Loi sur l'aménagement du territoire, from the following organizations:

Charles Arklie	Private Citizen
Larry Powell	Private Citizen
Ted Ross	Roseisle Creek Watershed Association
Clair English	Private Citizen
Reed Wolfe	Private Citizen
Rodger Mawer	Private Citizen
Joe Dolecki	Brandon University
Kurt Siemens	Manitoba Egg Producers

Your Committee received 6 written submissions on **Bill (No. 48)** – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, from the following individuals and / or organizations:

Barbara Teskey	Private Citizen
Bob Swayze	Private Citizen
Gayle Robertson	Private Citizen
Leota Nelson	Private Citizen
Fred Cole	Private Citizen
Judy Goodman	Private Citizen

Bills Considered and Reported:

Bill (No. 33) – The Planning Act/Loi sur l'aménagement du territoire

Your Committee agreed to report this Bill without amendment.

Bill (No. 51) – The Labour-Sponsored Investment Funds Act (Various Acts Amended)/Loi sur les fonds de placement des travailleurs (modification de diverses dispositions législatives)

Your Committee agreed to report this Bill, with the following amendments:

*THAT the proposed clause 11(2)(f) of **The Crocus Investment Fund Act**, as set out in Clause 8(2)(c) of the Bill, be amended by striking out "an investment in an entity" and substituting ", directly or indirectly, an investment in an entity, other than a wholly-owned subsidiary of the Fund,".*

THAT Clause 17 of the Bill be amended

(a) in the proposed subsection 5.5(3), by replacing the second sentence with "But the chair of a committee and a majority of its members must be board members."; and

(b) in the proposed subsection 5.5(4), by striking out "and" at the end of clause (a), adding "and" at the end of clause (b) and adding the following after clause (b):

(c) a person cannot be the chair of the board and the chair of the committee at the same time.

*THAT the proposed clause 8(d) of **The Labour-Sponsored Venture Capital Corporations Act**, as set out in Clause 20(b) of the Bill, be amended by striking out "an investment in an entity" and substituting ", directly or indirectly, an investment in an entity, other than a wholly-owned subsidiary of the corporation,".*

*THAT the proposed subsection 8(2) of **The Labour-Sponsored Venture Capital Corporations Act**, as set out in Clause 20(c) of the Bill, be amended by striking out "No person" and substituting "Subject to the regulations, no person".*

THAT Clause 23(1)(b) of the Bill be amended by adding the following after the proposed clause (o.2):

(o.3) limiting the application of subsection 8(2);

THAT Clause 24 of the Bill be replaced with the following:

Coming into force

24(1) Subject to subsection (2), this Act comes into force on the day it receives royal assent.

Coming into force — certain provisions

24(2) *The following provisions come into force on a day to be fixed by proclamation:*

(a) *clause 8(2)(c);*

(b) *clause 5.5(4)(c) of **The Labour-Sponsored Venture Capital Corporations Act**, as enacted by section 17 of this Act;*

(c) *clauses 20(b) and (c).*

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

Ms. BRICK, Chairperson of the Standing Committee on Human Resources, presented its Third Report, which was read as follows:

Meetings:

Your Committee met on the following occasions:

- Tuesday, June 7, 2005 at 9:30 a.m.
- Tuesday, June 7, 2005 at 6:30 p.m.

All meetings were held in room 254 of the Legislative Building.

Matters under Consideration:

- **Bill (No. 48)** – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants

This Bill was also considered by the Standing Committee on LEGISLATIVE AFFAIRS at a meeting on June 6, 2005 at 6:30 p.m. in room 255.

Committee Membership:

Substitutions made, by leave, during committee proceedings at the Tuesday, June 7, 2005 at 9:30 a.m. meeting:

- Mr. ALTEMEYER for Hon Ms. ALLAN
- Mr. SWAN for Mr. MALOWAY
- Mr. SCHELLENBERG for Hon Ms. MCGIFFORD
- Hon. Mr. BJORNSON for Mr. MARTINDALE
- Mrs. STEFANSON for Mr. CULLEN
- Mrs. DRIEDGER for Mrs. ROWAT
- Mr. DYCK for Mr. SCHULER

Substitutions received prior to commencement of the meeting held on Tuesday, June 7, 2005 at 6:30 p.m.:

- Hon. Mr. STRUTHERS for Mr. ALTEMEYER
- Mr. SCHULER for Mr. DYCK

Public Presentations:

Your Committee heard 20 presentations on **Bill (No. 48)** – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, from the following individuals and/or organizations:

Margaret Warrian	Private Citizen
Terence Clifford	Private Citizen
Arnold Ross	Private Citizen
Lorraine Forrest	Private Citizen
Anne Monk	Private Citizen
DeeDee Rizzo	Retired Teachers Association of Manitoba
Brian Ardern	President, Manitoba Teachers Society
Peggy Prendergast	Private Citizen
Kay Arnot	Private Citizen
Norma Lacroix-Gagné	President, Chapter of E.M.R. (French Chapter)
Anne Monk for Wayne Hughes	Private Citizen
David McDowell	Private Citizen
Jake Peters	Private Citizen
Ron Anthony	Private Citizen
Marj Grevstad	Private Citizen
Jean Ogren	Private Citizen
John Carroll	Private Citizen
Karen Boughton	Private Citizen
Ruth Livingston	Private Citizen
JoAnne Irving	Private Citizen

Bills Considered and Reported:

Bill (No. 48) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants

Your Committee agreed to report this Bill without amendment.

On motion of Ms. BRICK, the Report of the Committee was received.

Pursuant to Rule 26(1), Messrs. CUMMINGS, NEVAKSHONOFF, SCHULER and AGLUGUB and Hon. Mr. GERRARD made Members' Statements.

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 Interrupted Debate on the Proposed Amendment of Hon. Mr. ASHTON:

THAT Bill 22 be amended by adding the following after Clause 4.1:

Advertising proposed regulations

4.2(1) At least 90 days before a regulation is made under subsection 4(1), the minister must, in a newspaper of general circulation in the affected area, advertise the fact that a draft of the proposed regulation has been filed in the public registry.

Written objections

4.2(2) Within 60 days after an advertisement is published under subsection (1), and subject to subsection (3), any person may refer a written objection to the proposed regulation to a director, in a form approved by the minister.

Scientific or technical information

4.2(3) An objection under subsection (2) must be based on written scientific or technical information relating to an area proposed to form all or part of the water quality management zone. This information must be provided to the director at the time the objection is referred.

Director's actions

4.2(4) Upon receiving an objection under subsection (2), the director must

- (a) notify the minister that an objection has been received; and
- (b) consider the objection, and the supporting scientific or technical information.

Advice to the minister

4.2(5) Within 60 days after notifying the minister of the objection, the director must give advice to the minister as to whether the proposed regulation should be varied or revised.

Expert advice re scientific or technical issues

4.2(6) Before providing advice under subsection (5), if the director determines that there is an unresolved scientific or technical issue, he or she must obtain expert advice in such a manner as may be set out in the regulations.

And the debate continuing on the amendment,

And Mr. PENNER having spoken,

And the Question being put. It was agreed to.

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. ASHTON:

THAT Bill 22 be amended by adding the following after Clause 4.2:

Review of regulation

4.3 The minister must, not later than five years after the date on which a regulation under section 4 comes into force, require the water council to

- (a) review the effectiveness of the regulation and, in the course of that review, consult with any persons affected by the regulation that the council considers appropriate; and
- (b) recommend, if it considers it advisable, that the regulation be amended or repealed.

The minister may, in addition, require the council to undertake such a review at any other time.

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

And Messrs. MAGUIRE and PENNER having spoken,

And the Question being put. It was agreed to.

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. ASHTON:

THAT Bill 22 be amended by adding the following after Clause 8 as part of Part 2:

Compensation where allocation cancelled or reduced

8.1(1) Where the effect of any action taken or regulation or order made under subsection 7(2) is to

- (a) cancel or reduce the allocation of water at any point or place to a person holding a licence under *The Water Rights Act*; and
- (b) allocate or increase the allocation of water at that point or place to another person who does not hold a licence, or whose licence is, relative to the licence referred to in clause (a), lower in precedence under section 8 (precedence of licences) of *The Water Rights Act*;

the person whose allocation is cancelled or reduced is entitled to receive from, and shall be paid by the other person, compensation for any loss or damage resulting from the cancellation or reduction.

No compensation in certain circumstances

8.1(2) Despite subsection (1), no compensation is payable where the action is taken, or the regulation or order is made, for a purpose relating to public health or the provision of drinking water. The determination of the purpose of the action, regulation or order is to be made by the minister.

Agreement respecting compensation

8.1(3) Within 60 days after action is taken or an order or regulation is made that has the effect described in subsection (1), the persons described in that subsection may make an agreement setting out

(a) the amount of compensation payable and the terms of payment; and

(b) the undertaking of one person to pay that compensation, on those terms, to the other person.

Arbitration

8.1(4) Where an agreement under subsection (3) is not made, the amount of compensation and the terms of payment must be determined in accordance with *The Arbitration Act*.

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

THAT the amendment adding Clause 8.1 to Bill 22 be amended in the proposed Clause 8.1(2) by striking out "minister" and substituting "Lieutenant Governor in Council".

And the debate continuing on the sub-amendment,

And leave having been denied to have the matter remain in the name of Mr. DEWAR,

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

And the debate continuing on the main motion,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

And Messrs. PENNER, MAGUIRE and DYCK having spoken,

And the Question being put. It was agreed to.

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. ASHTON:

THAT Bill 22 be amended in Clause 11(1)(b)(iv) by adding "wetlands," after "riparian areas,"

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

And Mr. PENNER having spoken,

And the Question being put. It was agreed to.

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. ASHTON:

THAT Bill 22 be amended by adding the following after Clause 20(a):

(a.1) to review regulations respecting water quality management zones, and provide advice to the minister;

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

And Mr. PENNER having spoken,

And the Question being put. It was agreed to.

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 (as amended) of Hon. Mr. ASHTON:

THAT Bill 22 be amended by adding the following after Clause 32:

PUBLIC REGISTRY

Public registry

32.1 The minister must maintain a public registry, which may be in electronic form, containing a copy of each of the following:

- (a) a draft of each proposed regulation or amendment to a regulation under this Act;
- (b) every declaration, order or regulation made under section 7 (serious water shortages);
- (c) every order respecting a commercial or agricultural operation made under a regulation described in section 33.1;
- (d) each watershed management plan approved by the minister under Part 3;
- (e) such other information as the minister may from time to time direct.

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

And Mr. PENNER having spoken,

And the Question being put. It was agreed to.

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. ASHTON:

THAT Bill 22 be amended by adding the following after Clause 33(1)(h):

(h.1) respecting the establishment of programs to provide financial incentives to protect or enhance water, aquatic ecosystems or drinking water sources;

(h.2) respecting the manner in which the director must obtain expert advice for the purpose of section 4.2;

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mr. DERKACH,

And Mr. PENNER having spoken,

And the Question being put. It was agreed to.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 17) – The Regional Health Authorities Amendment and Manitoba Evidence Amendment Act/Loi modifiant la Loi sur les offices régionaux de la santé et la Loi sur la preuve au Manitoba, reported from the Standing Committee on Social and Economic Development:

Hon. Mr. GERRARD moved:

THAT Bill 17 be amended in Clause 2 by adding the following after the proposed section 53.4:

Critical incident: notification by others

53.4.1(1) Any of the following who believes that a critical incident has occurred in respect of health services provided to an individual may notify the regional health authority for the health region in which the incident occurred:

(a) the individual himself or herself;

(b) a relative of the individual;

(c) an individual working at or for the regional health authority, the health corporation or the prescribed health care organization, that provided the health services.

Action where notification received

53.4.1(2) Promptly upon being notified under subsection (1), the regional health authority must

(a) inform the minister that such a notification has been received; and

(b) investigate, in accordance with guidelines established by the minister, whether a critical incident has occurred.

Review committee provisions apply

53.4.1(3) If the regional health authority determines that a critical incident has occurred, it must ensure that the incident is investigated and reported on, and sections 53.3 and 53.4 apply, with necessary changes.

And a debate arising,

And Hon. Messrs. GERRARD and SALE and Mrs. STEFANSON having spoken,

And the Question being put. It was negatived.

Mrs. STEFANSON then moved:

THAT Bill 17 be amended in Clause 2 by adding the following after the proposed section 53.5:

Notice of recommendations

53.5.1(1) If a report provided to the minister upon the completion of the investigation into a critical incident makes recommendations of a general nature that would be relevant to the delivery of health services elsewhere in the province, the minister must give each regional health authority a summary of those recommendations.

No disclosure of personal information

53.5.1(2) When giving a summary of recommendations, the minister must not disclose any personal health information or personal information about a person.

And a debate arising,

And Mrs. STEFANSON, Hon. Messrs. GERRARD and SALE having spoken,

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

By leave, Hon. Mr. GERRARD then moved:

THAT Bill 17 be amended in Clause 2 by adding the following after the proposed section 53.4:

Critical incident: notification by others

53.4.1(1) Any of the following who believes that a critical incident has occurred in respect of health services provided to an individual may notify the health corporation, prescribed health care organization or regional health authority which provided the health services:

(a) the individual himself or herself;

(b) a relative of the individual;

(c) an individual working at or for the regional health authority, the health corporation or the prescribed health care organization.

Action where notification received

53.4.1(2) Promptly upon being notified under subsection (1), the health corporation, prescribed health care organization or regional health authority must determine if a critical incident occurred.

Review committee provisions apply

53.4.1(3) If the regional health authority determines that a critical incident has occurred, it must ensure that the incident is investigated and reported on, and sections 53.3 and 53.4 apply, with necessary changes.

Retaliation prohibition applies

53.4.1(4) Section 53.9 applies, with necessary changes, to an individual described in clause (1)(c) who gives a notification under this section.

And a debate arising,

By leave, it was agreed for the French translation to be completed at a later time.

And Hon. Mr. GERRARD and Mrs. STEFANSON having spoken,

And the Question being put. It was agreed to.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 21) – The Oil and Gas Amendment and Oil and Gas Production Tax Amendment Act/Loi modifiant la Loi sur le pétrole et le gaz naturel et la Loi de la taxe sur la production de pétrole et de gaz, as amended and reported from the Standing Committee on Social and Economic Development:

Hon. Mr. GERRARD moved:

THAT Bill 21 be amended in the proposed subsection 93(2), as set out in Clause 23, by striking out "environment and to mitigate the" and substituting "environment, including air quality, and to mitigate any".

And a debate arising,

And Hon. Messrs. GERRARD and RONDEAU and Mr. MAGUIRE having spoken,

And the Question being put. It was negatived.

Hon. Mr. GERRARD then moved:

*THAT Bill 21 be amended in the proposed subsection 111(5), as set out in Clause 28, by adding
", unless the single well is located within 1.5 kilometres of a dwelling or land used to graze
livestock" at the end.*

And a debate arising,

And Hon. Messrs. GERRARD and RONDEAU and Mr. MAGUIRE having spoken,

And the Question being put. It was negatived.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 30) – The Manitoba Agricultural Services Corporation Act/Loi sur la Société des services agricoles du Manitoba, reported from the Standing Committee on Legislative Affairs:

Hon. Mr. GERRARD moved:

THAT Bill 30 be amended by adding the following after Clause 37:

DIVISION 4

CROSS-SUBSIDIZATION PROHIBITED

No cross-subsidies between Divisions

37.1 The corporation must not subsidize the administration or operation of a program or service under Division 1, 2 or 3 with money intended for the sole use of, or received or earned by, a program or service under one of the other two Divisions, including, without limitation,

- (a) a grant of money appropriated by the Legislature under section 49 for the purpose of a program or service under Division 1, 2 or 3;
- (b) money borrowed under section 50 or 63 for the purpose of a program or service under Division 1, 2 or 3;
- (c) insurance premiums received under contracts of hail insurance or production insurance;
and
- (d) income earned on investments by a program or service under Division 1, 2 or 3.

And a debate arising,

And Hon. Mr. GERRARD, Hon. Ms. WOWCHUK and Mr. EICHLER having spoken,

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

Hon. Mr. SELINGER moved:

THAT Bill (No. 44) – The Budget Implementation and Tax Statutes Amendment Act, 2005/Loi d'exécution du budget de 2005 et modifiant diverses dispositions législatives en matière de fiscalité, 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. SELINGER and Messrs. LAMOUREUX and GOERTZEN having spoken,

And Mr. CULLEN speaking at 5:30 p.m. The debate was allowed to remain in his name.

Hon. Mr. SELINGER presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 44).

(Sessional Paper No. 91)

The House then adjourned at 5:30 p.m. until 10:00 a.m. Thursday, June 9, 2005.

Hon. George HICKES,
Speaker.