



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 71**

**FOURTH SESSION, FORTIETH LEGISLATURE**

**PRAYER**

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

On motion of Mrs. STEFANSON, Bill (No. 209) – The Results-Based Budgeting Act/Loi sur la budgétisation axée sur les résultats, was read a First Time and had its purposes outlined.

Pursuant to Rule 26(1), Hon. Mr. CHOMIAK, Mr. SMOOK, Hon. Mr. SARAN, Mr. PEDERSEN and Ms. OSWALD made Members' Statements.

The following petitions were presented and read:

Mr. SCHULER – Legislative Assembly of Manitoba to urge that the Provincial Government improve the safety at the pedestrian corridor at the intersection of PTH# 206 and Cedar Avenue in Oak Bank by considering such steps as highlighting pavement markings to better indicate the location of the shoulders and crosswalk, as well as installing a lighted crosswalk structure. (D. Lowdon-Wiebe, D. Beddall, B. Brown and others)

Mr. EWASKO – Legislative Assembly of Manitoba to urge the Provincial Government to consider collaborating with other levels of government to research the economic benefits and construction costs of a marina in Lac du Bonnet. (C. Larson, K. Tetrault, D. Erickson and others)

Mr. SMOOK – Legislative Assembly of Manitoba to urge the Minister responsible for Manitoba Hydro to immediately provide a written explanation to all Members of the Legislative Assembly regarding what criteria were used and the reasons for selecting the preferred routing for the Minnesota-Manitoba Transmission Line including whether or not this routing represented the least intrusive option to residents of Tache, Springfield, St. Anne, Stuartburn, Piney and La Broquerie. (M. Davis, L. Aldaba, P. Main and others)

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 45) – The Elections Amendment Act/Loi modifiant la Loi électorale, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. CHOMIAK having spoken,

And Hon. Mr. GERRARD and Mr. GOERTZEN having questioned the Minister,

And the debate continuing,

And Hon. Mr. GERRARD and Mr. GOERTZEN having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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Hon. Mr. CHOMIAK for Hon. Ms. BLADY moved:

THAT Bill (No. 37) – The Radiation Protection Act/Loi sur la radioprotection, 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. CHOMIAK having spoken,

And Hon. Mr. GERRARD and Mrs. DRIEDGER having questioned the Minister,

And the debate continuing,

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

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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Hon. Mr. CHOMIAK for Hon. Ms. BLADY presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 37).

(Sessional Paper No. 77)

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 38) – The Intimate Image Protection Act/Loi sur la protection des images intimes, 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,

And Hon. Mr. GERRARD and Mr. GOERTZEN having questioned the Minister,

And the debate continuing,

And Hon. Mr. GERRARD and Mr. GOERTZEN having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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Hon. Mr. MACKINTOSH presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 38).

(Sessional Paper No. 78)

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Hon. Mr. MACKINTOSH moved:

THAT Bill (No. 41) – The Statutes Correction and Minor Amendments Act, 2015/Loi corrective de 2015, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. MACKINTOSH having spoken,

And Hon. Mr. GERRARD having questioned the Minister,

And the debate continuing,

And Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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Hon. Mr. LEMIEUX moved:

THAT Bill (No. 27) – The Veterinary Medical Amendment Act/Loi modifiant la Loi sur la médecine vétérinaire, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. LEMIEUX having spoken,

And Mr. PEDERSEN, Hon. Mr. GERRARD and Mr. GRAYDON having questioned the Minister,

And the debate continuing,

And Mr. PEDERSEN and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 18) – The Certified Occupations Act/Loi sur les professions reconnues, reported from the Standing Committee on Social and Economic Development:

Mrs. STEFANSON moved:

*THAT Bill 18 be amended in Clause 7(2) by adding "and be representative of the employer community" at the end.*

And a debate arising,

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

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

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Mrs. STEFANSON then moved:

*THAT Bill 18 be amended by adding the following after Clause 12(1):*

**Board approval required when establishing standards or requirements**

**12(1.1)** Despite subsection (1), the director may not exercise a power under clause (1)(a) or (c) unless the director first obtains the board's approval regarding the standards or requirements that are to be established or approved.

And a debate arising,

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

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

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Mrs. STEFANSON then moved:

*THAT Bill 18 be amended in Clause 14 by replacing the part before clause (a) with "If the board is satisfied that employer stakeholders of any occupation affected by a regulation are in favour of it, the board may, subject to the approval of the minister, make regulations".*

And a debate arising,

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

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

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Mrs. STEFANSON then moved:

*THAT Bill 18 be amended by striking out Clause 14(f).*

And a debate arising,

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

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

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Prior to Report Stage Amendments, Mr. GOERTZEN rose to indicate a conflict of interest on Bill (No. 70) – The Real Estate Services Act/Loi sur les services immobiliers.

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The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 70) – The Real Estate Services Act/Loi sur les services immobiliers, reported from the Standing Committee on Social and Economic Development:

Mr. SCHULER moved:

*THAT Bill 70 be amended by*

*(a) replacing Clauses 48(6) to 48(8) with the following:*

**Search warrant**

**48(6)** On application by an investigator, a justice may issue a warrant if he or she is satisfied by information on oath that there are reasonable grounds to believe that

(a) the circumstances in subsection (1) exist or that it is in the public interest that an investigation begun under subsection (2) continue; and

(b) there is,

(i) in any premises or place anything relating to those circumstances or that investigation,  
or

(ii) information or evidence relating to the those circumstances or that investigation that might be obtained by doing anything described in the warrant.

**Powers under warrant**

**48(7)** A warrant under this section may authorize an investigator and any other person or persons named in the warrant

(a) to enter or access the premises or place specified in the warrant (referred to in this section as the "place of inspection") and examine or seize anything described in the warrant;

(b) to use any data storage, processing or retrieval device or system used in carrying on business in order to produce information or evidence described in the warrant, in any form;

(c) to require the assistance described in subsection 49(1) or production of records as described in subsection 49(4); and

(d) to do anything else described in the warrant.

**Entry of dwelling**

**48(8)** Despite subsection (7), an investigator shall not exercise the power under a warrant to enter a place, or part of a place, occupied as a private residence unless

(a) the justice is informed that the warrant is being sought to authorize entry into a private residence; and

(b) the justice authorizes entry into the residence.

**Conditions on warrant**

**48(8.1)** A warrant under this section may contain any condition the justice considers necessary to ensure that a search authorized by the warrant is reasonable in the circumstances.

**Identification to be shown on request**

**48(8.2)** An investigator must show his or her identification if requested to do so.

*(b) in the part of Clause 49(1) before clause (a), by striking out "mentioned in subsection 48(6)" and substituting "being investigated"; and*

*(c) by repealing Clause 53.*

And a debate arising,

And Mr. SCHULER having spoken,

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

**YEA**

BRIESE  
CULLEN  
DRIEDGER  
EICHLER  
EWASKO  
FRIESEN  
GERRARD  
GRAYDON  
MARTIN

MITCHELSON  
PEDERSEN  
PIWNIUK  
ROWAT  
SCHULER  
SMOOK  
STEFANSON  
WISHART..... 17

**NAY**

ALLAN  
ALLUM  
ALTEMEYER  
ASHTON  
BRAUN  
CALDWELL  
CHIEF  
CHOMIAK  
DEWAR  
GAUDREAU  
HOWARD  
IRVIN-ROSS  
JHA  
KOSTYSHYN  
LEMIEUX

MACKINTOSH  
MALOWAY  
MARCELINO (Logan)  
MARCELINO (Tyndall Park)  
MELNICK  
NEVAKSHONOFF  
OSWALD  
RONDEAU  
SARAN  
SELINGER  
STRUTHERS  
SWAN  
WIEBE  
WIGHT..... 29

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The House then adjourned at 5:06 p.m. until 10:00 a.m. Tuesday, October 27, 2015.

Hon. Daryl REID,  
Speaker.