

Monday, June 22, 1998



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 68

FOURTH SESSION, THIRTY-SIXTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petitions were presented:

Mr. LAMOUREUX - Minister of Justice to consider establishing an Independent Review Committee to report to the Legislature on ways in which our judicial system may better service the public of Manitoba (W. Summers, R. A. Santos, L.C. Marcaida and others)

Mr. JENNISSEN - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (D. Frederick, E. Batke, D. Farly and others)

Ms. MIHYCHUK - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (E. Butler, G. Duncan, N. Duncan and others)

Mr. MARTINDALE - Premier to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers (M. Jenkins, G. Booth, H. Massey and others)

The following petitions were read and received:

Mr. LAMOUREUX - Minister of Justice to consider establishing an Independent Judicial Review Committee to report to the Legislature on ways in which our judicial system may better service the public of Manitoba (P. R. Carasig, D. Carasig, M. Cordova and others)

Mr. SANTOS - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (H. Thibrt, G. Kourdi, G. Sinclair and others)

Mr. HICKES - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (A. Courchene, M. Bagnulo, A. Courchene and others)

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Mr. MARTINDALE - Minister of Health to consider immediately cancelling the hospital food proposal and concentrate on delivering quality health care instead of using health dollars to provide contracts for private firms (N. Jsurre, M. Wirth, A. Silva and others)

Mr. MALOWAY - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (D. Miner, B. LeBlanc, A. Antonio and others)

Mr. LAURENDEAU, Chairperson of the Committee of Supply, reported progress having been made on June 18, 1998. Report was received and the Committee of Supply obtained leave to sit again.

Hon. Mr. STEFANSON presented:

Provincial Auditor's Report on Value-for-Money Audits for the period ended June, 1998.
(Sessional Paper No. 210)

Hon. Mrs. McINTOSH presented:

Annual Report of the Teachers' Retirement Allowances Fund for the calendar year ended December 31, 1997.
(Sessional Paper No. 211)

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

By leave, Mr. DYCK, Chairperson of the Standing Committee on Economic Development presented its Third Report, which was read as follows:

Your Committee met on Friday, June 19, 1998 at 9:30 a.m. in Room 254 of the Legislative Building to consider Bills referred.

At that meeting, your Committee elected Mr. DYCK as its Chairperson.

Your Committee heard representation on Bills as follows:

Bill (No. 47) - The Brandon University Act; Loi sur l'Université de Brandon
Edward Lipsett
Private Citizen

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Bill (No. 48) - The Mennonite College Federation and Consequential Amendments Act; Loi sur la Fédération des collèges mennonites et modifications corrélatives

Edward Lipsett	Private Citizen
Victor Martens	Menno Simons College
Gerald Gerbrandt	Mennonite Bible College
Ed Buller	Mennonite College Federation

Bill (No. 49) -The University of Winnipeg Act; Loi sur l'Université de Winnipeg

Edward Lipsett	Private Citizen
Geoffrey Scott	University of Winnipeg Faculty Association
Dr. Roger Kingsley	University of Winnipeg
Roger Coll	University of Winnipeg Faculty Association
United Church of Canada	

Bill (No. 50) - The Universities Establishment Repeal and Consequential Amendments Act; Loi abrogeant la Loi sur la fondation des universités et modifications corrélatives

Edward Lipsett	Private Citizen
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Your Committee agreed to defer clause by clause consideration of Bill (No. 47) - The Brandon University Act; Loi sur l'Université de Brandon, until a future meeting of a Standing Committee.

Your Committee has considered:

Bill (No. 48) - The Mennonite College Federation and Consequential Amendments Act; Loi sur la Fédération des collèges mennonites et modifications corrélatives

Bill (No. 49) - The University of Winnipeg Act; Loi sur l'Université de Winnipeg

Bill (No. 50) - The Universities Establishment Repeal and Consequential Amendments Act; Loi abrogeant la Loi sur la fondation des universités et modifications corrélatives

and has agreed to report the same without amendment.

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

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During Oral Questions, Mr. ASHTON rose on a point of order regarding the words “sleaze mongering” used by the Honourable First Minister in reference to the Honourable Member for Crescentwood,

WHEREUPON Madam Speaker ruled there was a point of order and requested the Honourable First Minister to withdraw the word “sleaze,”

Hon. Mr. FILMON withdrew his remark.

Following Oral Questions, Madam Speaker made the following rulings:

During Question Period on June 2, I took under advisement, in order to review Hansard, a point of order.

It concerned an answer given by the Honourable Minister of Family Services to a question asked by the Honourable Member for Swan River. The point of order raised by the House Leader for the Official Opposition was that the Minister was not responding to the matter raised. Having reviewed the Hansard transcript, I am ruling that there was not a point of order. The answer of the Minister of Family Services was relevant to the matter raised in the question.

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During Question Period on June 4, 1998 I took under advisement, in order to review Hansard, a point of order raised by the Government House Leader.

The point of order concerned a question posed by the Honourable Member for Elmwood, which the Government House Leader asserted was out of order, based on past rulings of Manitoba Speakers.

The Honourable Member for Elmwood asked of the Minister of Government Services: *“Can he confirm that several companies, including at least one Manitoba company, quoted lower prices than IBM for the actual hardware provided? Can he confirm that?”*

The Government House Leader was correct that there were instances in the past where such a question was ruled out of order. However, in Manitoba the practice has evolved where questions seeking confirmation have been routinely asked and allowed since the early 1990's. This is in step with Beauchense which in the most recent edition has dropped the provision of prohibiting questions seeking confirmation. As citation 410 (2) of the current edition of Beauchesne reads *“While some previous guidelines (for Question Period) remain valid others have fallen into disuse.”*

The Government House Leader, therefore, did not have a point of order.

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Pursuant to Rule 20(1), Messrs. HELWER, SALE and TWEED, Ms. FRIESEN and Mr. DYCK made Members' Statements.

On motion of Mr. HELWER:

ORDERED that the composition of the Standing Committee on Law Amendments be amended as follows:

Monday, June 22, 1998 at 10:00 a.m.:
Hon. Mr. TOEWS for Hon. Mr. RADCLIFFE.

Following Members' Statements, Mr. ASHTON rose on a matter of urgent public importance and moved:

THAT under Rule #31 that the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely the need for a public judicial inquiry into new allegations that Darryl Sutherland, an Independent Native Voice candidate in the Interlake in the 1995 provincial election, was given illegal campaign contributions by Allen Aitken, the chair of the Progressive Conservative campaign in the Interlake and Roland "Cubbie" Barrett, a prominent fund raiser for the Progressive Conservative Party, and that the illegal contributions were directed by Taras Sokolyk, the Premier's Chief of Staff.

And Mr. ASHTON and Hon. Mr. McCRAE having spoken to the urgency of the matter,

WHEREUPON Madam Speaker ruled as follows:

I wish to advise the House that the notice required under Rule 31(1) was provided.

I thank Honourable Members for advice on whether the motion proposed by the Honourable Member for Thompson should be debated today.

Under our rules and practices, the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if it is not given immediate attention. There must be no other reasonable opportunities to raise the matter.

With respect to whether there are other opportunities to debate this matter, I would note that the Honourable Member for Thompson has not used his grievance. This is a serious matter, however, I am not convinced that the matter is of such urgency to require that the regular business of the House be put aside in order to debate the matter today. Therefore I am ruling the matter does not meet the criteria set by our rules and practices.

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The Bills:

(No. 19) - The Public Trustee Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le curateur public et modifications corrélatives

(No. 22) - The Veterinary Services Amendment Act; Loi modifiant la Loi sur les soins vétérinaires

(No. 24) - The Crop Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-récolte reported from the Standing Committee on Law Amendments, were severally concurred in.

Bill (No. 36) - The City of Winnipeg Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg et modifications corrélatives, as amended and reported from the Standing Committee on Municipal Affairs, was concurred in.

Bill (No. 37) - The Farm Machinery and Equipment and Consequential Amendments Act; Loi sur les machines et le matériel agricoles et modifications corrélatives, reported from the Standing Committee on Law Amendments, was concurred in.

The Bills:

(No. 41) - The Life Leases and Consequential Amendments Act; Loi sur les baux viagers et modifications corrélatives

(No. 44) - The Statute Law Amendment Act, 1998; Loi de 1998 modifiant diverses dispositions législatives

as amended and reported from the Standing Committee on Law Amendments, were respectfully concurred in.

Hon. Mr. McCRAE moved:

THAT Bill (No. 12) - The Addictions Foundation Amendment Act; Loi modifiant la Loi sur la Fondation manitobaine de lutte contre les dépendances, be now read a Third Time and passed.

And a debate arising,

And Ms. MIHYCHUK having spoken,

And the Question being put,

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It was agreed to, on division.

The Bill was accordingly read a Third Time and passed.

Hon. Mr. McCRAE moved:

THAT Bill (No. 25) - The Highway Traffic Amendment Act; Loi modifiant le Code de la route, be now read a Third Time and passed.

And a debate arising,

And Mr. LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Third Time and passed.

Hon. Mr. McCRAE moved:

THAT Bill (No. 27) - The Manitoba Employee Ownership Fund Corporation Amendment Act; Loi modifiant la Loi constituant en corporation le Fonds de participation des travailleurs du Manitoba, be now read a Third Time and passed.

And a debate arising,

And Mr. LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Third Time and passed.

Bill (No. 4) - The Child and Family Services Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les services à l'enfant et à la famille et modifications corrélatives, was read a Third Time and passed.

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Hon. Mr. DOWNEY moved:

THAT Bill (No. 14) - The Executions Amendment Act; Loi modifiant la Loi sur l'exécution des jugements, be now read a Third Time and passed.

And a debate arising,

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

The Bills:

(No. 16) - The Water Resources Administration Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement hydraulique et modifications corrélatives

(No. 18) - The Registry Amendment Act; Loi modifiant la Loi sur l'enregistrement foncier

(No. 21) - The Communities Economic Development Fund Amendment Act; Loi modifiant la Loi sur le Fonds de développement économique local

(No. 42) - The Norway House Cree Nation Northern Flood Master Implementation Agreement Act; Loi sur l'Accord cadre de mise en oeuvre de la nation crie de Norway House relatif à la convention sur la submersion de terres du Nord manitobain

were severally read a Third Time and passed.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. RADCLIFFE:

THAT Bill (No. 51) - The Cooperatives and Consequential Amendments Act; Loi sur les coopératives et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. LAMOUREUX and MALOWAY 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 House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. TOEWS:

THAT Bill (No. 46) - The Correctional Services Act; Loi sur les services correctionnels, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. LAMOUREUX having spoken,

The Bill was allowed to remain standing in the name of Mr. MACKINTOSH, by leave.

By leave, it was agreed to waive Private Members' Business for today, June 22, 1998, only.

By leave, Bill (No. 47) - The Brandon University Act; Loi sur l'Université de Brandon, was withdrawn from the Standing Committee on Economic Development and transferred to the Standing Committee on Law Amendments.

By leave, it was agreed that the Standing Committee on Law Amendments would meet at 3:00 p.m., Wednesday, June 24, 1998 concurrently with the House.

By leave, Madam 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.

On motion of Mr. HICKES:

ORDERED that the composition of the Standing Committee on Law Amendments be amended as follows:

Monday, June 22, 1998 at 10:00 a.m.:
Mr. EVANS (Brandon East) for Ms. MIHYCHUK.

Monday, June 22, 1998 at 7:30 p.m.:
Mr. STRUTHERS for Mr. EVANS (Brandon East).

Monday, June 22, 1998 at 7:30 p.m.:
Mr. ASHTON for Mr. MACKINTOSH.

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On motion of Mr. HELWER:

ORDERED that the composition of the Standing Committee on Law Amendments be amended as follows:

Monday, June 22, 1998 at 3:00 p.m.:

Hon. Mr. NEWMAN for Hon. Mr. TOEWS.

Monday, June 22, 1998 at 3:00 p.m.:

Hon. Mr. DERKACH for Hon. Mr. NEWMAN.

Monday, June 22, 1998 at 3:00 p.m.:

Hon. Mr. McCRAE for Mrs. RENDER.

Monday, June 22, 1998 at 3:00 p.m.:

Hon. Mr. GILLESHAMMER for Hon. Mr. DERKACH.

Monday, June 22, 1998 at 7:30 p.m.:

Hon. Mr. PRAZNIK for Mrs. DRIEDGER,
Mr. TWEED for Hon. Mr. GILLESHAMMER,
Mr. LAURENDEAU for Mr. SVEINSON.

The House then adjourned at 6:06 p.m. until 1:30 p.m. tomorrow.

Hon. Louise Dacquay,
Speaker.