

Wednesday, May 6, 1998



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 43

FOURTH SESSION, THIRTY-SIXTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petition was presented:

Mr. JENNISSEN - Minister of Energy and Mines to consider immediately restoring the six million dollars taken from the Mining Reserve Fund (A. Sherwood, B. Huff, B. Phillips and others)

The following petition was read and received:

Mr. JENNISSEN - Minister of Energy and Mines to consider immediately restoring the six million dollars taken from the Mining Reserve Fund (A. Crocker, M. Church, K. Kawerski and others)

Mr. LAURENDEAU, Chairperson of the Committee of Supply, reported progress having been made on May 5, 1998. Report was received and the Committee of Supply obtained leave to sit again.

By leave, Hon. Mr. DERKACH introduced Bill (No. 38) - The Planning Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement du territoire et modifications corrélatives, which was read a First Time.

(Recommended by His Honour, the Lieutenant Governor)

Hon. Mr. DERKACH presented:

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

(Sessional Paper No. 183)

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Following Oral Questions, Madam Speaker made the following ruling:

On April 8, 1998, the Honourable Member for Thompson brought forward a matter of privilege claiming that the Minister of Finance and the Premier showed contempt for the House by deliberately making misleading statements.

I wish to thank Honourable Members for their advice to the Chair on this matter of privilege.

I am satisfied that the Honourable Member raised his matter of privilege at the earliest opportunity. With respect to whether the Member has made a prima facie case, I would refer the House to rulings by Speakers Walding, Phillips and Rocan who have clearly indicated that a deliberate misleading of the House involves an intent to mislead and/or knowledge that the statement would mislead. Further, Speakers have ruled that when one Member charges that another Member has deliberately misled the House, the Member making the charge must furnish proof of intent. I do not believe the Honourable Member for Thompson has provided proof to the House that the Ministers in question intentionally or deliberately misled the House.

Joseph Maingot, in *Parliamentary Privilege in Canada (second edition)* states that an admission that either a Member of the House was intentionally misled or an admission of facts that lead naturally to the conclusion that a Member was intentionally misled, and a direct relationship between the misleading information and a proceeding in Parliament would be necessary to establish a prima facie case of a matter of privilege. I have carefully read the Hansard transcripts of April 6 and 7, because they were referenced by the Honourable Member when he raised his matter of privilege, and I can find no indication of an admission on the part of the First Minister or the Minister of Finance, nor do I see how it is possible to reach that conclusion based on the statements that appear in Hansard. I must find, therefore, that there is not a prima facie case for a matter of privilege.

It appears there are conflicting perceptions of a set of events. However, as our Rule Book states, "*a dispute arising between two Members as to allegations of fact does not fulfill the conditions of parliamentary privilege.*"

From her decision, Mr. ASHTON appealed to the House.

And the Question being put,

"Shall the ruling of the Chair be sustained?"

It was agreed to, on the following division:

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YEA

CUMMINGS	McINTOSH (Assiniboia)
DERKACH	MITCHELSON
DOWNEY	NEWMAN
DRIEDGER	PENNER
DYCK	PITURA
ENNS	RADCLIFFE
FAURSCHOU	REIMER
FILMON	RENDER
FINDLAY	ROCAN
GAUDRY	STEFANSON
GILLESHAMMER	SVEINSON
HELWER	TOEWS
LAURENDEAU	TWEED
McALPINE	VODREY 29
McCRAE	

NAY

ASHTON	LATHLIN
BARRETT	MACKINTOSH (St. Johns)
DEWAR	MALOWAY
DOER	MARTINDALE
EVANS (Brandon East)	MIHYCHUK
EVANS (Interlake)	REID
FRIESEN	ROBINSON
HICKES	SALE
JENNISSEN	SANTOS
KOWALSKI	STRUTHERS
LAMOUREUX	WOWCHUK..... 22

Pursuant to Rule 20(1), Mr. McALPINE, Ms. BARRETT, Mr. FAURSCHOU, Ms. WOWCHUK and Mr. ASHTON made Members' Statements.

Hon. Mr. DERKACH moved:

THAT Bill (No. 32) - The Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les municipalités et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

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And a debate arising,

And Hon. Mr. DERKACH having spoken,

The debate was, on motion of Mr. EVANS (Interlake), adjourned.

Hon. Mr. DERKACH moved :

THAT Bill (No. 33) - The Municipal Assessment Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'évaluation municipale et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. DERKACH having spoken,

The debate was, on motion of Mr. EVANS (Interlake), adjourned.

Hon. Mrs. McINTOSH moved:

THAT Bill (No. 34) - The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mrs. McINTOSH having spoken,

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

Hon. Mr. REIMER moved:

THAT Bill (No. 36) - The City of Winnipeg Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. REIMER having spoken,

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

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Hon. Mr. ENNS moved:

THAT Bill (No. 37) - The Farm Machinery and Equipment and Consequential Amendments Act; Loi sur les machines et le matériel agricoles et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. ENNS having spoken,

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

Hon. Mr. RADCLIFFE moved:

THAT Bill (No. 41) - The Life Leases and Consequential Amendments Act; Loi sur les baux viagers et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. RADCLIFFE having spoken,

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

Hon. Mr. NEWMAN moved:

THAT Bill (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, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. NEWMAN having spoken,

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

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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 142 tabled on March 24, 1998, and subsequently amended, was further amended in order that the consideration of the estimates of the Department of Health being considered in Room 255, be set aside and that the estimates of the Department of Northern Affairs be considered commencing tomorrow morning, Thursday, May 7, 1998, and to be continued until further advised.

Hon. Mr. McCRAE for Hon. Mr. TOEWS moved:

THAT Bill (No. 44) - The Statute Law Amendment Act, 1998; Loi de 1998 modifiant diverses dispositions législatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. McCRAE having spoken,

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

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Mrs. MITCHELSON:

THAT 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, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. SANTOS speaking at 5:00 p.m.,

The debate was allowed to remain in his name and, by leave, in the name of Mr. REID.

Mr. McALPINE moved:

Resolution No. 26 - Jobs and the Economy

WHEREAS Manitoba has been leading the nation in job creation; and

WHEREAS the Toronto Dominion Bank forecasts that the Manitoba economy will expand by over 4% in 1997, creating nearly 14,000 jobs; and

WHEREAS Manitoba's jobless rate has been below 7% for most of 1997; and

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WHEREAS full-time jobs have accounted for nearly 90% of Manitoba's year-to-date job growth, with an increase of 3.2%, the second strongest of the provinces and far ahead of Canada's 1.5% growth; and

WHEREAS all of Manitoba's 1997 job growth has been in the private sector; and

WHEREAS a recent KPMG report showed that, among 42 cities studied in seven countries, Winnipeg was the ninth most affordable place for business investment.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba support the government in its continued effort to create a competitive business climate which will continue the goal of making Manitoba the best place to live, work, invest and raise a family.

And a debate arising,

And Messrs. McALPINE and SALE having spoken,

Mr. SALE moved in amendment as follows:

THAT everything after the first "Whereas" be deleted and the following added:

WHEREAS since 1997, Canada's job creation rate has been more than four times faster than Manitoba's; and

WHEREAS in the fifteen months since January 1997, Manitoba's work force has declined by 8,000 workers; and

WHEREAS only 3,000 new jobs have been created in the entire 15 month period since January, 1997; and

WHEREAS more than 6,000 Manitobans left the province during 1997; and

WHEREAS the unemployment statistics in Manitoba do not include any figures for the more than 64,000 Manitobans who live in reserve communities where unemployment rates range from 50% to 90% or more; and

WHEREAS the deliberate omission of these citizens from the labour force statistics results in grossly incorrect unemployment statistics.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider immediately changing the manner in which employment, work force and unemployment statistics are collected and reported in Manitoba so as to reflect accurately the real rates of unemployment and employment in Manitoba; and

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BE IT FURTHER RESOLVED that this Assembly urge the Provincial Government to consider making stronger efforts to create a business, employment and public services climate which will have the goal of making Manitoba the best place to live, work, invest and raise a family.

WHEREUPON Mr. Deputy Speaker informed the House he would take the matter under advisement.

And the debate continuing on the main motion,

And Messrs. DYCK and LATHLIN having spoken,

And Hon. Mr. DOWNEY speaking at 6:00 p.m.,

The debate was allowed to remain in his name.

The House then adjourned at 6:00 p.m. until 10:00 a.m. tomorrow.

Hon. Louise Dacquay,
Speaker.