



PRAYER AND LAND ACKNOWLEDGEMENT

1:30 O'CLOCK P.M.

The following Bills were read a First Time and had their purposes outlined:

(No. 43) – The Disclosure to Protect Against Intimate Partner Violence Act/Loi sur la communication de renseignements pour la protection contre la violence de la part d'un partenaire intime
(Hon. Ms. SQUIRES)

(No. 44) – The Employment Standards Code Amendment Act (Minimum Wage)/Loi modifiant le Code des normes d'emploi (salaire minimum)
(Hon. Mr. HELWER)

(No. 240) – The Jewish Heritage Month Act/Loi sur le Mois du patrimoine juif
(Mr. SCHULER)

Hon. Ms. GORDON, the Minister of Health, made a statement regarding Brain Injury Awareness Month.

MLA ASAGWARA and, by leave, Hon. Mr. GERRARD commented on the statement.

Hon. Mr. PIWNIUK, the Minister of Transportation and Infrastructure, made a statement regarding the current flooding situation in Manitoba.

Mr. WIEBE and, by leave, Mr. LAMONT commented on the statement.

Pursuant to Rule 27(1), Mr. LAGASSÉ, Mrs. SMITH (Point Douglas), Hon. Ms. CLARKE, MLA MARCELINO and Hon. Mrs. GUILLEMARD made Members' Statements.

Following Oral Questions, Madam Speaker made the following ruling:

Prior to the commencement of Routine Proceedings on May 17, 2022, the Honourable Member for River Heights raised a Point of Order regarding disrespectful language used by the Honourable Minister for Transportation and Infrastructure during Oral Questions on May 16, 2022, when the Minister stated that the Honourable Member for St. Boniface was “being cowardly and gaslighting”. The Honourable Member for River Heights contended that this language was unparliamentary and that the Minister owed the Honourable Member for St. Boniface an apology.

The Honourable Official Opposition House Leader and the Honourable Government House Leader both spoke to the Point of Order before I took it under advisement.

I will first note that at the time of this incident I did intervene and caution the Member on his language, which resolved the matter to my satisfaction in the moment. However, since the Member for River Heights raised this again I was willing to revisit the incident for closer consideration as I felt it would allow me to both address this particular matter in more detail, as well as to address a larger matter of how Members treat each other in this place.

First, I would like to indicate that while the Honourable Member for River Heights indicated that he was raising this at his earliest opportunity, I must note that Points of Order should be raised at the moment an alleged infraction occurs. As noted on pages 636 and 637 of the Third Edition of House of Commons Practice and Procedure:

A point of order is an intervention by a Member who believes that the rules or customary procedures of the House have been incorrectly applied or overlooked during the proceedings. Members may rise on points of order to bring to the attention of the Chair any breach of the relevance or repetition rules, unparliamentary remarks, or a lack of quorum. They are able to do so at virtually any time in the proceedings, provided that the point of order is raised and concisely argued as soon as the irregularity occurs.

The Honourable Member for River Heights referenced the need to review Hansard in this case, and while there may be some validity to that claim, in my opinion this matter could have been raised immediately following Oral Questions on May 16, 2022, and I am bearing that in mind in the consideration of this Point of Order.

In this Point of Order, the Honourable Member for River Heights suggested that in using the words “cowardly” and “gaslighting” the Honourable Minister for Transportation and Infrastructure was violating our Rule 54(2), which says that no Member shall speak disrespectfully or use offensive words against any Member of this House. He further stated that calling someone a coward has been ruled unparliamentary in the Parliament of the United Kingdom.

I have several thoughts regarding these assertions.

First, while we may be guided by the rules and practices of other Canadian and Commonwealth Assemblies we are not bound by them, and accordingly language ruled a certain way in another Assembly is not automatically ruled the same way in this House.

Second, based on standard interpretations of the English language and past practices of this House, there is a distinction between calling someone cowardly and calling them a coward. I will note for the House that previous Manitoba Speakers have consistently ruled the word “coward” as unparliamentary, but in instances where Members have referred to other Members as being “cowardly” a caution has been given by the Speaker. I will note that in the incident in question the Minister of Transportation and Infrastructure accused the Honourable Member for St. Boniface of “being cowardly”. Personally, I would prefer that Members refrained from using any version of this word towards each other as I think we should all be striving for a much higher standard of decorum, but I am referencing this distinction here for clarity and for the record.

Third, I believe that all Members of the House would benefit from some instruction in how language should be considered and ruled on in Canadian Assemblies. On page 624 of the Third Edition of House of Commons Procedure and Practice, Bosc and Gagnon explained the relevant parameters as follows:

In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking, the person to whom the words at issue were directed, the degree of provocation, and most important, whether or not the remarks created disorder in the Chamber. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary on another day. The codification of unparliamentary language has proven impractical as it is the context in which words or phrases are used that the Chair must consider when deciding whether or not they should be withdrawn. Although an expression may be found to be acceptable, the Speaker has cautioned that any language which leads to disorder in the House should not be used. Expressions which are considered unparliamentary when applied to an individual Member have not always been considered so when applied “in a generic sense” or to a party.

In consideration of all of these factors, I rule that the Honourable Member for River Heights does not have a valid Point of Order in this case. However, I would urge all Members to sincerely and carefully consider their choice of words in this House, especially when debates become more heated. We have all been granted an incredible opportunity to serve the citizens of Manitoba, as well as a solemn responsibility to serve them well, and with honour. Please remember all of this the next time you are about to address another Member in this House. Make your points and seek to prevail in the debate, but do so in a dignified and honourable manner, a manner in which your constituents, and your families, would admire and respect.

The following petitions were presented and read to the Legislative Assembly of Manitoba:

Hon. Mr. GERRARD – To urge the Provincial Government to work with the Federal Government to prioritize the evacuation of the immediate and extended family of Afghans who now call Canada home and to facilitate their coming to Manitoba including helping Afghan refugees in other countries such as Pakistan; to expand the Manitoba Provincial Nominee Program and reevaluate the accreditation of education and jobs to ensure all immigrants and refugees can utilize their skills more easily and readily in Manitoba for work; to have fewer rigid criteria for Afghans under the Provincial Nominee Program, and having a connection to Manitoba, family members or friends should be a key criteria; and to enhance adequate acclimation services for newcomers through community-based support programs and increase their health care coverage to meet their urgent health care necessities.

Ms. LAMOUREUX – To urge the Provincial Government to consider hearing loss as a medical treatment under Manitoba Health; and to provide income based coverage for hearing aids to all who need them as hearing has been proven to be essential to Manitobans’ cognitive, mental, and social health and well-being.

By leave, it was agreed to allow the Standing Committee on Rules of the House to sit concurrently with the House on Tuesday, May 31, 2022.

Subsequently, by leave, the following provisions were agreed to:

1. To allow Second Reading of Bill (No. 44) – The Employment Standards Code Amendment Act (Minimum Wage)/Loi modifiant le Code des normes d'emploi (salaire minimum) this afternoon.
 2. Despite rule 2(15), to allow the Sponsor of each Specified Bill Report Stage Amendment to speak to each of their amendments for up to five minutes, and for the Bill Sponsor to be able to speak for up to two minutes to each Report Stage Amendment on one of their Bills.
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Hon. Mr. HELWER moved:

THAT Bill (No. 44) – The Employment Standards Code Amendment Act (Minimum Wage)/Loi modifiant le Code des normes d'emploi (salaire minimum), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. HELWER having spoken,

And MLA LINDSEY, Hon. Mr. GERRARD, Mr. LAMONT and Ms. LAMOUREUX having questioned the Minister,

And the debate continuing,

And MLA LINDSEY and Messrs. MOSES and LAMONT 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.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 7) – The Police Services Amendment Act (Enhancing Independent Investigation Unit Operations)/Loi modifiant la Loi sur les services de police (amélioration du fonctionnement de l'unité d'enquête indépendante), reported from the Standing Committee on Justice:

Hon. Mr. GERRARD moved:

THAT Bill 7 be amended

(a) by striking out Clause 2(a) and Clause 3;

(b) by replacing Clause 8 with the following:

8 Clause 64(1)(d) is amended by adding "or to which a community liaison was assigned" at the end.

(c) by striking out Clause 12 and Clause 14(a); and

(d) by replacing Clause 18 with the following:

18 Section 88 is amended by adding ", a community liaison" after "civilian monitor".

And a debate arising,

And Hon. Messrs. GERRARD and GOERTZEN having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 7 be amended by replacing Clause 6 with the following:

6 Section 60 is replaced with the following:

Investigators

60 The civilian director may select a person to serve as an investigator with the independent investigation unit only if

(a) in the opinion of the civilian director, the person understands the impact of cultural diversity in communities on the experience of members of those communities in interacting with law enforcement; and

(b) the person

(i) is not a current or former member of the Royal Canadian Mounted Police or any other police service in Manitoba or another Canadian province, and

(ii) has the prescribed qualifications and experience, including investigative experience.

And a debate arising,

And Hon. Messrs. GERRARD and GOERTZEN having spoken,

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 8) – The Court of Appeal Amendment and Provincial Court Amendment Act/Loi modifiant la Loi sur la Cour d'appel et la Loi sur la Cour provinciale, reported from the Standing Committee on Justice:

Ms. FONTAINE moved:

THAT Bill 8 be amended by striking out Clauses 6 to 9.

And a debate arising,

And Ms. FONTAINE and Hon. Mr. GOERTZEN having spoken,

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 9) – The Scrap Metal Act/Loi sur la ferraille, reported from the Standing Committee on Social and Economic Development:

Mr. MALOWAY moved:

THAT Bill 9 be amended in Clause 4(1) by striking out "two years" and substituting "five years".

And a debate arising,

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

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 17) – The Family Law Act, The Family Support Enforcement Act and The Inter-jurisdictional Support Orders Amendment Act/Loi édictant la Loi sur le droit de la famille et la Loi sur l'exécution des obligations alimentaires et modifiant la Loi sur l'établissement et l'exécution réciproque des ordonnances alimentaires, reported from the Standing Committee on Justice:

Hon. Mr. GERRARD moved:

THAT Bill 17 be amended in Clause 1 of Schedule A (The Family Law Act) by replacing the definition "family member" with the following:

"family member", except in section 40, includes a member of the household of

- (a) a child;
- (b) a parent of the child;
- (c) a spouse or former spouse;
- (d) a person in or formerly in a marriage like relationship; and
- (e) a grandparent of the child;

as well as a dating partner of a person listed in clauses (b), (c), (d) and (e) who participates in the activities of the household. (« membre de la famille »)

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 17 be amended in Clause 35(3) of Schedule A (The Family Law Act) by adding the following after clause (a):

- (a.1) the nutritional requirements of the child, including breastfeeding;

And a debate arising,

And Hon. Messrs. GERRARD and GOERTZEN having spoken,

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 27) – The Highway Traffic Amendment Act (Alternative Measures for Driving Offences)/Loi modifiant le Code de la route (mesures de rechange en cas d'infractions de conduite), reported from the Standing Committee on Justice:

Hon. Mr. GOERTZEN moved:

THAT Bill 27 be amended by striking out Clauses 4, 5 and 7.

And a debate arising,

And Hon. Mr. GOERTZEN having spoken,

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 34) – The City of Winnipeg Charter Amendment and Planning Amendment Act/Loi modifiant la Charte de la ville de Winnipeg et la Loi sur l'aménagement du territoire, reported from the Standing Committee on Social and Economic Development:

Hon. Mr. GERRARD moved:

THAT Bill 34 be amended in Clause 17 by striking out "20 days" in the following provisions and substituting "45 days":

(a) the proposed subsection 234.3(1), in the part before clause (a);

(b) the proposed clause 234.4(1)(b), in the part before subclause (i).

And a debate arising,

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

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

Mr. WIEBE moved:

THAT Bill 34 be amended in Clause 17

(a) in the part before clause (a) of the proposed subsection 234.3(1), by striking out "20 days", and substituting "60 days"; and

(b) the proposed clause 234.4(1)(b), in the part before subclause (i).

Determining if plan sufficient

234.4(1) A designated employee must

(a) give the owner of real property notice of the date that the city received the proposed secondary plan submitted by the owner of real property in respect of a designated application; and

(b) within 60 days after the plan is received by the city,

(i) determine if the plan meets the requirements set out in the by-law for submission of secondary plans, and

(ii) give notice of the determination to the owner of real property by ordinary mail.

And a debate arising,

And Mr. WIEBE and Hon. Ms. CLARKE having spoken,

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

Mr. WIEBE then moved:

THAT Bill 34 be amended in Clause 22(3) by striking out ", by ordinary mail" in the proposed clause 246(1.1)(a).

And a debate arising,

And Mr. WIEBE and Hon. Ms. CLARKE having spoken,

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

Mr. WIEBE then moved:

THAT Bill 34 be amended in Clause 25(2) by replacing the proposed subsection 275(1.1) with the following:

Development application process

275(1.1) In respect of an application under subsection (1),

(a) the city must send the owner of the real property confirmation of the date that the city received the application; and

(b) a designated employee must, within 60 days after the application is received, determine if the application is complete.

And a debate arising,

And Mr. WIEBE and Hon. Ms. CLARKE having spoken,

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

The House then adjourned at 5:07 p.m. until 10:00 a.m. Tuesday, May 31, 2022.

Hon. Myrna DRIEDGER,
Speaker.