

Monday, December 8, 1997



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 8

FOURTH SESSION, THIRTY-SIXTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petitions were read and received:

Mr. MACKINTOSH - An Action Plan in Consultation with the Community for the Timely Implementation of Meaningful Change as Outlined in the Lavoie Inquiry, the Aboriginal Justice Inquiry and the Pedlar Report (D. Schnitzer, C. Bryant, M. Schnitzer and others)

Ms. McGIFFORD - An Action Plan in Consultation with the Community for the Timely Implementation of Meaningful Change as Outlined in the Lavoie Inquiry, the Aboriginal Justice Inquiry and the Pedlar Report (R. Schmalcel, J. Welsted, D. Hindle and others)

Ms. BARRETT - An Action Plan in Consultation with the Community for the Timely Implementation of Meaningful Change as Outlined in the Lavoie Inquiry, the Aboriginal Justice Inquiry and the Pedlar Report (S. Loney, S. Danco, S. Sinclair and others)

Ms. CERILLI - An Action Plan in Consultation with the Community for the Timely Implementation of Meaningful Change as Outlined in the Lavoie Inquiry, the Aboriginal Justice Inquiry and the Pedlar Report (P. Bilsborrow, C. Payne, I. Griffin and others)

Hon. Mrs. VODREY presented:

Annual Report of the Manitoba Women's Advisory Council for the fiscal year ended March 31, 1997.

(Sessional Paper No. 82)

Hon. Mr. PRAZNIK, the Minister of Health, made a statement regarding a Partnership Blood Drive/Clinic on December 8, 1997,

Mr. CHOMIAK commented on the statement.

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The following Bills were, by leave, severally introduced and read a First Time:

(No. 2) - The Elections Amendment Act; Loi modifiant la Loi électorale
(Recommended by His Honour, the Lieutenant Governor)
(Hon. Mr. FILMON)

(No. 3) - The Elections Finances Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le financement des campagnes électorales et modifications corrélatives
(Recommended by His Honour, the Lieutenant Governor)
(Hon. Mr. FILMON)

(No. 15) - The Dutch Elm Disease Act; Loi sur la thylose parasitaire de l'orme
(Recommended by His Honour, the Lieutenant Governor)
(Hon. Mr. CUMMINGS)

(No. 16) - The Water Resources Administration Amendment Act; Loi modifiant la Loi sur l'aménagement hydraulique
(Recommended by His Honour, the Lieutenant Governor)
(Hon. Mr. CUMMINGS)

Hon. Mr. FILMON presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 2).
(Sessional Paper No. 83)

Also:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 3).
(Sessional Paper No. 84)

Hon. Mr. CUMMINGS presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 15).
(Sessional Paper No. 85)

Also:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 16).
(Sessional Paper No. 86)

Following Oral Questions, Madam Speaker made the following rulings:

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On March 5, 1997 during debate of the Speech from the Throne, a point of order was raised by the Honourable First Minister with respect to words spoken by the Leader of the Official Opposition in debate. The words in question were "I think the Premier going to community meetings and saying that teachers are overpaid by 20 percent and underworked is an absolute disgrace." The Premier in raising the point of order denied that he had made such a remark.

The First Minister did not have a point of order. A point of order is a question raised to call attention to any departure from the Rules or from the customary modes of proceeding in debate. A dispute arising between two Members as to allegations of fact is not a point of order.

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During Question Period on March 5, 1997 the Opposition House Leader raised a point of order about my caution on the use of the phrase "will the Premier finally tell the truth". In raising the point of order the Opposition House Leader made reference to Beauchesne citation 490 stating that the phrase "not telling the truth" had been ruled as being parliamentary. In speaking to the point of order, the Government House Leader indicated that the context of the word, rather the inclusion of a word on a list, governed the acceptability of language; this point is made in Beauchesne citation 491.

I would draw to the attention of the House that Speaker Rocan on seven occasions ruled out of order variations of the phrase "not telling the truth". Further I would observe that on March 5 I had not asked that the phrase "will the Premier finally tell the truth" be withdrawn; I had asked that discretion in the choice of words be exercised. However, as the Opposition House Leader had in his point of order asked whether the phrase as he used it on March 5, 1997 was parliamentary, I would have to rule that strictly speaking it was unparliamentary.

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I am ruling on a point of order I took under advisement on March 7 during Question Period about an answer to a question given by the First Minister. The question from the Leader of the Official Opposition was about funding to the Manitoba Metis Federation. In his reply, the Premier spoke about job creation in Manitoba.

The Member for Transcona raised a point of order about the content of the reply. Having reviewed Hansard, I have concluded that there was a point of order. As Beauchesne citation 417 states: answers to questions should deal with the matter raised. I would ask the First Minister when replying to questions to relate directly to the issue in the question asked of him.

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I took under advisement a point of order raised by the Honourable Minister of Culture, Heritage and Citizenship on March 20 during debate of the Budget Motion with respect to the words used by the Honourable Member for Osborne. The words in question were "the big lie".

In looking at Hansard the complete sentence read: "This argument of cutting now to protect future generations is simply at best nonsense and at worse doublespeak or, as I believe my colleague from Wolseley christened it the other night, the big lie."

Past precedents of this House were reviewed. In 1991 Speaker Rocan twice ruled in order the term "one big lie", noting that the phrase was not targeted at an individual. On October 28, 1996 I cautioned a Member on the use of the words "You know what the ultimate big lie in this MTS Answers document", but did not rule the phrase as being unparliamentary. Also as the Member for Osborne correctly pointed out, the Member for Wolseley used the term more than once in her speech about the budget this session, and no intervention occurred. Given the precedents and given the context in which the words were used by the Member for Osborne, I am ruling that there was no point of order.

On March 24, 1997 I took under advisement a point of order raised by the Leader of the Official Opposition respecting words spoken by the Honourable Minister of Health during question period. In raising the point of order, the Leader of the Official Opposition asserted that the Minister of Health had imputed unworthy motives to the respiratory therapists of Manitoba. I have reviewed Hansard to ascertain the context in which the words were spoken. The words in question were:

What I would suggest we have here is a lot of people with their own particular piece of interest in this area pursuing it and if that were the case we would never make any decisions in government."

Beauchesne citations 481(e) and 484(3) deal with imputation of motives, but both contemplate comments made by one Member about another Member; these citations do not address comments made by a Member about persons outside the House. Therefore, the Leader of the Official Opposition did not have a point of order. However, I caution the Minister that care should be taken by Members of this House when speaking of persons or groups outside this House.

Subsequently, following Oral Questions, Madam Speaker made the following statement:

On November 21, 1996 the Honourable Member for Osborne raised a point of order concerning words she attributed to the Premier regarding the Member for Crescentwood. The Premier has on the record unequivocally withdrawn the words. The matter is therefore concluded.

Pursuant to Rule 20(1), Messrs. PENNER, ASHTON, LAURENDEAU, SALE and HELWER made Members' Statements.

The House resumed the Interrupted Debate on the Proposed Motion of Mr. DYCK:

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For an Address to His Honour, the Lieutenant Governor in answer to His Speech at the Opening of the Session.

And the Proposed Motion of Mr. DOER in amendment thereto as follows:

THAT the motion be amended by adding to it, after the word "session," the following words:

But this House regrets that this government has failed to meet the goals of Manitobans by:

- a) failing to provide adequate and timely compensation to Manitobans who were driven from their homes by the Red River flood, while holding the flood victims themselves responsible for the losses they suffered; and
- b) failing to respect the rights of Manitobans victimized by crime, in particular by making it mandatory (as it is in most other provinces) that crime victims be given opportunities to present victim impact statements to the court prior to sentencing; and
- c) forcing Manitobans to bear the costs of privatizing the Manitoba Telephone System, through escalating local phone rates intended to boost the profits of private shareholders; and
- d) failing to respond to Manitoban's frustrations over the lengthy waiting lists for medical procedures and surgeries; and
- e) failing to implement the key recommendations of the Pedlar Commission, many of which were repeated in the recent report of the Lavoie Inquiry; and
- f) failing to implement the key recommendations of its own report on the Health of Manitoba Children; and
- g) failing to prepare Manitoba youth for the 21st Century by committing to stable funding for the public school system; and
- h) failing to support the Canadian Wheat Board as a single desk seller, despite the overwhelming support for the Wheat Board's role among Manitoba producers and its strategic position in the Manitoba economy; and
- i) failing to implement the recommendations of the AJI, while cutting funding to Friendship Centres and to the ACCESS and BUNTEP programs; and

has thereby lost the trust and confidence of the people of Manitoba and this House.

And the debate continuing,
And Mr. LAMOUREUX concluding his remarks,

And Hon. Mrs. McINTOSH, Mr. JENNISSEN, Hon. Mr. REIMER, Mr. LATHLIN and Hon.

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Mr. DOWNEY having spoken,

And the Question being put on the amendment,

It was negatived on the following division:

YEA

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

NAY

CUMMINGS	McCRAE
DERKACH	McINTOSH (Assiniboia)
DOWNEY	MITCHELSON
DRIEDGER	NEWMAN
DYCK	PENNER
ENNS	PITURA
FAURSCHOU	PRAZNIK
FILMON	RADCLIFFE
FINDLAY	REIMER
GILLESHAMMER	RENDER
HELWER	ROCAN
LAURENDEAU	SVEINSON
McALPINE	VODREY 26

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And the debate continuing on the main motion,

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 1:30 p.m. tomorrow.

Hon. Louise Dacquay,
Speaker.