



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 66**

**FIRST SESSION, THIRTY-SEVENTH LEGISLATURE**

**PRAYERS**

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

Ms. ASPER, Chairperson of the Standing Committee on Public Utilities and Natural Resources, presented its Fifth Report, which was read as follows:

Your Committee met on Wednesday, July 19, 2000 at 6:30 p.m. and Thursday, July 20, 2000 at 6:30 p.m. in Room 255 of the Legislative Building to consider Bills referred.

Your Committee heard representation on Bills as follows:

Bill (No. 5) – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune.

Peter Kalden	Private Citizen
Ken Overby	Manitoba Bison Association
Mervin Farmer	Private Citizen
Randy McRorie	Private Citizen
Lloyd Lintott	Manitoba Wildlife Federation
Graham Wyatt	Private Citizen
Edwin Harms	Manitoba Elk Growers Association
Dunstan Browne	The Avicultural Advancement Council of Canada
Dennis Saydak	Private Citizen
Sheldon Willey	Private Citizen
Dwain Lawless	RM of Rosburn
Garry Tolton	Manitoba Farm Animal Council
Jeannie Sasley	Private Citizen
Tracy Bell	Private Citizen
Mike Crawford	Manitoba Canary And Finch Club
Yvonne Rideout	Keystone Agricultural Producers

Written Submissions:

Bill (No. 5) – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune.

Audrey Stoski

Wilson River Bison

Your Committee has considered:

Bill (No. 5) – The Wildlife Amendment Act/Loi modifiant la Loi sur la conservation de la faune and has agreed to report the same with the following amendment:

**MOTION:**

*THAT the following be added after section 1 of the Bill:*

**Purpose of Act**

**1.1** The purpose of this Act is to provide for the regulation of captive hunting of animals without affecting the division of responsibilities within the Government of Manitoba relating to the regulation of animals and activities involving animals.

On motion of Ms. ASPER, the Report of the Committee was received.

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Mr. HELWER, Chairperson of the Standing Committee on Public Accounts, presented its First Report, which was read as follows:

Your Committee met on Friday, July 21, 2000 at 10:00 a.m. in Room 255 of the Legislative Building to consider the Public Accounts Volumes 1, 2, 3 and 4 for the years ended March 31, 1997 and 1998 Public Accounts Volumes 1, 2 and 3 for the year ended March 31, 1999, Provincial Auditor's Report on the Operations of the Office of the Provincial Auditor for the years ended March 31, 1997, March 31, 1998 and March 31, 1999, Provincial Auditor's Report on the Audit of the Public Accounts for the years ended March 31, 1997, March 31, 1998 and March 31, 1999, Provincial Auditor's Report on Value for Money Audits – Autumn 1997, Spring 1998, Summer 1999 and for the period ending June 2000, and Provincial Auditors Report on An Examination of Governance in Manitoba's Crown Corporations, June 1998.

Your Committee received all information desired by any Member at the meeting from the Minister of Finance and from Mr. Jon Singleton, Provincial Auditor. Information was provided with respect to the receipts, expenditures and other matters pertaining to the Business of the Province.

Your Committee finds that the receipts and expenditures of the monies have been carefully set forth and all monies properly accounted for.

Your Committee has considered the Public Accounts Volumes 1, 2, 3 and 4 for the years ended March 31, 1997 and 1998, Public Accounts Volumes 1, 2 and 3 for the year ended March 31, 1999, Provincial Auditor's Report on the Operations of the Office of the Provincial Auditor for the years ended March 31, 1997, March 31, 1998 and March 31, 1999, Provincial Auditor's Report on the Audit of the Public Accounts for the years ended March 31, 1997, March 31, 1998 and March 31, 1999 and Provincial Auditors Report on An Examination of Governance in Manitoba's Crown Corporations, June 1998 and has adopted the same as presented.

At that meeting, your Committee unanimously adopted the following motion:

THAT the Provincial Auditor's recommendations for change to the procedures and role of the Public Accounts Committee be referred to the Rules Committee and that the Public Accounts Committee recommend that a meeting of the Public Accounts Committee be convened to discuss the Provincial Auditor's recommendations and make comment on them prior to the Rules Committee dealing with the Provincial Auditor recommendations.

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

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By leave, Mr. HELWER introduced Bill (No. 201) – The Electoral Divisions Amendment Act/Loi modifiant la Loi sur les circonscriptions électorales, and outlined the purposes thereof, it was read a First Time.

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During Oral Questions, Mr. LAURENDEAU rose on a point of order regarding comments allegedly spoken by the Honourable Minister of Health.

And Hon. Mr. CHOMIAK having spoken to the point of order,

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

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Following Oral Questions, Mr. Speaker made the following ruling:

During Oral Questions on July 11, 2000, I took under advisement a point of order raised by the Honourable House Leader of the Official Opposition, who sought to know whether the Honourable Member for St. James had received a copy of the June 2000 Value for Money Audit of the Provincial Auditor, prior to the report being tabled in the House. The Honourable Government House Leader also spoke to the same point of order. I took the matter under advisement in order to peruse the procedural authorities.

In reviewing the point of order raised by the Official Opposition House Leader, I note that he speculated that Members of the government caucus might have received copies of the report prior to the report being tabled in the House, however he did not furnish any proof or evidence that such action took place.

I would also like to point out for the House that in a ruling given by Mr. Speaker Rocan on June 13, 1991, he ruled that it was not a matter of privilege for a Minister to provide information to Members of the government caucus. In the ruling, Mr. Speaker Rocan quoted from Maingot's *Parliamentary Privilege in Canada* and stated that "a complaint that a Minister of the Crown has made a statement outside the House rather than in the House or that the government provides information only to its supporters in the House may well amount to a grievance against the government, but in the absence of an order of the House forbidding such activity, there is no personal or corporate privilege that has been breached and neither does it constitute a contempt of the House in the privilege sense." Although this ruling had been given on a matter of privilege raised in the House, I believe that the essential point of the ruling is also applicable to the current point of order raised, in that there is a requirement to demonstrate that a particular rule or practice has been breached.

I would therefore rule that the Honourable House Leader of the Official Opposition did not have a point of order.

From his decision, Mr. LAURENDEAU 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:

**YEA**

AGLUGUB	MACKINTOSH
ALLAN	MALOWAY
ASHTON	MARTINDALE
ASPER	MCGIFFORD
BARRETT	MIHYCHUK
CALDWELL	NEVAKSHONOFF
CERILLI	REID
CHOMIAK	ROBINSON
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSON	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LATHLIN	STRUTHERS
LEMIEUX	WOWCHUK..... 30

**NAY**

CUMMINGS	LOEWEN
DACQUAY	MAGUIRE
DERKACH	MITCHELSON
DRIEDGER	PENNER (Emerson)
DYCK	PENNER (Steinbach)
ENNS	PITURA
FAURSCHOU	PRAZNIK
GERRARD	REIMER
GILLESHAMMER	SCHULER
HELWER	SMITH (Fort Garry)
LAURENDEAU	TWEED ..... 22

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Pursuant to Rule 23(1), Ms. KORZENIOWSKI, Mr. CUMMINGS, Ms. ALLAN, Mr. SCHULER and Ms. ASPER made Members' Statements.

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On motion of Mr. DYCK:

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

Monday, July 24, 2000 at 10:00 a.m.  
Mr. LAURENDEAU for Mr. PITURA.

Tuesday, July 25, 2000 at 6:30 p.m.  
Mr. SCHULER for Mr. PITURA – rescinded.

Tuesday, July 25, 2000 at 6:30 p.m.  
Mr. SCHULER for Mr. LAURENDEAU.

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

THAT Bill (No. 7) – The Protection for Persons in Care Act/Loi sur la protection des personnes recevant des soins, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. LAURENDEAU,

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

THAT Bill (No. 14) – The Provincial Railways Amendment Act/Loi modifiant la Loi sur les chemins de fer provinciaux, be now read a Second Time and be referred to a Committee of this House.

And on the Proposed Amendment of Mr. LAURENDEAU:

*THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore:*

Bill (No. 14) – The Provincial Railways Amendment Act/Loi modifiant la Loi sur les chemins de fer provinciaux, be not now read a Second Time but that it be read a Second Time this day six months hence.

And the debate continuing on the amendment,

And leave having been denied to have the matter remain in the name of Mr. ENNS,

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

And the Question being put on the main motion. It was agreed to, on division.

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. Ms. FRIESEN:

THAT Bill (No. 16) – The City of Winnipeg Amendment Act (2)/Loi n° 2 modifiant la Loi sur la Ville de Winnipeg, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mrs. DACQUAY,

And Messrs. LOEWEN and REIMER 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. Ms. MIHYCHUK:

THAT Bill (No. 31) – The Electronic Commerce and Information, Consumer Protection Amendment and Manitoba Evidence Amendment Act/Loi sur le commerce et l'information électroniques, modifiant la Loi sur la protection du consommateur et la Loi sur la preuve au Manitoba, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the names of Mrs. DACQUAY and Mr. MALOWAY,

And Mr. PENNER (Steinbach) 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 House resumed the Adjourned Debate on the Proposed Motion of Hon. Mr. CALDWELL:

THAT Bill (No. 45) – The Teachers' Pensions Amendment Act/Loi modifiant la Loi sur la pension de retraite des enseignants, be now read a Second Time and be referred to a Committee of this House.

**Monday, July 24, 2000**

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And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. ROCAN,

And Mrs. SMITH (Fort Garry) 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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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 138 tabled on May 17, 2000, and subsequently amended, was further amended in order that Education and Training be considered in the Chamber once Executive Council has concluded.

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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 138 tabled on May 17, 2000, and subsequently amended, was further amended in order that Aboriginal and Northern Affairs, Status of Women and Civil Service Commission be considered in Room 254 once Conservation has concluded.

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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 138 tabled on May 17, 2000, and subsequently amended, was further amended in order that Intergovernmental Affairs be considered in the next available section upon conclusion of all estimates.

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Mr. 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, the Proceedings were temporarily interrupted to permit Mr. Speaker to resume the Chair.

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And, by leave, the House continuing in Committee.

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The House then adjourned at 7:39 p.m. until 1:30 p.m. Tuesday, July 25, 2000.

Hon. George HICKES,  
Speaker.