



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 32

FIRST SESSION, THIRTY-NINTH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

Mr. HAWRANIK moved:

THAT Bill (No. 209) – The Historic Trans-Canada Highway Act/Loi sur l'ancienne route transcanadienne, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Messrs. HAWRANIK and DEWAR, Hon. Mr. LEMIEUX and Mr. LAMOUREUX 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.

By leave, it was agreed for the House to deal with the Adjourned Debate on Second Reading of Bill (No. 202) and that the seconder of the motion be changed to the Honourable Minister of Health.

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

THAT Bill (No. 202) – The Apology Act/Loi sur la présentation d'excuses, 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. SWAN,

And Hon. Ms. OSWALD and Mr. LAMOUREUX 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.

Hon. Mr. GERRARD moved:

THAT Bill (No. 216) – The Municipal Water System Phosphorus Control Act/Loi sur la réduction du phosphore dans les réseaux municipaux d'alimentation en eau, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Messrs. GERRARD and ASHTON having spoken,

And Hon. Ms. MELNICK speaking at 11:00 a.m. The debate was allowed to remain in her name.

Hon. Mr. GERRARD moved:

Resolution No. 11: Canadian Internment Camps

WHEREAS many Manitobans are unaware of the plight of the Ukrainian Canadians who were interned during World War I; and

WHEREAS between 1914 and 1920 Canada witnessed its first internment operation under the War Measures Act, where nearly 9,000 Canadians of Ukrainian origin were systematically arrested and interned in 24 camps throughout the country simply because of their ethnic background; and

WHEREAS some 80,000 Canadian citizens, of which the vast majority were Ukrainian, were forced to register as enemy aliens; and

WHEREAS the internees also suffered significant economic losses which included, the confiscation of any wealth they had and the lost earnings as a result of their internment; and

WHEREAS these Canadian citizens suffered from state sanctioned restrictions on their freedom of speech, movement, and association resulting in them being disenfranchised or facing deportation; and

WHEREAS in 2005 under the Liberal Government of the Right Honourable Paul Martin, the Federal Government passed a bill recognizing and promising to rectify the injustice committed against Ukrainian Canadians who were interned from 1914 to 1920.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba acknowledge that the internment, disenfranchisement and related repressive measures taken against Canadians of Ukrainian origin between 1914 and 1920 were unwarranted and unjust and contrary to the principles now adopted and reflected in our Charter of Rights and Freedoms; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba aim to inform Manitobans about this tragic episode in our history and to consider undertaking various commemorative projects that will be complemented with research, cultural, and educational projects and programs; and

Tuesday, November 6, 2007

BE IT FURTHER RESOLVED that the Government of Manitoba consider supporting the Ukrainian Canadian community in developing forward-looking proposals that will help commemorate their historical experience and educate Canadians about their history in order to highlight and commemorate the contributions that the Ukrainian Canadian community has made to Canada; and to promote a cross-cultural understanding and shared sense of Canadian identity; and

BE IT FURTHER RESOLVED: That the provincial government consider similar initiatives in relation to other groups including Italian and German Canadians who were also interned during the First World War.

And a debate arising,

And Hon. Mr. GERRARD, Messrs. MARTINDALE and DERKACH, Hon. Ms. MELNICK, Messrs. SCHULER, REID and HAWRANIK having spoken,

And Mr. JHA speaking at 12:00 p.m. The debate was allowed to remain in his name.

1:30 O'CLOCK P.M.

On motion of Hon. Mr. GERRARD, Bill (No. 217) – The Winter Spreading of Manure and Biosolids Prohibition Act/Loi interdisant l'épandage hivernal de déjections et de biosolides, was read a First Time and had its purposes outlined.

The following petitions were presented and read:

Mr. SCHULER – Legislative Assembly of Manitoba to urge the Provincial Government to consider adequate funding for the PAA on a long-term basis to ensure that the current retired teachers, as well as all future retirees, receive a fair COLA. (P. J. Saniwkoff, E. Ruby, I. Lyon and others)

Mrs. TAILLIEU – Legislative Assembly of Manitoba to request the Minister of Infrastructure and Transportation to consider making the completion of the dividing of the Trans Canada Highway in Headingley in 2008 an urgent Provincial Government priority and to consider evaluating whether any other steps can be taken to improve motorist safety while the dividing of the Trans Canada Highway in Headingley is being completed. (D. Schaefer, D. Honks, A. Badgell and others)

Mrs. ROWAT – Legislative Assembly of Manitoba to request the Premier to consider amending and strengthening section 52 of The Child and Family Services Act to allow for the greater protection of children in care from exploitation and to consider urging the Federal Government to raise the age of protection to a minimum of sixteen years of age. (D. Morrissette, T. Morrissette, D. Raven and others)

Mr. MAGUIRE – Legislative Assembly of Manitoba to request the Minister of Health to consider taking serious action to fill the nursing vacancies at personal care homes in the Town of Virden and to consider reopening the beds that have been closed as a result of this nursing shortage and to consider prioritizing the needs of those seniors that have been moved out of their community by committing to move those individuals back into Virden as soon as beds become available. (R. Suddaby, F. Good, K. Johnston and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to urge the Premier and his NDP Government to cooperate in uncovering the truth in why the Government did not act on what it knew and to consider calling a public inquiry on the Crocus Fund Fiasco. (R. Maxwell, J. Maxwell, K. Maxwell and others)

Mr. BRIESE – Legislative Assembly of Manitoba to request the Minister of Health to consider the feasibility of a joint health centre, including an emergency room, to service Neepawa, Minnedosa and the surrounding area and to consider sustaining health care services in this area by working with local physicians and the Assiniboine Regional Health Authority on this initiative. (W. K. Sunley, C. Poirier, P. Syntak and others)

Hon. Mr. RONDEAU presented:

Annual Report of the Economic Innovation and Technology Council for the fiscal year ending March 31, 2007.

(Sessional Paper No. 125)

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

Prior to Routine Proceedings on November 1, 2007, the Honourable Member for Inkster raised a point of order contending that statements made in the House by the Honourable First Minister concerning an Elections Manitoba investigation into events in The Maples constituency were intentionally misleading. The Honourable Deputy Government House Leader and the Honourable Deputy Official Opposition House Leader also spoke to the point of order. I took the matter under advisement in order to consult the procedural authorities.

The issue of intentional misleading of the Legislature has been raised many times in this House, and the rulings of previous Speakers have been very clear and consistent. Speakers Walding, Phillips, Rocan and Dacquay all ruled that a deliberate misleading of the House involves the intent to mislead and knowledge that the statement would mislead, and they also ruled that proof of intent to mislead must be provided. As I advised the House on April 16, 2007, providing information that may show the facts are at variance is not the same as providing proof of intent to mislead. As ruled by Speaker Dacquay, without a Member admitting in the House that he or she had the stated goal of misleading the House when putting remarks on the record, it is virtually impossible to prove that a Member had deliberately intended to mislead the House. This finding is supported by the federal Standing Committee on Procedure and House Affairs in its 50th report, where it was stated “intent is always a difficult element to establish in the absence of an admission or a confession.”

Also, as I advised the House on April 29, 2004; May 5, 2005; June 13, 2005; December 6, 2005; April 18, 2006, April 27, 2006 and April 16, 2007; it is not the role of the Speaker to decide on questions of facts. In the words of House of Commons Speaker Peter Milliken from February 19, 2004, he stated “it is not the role of the Speaker to adjudicate on matters of fact, as this is something that the House itself can form an opinion on during debate.”

In addition, I would like to share with the House words from a September 18, 1996 ruling from Speaker Dacquay “All Members of this Chamber are Honourable Members and I as Speaker and indeed this House must accept the word of each Honourable Member. In fact, Beauchesne citation 494 states that it has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted. On rare occasions, Beauchesne reminds us, this may result in the House having to accept two contradictory accounts of the same incident.”

In the absence of an admission from the Honourable First Minister that he was intending to deliberately mislead the House, and for the other reasons stated in the ruling, I must rule that there is no point of order.

Pursuant to Rule 26(1), Mr. PEDERSEN, Ms. BRAUN, Mr. EICHLER, Ms. SELBY and Mr. MAGUIRE made Members' Statements.

In accordance with Rule 27, Messrs. HAWRANIK, DYCK and EICHLER rose on Grievances.

The House resumed the Adjourned Debate on the Proposed Motion of Hon. Ms. WOWCHUK:

THAT Bill (No. 13) – The Organic Agricultural Products Act/Loi sur les produits agricoles biologiques, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And the debate continuing,

And Messrs. EICHLER and LAMOUREUX having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly concurred in, read a Third Time and passed.

Hon. Ms. WOWCHUK moved:

THAT Bill (No. 15) – The Biofuels Amendment Act/Loi modifiant la Loi sur les biocarburants, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Ms. WOWCHUK and Mr. CULLEN having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly concurred in, read a Third Time and passed.

Tuesday, November 6, 2007

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 11) – The Children's Advocate's Enhanced Mandate Act (Various Acts Amended)/Loi sur l'élargissement du mandat du protecteur des enfants (modification de diverses dispositions législatives), as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Mrs. TAILLIEU, Mrs. MTICHELSON, Hon. Mr. GERRARD, Messrs. CULLEN and LAMOUREUX having spoken,

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

Hon. Mr. CHOMIAK moved:

THAT Bill (No. 17) – The Firefighters, Peace Officers and Workers Memorial Foundations Act/Loi sur les fondations à la mémoire des pompiers, des agents de la paix et des travailleurs, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. CHOMIAK, Messrs. LAMOUREUX and MAGUIRE having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly concurred in, read a Third Time and passed.

By unanimous consent, it was agreed that the Standing Committee on Justice would meet at 3:00 p.m. on Wednesday, November 7, 2007, concurrently with the House.

By unanimous consent, it was agreed to waive the quorum requirement and any recorded votes arising in the House for the duration of the meeting of the Standing Committee on Justice on Wednesday, November 7, 2007.

The House then adjourned at 5:00 p.m. until 1:30 p.m. Wednesday, November 7, 2007.

Hon. George HICKES,
Speaker.