

First Session – Forty-Third Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Third Legislature

Member	Constituency	Political Affiliation
AL TOMARE, Nello, Hon.	Transcona	NDP
ASAGWARA, Uzoma, Hon	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COOK, Kathleen	Roblin	PC
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JACKSON, Grant	Spruce Woods	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
PANKRATZ, David	Waverley	NDP
PERCHOTTE, Richard	Selkirk	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
SALA, Adrien, Hon.	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
SCHOTT, Rachelle	Kildonan-River East	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SIMARD, Glen, Hon.	Brandon East	NDP
SMITH, Bernadette, Hon.	Point Douglas	NDP
STEFANSON, Heather	Tuxedo	PC
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff,	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 9, 2023

The House met at 1:30 p.m.

At 1:30 p.m., the Sergeant-at-Arms, carrying the mace in the crook of his arm and followed by the clerks of the Legislative Assembly, entered the Chamber. The Sergeant-at-Arms returned to the main entrance of the Chamber and shouldered the mace. The clerks took post on the west side of the Chamber, stood and awaited the arrival of Her Honour the Lieutenant Governor.

Deputy Clerk (Mr. Rick Yarish): I am pleased to advise the Assembly that I have received from the Chief Electoral Officer the lists of names of members elected to serve in the 43rd Legislature, and I am tabling those lists.

The Premier and the aides-de-camp accompanied Her Honour to the Chamber in the following order:

The honorary aides-de-camp on the right;

The Premier;

The Lieutenant Governor.

At the main entrance, the honorary aides-de-camp halted and turned inwards to allow the Lieutenant Governor and Premier to proceed through the north doors, where Her Honour was met by the mace.

Deputy Sergeant-at-Arms (Mr. Cam Steel): Her Honour the Lieutenant Governor.

The Lieutenant Governor then, preceded by the mace carried shoulder high and accompanied by the honorary aides-de-camp, proceeded along the west side of the Chamber to the throne. The Premier proceeded along the east side and stood on the floor on the east side of the Chamber.

The honorary aides-de-camp took up their position on the east side of the throne.

The Lieutenant Governor seated herself on the throne; the Sergeant-at-Arms made obeisance with the mace and retired to the east side of the Chamber.

Hon. Anita R. Neville (Lieutenant Governor of the Province of Manitoba): Please be seated.

Hon. Matt Wiebe (Minister of Justice and Attorney General): I am directed by Her Honour the Lieutenant Governor to inform you that she will not declare the causes of calling this Legislature until a Speaker has been elected in accordance with the law.

The Sergeant-at-Arms made obeisance with the mace.

Preceded by the Sergeant-at-Arms, the Lieutenant Governor, accompanied by the honorary aides-de-camp and the Premier, exited the Chamber.

The Premier returned. The Sergeant-at-Arms placed the mace under the table and the clerks took their chairs at the table.

Deputy Clerk: Members of the Legislative Assembly, welcome.

Pursuant to the direction of the Lieutenant Governor and the Rules of this House, it is my duty to call upon you to elect a member to preside over your deliberations as Speaker.

Only one candidate has declared their intention to seek the office of Speaker. That candidate is Tom Lindsey, the honourable member for Flin Flon.

Seeing as they are the sole candidate, in accordance with rule 8(2), I declare Tom Lindsey, the honourable member for Flin Flon, elected as Speaker of the 43rd Legislative Assembly of Manitoba.

The Premier and the Deputy Leader of the Official Opposition escorted the newly elected Speaker to the Chair and they were invested with the robes of office.

The mace was then placed on the table.

The Speaker (Hon. Tom Lindsey): Honourable members of the Forty-Third Legislative Assembly, I wish to thank the members for the high honour the House has conferred on me.

As I leave the floor of this House to take the Speaker's chair, I leave behind all political and partisan feelings. I intend to carry out the important duties of Speaker of the Legislative Assembly with 'impartiality' to the best of my ability.

The Premier left the Chamber to meet Her Honour in the reception room.

The Speaker: I am now advised that Her Honour is about to enter the Chamber. Please rise.

The Sergeant-at-Arms with the mace returned to the north door.

The Speaker took post on the east side of the Chamber.

Deputy Sergeant-at-Arms: Her Honour the Lieutenant Governor.

The Lieutenant Governor, accompanied by the honorary aides-de-camp and the Premier, entered the Chamber, preceded by the Sergeant-at-Arms, and proceeded to and was seated on the throne.

Hon. Anita R. Neville (Lieutenant Governor of the Province of Manitoba): Please be seated.

The Speaker: Your Honour, the Legislative Assembly has elected me as its Speaker.

On behalf of the Assembly, it is my duty to claim all the Assembly's traditional rights and privileges, especially the privilege of freedom of speech in debate and access to Your Honour when required.

I ask you to give the most favourable consideration to the Assembly's proceedings.

Mr. Wiebe: Honourable Speaker, Her Honour is confident that the Assembly's proceedings will be conducted with wisdom and prudence.

In addition, Her Honour grants the Assembly's claim to its traditional rights and privileges. Her Honour will declare the causes of calling this Legislative Assembly on Tuesday, November 21 at 1:30 p.m.

Her Honour the Lieutenant Governor rose from the throne to retire. The Sergeant-at-Arms made obeisance with the mace and preceded the Lieutenant Governor, accompanied by the honorary aides-de-camp and the Premier, towards the north doors of the Chamber.

The Sergeant-at-Arms remained at the north doors facing the throne.

The Speaker then took the Chair.

The Sergeant-at-Arms made obeisance with the mace before the Speaker's chair and returned to the table and remained standing. The clerks took their chairs at the table. The Premier returned.

The Speaker: O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we seek it with wisdom, know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

We acknowledge that we are gathered on Treaty 1 territory and that Manitoba is located on the treaty territories and ancestral lands of the Anishinaabeg, Anishininewuk, Dakota Oyate, Denesuline, Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit. We respect the spirit and intent of treaties and treaty making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Please be seated.

Hon. Nahanni Fontaine (Government House Leader): Honourable Speaker, I have two leave requests.

First, could you please canvass the House for leave to allow me to move a sessional order motion today, without notice.

Second, due to the length of the sessional order motion, could you please canvass the House for leave to dispense with reading of the full text of the motion when moving it, and for the motion to be considered as printed.

The Speaker: Is there leave to allow the Government House Leader to move a sessional order motion today, without notice? Is there leave? [*Agreed*]

Leave has been granted.

Is there leave to dispense with reading the full text of the motion when moving it, and for the motion to be considered as printed? Is there leave? [*Agreed*]

Leave has been granted.

MLA Fontaine: I move, seconded by the member—or the Minister for Municipal and Northern Relations,

THAT the following sessional orders are to apply to June 3, 2024;—and

THAT—

Some Honourable Members: Dispense.

The Speaker: Dispense.

THAT the following sessional orders are to apply until June 3, 2024;

THAT the Assembly's customary procedures and practices remain in effect for Members situated in the Assembly Chamber and committee rooms unless otherwise noted; and

THAT in the event of a discrepancy with the existing Rules, the provisions of these sessional orders are to apply.

Virtual Proceedings

1 Notwithstanding the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba, the House and the Assembly's Committees can meet from time to time in virtual proceedings using an approved videoconferencing technology platform. These meetings could include Members physically present in the Chamber or committee room and/or Members participating from locations outside of the Chamber or committee room.

Definitions

2 In these sessional orders

"committee proceeding" means a meeting of the Assembly's Committees taking place in a committee room or the Chamber and/or remotely from locations outside of a committee room or the Chamber using an approved videoconferencing technology platform.

"Moderator" means a Legislative Assembly employee acting under the authority of the Speaker to facilitate the remote participation of Members in the proceedings.

"sitting of the House" means a sitting of the House taking place in the Chamber and/or remotely from locations outside of the Chamber using an approved videoconferencing technology platform.

"virtually" means participating in a proceeding of the House or any Committee using an approved videoconferencing platform, with all Rules and practices applying as if the Member was present in the Chamber or committee room.

Quorum and attendance

3 Members who are participating virtually are to be counted as part of the quorum of 10 Members as set out in sub-rules 5(1) and 76(1) and section 8 of The Legislative Assembly Act.

Quorum count

4 If a quorum count is requested during a sitting of the House

(a) the division bells shall ring for one minute during which time the doors shall remain open and Members may enter the Chamber or join the sitting virtually;

(b) once the division bells stop, no further Members may enter the Chamber or join the sitting virtually, with the Moderator to block online access once the division bells have stopped;

(c) the Clerk shall then count and announce the number of Members present in their seats in the Chamber and those Members who are present virtually, including the Speaker; and

(d) if a quorum of Members is not present, the Speaker must adjourn the House for the sitting day.

Notice to participate virtually

5 Members are to provide notice to the Moderator of their intent to participate virtually on any sitting day.

Audio and video functions

6 Members who are participating virtually must have their audio and video functions enabled with their faces identifiable in order to be included as part of the quorum, to participate in proceedings.

7 Members participating virtually must keep their audio muted until recognized by the Chair and should also mute their audio and turn off their video if stepping away from their screen.

Use of electronic devices

8 Members participating in a sitting of the House or a committee proceeding may use electronic devices in silent mode. During Oral Questions, such devices should be kept on the desk or table and out of the camera's view.

Decorum on adjournment

9 When the House adjourns, Members present in the Chamber shall stand and remain in their places until the Speaker has left the Chamber, while Members participating virtually shall remain in their seat with their video on until the Speaker has adjourned the House.

Order in addressing the Chair

10 Every Member in the Chamber desiring to speak shall rise in their place and address themselves to the Speaker. Members participating virtually should speak from a seated position once recognized.

Tabling of document

11 A Member presenting a report or document to the House while participating virtually must state that they are "tabling" a report or document, and must provide an electronic copy to the Moderator immediately.

Motions to be in writing

12 All motions shall be in writing, except motions to adjourn a debate or to adjourn the House. This includes motions moved by Members participating virtually, which must be submitted electronically to the Moderator once moved.

Motions moved and seconded

13 Members must be in attendance, including virtually, to move or second a motion.

Conduct during the putting of the question

14 When the Speaker is putting a question, all Members are to remain seated and are not to make any noise or disturbance.

Request for recorded division

15 A recorded division on any question put to the House may be requested by

(a) a House Leader of a Recognized Party; or

(b) any Member with the support of three other Members, including Members participating virtually, who raise their hands to show support.

No debate permitted

16 After all Members have been summoned to the sitting for a division, no further debate shall be permitted.

Conduct during stating of the question

17 No Member shall enter or leave the sitting whether present in the Chamber or participating virtually during the stating of the question, and may not leave the sitting during the final statement of the question until the division has been conducted and the result of the vote announced.

Time limit on division bells

18 Not more than one hour after directing that the Members be summoned to the sitting, the Speaker shall

(a) order that the division bells be turned off;

(b) state the question again; and

(c) immediately order the recording of the division.

Eligibility of virtual Members to vote

19 As soon as the Speaker directs that the division bells be turned off, the Moderator shall take a screenshot of all Members participating virtually. Only those Members with their video turned on who are present in front of their camera at the time the screenshot is taken will be eligible to participate in the division.

Requirement to vote

20 Every Member present whether in their seat or participating virtually must vote. Voting will first be conducted with the Members seated in the Chamber followed by the Members participating virtually.

Conducting the vote

21 For the Members participating virtually, the vote will be conducted by calling the names of Members individually starting with the Leaders of Recognized Parties and then alphabetically by surname, with each Member to say "I vote yes" or "I vote no" when their name is called.

Request for recorded division in a Committee of the Whole House

22 A recorded division on any question put to a Committee of the Whole House may be requested by

(a) a House Leader from a Recognized Party; or

(b) any Member with the support of one other Member, including Members participating virtually who raise their hands to show support.

Conducting the vote in Committee of the Whole

23 Recorded divisions requested in any Committee of the Whole House shall be conducted in accordance with sessional orders 20, 21 and 22.

Raising of Points of Order and Matters of Privilege

24 Members participating virtually must signal the intent to raise a Point of Order or Matter of Privilege by contacting their Whip, Whip designate or the Clerks, who will then inform the Speaker.

Procedure on Point of Order

25 A Member addressing the House, if called to order by either the Speaker or on a Point of Order raised by another Member, shall cease deliberations and be seated, and if participating virtually shall mute their audio while the Point of Order is being stated, after which the Member may explain.

Privilege rulings subject to challenge

26 The Speaker shall determine if a prima facie case of privilege has been established and provide the House with a rationale for this decision. Rulings of the Chair dealing with Matters of Privilege may be challenged by

(a) a House Leader from a Recognized Party; or

(b) any Member with the support of three other Members; including Members participating virtually who raise their hands to show support.

Naming a Member

27 The Speaker shall be vested with the authority to maintain order by naming individual Members for disregarding the authority of the Chair and ordering a withdrawal from the Chamber or termination of virtual participation for the remainder of the sitting day.

Disregarding an Order of the Chair

28 In the event of a Member disregarding an Order of the Chair made pursuant to sessional order 27, the Speaker shall order the Sergeant-at-Arms to escort the Member out of the Chamber or direct the Moderator to terminate the virtual participation of the Member.

Suspension

29 A suspension under sessional order 28 shall be decided by the Speaker but shall not exceed two weeks, including virtual participation.

30 If a Member refuses to obey the Speaker's Order to accompany the Sergeant-at-Arms out of the Chamber, the Speaker must then advise the House that force is required to implement the Order. Any Member removed from the Chamber by force is then suspended from all sittings for the remainder of the session.

Moment of silence

31 When a moment of silence is observed, Members present in the Chamber are to rise and the Members participating virtually to remain seated.

Presentations to Standing Committees

32 Public presentations to Bills at Standing Committees may take place remotely or in person, with presenters appearing either virtually or by being present in the committee rooms.

When appearing before a Standing Committee, representatives of a Crown Corporation or an Independent Office of the Assembly may participate in the meeting either in person or virtually.

33 Except by unanimous consent of the Committee, only the first two members of the public to register to present to a Bill who reside outside the province of Manitoba may present virtually to a Standing Committee considering legislation. There are no limits to out of province presenters who are physically present in the committee room for their presentation.

Election of a Speaker

34 Only Members physically present in the Legislative Chamber shall be eligible to receive a ballot paper and vote in the election of a new Speaker. Members may join proceedings virtually but will be unable to cast a vote.

General Provisions

35 After adoption by the House, this Sessional Order may be amended only by

(a) unanimous consent of the House;

(b) passage of a subsequent Sessional Order by the House; or

(c) written agreement of all House Leaders of Recognized Parties if the House is not sitting.

The Speaker: It is moved—it has been moved by the honourable Government House Leader (MLA Fontaine) and seconded by the honourable member for—Minister for Municipal and Northern Relations,

THAT the following sessional orders are to apply—

An Honourable Member: Dispense.

The Speaker: Dispense.

The motion is in order. The floor is open.

Are there any Speakers?

Is the House ready for the question?

Some Honourable Members: Question.

The Speaker: The question before the House is the sessional order motion moved by the honourable Government House Leader.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

The motion is accordingly passed.

MLA Fontaine: Honourable Speaker, I move, seconded by the Minister for Education, that this House do now adjourn.

The Speaker: It has been moved by the Government House Leader, that this motion—seconded by the Minister of Education, that this House do now adjourn.

Is it the pleasure of the House to adjourn—to adopt the motion? Sorry. *[Agreed]*

The House will now adjourn and stand adjourned until 1:30 p.m. on Tuesday, November 21, 2023, or the call of the Speaker.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 9, 2023

CONTENTS

Election of the Speaker

1

The Legislative Assembly of Manitoba Debates and Proceedings

are also available on the Internet at the following address:

<http://www.manitoba.ca/legislature/hansard/hansard.html>