

Wednesday, March 25, 1998



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 24

FOURTH SESSION, THIRTY-SIXTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petition was presented:

Ms. WOWCHUK - Adequate and Stable Funding for the Evergreen Women's Resource Centre, and other Women's Resource Centres in Manitoba (N. McDermid, Y. Dola, C. Chudd and others)

By leave, the following petition was read and received:

Mr. JENNISSEN - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (C. Erbus, F. Marasigan, N. S. Lamsen and others)

The following petitions were read and received:

Mr. DEWAR - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (K. King, A. Duchfield, K. Richards and others)

Mr. MALOWAY - Minister of Health to put an end to the centralization and privatization of Winnipeg hospital food services (M. G. Cron, E. F. Faderon, L. Hussein and others)

Hon. Mr. GILLESHAMMER presented:

Supplementary Information for Legislative Review - 1998-1999 - Civil Service Commission.

(Sessional Paper No. 143)

Also:

Supplementary Information for Legislative Review - 1998-1999 - Employee Benefits and Other Payments.

(Sessional Paper No. 144)

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Hon. Mrs. MITCHELSON presented:

Supplementary Information for Legislative Review - 1998-1999 - Manitoba Family Services.

(Sessional Paper No. 145)

Hon. Mr. STEFANSON presented:

Manitoba Lotteries Corporation, Quarterly Report, April - December, 1997.

(Sessional Paper No. 146)

Also:

Supplementary Information for Legislative Review - 1998-1999 - Manitoba Community Support Programs.

(Sessional Paper No. 147)

Also:

Supplementary Information for Legislative Review - 1998-1999 - Manitoba Sport.

(Sessional Paper No. 148)

Madam Speaker presented:

Statutory Report of the Chief Electoral Officer on the Portage la Prairie By-Election dated September 30, 1997.

(Sessional Paper No. 149)

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

(No. 25) - The Highway Traffic Amendment Act; Loi modifiant le Code de la route

(Hon. Mr. FINDLAY)

(No. 26) - The Teachers' Society Amendment Act; Loi modifiant la Loi sur l'Association des enseignants du Manitoba

(Hon. Mrs. McINTOSH)

(No. 27) - The Manitoba Employee Ownership Fund Corporation Amendment Act; Loi modifiant la Loi constituant en corporation le Fonds de participation des travailleurs du Manitoba
(Recommended by His Honour, the Lieutenant Governor)

(Hon. Mr. DOWNEY)

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Hon. Mr. DOWNEY presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 27).

(Sessional Paper No. 150)

During Oral Questions, Mr. SALE rose on a point of order and stated that the Honourable Minister of Health had imputed motives against him,

WHEREUPON Madam Speaker informed the House she would take the matter under advisement.

Pursuant to Rule 20(1), Messrs. PENNER, STRUTHERS and McALPINE, Ms. MIHYCHUK and Ms. CERILLI made Members' Statements.

Mr. SALE moved:

WHEREAS the Multilateral Agreement on Investment (MAI) would eliminate all hiring objectives or performance requirements of all types, thereby sharply reducing the ability of the Province of Manitoba to take economic initiatives in our best interest as a province; and

WHEREAS under the MAI, the development of the Limestone Project with its northern hiring preferences would have been illegal; and

WHEREAS even the minimal measures regarding investment in the Manitoba Telecom Services to initially sell the company to Manitobans and to require a certain number of Manitoba directors would have been illegal under MAI; and

WHEREAS under the MAI any preferential grant or loan to any company such as AT&T or Faneuil would have to be made available to any other company requesting such treatment under national treatment criteria, and could not in any case contain any performance criteria; and

WHEREAS it is unclear under constitutional and international law whether or not one level of government can bind another in areas in which the latter has sovereign power; and

WHEREAS other provinces, such as British Columbia, Alberta and Saskatchewan have expressed grave concerns about the MAI, with Saskatchewan urging the federal government "not to agree to an MAI which applies to sub-national measures in Canada without our explicit consent"; and

WHEREAS any treaty on investment should contain in the body of the treaty articles on environmental standards and labour standards; and

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WHEREAS legal opinions from respected scholars such as Dr. Brian Schwartz and Barry Appleton have raised serious doubt as to the effectiveness of Canada's proposed reservations under the draft treaty to protect our Medicare and social service systems and our culture.

THEREFORE BE IT RESOLVED that this Legislative Assembly is opposed to the MAI in its current form; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba insist that any MAI include an explicit, detailed unbound reservation protecting Health, Education and Social Services, Culture and Crown Corporations and the right to take affirmative action measures, including performance requirements in any undertaking designed to improve the situation of Aboriginal and other under-represented citizens; and

BE IT FURTHER RESOLVED that Manitoba insist that signatories to the treaty at the national and sub-national levels have the unbound right to take measures in environmental and labour matters for the protection and betterment of all citizens; and

BE IT FURTHER RESOLVED that this Legislative Assembly urge the Manitoba and Federal governments to consider holding public hearings on the proposed final draft of the MAI to discern Manitobans' views on the treaty prior to any agreement by Manitoba to the conditions of the treaty.

And a debate arising,

And Mr. SALE and Hon. Mr. DOWNEY having spoken,

Hon. Mr. DOWNEY moved in amendment as follows:

THAT the motion be amended by:

1. Adding the following prior to the first WHEREAS clause:

"WHEREAS Manitoba, as a trading province, is dependent on trade and investment and an agreement which mirrors the investment provisions of the North American Free Trade Agreement (NAFTA) is potentially of great interest; and,

WHEREAS Manitoba favours the development of a set of multilateral rules to enhance security and stability for investments; and,

WHEREAS the Manitoba Government has indicated that it is not prepared to support a Multilateral Agreement on Investment (MAI) which goes beyond the investment protection obligation contained in the NAFTA; and

WHEREAS the current draft text of the MAI contains a number of provisions which go beyond Canada's NAFTA obligations; and".

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2. By deleting all the words after WHEREAS in the first WHEREAS clause and substituting the following “the current draft text of the MAI could eliminate hiring objectives or performance requirements of all types, thereby sharply reducing the ability of the Province of Manitoba to take economic initiatives in our best interest as a province; and”

3. By deleting all the words after WHEREAS in the second WHEREAS clause and substituting the following “under the current draft text of the MAI, the development of the Limestone Project with its northern hiring practices could have been illegal; and”

4. By deleting all the words after WHEREAS in the third WHEREAS clause and substituting the following “the measures regarding investment in Manitoba Telecom Services to initially sell the company to Manitobans and to require a certain number of Manitoba directors could have been illegal under the current draft of the MAI; and”

5. By deleting all the words after WHEREAS in the fourth WHEREAS clause and substituting the following “under the current draft text of the MAI, the national treatment criteria could be extended to the provision of any preferential grants or loans to companies investing in Manitoba and could restrict performance criteria associated with such financial assistance; and”

6. By deleting all the words after WHEREAS in the sixth WHEREAS clause and substituting the following “Canadian provinces have expressed concerns about provisions in the MAI which go beyond those contained in the NAFTA and have urged the federal government not to agree to an MAI which applies to sub-national measures in Canada without the explicit consent of the provinces; and”

7. By deleting the word “serious” in the second line of the eighth WHEREAS clause.

8. By deleting all the words after the word “Manitoba” in the first BE IT FURTHER RESOLVED clause and substituting the following “urge the federal government to ensure that any MAI include an explicit detailed unbound reservation protecting Health, Education and Social Services, Culture and Crown Corporations and the right to take affirmative action measures in any undertaking designed to improve the situation of Aboriginal and other under-represented citizens; and”

9. By deleting all the words after the words “Manitoba” in the second BE IT FURTHER RESOLVED clause and substituting the following “insists that the federal government ensure the MAI protects the sovereign right of governments to take measures in environmental and labour matters for the protection and betterment of all citizens; and”

10. By deleting all the words after the words “urge” in the final BE IT FURTHER RESOLVED clause and substituting the following “the federal government to consider holding public hearings prior to any decision regarding Canadian signature to the MAI and that public consultations provide Manitobans with an adequate opportunity to express their views on the MAI.”

Mr. DOER rose on a point of order and stated that by allowing an amendment to be made to an Opposition Day Motion the intent of an Opposition Day would be defeated,

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And Messrs. ASHTON and SALE and Hon. Messrs. McCRAE and NEWMAN having spoken,

WHEREUPON Madam Speaker referred all Members to the content of Rule 22.(13) which reads "Debate on an Opposition Day Motion shall be limited to one sitting day; thirty minutes before the ordinary time of adjournment the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the motion and any amendments thereto" and suggested a recess to allow House Leaders to discuss the matter.

Hon. Mr. McCRAE rose on a further point of order and suggested that Madam Speaker review the amendment while the House was debating the main motion,

WHEREUPON Madam Speaker informed the House she would take the amendment under advisement and report back to the House.

And the debate continuing,

And Mr. DOER, Hon. Mr. STEFANSON and Mr. EVANS (Brandon East) having spoken,

WHEREUPON Madam Speaker interjected and ruled the amendment proposed by the Honourable Minister of Industry, Trade and Tourism was in order.

And the debate continuing on the amendment,

And Mr. McALPINE, Ms. CERILLI, Hon. Mr. GILLESHAMMER, Messrs. MARTINDALE, TWEED, Ms. WOWCHUK, Messrs. PENNER and DEWAR, Hon. Mr. RADCLIFFE, Mr. JENNISSEN, Hon. Mr. NEWMAN, Mr. SANTOS, Hon. Mr. ENNS and Mr. ASHTON having spoken,

And the Question being put on the amendment,

It was agreed to, on division.

And the Question being put on the main motion, as amended,

It was agreed to.

The House then adjourned at 5:31 p.m. until 10:00 a.m. tomorrow.

Hon. Louise Dacquay,
Speaker.