



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS

FOURTH SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mrs. ROWAT – Legislative Assembly of Manitoba to urge the Minister of Family Services and Housing and the Premier to consider amending legislation to improve the process by which grandparents can obtain reasonable access to their grandchildren. (J. Michaelis, R. McLean, D. Briscoe and others)

Mrs. STEFANSON – Legislative Assembly of Manitoba to request the Premier of Manitoba and the Minister of Health to consider providing CancerCare Manitoba with the appropriate funding necessary so that they may provide leading edge care for patients in the same manner as other provinces and to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible. (S. Foderaro, D. McKim, J. Cheturd and others)

Mr. GOERTZEN – Legislative Assembly of Manitoba to strongly urge the Premier to consider calling an independent public inquiry into the Crocus Investment Fund scandal. (S. Toews, M. Nault, C. Riddle and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the Government did not act on fixing the Crocus fund back in 2001 and to urge the Premier and his Government to cooperate in making public what really happened. (G. Barclay, L. Switzer, L. Barclay and others)

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

Following the daily Prayer on April 13, 2006, the Honourable Member for Minnedosa raised a matter of privilege regarding the relocation of jobs with the provincial Crown Lands Office from Minnedosa. She concluded her remarks by moving “THAT this matter be referred to the Standing Committee on Legislative Affairs.” The Honourable Government House Leader, the Honourable Deputy Official Opposition House Leader and the Honourable Member for River Heights also offered advice to the Speaker on the matter. I took the matter under advisement in order to consult the procedural authorities.

I thank all Members for their advice to the Chair on this matter.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached, in order to warrant putting the matter to the House.

The Honourable Member for Minnedosa asserted that she was raising the issue at the earliest opportunity, and I accept the word of the Honourable Member.

Regarding the second issue of whether a prima facie case was demonstrated, I would note that in her submission to the Chair, the Honourable Member for Minnedosa indicated that the issue impacts on her ability to do her duties as an MLA, however she did not demonstrate how such an imposition occurred. I would like to remind Members that the individual protections provided to Members by parliamentary privilege as identified on page 51 of Marleau and Montpetit's *House of Commons Procedure and Practice* are: freedom of speech, freedom from arrest in civil actions, exemption from jury duty and exemption from attendance at a witness. From what I can discern of the issue raised, none of these privileges were affected. In addition, claims regarding the obstruction of Members must relate, as noted by Maingot on page 14 of the second edition of *Parliamentary Privilege in Canada*, to the parliamentary work of Members, that is, any of the Member's activities that have a connection to a proceeding from Parliament. Again, I did not hear any indication from the Member about how her ability to raise issues in the House or ask questions or perform her parliamentary duties were impeded.

Essentially, what we have on the surface is a complaint by the Member that she disagrees with actions taken by the government. While the Member has every right to scrutinize the actions of government and offer disagreement with the actions taken by government and the policies of government, she has not demonstrated that a prima facie case of privilege exists in this case.

Therefore, with the greatest of respect, I must rule that there is no prima facie case of privilege.

Pursuant to Rule 26(1), Hon. Ms. MCGIFFORD, Hon. Mr. GERRARD (by leave), Messrs. EICHLER and MALOWAY, Mrs. ROWAT and Mr. MARTINDALE made Members' Statements.

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

THAT this House approves in general the budgetary policy of the government.

And the proposed amendment moved by Mr. MURRAY as follows:

That the Motion be amended by deleting all the words after "House" and substituting the following words:

therefore regrets this Budget ignores the present and future needs of Manitobans by:

- (a) Failing to be accountable to Manitobans for the overspending and fiscal mismanagement of this Doer NDP government; and

- (b) Failing to be accountable for the fact that Manitoba families will be the highest taxed of any province in Canada; and
- (c) Failing to provide a long-term strategy to bolster Manitoba's economy and make Manitoba a "have" province; and
- (d) Failing to be accountable for the dismal state of agriculture in Manitoba and the lack of sufficient slaughter capacity in the province and to provide a sustainable plan for the growth of agriculture and the rural economy; and
- (e) Failing to provide a climate that encourages private sector job creation and growth in the province, to provide opportunity for Manitoba youth to remain in the province; and
- (f) Failing to accept responsibility and be accountable for the province's unprecedented level of debt, which has grown to over \$20 Billion under the Doer NDP government, thereby mortgaging our children's and grandchildren's future; and
- (g) Failing to eliminate education taxes off residential property and farmland; and
- (h) Failing to provide adequate funding for post secondary institutions; and
- (i) Failing to be accountable for the dead last ranking of Manitoba's health care system by the Conference Board of Canada; and
- (j) Failing to be transparent and accountable for where health care dollars are being spent; and
- (k) Failing to be accountable for the increased court backlog and probation breaches; and
- (l) Failing to provide a long term strategy for the revitalization of rural Manitoba and continuing to ignore rural Manitobans; and
- (m) Failing to be accountable for drawing money from the "rainy day fund" in times of unprecedented revenues.

As a consequence, the Government has thereby lost the confidence of this House and the people of Manitoba.

And the debate continuing on the amendment,

And Hon. Mr. ASHTON, Messrs. CUMMINGS and SANTOS and Hon. Mr. GERRARD having spoken.

Monday, May 1, 2006

Hon. Mr. GERRARD moved an amendment as follows:

THAT the amendment be amended by adding thereto the following words:

And further regrets that this Budget also ignores present and future needs of Manitobans by:

- (n) Failing to present a genuinely balanced budget as demonstrated by the government's raid of the Fiscal Stabilization Fund as explained above; and
- (o) Failing to protect the province's financial sector by calling a public inquiry into the Crocus Investment Fund scandal; and
- (p) Failing to take adequate measures to protect children in the care of Manitoba Child and Family Services and to provide adequate transition to children in care so that they are at high risk after leaving care; and
- (q) Failing to provide an effective strategy to deal with child poverty; and
- (r) Failing to provide Manitobans with the legal right to timely, quality health care.

WHEREUPON Mr. Speaker ruled the sub-amendment in order.

And the debate continuing on the sub-amendment,

And Mr. MARTINDALE having spoken,

The debate was allowed to remain open.

The House then adjourned at 5:00 p.m. until 1:30 p.m. Tuesday, May 2, 2006.

Hon. George HICKES,
Speaker.