

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

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The Honourable Myrna Driedger  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	Man.
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	Ind.
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen, Hon.	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
SCHULER, Ron, Hon.	St. Paul	PC
SMITH, Andrew	Southdale	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
SWAN, Andrew	Minto	NDP
TEITSMA, James	Radisson	PC
WHARTON, Jeff, Hon.	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 14, 2019

*The House met at 1:30 p.m.*

**Madam 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 may seek it with wisdom and 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.

Please be seated.

**ROUTINE PROCEEDINGS  
INTRODUCTION OF BILLS**

**Bill 20—The Courts Modernization Act  
(Various Acts Amended)**

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Growth, Enterprise and Trade (Mr. Pedersen), that Bill 20, The Courts Modernization Act (Various Acts Amended), be now read a first time.

*Motion presented.*

**Mr. Cullen:** Madam Speaker, I'm pleased to rise in the House today to introduce Bill 20, The Courts Modernization Act.

This bill updates provisions to address vexatious litigants before the Court of Appeal and the Court of Queen's Bench, as well as the rule-making power of the Court of Appeal. In addition, an annual reporting requirement for the Court of Appeal and the Court of Queen's Bench will enable the chief justices to report on the activities of each of their courts for the fiscal year, which will enhance public understanding of the work they do.

The amendments contained in this bill will also improve the process of appointing judges, judicial justices of the peace and masters, and provide for a mandatory retirement age of 75 years for judges and masters.

Finally, the monetary limit for the filing of small, civil claims will be increased from \$10,000 to \$15,000, and improvements will be made to the Small Claims Court process, enhancing access to justice for Manitobans.

Thank you, Madam Speaker.

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

**Bill 226—The Presumption of Death  
and Declaration of Absence Act  
and Amendments to The Insurance Act**

**Mr. Andrew Micklefield (Rossmere):** I move, seconded by the member for St. Norbert (Mr. Reyes), that Bill 226, The Presumption of Death and Declaration of Absence Act and Amendments to The Insurance Act, be now read a first time.

*Motion presented.*

**Mr. Micklefield:** Madam Speaker, The Presumption of Death and Declaration of Absence Act and Amendments to The Insurance Act brings needed modernization to Manitoba's current Presumption of Death Act, which has not been amended since becoming law in 1968.

Numerous problems with the existing legislation were identified in a 2015 report by the Manitoba law commission. This bill builds on the law commission's recommendations and provides a clearer path for families with missing loved ones seeking closure on their affairs.

The bill also gives judges the power to declare a person missing for specified purposes where the finality of declaring them dead is not warranted or imprudent—or prudent.

I look forward to discussing this bill with colleagues and debating it in the House.

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

**Bill 222—The Human Rights Code  
Amendment Act  
(Genetic Characteristics)**

**Mr. Andrew Swan (Minto):** I move, seconded by the member for Concordia (Mr. Wiebe), that Bill 222, The Human Rights Code Amendment Act (Genetic Characteristics); Loi modifiant le Code des droits de la personne (caractéristiques génétiques), be now read a first time.

*Motion presented.*

**Mr. Swan:** This bill will protect Manitobans against discrimination based on their genetic characteristics. Genetic testing is becoming more and more common, as the science continues to improve and expand. It is an important medical tool, especially for Manitobans with family members diagnosed with genetic diseases.

This bill will ensure that someone's choice to undergo or not undergo a genetic test will not impact their employment, education, housing, their ability to purchase life or disability insurance or anything else within provincial jurisdiction.

I hope all members of this House will support this important piece of human rights legislation.

Thank you.

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

Committee reports?

#### TABLING OF REPORTS

**Hon. Rochelle Squires (Minister of Sustainable Development):** I'm pleased to table the Winnipeg Soil Survey for the fall of 2018.

**Madam Speaker:** Ministerial statements?

#### MEMBERS' STATEMENTS

##### Community Forum Addressing Homelessness

**Hon. Jon Gerrard (River Heights):** Madam Speaker, last October at a Sharing Circle Community Forum I hosted, we discussed what we, as a community, can do to help people be warmer, healthier and safer in winter.

Speaker Michael Champaign emphasized that we need to change our mindset to see those who are homeless for what they are: our friends and relatives on the street. James Favel, executive director of the Bear Clan, and Rick Lees, executive director of the Main Street Project, also spoke. They emphasized the need for warming shelters and help for those who are homeless. River Heights constituents who attended the forum brought donations of food for the Bear Clan and clothes for the Main Street Project.

Madam Speaker, through an article in our local paper, grade 6 students at Grosvenor School learned of the event and decided to take action. Working together, students of Ms. Milak's grade 6 class organized a winter clothing drive to collect hats,

mitts, gloves, scarves and other cold weather wear for people who are homeless.

They collected 113 mitts, hats, scarves and socks, and two teddy bears, to assist our friends and relatives on the street. These items were provided to the Main Street Project to help those in need and were put to immediate use last December.

Cindy Titus of Main Street Project wrote: Thank you so much for the generous donation of warm clothing for our community members. We are appreciative of the support in keeping the homeless warm and safe during the winter months.

I want to personally and publicly say a thank you to all of the students of Ms. Milak's grade 6 class, who are in the gallery today, and to their friends and families who've generously donated the items. You have made a difference. You have personally shown you care and are ready to act to address homelessness in Winnipeg.

Thank you, merci, miigwech.

And, Madam Speaker, I ask leave to table the names of the students who are here so that they can appear in Hansard.

**Madam Speaker:** Is there leave to include those names in Hansard? *[Agreed]*

*Grosvenor School grade 6 class: Beck Anderson, Geneva Baluta, Robbie Bennett, Piper Burzynski, Luke Campbell, Preston Chan, Amelie Clerkin, Miles Dyer, James Estabrooks, Ben Grahn, Myka Humble, Marcus King, Connor Leary, Zaiyah McDowell, Sal McNiven, Anna Omichinski, Willa Pranteau, Hanaa Rezai, Max Rogge, Milli Rollins, Stella Scott.*

\* (13:40)

#### Gimli Ice Festival

**Hon. Jeff Wharton (Minister of Municipal Relations):** Madam Speaker, I am pleased to rise in the House today to recognize the Gimli Ice Festival and all those who make it happen. The Gimli Ice Festival's mission statement includes a commitment to engage the culture, arts, sports and education, business sectors in Gimli and surrounding area.

This year's theme, Celebrating Indigenous Culture, once again delivering on the promise with an incredibly-variety of activities for all ages hosted in multiple locations throughout Gimli and the harbourfront.

The festival exemplifies the meaning of community spirit and partnership. It has grown to be Gimli's premier winter event and contributes to Manitoba's growing reputation as a world-class winter destination.

I'd like to extend a heartfelt congratulations to the service clubs, organizations and numerous volunteers who have made this outstanding event happen for eight consecutive years, Madam Speaker. The success of the Gimli Ice Festival is a result of the commitment and hard work of many.

The initial concept of an event such as this also requires vision and leadership, Madam Speaker.

Susan and Peter Holfeuer are co-chairs and founders and driving force behind the Gimli Ice Festival. In addition, they have each served on multiple boards and 'committeetes'—and committees and have volunteered their time and talent to numerous events.

Today, I would like to express my appreciation to them in embracing their community and inspiring others to do the same.

I'd ask my colleagues to join me in welcoming Peter and Susan to the gallery today, Madam Speaker.

Thank you.

### **Tina Fontaine**

**Mrs. Bernadette Smith (Point Douglas):** Manitoba's Advocate for Children and Youth released a report this week detailing the ways in which Manitoba's organizations failed and endangered Tina Fontaine.

The report made several recommendations for cross-departmental supports that need to be made available for children, particularly those who are experiencing drug addiction and sexual exploitation. It outlined the heartbreaking series of events that took place prior to her death and revealed the truth that many of us already knew: indigenous women and girls are among the most vulnerable and yet the least protected.

After her father's murder, Tina was never provided counselling or cultural support, cultural healing services, despite her Aunt Thelma requesting them on her behalf.

Struggling with grief, addiction and sexual exploitation, Tina reached out to Child and Family Services as well as shelters but was never given the

support that she so desperately needed, particularly due to jurisdictional debates regarding which agencies were responsible for her well-being.

Tina's one in a many line—in a long line of indigenous girls who are expected to be able to endure an abundance of pain until or if they are ever offered help that they need. Her own mother was neglected by CFS after they learned that she was sexually exploited as a child.

Tina herself had to die in order for a report on the way in which she was underserved to be conducted. Her story is indicative of an epidemic of system failures that leave indigenous women and girls isolated and vulnerable.

I want to uplift Tina's family today and thank them for their courage during this time when the details of her passing are widely discussed. Tina was bright, beautiful and strong. Most importantly, she was loved and will be remembered.

### **Cornelius Thiessen**

**Mr. Blair Yakimoski (Transcona):** I'm proud to represent our community of Transcona, and one of the things that make it great would be local Facebook celebrity Cornelius Thiessen.

Whether it's at Abby's bake sale for Children's Hospital last week or last week's new library opening, or breakfast at the Spike, Neil is there, posting on social media all the great things about our community and fiercely defending it against those who would smear it. He's also become quite the curator of Transcona's hidden beauty with his phone's camera. Whether an old house, a streetlight in a snowstorm or a sunrise over his favourite George Olive Nature Park, his pictures tell a story about our community and often our history.

He has a fondness for things that are old in his pictures, and perhaps that's why he can always be seen with that old camo hat he wears. If you ask him why he likes it: It's old, like me.

His love of old bicycles is evident, as he can be seen riding his 1935 Huffy with new red wheels around Transcona, but the story of his purchase of a salvaged '51 Rocket for his daughter is something you must ask him. It's a story of a loving father who helped fund his daughter's education to become a mechanical engineer by recycling old bikes.

His desire to help his neighbour is inspiring. When a local mother needed some help getting her

kids to school, he stepped up to ensure they got there safely by regularly walking them to school.

With his voice on social media, he just wants folks to know we are good people living in a good place.

When he left my office the other day, a woman entering passed him and said hi, and then I asked her, do you know who that is? Cornelius Thiessen, I said. Her response: Really? He's kind of famous around here. Yes, he is.

Neil is what every community needs: a great neighbour who's always there, cares about you, and always brings some sunshine on a cloudy day.

Please join me in thanking my kind-of-famous friend Neil for being what exemplifies the best of Transcona.

**Madam Speaker:** The honourable member for Transcona.

**Mr. Yakimoski:** Madam Speaker, I ask leave that we may include the name of his guest in the gallery in Hansard.

**Madam Speaker:** Is there leave to include the name in Hansard? *[Agreed]*

*Guest of Cornelius Thiessen: Wanda Grift.*

### **Rivers Hosts Sporting Events**

**Mr. Greg Nesbitt (Riding Mountain):** The community of Rivers was certainly the talk of the curling fraternity in western Manitoba after hosting two provincial championships this winter and being awarded a prestigious championship for 2020.

Sixteen teams took part in the Golden Gals provincial championship from February 7th to 10th. The purpose of the Golden Gals organization is to promote curling among female curlers 60 years and older.

Next up was the Strathcona Trust Senior Men's Provincial Championship and the Liberty Tax Senior Women's championship, held from February 20th to 25th, at facilities in both Rivers and Minnedosa. Sixteen men's teams and eight women's teams competed for the right to represent Manitoba at the Canadian championships next week in Chilliwack, BC.

Madam Speaker, the community of Rivers has a history of hosting successful sporting events in the Riverdale Community Centre, as it also hosted the

provincial junior men's and women's championships in 2015.

But success doesn't just happen. It's the result of dedicated committees and volunteers who work hard to ensure these events run smoothly. These volunteers will be put to the test next January, after it was announced earlier this winter that Rivers will play host to the 2020 Scotties Tournament of Hearts provincial championship from January 28th to February 2nd.

These events have a tremendous impact on a community, from the sense of pride in hosting, as well as from an economic spinoff to local businesses.

Madam Speaker, I want to congratulate the community of Rivers and all the residents of the Riverdale municipality for their success in the past and wish them all the best as they prepare to host teams and spectators from across the province at the Scotties in 2020.

Thank you.

### **Introduction of Guests**

**Madam Speaker:** Prior to oral questions, we have some guests in the gallery that I would like to introduce to you.

You have already met the students from Grosvenor School, and I would also like to introduce a former member—former MLA from the constituency of Interlake, Clif Evans, who is sitting in the loge to my left, and we welcome you to the Legislature.

And also seated in the public gallery, we have 16 grade 2 to 11 homeschooled students under the direction of Céline Medeiros, and this group is located in the constituency of the honourable member for Lac du Bonnet (Mr. Ewasko).

On behalf of all members we welcome you here to the Legislature as well.

### **ORAL QUESTIONS**

#### **Children in Care at a Safety Risk Government Update**

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, it took a tragedy to deliver us the Manitoba advocate's report this week. It was the death of Tina Fontaine, and I'd like to—just to take a second to acknowledge her spirit.

Certainly, perhaps her legacy can be to prevent future tragedies. It's why one of the most concerning

and perhaps salient parts of that report is that the Manitoba advocate said that there are currently 17 young people in our province who are at imminent risk of death or harm. The Manitoba advocate was very clear. She said she's advocating on behalf of these youths, so her office is in contact with them.

\* (13:50)

We discussed this issue in the House yesterday and the Premier shared some words as to follow up. So I would like to check in again to see what the current status is of these 17 young people.

Can the Premier tell the House whether or not they are safe and accounted for?

**Hon. Brian Pallister (Premier):** Well, it's an identical question to yesterday, Madam Speaker, and I undertook yesterday to inform the House that the director is looking into getting the information from the children's advocate office and is awaiting that information.

Obviously, on a broader spectrum, Madam Speaker, we're pleased with the work of the children's advocate, the report that we've received. We're examining it. We've acted on all previous reports that were received on this important and multi-faceted topic, and we'll continue to focus on making Manitoba a much safer place for our children.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** The Manitoba advocate was very clear in this regard. She said that she's working with these 17 young people and the fact that they are at imminent risk of death and harm should certainly cause concern for all of us here in the Chamber. I know many of us are parents, and the way that we would react to our own young ones being in danger certainly should guide the way we respond in this instance.

I would, you know, just put on the record again that the Premier indicated that he'd been told that the director of CFS had contacted the advocate to ascertain exactly who these children are. That was yesterday. The Premier has shared some other words here today.

So I'd like to ask how long will it be before he can update the House as to their well-being, the safety of these young people?

**Mr. Pallister:** That'll certainly depend on the ability of the children's advocate to respond to the inquiry, as the assertion was made by that office, Madam Speaker. The larger issue, of course, is the steps we are taking—have been taking, actually, in advance of the report, will take as a consequence of the report, have taken in the past, very ambitiously, as a consequence of things like the Hughes inquiry, where we've already adopted over 90 per cent of those recommendations.

Our actions as a government are a testament to our commitment to address this issue and make Manitoba a safer place for all our children.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a final supplementary.

**Mr. Kinew:** We certainly want to make Manitoba a safer place for all children, but this week it certainly was very sobering to hear that there are 17 children in particular who are at very imminent danger right now.

I think we also do need to acknowledge there's probably more children and youth who are perhaps at risk right now, but the fact that these 17 specific cases were highlighted by the Manitoba Advocate for Children and Youth, I think, certainly does necessitate a response, and I think everyone in the House would like to hear that these young people have been accounted for and they are safe.

So, it has been 48 hours since the advocate put these words into writing. It's now been 24 hours since the Premier said that he was working on this.

I would like the Premier to tell the House when he will be able to reassure everyone in this Chamber that these young people are safe and that they are getting the protection and help that they need.

**Mr. Pallister:** Well, I've undertaken to do so already, Madam Speaker, so I will not do so again.

I will say this, though: that Manitoba is no longer the child poverty capital of Canada. There are a number of children in care, but there are fewer in care than was the case a year ago, which is the first decline, year over year, in 15 years, Madam Speaker. We are investing significantly in new child-care spaces—over 1,400 new child-care spaces that are being created.

And, as well, Madam Speaker, I would also mention to the member that the broader number of children involved in this system—which is a

significant number—are certainly our concern and will remain our foremost concern.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a new question.

### **Child-Care Services Fee Increase Inquiry**

**Mr. Wab Kinew (Leader of the Official Opposition):** So my son, Tobasonakwut, he's not only—he's not even a year old yet, and yet already at home we're rearranging our lives around being able to care for him and making sure that there's always child care to keep him safe, but also to ensure that he grows and develops to his full potential.

Now, my wife and I certainly were lucky in many respects that we have extended family and a couple great-grandmas who can help out, but many other families aren't in a similar situation. And they require daycare spots—and affordable daycare, at that—to be able to care for their own beautiful children.

Right now we know that daycare, it's a challenge to find, there's certainly long waiting lists. But it's also getting more and more unaffordable. It's getting super expensive; it can cost families thousands of dollars a year.

I'd like to ask the Premier if he can assure the House that he will not raise fees on parents for daycares this year.

**Hon. Brian Pallister (Premier):** My wife and I just became empty nesters, Madam Speaker, and I encourage the member to embrace the challenges he now has. Time goes by quickly and children leave and they get older and they become their own people. And you hope that they come back. But I wish him well in the parenting of his new project there, at home.

For many families, he's quite right, there is an absolute need, an essential need, for child-care spaces, and that is why we have partnered with the federal government on a bilateral agreement to create 1,400 new child-care spaces.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** So, just to be clear, the question is on the fees that parents have to pay to put their kids into daycare, and the question is whether the Premier can guarantee that there will be no increase in the fees

that parents have to pay in Manitoba for daycare this year.

The reason why I raise the question is, of course, we have this freedom of information request that was filled, and I'll table the documents here for the Premier's benefit.

The title of the document is: proposed increased parent fees, which seems to be a pretty clear indication of the proposal that was going forward to the Cabinet that the Premier's the head of. Of course it also contemplates a reduction in subsidies for parents who may qualify for those things. So we know that the current Cabinet has been considering increasing parent fees.

So I'd ask again: Can the minister, the First Minister, guarantee that parents won't have to pay any increased fees for daycare in Manitoba this year?

**Mr. Pallister:** Well, not only can I guarantee that, but I can guarantee that Manitobans and Manitobans raising children will pay lower PST. I can guarantee that.

And I can guarantee this, that the NDP will not stand up for Manitobans, not for a second, on these issues. They will—they demonstrated it in their previous governments' decisions to raise taxes they promised they would not.

They raised the taxes on Manitoba families, they broadened the PST. They broadened—they increased the fees on vehicle owners, they increased the fees on people who needed a haircut or home insurance, they increased the fees on people on their benefits at work. They increased all those fees and made daycare even more difficult for people to pay for as a consequence.

Madam Speaker, we're not going to do that. We're going to stand up for Manitobans. They deserve a break. And we know who we work for on this side of the House.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a final supplementary.

**Mr. Kinew:** Proud to stand up for Manitoba parents and their kids, once again.

So, not only do we know that this government is—*[interjection]*

**Madam Speaker:** Order.

**Mr. Kinew:** —contemplating an increase to the fees that are charged for daycare here in the province, but



the budget that they recently just tabled actually has a \$1.4-million cut to grants for daycares in the province of Manitoba.

So, looking at it from this side of the House, it appears as though the government is cutting supports for daycares in Manitoba and looking to make up the difference on the backs of parents, perhaps through increased fees, perhaps through reducing the amount of subsidies that are available to families who need them to be able to pay for their daycare spaces.

We know that this is a very serious issue. Many of the young parents that I talk to, some of my friends, are struggling because a good chunk of their paycheque goes towards paying for these fees.

So I ask the minister again: Can he confirm clearly for the House that he will not raise daycare fees in Manitoba this year?

**Mr. Pallister:** Not only have I confirmed that, I'll reconfirm it, and the second lowest fees in Canada is a testament to the fact that we support daycare and affordable daycare.

But more than that, Madam Speaker, unlike the member opposite who mentions the friends that he speaks to and their daycare concerns, we also understand they have other bills, other bills that come and take money off their kitchen table, bills that matter to them, bills that are getting higher and interest rates that are getting higher, for those who need to borrow money to buy a car, or to pay a mortgage payment on their home.

And because we understand that those bills are getting higher, we're keeping our word and we're lowering the PST to leave more money on the kitchen table. We're keeping the promise the previous government broke because we understand who we work for.

#### **Methamphetamine Addiction Safe Injection Site Request**

**Ms. Nahanni Fontaine (St. Johns):** A recent poll found that 64 per cent of Manitobans support a safe consumption site. Manitobans support a safe consumption site, front-line workers support a safe consumption site, experts in addictions support a safe consumption site.

\* (14:00)

But you know who doesn't? This Premier.

Manitobans realize we are currently in the midst of a meth crisis; 63 per cent of Manitobans believe

and know that this government isn't doing nearly enough to tackle that crisis.

Will the Premier get up today and commit to establishing a safe consumption site?

**Hon. Cameron Friesen (Minister of Health, Seniors and Active Living):** Madam Speaker, this member continues down the ill-advised path that her party takes. They are the only ones who pretend that the issues that face all Manitobans are not complex. They are the only ones who try to oversimplify these things. They say that the simple answer to the complex issues that face Manitobans is a meth injection site

And she says that no one else experiences any kind of harm when these things are established. I can tell you that Calgary Police Service just reported that police incidents around meth injection sites have increased 300 per cent, instances of violence, the community reporting that their children and their daughters are not safe to walk to school.

Nothing about this is simple. We are taking action on behalf of all Manitobans.

**Madam Speaker:** The honourable member for St. Johns, on a supplementary question.

**Ms. Fontaine:** Additional security is necessarily in our—necessary in our hospitals given the current crisis that we're facing. Meth-fuelled violent incidents are increasing. The number of needles distributed is growing exponentially and syphilis rates are increasing across Manitoba. These are all signs that meth addiction is a growing problem and that we are in the midst of a crisis, Madam Speaker.

Manitobans want real investment and real commitment from this Premier and his ministers.

So will the Premier get up today and finally commit to a safe consumption site?

**Mr. Friesen:** Madam Speaker, yesterday the opposition party tried to make a very ill-advised connection between Tina Fontaine and a meth injection site, somehow implying that a meth injection site could have prevented the Tina Fontaine situation, which everyone has reported was a complex series of failures when that government was in charge.

Nothing about this is simple, but I can tell you that in some Alberta neighbourhoods, violence in the area around meth injection sites are up 50 per cent—50 per cent. *[interjection]*

**Madam Speaker:** Order.

**Mr. Friesen:** Vehicle crime, break-ins and families reporting that the neighbourhood is no longer safe for their children to walk to school—nothing about this is simple. Our government's—

**Madam Speaker:** The member's time has expired.

The honourable member for St. Johns, on a final supplementary.

**Ms. Fontaine:** The bottom line is this, Madam Speaker: the Premier (Mr. Pallister) needs to get his head—his head out of the Costa Rican sand and actually start doing something on behalf of Manitobans, including children—*[interjection]*

**Madam Speaker:** Order.

**Ms. Fontaine:** —who are dying under his—*[interjection]*

**Madam Speaker:** Order.

**Ms. Fontaine:** —watch.

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order.

**Ms. Fontaine:** How does the Premier—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order.

**Ms. Fontaine:** —sleep at night knowing that there are children who are addicted to meth—*[interjection]*

**Madam Speaker:** Order.

**Ms. Fontaine:** —and he is doing absolutely nothing? How does this Premier sleep at night knowing that Manitobans are dying and he's doing nothing to help the situation?

It is a shame, Madam Speaker. *[interjection]*

**Madam Speaker:** Order.

**Ms. Fontaine:** Shame on this government, shame on all members on that side for standing by and doing absolutely nothing.

Will they get up today and do a safe—

**Madam Speaker:** The member's time has expired.

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please.

This is a very sensitive issue, and I would urge members on both sides: let's have a respectful debate

on the issue. There's no need to be yelling on any side, and I'm going to urge everybody to, please, this is a democratic institution. I know this is a painful and a very emotional issue, but we don't advance the issue by yelling at each other and making accusations. Let's do this in a very professional, democratic way that we can actually advance the issue and find solutions to—the challenges are out there.

I also need to be able to hear all the comments that are being made, so if there is lot of heckling, I do not get to hear some of the comments and I might miss something. So I would ask for everybody's co-operation, please.

**Mr. Friesen:** Notwithstanding that member's regrettable preamble, Madam Speaker, it is important that we demonstrate compassion. We know that our neighbourhoods show the evidence of increased use of illicit drugs. But simply perpetuating the cycle of methamphetamines does not demonstrate compassion. We are making investments to help Manitobans, to educate them of the dangers, to provide more capacity to help them exit a drug life.

There is nothing simple about the challenges that face all of North America in this regard. It is disappointing to hear the NDP, the only ones who suggest that anything of this is simple.

#### **Curriculum Support Centre Elimination of Library Services**

**Mr. Matt Wiebe (Concordia):** Teachers have been shocked by this minister's tone when he's confronted with his arbitrary cut to the curriculum resource library over the last few days. Teachers can't believe that a resource that is so important to so many schools can be so flippantly dismissed by this government and by the minister.

It's maybe just another budget line to be cut by the Premier, but to teachers this is an invaluable resource. Yesterday when we pointed out that children still need access to books, posters, physical models, the Pallister government responded that these ideas were from the Dark Ages. It shows a frightening ignorance about what it is our librarians and our teachers do, Madam Speaker.

Will the minister listen to teachers who rely on the centre, and will he stop the cuts to the educational library?

**Hon. Kelvin Goertzen (Minister of Education and Training):** Madam Speaker, like every other

province in Canada, we will be putting more resources online, Madam Speaker, so that teachers and others all around the province will have access to more resources.

Madam Speaker, the current physical resources will remain within the education system. We have a provincial resource officer who can, of course, assist those who are looking where those resources will be. But they'll all be contained within the education system, and we will now be inline with every other province of Canada.

**Madam Speaker:** The honourable member for Concordia, on a supplementary question.

**Mr. Wiebe:** Madam Speaker, since across—all across the province, including home-schooled students and students in rural Manitoba, they count on this library. The minister isn't closing it because he's adding more resources. He isn't closing it because of the Internet. He's not closing it to modernize. He's closing it because he wants to cut.

The evidence is that he's closing it in the middle of a school year. He did it without even talking to teachers, and he can't even meaningfully answer how these resources are going to be added to in the short time that's left for the resource. Teachers tell us they're alarmed and afraid that this minister is making such a foolish decision. Where are his cuts going next?

So I ask the minister once again: Will he hit pause? Will he stop this cut? And will he protect the Manitoba resource library?

**Mr. Goertzen:** Every other province in Canada has already gone this direction in terms of putting more resources online. We will be putting more resources online.

The physical material that exists within the library will be maintained within the education system, Madam Speaker. We have a provincial resource officer who can certainly help individuals who want to find those resources, to find those resources, Madam Speaker. But we will continue to increase the amount of resources online so that those who are around the province have equitable access to those resources, Madam Speaker.

**Madam Speaker:** The honourable member for Concordia, on a final supplementary.

**Mr. Wiebe:** Madam Speaker, teachers are speaking out at schools, they're talking about this on social media, they're writing us directly and they're

concerned. One Winnipeg one school teacher says that she uses this resource from the library every single day, including books, posters, models: things that she can put in her young students' hands. She tells us that these resources simply can't be placed online, saying that: We need to continue exposing our students to experiences that cannot be accessed online, especially in the early years.

If the minister had consulted anyone on this cut, he would know this. But instead, he's only focused on the Premier's (Mr. Pallister) austerity agenda and his arbitrary cuts.

\* (14:10)

Will he stop this cut and will he protect the Manitoba resource library?

**Mr. Goertzen:** Madam Speaker, I think one of the greatest concerns that any teacher in the Winnipeg School Division should have is that their superintendent almost makes as much as the Prime Minister of Canada. That is certainly something that a teacher in the Winnipeg School Division should be concerned about.

We will be continuing to expand the number of resources that are online, Madam Speaker, so that teachers and others right across the province will be able to access those resources. The physical resources that exist within the library will be distributed within the education system. In some cases, they might be closer to the individuals who are using them.

And we have a provincial resource officer who can help find those resources for individuals, just like they do now, Madam Speaker.

### **Methamphetamine Addiction Violence and Crime Prevention**

**Mr. Dougald Lamont (Leader of the Second Opposition):** Aujourd'hui dans les nouvelles, on dit que la criminalité dans le quartier Saint-Boniface accrue de 30 pourcent. Un septuagénaire a été victime d'une violente agression en plein jour à Saint-Boniface; nous exprimons toute notre sympathie aux victimes et à leur famille, mais c'est que l'exemple le plus récent.

Près de mon bureau, une femme a été menacée avec—par une arme à feu. L'été dernier, on trouvait des aiguilles partout dans les parcs. La police explique que la crise de l'amphétamine est l'un des principaux facteurs qui explique cette augmentation en crime.

Qu'est-ce que fait ce gouvernement pour prévenir le crime et la méthamphétamine à Saint-Boniface, à Winnipeg et au Manitoba?

**Translation**

*In today's news, we saw that crime in St. Boniface went up by 30 per cent. A person in their seventies was the victim of a violent attack in the middle of the day in St. Boniface—we send our sympathies to the victims and their family—but this is only the latest example.*

*Near my office, a woman was threatened with a firearm. Last summer, we found needles all over the parks. The police say that the amphetamine crisis is one of the main factors behind the increase in crime.*

*What is this government doing to prevent crime and meth in St. Boniface, in Winnipeg and in Manitoba?*

**Hon. Brian Pallister (Premier):** I appreciate the question from the member. The concerns he raises, generally, about public safety are concerns we share. The issues around ensuring that people have a safer life here in Manitoba are issues we all are concerned about.

The members opposite have certainly advocated for certain solutions. There isn't a one-size-fits-all solution to these challenges, Madam Speaker. There never has been, there is never going to be.

But most certainly, we've made the significant investments in our Justice Department, and we've made the significant partnerships with our partners at the community level and at the federal level, in terms of advancing policies that we believe will create a more secure and safe environment here in our province. And we'll continue to do those partnerships and make those investments.

**Madam Speaker:** The honourable Leader of the Second Opposition, on a supplementary question.

**Mr. Lamont:** J'ai demandé une question précise : que fait le gouvernement Pallister pour prévenir la méthamphétamine et le crime?

**Translation**

*I asked a specific question: what is the Pallister government doing to prevent meth and crime?*

**English**

I asked what this government is doing to get out ahead of this growing crisis and prevent meth addiction and crime, because we've been calling for something as simple as billboards and ads for more

than a year. And this Premier is currently breaking a promise to end political advertising, because self-serving billboards and radio ads about the PST have started to pop up around the city.

Combien dépense ce gouvernement sur l'auto-publicité et non pas sur la prévention?

**Translation**

*How much is this government spending on self-publicity and not on prevention?*

**English**

How much is this government spending on shameful self-promotion instead of drug prevention?

**Mr. Pallister:** Well, we've actually invested millions of dollars in crime prevention initiatives and about a 15th of what the NDP spent on shameless self-promotion, as the member categorizes it.

He needs to look no further, however, than his Liberal colleagues to the east, in terms of the national advertising campaigns they are currently running on at least four different topics where they are spending millions of dollars. There's only one taxpayer's pocket, and his allies in eastern Canada fail to recognize that those expenses are paid by Manitobans, without return.

**Madam Speaker:** The honourable Leader of the Second Opposition, on a final supplementary.

**Mr. Lamont:** There are two very serious problems. One is that outside, in the real world, we have home invasions, we have assaults on the street, the police are collecting machetes in walkways, the Millennium Library has had to introduce security measures and crime in St. Boniface is up 30 per cent.

The other problem is in this Chamber, because the Premier and his ministers continually put false information on the record about the budget, because every budget they have delivered to date has been a bait and switch.

When the Premier makes big promises on health and then cuts by \$247 million, how are we supposed to believe that anything in this budget about methamphetamine and crime or anything else is real?

**Mr. Pallister:** Well, so much for sunny ways.

The fact of the matter is we've increased provincial police funding over last year in this budget by \$6.8 million, Madam Speaker. We've invested two and a half million additional in Custody Corrections. We've invested \$250,000

in community-based crime prevention programs, distributed nearly half a million dollars through the Proceeds of Crime Fund, invested \$363,000 in a new Strategic Innovation Unit set up to review—comprehensive review of our policing, with the goal of reducing crime.

These are all initiatives in this year's budget, Madam Speaker. And given more time, I'll go on with the other initiatives we're proceeding with that continue from the first two years that we were in government.

### **Concordia and Seven Oaks Hospitals Request to Retain ER Services**

**Mrs. Bernadette Smith (Point Douglas):** One hundred and twenty million dollars, Madam Speaker, \$120 million this government is cutting from health care this year.

As an educator, I taught my students well. I taught my students to listen to others, to always be kind. Well, Madam Speaker, it appears as this—though this Premier (Mr. Pallister) and his Minister of Health weren't taught the same. They're failing to listen to Manitobans, who are speaking out against their health-care cuts, and they're failing to be kind and take care of Manitoban families and seniors.

Will the minister listen to families today in Manitoba and stop the closure of Concordia and Seven Oaks ERs?

**Hon. Cameron Friesen (Minister of Health, Seniors and Active Living):** I attempted to indicate to this member that the health-care budget can be demonstrated to be up every single year. I did that by showing her the budget-to-forecast ratio that shows \$118 million additional to Health.

She didn't grasp on that, so then I tried to show her that every year, in Health, since we've taken office, the health-care spending is up every single year. However, Madam Speaker, it's not just about spending more. If we—if spending more was to do it, we would've been there by now. The NDP spent more but got some of the worst results in Canada.

We are getting better results for Manitobans, like the additional 2,000 hips and knees and cataract surgeries that we just announced.

**Madam Speaker:** The honourable member for Point Douglas, on a supplementary question.

**Mrs. Smith:** Well, Madam Speaker, I did the math for the minister. If he can't read and do the math on his own—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Smith:** A \$120-million cut from health care is a \$120-million cut, no matter how this minister tries to spin it.

For a fourth year in a row, Manitobans won't see any new personal-care homes. They won't see any—they—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order.

**Mrs. Smith:** Manitobans—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Smith:** —have laid it clearly, Madam Speaker: health care in this province is a No. 1 priority. Is this government listening? No.

Will they listen today and stop the closure of Concordia and Seven Oaks emergency rooms?

**Mr. Friesen:** Well, Madam Speaker, I do accept the challenge to bring in further graphs to be able to demonstrate the increasing investments of this government in the area of health care.

But I do thank the member for the question because I am proud to let her know that only weeks ago, our government announced two major personal-care-home announcements of 253 personal-care-home beds in the communities of Steinbach and the communities of Carman—real personal-care-home investments that are happening right under her nose.

**Madam Speaker:** The honourable member for Point Douglas, on a final supplementary.

**Mrs. Smith:** Well, cut, cut, cut, Madam Speaker. That's all we see from this government. Let's see, this government cut—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order.

**Mrs. Smith:** —lactation consultants. They've closed the mature woman's clinic. They've cut funding to the mobile breast cancer screening. They've cut the midwifery program. And—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Smith:** —they've shuttered the obstetrics unit in Flin Flon.

But that's not all, Madam Speaker. The cuts have systematically targeted nurses, who are predominantly women.

Will the minister stop his unprecedented cuts to our health-care system, quit picking on women and keep our Seven Oaks and Concordia hospitals open?

**Mr. Friesen:** Madam Speaker, there's much to respond to in that question, but let's start by presenting some facts.

\*(14:20)

We know that in Manitoba there are—nurse overtime hours are actually decreasing, not increasing—a 29 per cent decrease in the space of one year; \$5.3 million more just recently announced for 2,000 more cataract surgeries, and 1,000 hips and knees to help Manitobans; two major personal-care-home announcements just made in a matter of the last few weeks. We know that the wait-list for personal-care home—the WRHA—has not just fallen, it has fallen to historic levels, levels the department says have not been seen before.

It is only some of the evidence of the many ways in which this government—

**Madam Speaker:** The member's time has expired.

#### **Lake Winnipeg Fishery Sustainability Initiatives**

**Mr. Derek Johnson (Interlake):** Madam Speaker, Manitobans are rightly proud of Lake Winnipeg, Manitoba's great lake.

Lake Winnipeg fishery supports the local economy and many indigenous in this region. That's why it's so important that we take action to ensure that the Lake Winnipeg fishery is protected and kept sustainable for future generations. Under the NDP, Lake Winnipeg became the most threatened lake in the world.

Will the Minister of Sustainable Development please update the House on the government's work to protect the fishery of Lake Winnipeg?

**Hon. Rochelle Squires (Minister of Sustainable Development):** I'm very pleased to take this question from the member for the Interlake.

We know that Manitobans place incredible value on all our fisheries and are very concerned about the sustainability of the fish stocks on Lake Winnipeg. When members opposite were in power, they had heard the warning signs that the fish coming out of

the lake were unsustainably high. And yet, they failed to act.

It's another NDP mess that our government is working—committed to fixing. We are offering fishers on Lake Winnipeg the option of selling their quota back to the Province to allow us to reduce the amount of fish being taken out of the lake while making sure that fishers are fairly compensated.

Madam Speaker, fishers have been asking for this buyback program for years, and we're listening to fishers because we care about the sustainability of our fisheries and we care about Lake Winnipeg here in Manitoba. *[interjection]*

**Madam Speaker:** Order, please.

#### **Absenteeism Reduction in Schools Children's Advocate Recommendations**

**Hon. Jon Gerrard (River Heights):** Madam Speaker, the children's advocate's report No. 1 recommendation is to reduce school absenteeism. This is an important recommendation in part because children and youth who are not in school are a primary target for those who want to lure children and youth into using drugs and being sexually exploited.

Reducing absenteeism can help young people get an education, can reduce the use of drugs like meth and can reduce sexual exploitation.

Can the Minister of Education today tell us, on average, how many children are absent from school each day in Manitoba?

**Hon. Kelvin Goertzen (Minister of Education and Training):** Madam Speaker, the member is not incorrect, nor is the child's advocate. Absenteeism, of course—not only do students do better, of course, when they're in school, but it does have a trickle-down effect when it comes to ensuring that there's protection from those who should be in school who might otherwise be vulnerable when they're not. It has an impact on crime when the attendance rate is better than it currently is.

It is one of the first things that I spoke to my department about, becoming minister. And we are looking at a variety of different ways to improve the absentee rate in Manitoba.

**Madam Speaker:** The honourable member for River Heights, on a supplementary question.

**Mr. Gerrard:** Madam Speaker, the children's advocate makes it clear, and I quote: The Province—

that is, the minister—has a responsibility to ensure that children attend school. How can the Province fulfill its responsibility if the minister doesn't even know the extent of absenteeism in Manitoba? Why is the minister not up to speed on his files?

Based on what we know, this number is likely in the thousands.

What is the minister doing today to provide alternatives to expulsions and suspensions of students and to meet his responsibility to ensure children in our province are going to school?

**Mr. Goertzen:** Madam Speaker, it is one of the first things that I addressed with the department in looking for better data and better information in terms of absenteeism, where it's most impacted in the province, the steps that have been taken to date.

Certainly, of course, we have a review that's happening now with the K-to-12 commission. This issue has been referred to them. But I also know that there are steps that can be taken while we await their good work as well, Madam Speaker. And we are looking at a variety of systemic ways to try to help this problem. There is a number of different pilot projects that are going on, but I do think there needs to be a more systematic approach.

**Madam Speaker:** The honourable member for River Heights, on a final supplementary.

**Mr. Gerrard:** Reducing absenteeism in Manitoba is too important to wait for the minister's usual study-and-stall approach. Surely reducing absenteeism is too important to wait for another school year to pass. Indeed, it is too important to wait at all.

Much attention has been paid in the last two days to the fact that the children's advocate has identified 17 at-risk children.

I ask today: Are all of these children attending school today? Is the Minister of Education doing his job?

**Mr. Goertzen:** Certainly we are not waiting, Madam Speaker. There have been pilot projects that have been undertaken, even quite recently, that have been undergone. We know that there is work that is happening in certain divisions like Seven Oaks which has reduced absenteeism. But we are looking at a more systemic approach and how can we ensure that throughout the system there are things that are being done together, but also being done in common that may not be happening now.

I appreciate the member raising these questions because they are important questions. I would not want to 'trey' to make politics of this, and I am not suggesting that he is, but there are certainly things that are happening now to try to address what is a very complex problem, Madam Speaker.

### Northern Mining Communities Exploration and Development

**Mr. Tom Lindsey (Flin Flon):** In their prebudget letter to the Business Council of Manitoba, summarized this government's approach to mining in the North, and I quote: Exploration and development in Manitoba has languished. Manitoba's share of national expenditures for prospecting and exploration continues to decrease. Northern Manitoba residents will not benefit from employment potential though—*[interjection]*

**Madam Speaker:** Order.

**Mr. Lindsey:** —mineral development unless the provincial government takes immediate action. End quote.

Why is the minister all talk and no action for mining communities in the North?

**Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade):** The member's from Flin Flon. If he would like me to introduce him to many of the mining community—companies across the North, I'd be more than pleased to introduce him to them and to their exploration plans, their mining plans, all across northern Manitoba. *[interjection]*

**Madam Speaker:** Order. Order.

The honourable member for Flin Flon, on a supplementary question.

**Mr. Lindsey:** I could probably introduce the minister to a few, as well.

So, our mining communities are facing the biggest threat they have faced. For all the minister's talk, he is actually doing further damage. He froze the loan program for northern business, slammed the door shut on communities looking to diversify their economies. If the minister were truly interested in the North, he wouldn't freeze the community economic development fund and the mining reserve fund.

Will the minister reverse course, actually start trying to help the North as it deals with these unprecedented challenges?

**Mr. Pedersen:** Madam Speaker, the reason the community economic—or the mining community development fund is depleted is because the NDP drove mining out of this province. The fund is based on the amount of royalties coming out of the mining industry, and when the NDP did their very best to push the mining industry out of Manitoba, that's why the fund was depleted.

This government, on the other hand, is encouraging mining. We're working with the mining industry and there—stay tuned—there is lots of development coming, because Manitoba is the untapped potential for mining in all of North America.

**Madam Speaker:** The honourable member for Flin Flon, on a final supplementary.

\* (14:30)

**Mr. Lindsey:** I sense part of the problem is the minister is confused when he combines two different funds into one and doesn't have a clue which fund he's talking about.

Madam Speaker, if the mining reserve fund is depleted, then the Premier, the minister, somebody better start explaining to us where it went, because last year it wasn't depleted. So—[*interjection*]

**Madam Speaker:** Order.

**Mr. Lindsey:** —often the Premier likes to stand up and make jokes, [*interjection*]

**Madam Speaker:** Order.

**Mr. Lindsey:** —and we heard the response to my questions, but, in this case, Madam Speaker, it's not a joking matter. The Premier's double talk and false bravado isn't helping anyone in the North.

When will this Premier actually deliver and do something for people in the North, for communities in the North?

**Madam Speaker:** The honourable First Minister. [*interjection*]

Order.

**Hon. Brian Pallister (Premier):** I appreciate any question from that member on bravado, Madam Speaker. The fact of the matter is that the mining fund was depleted by the previous NDP government. They took the money out of the fund and they spent it, but they didn't spend it on the North.

They depleted the fund—[*interjection*]

**Madam Speaker:** Order.

**Mr. Pallister:** —took it away from companies, took it away from the northern communities and spent it on their own priorities, but none of those priorities were in Flin Flon. Madam Speaker, I—[*interjection*]

**Madam Speaker:** Order.

**Mr. Pallister:** —understand the member's frustration, and I know he's grumpy going to the doors and telling the people in his riding that they should pay more for everything. I understand that he's grumpy because he has to go to the doors and tell everybody that his party's against mining.

But, Madam Speaker, just because he's grumpy doesn't mean that we have taken our eye off the ball when it comes to making Flin Flon and the northern communities across this province more prosperous and more exciting to live in.

**Madam Speaker:** The time for oral questions has expired.

**Hon. Steven Fletcher (Assiniboia):** On a matter of privilege.

#### MATTER OF PRIVILEGE

**Madam Speaker:** The honourable member for Assiniboia, on a matter of privilege. [*interjection*]

Order, please. Order. Order, please. We have a matter of privilege being raised.

The honourable member for Assiniboia, on a matter of privilege.

**Hon. Steven Fletcher (Assiniboia):** Thank you, Madam Speaker. This is my first opportunity to speak in the Chamber. I've been busy on constituency matters and actually went to an excellent convention in Toronto on mining. No one was there from here. But, Madam Speaker—so this is my first opportunity to speak.

I'd like to bring up a prima facie case of the misleading of this place by government ministers. The—during the break, we discovered that the Minister of Infrastructure (Mr. Schuler) conceded that the proper process was not undertaken. That the sole-source contracting, was in fact, a sole-source contract, as everyone was saying.

The issue, Madam Speaker, is this: at committee and at Estimates, the minister was given many opportunities to simply just say that. It was a mistake. [*interjection*] I'm told 11 times.



**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order. Order.

**Mr. Fletcher:** The—and I can provide the Hansard—the conversation—or, the debate at committee and at Estimates, and in this place, went something along this line: There were no mistakes. It was all done properly.

And then we were told, well, there was an exception for Aboriginal procurement. Well, we proved that wrong at committee. But, still, no acknowledgement.

And then we were told it's an emergency—it was for an emergency fund. Well, that was wrong.

This is in Hansard, Madam Speaker. They knew full well what was going on.

So, Madam Speaker, as we know, there are many rights, powers and immunities of the House and for the members. A breach of privilege can be punishable by the House. There are other ways of accountability. To obstruct or impede members of the House or committee from gaining the appropriate information is completely inappropriate.

The minister misinformed the committee about the process. Fortunately, there were much more experienced members on the committee that knew the process and it was obvious that no process was followed, particularly around Treasury Board.

Actions which can amount to contempt of Parliament vary, but include things such as deliberately misleading the House or a parliamentary committee. And it goes on to say: and not providing documents or information to committee. And the result is usually a vote of non-confidence.

The government initially—well, they refused to release the appropriate documents. This is not appropriate, Madam Speaker, and I was a member of a government where this became very apparent.

On March 9th, 2011th, the Speaker of the House declared two charges of contempt of Parliament. One was against the—I'll see—Canadian international aid agency and that was dealing with a funding issue and the word not. And when asked about this, which was a funding request, it was found that the request he denied and was lying about in testimony at committee.

Ah, I'm glad I wasn't on that committee, Madam Speaker, but it happened, and it was bad. And it's happened here. The Speaker at that time ruled that

Cabinet itself could also be in contempt of Parliament for not disclosing some of its crime policies and also the new F-35 jets. I will table the appropriate documents, and if I misspeak, I will apologize immediately.

This report went to the House of Commons on March 21st, 2011. And the government was found in contempt of Parliament because the government failed to produce all the documents, so the MPs couldn't do their jobs—just like what happened at Estimates and at almost every committee that I've ever been to in this place. But here we're talking specifically about Estimates and the Infrastructure Minister.

Manitoba Legislative Assembly Act sets out the powers and privileges of the Senate assembly to have witnesses, take evidence, in sections 34 and 39. The jurisdiction of the Assembly into a breach of privilege or contempt is established in section 41.

\* (14:40)

Section 41 provides that someone who violates section 40 may be, well, they say here put in a dungeon, but I don't think we'll do that. I have a better suggestion coming. But it also makes a lot of other suggestions as to why not being straightforward, or misleading, or hiding information, or covering it up is bad.

Madam Speaker, in section 40, judicial powers of the Legislative Assembly in certain matters—of course, I'd like to encourage everyone to read the entire section—but under (h), giving false evidence or otherwise misbehaving in a—giving or refusing to give evidence or produce papers, before the Assembly or any of its committees—uh, oh.

**Madam Speaker:** Order, please.

The member has gone on for about 10 minutes, now, and matters of privilege don't normally drag on for a long length of time. So I would ask the member to please get to his point and conclude and also remind him that he needs to have—if he's going to bring this forward, needs a mover and seconder in writing to be sent up to the front as part of presenting a matter of privilege.

So I would urge him to try to conclude his comments.

**Mr. Fletcher:** Thank you, Madam Speaker, and I appreciate what you're saying. But the—and I really do—but this is an important principle, and I do have

the motion written out here and seconded if you wish to have it right away.

It's important and—it is of paramount importance that ministers give accurate and truthful information to the Legislature, correcting any inadvertent errors at the earliest opportunity. That's fair. I know, we're two years on now, obviously not the two—ministers who knowingly mislead the Legislature will be expected to offer their resignation to the First Minister.

Madam Speaker, it goes on and on. It's called ministerial responsibility.

We can—I have in front of me a dozen books where—

**Madam Speaker:** Order please.

There are—I would ask the member, and I've asked him already, all matters of privilege are important but, no, members aren't just allowed freewheeling time in the House in order to be able to present their matter of privilege.

A matter of privilege should be able to be presented succinctly, without repetition, and I would ask the member to please conclude his comments with a motion as soon as he's—can.

**Mr. Fletcher:** Thank you, Madam Speaker. I am simply going through the logic with references as to fully be able to present this petition.

So, under—in this document that I have in front, it says that ministerial responsibility is easy to comprehend. The responsibility should be obvious. But when a minister just says, this must not happen again, that doesn't solve the problem in most cases.

So, between individual and collective ministerial responsibility that follow this, the relationship between the public and the minister and the MLAs can be looked at from an individual issue of parliamentary privilege. Or, as privilege as a collective of this Assembly.

Madam Speaker, I have listened to what you've said and I do not want to go on and on and as I can here, but I would ask, then, that there be meaningful investigation—without actually quoting the very specific rulings—or, I can do that—but for the interest of time I won't do that, but I will table these documents and I will table the news reports that made us aware that that minister finally became aware.

Now, Madam Speaker, my last point here, and it goes straight to the fact that when this sole-source contract was awarded, the minister, the member from Springfield, was, in fact, not the minister at the time. It was a different Infrastructure minister, so—that was the member from Carman—so they both are aware and they both have not disclosed the appropriate information to this House.

Therefore, I move, seconded by the member from River Heights, that the current Minister of Infrastructure (Mr. Schuler) and the MLA for Springfield and the former minister of Infrastructure and the MLA for Carman be provided the opportunity in this place—so to be on the record in Hansard—to apologize to the Manitoba Legislative Assembly and the people of Manitoba for misleading and false statements to the Legislative Assembly and, or Legislative Standing committees.

In the event that they choose not to apologize and take responsibility, the rules of Cabinet responsibility should be enforced and each member should resign.

**Madam Speaker:** Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

**Hon. Blaine Pedersen (Deputy Government House Leader):** And I will be much briefer.

A matter of privilege is, indeed, very serious. And we look to you, Madam Speaker, for your guidance on these matters.

A number of factual errors in the member's matter of privilege: First, we're in our seventh day of session, the issue that the—so it does raise question as to earliest opportunity. There's been ample opportunities of the event that the member is talking about. It's unfortunate that the member, in his facts, didn't come to the Manitoba reception at the mining convention in Toronto. A roomful of people; apparently he was not there, and it's unfortunate he wasn't there.

Factually incorrect: I'm not the member for Carman; I'm the member for Midland. So it really does draw the attention to the—and as another 'misfact', as he was speaking he was gathering facts from the member from Elmwood to try and build on his argument.

So, Madam Speaker, we look to you for your guidance on this, and to our side of the House there is no matter of privilege breached here.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** So I just want to put a couple of words on the record in respect of the member for Assiniboia's (Mr. Fletcher) matter of privilege.

The matter that the member raises is serious, and I don't think that it is actually a laughing matter. I believe that he is raising it at his earliest opportunity. The member has been researching and gathering information, from what I gather.

\* (14:50)

The point of the member—the points that the makes are serious, they're concerning and they're important. And I would suggest to the House that's why it's important to research on such matters, so—that are necessary and urgent, Madam Speaker.

It is also a matter of the government and this Minister of Infrastructure (Mr. Schuler), you know, has not been forthright with the House, Madam Speaker. The gathering of information is made more difficult by the obstruction, interference and obstacles that have been placed by the minister, through his actions and through his refusal to answer questions candidly, openly, transparently or even accurately, regarding this matter.

This clearly infringes on the privileges of members of this House. So I believe that is why this is being raised at the earliest opportunity, Madam Speaker.

With regard to the matter itself, I believe the facts that we've heard are very concerning. The minister provided false information to Manitobans and members of this House last year regarding the tendering of a multi-million-dollar project needed for flood mitigation.

The minister said this project was tendered, but that was soon discovered to be false, Madam Speaker. The minister mess—mised the media, the public and this House regarding the nature of this very large contract.

The minister has not explained why he misled Manitobans or this House, and he has refused to come clean regarding the issue of the Premier—that the Premier of Manitoba (Mr. Pallister)—labeled a mess. And I quote that.

What's more, it has come to light that the multi-million-dollar contract the minister awarded was not only tendered—not only not tendered, but it did not go through Treasury Board or receive an approval by a deputy minister as the guidelines, both formal and past practice, so clearly demand of every minister.

There has been no explanation as to how this contract could be negotiated or even regarded in absence of these very important, transparent processes. The minister had—has supposedly claimed he takes responsibility for the mess, but this admission begs disbelief, Madam Speaker.

The doctrine of ministerial responsibility is clear. The minister has a duty to resign if the facts that have so far emerged are indeed borne out. And they have not been disputed, Madam Speaker.

So for this reasons, both on the question of urgency and on the imminency of raising the matter of privilege, as well as the merits of the issue and the motion raised by the member of Assiniboia, I believe that the matter of privilege ought to be supported in the House today.

Miigwech, Madam Speaker.

**Hon. Jon Gerrard (Second Opposition House Leader):** Madam Speaker, the matter was raised at the earliest possible time because this was the first day that the MLA for Assiniboia was in the Legislature, since—it's the first time that there was an opportunity for him to bring it up.

The facts of the matter seem to be fairly straightforward. The Minister of Infrastructure has already admitted that these contracts were not tendered and in fact did not go through Treasury Board and they were mishandled.

He has admitted this in the press, but it certainly would be appropriate for the minister to apologize to the Legislative Chamber. And indeed, it is reasonable for the MLA for Assiniboia to ask for that apology, in 'yieu' of having to resign, as would happen under many other circumstances, certainly in the past.

So I suggest, Madam Speaker, I would ask that you look at this very carefully and make a ruling. But the facts seem to be fairly clear in this case and have already been, essentially, admitted to by the minister. And it is just a matter of having the Minister of Infrastructure (Mr. Schuler) having the decency to do a formal apology to the members of the Legislature.

Thank you.

**Madam Speaker:** On the matter of privilege raised by the honourable member for Assiniboia (Mr. Fletcher), I would like to inform the House that a matter concerning the methods by which the House proceeds in the conduct of business is a matter of order, not privilege.

Joseph Maingot, in the second edition of *Parliamentary Privilege in Canada*, states, on page 14, that allegations of breach of privilege by a member in the House that amount to complaints about procedures and practices in the House are, by their very nature, matters of order. He also states, on page 223 of the same edition: A breach of the standing orders or a failure to follow an established practice would invoke a point of order, rather than a question of privilege.

On this basis, I would therefore rule that the honourable member does not have a prima facie case of privilege. I would also indicate at this time that the member did not reach the criteria of timeliness, as this could've been brought up in Committee of Supply when this action was actually occurring and the House has been in session for a week. The member would've had ample time in order to bring it forward. So there definitely is no case of timeliness. So with all respect to members, this is not a prima facie case of matter of privilege.

**Mr. Fletcher:** Madam Speaker, I wish to challenge the Chair.

**Madam Speaker:** The member is challenging the Chair. Does he have the support of three other members?

The member does not have support of three—oh. The member does have support.

The ruling of the Chair has been challenged.

#### Voice Vote

**Madam Speaker:** All those in favour of sustaining the ruling of the Chair, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed to the ruling, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

#### Recorded Vote

**Mr. Fletcher:** I would like to call for a recorded vote.

**Madam Speaker:** The member—does the member have support for a recorded vote? *[Agreed]*

A recorded vote having been called, call in the members.

\* (16:00)

Order, please. The one hour provided for the ringing of the division bells has expired. I am therefore directing that the division bells be turned off and the House proceed to the vote.

The question before the House is shall the ruling of the Chair be sustained.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Bindle, Clarke, Cox, Curry, Eichler, Ewasko, Fielding, Friesen, Goertzen, Graydon, Guillemard, Johnson, Johnston, Lagimodiere, Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Pivniuk, Reyes, Schuler, Smith (Southdale), Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.*

#### Nays

*Allum, Fletcher, Fontaine, Gerrard, Kinew, Klassen, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Swan, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 32, Nays 16.

**Madam Speaker:** The ruling of the Chair has been sustained.

#### House Business

**Hon. Jon Gerrard (Second Opposition House Leader):** On House business, Madam Speaker, pursuant to rule 33(9), I am announcing that the private member's resolution to be considered on the next Thursday of private members' business will be one put forward by the honourable member for Burrows (Ms. Lamoureux). The title of the resolution is Winnipeg General Strike.

**Madam Speaker:** It has been announced that, pursuant to rule 33(9), it has been announced that the private member's resolution to be considered on the next Thursday of private members' business will be one put forward by the honourable member for

Burrows. The title of the resolution is Winnipeg General Strike.

\* \* \*

**Madam Speaker:** Petitions?

### MATTER OF PRIVILEGE

**Hon. Steven Fletcher (Assiniboia):** On a matter of privilege.

**Madam Speaker:** The honourable member for Assiniboia, on a matter of privilege.

**Mr. Fletcher:** Thank you, Madam Speaker.

Madam Speaker, on March 7th, 2019, the collective privilege of this House and the individual privilege of MLAs was gravely violated. I will quickly outline the facts, provide the evidence and, if I must, though it should be self-evident, explain and provide the necessary precedents.

Madam Speaker, this is the first time that I have the opportunity to bring this issue forward. This is the first time I've been in the Chamber since the budget lock-up.

Some people may have been traumatized by what I'm about to say; fortunately, I don't get traumatized easily.

But, wow. Madam Speaker, the budget lock-up is, as we all know, is vital importance for our stakeholders, MLAs and the media. So we can—the budget's a complex document, people need to be able to have the information to be able to respond. The government has the information; government MLAs are in the budget lock-ups. It's only reasonable that members from other parties have MLAs. It's happened in the past; it should happen in the future.

Madam Speaker, there were many requests provided to the minister's office and, I guess, the Premier's (Mr. Pallister) office, to allow for me to be able to enter the lock-up. The replies went from, it is full, to, oh, well, you can send in a staffer, to, well, we're going to use legislative security to block your MLA from going into the lock-up.

Madam Speaker, the tone and words that the government employees conveyed to my person were menacing, harassing, intimidating, obstructionist, rude and beyond the pale. Staffers need to work together in a non-partisan—and especially from the Premier's office or the minister's office—like, there's no need for there to be snarkiness. If there's

snarkiness, well, I guess they have to come here. But, otherwise, don't do it. But it happened and I will be tabling the notes to support these statements. I will also be—you know what, I might table them at the end just because—the—to deny MLA—any MLA the—or party leader the opportunity to review the documents like anyone else is a breach of privilege. It's a breach of privilege because it prevents MLAs or their respective parties from doing their job. That's the whole point.

Now, we're going to get into some technical details. But that should be the overriding principle and that—I have a very good, helpful motion that will hopefully deal with what has happened here. However, it's even more serious than preventing and hiding information.

Madam Speaker, being threatened via email through my staff that they will physically block an MLA from navigating in this building is an obstruction, it's intimidation and it's harassment. It is an abuse of security services.

Now, Madam Speaker, before I went up to the budget lock-up, I discussed this matter with security. I could not believe that security would be involved with such a thing, and it was the Premier's office or the minister's office, sort of, I don't know, making something up or whatever, and I proactively talked to security and they assured me there would be no problems. In the, oh, say 150 seconds it took me to go from the front door up the elevator down to the lock-up room, 255, security was there and they were taking direction from ministerial staff, from the Premier's office. This was in the hallway. It wasn't even at the committee room, it was in the hallway, and these individuals were very disrespectful to me as an MLA. They made ridiculous accusations. One of the guys said, oh, you cannot assault me, something to that effect—really? You're saying that to a quadriplegic, paralyzed from the neck down, sitting down, and you're—like, it's just so over the top.

\* (16:10)

And Madam Speaker, I asked the security to step aside. Security said, I'm sorry, sir. I can't do that. I hate saying that. Or, I hate I have to say that.

He was blocking—like, you cannot block an MLA from going from one inch of a hallway to the next inch. We'll talk about the committee room in a moment. But that is—like, the last person who did that lost his—or tried to do that, lost his head. It was—his

name was King Charles I. Didn't turn out—and heads should roll for this, somewhere.

Madam Speaker, the—this whole incident was videotaped by a third party. Thank goodness. No doubt there was an audiotape from the Premier's (Mr. Pallister) office, because that's why they would've said things like, oh, don't assault me. Or, don't do this, don't do—so they can play the tape and say, well, look, the—some—like they were beat up by a quadriplegic somehow. But the video clearly shows that that is not the case. And it also clearly shows that the security was getting direction from these political staffers. Like, since when does that happen?

And, Madam Speaker, let's think about respect for the security guards. Are—the people who work hard here. They're not here to block MLAs from doing their job. That's not their job, or now, for getting through the Parliament Building. They—we don't—if that's their job, we don't pay them enough, because that's soul-destroying, because they know better.

Madam Speaker, I will go—I will provide some information. As we know, the Manitoba Legislative Security Act dictates how the security, how the precinct should be conducted. There is a memorandum—the act, you know, between the government and the Speaker's office.

I'm just grabbing it.

The—and in The Securities Act, it states that there is the Legislative Security Services from the Protective Services branch, which is a Department of Justice, in co-operation with the Sergeant-at-Arms and the Chamber Branch of the Office of the Legislative Assembly.

This goes on to say that there's a management working group that would be involved in this: doesn't say people from the Premier's office; says, Deputy Clerk, Sergeant-at-Arms, associate deputy minister, executive director of intelligence and security and director of legislative security, once designated. No Premier office, no staffers here.

Okay? We go to the—now, how is security divvied up in this place? It's very clear.

In addition, subject to the direction of the Speaker, the Sergeant-at-Arms and the Chamber Branch are responsible for the order of, functioning and security of the Legislative Assembly—this room—including the legislative Chamber, the legislative

committee rooms, the Speaker's office and a bunch of other things.

So it's the Speaker's office that's responsible for the committee rooms, and that makes sense. But Legislative Chamber are under the direct control—security officers will not typically be in Legislative Chamber, and it goes on and on.

This, by the way, was signed by the Speaker and the Minister of Justice on—in early October, 2017—the day after I had raised a matter of privilege about security.

So how is this being implemented? We have in, like—we have the Premier's office, or the, you know, what everything ends up at the Premier's office—using legislative committee rooms to decide who can or cannot be provided information ahead of time.

Madam Speaker, that's fine, but if the—if this Chamber or the committee rooms are used for private 'biefings' that—where MLAs are not allowed, then the government should find a place outside of this building to conduct their briefings because that becomes a very partisan activity.

To tell an MLA first that there's no room after waiting a week to get to reply and then to say, well, we can—we'll let you have a staff person in. And, okay, well, as an independent MLA, I don't have staff, for starters, and if I wished to—Madam Speaker, you know I'm trying to—this is a very serious—a very serious—matter and I can't even hear—*[interjection]*

**Madam Speaker:** Order.

**Mr. Fletcher:** Thank you. Thank you, Madam Speaker.

So, the member from Morris is obviously not taking direction, Madam Speaker. The—and it's very distracting—like, we want to get through this.

**Madam Speaker:** Order, please. I would ask for everybody's co-operation, please. We do have a matter of privilege, but I would also urge the member to move his privilege forward. As I said with his earlier privilege, this isn't free rein to go on for an hour in talking about something. There are limited times because there is other business of the House that does need to occur. Not to say that the member won't be given adequate time; he will, but being repetitious is not useful.

I would ask the member to get to his point of actual privilege and then put forward, in writing, his motion with a mover and a seconder. We need to get

to that point and I would urge the member—he's already had almost 20 minutes on this already, so I would ask the member to please move forward because other members in the House also have privileges and they want to be able to move forward with doing the business of this House.

So I would ask the member to be very careful here and to get to his point as quickly as possible.

\* (16:20)

**Mr. Fletcher:** Yes, thank you, Madam Speaker. I—this is a very complicated situation; it's probably unprecedented in the Commonwealth, at least up until Charles I. The members opposite are obviously not paying attention. They're just chatting.

**Madam Speaker:** Order, please. I've asked the member to move forward with his remarks and I have asked the House to be paying attention, but I—the member needs to focus on what he is saying and get to his point.

**Mr. Fletcher:** I would really like to do that.

Madam Speaker, to say that a staff member can go to a—and not the MP or MLA, when, in fact, there's no resources for—it's just an absurdity. They were obviously not being consistent with the truth when there's no room for an MLA, but there is room for a staffer. I'm going to be tabling—it's not like this has never happened before—I will be tabling the exchange from last year where the now-Health Minister was very gracious and allowing me to attend, and I think the Green Party leader was there, and some other leaders of political parties.

Madam Speaker, the—I'm going to be tabling a situation from Saskatchewan dated May 2nd, 2005, which was very similar to this, where the government of the day tried to block an MLA from—or a staff member from attending—*[interjection]*

**Madam Speaker:** Order.

**Mr. Fletcher:** —never mind an MLA, and it was a—ruled by the Speaker that in fact the government had breached the privileges of the MLA.

Madam Speaker, in regard to the obstruction, physical obstruction, the rudeness of the Premier's (Mr. Pallister) office, or whomever those people report to, the misuse of security services and the inability for anyone to explain who is actually responsible, we can go into these books of parliamentary privilege, talk about obstruction,

harassment, molestation, but why don't we just apply some common sense with common courtesy.

I move, seconded by the member from River Heights, that a committee be struck of a representative from each party and each independent who wishes to participate to review what has happened so that these types of situations will not occur again and the committee will have the mandate to find a mutually accessible—acceptable way to allow MLAs to participate in the budget lock-up, because that's their job, and that an apology be made from a member of this government for the obstruction of an MLA, the harassment of my staff, the attempt at intimidation and the disrespect for the actual purpose of the Security Services in this place.

A committee—

**Madam Speaker:** Order, please.

That seems to be the motion, and the member has a seconder, and I think the motion is already lengthy.

Does the member have it written to send up to the front? Would the member please pass the motion forward, then.

And, once the motion is made, that is the end of the member's comments.

Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether the alleged matter of privilege has been raised at the earliest opportunity, and whether a prima facie case has been established.

**Hon. Kelvin Goertzen (Government House Leader):** Madam Speaker, just quickly, on those two points: the issue of earliest opportunity. This might be skirting the rules a little bit, but I noticed the member himself acknowledged that this was the first time he's been in the Chamber since this alleged incident had occurred.

I'm not sure how that is our responsibility, Madam Speaker, the fact that he hasn't been coming to the Chamber since the budget. I know he had a great time in Toronto at a conference, and that's wonderful, but we are elected and expected—unless, you know, illnesses happen and those sort of things—but otherwise, the opportunity to come here and represent our constituents is a unique and privileged one.

And I'm not sure what was preventing the member from coming in before that, but he didn't provide that information, either. So it's hard for me to speculate. He just simply said he wasn't here, and so this was his earliest opportunity, but I would submit to you, Madam Speaker, that's not—in the absence of any other evidence, not a particularly good reason for not being able to come and raise this matter.

Secondly, in terms of the prima facie case, this, of course, did not happen in the Chamber—or it happened in the committee room, but it wasn't a designated committee at the time, so—privileges are breached for things that happen in the Chamber or sometimes, by extension, the committee room, not otherwise. So I would extend to the member opposite that is not a breach for that reason, Madam Speaker.

Also, I would note—and because I think it's important to know, when it comes to this issue of whether or not a member should be able to be at the briefing, be in lock-up—Madam Speaker, we are uniquely enabled, as 57 elected members, to come here in this Chamber, in this wonderful Chamber, to actually hear the budget.

We are among 57 very privileged Manitobans, where we get, essentially, front-row seats to hear the budget. That is that member's opportunity. It's a wonderful and unique opportunity to come here and actually listen to the budget. Why he wouldn't afford himself that opportunity—that's why people run for this building, to be able to participate in those sort of things.

And I'm absolutely stunned, in terms of why the member wouldn't take that opportunity, because very, very few people in the history of Manitoba will ever have the opportunity to sit in these seats as one of 57 members and actually get to listen to a provincial budget performed personally, Madam Speaker.

He was far more interested in being locked up for some reason. He should have been free to come here and listen to the budget. And I would say that to the member, with all due respect, of course.

And, finally, Madam Speaker, just on the issue of motive for all this: I understand that the NDP and the Liberals and perhaps the independent member don't want to see a tax decrease, don't want to see the PST reduced, don't want to see Manitobans have a more affordable life here in Manitoba.

We certainly saw the NDP, when they were in government, do everything they could to fight to get the PST increase. And now they seem to be in cahoots, in some sort of cabal to want to work together to fight to stop the NDP from being—to stop the PST from being reduced, Madam Speaker.

That's all this is. They're trying to stop a budget debate day. They don't want people—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order. Order.

**Mr. Goertzen:** —they don't want this to be a budget debate day. *[interjection]*

**Madam Speaker:** Order.

**Mr. Goertzen:** They're trying to stall the budget because they just can't stand the fact that the PST might reduce.

**Madam Speaker:** Order.

\* (16:30)

**Hon. Jon Gerrard (Second Opposition House Leader):** Yes, Madam Speaker, a few comments on the matter of privilege which has been raised by the MLA for Assiniboia. What I would like to say is that, regardless of the remarks by the House leader for the government, the budget lock-up was a very disorganized affair this year.

The names of our staff had been submitted properly, but they were not on the list when they went to the budget lock-up and to get in. There were other people, who, for reasons that are not clear, were not allowed to get into the budget lock-up. We heard this from disabilities Manitoba. I don't know if their representative eventually made it in or not.

We should be, as a Chamber, ready to work together, and make sure that people from the City, municipal level and the federal level are able to get into the budget lock-up. But a representative from the federal government who was interested in learning about the provincial budget was not allowed into the lock-up. It seemed that there was a general series of problems with the budget lock-up this time around.

And the point that is being raised by the MLA for Assiniboia, I think, is a fair one. You know, for most of us, it works out really well for us to be in the Chamber listening to the budget, but the MLA for Assiniboia—it's a complicated budget. The MLA for Assiniboia has extra accommodation that is needed



because of his circumstances, and I think it's eminently reasonable that he should be allowed into the lock-up and he certainly shouldn't be blocked from getting in.

So those are my comments, Madam Speaker. I think there is a point of privilege here, and that that should be respected.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** Miigwech, Madam Speaker, on the matter of privilege raised by the member for Assiniboia (Mr. Fletcher). I think that—and I echo the words of my colleague, the member for River Heights (Mr. Gerrard), in respect of some of the concerns that the member for Assiniboia has raised.

I think it's certainly reasonable that since the member for Assiniboia has participated in previous years in the lock-up, that the expectation would be that he'd be allowed to do so again this year.

I think that, also, Madam Speaker, I have to put on the record here that it's concerning that the Premier (Mr. Pallister) is using security services in an attempt to thwart or intimidate the member for Assiniboia in executing his duties as an MLA. I actually think it's quite horrible that the Premier would direct his staff to direct the security service to prevent an MLA from entering lock-up, or whatever it may be, another room. Imagine what those three security service employees felt at that moment, having to stand in front of the member for Assiniboia and block his way into a room to be able to execute his duties as an MLA.

I don't know what kind of person, or what kind of Premier, sics his security service on a member like the member for Assiniboia. But I actually have to put it on the record that I think it's actually quite disgusting that the Premier would use our security services, who, I'm sure, everybody in this Chamber would agree, are some of the most amazing people. And I'm so grateful that we have security service that keep us safe day in and day out in this building, while we're executing our duties as MLAs. And to think that it is, in any way, shape or form, appropriate to have the Premier get our security service to do his dirty work, is unacceptable.

And I, you know, the members, again, can hoot and holler and try to protect their Premier, but people see the Premier's behaviours and his bullying and intimidating behaviours. And we see it and we're standing here today for another matter of privilege in respect of the Premier's behaviour. So I would argue,

Madam Speaker, that the member for Assiniboia has raised it at his earliest time and that it is a matter of privilege that the member for Assiniboia cannot go into a room and execute his duties as an MLA as he sees fit and perhaps as he needs to do. Miigwech.

**Madam Speaker:** On the matter of privilege raised by the honourable member for Assiniboia, I will remind the House that members must first meet the condition of timeliness as well as demonstrate that their privileges have been breached.

On the first condition, I would note that the House sat last Friday morning, the day after budget debate, and the member could have raised this matter at that time. As a result, I must rule that he has not met the test of timeliness.

On the second condition of whether a prima facie case of privilege was established, Joseph Maingot advises on page 222 of the second edition of *Parliamentary Privilege in Canada* that when considering a question of privilege, the activity in question must involve a proceeding of Parliament or a proceeding of our Legislative Assembly.

This concept is supported by numerous rulings from Speakers Rocan, Hickes, Reid as well as several rulings I have made from the Chair. As noted in those rulings, debate in this Chamber or in the committee rooms, when the House or a committee is in session, constitutes a proceeding of Parliament or a proceeding of the Legislature.

Events taking place when the House or a committee are not in session, however, such as a budget lock-up, clearly do not fall within the scope of a proceeding of Parliament, even if they happen to occur in one of the committee rooms. The budget lock-up is a government event, not a proceeding of this Legislative Assembly, and, therefore, parliamentary privilege would not apply to that event.

I would remind the House that any member of this Assembly can book a committee room. Any member here can book a committee room, and the booking is done through the Speaker's office. We have a procedure that we follow when rooms are booked, and in this case the Minister of Finance (Mr. Fielding) booked the room.

Further, there is no obligation in the booking of a committee room that it be for a public event. Therefore, the Minister of Finance was not obligated to have the event be open to all, nor do the Speaker or the clerks have any involvement in organizing

these events or determining who has access when the rooms are booked by an MLA. Decisions such as drawing up an invitation list to these events are made by the MLA that books the room. As well, in booking the room, MLAs are instructed on the form that they all have to sign that if special security arrangements are required, they should contact the Legislative Security Services. That is clearly spelled out on the form that all MLAs have to sign when they book a committee room, and any one of you can book that room.

To spell this out further, let me provide an example to the House. If one caucus of this Assembly wanted to book a committee room for a caucus meeting, they would be entitled to do so, and they would be further entitled to limit attendance to staff and members of their own party or whomever they invite. I would expect that no caucus here that was running such a meeting would want members of another party or an independent member to be able to be in attendance in their own meeting.

Finally, given that events held under the auspices of committee room bookings by MLAs are clearly not Assembly proceedings, the specific parliamentary privilege of freedom from obstruction unequivocally does not apply to gaining access to such events.

Accordingly, I am ruling that this matter does not meet the standard of a prima facie case of privilege, and I will not allow further debate on this matter. I think everybody that wants to book those rooms in future need to listen to this ruling very carefully because it is a room that is available to all of you, and it is your meeting, then, to hold.

So there is no prima facie case of privilege related to this.

**Mr. Fletcher:** Madam Speaker, on both issues, you are one hundred per cent wrong. I—*[interjection]*

\* (16:40)

**Madam Speaker:** Oh. Oh. Oh.

Order. Order.

As the member well knows, the actions of the Speaker may not be criticized in this House. That is a rule across Canada. As noted on page 620 of House of Commons Procedure and Practice by Bosc and Gagnon, reflections 'mut' not—must not be cast in debate on the conduct of the Speaker and other presiding officers who are just following the rules of this Assembly. It is unacceptable to question the

integrity and impartiality of a presiding officer, and if such comments are made as the member just did, the Speaker will interrupt the member and may request that the remarks be withdrawn.

Further, on page 323 of the same volume, it states that, and I quote, "reflections on the character of the actions of the Speaker could be taken by the House as breaches of privilege and punished accordingly"—end of quote.

I am therefore cautioning the member for Assiniboia (Mr. Fletcher) on his behaviour, and if he continues to reflect on the Speaker, he may be in danger of not being recognized to speak for the balance of this day, including his ability to speak to the budget.

So I would urge the member to be very, very careful that he does not reflect on the Speaker, does not say the Speaker is wrong, because that is a reflection on the Speaker, and the ruling has been made. If he chooses to challenge it, that's one thing, but he has gone—he has stepped over the line in this case. And either the member apologizes or we can take this a step further. Does the member wish to apologize for making those comments?

**Mr. Fletcher:** What is the step further?

**Madam Speaker:** Okay. I will—actually, I am going to direct Hansard, that for the rest of the day, this member will not be acknowledged in this House. He has gone too far. He has reflected on the remarks of the Speaker; he has actually gone further and he knows that he is doing this, and so right from the—for the rest of the day, I will not be acknowledging the member for Assiniboia any longer.

So let's move on then—petitions.

**Mr. Gerrard:** Madam Speaker, I challenge the ruling of the Chair.

**Madam Speaker:** Does—could the member please indicate which ruling he is asking—or he—that he is asking for a vote on? The first one related to the rules of this House, or the privilege of this House? Can the member please indicate which of the rulings I just made that he wishes to challenge? *[interjection]*

The honourable member for River Heights. Sorry, could the honourable member for River Heights please repeat that?

**Mr. Gerrard:** The ruling on the matter of privilege, Madam Speaker.

**Madam Speaker:** Does the member have support of other members?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Madam Speaker:** The member has support of other members. The ruling of the Chair has been challenged.

The question before the House is shall the ruling of the Chair be sustained.

#### Voice Vote

**Madam Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

#### Recorded Vote

**Mr. Andrew Swan (Minto):** A recorded vote, Madam Speaker.

**Madam Speaker:** A recorded vote, having been called—oh, apparently, the House leader has to be the one to make that motion, and if the member for Minto did it, he's going to need the support of other members.

Does the member for Minto have support?

**An Honourable Member:** I would ask for a recorded vote as a House leader.

**Madam Speaker:** The honourable member for River Heights, can he please stand and say that again?

**Mr. Gerrard:** Yes. I would ask for a recorded vote, Madam Speaker.

**Madam Speaker:** A recorded vote having been called then, call in the members.

The question before the House is shall the ruling of the Chair be sustained.

#### Division

*A RECORDED VOTE* was taken, the result being as follows:

#### Yeas

*Bindle, Clarke, Cox, Curry, Eichler, Ewasko, Fielding, Friesen, Goertzen, Guillemard, Johnson, Johnston, Lagimodiere, Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Piwniuk, Reyes, Schuler, Smith (Southdale), Smook, Squires, Teitsma, Wishart, Wowchuk, Yakimoski.*

#### Nays

*Allum, Fletcher, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Swan, Wiebe.*

**Deputy Clerk (Mr. Rick Yarish):** Yeas 30, Nays 15.

**Madam Speaker:** The ruling of the Chair has been sustained.

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**Madam Speaker:** As the hour is 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 14, 2019

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