

**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

Friday, March 15, 2019

*The House met at 10 a.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.

**Hon. Cathy Cox (Minister of Sport, Culture and Heritage):** A point of—*[interjection]*

**Madam Speaker:** I've already recognized the honourable Minister for Sport, Culture and Heritage.

**Point of Order**

**Mrs. Cox:** Point of order, Madam Speaker.

**Madam Speaker:** On a point of order

**Mrs. Cox:** Our hearts and prayers go out to today to the Muslim community. I know that all of us in this Chamber are very saddened by the very horrific and senseless attack that took place, and I would like to ask for a moment of silence in the Chamber as we acknowledge this terrible tragedy.

I was actually with Shahina Siddiqui just yesterday morning, and my heart and my prayers, our thoughts are with them today.

**Madam Speaker:** Thank you. I would indicate that rising on these matters could be brought forward as a matter of House business, but I do acknowledge this issue and ask if there is leave of the House for a moment of silence. *[Agreed]*

Please rise.

*A moment of silence was observed.*

\* \* \*

**Madam Speaker:** The honourable member for Logan (Ms. Marcelino).

**An Honourable Member:** Same point of order.

**Madam Speaker:** Oh, it's not—*[interjection]*

Okay, on a new point of order, or House business?

**An Honourable Member:** Yes, thank you kindly, Madam Speaker—

**Point of Order**

**Madam Speaker:** The honourable Leader of the Official Opposition.

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, I rise to offer, on behalf of my colleagues in the NDP caucus, to join in with our other colleagues across the aisle here to offer my sincere condolences to the families of those who were murdered senselessly in New Zealand.

Last report that I saw was 49 people were killed, many others injured. Perhaps those numbers will change but, of course, our condemnation of this horrible act will remain consistent nonetheless.

On this side of the House, as with, I believe, all other members, we truly stand against violence in all forms, especially violence against innocent people, and perhaps most especially, against violence of innocent people in their place of worship.

In this instance, we know that while we have to work together to combat all forms of hate, that this particular incident was given rise to by the spread of Islamophobia across the western world, and we have to stand together to stamp out Islamophobia in all forms.

Particularly here in Winnipeg, Madam Speaker, we know that there's many great members of the ummah, the Islamic community, the Muslim community, who are doing work to reach out across community boundaries at the various masjids, the mosques. And so certainly we offer our solidarity, our commitment, to work with them, to stamp this out.

I've said it before, but I would say it again. If I had to rely on spreading hate against another group of people in order to get elected or to advance my own career, then I would not be worthy of being a public office-holder.

And I think that we should all recommit to condemning Islamophobia and also condemning all

forms of hatred, so that we prevent further acts of violence like this.

But today we stand united with the people of New Zealand against the hatred that we've seen and, of course, with our Muslim brothers and sisters around the world.

Miigwech. Merci. Shukran. *[Thank you.]*

\* \* \*

**Madam Speaker:** Thank you. I had acknowledged the honourable member for Logan, earlier.

**Ms. Flor Marcelino (Logan):** On a point of order.

#### Point of Order

**Madam Speaker:** On a point of order, or House business?

**Ms. Marcelino:** I request my colleagues to please take the next few moments to pay our respects for the life of Jaime Adao, Jr., a 17-year-old student who tragically lost his life in a random home invasion on March 3rd.

On the Sunday night that Jaime was killed, he was studying for an exam the next day. His parents, who are here in the gallery today, believe that Jaime died doing his best to protect his grandmother. Jaime was a soft-spoken, shy, loving, courteous and dutiful son. He was the apple of his mother's eye, her only son, and the youngest child of Jaime Sr. and Imelda.

Jaime was set to graduate from Tec-Voc this June, and dreamt of becoming an executive chef. Jaime's brutal and senseless killing has triggered outrage, grief, fear in the communities he was a part of: school, church, nearby neighbourhoods in the Filipino community.

Over the last few days, neighbours and community leaders have gathered and held forums in high schools and church halls. On the agenda are presentations and discussions about safety, security, drugs, crime. More forums are planned because the community demands justice, demands action, and, most of all, demands solutions to prevent future acts of violence.

Jaime's family is well respected in the Filipino community because they are known to be welcoming, hard-working and supportive. When their son was murdered, every single person in our community shuddered in horror at their living nightmare. Every single one of us could feel their pain and grief.

For our community, Jaime's murder has been a call to action. Our community will not rest until we see tangible solutions to prevent this violence. We will ally with the police, with addiction and recovery specialists, with mental health specialists, to advocate for solutions to prevent further violence.

A third of homicides since 2017 are linked to methamphetamines. The rise in online crime has left many Manitobans feeling unsafe and seriously questioning the justice system for not protecting society from violent repeat offenders.

Our province is in the grips of an addiction crisis that is fuelling and increasing violence on our streets. We need an addictions crisis plan to help get addicts into treatment and make our streets safer.

\* (10:10)

Prevention supports and harm reduction is an effective approach to combating crime. The government should hire more police officers, immediately increase the number of long-term treatment beds and invest in community organizations that play a key part in fighting poverty and addictions.

Sadly, this government refuses to call it a crisis. Instead, they are making deep cuts to our health care. When will this government step up for Manitobans?

Jaime's parents are here to urge us as legislators to do better. Jaime's death should not be in vain. Let us work together to stop this crisis from spiraling and taking more lives.

Thank you, Madam Speaker.

**Madam Speaker:** The honourable Government House Leader, on the same point of order.

**Hon. Kelvin Goertzen (Government House Leader):** Madam Speaker, on the same point of order.

I don't know if there's a parent in this House or in Manitoba who, if they haven't experienced the loss of a child, could put ourselves into the place of the dear family who's joined us here at—today.

We all know that it's unimaginable and we all dread that unimaginable feeling that might happen. And, sadly, we know that this family who's joined us here today has lived that unimaginable feeling of losing a child in the most horrific way.

What I do know about this Assembly, Madam Speaker, having been here for 16 years now, is that when tragedies like this happen, whether it's within

the Assembly to family members of those who are elected or whether it's to Manitobans more generally, the best of this Assembly normally shines through, because we are all humans.

And we are not all elected into the same party, and we don't always have the same ideas when it comes to policies, but I think we are all people of great heart and compassion.

I have found that from every member of this House at different times of my political career—whether they be New Democrats, Liberals, Progressive Conservatives, independents—that when tragedy happens in this House or in Manitoba, all of that falls apart, fades away and is not important.

And it doesn't matter which area we represent or which party we got elected for, we stand united with each other or with other Manitobans. And I don't think this morning should be any different than those times that have happened in the past.

So I know for colleagues on this side of the House—and, I believe, colleagues on all sides of the House—the only thing that matters to us this morning with the family in its presence is that we want you to know that today we are all family with you.

We are all extending our hearts to you. I can't pretend and we can't all pretend to know what it's like, but we do know what it's like to grieve and we do know what it's like to hurt. And today, to the lovely family with us today, we hurt with you and we are all Manitobans with you.

**Madam Speaker:** I would point out to members, when raising these issues, that they be raised as not points of order because they are not points of order, but they are House business.

The honourable member for Burrows, on the same issue.

**Ms. Cindy Lamoureux (Burrows):** I, too, I just—I wanted to extend our sincerest condolences to the family, to all the friends and teachers. And it is truly—it is heartbreaking and it is tragic. And, if there is anything that we can do as a community, we are here for you during this tragic time. Please, please don't hesitate. We are so sorry for your loss.

Thank you, Madam Speaker. Thank you.

### Speaker's Statement

**Madam Speaker:** I have a statement for the House.

A Speaker has many roles, but one of the most important is to uphold the rules under which we function as a Legislature. Our rules are carefully crafted and are meant to ensure fairness to all and for all. Ignoring our rules or showing a blatant disregard for them erodes trust in our democratic institution.

Yesterday afternoon, egregious disrespect was shown to me as your Speaker by the member for Assiniboia (Mr. Fletcher) as I ruled to uphold a long-standing practice in our Legislature. In all my years as an MLA, I have never seen such respectful—disrespectful behaviour shown towards a Speaker, and this cannot go unchallenged. The member should consider that an attack or reflection on the Speaker is not only an attack on that individual, it is also an attack on the institution of the office and role of the Speaker and the Assembly itself.

To quote Bosc and Gagnon, on page 324 of House of Commons Procedure and Practice: Such comments affect the dignity of the House and are an attack against the integrity of an officer of the House.

I have given the member for Assiniboia a lot of attitude since he became an independent member. During that time, he has raised an 'unprecedented' number of matters of privilege and points of order. Over 80 of them, whether they were matters of privilege or points of order, did not meet the threshold to be deemed valid. Yesterday, the member took this—his disrespectful behaviour a step further and crossed a line. I will therefore not be recognizing this member to speak in the House today. I will give him the weekend to consider his behaviour, and I will be expecting an unequivocal apology for him when the House meets on Monday.

If the honourable member wishes to serve his constituents, then he must put himself back in the good grace of this House.

### ROUTINE PROCEEDINGS

**An Honourable Member:** A matter of privilege, Madam Speaker.

### MATTER OF PRIVILEGE

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

**Mr. Tom Lindsey (Flin Flon):** I rise today on a matter of privilege.

It is, in fact, my first opportunity to do so. The matter in question took place yesterday, which I believe the date was March 22nd–14th, 2019, just so

we're clear. I had to review Hansard transcript to ensure that I was factually and technically correct. So today is, in fact, the first chance I've had to raise this matter; therefore, I believe I've met the question of timeliness.

Madam Speaker, it pains me greatly to stand up and raise this matter of privilege, to stand here and question the Premier (Mr. Pallister) of this province, to question the person who's supposed to be the leader of this province. But I believe it is my duty, as I believe it is all of our duties to call out when things have been put on the record that are perhaps not correct.

Madam Speaker, the Premier (Mr. Pallister) has misled this House, and he has done so wilfully. Knowingly presenting false information to this House is one of the most serious issues that can be raised, and it should be taken very seriously by every member of this House, particularly government members who have a duty to make sure their responses are truthful.

This misleading, knowingly and wilfully, of this House violates the collective right of this House to conduct its affairs, as it interferes with the ability of this House and every member of the Legislative Assembly to properly deliberate issues before us. As a result, it violates the collective rights of a House, and it's clearly, without question, a matter of privilege.

\* (10:20)

Madam Speaker, the facts are very clear, and I will try and be as brief as possible as I outline those facts for the House. The Premier stated yesterday regarding the Mining Community Reserve Fund, that they—and I'm quoting here: "They took the money out of the fund and they spent it, but they didn't spend it on the North." End quote.

The they that the Premier was referring to was the previous NDP government. That is blatantly false, and I will table some documents shortly that show that statement to, in fact, be false. The Premier and his ministers know that statement is false. I will table, Madam Speaker, shortly, the government's own documents which show—clearly show the fund not only was not depleted as the Premier knowingly and falsely stated, but also was spent in the North as the fund was intended to be used to help mining communities.

Rather than casting false aspersions on the previous government as to what happened with the mining reserve fund, it is this government and this

Premier who have refused to help northerners in their time of need by refusing to use the money in the community—Mining Community Reserve Fund to help the people of Thompson; and it is this Premier—this Premier—who has stood by as thousands of good jobs have been lost in our North.

What's more, the Premier used clearly unparliamentary language. He called me grumpy; nothing could be further from the truth. I'm quite a jovial fellow most of the time, except when people have put falsehoods on the official record, and that is what should make us all somewhat grumpy.

So, when any member of this Legislative Assembly, particularly a government member, but more particularly, Madam Speaker, when the Premier of this province stands up, puts false information on the record knowingly and wilfully, I do get mad. Because I get mad at the concentrated attack this Premier's launched at working people in this province, and I will not stop fighting back on their behalf because I believe in the working people in this province, that they actually have stood up and made this province great.

Now, before I table all these documents I just want to point out, Madam Speaker, some of the things that are in these documents.

So from the government's own documents from 2015-16, some of the things—and I won't read them all, Madam Speaker—some of the expenditures were Manitoba Prospectors' Assistance Program—not sure that I'll read all the names out. But there's quite a number of people that were, in fact, part of the Prospectors' Assistance Program, and that in 2015-16 several million dollars were expended in that endeavour, in 2016-17 and again in 2017-2018. So for the Premier to suggest that those dollars weren't spent in the North is quite misleading. Just to go on, the Manitoba Exploration Assistance Program: money was expended to Faro resources in 2016-2017; Copper Reef Mining Corporation; to Dale Exploration limited; 'norcango' limited; Akuna Minerals; Rockcliff Resources; Northern Uranium; Rolling Rock Resources, and the list goes on and on: Callinex Mines, HudBay Minerals.

Every year—2015-16, 2016-17, even into 2017-18 when this government was in charge, Madam Speaker—there was money coming from the mining reserve fund to do exactly what it was supposed to do, which, if the government understands the legislation, when it gets—the fund grows over \$10 million, the excess money can be

used to help fund exploration to look for the next mine. So we have those documents to table.

Now, from the Mining Community Reserve Fund statement of receipts—

**Madam Speaker:** Order, please. Order, please.

I would just remind the member that the comments he needs to be making at this point of time is to whether or not this is a prima facie case of privilege and not use this opportunity to bring forward discussion about a number of these facts. It has to be, at this point, the member trying to show that this is, indeed, a prima facie case of privilege.

So I would ask the member to bring his remarks around to getting to that point.

**Mr. Lindsey:** I believe that pointing out the glaring facts that are true, by this government's own documents, are the prima facie case that the Premier (Mr. Pallister) knowingly and wilfully put the wrong information on record. So by talking about where the funds were used when this Premier said that we didn't spend money in the North as the NDP government, from the mining reserve fund, I want to make sure that not only does this government know, but the people of the province of Manitoba have a right to know, that this Premier put wrong information on the record. And I'm going to read some more of that wrong information so that people understand what we're talking about on this side and what I'm talking about today with this matter of privilege, Madam Speaker, that the correct information—so the Premier cannot stand in his place and put, knowingly put, false and misleading information on the record.

So, from their own records in 2016, the balance at the opening was \$15,826,000: transfers to mining revenues, 129 MEAP payments, MPAP, mining exploration, First Nations, economic development of. Every year, Madam Speaker, 2015 and 2016, it clearly shows—it clearly shows—that the money in the mining reserve fund was, in fact, used in the North to help encourage mining.

Madam Speaker, this Premier knew that yesterday, he knows that today, and he should, quite frankly, be ashamed of standing in his place and putting false information on the record.

So I move, seconded by the member from The Pas, that the matter of the Premier knowingly misleading Manitobans about the government's inaction in the face of a job crisis in the North be moved to an all-party committee immediately.

Thank you.

**Madam Speaker:** Before recognizing any other member 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 privileged has been raised at the earliest opportunity and whether a prima facie case has been established.

**Hon. Kelvin Goertzen (Government House Leader):** I admit some surprise.

I'm not surprised at the opposition and their cohort are trying to stop the PST from going down. I am a little surprised they're trying to delay question period today. I take it as a high compliment for this government that an opposition doesn't want to have a question period. It speaks well of the work that the government is doing, Madam Speaker.

But, to the matter at hand, on the issue of earliest opportunity, obviously the member could've raised this at the time when he heard the remarks that he references. He chose not to. More specifically, on the issue of the prima facie case, I'm sure that if he reviews Marleau and Montpetit and the House of Commons Procedure and Practice, he'll see that, at best, and it would be charitable to say, that this would be a dispute over the facts, Madam Speaker.

\* (10:30)

More likely, I suspect, this is a not-so-veiled attempt by the member opposite to try to deflect away from his and his party's position on leaving all minerals in the ground, having signed the Leap Manifesto trying to kill jobs by supporting the carbon tax.

I can see why the member opposite would have a hard time defending those things in his community and is trying desperately to do anything to deflect from those absolutely 'undefensible' positions. But he's not fooling us, Madam Speaker, and he won't fool his constituents either.

**Hon. Jon Gerrard (Second Opposition House Leader):** Madam Speaker, I rise, in fact, in support of the member from Flin Flon.

We in the Liberal Party have noticed a disturbing—[interjection]

**Madam Speaker:** Order. Order.

**Mr. Gerrard:** —trend among the government leaders—[interjection]

**Madam Speaker:** Order.

**Mr. Gerrard:** We have noted a disturbing trend among government leaders to deliberately put misinformation out, whether it is in the Chamber or elsewhere. We realize that this government is—*[interjection]*

**Madam Speaker:** Order.

**Mr. Gerrard:** —likely trying to copy a certain leader south of the border who tends to put misinformation on the books, and so we're ready to support the member from Flin Flon, certainly, on this occasion.

Thank you.

**Madam Speaker:** A matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

\* \* \*

**An Honourable Member:** On a matter of privilege.

#### MATTER OF PRIVILEGE

**Madam Speaker:** Oh, the honourable member for Concordia, on a matter of privilege.

**Mr. Matt Wiebe (Concordia):** I do have a very serious matter of privilege, and I'm going to try to limit my comments to that matter of privilege, although I certainly have a lot to say about the way that the previous matter of privilege was debated in this House and some of the additional misinformation that was put on the record.

And, in particular, if I can just say, Madam Speaker, you know, I know that in this Chamber there are very few times—very few times—when it's expected that all members of this House should be completely quiet, completely attentive and giving the speaker, who—in this case, the Speaker of the House, but also the speaker who is presenting in the Chamber, the respect and complete silence and attentiveness that they deserve, because a matter of privilege is such a serious matter.

So, again, I'll limit my comments of editorializing on how this Chamber is conducting itself so far today, but I do know that whether it be during our vote, whether it be during a ruling of the Speaker or during a matter of privilege, that is the time when we as legislators are expected to be most attentive and to respect the matter of privilege being brought forward.

The matter of privilege that I'd like to bring forward is a serious one, Madam Speaker. The matter of privilege that I rise on today, I will start by quoting page 111 of O'Brien and Bosc, in which it is very clear that the matters—the privileges of a member are violated—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:** The members of—sorry—the privileges of a member are violated by any action which might impede him or her in the fulfillment of his or her duties and functions.

I wanted to emphasize the phrase any action. Such language is key to the concern that I have. This is a serious issue. We have problems in this Legislature that we have a number of rules and practices which are not being followed. If the rules and traditions of our Legislature are not being respected, then the supremacy and sovereignty of this House is being put into question.

The rules of this House are clear. The House is supreme in all matters. It is not the government. It is not the Cabinet that is supreme, but rather, it is this House.

There's another parliamentary principle which bears on the matter that I am about to address which should be made clear, as it is important as well. It is the principle that if one cannot do something directly, then one cannot do that same thing indirectly. It is a long-standing principle of this House and of the Chamber. It is a principle that must be respected.

The current law of the land is clear. It states that the election date in Manitoba is fixed. The Elections Act states it clearly: there will be a fixed-date election on the first Tuesday in October of 2020—*[interjection]*

**Madam Speaker:** Order. Order.

I would indicate to members that it is the practice of this House that when matters of privilege are being raised, that members are all attentive—'attentatively' listening. These are serious topics. This is not the time to heckle. In fact, I would indicate that, you know, heckling at any point is not getting us very forward in a democratic institution, but matters of privilege are times when we should be carefully listening to what is being said.

**Mr. Wiebe:** The matter of privilege relates to statements made by the Premier (Mr. Pallister) to make his intention to ignore this law. In public



comments, he has derided the idea of a fixed election date. He has called it, quote, a drop dead date, end quote. But this is not—but this is meaningless, Madam Speaker. The plain language of the law can speak for itself.

I want to quote at this point the June 2015 interim report of the Standing Committee on Rules, Procedures and the Rights of Parliament of the Senate of Canada, entitled *A Matter of Privilege: a discussion paper on Canadian parliamentary privilege in the 21st century*. On page 29 of the report, the authors state: The Supreme Court's analysis of parliamentary privilege underscores its understanding that Parliament is not a statute-free zone, whereby privilege acts as an exception to the law of the land, but rather that the application of statutes, such as the quasi-constitutional Canadian Human Rights Act, will be evaluated vis-à-vis the necessary—the necessity of Parliament—particular privilege—pardon me, Madam Speaker.

While this issue in this case does not deal with the Canadian Human Rights Act, it does deal with a statute. The sentence, "Parliament is not a statute-free zone," bears repeating. Members of this Legislature must reconcile the privileges of this House with the important and necessary limitations placed on them by statutes, statutes, it bears repeating, which have been duly passed and affirmed by this House.

The Premier's (Mr. Pallister) actions, then, undermine the privileges of members of this House in two ways. On the one hand, they undermine the necessary balance between statute and privilege in our House. They would make this House a statute-free zone where the question, whether the House will sit, will be entirely at the whim and discretion of the Premier. This would be an arbitrary use of the—of power on the part of the Premier given the clear intent and spirit of the fixed election provision of The Elections Act. *[interjection]*

**Madam Speaker:** Order.

I hope that members are heeding what my comments were, that matters of privilege are serious concerns, that it's not the time to be heckling in this House.

**Mr. Wiebe:** On the other hand, the Premier's actions, his threat to call an election in spite of the fixed election date provisions in The Elections Act, prevent members from exercising their duties as members in the House, specifically, their ability to

participate in debate and thus their freedom of speech. Dissolving this House for the arbitrary political reason of the Premier prevents all members from exercising their duties and thus infringes on our fundamental privileges.

The question before us is serious and it is urgent. It requires the immediate attention of this House, lest the Premier attempt to make use of, in an arbitrary fashion, the powers he believes himself to possess.

And I would just say, Madam Speaker, that though this is a matter that has been in the media for a while, I think it is an important one. Is it the first opportunity to bring it to this House? That I would leave to your judgment. But what I will say it is an important matter that I do wish to bring forward in this House.

So I would move, seconded by the member for Point Douglas, that this matter be referred to an all-party committee immediately.

\* (10:40)

**Madam Speaker:** A matter of privilege is a serious concern. I am going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

\* \* \*

**Madam Speaker:** Routine proceedings, introduction of bills?

**An Honourable Member:** I rise on a matter of privilege, Madam Speaker.

**Madam Speaker:** Let me just—I had already—okay, okay.

#### MATTER OF PRIVILEGE

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

**Mrs. Bernadette Smith (Point Douglas):** I rise on a matter of privilege. It's my first opportunity to rise on this matter because I've spent the last several days consulting various authorities and former officials on this—on these questions. They do not all live in Manitoba, so the consultations did take a bit of time and, as such, has delayed me bringing this to the House.

The matter I raise is of great concern and limits the ability of all members to do their job as legislators. More specifically, it is clear interference in the ability of members of the public to even become legislators in this House.

It's important, historical context that is relevant here, Madam Speaker, when corporate and union donations were banned in Manitoba. That was meant to create a level playing field for all Manitobans so that anybody that wanted to sit in this Chamber had the opportunity.

We know that it's important to foster democratic debate in this province and that costs money. And we know that all Manitobans don't have the money to put on an election or that have friends that can donate, you know, to their election costs, but people who are wealthy and well connected should not have an unfair advantage in influencing that debate, Madam Speaker.

Myself included, growing up in poverty and listening to constituents, you know, speak about possibly seeing themselves in this very Chamber. People who can't afford to get on a bus are now thinking about, hey, you know, maybe one day I can be in there, or maybe my children can be in there. This limits that because they don't have the wealthy friends and the influence to be able to do that.

That is why it's important for there to be equality in democracy and democratic participation, but this Premier (Mr. Pallister), he's decided to include an omnibus piece of legislation and an attack on the public participation in elections in our province, Madam Speaker.

Again, I'll reiterate: people that don't have money also have the right to be in this House, and we need to make sure that it's a level playing field and that everyone has the opportunity. It is a regressive move, a move which will ensure only the most wealthy people, Madam Speaker, and well-connected individuals and voices are able to participate in the democratic process.

As one political commentator put it: it's a dirty political trick, slipped into a piece of omnibus legislation on the eve of what very well would be a snap spring election.

In addition to functioning as security for loans, the rebates actually allowed parties that rely on smaller individual donations to compete fairly.

Madam Speaker, the people that I've spoken to, they've said they've made a list. They're getting ready. They want to run, but they have people who could give them \$10, \$20. They don't have someone that could give them \$5,000.

They also—you know, this limits what they can do and it draws on the wealthy, deep-pocketed

donors, parties like the Progressive Conservative Party of Manitoba—

**Madam Speaker:** Order, please.

Can I just encourage the member to explain how the privileges of the House have been violated, rather than discussing her disagreement with the legislative proposals? That is important that she get to that to indicate a prima facie case of privilege.

**Mrs. Smith:** The elimination of this rebate, Madam Speaker, that attaches ability for members to do their job should be clear. It clearly prevents certain people from being in this House and prevents them from participating in elections and thus becomes—and becoming legislators.

The Premier consulted no one on this change and actually tried to hide it, like all of his other cuts. That's shameful. The integrity of our election is too important to be left to the partisan attacks of the Premier.

It is an attack on the privilege of all members and, as a result, I move, seconded by the member from The Pas, that this matter of reference be referred to an all-committee party immediately.

**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. Kelvin Goertzen (Government House Leader):** Madam Speaker, I imagine you will decide on your own good accord whether or not this should be further considered because, obviously, all of these matters are serious. But, clearly, this is in-attempt, not a particularly well-veiled one or masked one, to try to stop this business of the House from proceeding.

Madam Speaker, I would say that there are individual, but also collective, rights that go to each member having the right for the business of the House to proceed and to function normally. There is important work of Manitobans to do. There are important things to be debated and discussed. Clearly, the opposition doesn't want this House to operate in the best interests of Manitoba, and that is a collective right that I would hope would be enforced.

**Madam Speaker:** The honourable member for The Pas, is the member speaking to this matter of privilege?

Oh, okay. A matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities, and will return to the House with a ruling.

#### MATTER OF PRIVILEGE

**Madam Speaker:** The honourable member for The Pas, on a matter of privilege?

**Ms. Amanda Lathlin (The Pas):** Yes.

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

**Ms. Lathlin:** Again, first time standing up in the House on a matter of privilege. The matter of privilege I am raising concerns is a serious matter, a matter dealing with conflict of interest. It is my first opportunity to rise on this matter, and I have taken the time to consult the relevant authorities and experts regarding this complex matter.

It is a matter that is the utmost importance but involves the intersection of the law of this province and the rules of this House. As a result, the question of privilege is complex and required me to consult the relevant authorities and experts yesterday, the first opportunity that I had to do so. I have endeavoured to do so in a timely fashion, but what's more, I have only now come to—into possession of information which bears on the complex and the important matter that I bring before you today.

The government indicated its intention to introduce a bill regarding 'conflick' of interest for members of this House yesterday. That was the first time our side of the House learned of this. For years, this government has delayed introducing a bill to update Manitoba's conflict of interest legislation. It has delayed taking action even after saying it agreed that it ought to. It has delayed taking action even after the Conflict of Interest Commissioner laid before this House a detailed and a comprehensive report on this matter with many recommendations that touched on all aspects of our work as members of this Legislative Assembly.

There—this report was detailed and comprehensive, as I said, and was based on research in 'conflick' of interest legislation from across the country.

What is—the reason for this delay is unclear. Only the government truly knows, but it is notable and requires emphasis that the Premier (Mr. Pallister) of this province, the member for Fort Whyte and president of Executive Council, has flouted in an egregious and—an egregious fashion, the requirements of the current 'conflick' of interest legislation.

\*(10:50)

I table you—okay, excuse me, Madam Speaker. The Premier misled this House regarding the question as to whether he was the president or officer of a corporation. The provision of the act which requires disclosure as to whether the Premier or any other member of this Assembly is a president or officer of a corporation doesn't differentiate as to where the corporation is located. The corporation could be in Manitoba or it could be in Costa Rica; it makes no difference. The role in such a corporation must be disclosed, but the Premier did not disclose his corporate dealings in Costa Rica, and this has raised many difficult questions.

It has raised a question why the Premier flouted the law governing members regarding disclosure of potential conflicts, and it has raised the question why the Premier felt he could mislead Manitobans about his true affairs in Costa Rica.

Many experts in law and 'etherts'—and ethics believe the Premier must answer these questions. Thus, it is with great interest that our caucus saw the government intention to introduce conflict of interest legislation.

Our caucus has been clear that we wish to work in a collaborative and productive fashion with all members to bring in updated and 'moderized' legislation regarding conflict of interest. That is why my colleague, the member for Minto (Mr. Swan), had considered presenting conflict of interest legislation as far back as 2016 to this House, but we do not introduce this legislation, as we thought it best to work with all parties in a way to ensure a new 'moderized' conflict of interest legislation would be appropriate for all members.

However, this government has expressly stated its intentions to not meaningfully or properly consult all members of the House regarding the new conflict of interest legislation. This is a surprising and very concerning new fact, and such a move on the part of this government directly threatens the privileges of members of this Chamber.

If a consequence of the 'violation' of the new conflict of interest legislation is that members can be prevented from voting on certain matters or even, at the limit, have their seat vacated, then these provisions bear on the question of the privileges of members of freedom of speech and our right to participate in debate. This issue goes to the very heart of the privileges of members in this Chamber, and this legislation raises the real possibility our ability to properly debate matters before the House could be interfered with.

Given that the government has refused to properly consult all members of the House on this matter, and given the Premier's past refusal to come clean about his Costa Rican holdings and to follow the disclosure requirements of the conflict of interest law about his Costa Rica companies, I move that this matter, especially the Costa Rica part, to—seconded by Bernadette—

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

**Madam Speaker:** Order.

The honourable member—

**Ms. Lathlin:** —member for Point Douglas (Mrs. Smith)—

**Madam Speaker:** Thank you.

**Ms. Lathlin:** —be moved to an all-party committee for consideration.

**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.

A matter of privilege is a serious concern. I am going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

#### MATTER OF PRIVILEGE

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

**Mr. Matt Wiebe (Concordia):** Once again, I rise this morning on a very serious matter of privilege. As I had said in my previous remarks, I wasn't sure about the timeliness of my previous matter of privilege. And as I said, I leave it entirely in your

capable hands. And as you've said, you're planning to—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:** Oh—my apologies, Madam Speaker. Just a bit of paperwork that we're trying to get sorted out here.

Well, and as members opposite would know, it's so important to have the matter of privilege in writing, and that has been a direction that's been given by you, Madam Speaker, and course, is the practice of this House. And so it is very important that we get that paperwork properly filed so that the clerks can properly give the attention that is required to these very important matters of privilege.

As I said, Madam Speaker, I was not entirely clear about the timeliness of my previous matter of privilege. However, in this case it is quite clear that this is a—the earliest opportunity that I am able to rise in this House to bring forward this particular madam—matter of privilege. And the reason being, is that I only received this particular letter moments ago from the Winnipeg School Division.

The issue has only become clear to me in just the last few minutes and, indeed, was only raised by the minister in recent days.

The facts are clear, Madam Speaker. As I quote here: quote—what WSD teachers should really be concerned about is how much their superintendent is making quote salary, end quote.

This statement, Madam Speaker, made by the minister, as I said, in recent days, is clearly misleading. School trustees and superintendents, we know, are valuable public servants, and they serve our communities across Manitoba. These statements that were made by the minister clearly attack the authority and dignity of our school trustees and of our superintendents. This statement was an uncalled for, personal attack on the public servants that dedicate their time and their energy to improve our children's education.

I would like to now put on the record, Madam Speaker, this particular letter, as I referred to it.

Dear Madam Speaker, on behalf of the Winnipeg School Division Board of Trustees I am writing you today to ask for a formal apology from the Minister of Education and Training (Mr. Goertzen)—and in this case, the member's name is written here—the member for Steinbach—for the

comments made during the March 14th question period in the Manitoba Legislature.

As you recall, myself—MLA for Concordia—was quoting a WSD teacher, who was concerned about the closing down of the Manitoba Curriculum Support Centre.

The minister's response was to state that quote: what WSD teachers should really be concerned about is how much their superintendent is making. This was an uncalled for personal attack on a public servant, who cannot speak in their own defence.

The minister is singling out one superintendent among dozens in the province, as a scapegoat to blame for all the problems in the school system.

Furthermore, the minister is required to work with school division administrators with similar salaries, and maintaining a respectful working relationship should be a priority for him.

We expect to hear a full apology to the chief superintendent, CEO, Pauline Clarke, at the next possible occasion in the Legislature. A written apology to Ms. Clarke would not be remiss either.

And this particular letter was signed by Chris Boughton [*phonetic*], chair of the Winnipeg School Division Board of Trustees. And I would like to, as I said, Madam Speaker, table that here today.

It is concerning, to say the least, Madam Speaker—to see these comments made by the minister in the House, misleading members that these public servants are failing at their responsibilities. These public servants cannot be here in the House to defend themselves, so it is disrespectful to see the minister taking advantage of that and putting false notions of record on the record here in the House.

The minister is required, as is said in the letter, to work with all school divisions and their administrators, to ensure quality education be delivered to all Manitoba children. It is important that the minister maintain integrity of these public servants and maintain a respectful working relationship with them.

As I said, Madam Speaker, I do believe that, based on my comments that I've made this morning, that it is very clear that this is a—the issue of timeliness or the requirement of timeliness has been met in this case. And what I would also say is that there may be an opportunity for you to make a ruling about the prima facie case that I have presented.

\*(11:00)

However, I also know that as a Government House Leader (Mr. Goertzen), the Minister of Education has an opportunity to stand up immediately after I've made my comments. And, if he were to make a full apology here today to the teachers, to the administrators, to the board for all Winnipeg school divisions and all school divisions across this province, I do believe that there is an opportunity to put this matter to rest. And if that were the case I would be happy to withdraw this particular matter of privilege.

Again, I leave it in your capable hands to make a judgment call whether this is a prima facie case, but I do believe that there is no question that in terms of timeliness we have met that particular standard here in the House this morning.

So, therefore, I move, seconded by the member for Point Douglas (Mrs. Smith), that the Minister of Education's statements, which are an attack on the administration of Manitoba school boards, be moved to an all-party committee immediately.

**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. Kelvin Goertzen (Government House Leader):** Madam Speaker, I would certainly apologize to all Manitobans that the NDP are making a mockery of the Legislature and the rules and not allowing the people's business to happen this morning.

**Madam Speaker:** As a matter of privilege is a serious concern I am going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

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**Madam Speaker:** Introduction of bills?

**An Honourable Member:** Madam Speaker, on a matter of privilege.

#### MATTER OF PRIVILEGE

**Madam Speaker:** Oh. The honourable member for Concordia, on another matter of privilege?

**Mr. Matt Wiebe (Concordia):** Yes, my apologies, Madam Speaker. I did arise as soon as I could here in the House.

I was listening intently to the minister and I was encouraged by the beginning when he was willing to make an apology and then backtracked immediately, so I guess it took me off guard a little bit.

But this particular matter of privilege that I rise on this morning is in my role as the Deputy House Leader for the Official Opposition, and the reason why I rise this morning is with regards to in 2017, that the Leader of the Official Opposition (Mr. Kinew) wrote to you, Madam Speaker, the Speaker of this House, as well as to all House leaders regarding the important issue of treaty land acknowledgement in this Legislature.

The issue that we have before us is clear. It is long past time for the Manitoba Legislature to acknowledge the role of treaties in our province and, indeed, our country. The history of ignoring the treaties in Canada and Manitoba is sadly well known. It is incumbent upon all of us as leaders in our communities to show the way forward.

A simple step on this issue, Madam Speaker, would be to call a meeting of the rules committee to consider the issue of adding a land acknowledgment to the House rules that we operate under each day. Alternatively, a meeting of the House leaders could take place to consider the issue, but this has not taken place since 2017.

While I believe it is an open question whether or not this is the first opportunity to raise this particular issue, I want to emphasize that given the prospect of an early election, which, as I mentioned earlier, also concerns a matter of privilege of this House. It's—it is important that we consider this immediately. In fact, I would suggest, Madam Speaker, that it is urgent for this House to consider the issue of land—of treaty land acknowledgment in the House in a timely fashion.

**Madam Speaker:** Order, please.

I would ask the member to please get to how this is a breach of the rules of the House, how the member's privilege are being denied, and that is the point of a matter of privilege, to present a prima facie case of privilege.

So the member needs to get to how this actually affects the privileges of members rather than getting into any debate. I'm hearing this morning there is a

fair bit of debate going on here and I would like to get past that. I would like members to zero in when they're standing on a matter of privilege to actually deal with what that specific privilege is because that is the point of matter of privilege. It is not a time for debate.

**Mr. Wiebe:** Agreed, Madam Speaker. And I do apologize in making this—making my point, I guess, as thoroughly as I can here. I may have gone over time or, in terms of the content, strayed a little bit off the path. However, I was actually just about in my notes to get to your point, and that is to address the particular matter of privilege.

As I said, this is a question of privilege because it goes to the heart of making sure this House is welcoming to all our peoples and all our members.

And that is why, as I said, Madam Speaker, I am happy to move, seconded by the member for Point Douglas (Mrs. Smith), that the issue of treaty land acknowledgement be immediately referred to the rules of—the rules committee for consideration, and that the committee report back to the House at the earliest opportunity.

**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.

A matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

#### MATTER OF PRIVILEGE

**Mr. Tom Lindsey (Flin Flon):** On a matter of privilege, Madam Speaker.

**Madam Speaker:** On a matter of privilege.

**Mr. Lindsey:** Madam Speaker, I rise on a matter of privilege.

It is the first opportunity that I've had to rise on this issue, Madam Speaker. It is a serious matter of privilege that affects each and every one of us in our abilities to do our job as MLAs. It is terrible that this is what the government has done.

It appears that the government caucus is distributing false information about other members of this House to residents across Manitoba. I will

quote from Beauchesne 63, which states—and give me one second, Madam Speaker—63: a radio advertisement purporting to have as one of its characters a Member of Parliament and allegedly reflecting on the ethics of the members was ruled by the Speaker to constitute a prima facie case of privilege, but he—the advertisement was withdrawn before the House could consider the question. And that's debates, March 2nd, 1981, page 7771-71.

The government caucus—this government caucus, the PC government caucus, the Pallister government caucus—has distributed false information about myself in print form across northern Manitoba, Madam Speaker, and false information about many other matters, as I've previously indicated.

At this point, Madam Speaker, I think it is important. The importance of a matter of privilege—as you've so often pointed out today, that matters of privilege are, in fact, very important, and a breach of a matter of privilege which affects our ability to do our jobs in this House, or as elected representatives, is something that we should all take seriously, and I certainly hope that the government members will as I progress through this matter of privilege.

I want to take a moment to reflect on the fundamental definition of this matter for the benefit of all members, Madam Speaker. And this is from the House of Commons Procedure and Practice: Parliamentary privilege, a definition. The classic definition of parliamentary privilege is found in Erskine May's treatise on law, privileges, proceedings and usage of Parliament.

\* (11:10)

Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively and by members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals. Thus, privilege, though part of the law of the land, is to a certain extent an exemption from the general law.

These peculiar rights can be divided into two categories: those extended to members individually and those extended to the House collectively.

Each category can be further divided. The rights and immunities accorded to members individually are generally categorized as follows: freedom of speech; freedom from arrest in civil actions; exemption from jury duty; exemption from being subpoenaed and to attend court as a witness—and,

Madam Speaker, perhaps, maybe the members opposite should pay attention to this, seeing as we're 'braising' the matter of privilege about things that they have done; in particular, they might want to listen to what's being said—exemption from being subpoenaed to attend court as a witness; freedom from obstruction, interference, intimidation and molestation.

The rights and powers of the House as a collectivity may be characterized as follows: the exclusive right to regulate its own internal affairs, including its debates, proceedings and facilities; the power to discipline, that is, the right to punish persons guilty of breaches of privilege or contempts and the power to expel members guilty of disgraceful conduct—now I've lost my place; the power—or, excuse me—the right to provide for its proper constitution, including the authority to maintain the attendance and service of its members; the right to institute inquiries and to call witness and demand papers; the right to institute inquiries and to call witnesses and demand papers; the right to administer oaths to witnesses appearing before it; and the right to publish papers without recourse to the courts relating to the content.

The privileges of members of the House of Commons provide the absolute immunity they require to perform their parliamentary work, while the collective or corporate rights of the House are the necessary means by which the House effectively discharges its functions.

Privilege commences from the time of the member's official existence, which is at the moment the deputy returning officer completes the return of the writ with the name of the candidate who received the most votes in a general election.

The House has the authority to assert privilege where its ability has been obstructed in the execution of its functions or where members have been obstructed in the performance of their duty.

Madam Speaker, with those citations that I've read, I believe that the prima facie case is very clear, that as a result of the issue of distribution of false information by the government, it must be stopped.

It's bad enough, Madam Speaker, when members stand in this Chamber, and put false information on the record, but to actually use government money to send out false information is that much more egregious. Therefore, I believe that this government

needs to be called to account for the issuance of such false information.

I've risen previously on matters, Madam Speaker, which you've taken under advisement, and I won't comment on those. But truth and honesty are things that I've stood by. People have not always particularly cared for what I've had to say on specific issues, but they have never been able to suggest that what I've said was untrue.

To have this government now distribute false information impugning my reputation and attempting to intimidate me is the matter of privilege, and I believe that sets out the prima facie case as required by you, Madam Speaker.

So, therefore, I move, seconded by the member from Concordia, that this issue be immediately referred to a committee of the House.

**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.

The—a matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities and I will return to the House with a ruling.

\* \* \*

**Madam Speaker:** I do have a comment to make right now, please. I'm noticing these activities this morning and I want to provide you with a little bit of perspective from the past. To quote from Speaker Hickes from November 24th, 2007: I fear that we are beginning to see the devaluation of what parliamentary privilege has claimed to be.

As stated on page 220 of Parliamentary Privilege in Canada, in the Canadian House of Commons, and I quote: Questions of privilege are frequently raised but few are found to be prima facie cases. Members have a tendency to use the rubric of privilege to raise what is really a matter of order, or in the words of the Speaker of the House of Commons, a grievance against the government.

Parliamentary privilege is a constitutional right that has been passed on to the Parliament of Canada and to the provincial legislator—legislatures from the United Kingdom's 1689 Bill of Rights and was incorporated into the Canadian experience to provide

protection for members to exercise their parliamentary duties free from interference.

I would also remind members that the individual protection for members under parliamentary privilege are the freedom of speech, the freedom from arrest and civil actions, exemptions from jury duty, freedom from obstruction, interference, intimidation and molestation, and the exemption from attendance as a witness.

The rights and powers of the House as a collective are categorized as the power to discipline persons guilty of breaches of privilege or contempt and the power to expel members guilty of disgraceful conduct, the regulation of its own internal affairs, the authority to maintain the attendance and service of its members, the right to institute inquiries and call witnesses and to demand papers, the right to administer oaths to witnesses and the right to publish papers containing defamatory material. This is what issues of privilege should be focusing on, and that came from information brought forward by a former Speaker here, Speaker Hickes.

So I want to remind members as we're going down this path this morning that it was a former Speaker in Manitoba that cautioned members about devaluing parliamentary privilege by bringing forward issues that may not really be parliamentary privilege.

\*(11:20)

### Point of Order

**Madam Speaker:** The honourable member for St.—Point Douglas, on a point of order—or matter of privilege?

**Mrs. Bernadette Smith (Point Douglas):** Point of order, Madam Speaker.

**Madam Speaker:** On a point of order.

**Mrs. Smith:** Yes. I want to rise this morning in the House to acknowledge the unsung work, that of a Manitoba civil servant who has done many, many works here—many, many years of work here in our province, but has not received the proper recognition or acknowledgement or due that they ought to.

That civil servant is Cheryl Lashek. Madam Speaker, many might know her name; they're probably familiar with her; you get in an elevator, you see that signature and, you know, it's probably familiar. I hear, you know, members opposite nodding, yes, you know, that they know her name.



So undoubtedly her work is familiar to all of us and to all of Manitobans.

Ms. Lashek is a director of Inspection and Technical Services Manitoba. As part of that work, her signature can be found on most elevator permits. So if you haven't seen one yet, I encourage you. And most elevator permits can be found in elevators right across our fair city, Madam Speaker.

Elevator safety is no joke, Madam Speaker. Probably many of us have been stopped in an elevator at some time and had to have pressed that emergency button. It is important that one of those jobs that most of us simply take for granted—we don't notice it because of the dedicated work by—done by civil servants who make sure we are safe, without seeking the limelight. Even without seeking that limelight, many Manitobans have noticed Ms. Lashek's fine work on social media and in other places.

Madam Speaker, I raise this matter because it has come to my light that Ms. Lashek's signature will no longer appear on elevator notices as of April 1st, an apparent unfortunate casualty of the Premier's (Mr. Pallister) overzealous attempt to cut so-called red tape.

Why won't this Premier cut—what won't this Premier cut, Madam Speaker? It is truly an end of an era here for elevators in Manitoba.

But I would be remiss if I didn't take this opportunity to thank Ms. Lashek for her work, as I'm sure members across the way would like to thank her as well and wish her well and, you know, all the other fine Manitoba civil servants continue to do that work that keeps us safe here in Manitoba, even if we no longer see her signature in elevators across our province.

So today we say thank you to Ms. Cheryl Lashek.

**Madam Speaker:** The honourable Government House Leader, on that same point of order.

**Hon. Kelvin Goertzen (Government House Leader):** Certainly, we all appreciate the work that Cheryl has done, but I don't think that it's—*[interjection]*—I don't think it's an appropriate way to recognize her work by using it as part of an opposition filibuster, Madam Speaker.

**Madam Speaker:** I would indicate that that is not a point of order. A point of order should be used to bring the attention of the House a breach of the rules

or practices of the House and should also not be used for debate. And I'm becoming somewhat concerned that we are looking and using points of order in an improper way and I would urge some caution in that. There's certainly time in members' statements to make comments and bring forward statements like this.

So I would urge caution that, when people are bringing forward points of order, that they be valid points of order.

## INTRODUCTION OF BILLS

### Bill 21—The Legislative Building Centennial Restoration and Preservation Act

**Hon. Scott Fielding (Minister of Finance):** Thank you, Madam—*[interjection]*—Thank you, Madam Speaker. *[interjection]*

**Madam Speaker:** Order, please. Order.

**Mr. Fielding:** I move, by the second—*[interjection]*

**Madam Speaker:** Order.

The honourable member for Concordia (Mr. Wiebe) was not standing exactly in his spot; he had been moved away when I did acknowledge this member, but I do understand he's trying now to stand on a matter of privilege. And I understand that I have to acknowledge matters of privilege because they override everything else. Am I correct? *[interjection]*

It has been pointed out to me that, correctly, I had already recognized the honourable Minister of Finance (Mr. Fielding) and if the member does indicate after, then, that he wants to continue with his matter of privilege, I will hear it. But we—I had already recognized the honourable Minister of Finance because the member for Concordia was not in his place.

The honourable Minister of Finance.

**Mr. Fielding:** Thank you, Madam—

**Madam Speaker:** Introduction of bills, so—introduction of bills.

**Mr. Fielding:** Madam Speaker, I move, seconded by the Minister of Sustainable Development (Ms. Squires), that Bill 21, The Legislative Building Centennial Restoration and Preservation Act, now be moved a first time.

**Motion presented.**

**Mr. Fielding:** The bill will establish a process to guide restoration, preservation and maintenance of

the Legislative Building and its associated infrastructure. The Manitoba Legislative Building opened on July of two—of 1920 and was a gift to all Manitobans by past generations. It's a designated provincial heritage site, but for far too many years restoration and preservation work was deferred. As a result, today this building and much of its supporting infrastructure has reached a critical state and there's over \$150 million of deferred maintenance.

Madam Speaker, this bill will establish an advisory committee to conduct consultations and provide oversight on the proper restoration of the Legislative Building, ensuring annual funding for the work of \$10 million for 15 years, and commence in 2034, providing annual funding of \$2.5 million to preserve and sustain the building and associated infrastructure.

Madam Speaker, I am pleased to present the bill to the House for its consideration.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Madam Speaker:** I hear a no.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, 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. Matt Wiebe (Deputy Official Opposition House Leader):** I request a recorded vote.

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

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 first reading of Bill 21, The Legislative Building Centennial Restoration and Preservation Act.

#### Division

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

#### Yeas

*Allum, Bindle, Clarke, Cox, Cullen, Curry, Eichler, Fielding, Fletcher, Friesen, Gerrard, Goertzen, Guillemard, Johnson, Johnston, Lagassé, Lagimodiere, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Piwniuk, Reyes, Schuler, Smith (Point Douglas), Smith (Southdale), Smook, Squires, Stefanson, Swan, Teitsma, Wharton, Wiebe, Wishart, Wowchuk, Yakimoski.*

#### Nays

**Clerk (Ms. Patricia Chaychuk):** Yeas 45, Nays 0.

**Madam Speaker:** I declare the motion carried.

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**Madam Speaker:** The hour being 12:30 p.m., this House is adjourned and stands adjourned until Monday at 1:30 p.m.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Friday, March 15, 2019**

**CONTENTS**

<b>Speaker's Statement</b>		<b>Matter of Privilege</b>	
Driedger	725	Lathlin	731
<b>ROUTINE PROCEEDINGS</b>		<b>Matter of Privilege</b>	
<b>Matter of Privilege</b>		Wiebe	732
Lindsey	725	Goertzen	733
Goertzen	727	<b>Matter of Privilege</b>	
Gerrard	727	Wiebe	734
<b>Matter of Privilege</b>		<b>Matter of Privilege</b>	
Wiebe	728	Lindsey	734
<b>Matter of Privilege</b>		<b>Introduction of Bills</b>	
B. Smith	729	Bill 21—The Legislative Building Centennial	
Goertzen	730	Restoration and Preservation Act	
		Fielding	737

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