



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS

FOURTH SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

The following petitions were presented and read:

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

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

Mr. DYCK – Legislative Assembly of Manitoba to request the Premier of Manitoba and the Minister of Health to consider providing CancerCare Manitoba with the appropriate funding necessary so that they may provide leading edge care for patients in the same manner as other provinces and to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible. (R. Giesbrecht, M. Giesbrecht, C. Annan and others)

By leave, Mrs. ROWAT for Mr. EICHLER – Legislative Assembly of Manitoba to strongly urge the Premier to consider calling an independent public inquiry into the Crocus Investment Fund scandal. (N. Boisvert, W. Taylor, J. Peckover and others)

Mr. CUMMINGS – Legislative Assembly of Manitoba to request the Provincial Government to consider stopping the removal of these positions from our community (Neepawa), and to consider utilizing current technology (ie: Land Management Services existing satellite sub-office in Dauphin, MB) in order to maintain these positions in their existing location. (J. Pollock, J. Pollock, J. Jasienczyk and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the Government did not act on fixing the Crocus fund back in 2001 and to urge the Premier and his Government to cooperate in making public what really happened and call a public inquiry. (M. S. Dhillon, G. Andrew, P. Powell and others)

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

Following Members' Statements on April 25, 2006, the Honourable Official Opposition House Leader raised a point of order regarding comments attributed to the Honourable Government House Leader in an article from the April 22, 2006 edition of the Winnipeg Free Press titled "Bad Blood continues to paralyse legislature." The Official Opposition House Leader contended that the Government House Leader was quoted in the article as saying that "There is a sessional order that is now in peril" and "there is a serious question as to what the Speaker will do on June 13." He further asserted that these comments were a reflection on the Speaker and were anticipating a matter appointed for consideration in the House. The Honourable Minister of Energy, Science and Technology, the Honourable Member for Inkster and the Honourable Member for River East also offered contributions to the point of order. I took the matter under advisement in order to check all resources available to the Speaker and consult the procedural authorities.

I would note for the House that rule 41 cited by the Honourable Official Opposition House Leader which states "No Member shall revive a debate already concluded during the session or anticipate a matter appointed for consideration of which notice has been given" is not relevant in the current situation, as it refers to debates within the Legislature and does not govern remarks that Members may make outside of the Legislative Chamber.

In addition, I would bring to the House's attention that Marleau and Montpetit advise on page 522 of *House of Commons Practice and Procedure* that the Speaker has no authority to rule on statements made outside of the House by one Member against another. This finding is supported by rulings I have made in the House on April 14, 2004, November 23, 2004 and April 20, 2005.

Regarding the issue of whether or not the comments complained of were a reflection on the Speaker, I am guided by a ruling that Speaker Rocan gave in 1994 in a comparable situation, when the then Premier, Mr. Filmon, was quoted in a media interview as saying "when the votes are taken, we have 29, they have 28" and the issue was raised in the House as reflecting on the impartiality of the Speaker. Speaker Rocan ruled in part that the issue was not a reflection on the Speaker, and I would like to quote from that ruling. On May 9, 1994 he stated "In my review of the actual words spoken by the Premier, I find that they do not in themselves reflect on the partiality of the Chair. They do not directly imply wrongdoing, slander or partiality of a presiding officer...the interpretation of the Honourable Member for Thompson of what the words spoke by the First Minister is just that – an interpretation. The explanation by the Premier of what he meant is also just that – an explanation."

Turning to the current issue, I believe that we have a similar situation where Members have different interpretations and explanations of what the words mean, and my interpretation from reading the article is that the words are not reflecting on the Speaker. I would note that I as the Speaker am even quoted in the article as indicating that the situation referred to is unprecedented in Manitoba and that I will have to consult other Legislatures for advice. I certainly hope Honourable Members would not suggest that I am reflecting on myself.

I would therefore rule that there is no point of order.

Pursuant to Rule 26(1), Messrs. MAGUIRE, JHA, PENNER, CALDWELL and LAMOUREUX made Members' Statements.

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

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

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

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

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

- (a) Failing to be accountable to Manitobans for the overspending and fiscal mismanagement of this Doer NDP government; and
- (b) Failing to be accountable for the fact that Manitoba families will be the highest taxed of any province in Canada; and
- (c) Failing to provide a long-term strategy to bolster Manitoba's economy and make Manitoba a "have" province; and
- (d) Failing to be accountable for the dismal state of agriculture in Manitoba and the lack of sufficient slaughter capacity in the province and to provide a sustainable plan for the growth of agriculture and the rural economy; and
- (e) Failing to provide a climate that encourages private sector job creation and growth in the province, to provide opportunity for Manitoba youth to remain in the province; and
- (f) Failing to accept responsibility and be accountable for the province's unprecedented level of debt, which has grown to over \$20 Billion under the Doer NDP government, thereby mortgaging our children's and grandchildren's future; and
- (g) Failing to eliminate education taxes off residential property and farmland; and

- (h) Failing to provide adequate funding for post secondary institutions; and
- (i) Failing to be accountable for the dead last ranking of Manitoba's health care system by the Conference Board of Canada; and
- (j) Failing to be transparent and accountable for where health care dollars are being spent; and
- (k) Failing to be accountable for the increased court backlog and probation breaches; and
- (l) Failing to provide a long term strategy for the revitalization of rural Manitoba and continuing to ignore rural Manitobans; and
- (m) Failing to be accountable for drawing money from the "rainy day fund" in times of unprecedented revenues.

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

And the proposed sub-amendment moved by Hon. Mr. GERRARD as follows:

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

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

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

And the debate continuing on the sub-amendment,

And Mrs. DRIEDGER, Hon. Mr. STRUTHERS, Messrs. PENNER, DEWAR and ROCAN having spoken,

And Hon. Ms. OSWALD speaking at 5:00 p.m. The debate was allowed to remain in her name.

Tuesday, May 2, 2006

In accordance with Rule 31(8), the Government House Leader announced that the Hometown Manitoba Resolution will be considered next Tuesday, May 9, 2006.

The House then adjourned at 5:00 p.m. until 1:30 p.m. Wednesday, May 3, 2006.

Hon. George HICKES,
Speaker.