



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS

FOURTH SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

By leave, Mr. MCFADYEN for Mr. MURRAY moved:

THAT Bill (No. 211) – The Truth About Crocus Act/Loi concernant la vérité sur le Fonds de placement Crocus, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. MCFADYEN, Hon. Mr. RONDEAU, Messrs. CUMMINGS and MALOWAY, Hon. Mr. GERRARD and Mr. GOERTZEN having spoken,

And by leave, Mr. LAMOUREUX speaking at 11:00 a.m. The debate was allowed to remain in his name and in the name of Mr. DEWAR.

Mr. CUMMINGS moved:

Resolution No. 13: Sustainable Development for Rural Manitoba

WHEREAS appropriate infrastructure is needed to expand economic opportunities in rural Manitoba; and

WHEREAS environmental protection is extremely important to all of society; and

WHEREAS sustainable development opportunities are not happening in rural Manitoba because of insufficient commitment to infrastructure for environmental protection; and

WHEREAS the Provincial Government has not accepted its responsibility to lead in the support of infrastructure development in rural communities.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to actively consider the development of infrastructure for the protection of the environment and the development of economic opportunities in rural Manitoba, including the expansion of slaughter capacity.

And a debate arising,

And Mr. CUMMINGS, Hon. Ms. WOWCHUK, Messrs. DYCK and NEVAKSHONOFF and Mrs. ROWAT having spoken,

And Hon. Mr. ASHTON speaking at 12:00 p.m. The debate was allowed to remain in his name.

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mr. EICHLER – 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. (V. Grant, A. Naughton-Gale, A. Cathcart and others)

Mr. CULLEN– 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. (D. Tegg, J. W. Tegg, B. Benson and others)

Mrs. ROWAT – Legislative Assembly of Manitoba to request the Provincial Government to consider stopping the removal of these positions from our community (Minnedosa), and to consider utilizing current technology in order to maintain these positions in their existing location. (B. Ebner, H. Martin, J. Sherb and others)

Hon. Mr. GERRARD – Legislative Assembly of Manitoba to request the Provincial Government to immediately cancel its plans to support the construction of the OlyWest Hog Plant and Rendering Factory near any urban residential area. (C. Mayo, S. Mayo, C. Finney and others)

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

Following the Prayer on May 5, 2006, the Honourable Member for River Heights raised a matter of privilege contending that the office of the Auditor General was being under-funded, which had the effect of delaying reports, which in turn impaired the ability of MLAs to do their jobs effectively. At the conclusion of his remarks he moved “THAT this matter of privilege be referred to a standing committee of the legislature. The Honourable Government House Leader, the Honourable Member for Russell and the Honourable Member for Inkster also offered contributions to the Chair. I took the matter under advisement in order to consult the procedural authorities.

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

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

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

Regarding the second issue of whether a prima facie case was demonstrated, it is important to determine whether parliamentary privilege has been breached in the actions complained of.

I would like to note for the House that a virtually identical matter of privilege was raised in the Canadian House of Commons on March 9, 1972, when five motions for privilege were brought before Speaker Lucien Lamoureux concerning the failure of the federal Auditor General to table his annual report as required by law. It was contended in the motions of privilege brought forward that the then government had failed to properly fund the office of the federal Auditor General which had an impact on staff and resources for that office, and which created delays in submitting reports, and that the delay of the report affected the privileges of Members by impeding them in the discharge of their duties.

Speaker Lamoureux ruled on March 10, 1972 that there was no prima facie case of privilege, as the complaint about the facilities of the Auditor General's office does not relate to privilege but rather to a matter of administration. Speaker Lamoureux stated in ruling "I remind Honourable Members that this is not a decision on the substance of the matter but one only on procedure, which is the limit of the Speaker's responsibility in such matters." He also indicated that the matter could be raised under different circumstances on another occasion.

I would therefore rule with the greatest of respect that the matter raised is not in order as a prima facie case of privilege. This however, does not prevent the Member from raising the issue in other areas, such as questions in the House, or during discussions held by the Public Accounts Committee or other such decision making bodies for the Legislative Assembly.

Pursuant to Rule 26(1), Ms. IRVIN-ROSS, Mrs. DRIEDGER, Messrs. SWAN, EICHLER and ALTEMEYER made Members' Statements.

In accordance with Rule 27, Mrs. ROWAT and Mr. CULLEN rose on Grievances.

In accordance with Rule 31(9), the Opposition House Leader announced that the Appreciation for Reverend Harry Lehotsky Resolution will be considered next Thursday, June 8, 2006.

The House resumed the Interrupted Debate on the Proposed Motion of Hon. Ms. ALLAN:

THAT Bill (No. 30) – The Fires Prevention And Emergency Response Act/Loi sur la prévention des incendies et les interventions d'urgence, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. LAMOUREUX and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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

THAT Bill (No. 24) – The Consumer Protection Amendment Act (Government Cheque Cashing Fees)/Loi modifiant la Loi sur la protection du consommateur (frais d'encaissement des chèques du gouvernement), be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. LAMOUREUX and Hon. Mr. GERRARD having spoken,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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

THAT Bill (No. 25) – The Consumer Protection Amendment Act (Payday Loans)/Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage), be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. LAMOUREUX speaking at 5:00 p.m. The debate was allowed to remain in his name.

By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 58 tabled on May 9, 2006, was further amended in order that the estimates of Water Stewardship be considered in the Chamber prior to Transportation and Government Services.

The House recessed at 5:04 p.m. until Friday, June 2, 2006 at 10:00 a.m.

Thursday, June 1, 2006

The House resolving into Committee of Supply.

The House then adjourned at 12:31 p.m. Friday, June 2, 2006 until 1:30 p.m. Monday, June 5, 2006.

Hon. George HICKES,
Speaker.