

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

*Published under the  
authority of  
The Honourable Tom Lindsey  
Speaker*

**Vol. LXXVIII No. 31 - 1:30 p.m., Monday, March 18, 2024**

ISSN 0542-5492

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Third Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALTOMARE, Nello, Hon.	Transcona	NDP
ASAGWARA, Uzoma, Hon.	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COOK, Kathleen	Roblin	PC
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JACKSON, Grant	Spruce Woods	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
PANKRATZ, David	Waverley	NDP
PERCHOTTE, Richard	Selkirk	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
SALA, Adrien, Hon.	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
SCHOTT, Rachelle	Kildonan-River East	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SIMARD, Glen, Hon.	Brandon East	NDP
SMITH, Bernadette, Hon.	Point Douglas	NDP
STEFANSON, Heather	Tuxedo	PC
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, March 18, 2024

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

**The Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled before Thee here to—*[interjection]* Sorry about that. I'll start again.

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.

We acknowledge we are gathered on Treaty 1 territory and that Manitoba is located on the treaty territories and ancestral lands of the Anishinaabeg, Anishinewuk, Dakota Oyate, Denesuline, Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit. We respect the spirit and intent of treaties and treaty making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Please be seated.

**MATTER OF PRIVILEGE**

**Mr. Grant Jackson (Spruce Woods):** On a matter of privilege.

**The Speaker:** The honourable member for Spruce Woods, on a matter of privilege.

**Mr. Jackson:** I rise today on a matter of privilege, and argue that the member for Fort Rouge (Mr. Kinew) has breached my privileges as a member of this place by repeatedly calling me a failed political staffer and a poor-quality candidate to be an MLA, which was put on the record in Hansard and is incredibly rich and hypocritical, given his comments last Thursday in this place, where he said he has to rise at all occasions to stand up against personal attacks on the floor—the Legislative Assembly.

These comments were on the record, as I said, and have impeded my ability to serve my constituents. And so therefore I move, seconded by the member for Interlake-Gimli (Mr. Johnson), that this matter be referred to a committee of this House.

\* (13:50)

**The Speaker:** I thank the member for his point of—matter of privilege.

Before anyone else rises to speak on the matter, I would advise that we should all keep our comments relevant to the matter of privilege before us. Anyone else wishing—the honourable Government House Leader.

**Hon. Nahanni Fontaine (Government House Leader):** I would submit to the House that it's not a matter of privilege. I would submit that the member opposite is simply attempting to waste everybody's time in this Chamber here, bringing forward such a frivolous private member's—or matter of privilege.

And certainly, I would, actually, also submit and put on the record that I think it is incredibly hypocritical for any member opposite to attempt to say that the member for Fort Rouge is saying anything disparagely when we know for the last almost eight years what members opposite have put on the record in this Chamber in respect of our Premier and several other members on this side of the House.

So again, it's not a matter of privilege; the member's simply wasting everybody's time.

Miigwech.

**The Speaker:** A matter of privilege is a very important aspect of what we do in this Chamber. As such, I will take the matter under advisement.

**MATTER OF PRIVILEGE**

**The Speaker:** The honourable government—the honourable Leader of the Official Opposition.

**Mr. Wayne Ewasko (Leader of the Official Opposition):** Honourable Speaker, I rise this afternoon on a matter of privilege as well.

**The Speaker:** The honourable Leader of the Official Opposition, on a matter of privilege.

**Mr. Ewasko:** We have both been members of this Chamber for many years and I believe we are both aware how serious of a charge this is.

The ability for a member to freely participate in this Chamber, to fulfill our responsibilities as legislators is vital. If we cannot do our job unobstructed, then Manitobans that have sent us here to this Chamber are not represented in the law-making of our province.

I regret needing to rise today on this matter of privilege. Bosc and Gagnon write at length about the privileges of a member in the House of Commons Procedure and Practice, Third Edition.

These writings have informed much of what I say today. Personal anecdote about how important representation is. Importance of maintaining decorum. House can get lively, but words matter and we are representatives. The work we do matters.

As many of us know, a matter of privilege must meet two criteria, the first of which is that I must be raising this matter at the first opportunity; the second, that it must be a clear—it must be clear that a breach of privilege has occurred, or in the specific terms of Assembly, that a prima facie breach has occurred.

I believe that both of these conditions have been met, and, Honourable Speaker, I ask that you consider what I am presenting to you carefully, as it has a direct impact, not only in my ability to participate, but also on the public's faith in us as their collective representatives.

I am bringing this matter forward at the earliest available time as I needed to consult the House broadcast, as well as Hansard, as well as the relevant material as to ensure that this did, in fact, constitute a matter of privilege.

The series of events and level of hostility I will describe meets these tests on several fronts. As Bosc and Gagnon write, it is impossible to codify all incidents which might be interpreted as matters of obstruction, interference, molestation or intimidation and as such, constitute prima facie cases of privilege.

However, some matters found to be prima facie include the damaging of a member's reputation, the 'usurpation' of the title of a Member of Parliament, the intimidation of members and their staff and of witnesses before committees, and the provision of misleading information. End quote.

On multiple occasions last week, the Premier (Mr. Kinew) manipulated quotations that I gave to The Globe and Mail in an attempt to avoid answering

the important questions that I brought forward on behalf of my constituents and all Manitobans, in my role in this Chamber as the Leader of the Opposition.

The free exchange of questions and answers is a fundamental component of the legislative process. This Premier refusing to answer multiple questions in this Chamber is not why I rise today, but rather the despicable things that he said instead of an answer or any substance.

Honourable Speaker, I chose, as a profession, to be an educator, to be a teacher, had the honour to attend our post-secondary—one of our incredible post-secondary institutions here in this great province of ours, became a teacher. Shortly after that, took a job as an educational assistant working with students with special needs.

And I really feel, Honourable Speaker, that, unfortunately, many of the things that the Premier had stated and put on the record last week, I think, was trying to put a damper of the 17-plus years that I spent as a teacher and guidance counsellor.

I really felt that the time that I spent, and I understand that they—a couple members from the government's side are speaking out of turn just yet, but I'm sure that they will have the—an opportunity to put some words on the record as well.

The 17 years that I had spent as not only a classroom teacher but as a guidance counsellor, many of which had to work with students and the student services teams, not only in our school, our school division, but all across this great province of ours and made many connections with many other professions and professionals within the education world.

Honourable Speaker, on March 12, in avoiding a question about bail monitoring and public safety, this Premier made the accusation, and I quote: Trans children are not safe with me in the political sphere.

To accuse anyone of being a danger to children is a serious allegation, but to a former educator, this is an attempt to completely ruin a reputation.

He also had accused me in the House of making transphobic remarks, called me anti-trans and made allegations of other terrible things.

Honourable Speaker, I had the honour and the privilege of being chosen by my caucus to be the interim Leader of the Official Opposition. That means that, as Leader of the Opposition, I am part of a team that will be holding this Premier and his government to account for not only things that they had promised

during the election, but anything possibly moving forward.

I did state in The Globe and Mail article that I felt, in the position—and I had stated this multiple times before—a matter of fact, the current Education and Early Childhood Learning Minister was present when I mentioned this; he disagreed with me, but he was present when I mentioned this—that all parents and guardians within the province of Manitoba should be informed of anything that's happening within the education world because, Honourable Speaker, at the end of the day, once those students and children hopefully graduate from high school, it is yet the parents and guardians that are still there.

And my comments on this was definitely in regards to making sure that parents and guardians were aware of what is happening in the education world and especially informing parents when it's more than safe to do so, Honourable Speaker. I mentioned on multiple times the fact that I was part of a great student services team. We had resources, we had social workers, we had access to Child and Family Services, we had access to housing, all of those wrap-around supports for students.

\* (14:00)

However, I emphasize at this part that we must wield that freedom of speech carefully, as Speakers such as Parent, Fraser and Driedger have all noted. And in 1987, Speaker Fraser covered the importance of speaking facts and cautioned against the damaging of a member's reputation.

The privileges—and I quote: 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. It is obvious that the unjust damaging of a reputation can constitute such an impediment. The normal course of a member who felt himself or herself were they or them to be defamed—I apologize, I have to back that up because this—I'm quoting. The normal course of a member who felt himself or herself to be defamed would be the same as that available to any other citizen, recourse to the courts under the laws of defamation with the possibility of damages to substitute for the harm that might be done. However, should the alleged defamation take place on the floor of the House, this recourse is not available.

Honourable Speaker, the comments put forward by the member, the MLA for Fort Rouge, the now-Premier (Mr. Kinew), are beneath this House and they are beneath him. He knows what he said was unsubstantiated. He

knows that he was doctoring the quotes to make political hay and he knows the repercussions of making such baseless allegations.

As I said in the start, this took me a little bit to bring this forward, Honourable Speaker. *[interjection]*

I appreciate the member from St. Johns wanting to add comments, and I'm sure she will have the opportunity to do so in a little bit.

To call me, Honourable Speaker, with some of the names that the Premier had called me just because I am suggesting that parents and guardians be informed on—informed, and in some cases consented to, throughout the education world does not make myself or 70-plus per cent of Manitobans polled transphobes, bigots or any other incredibly harmful words that the Premier wants to put on the record.

In fact, as an educator—and I know that there's many in this Chamber—as educators, on a day-to-day basis, we were all working towards and hoping that the parents would want to be involved in their children's education, whether that's parent-teachers, whether that's anything, Honourable Speaker.

And for the Premier to stand up in his place and to start name-calling not only myself, but anyone else who feels that parents and guardians should be informed of what's happening in education world, is, again, beneath the Premier.

And that being said, Honourable Speaker, the point is is that many of us are parents. Many teachers are parents. Many people in the 2SLGBT community are parents and is just trying to make sure that that is there.

We also know, Honourable Speaker, that this Manitoba NDP are familiar with these rules around the intentional damaging of a member's reputation. In 2012—*[interjection]*

Honourable Speaker, I understand that the member for Union Station (MLA Asagwara) wants to put some words on the record. I understand that they are wanting to shout me down at this time because they know that their Premier is wrong.

Honourable Speaker, in 2012, Speaker Scheer found the cyber campaigns made against Vic Toews, then-minister of Public Safety, constituted an attack on the most fundamental privileges of the House and referred the matter to a standing committee.

This example is important in our context because not only was this campaign linked to the Manitoba

NDP, but the individual that obtained the information used in this threat is closely connected to those NDP benches.

Honourable Speaker, we are here today representing Manitobans, and that this is a serious honour that we cannot and shall not make light of. The Premier (Mr. Kinew) rose to defend his Minister of Agriculture (Mr. Kostyshyn) when he felt we had gone too far. He said—the Premier, that is—the hypocrisy of this statement after the personal and baseless attacks he has levelled at myself and my colleagues is indescribable, and he knows this.

As Speakers in this Chamber and in other Assemblies—

**The Speaker:** Order, please. Order, please.

I would ask the member to please finish his matter of privilege and stick to the matter of privilege. I've allowed him quite a bit of latitude in getting off topic, so please stick to the topic and conclude soon, please.

**Mr. Ewasko:** I'm not quite sure where I've gotten off topic, but I'm going to try to—

**The Speaker:** Order, please.

I would remind the Honourable Leader of the—*[interjection]* Order, please. I would remind the Leader of the Official Opposition that commenting on something the Speaker has just said is not acceptable. So please carry on with your matter of privilege and conclude it quickly.

**Mr. Ewasko:** As Speakers in this Chamber and in other Assemblies have previously ruled, the unjust damaging of a member's good name and—may constitute an obstruction and interference of that member.

Honourable Speaker, I move, seconded by the member for La Vérendrye (Mr. Narth), that this House call on the member for Fort Rouge to retract his inflammatory remarks and apologize, as well as direct this matter to an all-party committee for review.

**The Speaker:** Before recognizing any other members to speak, I would remind the House that the remarks at this time by the honourable members are limited strictly to 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. Nahanni Fontaine (Government House Leader):** First and foremost I just want to, on behalf of the member opposite who is wasting all of our time, I just want to apologize to everybody that's in the gallery,

particularly the individuals that are here to see the member for Kirkfield introduce his first bill, the two-spirit and transgender day of visibility act.

The member opposite is delaying our member to be able to introduce his bill and actually wasting everybody's time in the gallery. So let me apologize to everybody in the gallery.

Again, Honourable Speaker, the member opposite said it himself: this occurred—you know, whatever his interpretation of what he thinks occurred—on March 12. That was six days ago. Certainly wasn't the first opportunity that the member could have risen to raise a matter of privilege, again, in however he interprets the conversation or the back and forth that took place here.

Let me say this: I think it is, again, incredibly rich for any member, but actually in particular that member from Lac du Bonnet, to get up into the Chamber and talk about raising a matter of privilege in respect of comments that may or may not have been made in this Chamber. All of us on this side of the House remember the years and years of disrespectful, anti-Indigenous comments that have been levelled against the Premier; transphobic misgendering of our Health Minister and a whole host of other comments, including from the former minister of Finance, who said that I, as an Indigenous woman, would know all about gangs.

\* (14:10)

So it is incredibly rich for any member there to stand up on a matter of privilege in respect of what they may—what they think may or may not have happened.

I want to make it explicitly clear: This is not a matter of privilege. This is members opposite standing in the way, delaying really important government bills. We have amazing bills that are getting ready to be introduced, again, including the two-spirit and transgender day of visibility act.

That's what members right now, sitting in their place, allowing their interim leader to do—to waste time here, that's what they're doing. That's what they're standing in the way. They're standing in the way of historical labour legislation that's going to make it better for workers here in Manitoba.

That's what they're getting in the way of and that's what they're delaying. So, Honourable Speaker, this is not a matter of privilege. Again, I would encourage members opposite—people are here to hear their members'

statements, I'm assuming including members opposite. Let us get on with the work of the day that we are all elected to do. Let's get on with it.

Miigwech.

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

#### MATTER OF PRIVILEGE

**Mr. Obby Khan (Fort Whyte):** Honourable Speaker, on a matter of privilege.

**The Speaker:** The honourable member for Fort Whyte, on a matter of privilege.

**Mr. Khan:** I take this opportunity to rise on this matter of privilege. I do have a very important, significant issue that I'd like to raise as a matter of privilege in this House as it directly impacts my ability to participate as a legislature and, for a matter of fact, everyone in this room, as the matter of privilege that I'm going to raise affects everyone.

To regard to those comments in matter of privilege, it's very rich that the member from St. Johns wants to stand up and talk about the relevance of the—*[interjection]*

**The Speaker:** Order.

**Mr. Khan:**—that our interim leader has brought up the matter of privilege. A matter of privilege is a very serious and significant motion that's brought forward.

And now, the member from Concordia wants to heckle down and shout. And the member from Concordia may not remember, but everyone remembers that it wasn't only him, but it was also the member from Union Station and the member from St. Johns, the member from—a bunch of other members on that side actually stood up and delayed very important issues. About three or four years ago, they went through this process.

Now, the issue at hand here is actually very important. If they listened to what our leader had spoken about, they would understand. If they'd allow me the opportunity—*[interjection]*

**The Speaker:** Order, please.

I would remind all members that matters of privilege are pretty important things that are being brought up and I need to be able to hear them. And I realize that some of the things will be emotionally charged and cause people to want to be able to comment.

They'll have the opportunity to comment when the member is done. And I would advise all members, matters of privilege: stick to the matter of privilege, don't vector off.

**Mr. Khan:** I was going to get to the matter of privilege after just addressing a few opening remarks since the member of St. Johns felt it so relevant or important to comment on what was happening today.

This is the democratic process in which we're going through. This is a legislative process in which we're going to, where members can bring up issues and concerns they have where they may not be able to fulfil their duty as legislatures. That's what this process is about.

What the—our leader had mentioned as a matter of privilege directly affects his ability, his reputation, his image, his messaging as the leader of this party on this side of the House. As well, myself. The misinformation—when the member of St. Johns wants to reference misinformation, it brings me right to my matter of privilege, actually.

So with those opening remarks, I'll get to it. I think that all members in this Assembly need to pay very close attention to the words in which we say, to the way in which we answer the questions that are posed to us.

I think it's something that all members, certainly on this side of the House, feel that's very important. When a question is asked to you, you answer the question. If you don't know the answer to the question, you admit, I don't know the answer to the question. I will get back to you with the information.

The responsibility of an elected official is to listen, advocate and work for their constituents, to work within—sorry, I am fasting; this is day eight right now so the mouth is getting excessively dry—to work within the legislative process to make Manitoba better.

An MLA may be required to fulfill as many as four distinct roles. The role of a legislator involves understanding the spirit of existing laws, passing new laws and studying, discussing and then supporting or opposing the enactment of new laws. We might disagree in this House on what those laws are, what the validity of those laws are, how we institute those laws and move forward on them, but that is why we are all here. We are all here to represent Manitobans. We've been elected to have a voice in the Legislature, and we on this side of the House take that very, very seriously.

In the House of Commons Procedure and Practice, Third Edition, Bosc and Gagnon clearly spell out the expectations that members of an Assembly have the freedoms needed for us to do our work. Included in this is the freedom from obstruction, and this is the important part of the matter of 'plivirege,' so maybe members opposite want to pay attention instead of heckling.

But included in this is the freedom from obstruction, interference, intimidation and molestation. Though often thought of as only physical obstruction, we know that historical precedence expands on this. [*interjection*]

You know, and I can hear the members opposite saying that we're bullies, and you're bullying, and we're bullying, and that I'm a bully and that specifically, Obby, you are a bully. The fact that the members opposite—the minister responsible—

**The Speaker:** Order, please.

I'd remind the member that referring to members by name, even if it's referring to yourself by name, is against the rules of this place. And I would ask the member to keep his comments relevant to his matter of privilege.

**Mr. Khan:** I apologize for that. I was aware I wasn't allowed to mention other members by their name, I was remiss that I thought I could mention myself by my name.

But as I read that last line, and the Minister of Environment might want to listen to this one, included in this is the freedom of obstruction, interference, intimidation. And just before you rose, Honourable Speaker, the minister on that side, the member said—thought it was appropriate to say, the member from Fort Whyte is a bully; you're a bully. I believe that right there, on its own grounds, would be intimidation, would be interference, would be obstruction.

Everyone on this side of the House heard it. I'm sure everyone on that side of the House heard it. I'm sure people in viewing gallery heard the Minister of Environment refer to me as a bully when I'm referencing legislative rules and practices that are done here. She might not like them—she might not like them. She might not like what I have to say, but nowhere does it grant her the right to intimidate or to say what the member is saying.

A member of privilege—a matter of privilege, Honourable Speaker, must satisfy two conditions. And if you bear with me, I will explain why this is the case. These are that *prima facie* breach of privilege has

occurred, and it must be raised at its earliest opportunity. The member from St. Johns had issue with the member from Lac du Bonnet's matter of 'plivirege.' I'll get to the timeline on mine.

Bosc and Gagnon write extensively on the historical precedent that legislatures before us have used to develop the rules by which we operate in this Chamber and that definition of what constitutes the earliest opportunity, and expanded on it to be as soon as practical after becoming aware of the situation.

There are many factors that come into the earliest opportunity. A change from day to day in the House, various changes and moving parts within the legislative process, bill readings and debates, consultation, which is a much-needed process coming forward with any sort of—whether it be a matter of privilege or a bill, which members opposite seem to struggle with the consultation process—meetings that are required before you come forward with a serious matter; various other factors that all must be done at this earliest opportunity.

\* (14:20)

That being said, I have taken time to consult with experts, Hansard, my own notes, as well as refer to the House of Commons Procedure and Practice, as well as the rules we have agreed upon for this Assembly.

Honourable Speaker, I trust that you can expect—accept that this matter of privilege meets both criteria, and I need to reference these matter—these materials before bringing this matter forward. Because a matter of privilege in such matter such as when the Minister of Finance (MLA Sala) invited myself—and this is where the misinformation, this is where the inability to do my work as a legislature, but not only my work as a legislature, I would agree with everyone else's work in this Legislature.

If you don't have the right information, Honourable Speaker, it's hard to be informed. It's hard to let your constituents know. When the Minister of Finance invited me to his office, along with Liberal colleague from Tyndall Park, for a bill briefing on Bill 3, gas holiday, he's used specific language. They had assured us that in the session, and later in the House, that they had done their due diligence on looking at what the gas tax holiday would represent for savings for Manitobans.

**Some Honourable Members:** Relevance.

**Mr. Khan:** The relevance, as members wanted to know, is misleading information. The inability of myself, as



a legislature, to do the work without having all of the prior information.

They assured us that they had done their work, that they had done their due diligence, Honourable Speaker. When it was brought up by myself and other members in that meeting that other jurisdictions had done the same thing and had seen the savings from this gas tax holiday disappear within weeks, the minister had assured us that would not happen in this province and agreed to provide us with information on how they would make sure that doesn't happen.

We had agreed. They had assured us information would be made public. That has not occurred.

And yet, what did we see for this gas tax holiday? Exactly what members on this side of the House had said: that the savings for the gas tax would only be represented for a short period of time, thus making—thus interfering with my ability to do my job as an MLA and everyone in this building.

Again, I will quote for the members opposite, that—this is—and they can check the legislative process and the rules and the legislation: It is impossible to codify all incidences which—this is Bosc and Gagnon, a quote—it is impossible to codify all incidences which might be interpreted as matters of obstruction, interference, molestation or intimidation and, as such, constitute prima facie cases of privilege. However, some matters found to be prima facie include the damaging of member's reputation, the 'ursay' of the title of Member of Parliament and the intimidation of members—sorry, Honourable Speaker.

When you look at the quote from Bosc and Gagnon here, you see directly there: member's reputation. The inability to do your work because the member's reputation could be damaged; that speaks to the previous member from Lac du Bonnet.

This one here is: and the provision of misleading information. End quote. Misleading information, has—provided by the members opposite—has made it, if not impossible, very difficult for members in this Legislative Building to do their work.

Honourable Speaker, it's clear that when you're not given the right information, you are not able to communicate that to your constituents, thus affecting your job, your ability to be an effective legislature in this building.

Members opposite want to heckle and say speak for yourself, speak for yourself. Well, I mean, maybe members on that side of the House are used to getting

false information and then further putting false information out there to the constituents and further spreading false information to the public. And maybe that's how they want to operate.

On this side of the House, we need real information, we need real facts, we need real numbers. When that was asked for from the members opposite, that was not provided, thus interfering with my ability to do my job as an MLA and everyone else in this building.

Instead of the minister providing me with information and tables that were to be provided, I had to table my own report showing that gas prices—and I tabled that in the House, Honourable Speaker, that as soon as gas pricings—savings were instituted, within three weeks, those savings were gone. So much so that the price of gas now is higher than what it was before.

This was cautioned to the minister, it was cautioned to members opposite, it was spoke about at committee at length. Manitobans came and spoke about this, and the minister did not want to listen to this information, and yet, instead, put his misinformation on the record.

That is where we are at: the misinformation, the evaporation of savings within three weeks, as we had cautioned.

The document I tabled showed exactly what we had said in committee and in the briefing: gas prices were back up. This is what we had warned about. This is what we were told would not happen and did happen

Bosc and Gagnon are right—and again, members want to continue to heckle. It is impossible to codify all incidences which might be interpreted. And I have other incidences where I'd get to which affect my ability to do my job as a legislature. It's impossible to codify all incidences which might be interpreted as matters of obstruction, interference, molestation or intimidation and, as such, constitutes prima facie cases of privilege.

However, some matters found to be prima facie include the—damaging a member's reputation, the usurpation of the title of Member of Parliament, the intimidation of members and their staff and of witnesses before committee and the provision of misleading information.

I would ask everyone to pay attention to the very important last point: misleading information we spoke about. We would agree that it's very hard to do your job if you're given wrong information. Holding the

provision of making sure you get the correct information—the Supreme Court of Canada, for example, you have to provide the right information, hold the provision that misleading of information constitutes a breach of privileges of the members of this House.

And it is clear that this government, its Premier (Mr. Kinew), its Minister of Finance (MLA Sala) and all other ministers on that side are guilty of that provision of providing misleading information.

The provision of misleading information has occurred and has prevented me to do the job as an elected MLA properly. By providing me misinformation, I am now spreading that misinformation to my constituents. It is not only my ability, it's everyone's and it's everyone in this when we were sold a book of deeds by this government and this minister that that gas tax holiday would make life more affordable.

The minister failing to answer questions—now, there's misleading information and there's obstruction of information, as is quoted by Bosc and Gagnon. I don't think you want me to requote again, but I can if you want, which says: the—it is impossible to codify all incidences—might be interpreted as matters of obstruction, interference. Not answering a question, Honourable Speaker, is a form of 'abstruction'.

There's no way around this. You ask a question, you don't get an answer. You ask it again. You don't get an answer. You ask it a third time, you don't get an answer. That is obstruction, plain and simple.

To the timeline: March 6, questions were asked, no answer; March 11, questions were asked, no answer; March 13, questions were asked, no answer; and surprise, March 14, questions were asked, no answers were provided. And that was the last day we sat, so today is the earliest time I could bring this up. It was a recurring pattern that has happened over and over again with this government of not answering questions.

And the member from Lac du Bonnet brought up the same points with this Premier, how he refused to answer questions, instead deflected, obstructed, intimidated the member from Lac du Bonnet.

It is very clear that this government and this Premier do not want to answer questions. They are obstructing from information that Manitobans have a right, that they deserve to have answered.

\* (14:30)

When this government now promised they would do things they said they were going to do, Manitobans

have a right to see that. The savings is one example of that. When the minister doesn't want to answer the question and refused to—any of the ministers don't want to answer questions in—

**The Speaker:** Order, please.

I would ask the member to please keep his comments relevant to his matter of privilege. He's now dangerously repeating himself over and over again. If you have something new to bring up in relation to your matter of privilege, please do so.

**Mr. Khan:** Honourable Speaker, and I sincerely appreciate you for guidance when you're standing up or speaking. There's a lot of things happening, so I apologize if I've repeated myself. I'll move on to more dissemination of misinformation and how this matter of privilege is so relevant.

The minister and the government want to table a—have brought up a report over and over again. And I'll ask the Honourable Speaker and everyone, actually, in the gallery, if you're to commission a report, to write a report, and you only get one side of information, you only have one input of information that comes into that, what's going to come out of that report? The information you provided. And I think it was pretty simple. If you want a report to say what you want it to say, you're going to provide one channel of information.

And not only that, that information that goes in there, Honourable Speaker, you're not going to allow it to be audited, may not allow it to be verified, may not allow a third party to take a look at it before you present that information. This is exactly what this government has done, and they're trying to pull the wool over everyone's eyes in this province by disseminating misinformation.

**The Speaker:** Order, please.

I've asked the member to please confine his comments to his matter of privilege. He's getting pretty far afield every time. So I would again remind the member, keep your comments relevant to your matter of privilege and please come to a conclusion rather quickly.

**Mr. Khan:** Again, I apologize. The relevance of that comment in the last time before you said it wasn't, is that it's clearly, it is clear as day that my matter of privilege is about misinformation, that this government and these ministers are providing to not only us as legislatures, to everyone in Manitoba.

So my matter of privilege is on misinformation, and I think it is important that they understand that this

report that this government had done was a one-sided information report; it was unverified, unchecked, unaudited, unsubstantiated, and now this government is quoting this as it's the holiest of holy books, and yet the reports within itself says it did not audit or independently verify the accuracy or completeness of the supporting information.

I mean, that on its own should raise some concerns about misinformation and your ability to do your job. If I take that report forward—

**An Honourable Member:** Sit down. We have people in the gallery. We have people in the gallery.

**Mr. Khan:** You know, Honourable Speaker, now you have the member from St. Johns saying sit down. You have the member from St. Johns saying sit down, yelling at me to sit down. I'm standing here talking about an important thing that's happening—*[interjection]*

**The Speaker:** Order, please.

**Mr. Khan:** And I realize that there are people in the gallery, and this is part of the democratic process. This is important. Manitobans have a right to hear the real information, and the member from St. Johns—*[interjection]*

**The Speaker:** Order, please.

I would again remind members that orders of privilege are very serious matters. I have to be able to hear what's being said, and I would again ask the member for Fort Whyte (Mr. Khan) to please hurry up and conclude his comments and keep them relevant to his matter of privilege, please.

**Mr. Khan:** You know, when we talk about intimidation, Honourable Speaker, and it's clear as day they're intimidating. It's clear as day they're obstructing. It's clear as day they don't want me, as an elected official in this building, to speak about what's important; they don't want that. That in its own is the definition of what I'm speaking about, exactly what I'm speaking about. It's intimidation. It's bullying. It is obstructing. This is what they are doing.

It's not surprising because this is what they do day in and day out in the House. When we ask a question on this side, they refuse to answer it and they attack, refuse to answer to answer and attack, and then they say, oh, that—it's disgusting you guys would do that, and yet they're the ones that did that for eight years on this side of the House.

We are trying to ask questions. We are not attacking. We're just trying to get information. We're trying

to inquire as to what's happening with immigration, as to what's happening with our economy, what's happening with our justice's bail, when this minister said he would have bail changed within 100 days and it's over 150 days and nothing's been done.

This is important. When they campaign on something and now they cannot execute on what they're doing, this is important for Manitobans to know.

I'll get back to the misinformation on this MNP report that, again, I'm not questioning the credibility of MNP. They're giving—they're producing a document based on the information they're given. Unaudited, independently—not independently verified accuracy or completeness of supporting information.

Now, I'll move on. I will move on as the Honourable Speaker has asked me to. That the minister, time and time again, when asked the questions will duck, dodge, dip like a dodgeball. We've all seen that. The minister failing to answer. I'll move on now, as you've requested.

So, we've talked a little bit about the gas tax. We talked about the carbon tax and this Premier's (Mr. Kinew) clear flip-flop over a dozen times now. Well, see, I can't keep track of how many times of flip-flopping on that. Further, in the House—this was outside the House, but you're inside the House—when asked the question, will not give an answer or will obstruct from giving an answer. That's another issue on the carbon tax.

Immigration, the same questions were asked. No answer given. BSC, which is a vital—a vital—resource for building stronger communities in this province, minister refuses to answer. It is a pattern with this government, it is a pattern with these ministers that they do not want to answer any questions. When you're not answering the questions, you are obstructing from members finding out what the answers are. Plain and simple, there's no way around it, that's what it is.

This was brought up at its earliest time, as the last time this came up was on March 14. Today is the next day of sitting, so I believe it is brought up the next time. When this government wants to talk about making affordable living as their—one of their priorities, they are doing the exact opposite of that. It is an increase on April 1, carbon tax will increase 23 per cent and yet this minister and government want to talk about a gas tax that is now higher than what it was on January 1.

They want to talk about gas prices that are higher, when they could have, at committee, spoken about making life more affordable. And I know you're kind

of getting antsy, Honourable Speaker. I'll circle this back to—sorry. I will circle this back to a simple point of, when they say something on that side of the House, as government, it has weight. It carries a message, and when that message is misinformation, when that message is obstructing the questions, when that message is attacking the member opposite for simply doing their job, that is a matter of privilege.

That is why we are elected here. We are critics. We are opposition. It is our job to hold them accountable. They might not like it. I mean, I know when the roles were flipped, it wasn't so likeable on that side either. This is the process. You're going to be asked tough questions that you may not like. You're going to be asked and put in a situation you don't like. But as government, it's their responsibility to do that.

I have a whole list of other examples I can go on and on about, about putting misinformation on it. I can go through every single minister and every single department that's stood up in this House and refuses to answer the question. It needs to stop. These ministers, this government, are—need to be held accountable to Manitobans. They need to be accountable to the institution that we're at, that this is a matter of privilege—sorry, it's really dry today; must be hot in here.

Constituents bear the brunt of this NDP government not putting the right information on the record. As an elected official, we have to have the right information and we have to have answers to the questions so—

**The Speaker:** Order, please.

I've asked the member several times now to conclude his remarks. He's going over the same information over and over, making the same comments, so I would ask him to please wrap up his matter of privilege and quit repeating the same comments over and over.

**Mr. Khan:** Okay, thank you, Honourable Speaker, and, again, appreciate your guidance. I thought I was referencing new points, but I will take the new—the points may be there, but then the—but the body of the context is the same, so I will refrain from that.

\* (14:40)

I'll just use another—one more example, and then I'll move on to the closing remarks of this matter of privilege.

Oh, man, so dry. When it comes to doing your job in this building, you cannot do that without the right information. Plain and simple. The privileges of a member are violated by any action which might

impede him or her in their fulfillment of his or her duties and functions. Plain and simple; if you're not given the information, can't do your job.

I've offered direct evidence of this; I'm going to offer one more of this. And this is completely obstructing, deflecting, avoiding, interfering with information. At committee, it was asked to the Minister of Finance (MLA Sala) how much it would cost to—this government—how much it would cost to convert the existing 260,000 houses in Manitoba off natural gas to geothermal, as this government has said they want to do. They said they want to do it, it was in their campaign, they've said it in here numerous times. They want to take 260,000 houses and put it on geothermal or thermal, because the minister had gone back and forth and said geothermal and air is the same thing. We don't agree; geothermal and air pumps are very different. But regardless.

The question was posed to the Minister of Finance. Minister of Finance said, you can reference Hansard, was, that's a question that the minister of Efficiency Manitoba can answer for you. I asked again; minister of Manitoba efficiency will answer that for you. Okay. We'll take it there. So deflects to the minister of Manitoba efficiency. At committee when that same question was brought up, read word-per-word verbatim, what did the minister of Efficiency Manitoba offer for an answer?

Nothing. Nothing. No answer. I don't have an answer. Can I provide you with an answer? The Minister of Finance was maybe incorrect in deflecting you here. We don't have a price to that. When I offered up our own math calculations, the minister cannot verify that as well.

So question is, if you have one minister deflecting to another minister, you have another minister saying, no, I'm not going to answer that question, that is by definition obstruct—it's deflecting and it's obstructing. Manitobans want to know.

Now, I will wrap up. It's upsetting that the minister cannot provide that data, since this was something that they had ran on, and campaigned that this was the—what they were going to do. Honourable Speaker, it's clear that this NDP government is not forthcoming with information, and therefore making it very difficult to do our jobs.

As Bosc and Gagnon write, and I quote again, it is impossible—last time, and I won't say it again, Honourable Speaker; I know you've—that you've—gave

me some leeway here, so I appreciate that. It is impossible to codify all incidences which might be interpreted as matter of obstruction, interference, molestation or intimidation, and such constitute prima facie cases of privilege. However, some matters—sorry—however, some matters found to be prima facie include the damaging of a member's reputation, their usurpation of the title of Member of Parliament, the intimidation of members and their staff and witnesses before committees, and the provision of misleading information.

This is a serious matter, Honourable Speaker. It has deeply affected all of our abilities in this building to do their job as legislatures. If I had been made aware of this non-data of the gas tax savings or the cost of conversions—

**The Speaker:** Order, please.

I would ask the member to conclude his statement now. He's repeated the same things over and over again. It's not actually going to help resolve the issue. So if the minister would keep his comments relative and wrap up now, that would be greatly appreciated.

**Mr. Khan:** It's the last paragraph here, then I'm done, Honourable Speaker. *[interjection]*

I mean, this is direct intimidation, is what I'm talking about in the House. Direct intimidation, obstruction of trying to do our job. The members opposite have such a short memory that they recall—they seem to forget that they've done this for the last eight years, they did this every single session; that they spoke and spoke at lengths, and because it's the democratic legislative process, we let it occur.

Now, wrapping up, taking all of this into consideration, Honourable Speaker, I move, seconded by the member from Agassiz, that this House refer to this matter on all-party committee for consideration.

Thank you, Honourable Speaker.

**The Speaker:** The honourable Opposition House Leader.

**Mr. Derek Johnson (Official Opposition House Leader):** On House business.

**The Speaker:** On House business.

**Mr. Johnson:** Could you please canvass the House for leave to pause this matter of privilege so that the House may consider members' statements, private members' statements, with the understanding that after the five statements, we will immediately resume this matter of privilege?

**The Speaker:** Is there leave to pause this matter of privilege so that the House may consider members' statements with the understanding that after the five statements, we will immediately resume this matter of privilege?

Is there leave? *[Agreed]*

## ROUTINE PROCEEDINGS

### MEMBERS' STATEMENTS

#### Russ and Fred

**Hon. Nahanni Fontaine (Minister of Families):** If I can just have a bit of leeway, Honourable Speaker.

I'm going to say the members' statement now, folks. Can I just have, like, two seconds? Okay, thank you.

**The Speaker:** Could I ask the member to proceed with her statement.

**MLA Fontaine:** Just—they're making their way down. They're just—they need a little bit of help. Just—okay. Miigwech. Miigwech, Honourable Speaker.

Today, I'm—I want to honour the very special friendship of Russ and Fred, who join us in the gallery.

During the COVID-19 pandemic, Russ had challenges connecting with people in the community and, because of the isolation, he had a hard time meeting new friends.

Russ and Fred met back in 2022 at the autism ride and poker derby annual fundraiser. As a huge fan of Harley-Davidson, Russ was thrilled to learn the ride would be hosted by the Winnipeg Harley-Davidson store, and he volunteered to sell raffle tickets.

Russ and Fred started talking over lunch, and the two instantly bonded over their shared love of all things motorcycle. After their meal together, Russ checked out Fred's bike and got to see it in action.

The pair now meet up regularly to swap stories and pictures from their lives, whether it be a cool car or the bike they found, a WWE wrestling show or a precious memory of friends and families.

This has made a positive impact on both of their lives, and Russ has been much happier with his friend Fred.

Through the friendship, Russ welcomed Fred into a wider community surrounding St. Amant, a non-profit organization dedicated to supporting folks with developmental disabilities, autism and acquired brain injuries.

With 2,200 people with disabilities and over 2,000 staff work together every day to lead deeply authentic and meaningful lives as part of our Manitoba community.

By placing the values of collaboration, 'hospitality,' excellence and respect at the core of their work, everyone at St. Amant plays an important role in advancing the cause of inclusion across the province.

Russ and Fred's friendship highlights all that is good and the value of taking time to see one another as family in this big, beautiful province of ours.

Miigwech to Russ, Fred and the whole St. Amant team for your invaluable contributions to our province and our communities.

If I can ask everyone to honour our special guests in the House today.

\* (14:50)

### Thunderhill Ski Area

**An Honourable Member:** Today, I rise to recognize one of the many gems of my—

**The Speaker:** Sorry; the honourable member for Swan River.

**Mr. Rick Wowchuk (Swan River):** Today, I rise to recognize one of the many gems of my constituency, Thunderhill Ski Area, located 30 kilometres west of Swan River.

Thunderhill serves as a place of recreation for families, school groups and outdoor enthusiasts. It has 24 groomed trails where 200-plus skiers and snowboarders will come on any given weekend to challenge the largest vertical drop in Manitoba of 450 feet, and two of the longest runs of over 1.2 kilometres.

Thunderhill was started in 1967 as a centennial project by Benito Elks. In 1974, a group formed the Thunderhill Ski Club. Upgrades were done and in 2013 a modern T-bar was installed, which allowed for expansion of the ski area.

A group of hill supporters gathered in 2020 with a vision to replace the existing chalet and rental facility located on top of the hill. This vision included a facility at the base of the multi-season use, including multi-use trail systems for mountain biking, hiking, snowshoeing and cross-country skiing.

This vision initiated a fundraising campaign, which 110 individual organizations and business sponsors came together and generated over \$1.3 million to build the new Swan Valley Co-op Chalet.

The Province, under the leadership of the PC government, was able to join the effort with a \$300,000 BSC funding, and so construction began in the spring of 2021.

The group was successful in applying for an ACSC funding towards a magic carpet lift for new skiers. The ski area will also repurpose two COVID shelters into first aid and ski instructor facilities.

Thank you to the many builders, donors and volunteer committee members for your work in making Thunderhill a first-class facility to bring joy to so many, when it comes to skiing the Prairies.

### Canadian Palestinian Association of Manitoba

**Mr. Tyler Blashko (Lagimodière):** I rise today to acknowledge the contributions of the Canadian Palestinian Association of Manitoba. Founded in 2013, CPAM is a community organization that helps newcomers find success and brings people together.

Celebrating and preserving Palestinian culture for future generations is a central goal for the organization. Sharing their heritage and history through crafts, cooking and dabka, a Palestinian style of dance, instills a sense of pride in younger generations and builds bridges across the province.

As they care for their growing community, raising awareness of the issues faced by Palestinians has become a necessary part of their work. CPAM has continued to work in collaboration with many organizations on demonstrations, vigils, fundraisers, academic panels and family events.

Their bridge building and education has brought together labour, academia, cultural communities, faith groups, queer and Indigenous organizations. Confronting the dehumanizing effects of Islamophobia and anti-Palestinian sentiment is an everyday reality.

As part of that work, they recently partnered with national organizations to bring Canadian MPs to the West Bank. We are gathered here during the holy month of Ramadan, as CPAM raises awareness and lives with the knowledge their family and friends in Gaza are facing starvation.

Just last month, the community established a mosque in St. James. Beit Nabala Mosque is named after a historical village that many Palestinian Manitobans tie their histories to and whose families were displaced from in 1948. The mosque also serves as the offices for CPAM.

Palestinians have lived here in Manitoba for over 60 years. They are business owners, lawyers, students, academics, professionals and valued members of the community. Palestinian history is Manitoban history. Our province is stronger because of the work, activism and community building that CPAM has taken on over the years.

We have in the gallery Ramsey Zeid, their president, members of his family and members of CPAM. Thank you for your continued commitment to your community, to bridge building and a more just and equitable world.

#### **Grant Lazaruk**

**Mr. Greg Nesbitt (Riding Mountain):** HyLife, a global food company and Neepawa's largest employer, has a new chief executive officer following the retirement of Grant Lazaruk.

Lazaruk, who grew up on a farm near Oakburn and was educated in Rosburn, served as CAO–CEO of one of the largest pork producing companies in Canada since 2010 before retiring at the end of February.

When the farm boy joined the company, there were 65 employees at the first Christmas party. Today, there are 2,800 employees. In 2010, weanling pigs were sold into markets in the United States. Today, HyLife sells pork around the world.

HyLife has gone from a company representing a pair of farm families to a multinational company and Lazaruk has been an integral part of the company every step of the way, guiding HyLife through both prosperous and challenging times.

The 60-year-old Steinbach resident said he is confident in the solid leadership team in place at HyLife and believes now is the right time to step back and focus on his family and his community.

Lazaruk has always believed in giving back to his community and serves in a leadership role with the Steinbach Pistons of the Manitoba Junior Hockey League. He is also involved in the planning and construction of the Southeast Event Centre in Steinbach.

Thank you, Grant, for your years of work in growing HyLife into a major employer and contributor to the Manitoba economy, as well as one of the best food companies in the world.

Congratulations from your friends and relatives in the Riding Mountain constituency and indeed all Manitobans on your well-deserved retirement.

#### **Earl Grey Community Centre and Dante Day Nursery**

**Mr. Mark Wasyliw (Fort Garry):** Honourable Speaker, it's my pleasure to rise today and speak on the incredible milestones of the Earl Grey Community Centre and Dante Day Nursery. This year, the Earl Grey Community Centre will be celebrating their 100th anniversary, and Dante Day Nursery will be recognizing their 50th.

Over 100 years ago, a group of ambitious community members came together in the block of Fleet, Garwood and Dudley to contemplate what would best benefit the residents of Earl Grey. 'Deckiding' on a skating rink and a baseball diamond in 1924, the project eventually led to the Earl Grey's first clubhouse, a donated box car from CN railroad.

Today, the Earl Grey Community Centre is doing its part to keep our community vibrant. They offer a variety of recreational programs like movie night, sports games, family dances, fundraisers, craft sales and seniors' activities.

Located in the same building, Dante Day Nursery has been providing child-care services to families in Fort Garry since 1974. Established by founding members like Maria Ursi and Frances McQuiggin, this nursery has been resoundingly successful in providing safe, caring, high-quality care to all children who attend.

I would like to congratulate Karen Webster, the director of Dante Day Nursery, Sue-Ann Campbell, the general manager of Earl Grey Community Centre, and all the staff and volunteers throughout the years who have made these remarkable milestones possible.

On June 21, both centres will be hosting a joint annual family fun night. I look forward to celebrating this amazing accomplishment with them, and I hope my colleagues will join me in doing the same.

Thank you.

**The Speaker:** Before recognizing any other members to speak—as previously agreed, we will now return to the matter of privilege.

#### **MATTER OF PRIVILEGE**

*(Continued)*

**The Speaker:** Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited—strictly relevant comments about whether the 'alleged' matter of privilege—the alleged matter of privilege has been

raised at the earliest opportunity and whether a prima facie case has been established.

**Hon. Nahanni Fontaine (Government House Leader):** For the third time today, it's my honour to get up in the House and disabuse what the member for Fort Whyte (Mr. Khan) has put on the record.

First and foremost, let me just say, Honourable Speaker, which I suspect most people in this Chamber would know, it wasn't the earliest opportunity that the member had to get up and raise a matter of privilege. So I would submit that to the—to your leadership.

And, you know, I find it particularly amusing that that particular member would get up in the House and claim that members on this side of the House are bullying him, when that member, and actually every single member across the way, chose to stand in support and champion and celebrate a provincial election campaign on the backs of and at the risk of and the detriment to trans youth in Manitoba.

\* (15:00)

In fact, the member opposite was the face of a political campaign that chose to put trans youth in Manitoba at risk; he was the face of it.

There is nothing more—there's not a quintessential example of bullying than what that member stood for during the election. And that member stood up for all Manitobans, and actually for all Canada, to see, in which, you know, I know that the members opposite don't have much connection with folks across the—Canada, but I can tell you that people across Canada were absolutely disgusted with the political campaign that the members opposite, again, all signed on to, including a political campaign on the backs of and on the murders of Indigenous women.

That's what members opposite chose to do. So when the member opposite gets up in this Chamber and 'trines—tries to fake—like, say that he's being bullied we know that that's absolutely nonsense. What the members opposite are attempting to do today is block really important legislation in our province, legislation that will revolutionize labour law, legislation that is—

**The Speaker:** Order, please.

I would request that the member keep her comments relevant to the matter of privilege.

**MLA Fontaine:** Let me just say this: No member opposite, including the member for Fort Whyte, has a leg to stand on in respect of anything that they've tried to

present to the Chamber here today and to Manitobans in respect to being bullied or not being able to do their job or however they construct whatever they heard. They have not a leg to stand on.

In fact, members opposite, including the members that have gotten up today, are really the face of what they're trying to blame our members over here. It's not a matter of privilege, and I suspect that the Honourable Speaker will rule it as such in his due time.

Miigwech.

**The Speaker:** The honourable member for Tyndall Park, on the same matter of privilege.

**MLA Cindy Lamoureux (Tyndall Park):** Yes, Honourable Speaker, on the same matter of privilege.

**The Speaker:** The honourable member for Tyndall Park.

**MLA Lamoureux:** I'm not going to speak for very long. I don't want to stand between legislation being introduced, especially while we have guests up here in the gallery. But I did want to express just a few thoughts, Honourable Speaker.

I remember, it was not very long ago that when the NDP were in opposition, they used this very same tactic, we're going to say, for multiple days. We now see—multiple weeks, perhaps. We now see the PCs perhaps are doing the same—it might be a little early to tell—but we are a couple of hours now into the afternoon, and it is disheartening. When we come to work, we come here to serve our constituents. We come here to work for Manitobans. We know that we need to be debating the petroleum situation; it's being characterized as compromised right now, Honourable Speaker.

There are a lot of further discussions we could be having, and as opposition, as independent members, we need to do our best job to hold this government accountable, and I believe in order to do that, we need to continue on with orders of the day.

Thank you.

**Mr. Wayne Balcaen (Brandon West):** On a matter of privilege, Honourable Speaker.

**The Speaker:** I'd advise the honourable member for Brandon West that we've not finished dealing with this matter of privilege.

On this matter of privilege, I have a ruling for the House.



On the matter of privilege raised by the honourable member for Fort Whyte (Mr. Khan), I would like to inform the House that this is clearly a difference of the facts.

Past Manitoba Speakers have ruled on several similar occasions that a dispute between two members as to allegations of fact does not constitute a breach of privilege.

Bosc and Gagnon advise on page 148 of the House of Commons Procedure and Practice that if a question of privilege involves a disagreement between two or more members as to facts, the Speaker typically rules that such a dispute does not prevent members from fulfilling their parliamentary functions, nor does such a disagreement breach the collective privilege of the House.

Beauchene's, citation 31(1) advises that a dispute arising between two members as to allegations of facts does not fulfill the conditions of parliamentary privilege.

Joseph Maingot, on page 223 of the second edition of Parliamentary Privilege in Canada states: a dispute between two members about questions of facts said in a debate does not constitute a valid question of privilege because it is a matter of debate.

I would therefore rule that the honourable member does not have a prima facie case of privilege.

**Mr. Derek Johnson (Official Opposition House Leader):** With the utmost respect, Honourable Speaker, I challenge your ruling.

**The Speaker:** The ruling of the Speaker has been challenged.

#### Voice Vote

**The Speaker:** All those in favour of supporting the ruling of the Speaker, please rise—please say aye.

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**The Speaker:** In my opinion, the Ayes have it.

#### Recorded Vote

**Mr. Johnson:** On a recorded vote, please, Honourable Speaker.

**The Speaker:** A recorded vote has been requested. Call in the members.

\* (16:00)

Order, please.

The one-hour time limit provided for the ringing of the division bells has expired. I am directing the bells be turned off and the House proceed to the vote.

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

#### Division

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

#### Ayes

*Altomare, Asagwara, Blashko, Brar, Bushie, Cable, Chen, Cross, Dela Cruz, Devgan, Fontaine, Kostyshyn, Lathlin, Loiselle, Maloway, Marcelino, Moroz, Moses, Moyes, Naylor, Oxenham, Pankratz, Redhead, Sala, Sandhu, Schmidt, Schott, Smith, Wasyliw, Wiebe.*

#### Nays

*Balcaen, Bereza, Byram, Cook, Ewasko, Goertzen, Guenter, Jackson, Johnson, Khan, King, Lagassé, Narth, Nesbitt, Pivniuk, Schuler, Stefanson, Wharton, Wowchuk.*

**Clerk (Mr. Rick Yarish):** Yeas 30, Nays 19.

**The Speaker:** The motion is accordingly passed.

The honourable member for—[interjection] The ruling is accordingly sustained.

\* (16:10)

#### MATTER OF PRIVILEGE

**Mr. Wayne Balcaen (Brandon West):** On a matter of privilege.

**The Speaker:** Honourable member for Brandon West, on a matter of privilege.

**Mr. Balcaen:** Honourable Speaker, I rise today to raise a matter of privilege.

Though I may be new to this House, as has been pointed out by the honourable member for St. Johns (MLA Fontaine) several times, I comprehend the amazing responsibility that we have been given by all Manitobans—each and every one of us—to be in here and to rise on a matter of privilege. We are here on their behalf, and we need to be able to do our jobs and represent them—each and every one of them.

That is why I rise on this very, very important and significant issue, as it directly impacts my ability to represent them. That is why I think it's something that all members opposite should pay very close attention

to, and it's something that I think that all members, and certainly on this side of the House, feel is an important matter of privilege.

In House of Commons Procedure and Practice, in the third edition, Bosc and Gagnon clearly spell out the expectation that members of an assembly have and the freedoms that are needed for us to do our work. Included in this freedom is freedom from obstruction, interference, intimidation and molestation.

Though often thought of as only physical obstructions, we know that historical precedents matter, and they expand on this. And as it should, as no member in this House should be obstructed from doing their duty and their due diligence.

There are two criterion that a point of privilege must meet, and I'm sure everyone is well aware of that in this House, but I will reiterate it. It must be raised at the first available opportunity, and it must be a clear example of a violation of privilege.

The situation that I am raising today meets both of these criterion, and this is the first opportunity that I have had to raise it only after consulting Hansard and other relevant material as well as Bosc and Gagnon and their informative text.

Representing my constituency, the constituency of Brandon West, it is of utmost importance and is paramount to my duties to be able to speak to this matter of privilege.

Representation is the cornerstone of being an effective and productive member of this esteemed Chamber. And it's also an expectation of my and collectively our constituents of this great province. If a member of this Legislative Assembly cannot represent their constituents, then public trust and confidence is eroded in a system that is set up in such a democratic fashion. Each of us was sent to this great Chamber to represent our ridings, and it is not only an honour and a great, great privilege to do that, but it's an expectation that is bestowed upon each and every one of us in this House.

I personally put my name forward to become a member of the Legislative Assembly of Manitoba, as I have deep and unwavering belief in freedoms that we, as Canadians, and by default, Manitobans, all have. I've spent my career making sure that these freedoms are respected and these freedoms are granted to each and every one of us.

The freedom of expression—the freedom of expression, Honourable Speaker—is at the very height,

the very top of this list. I put my name forward to represent the people of Brandon West so that I could continue my long career of public service to my constituency, to my community, and to assure—ensure they had a strong and caring voice in this Chamber.

And, Honourable Speaker, I know that that is each and every one of us in the Chamber, whether it's on this side of the House or the side opposite, we are all here for that same reason. Also of a great—of great importance was the ability to change others in this Chamber, when—or, sorry—challenge others in this Chamber, when I believe an error has been made. And, therefore, I get to exercise my legislative rights to raise a matter of privilege in this House.

I have always, always stood for what is right, even when that stance is unpopular or uncomfortable to express. We may disagree in this Chamber, but we all serve Manitobans, and that must come first. As we all serve Manitobans for what is best for everyone, it is incumbent upon each and every one of us to ensure our voice is heard, and we have the opportunity to challenge these errors—

**The Speaker:** Order, please.

I'd request that the member kindly get to his matter of privilege; he's talked for quite a while, and we still have no idea what that matter of privilege is. *[interjection]* Order.

**Mr. Balcaen:** Thank you very much, Honourable Speaker, for the guidance; as I mentioned earlier in this—I'm new to this Chamber, and I'm slowly starting to learn all of the rules of order. And I appreciate you making sure that I stay on track.

And as I said that the House of Commons Procedure and Practice, the third edition, Bosc and Gagnon clearly spelled out the expectations and the freedoms needed for us to go along our work. So I'll continue getting to where my matter of privilege is, Honourable Speaker.

\* (16:20)

As I said, we may disagree in this Chamber, but we all serve the Manitobans that put us here. And you know what, it's important that factual errors or statements that are incorrect, misleading or leave false impressions on our powers here at the provincial level are addressed.

Manitobans deserve the truth, and fact-based—as a matter of fact, evidence-based information needs to be shared in this Chamber and outside of this Chamber

when we are addressing Manitobans, whether that be during campaigns or while speaking during session.

Everyday Manitobans implore us to bring them information that they can trust and understand from a layman's perspective, not veiled in wording that confuses or twists the meaning of what has been presented.

And that, Honourable Speaker, is why I must bring this concern forward, as it has impacted my ability to represent the citizens of Brandon West and, therefore, all citizens of Manitoba.

Bosc and Gagnon write about the difference between privilege and contempt, and the fact that certain actions are affronts against this very Chamber. One of the listed examples is deliberately attempting to mislead the House.

Unfortunately, that is an action that this Premier (Mr. Kinew) has undertaken in response to myself and other members on this side of the House when they're raising concerns.

Honourable Speaker, you may be compelled to recognize these differences as a matter of debate, but it is much more clear cut, and I will provide specific, irrefutable examples throughout my matter of privilege.

Manitobans have been clear: public safety is one of the most important concerns that they have. It's been expressed by the Premier and his party, as well as our party, the utmost importance of public safety. *[interjection]*

Thank you.

And I will add to that again, Honourable Speaker, that I've spent my career, 33 years, over three decades—

**The Speaker:** Order, please.

I would ask the member to please get back to his matter of privilege and direct his comments to his matter of privilege.

The honourable member for Brandon East (Mr. Simard)—oh, member for Brandon West.

**Mr. Balcaen:** As you're aware, I have some hearing difficulties, so I have to take a moment to use the hearing device in order to catch exactly what you're saying. I appreciate, again, the information that you're providing me to continue on this route.

So—I have to find where I was, sorry—Manitobans have been clear that public safety is one of the most important concerns that they have, and that is where

it's leading to my matter of privilege that I rise in this House to speak about today, Honourable Speaker.

Manitobans not only expect a safe and secure community, but they deserve it. They deserve to be able to leave their homes and walk to their cars, walk in their communities, their neighbourhoods, and not only have the feeling that they are safe, but know that they are safe and protected.

Manitobans want to be able to go out with their families, with their children, with their grandchildren and with their great-grandchildren to walk in parks, in playgrounds, at fairs and know that they will all return home safe and sound after a day of family time and adventure. Manitobans want and deserve to know that if they are the unfortunate—unfortunate—victims of a crime, especially one of violence, that they will be protected from reoccurrence and that offenders will be dealt with appropriately, justly and timely.

Honourable Speaker, I have been fortunate to protect the people of Brandon, Westman and all of Manitoba since 1990 when I began my law enforcement career. I have worked the front lines of uniform policing, attending to Manitobans' 911 calls, calls that are often made during the worst circumstances imaginable and while our citizens are experiencing trauma that many of you in this Chamber can only imagine in your very worst nightmares.

I have worked in detective units where I have been assigned to follow up on horrific—*[interjection]*

**The Speaker:** Order, please.

I've asked the member a couple times now to please keep his comments relevant to his matter of privilege. I believe he's giving a nice political speech, but please, let's hear what your matter of privilege is.

**Mr. Balcaen:** I will certainly get to that matter of privilege. I've touched on it a couple of times, and I will continue to make sure that—*[interjection]* I'm sorry?

**The Speaker:** Order, please. Order, please.

The honourable member for Brandon West (Mr. Balcaen) has the floor.

**Mr. Balcaen:** Thank you, Honourable Speaker, appreciate that very much and the opportunity to continue my matter of privilege here in this House.

As I said, some of the areas while I was a detective would be—I would be assigned to follow up on some of these horrific crimes that happen within our province and within our cities, and crimes that victims hope and pray that their offenders will be locked away

for life. A lot of them look to bail reform for this, to the bail system. And that's where I am heading with this point of privilege, Honourable Speaker.

I've also been in the drug enforcement units where we focused on traffickers who brought powdered death to our communities. And I speak of these because—*[interjection]*

**The Speaker:** Order, please.

The member from Brandon West still has the floor. *[interjection]* Order, please.

If the member would please address his matter of privilege and never mind what the rulings of the Speaker are about calling order. Please get to your matter of privilege sooner rather than later.

**Mr. Balcaen:** Thank you, Honourable Speaker, and I appreciate the guidance again.

I speak about the traffickers and the drug traffickers that bring in this powdered death to our communities because it's one of the causes of crime. And it's certainly an area that the Premier (Mr. Kinew) and this NDP government has spoke about, is being tough on crime, but the causes of crime. And if it's not recognized in my matter of privilege that clauses of crime are what has brought us to this matter of privilege. That is why I'm bringing this forward, Honourable Speaker.

\* (16:30)

I've also been in executive positions within our police service where I got to advocate for real change on the bail system at a national level where federal laws that are embedded in such statutes as the Criminal Code of Canada and the Controlled Drugs and Substances Act are legislated. These are both areas that we need to recognize are federal issues, Honourable Speaker, and the relevance for this is that bail reform can only be done at a federal level. *[interjection]* It cannot be done, as has been spoken to—

**The Speaker:** Order.

**Mr. Balcaen:** It cannot be done at a provincial level without consultation and direction from the federal government. They are the ones that make legislation at the federal level such as the Criminal Code of Canada and—

**The Speaker:** Order, please.

I've repeatedly asked the member to get to his matter of privilege. *[interjection]* I'd strongly advise him to get to his matter of privilege—*[interjection]*—

now, and I'd ask the Government House Leader (MLA Fontaine) to please refrain from commenting, particularly when the Speaker is standing.

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

**The Speaker:** Order, order.

Once again, the Speaker is standing. That means your applause comes to a stop, chatter comes to a stop, and you show the Speaker, the position, the respect it deserves, and I will expect that in the future.

**Mr. Balcaen:** I appreciate those words of wisdom as in my career having that respect for the authority has always been paramount, and I hope I observe that daily with you in this House.

I'm having a difficult time, sometimes getting to the text of my member—order of privilege, Honourable Speaker, because I keep getting heckling and, of course, I have to stop and listen to what's being said before I can go forward. So I will continue on this path and thank you.

My commitment to public safety is unwavering, and I dedicated my entire life to the study, practice and implementation of public safety initiatives, including bail reform. And this has included over 33 years as a law enforcement officer, as a member of research committees on such topics as bail reform, involvement in local, provincial and national committees that focus on public safety and bail reform. And I can bring in these levels a voice to federal laws, something that—

**The Speaker:** Order, please.

I've asked the member from Brandon West to please tell me what his matter of privilege is. I've asked him several times, and I would strongly recommend that he puts down his prepared speech and tells us what the matter of privilege is, which he wishes to have us address.

**Mr. Balcaen:** Honourable Speaker, I appreciate the guidance again. I've mentioned it a few times that my matter of privilege has to do with bail and bail reform and the fact that bail is actually a federal jurisdiction when it comes to bail reform and not a provincial jurisdiction, as was brought forward by this Premier and his party during elections.

So we've also heard, Honourable Speaker, that false and misleading information in this Chamber during question periods, during speeches by this side of the House, as well as during their campaign; so that is some of my concerns on this matter of privilege, is that I can't effectively do my job as an MLA.

But secondly, as the critic for Justice, when false and misleading statements are presented in this House, and I have the commitment to Manitobans to make sure that information that is put out in this House is relevant, is true and is timely. And so I wanted to make sure that I brought this matter of privilege forward, because I'm deeply rooted in safety, and I want to make sure that all Manitobans have the opportunity to be—

**The Speaker:** Order, please.

I'd ask the member to now conclude his matter of privilege. I've asked the member to please conclude his matter of privilege.

**Mr. Balcaen:** Well, thank you for the guidance, Honourable Speaker. I have a few more points that I must bring forward on this matter of privilege, because it's absolutely relevant to what we have been talking about—*[interjection]*—on bail reform. I don't find it a laughing matter myself; I find it extremely, extremely serious. So—and I would ask that members opposite respect the matter of privilege that is brought forward.

Again, as a new member, I've read through some of the directions of this House, and one of them is the matter of privilege, and it should be given due respect, Honourable Speaker.

So, again, getting back to time that—I think it's important being a lifetime learner on these areas of law and of bail reform. It is certainly important that I, as a critic for Justice, as a member of this Legislative Assembly and as a representative of my constituents of Brandon West, that I have the ability to bring this matter of privilege forward and touch on the many points that I think Manitobans should be aware of, that Manitobans have maybe been misled on or their guidance isn't necessarily where I think it should be regarding federal bail reform.

And that's why, Honourable Speaker, I have brought this matter of privilege forward regarding bail reform and the misguidance that has been put out to Manitobans. And I want to make sure that they're well aware of this, as I continue on.

So I can continue to articulate and discuss bail reform and what can't be done on the Canadian and Manitoban stage—

**The Speaker:** Order, please.

The member from Brandon West is beginning to try my patience. I've asked him to please conclude his matter of privilege, and I would ask that he now concludes it.

**Mr. Balcaen:** When pressed on this vital subject of bail reform, this Premier (Mr. Kinew) has reiterated commitments that he made in the election regarding bail reform. Indeed, he is conflating the terms with bail monitoring, and has misrepresented this Legislature's ability to change and influence the Criminal Code of Canada.

So, with that said, Honourable Speaker, there are many, many areas of this that need to be looked at regarding bail reform and the fact that it cannot be changed at a provincial level.

\* (16:40)

So, considering all of this, Honourable Speaker, I move, seconded by the member for Swan River (Mr. Wowchuk), that this matter be referred to an all-party committee for review.

**The Speaker:** Before recognizing any further members—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 the prima facie case has been established.

**Hon. Nahanni Fontaine (Government House Leader):** So the member opposite and I have one thing that we agree on, and that is that it is a fact that he's just a new member, just recently getting elected, so he's been elected for a couple of minutes now and certainly doesn't understand what a matter of privilege is and how important and actually, quite honestly, how sacred a matter of privilege is within our legislatures and Parliament.

And so he is doing the bidding of his members, his caucus there, to try to stand up in this House—he's actually going against what he was actually voted in for, which is to do the work of the Chamber, to do what he's elected to do, which is to debate bills.

But he's being used by members in his caucus to delay our legislation, our legislative agenda, which is a really, really good legislative agenda. So I'm looking forward to when they're going to hear from our members on their legislation.

So, again, Honourable Speaker, I would question, and I would submit to the House that this is not the earliest opportunity that the member opposite had to raise this supposed matter of privilege and, secondly, it simply isn't a matter of privilege.

Let's get on with the business of this House. Let us move into introduction of bills and do the work that we are elected to do.

**The Speaker:** On the matter of privilege raised by the honourable member for Brandon West (Mr. Balcaen), I would like to inform the House that this is clearly a difference of facts. Past Manitoba Speakers have ruled on several similar occasions that a dispute between two members as allegations of fact does not constitute a breach of privilege.

Bosc and Gagnon advise, on page 148 of the House of Commons Procedure and Practice, that if a question of privilege involves a disagreement between two or more members as to facts, the Speaker typically rules that such a dispute does not prevent members from fulfilling their parliamentary functions, nor does such a disagreement breach the collective privileges of the House.

Beauchesne's citation 31(1) advises that a dispute arising between two members as to allegations of facts does not fulfill the condition of parliamentary privilege.

Joseph Maingot, on page 223 of the second edition of Parliamentary Privilege in Canada, states: a dispute between two members about questions of facts said in a debate does not constitute a valid question of privilege because it is a matter of debate.

I would therefore rule that the honourable member does not have a prima facie case—prima facie matter of privilege.

**Mr. Derek Johnson (Official Opposition House Leader):** I respectfully challenge your ruling.

**The Speaker:** The ruling of the Speaker has been challenged.

#### Voice Vote

**The Speaker:** All those in favour of the ruling, please say aye.

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**The Speaker:** I believe the Ayes have it.

#### Recorded Vote

**Mr. Johnson:** I really thought we had it that time, Honourable Speaker.

I would like a recorded vote.

**The Speaker:** A recorded vote has been called. Please call in the members.

\* (17:30)

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:

#### Ayes

*Altomare, Asagwara, Blashko, Brar, Bushie, Cable, Chen, Cross, Dela Cruz, Devgan, Fontaine, Kinew, Kostyshyn, Lathlin, Loiselle, Maloway, Marcelino, Moroz, Moses, Moyes, Naylor, Oxenham, Pankratz, Redhead, Sala, Sandhu, Schmidt, Schott, Smith, Wasyliw, Wiebe.*

#### Nays

*Balcaen, Bereza, Byram, Ewasko, Guenter, Jackson, Johnson, King, Lagassé, Narth, Nesbitt, Pivniuk, Schuler, Wharton, Wowchuk.*

**Clerk (Mr. Rick Yarish):** Yeas 31, Nays 15.

\* (17:40)

**The Speaker:** Motion is accordingly passed.

\* \* \*

**The Speaker:** The—[interjection]

I would just point out to all members that the one member that was trying to vote did not have their camera on when the bells stopped ringing, so, unfortunately, they can't vote at that point.

Ruling of the Chair has been sustained.

\* \* \*

**The Speaker:** The hour now being past 5 o'clock, this House stands adjourned and is adjourned until 10 a.m. tomorrow.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, March 18, 2024**

**CONTENTS**

**Matter of Privilege**

Jackson	801
Fontaine	801

**Matter of Privilege**

Ewasko	801
Fontaine	804

**Matter of Privilege**

Khan	805
------	-----

**ROUTINE PROCEEDINGS**

**Members' Statements**

Russ and Fred Fontaine	811
---------------------------	-----

Thunderhill Ski Area Wowchuk	812
---------------------------------	-----

Canadian Palestinian Association of Manitoba Blashko	812
---	-----

Grant Lazaruk Nesbitt	813
--------------------------	-----

Earl Grey Community Centre and Dante Day Nursery Wasyliw	813
--	-----

**Matter of Privilege**

*(Continued)*

Fontaine	814
Lamoureux	814

**Matter of Privilege**

Balcaen	815
Fontaine	819

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

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