



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 75**

**THIRD SESSION, FORTY-FIRST LEGISLATURE**

**PRAYER**

**1:30 O'CLOCK P.M.**

The following Bills were read a First Time and had their purposes outlined:

(No. 232) – The Efficiency Manitoba Amendment Act/Loi modifiant la Loi sur la Société pour l'efficacité énergétique au Manitoba.

(Hon. Mr. FLETCHER)

(No. 233) – The Health Services Insurance Amendment Act/Loi modifiant la Loi sur l'assurance-maladie.

(Mr. SWAN)

Hon. Ms. SQUIRES presented:

Annual Report of the Manitoba Hazardous Waste Management Corporation for the fiscal year ending March 31, 2017.

(Sessional Paper No. 75)

Annual Report of the Clean Environment Commission for the fiscal year ending March 31, 2018.

(Sessional Paper No. 76)

Annual Report of Green Manitoba for the fiscal year ending March 31, 2017.

(Sessional Paper No. 77)

Hon. Mrs. MAYER presented:

Annual Report of Manitoba Liquor and Lotteries for the fiscal year ending March 31, 2018.

(Sessional Paper No. 78)

Annual Report of the Manitoba Centennial Centre Corporation for the fiscal year ending March 31, 2018.

(Sessional Paper No. 79)

Hon. Mrs. COX, the Minister of Sport, Culture and Heritage, made a statement regarding the Royal Manitoba Theatre Centre Appointment of the Artistic Director.

Mrs. SMITH (Point Douglas) and Ms. LAMOUREUX commented on the statement.

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Pursuant to Rule 27(1), Messrs. GRAYDON, LINDSEY, MARCELINO (Tyndall Park), MICHALESKI and WOWCHUK made Members' Statements.

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Following Oral Questions, Madam Speaker made the following ruling:

During Orders of the Day on Wednesday, June 6, 2018, the Honourable Member for Concordia raised a Matter of Privilege regarding the amount of heckling that had taken place during Oral Questions on that day. The Honourable Member contended that the heckling was preventing him from being able to hear the answers, which would prevent him from sharing the responses with his constituents. At the conclusion of his remarks, the Honourable Member for Concordia moved “THAT my ability to execute my duties as an MLA are being impeded by the heckling in the House and need to immediately cease.” The Honourable Government House Leader, the Honourable Member for River Heights and the Honourable Member for Assiniboia also offered advice to the Chair. I took the matter under advisement in order to consult the procedural authorities and to peruse Hansard.

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

Although the Member did not initially provide a motion when concluding his remarks, at the prompting of the Chair, a motion was subsequently prepared and read into the record. I would like to remind Members that when raising Privilege, it is necessary to move a motion at the conclusion of remarks in accordance with sub-rule 36(2), and to provide it in writing, otherwise the Matter of Privilege would be out of order due to lack of a motion.

Regarding the first condition of whether the matter was raised at the earliest opportunity, given that rule 28(5) indicates that points of order and Matters of Privilege cannot be raised during Oral Questions, the earliest opportunity to raise a Matter of Privilege about issues stemming from Oral Questions is immediately after Oral Questions. However, the Honourable Member did not raise his Matter of Privilege immediately after Oral Questions, so the issue of timeliness has not been met.

On the second condition of whether a prima facie case of privilege has been demonstrated, although I do share the concerns of the Honourable Member about the amount of heckling that had taken place during Oral Questions and in the House on the day in question, this is an issue that should have been raised as a point of order and not as a Matter of Privilege. Complaints about how the House proceeds in the conduct of business are matters of order, not Privilege. Therefore I respectfully rule that a prima facie case of Privilege has not been demonstrated.

That having been said, I would like to remind the House that I had to make repeated calls for order during Oral Questions and subsequently during Orders of the Day on that day. I've advised the House more than once that yelling at each other and trying to shout each other down does not aid decorum or the transaction of public business, and it does not show the Legislative Assembly in a positive light to the public. It is very ironic that on the anniversary of D-Day, June 6, a day when many Canadians fought and died on Juno Beach in the name of freedom and democracy, our Assembly spent the day arguing and yelling at each other. Let us all try to do better in the future and be worthy of the trust that our constituents have placed in us.

I thank all Members for their kind attention to this ruling.

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The following petitions were presented and read:

Mrs. SMITH (Point Douglas) – Legislative Assembly of Manitoba to urge the Provincial Government to reverse the decision to close Seven Oaks General Hospital's emergency room so that families and seniors in north Winnipeg and the surrounding areas have timely access to quality health care services. (R. Asis, F. Aguillara, C. Ablian and others)

Mr. ALLUM – Legislative Assembly of Manitoba to urge the Provincial Government to reverse the decision to close Misericordia Health Centre's urgent care centre so that families and seniors in south Winnipeg and the surrounding areas have timely access to quality patient care. (T. Olson, D. Ferguson, C. Friesen and others)

Hon. Mr. GERRARD – Legislative Assembly of Manitoba to urge the Provincial Government to request Dynacare to reopen the closed laboratories or allow Diagnostic Services of Manitoba to freely open labs in clinics which formerly housed labs that have been shut down by Dynacare and to ensure high quality lab services for patients, and a level playing field and competition in the provision of laboratory services to medical offices as well to address this matter immediately in the interest of better patient focused care and improved support for health professionals. (L. Zuzawski, D. Schellenberg, D. MacGillvary and others)

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Hon. Mr. CULLEN moved:

THAT Bill (No. 36) – The Highway Traffic Amendment Act (Impaired Driving Offences)/Loi modifiant le Code de la route (conduite avec facultés affaiblies), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. CULLEN having spoken,

And Mr. SWAN and Hon. Messrs. GERRARD and FLETCHER having questioned the Minister,

And the debate continuing,

**Wednesday, October 10, 2018**

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And Mr. SWAN, Ms. KLASSEN, Messrs. MARCELINO (Tyndall Park) and MALOWAY and Hon. Mr. FLETCHER having spoken,

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

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The House then adjourned at 5:00 p.m. until 10:00 a.m. Thursday, October 11, 2018.

Hon. Myrna DRIEDGER,  
Speaker.