



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 39

FOURTH SESSION, FORTY-FIRST LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

Pursuant to Rule 27(1), Mrs. GUILLEMARD, Mrs. SMITH (Point Douglas) and Messrs. BINDLE, SARAN and NESBITT made Members' Statements.

Following Oral Questions, Madam Speaker made the following ruling:

Following the Prayer on March 15th, 2019, the Honourable Member for Concordia raised a Matter of Privilege regarding a letter sent to the Speaker of the House by the Leader of the Official Opposition in 2017 regarding the need for the Assembly to include a treaty land acknowledgement in the operation of the House. He concluded his remarks by moving: "That the issue of treaty land acknowledgement be immediately referred to the Rules Committee for consideration and that the committee report back to the House at the earliest opportunity."

I took this matter under advisement in order to consult the procedural authorities.

I will note that I will be addressing this matter first from a procedural perspective – as that is my primary responsibility in such matters – and then I will address the issue from an operational perspective.

Before I proceed any further however, I will offer a general caution that Members should take great care when raising matters in the House relating to the Speaker. As noted on page 620 of the 3rd edition of House of Commons Procedure and Practice by Bosc and Gagnon, reflections must not be cast in debate on the conduct of the Speaker and other Presiding Officers. It is unacceptable to question the integrity and impartiality of a Presiding Officer, and if such comments are made, the Speaker will interrupt the Member and may request that the remarks be withdrawn.

As the House knows, in order for the matter raised to be ruled in order as a prima facie case of privilege, Members must demonstrate both that the issue has been raised at the earliest opportunity, while also providing sufficient evidence to establish that the privileges of the House have been breached.

Regarding the condition of timeliness, the Honourable Member for Concordia stated that he raised this matter as soon as he could in the House. However, he also stated that the basis for his Matter of Privilege is a letter sent in 2017, which makes it difficult to see how he could not have raised this issue earlier. With this in mind, I must rule that the Honourable Member did not meet the test of timeliness in this matter.

Regarding the second condition of whether a prima facie case of privilege has been established, I must respectfully inform the House that a matter concerning the methods by which the House proceeds in the conduct of business is a matter of order, not privilege. Joseph Maingot, in the second edition of Parliamentary Privilege in Canada states on page 14 that "allegations of breach of privilege by a Member in the House... that amount to complaints about procedures and practices in the House are by their very nature matters of order." He also states on page 223 of the same edition "A breach of the Standing Orders or a failure to follow an established practice would invoke a point of order rather than a question of privilege."

On this basis, I must rule that the Honourable Member does not have a prima facie Matter of Privilege.

However, I would conclude my remarks on this matter by stating that if there is a willingness amongst all three House Leaders to consider the question of some sort of treaty land acknowledgement in the operation of this House, I would encourage them to arrange a meeting to discuss that topic.

From her decision, Ms. FONTAINE appealed to the House,

And the Question being put, "Shall the ruling of the Chair be sustained?"

It was agreed to, on the following division:

YEA

BINDLE	MICHALESKI
CLARKE	MICKLEFIELD
COX	MORLEY-LECOMTE
CULLEN	NESBITT
EWASKO	PEDERSEN
FIELDING	PIWNIUK
GOERTZEN	REYES
GRAYDON	SCHULER
GUILLEMARD	SMITH (Southdale)
HELWER	SMOOK
ISLEIFSON	SQUIRES
JOHNSON	STEFANSON
JOHNSTON	TEITSMA
LAGASSÉ	WHARTON
LAGIMODIERE	WOWCHUK
MARTIN	YAKIMOSKI 33
MAYER	

NAY

ALLUM
ALTEMEYER
FONTAINE
GERRARD
KINEW
KLASSEN
LAMONT
LAMOUREUX

LATHLIN
LINDSEY
MALOWAY
MARCELINO (Tyndall Park)
SMITH (Point Douglas)
SWAN
WIEBE 15

The following petitions were presented and read:

Mr. GRAYDON – Legislative Assembly of Manitoba to urge the Provincial Government to amend *The Official Time Act* to abolish daylight saving time in Manitoba effective November 4, 2019, resulting in Manitoba remaining on Central Standard Time (CST) throughout the year and in perpetuity. (R. Goudy, A. Goudy, M. Prychun and others)

Mr. ALLUM – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce. (P. Rozenham, M. LeBrun, B. Hotz and others)

Mr. ALTEMEYER – Legislative Assembly of Manitoba to request that the Government of Manitoba begin a process of consultation with Indigenous Peoples about the future of commercial fisheries on Lake Winnipeg. (F. Cross, M. Delerande, E. Ready and others)

Mr. LINDSEY – Legislative Assembly of Manitoba to urge the Provincial Government to reinstate obstetric delivery services at Flin Flon General Hospital and work with the Government of Saskatchewan, and the Federal Government, to ensure obstetric services continue to be available on a regional basis.

Ms. MARCELINO (Logan) – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce.

Mr. MARCELINO (Tyndall Park) – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce. (V. Berg, R. Farrcloth, S. Sommerfield and others)

Mrs. SMITH (Point Douglas) – Legislative Assembly of Manitoba to request that the Provincial Government consider establishing a cross-departmental team to provide leadership on a culturally appropriate, coordinated response to the growing addictions crisis in our province that includes an aggressive, wide-spread education campaign on the dangers of using methamphetamine and opiates along with addictions education for front-line medical staff in health care facilities, to consider providing additional addictions services in Brandon and Western Manitoba across the continuum of care including acute response, detoxification, long-term rehabilitation, transitional housing, and support for managing co-occurring disorders, to request that the Minister of Health, Seniors and Active Living consider establishing a publicly available inventory of all addictions facilities in Manitoba and to consider providing supports for the families of people struggling with addiction including counseling, patient navigation and advocacy, and direct access to free naloxone. (P. Simmons, H. Dyer, S. Oakden and others)

Mr. LAMONT – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce. (C. Lundgrow, E. Andrew, M. Yowry and others)

Mr. SWAN – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce. (D. Campbell, V. Chandrasekaran, S. Clifford and others)

Mr. WIEBE – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce. (M. Alviz, M. Carr, A. Tod and others)

Ms. FONTAINE – Legislative Assembly of Manitoba to urge the Provincial Government to increase funding for licensed not for profit child care programs in recognition of the importance of early learning and child care in Manitoba which will also improve quality and stability in the workforce. (K. Limberatos, H. King, C. Garrioch and others)

The House resumed the debate on the Proposed Motion of Hon. Mr. FIELDING:

THAT Bill (No. 16) – The Budget Implementation and Tax Statutes Amendment Act, 2019/Loi d'exécution du budget de 2019 et modifiant diverses dispositions législatives en matière de fiscalité, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

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

Monday, April 15, 2019

The House then adjourned at 5:00 p.m. until 10:00 a.m. Tuesday, April 16, 2019.

Hon. Myrna DRIEDGER,
Speaker.