



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 74

THIRD SESSION, FORTY-FIRST LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

The House resumed the Debate on the Proposed Resolution of Mr. GRAYDON:

Resolution No. 18: Recognizing Lyme Disease Awareness and Prevention

WHEREAS May is Lyme Disease Awareness Month; and

WHEREAS Lyme disease is caused by a bacterium transmitted in North America by the bite of an infected blacklegged tick, or western blacklegged ticks; and

WHEREAS the highest risk period for Lyme disease in Manitoba is from May to July; and
WHEREAS Lyme disease is difficult to diagnose, currently has no cure, and successful treatment of symptoms can take a long time; and

WHEREAS prevalence of the disease has exploded in Manitoba from one confirmed case in 2009 to twenty-nine confirmed cases in 2017, with many more cases unreported or unconfirmed; and

WHEREAS reported Lyme cases in Canada increased more than six-fold between 2009 and 2016; and

WHEREAS many patients still struggle to get diagnosed and treated; and

WHEREAS the symptoms of Lyme disease can become very severe when left untreated, causing arthritis, heart palpitations, brain inflammation, nerve pain, dizziness, blurred vision, and a compromised immune system.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to raise awareness of the effects of Lyme disease in Manitoba, encourage better treatment and diagnosis of the infection, and promote prevention strategies.

And the debate continuing,

And Mrs. SMITH (Point Douglas) and Mr. LINDSEY having spoken,

And the Question being put. It was agreed to.

Tuesday, October 9, 2018

In accordance with Rule 33(11), the Government House Leader announced that the Conflict of Interest Resolution will be considered on the next Tuesday of Private Members' Business.

1:30 O'CLOCK P.M.

Hon. Ms. SQUIRES, the Minister responsible for Status of Women, made a statement regarding Women's History Month.

Ms. FONTAINE and Ms. LAMOUREUX commented on the statement.

Hon. Mr. PEDERSEN, the Minister of Growth, Enterprise and Trade, made a statement regarding Fire Prevention Week.

Mr. LINDSEY and Ms. KLASSEN commented on the statement.

Pursuant to Rule 27(1), Mr. KINEW, Mrs. GUILLEMARD, Hon. Ms. SQUIRES, Hon. Mr. GERRARD and Mr. PIWNIUK made Members' Statements.

Following Oral Questions, Madam Speaker made the following ruling:

During Orders of the Day on Wednesday, June 6, 2018, the Honourable Member for Minto raised a Matter of Privilege regarding the content of the answers given by the Premier to questions asked by the Honourable Member for St. Johns relating to the Department of Justice. The Member contended that by giving answers that had nothing to do with the Department of Justice, the Premier affected the privilege of the Honourable Member for St. Johns to ask important questions on behalf of her constituents and within her critic responsibilities. The Honourable Member for Minto concluded by asking the Speaker to direct the Premier to answer the question that was posed to him during Oral Questions.

The Honourable Government House Leader, the Honourable Member for St. Johns and the Honourable Member for River Heights also offered advice to the Chair. I took the matter under advisement in order to consult the procedural authorities and Hansard.

First of all, I would like to remind all Honourable Members that when raising a matter of privilege, a Member should close his or her remarks by moving a pertinent motion, as stated by Rule 36(2) of the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba. On pages 142 and 143 of the House of Commons Procedure and Practice 3rd Edition, Bosc and Gagnon advise that the function of the Speaker is limited to deciding whether there is a prima facie question of privilege. If there is, the House must take the matter into immediate consideration and ultimately, it is the House which decides whether a breach of privilege or contempt has been committed. A privilege motion can either call for some action in the House or refer the matter to a Committee. The lack of a pertinent motion will force the Speaker to immediately rule the matter out of order.

As to the core of the matter raised by the Honourable Member for Minto, 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 or of the Member have been breached, in order to warrant putting the matter to the House.

Regarding the first condition of whether the matter was raised at the earliest opportunity, the Member stated that his intention was to raise the matter the following day after consulting Hansard. However, he stated that during the division bells for a previous vote, he consulted with other Members of his Caucus and they all agreed that there was no reference to the Department of Justice in the Premier's answer. In that case, the Honourable Member for Minto should have raised the issue immediately after the recorded vote. Therefore, I rule that the issue of timeliness has not been met.

On the second condition of whether a prima facie case of privilege has been demonstrated, Bosc and Gagnon state on page 516 that during Oral Questions "the Speaker ensures that replies adhere to the standards of order, decorum and parliamentary language, but is not responsible for the quality or content of replies to questions". The matter is a disagreement over facts surrounding the issue and as such, is a matter of debate and not a breach of privilege. The same sentiment is echoed by Beauchesne 6th Edition on page 123 and there have been many consistent rulings on this matter by previous Manitoba Speakers, including myself.

Therefore I respectfully rule that a prima facie case of privilege has not been demonstrated.

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. (M. Cantaleno, P. Cantalelo 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. (L. Graham, R. Burkett, B. Gunnarson and others)

Mr. LAMONT moved the following Opposition Day Motion:

THAT the Legislative Assembly of Manitoba condemn the Provincial Government for its inaction during the methamphetamine crisis in Manitoba.

And a debate arising,

And Messrs LAMONT, TEITSMA and SWAN, Hon. Mr. FRIESEN, Ms. FONTAINE, Hon. Messrs. CULLEN and GERRARD, Mrs. SMITH (Point Douglas), Ms. KLASSEN, Mr. ALLUM, Ms. LAMOUREUX, Mr. LINDSEY, Hon. Mr. FLETCHER, Ms. MARCELINO (Logan) and Messrs. KINEW and SARAN having spoken,

And the Question being put. It was negatived, on the following division:

YEA

ALLUM
FLETCHER
GERRARD
KINEW
KLASSEN
LAMONT
LAMOUREUX
LATHLIN

LINDSEY
MALOWAY
MARCELINO (Logan)
MARCELINO (Tyndall Park)
SARAN
SMITH (Point Douglas)
SWAN
WIEBE 16

NAY

BINDLE
CLARKE
COX
CULLEN
CURRY
EICHLER
FIELDING
FRIESEN
GOERTZEN
GRAYDON
GUILLEMARD
HELWER
ISLEIFSON
JOHNSON
JOHNSTON
LAGASSÉ
LAGIMODIERE
MARTIN

MAYER
MICHALESKI
MICKLEFIELD
MORLEY-LECOMTE
NESBITT
PALLISTER
PEDERSEN
PIWNIUK
REYES
SCHULER
SMITH (Southdale)
SMOOK
SQUIRES
STEFANSON
TEITSMA
WHARTON
WOWCHUK
YAKIMOSKI 36

The House then adjourned at 5:18 p.m. until 1:30 p.m. Wednesday, October 10, 2018.

Hon. Myrna DRIEDGER,
Speaker.