



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 20

THIRD SESSION, THIRTY-EIGHTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mrs. TAILLIEU – Legislative Assembly of Manitoba to request that the Minister of Transportation and Government Services consider paving Highway 200 between Highways 205 and 305 to ensure a smooth, safe and uninterrupted use of Highway 200. (N. Froese, J. Froese, V. Gushuliak and others)

Mrs. ROWAT – Legislative Assembly of Manitoba to request the Minister of Transportation and Government Services to consider upgrading PR #355 from the western edge of the RM of Minto to PR #270 (including the hill out of the Minnedosa valley) and to request the Premier of Manitoba to consider supporting the said initiative to ensure the safety of our Manitobans and all Canadians who travel along Manitoba Highways. (R. Longstaff, J. Longstaff, W. Wight and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year. (L. Tolledo, W. Tolledo, C. Tolledo and others)

Mr. CULLEN – Legislative Assembly of Manitoba to strongly urge the Minister of Health to consider taking charge and ensuring that he will improve long-term planning efforts to develop a lasting solution to the chronic problem of pediatrician and other specialist shortages in Brandon and to treat this as the crisis that it is and consider consulting with front-line workers, particularly doctors, to find solutions and to strongly urge the Minister of Health and the Premier of Manitoba to consider ending highway medicine now. (I. Drinkwater, S. Leader, L. Tylopski and others)

Mr. SCHULER – Legislative Assembly of Manitoba to request the Provincial Government to consider providing East St. Paul with local ambulance service which would service both East and West St. Paul and to consider improving the way that ambulance service is supplied to all Manitoba's by utilizing technologies such as GPS in conjunction with a Medical Transportation Co-ordination Center (MTCC) which will ensure that patients receive the nearest ambulance in the least amount of time and to consider ensuring that appropriate funding is provided to maintain superior response times and sustainable services. (G. Mussell, S. Mussell, K. Mussell and others)

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Mr. HAWRANIK – Legislative Assembly of Manitoba to request that the Minister of Transportation and Government Services consider rebuilding and reconstructing the 14 kilometres of P.R. #304 to the south of PTH #11 at the earliest opportunity. (P. Magnan, P. Robert, M. Sobering)

Hon. Ms. WOWCHUK, the Minister of Agriculture, Food and Rural Initiatives made a statement regarding today being the 1st Annual Agricultural Awareness Day,

Mr. DERKACH and, by leave, Hon. Mr. GERRARD commented on the statement.

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

During Petitions on December 2, 2004, the Honourable Member for Inkster raised a matter of privilege regarding events that had taken place in the Standing Committee on Legislative Affairs earlier that day. The Honourable Member for Inkster indicated that the Independent Liberal Members were not going to be represented on a sub-committee that was being struck to deal with the hiring process for the Children's Advocate and the Ombudsman, and he went on to describe some of the events that occurred in committee. At the conclusion of his remarks, the Honourable Member for Inkster moved "That this matter be referred to the Standing Committee on Legislative Affairs and be reported back to this House." The Honourable Government House Leader, the Honourable Member for River East, the Honourable Member for Steinbach and the Honourable Official Opposition Leader offered advice to the Chair. I took the matter under advisement in order to consult the procedural authorities.

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 matter 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.

Regarding the first condition, the Honourable Member for Inkster asserted that he was raising the matter at the earliest opportunity, and I accept the word of the Honourable Member.

Regarding the second condition, whether there is sufficient evidence that the privileges of the House have been breached, it is important to determine whether parliamentary privilege has been breached in the actions complained of.

Regarding the second condition, I must advise the House that according to procedural authorities and rulings of Manitoba Speakers, matters of privilege that are raised in the House regarding events in committees must be raised in the House by way of a committee report. Beauchesne citation 107 states "breaches of privilege in committee may be dealt with only by the House itself on report from the committee." Marleau and Montpetit state on page 128 of *House of Commons Procedure and Practice* that "Speakers have consistently ruled that, except in the most extreme situations, they will only hear questions of privilege arising from committee proceedings upon presentation of a report from a committee which deals directly with the matter and not as a question of privilege raised by an individual Member." Similarly, Speaker Rocan ruled in 1989, in 1993 and in 1994 that the opinion of the Speaker cannot be sought in the House about matters arising in committee and that it is not competent for the Speaker to exercise procedural control over committees. In these three cases, he ruled that the proper course of action to be taken is for the issue to be raised in the appropriate committee at the earliest opportunity. I have made similar rulings in the House on March 4, and May 31, 2004, where I indicated that matters of privilege raised in the House regarding events in committee must be raised in the House by way of a committee report, and that it is not appropriate for Speakers to exercise procedural control over committees.

On this basis, I must therefore rule that the matter raised does not fulfill the conditions of a prima facie case of privilege. However, this does not preclude the matter from being raised in the appropriate committee.

Pursuant to Rule 26(1), Messrs. PENNER and NEVAKSHONOFF, Mrs. ROWAT, Messrs. SWAN and LAMOUREUX made Members' Statements.

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

THAT this House approves in general the budgetary policy of the government.

And the proposed amendment moved by Mr. MURRAY as follows:

THAT the motion be amended by deleting all the words after "House" and substituting the following:

therefore regrets this Budget ignores the present and future needs of Manitobans by:

- (a) Failing to offer any vision and to reflect the priorities of Manitoba; and
- (b) Failing to provide a long-term economic strategy and tax reduction strategy that addresses the fact that Manitobans are now, under the Doer NDP government, the highest taxed west of New Brunswick, and make Manitoba a "have" province; and
- (c) Failing to address the debt of Manitoba which has grown under the Doer NDP government, thereby mortgaging our children's future; and
- (d) Failing to eliminate education taxes off of residential property and farmland; and
- (e) Failing to offer a "New Deal" which will meet the needs of Manitoba's municipalities; and

- (f) Failing to provide adequate funding for post-secondary institutions; and
- (g) Failing to provide relief for Manitoba's livestock producers and failing to provide for sufficient slaughter capacity; and
- (h) Failing to provide for a meaningful review of the operation and administration of Manitoba's Regional Health Authorities; and
- (i) Failing to provide a long-term plan for the reduction of health care waiting lists; and
- (j) Failing to provide an opportunity for publicly funded health care services in privately-managed clinics; and
- (k) Failing to provide child care options for parents by failing to support for-profit child care centers as well as not-for-profit centers, and failing to provide a tax credit for stay-at-home parents; and
- (l) Failing Manitoba's sick and elderly by increasing Pharmacare deductibles by 20% over the past four years; and
- (m) Failing to support Manitoba's environment by failing to provide for the long-term sustainability of Manitoba's recycling and product stewardship programs; and
- (n) Failing to deal with record numbers of auto thefts and record numbers of murders; and
- (o) Failing to provide a plan or strategy to break up existing gangs and prevent new gangs from coming to Manitoba; and
- (p) Failing to deal with the high number of grow-ops and labs manufacturing illegal drugs and the proliferation of drugs; and
- (q) Failing to acknowledge their raid on Manitoba Hydro contributed to a 10% increase in Hydro rates.

As a consequence, the Government has thereby lost the confidence of this House and the people of Manitoba.

And the proposed sub-amendment moved by Hon. Mr. GERRARD as follows:

THAT the amendment be amended by adding thereto the following words:

And further regrets that this Budget also ignores present and future needs of Manitobans by:

- (r) Failing to provide an effective plan to improve health and prevent sickness; and
- (s) Failing to provide an effective strategy to deal with child poverty; and
- (t) Failing to provide Manitobans with the approach needed to decrease childhood obesity and diabetes; and

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(u) Failing to provide Manitobans with the legal right to timely, quality health care; and

(v) Failing to do any better than the previous Tory government in improving the dental health of Manitoba children and decreasing the incidence of early childhood tooth decay.

And the debate continuing on the sub-amendment,

And Mr. DERKACH, Hon. Ms. WOWCHUK, Messrs. DYCK, JHA, ROCAN, SWAN and REIMER and Hon. Ms. OSWALD having spoken,

And Mr. LAMOUREUX speaking at 5:30 p.m. The debate was allowed to remain in his name.

The House then adjourned at 5:30 p.m. until 1:30 p.m. Wednesday, March 16, 2005.

Hon. George HICKES,
Speaker.