



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 31

FIRST SESSION, FORTIETH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

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

(No. 18) – The Affordable Utility Rate Accountability Act/Loi sur la responsabilisation en matière de tarifs de services publics abordables

(Hon. Mr. STRUTHERS)

(No. 26) – The International Interests in Mobile Equipment Act (Aircraft Equipment)/Loi sur les garanties internationales portant sur des matériels d'équipement mobiles (matériels d'équipement aéronautiques)

(Hon. Mr. RONDEAU)

(No. 27) – The Insurance Amendment Act/Loi modifiant la Loi sur les assurances

(Hon. Mr. STRUTHERS)

(No. 209) – The Legislative Assembly and Executive Council Conflict of Interest Amendment Act (Cooling-Off Periods Related to Independent Officers)/Loi modifiant la Loi sur les conflits d'intérêts au sein de l'Assemblée législative et du Conseil exécutif (périodes de restriction imposées aux hauts fonctionnaires indépendants)

(Mr. GOERTZEN)

The following petitions were presented and read:

Mr. GRAYDON – Legislative Assembly of Manitoba to urge the appropriate Provincial Government departments to consider working with all stakeholders to develop a strategy to swiftly address the serious challenges posed by limited cellular phone service in southeastern Manitoba in order to ensure that people and property can be better protected in the future. (C. Faucher, N. Coulombe, J. Dueck and others)

Mr. GOERTZEN – Legislative Assembly of Manitoba to request that the Minister of Health to ensure additional personal care homes and long-term care space are made available in the City of Steinbach on a priority basis. (H. Koop, M. Koop, I. Penner and others)

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

Immediately following Members' Statements on April 30, 2012, the Honourable Official Opposition House Leader raised a point of order advising the House that she had heard the comments "he lives on the grassy knoll" being spoken in the House from the floor while the Honourable Member for River Heights was asking a question during Oral Questions. The Honourable Government House Leader also offered advice to the Chair. I took this matter under advisement in order to check for the words in Hansard.

I have looked in Hansard for April 30, 2012, and the words in question do not appear. Previous Manitoba Speakers have ruled that if the words in question do not appear in Hansard, the Speaker cannot make a ruling as to whether or not the language used was unparliamentary. Speaker Rocan made 4 rulings between 1988 and 1995 supporting this concept, while Speaker Dacquay made 7 rulings between 1995 and 1999 where she was unable to rule on words that do not appear in Hansard. Speaker Hickes also made 3 rulings indicating that the Speaker cannot make a ruling on language that does not appear in Hansard. I would therefore advise the House that I cannot make a ruling in this situation as the words do not appear in Hansard.

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Following Members' Statements on April 30, 2012, the Honourable Official Opposition House Leader raised a point of order concerning questions being answered by Ministers. She noted that questions being addressed to a specific Minister were instead being answered by another Minister, and stated this affected the ability of the Opposition to do their jobs. The Honourable Government House Leader and the Honourable Member for River Heights also offered advice to the Chair. I took the matter under advisement in order to consult with the procedural authorities.

Earlier on that sitting day, a similar point of order had been raised during Oral Questions, and I had ruled there was no point of order. I am happy to report that further examination of the procedural authorities has confirmed my initial ruling earlier in the day was correct. On page 509 of O'Brien and Bosc of the second edition of *House of Commons Procedure and Practice* states that "Questions, although customarily addressed to specific Ministers, are directed to the Ministry as a whole. It is the prerogative of the government to designate which Ministers respond to which question, and the Speaker has no authority to compel a particular Minister to respond." On this topic, Beauchesne citation 420 advises "The Chair will allow a question to be put to a certain Minister, but it cannot insist that that Minister rather than another should answer it."

This concept is reinforced by numerous rulings from Manitoba Speakers. Speaker Rocan ruled in 1991/92, and in 1992/1993 that questions are put to the government as a whole, and that it is up to the government to decide who will provide answers, while Speaker Hickes made seven rulings from the years 2000 to 2010 also confirming that it is up to the government to determine which Minister will answer questions.

I would therefore rule that there is no point of order, and I hope this ruling clarifies this practice for the House based on the House of Commons and Manitoba practices.

Wednesday, May 9, 2012

Pursuant to Rule 26(1), Messrs. WIEBE, WISHART and DEWAR, Hon. Mr. GERRARD and Mr. HELWER made Members' Statements.

The House resolved into Committee of Supply.

The House then adjourned at 5:01 p.m. until 10:00 a.m. Thursday, May 10, 2012.

Hon. Daryl REID,
Speaker.