



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 13

THIRD SESSION, THIRTY-SEVENTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

Hon. Mr. SELINGER, the Minister of Finance made a statement regarding the 25th Anniversary of the creation of the Fédération provinciale des comités de parents (FPCP) and a Report of the Dialogue Task Force entitled "Lets Talk! dialogue",

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

Hon. Mr. SALE, the Minister of Family Services and Housing made a statement regarding the Federal Affordable Housing Initiative,

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

Hon. Mr. MACKINTOSH presented:

Annual Report of the Justice, Criminal Justice Division – the Victim Services for the fiscal year ending March 31, 2001.

(Sessional Paper No. 86)

Annual Review of the Office of the Chief Medical Examiner for the year 2000.

(Sessional Paper No. 87)

By leave, Hon. Mr. DOER introduced Bill (No. 9) – The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act/Loi sur le personnel des Forces canadiennes (modifications relatives au droit de vote et aux privilèges rattachés à la conduite des véhicules), and outlined the purposes thereof, it was read a First Time.

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

During Oral Questions on Monday, November 19, 2001, I took under advisement a point of order raised by the Official Opposition House Leader regarding the response given by the Honourable Premier to a question asked by the Honourable Member for Russell. The Official Opposition House Leader cited Beauchesne citation 417 and stated that answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate. The Honourable Member for Russell and the Honourable Government House Leader also spoke to the same point of order. I took the matter under advisement in order to consult the procedural authorities.

I thank all Honourable Members for their contributions to the point of order.

I would first like to address one item that occurred when the Honourable Government House Leader spoke to the point of order. In his comments, he raised the use of unparliamentary language and asked that the record be checked. In essence, the Honourable Government House Leader was raising a new point of order. At the time, I should have intervened to advise him that a separate point of order should have been raised. In the future, I will take care to ensure that I clarify with Members whether a separate point of order should be raised.

Regarding the substance of the point of order raised by the Honourable Official Opposition House Leader, I have ruled in the past that my interpretation of Manitoba's leader's latitude is that Beauchesne citation 417 does not apply to leaders, and that I will continue to use this interpretation until I am given other directions from both House Leaders. I have not been given that direction, so therefore I must rule that there is no point of order.

From his decision, Mr. LAURENDEAU 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

AGLUGUB	MALOWAY
ALLAN	MARTINDALE
ASHTON	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LATHLIN	STRUTHERS
LEMIEUX	WOWCHUK..... 31
MACKINTOSH	

NAY

CUMMINGS	LOEWEN
DACQUAY	MAGUIRE
DERKACH	PENNER (Emerson)
DRIEDGER	PRAZNIK
DYCK	REIMER
FAURSCHOU	ROCAN
GILLESHAMMER	SCHULER
HELWER	TWEED 17
LAURENDEAU	

* * *

During Oral Questions on Monday, November 19, 2001, I took under advisement a point of order raised by the Official Opposition House Leader regarding the response given by the Honourable Premier to the Honourable Member for Russell. The Official Opposition House Leader cited Beauchesne citation 417 and indicated that leader's latitude did not apply as the question had not been addressed to the Honourable Premier. The Honourable Premier also spoke to the same point of order. I took the matter under advisement in order to arrange a meeting with House Leaders to discuss the application of leader's latitude in the Assembly.

I thank the Honourable Members for their contribution to the point of order.

The point of order once again raises the issue of leader's latitude, an issue that has been the subject of much discussion in the House. The interpretation that I as Speaker have given to leader's latitude, is that the latitude extends to party leaders whenever they have the floor during Question Period, whether it be to ask a question or to respond to a question. I have also indicated that the Speaker is the servant of the House, and that until I am given different direction by both House Leaders, I will continue to apply this interpretation. To date, there has been no agreement in terms of a different interpretation, so therefore I will continue to apply leader's latitude according to my understanding of what that latitude entails. Therefore, I must rule that there is no point of order.

From his decision, Mr. LAURENDEAU 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

AGLUGUB	MALOWAY
ALLAN	MARTINDALE
ASHTON	MCGIFFORD
ASPER	MIHYCHUK
BARRETT	NEVAKSHONOFF
CALDWELL	REID
CERILLI	ROBINSON
CHOMIAK	RONDEAU
DEWAR	SALE
DOER	SANTOS
FRIESEN	SCHELLENBERG
JENNISSEN	SELINGER
KORZENIOWSKI	SMITH (Brandon West)
LATHLIN	STRUTHERS
LEMIEUX	WOWCHUK..... 31
MACKINTOSH	

NAY

CUMMINGS	LOEWEN
DACQUAY	MAGUIRE
DERKACH	MITCHELSON
DRIEDGER	PENNER (Emerson)
DYCK	PRAZNIK
FAURSCHOU	REIMER
GILLESHAMMER	ROCAN
HELWER	SCHULER
LAURENDEAU	TWEED 18

* * *

During debate on the motion for an Address in Reply to His Honour the Lieutenant Governor and on the amendment thereto on November 23, 2001, the Deputy Speaker took under advisement a point of order raised by the Honourable Minister of Consumer and Corporate Affairs concerning language used by the Official Opposition House Leader during the raising of a point of order. Specifically, the Honourable Minister of Consumer and Corporate Affairs noted the use of the words "stating lies." The Official Opposition House Leader also spoke to the same point of order. The Deputy Speaker took the matter under advisement in order to verify what was said on the record.

In reviewing Hansard for November 23, 2001, page 341 attributes the following remarks to the Official Opposition House Leader "the only scurrilous we are seeing is the scurrilous actions of the people on that side, which goes very well with the lies they are putting on the record."

Monday, December 3, 2001

The word "lies" has been the subject of interventions by Manitoba Speakers in the past, as it is one of those words that could be ruled as parliamentary or unparliamentary, depending on the context of how it is used. Usage of the word certainly has the ability to create disorder.

Examining the context of how the word was used in this instance shows that the Official Opposition House Leader did not address the word to any specific Member or Members, and used the word in a generic sense towards one side of the Chamber. In conformity with rulings given by Speaker Dacquay on December 8, 1997, where the words "one big lie" were ruled in order because they were not directed at specific Members, and on May 4, 1999, where the words "never encountered so many liars" were also ruled to be parliamentary because they were not directed at specific Members, I am ruling that the word "lies" was in order because it was not directed towards specific Members. I would, however, like to caution all Honourable Members to be prudent and judicious in their choice of language in this Chamber, so that we can avoid repetitions of similar incidents where disorder is created.

I would also like to note for the record that during the raising of the point of order, the Official Opposition House Leader used the word "scurrilous" in connection with Members on the government side, even though he was raising the point of order about the use of that very word by the Honourable Member for the Interlake. I would like to remind all Honourable Members that it is not accepted practice to use the raising of points of order as an opportunity to put questionable language on the record.

Pursuant to Rule 23(1), Mr. REID, Mrs. DRIEDGER, Ms. ALLAN, Messrs. DERKACH and MARTINDALE made Members' Statements.

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

THAT Bill (No. 2) – The Security Management (Various Acts Amended) Act/Loi sur la gestion de la sécurité (modification de diverses dispositions législatives), be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Mr. PENNER (Emerson) having spoken,

And Hon. Mr. GERRARD speaking at 6:00 p.m. The debate was allowed to remain in his name and, by leave, in the name of Mrs. SMITH (Fort Garry).

The House then adjourned at 6:00 p.m. until 1:30 p.m. Tuesday, December 4, 2001.

Hon. George HICKES,
Speaker.