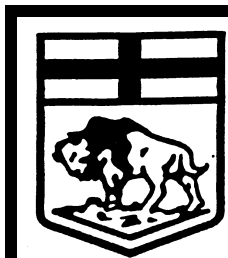


Wednesday, July 5, 2000



## LEGISLATIVE ASSEMBLY OF MANITOBA

### VOTES AND PROCEEDINGS No. 56

FIRST SESSION, THIRTY-SEVENTH LEGISLATURE

PRAYERS

1:30 O'CLOCK P.M.

Ms. ASPER, Chairperson of the Standing Committee on Public Utilities and Natural Resources presented its Second Report, which was read as follows:

Your Committee met on Tuesday, July 4, 2000 at 10:00 a.m. in Room 255 of the Legislative Building to consider the Annual Report of the Manitoba Public Insurance Corporation for the year ended February 29, 2000, the Annual Report of the Workers Compensation Board for the year ended December 31, 1999, the Annual Report of the Appeal Commission for the year ended December 31, 1999 and the 1998 and 1999 Five Year Operating Plans for the Workers Compensation Board.

Mr. Jack Zacharias, Chief Executive Officer and President provided such information as was requested with respect to the Annual Report and business of the Manitoba Public Insurance Corporation.

Your Committee has considered the Annual Report of the Workers Compensation Board for the year ended December 31, 1999, the Annual Report of the Appeal Commission for the year ended December 31, 1999 and the 1998 and 1999 Five Year Operating Plans for the Workers Compensation Board and has adopted the same as presented.

On motion of Ms. ASPER, the Report of the Committee was received.

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

During Oral Questions on June 21, 2000, I took under advisement a point of order raised by the Honourable Government House Leader regarding a question addressed by the Honourable Member for River Heights to the Honourable First Minister. The Honourable Government House Leader asserted that the question was out of order because it was hypothetical, and because it was based on a hypothesis and sought an opinion. The Honourable Official Opposition House Leader and the Honourable Member for River Heights also spoke to the point of order. I took the matter under advisement in order to review the context of the question.

I thank the Honourable Members for their advice on this issue.

Page 2938 of Hansard, indicates that the question of the Honourable Member for River Heights was stated as being "In the upcoming provincial election, some say three and a half years from now, it would appear that the Premier's legislation would allow an advertisement by an organization other than a political party which said to improve health care vote Liberal but restrict the spending on that ad to \$5,000. But if the advertisement just said, health care has been terrible under the NDP, vote to improve health care without naming a political party, then that would be acceptable because in fact it was not directed necessarily at one political party or another."

A number of the procedural authorities advise that hypothetical questions are out of order. Beauchesne citation 410(12) states that "questions should not be hypothetical." Marleau and Montpetit on page 427 in *House of Commons Procedure and Practice* advise that a question should not be hypothetical. Erskine May, on page 303 of the 22<sup>nd</sup> edition, states that "questions are also inadmissible which seek the solution of hypothetical propositions."

Regarding Manitoba practice, Speaker Rocan ruled on November 14, 1988, October 12, 1989, July 22, 1991 and June 22, 1992, that specific questions addressed in Question Period were hypothetical, and directed that the questions be rephrased.

In the case of the question asked by the Honourable Member for River Heights, I am of the opinion that the question was hypothetical, and was therefore out of order. I do note that the Honourable First Minister had offered a reply to the question. In the future, if a Member poses a question that is found to be hypothetical, the Speaker will ask the Honourable Member to rephrase the question.

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Pursuant to Rule 23(1), Messrs. SCHULER, STRUTHERS, PENNER (Emerson) and MARTINDALE and Hon. Mr. GERRARD made Members' Statements.

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

THAT Bill (No. 46) – The Interim Appropriation Act, 2000/Loi de 2000 portant affectation anticipée de crédits, be now read a Second Time and be referred to the Committee of the Whole.

And the debate continuing,

And Mr. SCHULER and Mrs. MITCHELSON having spoken,

And leave having been denied to have the matter remain in the name of Mr. PITURA,

And the Question being put. It was agreed to.

The Bill was accordingly read a Second Time and referred to the Committee of the Whole.

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Bill (No. 46) – The Interim Appropriation Act, 2000/Loi de 2000 portant affectation anticipée de crédits, was considered in the Committee of the Whole, reported without amendment, and, by leave, concurred in.

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**Wednesday, July 5, 2000**

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By leave, Bill (No. 46) – The Interim Appropriation Act, 2000/Loi de 2000 portant affectation anticipée de crédits, was read a Third Time and passed.

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His Honour, Peter LIBA, Lieutenant-Governor of the Province of Manitoba, having entered the House at 3:23 p.m., and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for Your Honour the acceptance of this Bill:

(No. 46) – The Interim Appropriation Act, 2000/Loi de 2000 portant affectation anticipée de crédits

To this Bill the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:

"His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence and assents to this Bill in Her Majesty's name."

At 3:25 p.m., His Honour was then pleased to retire.

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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 138 tabled on May 17, 2000, and subsequently amended, was further amended in order that Family Services and Housing be considered in Room 255, for Wednesday, July 5, 2000, only.

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Mr. Speaker having left the Chair and the House resolving itself into a Committee to consider of the Supply to be granted to Her Majesty;

And the House continuing in Committee.

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The House then adjourned at 6:01 p.m. until 10:00 a.m. Thursday, July 6, 2000.

Hon. George HICKES,  
Speaker.