



## LEGISLATIVE ASSEMBLY OF MANITOBA

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### VOTES AND PROCEEDINGS

FOURTH SESSION, THIRTY-EIGHTH LEGISLATURE

#### PRAYERS

1:30 O'CLOCK P.M.

The following petitions were presented and read:

Mrs. STEFANSON – Legislative Assembly of Manitoba to request the Premier of Manitoba and the Minister of Health to consider providing CancerCare Manitoba with the appropriate funding necessary so that they may provide leading edge care for patients in the same manner as other provinces and to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible. (D. Winsor, S. Maniate, D. Tharayil and others)

Mr. CULLEN – Legislative Assembly of Manitoba to request the Premier of Manitoba and the Minister of Health to consider providing CancerCare Manitoba with the appropriate funding necessary so that they may provide leading edge care for patients in the same manner as other provinces and to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible. (J. Johns, G. Johns, L. Zacharias and others)

Mr. REIMER – Legislative Assembly of Manitoba to strongly urge the Premier to consider calling an independent public inquiry into the Crocus Investment Fund scandal. (D. Waddell, R. Unger, S. Unger and others)

Mr. LAMOUREUX – Legislative Assembly of Manitoba to request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the Government did not act on fixing the Crocus fund back in 2001 and to urge the Premier and his Government to cooperate in making public what really happened. (P. Derksen, S. Derksen, J. Huston and others)

Mr. DYCK – Legislative Assembly of Manitoba to strongly urge the Premier to consider calling an independent public inquiry into the Crocus Investment Fund scandal. (E. Penner, L. Ferguson, S. Andrew and others)

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During Oral Questions, Mr. DERKACH rose on a Matter of Privilege.

WHEREUPON Mr. Speaker interjected and cautioned the Honourable Member for Russell regarding the use of the words "lied, liar and lied to".

Mr. DERKACH voluntarily withdrew his remarks and then moved:

THAT this matter be referred to the Committee on Legislative Affairs and be reported back to the Legislative Assembly.

And Hon. Mr. ASHTON and Mr. LAMOUREUX having spoken.

WHEREUPON Mr. Speaker ruled there was no Matter of Privilege.

From his decision, Mr. DERKACH 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	MCGIFFORD
ALLAN	MELNICK
ALTEMEYER	NEVAKSHONOFF
ASHTON	OSWALD
BJORNSON	REID
BRICK	ROBINSON
CALDWELL	RONDEAU
CHOMIAK	SALE
DEWAR	SANTOS
IRVIN-ROSS	SCHELLENBERG
JENNISSEN	SELINGER
JHA	SMITH
KORZENIOWSKI	STRUTHERS
MACKINTOSH	SWAN
MALOWAY	WOWCHUK..... 31
MARTINDALE	

NAY

CULLEN	LAMOUREUX
CUMMINGS	MAGUIRE
DERKACH	MITCHELSON
DRIEDGER	MURRAY
DYCK	REIMER
EICHLER	ROWAT
FAURSCHOU	SCHULER
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HAWRANIK	

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Subsequently during Oral Questions, Mr. FAURSCHOU rose on a Matter of Privilege and moved:

THAT the Speaker remind all Honourable Members about the use of electronic devices in the Chamber, as mentioned in Rule 19(4) "Except during Question Period, Members may use lap top computers and other electronic devices in the House and in Committee in a silent mode".

And that the Speaker instruct the Sergeant-at-Arms to confiscate the electronic devices that were being used in contravention to our Rules.

And Hon. Mr. MACKINTOSH and Mr. DERKACH having spoken.

WHEREUPON Mr. Speaker ruled there was no Matter of Privilege.

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

Following Members' Statements on March 23, 2006, the Honourable Official Opposition House Leader rose on a point of order concerning Beauduchesne citation 459 and asserted that answers provided during Oral Questions were repetitive and were not relevant to the questions that were asked. He asked the Speaker to take the matter into consideration. The Honourable Government House Leader and the Honourable Member for Inkster also offered advice to the Chair on the matter. I took the matter under advisement in order to peruse the questions and answers from Oral Questions.

I would note for the House that Beauduchesne citation 319 indicates that the Speaker's attention must be directed to a breach of order at the proper moment, namely the moment it occurred, while citation 321 states that a point of order against procedure must be raised promptly. Marleau and Montpetit on page 538 of *House of Commons Procedure and Practice* also advise that Members should be raising points of order as soon as the irregularity occurs. I would note for the House that the point of order was raised after Members' Statements when the alleged infractions complained of took place during Oral Questions.

Concerning the specific issue raised in the point of order, regarding the relevancy and repetition of answers provided by government ministers, I would note that the citation referenced by the Honourable Official Opposition House Leader, citation 459, deals with relevancy and repetition in debate, and does not refer to proceedings in Oral Questions. Also, as Members may be aware, Marleau and Montpetit advise on page 433 of *House of Commons Procedure and Practice* that “the Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or content of replies to questions.”

I would therefore rule that there is no point of order.

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Pursuant to Rule 26(1), Messrs. MURRAY and MARTINDALE, Mrs. ROWAT, Ms. KORZENIOWSKI and Mr. LAMOUREUX made Members' Statements.

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Following Members' Statements, Mr. DERKACH rose on a point of order to move that this House do now adjourn.

WHEREUPON Mr. Speaker ruled that there was no point of order.

From his decision, Mr. DERKACH 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	MARTINDALE
ALLAN	MCGIFFORD
ALTEMEYER	MELNICK
ASHTON	NEVAKSHONOFF
BJORNSON	REID
BRICK	ROBINSON
CALDWELL	RONDEAU
CHOMIAK	SALE
DEWAR	SANTOS
IRVIN-ROSS	SCHELLENBERG
JENNISSON	SELINGER
JHA	SMITH
KORZENIOWSKI	STRUTHERS
MACKINTOSH	SWAN
MALOWAY	WOWCHUK..... 30

Wednesday, April 19, 2006

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NAY

CULLEN	MAGUIRE
DERKACH	MITCHELSON
DYCK	REIMER
FAURSCHOU	ROWAT
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The House then adjourned at 5:05 p.m. until 1:30 p.m. Thursday, April 20, 2006.

Hon. George HICKES,  
Speaker.