

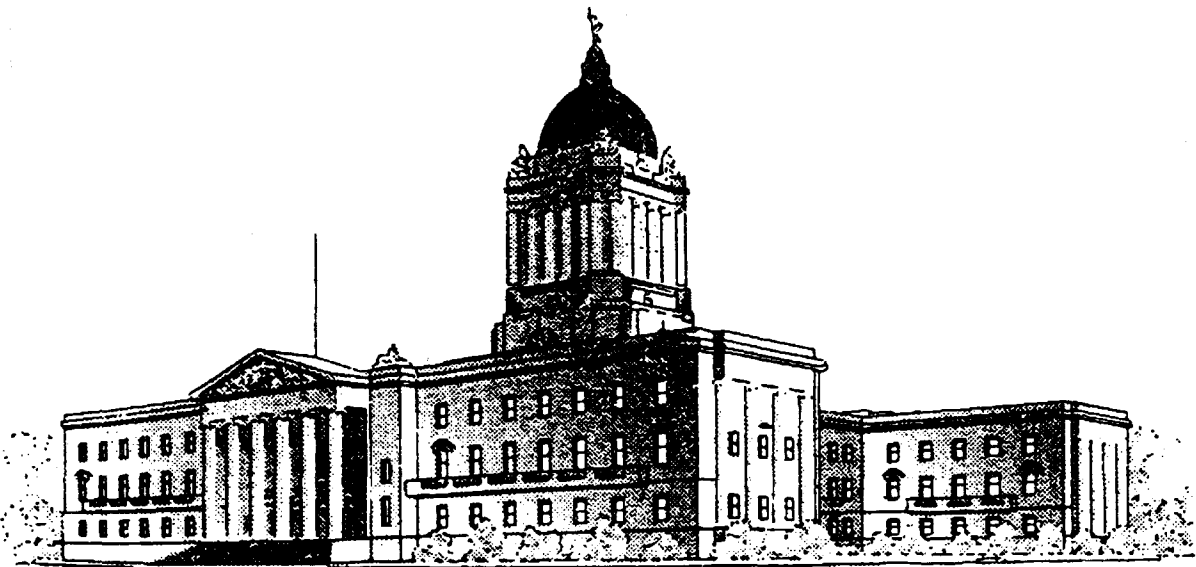


A04071

Third Session - Thirty-Sixth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

**Official Report
(Hansard)**

*Published under the
authority of
The Honourable Louise M. Dacquay
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

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BARRETT, Becky	Wellington	N.D.P.
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JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
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WOWCHUK, Rosann	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, March 3, 1997

The House met at 1:30 p.m.

At 1:30 p.m., all members and guests standing, the Sergeant-at-Arms, carrying the Mace shoulder high and followed by the Speaker and Clerks of the Legislative Assembly, entered the Chamber and proceeded along the west side. The Speaker took post on the east side of the Chamber, the Clerks took post on the west side of the Chamber and the Sergeant-at-Arms returned along the east side of the Chamber to the main entrance where he stood and awaited the arrival of His Honour the Lieutenant Governor.

The Premier, members of the Executive Council, military and civil aides, and officers comprised of the officer escort met in the Lieutenant Governor's reception room.

The Premier, members of the Executive Council, military and civil aides, and officer escort accompanied His Honour from the reception room to the Chamber in the following order:

*The civil aide on the right;
the military aide on the left;
the officer escort;
the members of the Executive Council;
the Premier; and then
the Lieutenant Governor.*

At the main entrance, the military and civil aides, the officer escort, members of the Executive Council and the Premier halted and turned inward to allow the Lieutenant Governor to advance to the head of the officer escort where His Honour was met by the Mace.

Deputy Sergeant-at-Arms (Mr. Garry Clark): His Honour the Lieutenant Governor.

The Lieutenant Governor then, preceded by the Mace carried shoulder high, and followed on his left by the military aide and on his right by the civil aide, proceeded along the west side of the Chamber to the throne. The Premier proceeded along the east side and

stood on the floor on the east side of the Chamber. The members of the Executive Council took their places.

The military aide took up his position on the east side of the throne, and the civil aide took up his position on the west side of the Chamber.

The officer escort was positioned on the west side of the throne.

The Lieutenant Governor seated himself on the throne; the Mace made obeisance and retired to the east side of the Chamber.

The civil aide advanced from the position he had taken on the west side of the Chamber and, after the usual obeisance on each step, handed the Lieutenant Governor the Speech from the Throne.

The civil aide then retired, step by step, backwards and took up his position on the west side of the Chamber.

The Lieutenant Governor seated the House.

* (1350)

SPEECH FROM THE THRONE

Hon. W. Yvon Dumont (Lieutenant Governor of the Province of Manitoba): Madam Speaker and members of the Manitoba Legislature, I welcome you to the Third Session of the Thirty-sixth Legislature of the Province of Manitoba.

Je vous convie à la troisième session de la trente-sixième Législature de la province du Manitoba.

As members of this Assembly gather to conduct the legislative and financial business of this House, 1997 continues to be a promising year for our nation and our province.

Canadians everywhere have reason for pride and renewed confidence. After years of difficult but

essential adjustment, our economic foundations are being secured and our industries are being modernized to compete with the best in the world.

My government knows that responsible management of our public finances, using taxpayers' money wisely, should continue to be a high priority. Consecutive balanced budgets and the taxpayer protection legislation continue to assure Manitobans of that priority. With restored fiscal stability we have set our economy on a solid and sustainable path, opening new opportunities for jobs and growth.

Our province's transformation has been remarkable and unprecedented, but the pace of change is accelerating around the world. We must stay on the path we have set as we continue to adapt and to target new opportunities.

We have established a framework for growth which has proved its value. The elements of that framework are clear:

- first, a balanced budget, to protect essential services, such as health care, and to finance important investments in our future;
- second, a tax system that is fair and competitive;
- third, an economic plan that builds aggressively on our many strengths and looks outward, to our trading partners, to the future, and to the new realities of innovation, technology, knowledge and lifelong learning. The basic aims of that plan are quality jobs and growth, for all regions of our province;
- fourth, a social policy which ensures the benefits of growth are shared fairly among all our citizens, and protects and improves health care, education, justice and social services. Our social policy initiatives are aimed at encouraging self-sufficiency and work instead of dependency wherever possible;
- finally, a spirit of community and a quality of life based on mutual respect, goodwill, and our heritage of co-operation.

Our provincial government has committed to two immediate national priorities: job creation and children

in need. The government of Manitoba has supported those priorities and will join with our partners in important new initiatives to address them.

The federal government has made a commitment to work with the provinces on a comprehensive rebalancing of the Canadian federation. Where Ottawa has lived up to its partnership commitment, in the original national infrastructure program and in the three Team Canada trade missions, success has been substantial and obvious. Where the partnership principle has not been respected, however, important work has been set back and opportunities have been lost.

With unilateral federal cuts in transfers for health, higher education and other programs now in the range of \$7 billion a year across the country, the magnitude of the challenge is clear.

Étant donné les coupures, actuellement de l'ordre de sept milliards de dollars par année à l'échelle du pays et effectuées unilatéralement par le gouvernement fédéral dans les paiements de transfert destinés à la santé, à l'enseignement supérieur et à d'autres programmes, l'ampleur de la tâche est évidente.

My ministers believe that good-faith partnerships can only strengthen and help unify our country. To that end, my government expects in the near future to enter into a one-year agreement to top up the current national infrastructure program and to serve as a bridge to a new, long-term national program of investment in strategic capital works priorities such as our national highways system.

Recognizing that a modern health system is vital to the Manitoba way of life, my government is embarking on a bold plan in partnership with Manitobans to make the necessary changes that will guarantee high quality and accessible health care well into the next century.

My government also expects to join other provinces in signing a major new agreement with the federal government on labour market development and training. This agreement will increase the province's ability to ensure that key training initiatives reflect Manitobans' particular needs and circumstances.

My government will also work closely with the other provinces and the federal government in the coming year on the design of a new, comprehensive national child benefit system. My government and all Manitobans believe that these efforts can serve as a model for a more positive, co-operative approach to social policy renewal.

* (1355)

The accomplishments of the past year and the forecasts for the current year provide good economic news for Manitobans. Strong employment growth, five consecutive years of private capital investment growth and strong exports put Manitoba in the lead nationally. In 1996, the Manitoba economy grew at almost twice the national average and is forecast to grow at nearly the same rate in 1997.

Retail sales have grown at twice the national rate for two years. In a national survey last year Manitoba led all provinces in the proportion of business owners who expect the performance of their firms will be stronger in 1997. Manufacturing shipments in 1996 grew by triple the national average, and building permits were up by double the national average. Virtually every sector of the economy is experiencing strong growth.

The real significance of this improved confidence and strong economic growth is the high level of new job creation. Statistics for the last twelve months show that Manitoba created a remarkable 23,900 net new jobs, the largest increase in the country. Over the same period, Manitoba's unemployment rate declined, while the national unemployment rate rose slightly with more Manitobans working than ever before. Our youth have the option of staying in their home province for their future career opportunities.

Manitoba businesses continue to enjoy remarkable success in exporting their goods and services, with our exports doubling over the past five years. To maintain and improve upon this success and create more jobs, my government is committed to full implementation of the 1994 Agreement on Internal Trade. Our efforts in the coming year, focusing on extending the agreement to cover the procurement of other public sector organizations, will ensure that Manitoba suppliers have access to the full Canadian market.

My government, having consulted with interested Manitobans on the negotiation of a North American Free Trade Agreement, insisted that additional measures would be needed to ensure the proper enforcement of labour and environmental standards in all countries that belong to the NAFTA. Accordingly, in January my government signed federal-provincial agreements that allow our full participation in the North American agreements on labour and the environment which accompany the NAFTA.

During this session, legislation will be introduced to provide for the full implementation of these side agreements in Manitoba. The remarkable success enjoyed by Manitoba businesses exporting to Mexico and the United States under the NAFTA, with exports more than doubling since 1990, will be protected through effective enforcement of labour and environmental laws.

Markets of opportunity for Manitoba exporters are being targeted. A successful entry into the South American marketplace was initiated through a joint government-business mission into Brazil, Argentina and Chile. Ukraine, Asia, and South Africa are other key markets. Together, businesses and government will continue to develop a Manitoba profile and presence in these marketplaces.

My government is actively promoting the mid-continent trade and transportation corridor initiative which will provide for a seamless, uniformly regulated infrastructure to support the efficient and effective movement of Manitoba goods and services to new and expanding markets in North America and beyond.

* (1400)

The 1999 Pan American Games will be the largest celebration of sport and culture ever staged in Canada. Planning for this major international event is well underway. None of this would happen without our enthusiastic volunteer base. My government is working closely with the Pan Am Games organizers to take full advantage of the economic and community development benefits of staging the games. In addition to their significant direct economic impact, the games will also provide Manitoba and indeed all of Canada with a vehicle to expand economic and cultural

relationships in the Americas and to further showcase our city, province and country.

The Pan American Games economic development initiative will focus on the many legacy components of the games, including enhanced trade and investment, tourism development, community development and cultural industry expansion. My government will support such endeavours through its existing operations. Several major announcements will be forthcoming.

My government will also continue to support the Winnipeg private sector effort to establish Winnipeg as a global hub for multimodal transportation and logistics services. Our goal is to increase economic activity and jobs in Manitoba through maximizing transport efficiency and facilitating economic linkages along this historic trade corridor in the heartland of our continent.

Small business continues to be the leader in job creation in the Manitoba economy with over 34,000 small businesses and 83,000 self-employed entrepreneurs. More than one-third of Manitobans are employed in firms with less than 50 employees and small business accounts for over \$3 billion or 28 percent of Manitoba's total payroll.

My government will continue to build partnerships with other service providers for small business, including other provincial agencies, the federal and municipal governments, industry associations, co-operatives, aboriginal economic development groups and women's business associations. The mandate is to ensure proper training and educational tools are available and accessible for business entrepreneurs.

Tourism continues to be a high growth and job creation sector. My government will promote and support new initiatives through a provincial tourism strategy which has evolved from two provincial tourism forums. In 1997, Regional Tourism Forums will help develop strategic regional plans through grassroots consultation.

Manitoba's oil and gas industry is strong, aided in large part by the introduction of the Petroleum

Exploration Assistance Program. As a result of sales in this year and previous years, the amount of land leased to the petroleum industry is the highest since the initial development of Manitoba's oil fields in the 1950s.

The level of petroleum exploration in 1996 was two and a half times the 1995 value, with nearly twice as many wells drilled.

The Mineral Exploration assistance program has led to significant increases in the value of exploration expenditures and the number of companies active in our province, primarily in the North.

Many Manitobans have taken up the challenge of building a stronger future by adapting and diversifying our rural economy. It is their hard work that is the reason for the impressive economic growth which is amongst the best in the nation. The task force on rural diversification will soon be reporting. With this advice my government will continue to support the efforts of all rural Manitobans by intensifying its efforts to ensure the availability of program support for rural small-business people, individuals and communities.

Over the past year agriculture and the agri-food sector have achieved significant success in both diversification and value-added initiatives. Hog production, potato production and processing, new crops and nontraditional livestock are all experiencing phenomenal growth as producers in our province respond to massive changes in transportation and trade and seize emerging opportunities.

* (1405)

The changing international and domestic scene in agriculture and agri-food which has spurred an immediate requirement for adjustment within Manitoba presents boundless opportunities. Never before has the need for industry development and applied research been so urgent. In response, my government will support development and research in all aspects of the industry, including primary crop production, livestock, value-added, biotechnology and market development. This important investment in our agriculture industry's future will enable us to meet the challenges and opportunities before us.

In keeping with its continuing commitment to sustainable development, my government will initiate sustainable development strategies for the province's fisheries and wildlife resources. Manitobans will again have the opportunity to participate in public consultations and contribute to the development of these new strategies to provide Manitoba with improved fisheries, wildlife and habitat management policies, and to serve as the foundation for future review of The Wildlife Act.

My government is on schedule to meet our commitment to build a network of protected areas. An action plan was recently announced outlining the second phase of Manitoba's co-ordinated approach to furthering the establishment of the network for today's generation and for generations to come. Manitobans will continue participating in this process through public consultations. Building on the successful co-operation which resulted in the creation of Wapusk National Park, my government will work toward the proposed establishment of a national park to represent the Manitoba lowlands region of Canada.

While Manitobans and other Canadians are justified in being encouraged by our economic progress, we must also acknowledge that an important group in our society has been largely bypassed in realizing the benefits. The Royal Commission on Canada's Aboriginal Peoples provides a number of recommendations for dealing with the bleak futures facing far too many aboriginal Canadians. Much of the responsibility for this deplorable situation must rest with the government of Canada, which has failed to live up to its historic and legal obligations to First Nations, while acting unilaterally and offloading growing costs onto other jurisdictions. The federal government's withdrawal from its long-standing financial support for services delivered to Status Indians off reserve has cost our province alone over \$100 million over the last five years. Those reductions, along with those in health and education transfers, are unfair to Manitobans and limit their opportunities to advance and realize their potential.

While my ministers do not support these federal government actions, we have made it clear that we believe we must work in close partnership with each other, with First Nations representatives and with the

private sector on these challenges if we are to make the best possible use of available resources.

In this spirit of partnership, my government will be announcing a new initiative to place unemployed aboriginal high school, college and university graduates into positions in the private and public sectors by encouraging employers to commit to a number of entry level positions each year for aboriginal graduates. This program will help address the high levels of unemployment in the aboriginal community and will be financed in part by the provincial and federal governments.

* (1410)

Negotiations on Northern Flood Agreement claims are expected to be successfully concluded with community ratifications by this summer. Similarly, significant progress is being made on finalizing treaty land entitlement negotiations. These negotiations arise from provincial constitutional obligations to return land to Canada in order that the federal government may address outstanding land obligations to certain Indian bands through the signing of treaties. Seven TLE agreements have been completed to date and my ministers anticipate signing a TLE framework agreement with Canada and the remaining 19 bands in the near future. The settlements of this outstanding obligation which has existed for decades will help secure economic progress and independence for those communities.

De nouveaux partenariats sont également essentiels pour que nous puissions nous attaquer aux grandes questions de politique sociale dans notre province et dans tout le pays.

[Translation]

New, co-operative partnerships are equally critical in addressing the broad challenges of social policy in our province and across the country.

[English]

In health care, and despite large-scale federal funding cuts, the Manitoba approach, of carefully developed

pathways leading to better co-ordinated, integrated health services, is beginning to show results. The Winnipeg Hospital Authority, the Brandon and the rural health authorities, and the Winnipeg Community Health Authority are being developed. By looking at the system as a whole, we can take the best qualities from each facility and use them throughout the province for the benefit of all Manitobans.

My ministers advise me that more services such as post-surgical cardiac rehabilitation, dialysis, chemical dependency programs, mental health programs and an expanded intravenous program will be provided closer to home. A new integrated model for palliative care is also being considered.

Investing in health and spending smarter also mean preventing illness, protecting health and promoting wellness. This requires new and innovative approaches such as a mobile child health clinic, diabetes prevention, a provincial children's asthma education program, an expanded role for nurses, a cardiovascular strategy, midwifery and other women's health initiatives.

Education continues to be a key factor of my government. Despite massive reductions in transfers from the federal government, my government continues to provide funding for education that is second only to health as a percentage of the provincial budget.

Building a foundation for our youth demands an education that equips them with the skills to be competitive in today's and tomorrow's global economy. World-class standards and uniform testing will be adopted throughout the province to help assure success for our youth. Increased and regular parental involvement improves our schools and our education system.

In the recent announcement of support for public schools the level of funding was maintained. To assist school divisions in their forward planning, this will be the base funding level for next year.

School divisions have found increased efficiencies in the areas of administration and operations. Consistent with the government's commitment, they will be able to

keep surplus funds resulting from those savings and redirect them into the classroom.

To demonstrate my government's commitment to lifelong learning and access to basic education, funding will be provided for pupils, including adults, attending school beyond the normal school day, to complete their diploma requirements.

Progress continues in many other areas of education renewal. Curricula emphasizing English, math and science are being implemented. Western provincial collaboration in curriculum development continues, resulting in greater consistency across the provinces. In addition to core subjects, the initial steps are being taken to develop heritage language curricula and resources. Later this year my government will receive the results of a review of special education in Manitoba.

The education and training system is continuing to be more responsive to the needs and aspirations of aboriginal peoples.

More funding for technology as a foundation skill is being committed. Distance education is increasingly a reality for schools and universities throughout our province. Together with our education partners, this technological network will provide better access to educational programs, facilitate collaboration, provide greater choice for students and generally provide exciting, cost-effective learning opportunities.

The Council on Post-Secondary Education will begin operations with emphasis on the development of stronger partnerships and collaboration within the post-secondary education system and improved linkages with the business community.

The recommendations of the Task Force on Apprenticeship which are expected this spring will lead to the revitalization of apprenticeship, a cornerstone of Manitoba's training strategy which provides exciting career opportunities. The Employment First strategy and the welfare reform initiative have helped Manitobans gain independence through employment. We know Manitobans want to work, and we are creating an environment that will help people become independent. We want to invest in their future to break the cycle of

dependency and allow Manitobans to reach their full potential.

Nous sommes à mettre en oeuvre de nouveaux projets, concernant notamment la création de partenariats entre les employeurs et la communauté, et l'accroissement de l'importance accordée par les organismes communautaires à l'alphabétisation des adultes.

[Translation]

New initiatives, including the development of employer and community partnerships, and an increased emphasis on adult literacy training through community organizations, are being implemented.

[English]

My government has achieved these successes through innovative partnering with the private sector and community-based groups such as the Mennonite Central Committee. Youth NOW is one of the new programs that has been introduced. By the end of this fiscal year, more than 600 single parents will be entering the workforce with new skills as they make the shift to independence through programs such as Taking Charge!.

My ministers believe our system of social services and income support programs created to care for those in need is reinforced by our tradition of strong community and family values.

My government has made significant strides in meeting the challenges and will be undertaking a number of new initiatives to make further progress toward achieving our objectives.

My ministers are actively involved in the work of the Ministerial Council on Social Policy Renewal established by Canadian Premiers in 1995. The purpose of the Council's mandate is to co-ordinate the activities of various sectors to address the policy vacuum created by the federal government's reduction in transfer payments to provinces, as well as by the significant changes to federal social programs. The federal government has now joined with provinces and territories and has participated as an active partner in

the collective efforts to address these important challenges.

Canadians are concerned about children growing up safe and secure and with real prospects for a better life. Our province has already introduced measures such as the Manitoba tax reduction to assist many lower income families by reducing the income tax they pay.

Manitoba will work with other governments to deliver a new national child benefit. My government welcomes this nationwide initiative and, in particular, we welcome the participation of the federal government. Children who begin their lives in want and poverty do not have the fair and equal chance to flourish, grow and achieve what Manitobans believe should be the birthright of every child. The joint federal-provincial initiative as it is evolving promises to help reduce poverty among many Manitoba families with children, but my government is not yet satisfied that this new initiative includes a recognition of, and effective measures to address, the very special problems of child poverty that affect many of Manitoba's First Nations people. Taking action to overcome the levels of poverty among First Nations people is an urgent necessity.

In the months ahead my government will be working hard, with the federal authority and other provinces, and with First Nations communities across Manitoba, to ensure that the national initiative against child poverty and other actions of government include realistic measures to include First Nations Manitobans fully in the benefits and opportunities we aim to create.

* (1420)

In the area of child and family services, our efforts have emphasized and will continue to emphasize child protection and development. My ministers have engaged the community in dialogue on how to best provide support to families in difficulty.

During the past year, my ministers initiated a review of the child welfare system to identify approaches to modernize the system and sought community input in the process. Amendments to The Child and Family Services Act based on these public consultations will be submitted for consideration.

My government will redesign youth emergency services as part of its strong commitment to a safer society, in our homes, neighbourhoods, and schools. It will continue to apply the standard of zero tolerance for violence against women.

Support for the best crisis shelter system in Canada will be maintained and increased. In addition to providing shelter for women and children in crisis, our system provides counselling for children who have witnessed violence in the home.

My government's commitment to youth and families will be demonstrated through initiatives such as the urban youth sports camp, housing assistance for high risk groups, and innovative pilot programs aimed at providing early intervention for children and families at risk.

Public safety will continue to receive priority attention. While crime rates are dropping, Manitobans continue to express concerns about their safety. As a result, a Public Safety Branch responsible for crime prevention initiatives and victims programming has been established. Services and programs now provided will be improved. New programs for victims and crime prevention will be developed.

Les programmes de sécurité personnelle seront améliorés dans nos résidences pour les personnes âgées, afin d'assurer le confort et le bien-être de ces dernières.

[Translation]

Life safety programs will be enhanced in our seniors housing to ensure the comfort and well-being of senior tenants.

[English]

The program aimed at revitalizing capital infrastructure in older Winnipeg neighbourhoods has been highly successful, resulting in the rejuvenation of a number of city neighbourhoods. My government intends to continue its commitment to Winnipeg's older neighbourhoods through a new six-year program. Announcements addressing the capital needs of our

cities and communities and providing for public amenities will be made in the months ahead.

Renewal of the strategic infrastructure necessary to support strong and stable city neighbourhoods will be the focus of the Winnipeg Development Agreement's Neighbourhood Infrastructure Program which will be implemented this year.

My government will implement a plan for the ChildrenFirst strategy, including pilot projects that will draw on the best practices throughout the world to address the pressing issues faced by Manitoba's children and youth. Input from non-governmental organizations will be essential to the success of this initiative.

A new approach to the placement of foster children in schools will be implemented with our community partners to overcome fragmented services and to increase the ability of both the child and the school to make successful transitions.

The rising concern about the safety of our children has necessitated an increase in our diligence ensuring that those who work with our children are deserving of the trust placed in them. An abuse screening protocol has been developed to ensure schools are a safe place for children.

My government will introduce new legislation ensuring both the right to privacy protection and the granting of access to information for all Manitobans. The need for stronger privacy protection of personal information, including health information, has emerged during this decade as electronic information technologies have developed together with their ability to manage and communicate vast amounts of data as never before. Extensive public consultations are providing important guidance in preparing this legislation, which will address the challenge of technological change and balance the right of privacy against the privilege of access to information.

Members will be asked to consider amendments to The Elections Act and the Elections Finance Act in response to recommendations from the chief electoral officer.

My government has undertaken a broad cross departmental approach to public service reform and renewal. Several years ago civil servants were called upon to participate directly. My ministers have been heartened by the literally hundreds of civil servants who have come forward to work on our Service First Initiative and other activities such as Better Methods and Better Systems, which will transform the way in which government does business internally and the way in which it interacts with the taxpayers and citizens it serves.

Despite the excellent outlook for Manitoba, we are all too well aware of the threat of very serious flooding in our province this spring. As in past years, our communities are now co-ordinating their preparations and staff from all levels of government are working to provide assistance. We know from experience that these kinds of emergencies bring out the best in our citizens and strengthen the spirit of community that is one of our proudest attributes.

In western Manitoba, the people of the Brandon area are putting the finishing touches to their preparations for the Canada Games in August.

Thousands of young athletes will be welcomed as they gather to display their abilities, strengths and enthusiasm, the same traits that we count upon to build our country at the turn of the century and into the new millennium. The national showcase for our youth and the spirit with which the volunteers of Brandon and western Manitoba will welcome their fellow Canadians typifies the spirit of Manitoba.

Later this year the Royal Winnipeg Ballet will bring further honour to our province when they perform as the feature guests during the Commonwealth Heads of State Conference in Edinburgh, Scotland. Their invitation is an honour and a recognition of the decades of commitment and talent that have forged the reputation of Canada's premier ballet company.

It is the same hard work and commitment of Manitobans that has built the solid foundation which positions our province for unprecedented economic growth in the coming years. My government has built a solid fiscal foundation that has allowed our province

to enjoy two consecutive balanced budgets, with a third balanced budget to be delivered during the upcoming session. All of this has been accomplished within the context of nine years of freezes on major taxes, an unparalleled accomplishment in North America. And, while services are being preserved, we will be among the first provinces to begin to pay down our debt.

My ministers commit to continue spending wisely and prudently, to provide services needed and wanted by Manitobans and to pursue policies that lead to continued investment, job growth and improved public services.

Mes ministres entendent continuer à dépenser sagement et prudemment, afin de fournir les services que les Manitobains et Manitobaines veulent et dont ils ont besoin, et dans le but de maintenir des politiques qui permettront la poursuite des investissements, la croissance de l'emploi et l'amélioration des services au public.

In the course of this session, my ministers will lay before this Legislature a number of specific proposals for review. Members will also be asked to consider Estimates for the requirements for the public services of the province in the next fiscal year, as well as the most recent Public Accounts.

Je vous laisse maintenant aux nombreuses tâches que vous allez être appelés à accomplir fidèlement. Que la divine Providence vous éclaire au cours des délibérations nécessaires à l'exécution de ces tâches.

I leave you now to the faithful performance of your many duties and trust that, in meeting them, you may benefit from the guidance of Divine Providence in all your deliberations.

* * *

The civil aide advanced and, after obeisance, received the speech from the Lieutenant Governor and retired to the west side of the Chamber.

The Mace then made obeisance before the Lieutenant Governor and preceded him along the east side of the Chamber to the main entrance, accompanied by the

Premier, the aides and the officer escort. All members and guests stood.

God Save the Queen and O Canada! were sung.

The Speaker proceeded to the Chair after His Honour retired from the House.

The Premier proceeded to his seat in the Chamber.

The Sergeant-at-Arms proceeded to the Speaker who was standing before the Chair. The Mace made obeisance and returned to the table.

* (1430)

Madam Speaker: O Eternal and Almighty God, from Whom all power and wisdom come. We are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O Merciful God, we pray Thee, that we may desire only that which is in accordance with Thy Will, that we may seek it with wisdom, know it with certainty and accomplish it perfectly, for the Glory and Honour of Thy Name and for the welfare of all our people. Amen.

The Speaker bowed to the members and seated the House.

MATTER OF PRIVILEGE

Resignation of Speaker

Mr. Gary Doer (Leader of the Opposition): I rise today on a matter of privilege. Madam Speaker, if any guests would like to leave, I will be speaking for approximately 15 minutes on this very, very important motion and the statement we have before the House here today.

Madam Speaker, as you know, on November 28, 1996, I was refused the opportunity to speak on a matter of privilege, as I requested to do in this Chamber. You refused to recognize me and many other members on this side of the Chamber. You refused to recognize the members of this Chamber that make up some of the 58 percent of the constituents in the province of Manitoba.

Madam Speaker, we feel this is a very, very important matter of privilege today, and it must be raised today. It must be raised now, because we cannot live with the precedents of democracy that were denied us in this Chamber on November 28, 1996.

Madam Speaker, extreme violations of our rights as MLAs must be dealt with in a very unusual way today as we read the Speech from the Throne. There are precedents, as you know, for a matter from a previous session to be dealt with at the earliest opportunity of this session, and we feel we have adequately met those precedents in the statement here this afternoon. But there are no rules or precedents in our parliamentary tradition that give the Speaker the right to unilaterally refuse to recognize any member of this Chamber on a point of privilege. That is a fundamental right in our parliamentary system, a right that has been maintained by Speakers all across this country.

Matters of privilege, as you know and as members in this Chamber know, they all know that matters of privilege take precedence and must be considered immediately in this Legislature, in Legislatures across this country and indeed in the Parliament of Canada. As former House of Commons Speaker Jeanne Sauve stated in previous important precedent rulings, questions of privilege should cut through any debate taking place in the House of Commons like a hot knife. That did not happen on November 28, 1996, and for that we say it was a shameful moment in this Legislature in a democracy here in Manitoba.

Madam Speaker, it is your responsibility, your trust, your role, your duty, and the duty of other Speakers who have gone before you and other Speakers who will come after you, to protect the rights of all individual members of the Legislature. It is not the duty or responsibility or the role of Speaker to protect the rights of the Premier or the cabinet or the legislative arm of the government. It is the duty and responsibility of the Speaker to protect all the rights of all members of the Legislature. When the Speaker refuses to follow our rules, the Speaker refuses the basic tenets of our parliamentary democracy and undermines all of us and all of our constituents who rely on you and you alone to uphold the rules and uphold the rules against an autocratic and undemocratic government.

I was proud to stand in this Chamber in 1990 during the Meech Lake debate. At that point, Madam Speaker, the Prime Minister of this country had stated publicly that he had chosen the day, he had chosen the date to roll the dice and the votes would happen accordingly because he had chosen the dates. Well, I was proud of the fact that the Speaker of the day, a Conservative Speaker of the day, and all members of this Legislature said no to breaking our rules and said yes to parliamentary democracy. I was proud of that day. There were people on different sides of the merit of the issue and there were people on different sides of the substance of the issue, but there was nobody who was in disagreement that an individual MLA had all the same and equal rights to every other MLA in this Chamber. That was a proud moment for Manitoba's Legislature, a proud moment for our parliamentary democracy.

* (1440)

November 28 was a shameful and disgraceful moment in terms of protecting the rights of individual MLAs in this Chamber, a moment of which I am not proud, nor should any member of this Legislature be proud. The refusal to recognize members of this Legislature as equal elected members of this Legislature is an affront to our constituents. It is an affront to the time-honoured rules of this Legislature. Our rules of our Legislature were violated over and over and over again without any protection by the fundamental presiding officer of this Chamber and that is unacceptable. Whether it is the timetable of the Prime Minister or whether it is the timetable of the Premier or the timetable of a cabinet minister, you, Madam Speaker, in the role of Speaker as presiding officer must protect the democratic rights of all of us. You are charged as the officer to protect our rights in this democratic forum and we expect nothing less from you in that Chair.

It is very fundamental. It was the same issue in Meech Lake. It was the same issue on November 28. It is the same issue that has been confronted by Speakers in the past and governments in the past who want to get their legislative timetable completed. The rule is simple. It is fundamental. It is basic that every elected member has the right to represent his or her views on behalf of his or her constituents on an equal

basis. There is no better or worse constituent in Manitoba. There is no better or worse MLA. There is not one MLA that has different rights through the Speaker's Chair than another MLA that has inferior rights, Madam Speaker. That is a fundamental tenet of democratic rights in this Chamber and you violated those rights on November 28. These rights cannot be taken away at the whim of a government and at the whim of a Speaker. They are guaranteed, on the other hand, by you and the presiding officer that is Speaker in this Chamber.

Madam Speaker, prior to your selection by the Premier (Mr. Filmon) as Speaker, we had proposed a positive way to deal with this issue. Two years ago we had proposed an elected Speaker. We have had differences of opinion with you in the past. As you know, we were fundamentally opposed to another violation of our rights as MLAs when you ruled that no policy dealing with the provincial government could ever be called a racist policy in our past history, in our present sense and in future history of Manitoba. No policy could be called a racist policy in our historical past, in our present and in our future. We did not believe that a Speaker had the right to take away those rights of freedom of speech in this Chamber.

There have been questions raised in this Chamber in the past. Let me give you an example, questions raised in this Chamber in the past about the practice of the provincial government through the Department of Finance to pay for the former Finance ministers of this province to be members of the Manitoba Club, taxpayers' money going to the Manitoba Club. At the same time that was happening, the Manitoba Club prohibited the membership of women and Jews. That was a racist policy in our history, Madam Speaker, and should be called a racist policy in this Chamber. There have been precedents in the past in the University of Manitoba. There have been precedents in the past dealing with the historic nature of First Nations people and residential schools. We have raised those with you before. We have voted against those decisions of yours in the past and unfortunately the whip was on from the Premier's Office to uphold an undemocratic decision in the past.

But, Madam Speaker, we have to move forward to November 28. Our rights as individual members have

been eliminated in terms of your decisions on November 28. We believe that two actions are necessary in this Chamber. We believe we need fundamental reform of the Speaker's office. We believe in an elected Speaker. We believe in moving into the 21st Century. An elected Speaker with a secret ballot has been implemented in the Parliament of Canada, in the Parliament of Great Britain, in five provinces in Canada and as other provinces move into the 21st Century, this Premier stays in the past with a Speaker that is chosen on the will of the Premier—chosen and fired, I might add, on the will of the Premier—not on the will of each individual member in this Chamber. We think that is a positive way and a positive action that must happen, but we also believe that the decision that you made about all individual MLAs and the decision that you made on November 28 must be dealt with.

This Legislature cannot be run by cabinet, cannot be run by a government caucus, cannot be run by a Premier. This Legislature, this Chamber, this Chamber of 57 equal people must be presided upon by an impartial Speaker that implements the rules in this Chamber in an impartial and judicious way. That is what is so fundamental to the debate we are having here this afternoon and so fundamentally important for us to rise on this first day of the Speech from the Throne.

The U.S. system has their checks and balances. We have a tremendous amount of power in a Canadian parliamentary system invested in the head of government and in the executive branch of government. One of the fundamental ways that we have checks and balances in a parliamentary democratic system is to have each individual member protected by you, Madam Speaker, the presiding officer. That broke down on November 28.

Madam Speaker, we believe that it is our right to question debate and raise matters of privilege here in this Chamber. It is a fundamental right. It is a fundamental right that we feel was waived by you in the application of our rules and our democratic traditions not only in Manitoba but in every other Chamber in Canada and by the Parliament of Canada itself.

When our rights are taken away, balance has been destroyed and we are left with a one-party government, and that is unacceptable to us, I believe unacceptable to the majority of Manitobans. That is not a true

democracy. Madam Speaker, you are the only one who can maintain a true democracy, and you failed to do so on November 28.

We believe there is lots of damage control about these decisions. Everybody has been blamed, even the former House leader has been blamed, I have been blamed, et cetera, but this Legislature is a Legislature for all the people. It is a Legislature for all the MLAs. It is not the government's private Chamber. It is not the Premier's private forum. It is the forum for 1,100,000 Manitobans, and it must be always treated as the forum for all Manitobans, Madam Speaker.

Madam Speaker, Erskine May has stated the confidence and the impartiality of Speaker is an indispensable condition of the successful working of the procedures and of parliament. We do not feel, and we know, that our rights as MLAs representing the 58 percent of the public were not protected by you with your decision you made on my point of privilege on November 28 and many other members' points of privilege of the same day and of the previous day. That cannot be left as a precedent in this Chamber. That cannot be left as the democratic rule in this Chamber here in the province of Manitoba.

So, Madam Speaker, that is why I move, seconded by the member for Wolseley (Ms. Friesen), that the Speaker be removed from her position and that the passage of this motion by the House would require that the Speaker resign immediately. Thank you very much.

Madam Speaker: The subject matter of this motion is of such importance that I believe the House would want to deal with it at the earliest possible opportunity and would not want to have it held in abeyance.

Therefore, the question before the House is the motion of the honourable member for Concordia, seconded by the honourable member for Wolseley, that the Speaker be removed from her position and that the passage of this motion by the House would require the Speaker to resign immediately.

* (1450)

Mr. Steve Ashton (Opposition House Leader): I have given some considerable thought to what I would

say at the opening of this Legislature. For a time, what happened in November, Madam Speaker, appeared to be something of a nightmare.

I ask members of the public who are here as invited guests today to imagine the situation we were faced in in this House. We had one of the largest bills, most important significant bills in Manitoba history, the sale of the Manitoba Telephone System, there being considerable debate, not involving members of the government I might add, but certainly within Manitoba. We had Manitobans saying to us, the vast majority of Manitobans saying, go in there and fight to save our publicly owned phone system.

Madam Speaker, we followed the rules, we moved amendments, we debated. Then we found in the final two days of the session of this Legislature, the past session, that our democratic rights could be suspended, suspended by you as the Speaker upon the request of the government.

Madam Speaker, this is not a part-time democracy, and Manitobans cannot have faith in this Legislature until the stain of those final two days of the last session, November 27 and November 28, are expunged from the record. That is the first thing that has to be said.

But what hurts me as much as having seen such an important matter decided in that way is what became of this House. I want to begin by saying that this motion focuses on your role, but I want to indicate that I hold the Premier (Mr. Filmon) of this province equally accountable for what happened in the past session of this Legislature.

Madam Speaker, we have had three months to reflect on what happened. To say that we were frustrated, concerned, indeed angry would be an understatement. I say through you to the Premier (Mr. Filmon), the Premier had a chance through the throne speech that was just read to start to deal with what happened in those infamous last two days of the Legislature. We offered what we felt was a reasonable initiative that could be supported not only by all members of this House but by all Manitobans: an elected Speakership.

Madam Speaker, what did the Premier say? I look forward to the Premier's comments on this particular

motion. I hope he will participate because in a recent interview what I found rather interesting was the way in which the Premier talked about how he and his caucus had acted in great decorum. If there is one thing that we can all regret, it was the lack of decorum that took place, but I think the Premier would do well to include himself in that and I will not repeat the remarks he made towards the member for Crescentwood (Mr. Sale).

But what was most interesting, Madam Speaker, apart from the normal political give and take, is that his position was very clear. He stated, oppositions do not decide who is the Speaker and that is the tradition in this Legislature.

I want to say to the Premier, Madam Speaker, I wish he would talk to the many Manitobans that I did. Most Manitobans I talked to, including a lot of people who do not normally support the New Democratic Party, in fact were quite open about that—I have had a number of people who have approached me and said they are not New Democrats at all, not even Liberals—supporters of the Conservative Party. They have stated how they sympathized with what we went through.

I ask the Premier to reflect on that because I have had the luxury of having sat in government too, and I find it interesting that the Premier who likes to criticize opposition members for being negative—may wish to reread some of his speeches when he was Leader of the Opposition. But I find it absolutely appalling that someone who has sat in the House for as long as the Premier has and has been a former Leader of the Opposition does not understand that the Speaker is not appointed by the government for the government. The Speaker represents all 57 members of this Legislature.

Madam Speaker, in fact, I think all members of this House would do well to reflect on the origins of our parliamentary form of government: “parliament” and the root “parler,” the French, “parliamentum,” the Latin, “to speak.” Fundamentally the roots of Parliament are the rights of all members to freedom of speech. It is included in Beauchesne's Citation 1, the Principles of Parliamentary Law. At every opportunity I get when we deal with matters of privilege I read this because I believe this sums up the roots of our parliamentary system, that “The principles of Canadian

parliamentary law are: To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every Member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse."

I read the entire citation because indeed there is a balance. But, Madam Speaker, you tilted the balance on November 27 and November 28 toward a government that wanted to ram through a bill that was not supported by Manitobans, and that is unacceptable. I do not know how many citations we have to read into the record, and, by the way, we did attempt on November 27 and 28 to read into the record many of the citations that point to the need for the impartiality of the Speaker.

Beauchesne, which is the essential authority in terms of Canada's parliamentary system, states very clearly, the essential ingredient of the Speakership is found in the status of the Speaker as a servant of the House. The chief characteristics of the Speaker in the House of Commons are authority and impartiality.

My Leader referenced earlier Erskine May which is the volume that deals with parliamentary practice in the United Kingdom, much of which we have inherited here, and once again states, confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object to ensure the impartiality of the Speaker.

Do you know what is interesting? If one goes to Redlich, it is an authority that is not often cited in the House, I think there is an irony—the judges that were gathered here earlier for the reading of the throne speech. What is the essential role of the Office of Speaker? Redlich states, the predominately judicial character of the Office of the Speaker is the essential role. The historic development now long completed, the complete impartiality of the Speaker has been essential leading up to the solution.

Think about it. How many Manitobans would accept a court of law where a judge was biased toward one of

the parties? Not one, Madam Speaker. How many Manitobans would accept a judge that would refuse to hear one or other sides of the presentations in court, as you indeed did on November 27 and November 28? None. Your role was to act in the same way any judge would—to be absolutely impartial. You completely and absolutely abrogated that role.

I want to stress just how frustrating it is, because your breach is not only a technical breach, it is a fundamental breach. I can list approximately 18 violations of the rules and procedures of the House that occurred November 27, November 28, and that is not even referencing your ruling of November 21.

I want to read this into the record. November 27, you dispense with the order of proceedings, as specified in the rules, by rising to deliver a ruling immediately after Prayers and before any other House business could proceed. As a result, scheduled House business was not dealt with at all. You recognized the government House leader on a point of order but refused to recognize myself on a matter of privilege, which has precedence. You called the vote on report stage before Orders of the Day had been reached. You refused to admit a motion that a member be now heard, which is admissible at any time. You refused to allow the member for St. Johns (Mr. Mackintosh) to complete his allotted speaking time on a motion before the House. You recognized the government House leader before the results of the vote were announced. After the vote, you allowed the House leader to resume the point of order. After the first vote, you repeatedly refused to recognize members of the opposition rising in their place on matters of privilege. Madam Speaker, that was the first day.

November 28, you did not hear the advice on the matter of privilege from all members wishing to speak, including in particular the Liberal member for Inkster (Mr. Lamoureux). The Liberals were denied any opportunity of speaking on the matter. You did not provide a ruling on the matter of privilege, neither did you take it under advisement.

You allowed an illegal motion to be moved. It was illegal for the following reasons. The government House leader had the floor on a matter of privilege, not to move a completely unrelated motion. The House

had to be through the daily routine or Routine Proceedings before moving to the orders of business. That had not taken place. The motion to move to Orders of the Day can be moved when a question is under debate but not when the Speaker is receiving advice on a matter of privilege. You refused to recognize the Leader of the official opposition on a new matter of privilege. You refused to recognize myself on a point of order. For the vote to move to Orders of the Day, you did not enforce Rule 207 which states everyone present and in their seats shall vote. You did not question nor did you allow for any explanation of that failure to vote at that point in time.

* (1500)

Once the House was supposedly in Orders of the Day and the motion to move Bill 67 was moved to be read a third time, you immediately put the question before the House without any further amendment or debate, this in direct breach of Rule 103, subsection 14, which states that a motion for third reading of a bill is debatable and amendments may be proposed. We had no opportunity to debate at that point in time.

Madam Speaker, you did this on the basis of the provisional rules, so you stated, but nowhere in the provisional rules was there anything that gave you the authority at the request of the government to not only break 18 rules of this House, but the fundamental rights and privileges of the 57 members of the Legislature. That is unacceptable. Your actions speak certainly volumes, but if I had any doubt about the need for an elected Speaker, it came when I was reading the Ethnocultural Networker, November-December 1996, a New Year's greeting from the PC caucus of Manitoba. It includes members of the Conservative caucus. It includes yourself. I would like to table that.

Madam Speaker, many members of this Legislature have approached the office of Speaker as partisans. I know you to be a partisan, and I do not consider that to be something that is subject to criticism even of people who have undertaken the difficult position of Speaker, but when you enter this House, you are a representative of all members and, I might add, particularly of those of us in this House on the opposition side who cannot enforce our will on this House because we do not have the majority of members. I am not questioning your

partisan role before you were elected as Speaker. Many Speakers have been fine Speakers and make courageous decisions. I reference the previous Speaker of the House who stood for the parliamentary system at a moment in which the entire nation was watching on Meech Lake, the member for Gladstone (Mr. Rocan), and other Speakers who refused to listen to governments of the day. Once you enter this House as Speaker, you must put aside all partisanship.

It is with regret, Madam Speaker, I say in this House you have not done so and your actions speak clearly on that score, and that is why I want to urge you to do something for the good of this Chamber. We have moved a motion. I hope that the Liberal members of the House will support the motion. I know they certainly were denied their rights as members of this House. We know we do not have a majority in this House, and we have to appeal to the consciences of members opposite. I know the whip will be on, and I am sure it will be on, and there will be an attempt to make sure that this motion is defeated, but I would suggest to you that the simple defeat of this motion does not in any way, shape or form deal with this matter.

There are two things that have to be done. I mentioned before the positive direction we must move in in terms of an elected Speaker, but I appeal to you, Madam Speaker, to your conscience, and I say to you there is no lack of honour in recognizing at this point in time you do not have the confidence of this House. In fact, the honourable thing to do for the good of this Legislature would be to recognize you do not have that confidence and resign from your office. I will leave that with you. I regret having to deal with this matter as we are dealing with it today. I stress again that I hold many people accountable. By the way, I want to say on the public record that one of the people I do not hold accountable is the former government House leader who always dealt with myself as opposition House leader with a great deal of integrity.

We had a provisional set of rules; we had a chance to write a new chapter. We are into another chapter now. We have a course of action ahead of us. We can either seek to rationally look at what has happened here and restore some confidence in this House or continue down the same path that we set in the final two days of

the Legislature. Madam Speaker, the first step, I believe, is your step. I urge you, do the honourable thing and resign.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, before I get underway, individuals around the MLAs, anyone inside the Chamber, feel free to leave at any point in time. I have a very thick skin. I will not feel insulted if you leave during my speech or comments on this very important thing.

Having said that, what is important for us to recognize here is that in fact the government was very successful in manipulating the Speaker's office in doing a very dirty job that the Premier (Mr. Filmon) of this province did not have the courage to do himself, and that is the reason why we here and debating this very issue this afternoon. I want to go back a little way in terms of talking about those provisional rules and that is in essence what we are referring to and that is what led us, at least in part, to the same thing we are here today.

The provisional rules was an effort that was put forward by a number of members, in particular the government, the former government House leader, the member for Thompson (Mr. Ashton), the member for Burrows (Mr. Martindale) and a few others, in which we put in numerous hours in caucus discussion, in private conversations, in order to try to manage the legislative and the financial business of this Chamber in a better fashion. I think very highly of the provisional rules. The provisional rules allowed for us to have debate on bills in the springtime—I am sorry, provided us to have debate on the Estimate process during the springtime. Government was obligated to introduce the legislation so that throughout the summer the public would have the opportunity to be able to see what the government's intentions were, for opposition members to be able to do some work, get themselves ready to address the legislative agenda, and all of that is thrown out the window because, unfortunately, the government of the day has seen fit to disregard the importance of providing better government to all Manitobans.

Here is where the problem occurred. Under the Estimates, under the provisional rules, there was a wind-up clause. That wind-up clause meant that even if we did not debate thoroughly the 240 hours, the

Speaker had the authority to put everything to a vote, to call everything in question, and that then allowed the Estimates to proceed. There was a House leaders' agreement that was signed by me, the member for Thompson (Mr. Ashton) and the former government House leader that said we want to see all of the Legislation passed. Madam Speaker, there was really no doubt to that. The problem is that we did not take care of a clause that would allow that to occur in the same fashion that we did for the Estimates process.

* (1510)

As a result, what happened was, as the session started to wind down, what we saw was a government that was growing impatient with the MTS debate, an opposition that was seeing the amount of resistance that the public was wanting the opposition to provide for this particular government, and then we saw what I would classify as a very cowardly act, and that act was not the political will to do the right thing. The right thing would have been to have brought in closure. Had the government had the courage, what it should have done was brought in closure.

I believe there are numerous MLAs on the Conservative side who understand that and realize that that is in fact what should have happened because then, Madam Speaker, ultimately you had the responsibility to ensure that the rules were in fact going to be abided by. Part of those rules, those provisional rules, meant that the legislation had to pass, so a week prior when you decided that you were going to invoke closure you stole the thunder from the opposition. The opposition was not wanting the Speaker's office to take the blame for the passage of MTS. If the government believed, as it did, that MTS had to be privatized, it should have been the First Minister (Mr. Filmon) that brought in closure. It should not have been the Speaker's office, and that is the reason why I started off by saying that the First Minister and the government hid behind your Chair and were prepared to let you take the hit for it. I think that was a cowardly act.

I believe, Madam Speaker, what the government should have done was brought in closure because had it brought in closure, the procedures, as the New Democratic Leader points out, were there. It was in the rules. The government did have the opportunity to

bring in closure. Had they done that, sure there might have been an uproar inside the Chamber and so forth, and the government could have had a very difficult time in terms of even getting it passed through closure. Had that been the case and then you as Speaker made the ruling that you were going to pass it, then at least you would be on solid ground on which to take the types of actions that you had taken, because then you would have provided all opportunities for opposition and government to be able to participate.

You cannot let the tyranny of the minority, being the two opposition parties, rule the day and that is when you had the responsibility or that is when you would have had the responsibility to take the types of actions that you had taken, but closure was never moved by this government. What is sad is I see a couple of things as a direct result coming out of that. Number 1, there is a cloud that hangs over the Speaker's Chair. How long will this continue on? Is the public's interest best served? The Liberal Party does not want to participate in a prolonged debate with the Speaker in trying to get you out of the Chamber. We want to get it dealt with right away. Deal with it. Let us put it behind us. If you remain in the Chair, well, that is ultimately what the government is ultimately going to decide.

What the Liberal Party wants to do is hold this government accountable for the types of actions or inactions that are happening in Manitoba. We have jobs that are leaving, whether it is Rogers, Molson. We have health care reform that is being driven by the dollar, by this province trying to save on dollars when in fact dollars are there. We see educational reform that just is not working. This government's ability to be able to deal with gambling in this province is an absolute disaster.

These are the issues this government has to be held accountable for. Well, the Liberal Party is not going to allow this government to manipulate us as they have done the Office of the Speaker. We have had opportunity. You and I have had discussions in the past about the Speaker's role, and you and I have gone head to head on numerous discussions, in particular right after the provincial election when I was not even being recognized to be able to stand up and pose a question, but ultimately we were able to come to resolve that particular issue.

I know that you have it within you to be able to resolve this particular issue. The member for Thompson (Mr. Ashton) brings up a valid point. There are two ways in which this issue can be resolved, either through the government, and I do not hold out too much hope for that particular way, and then it is through you. Ultimately, as I have indicated, from my colleagues perspective, we want to start dealing with the government's agenda. We do not want to be sidetracked by the issue of the Speaker. We have always supported the concept of having the elected Speaker. In fact, I believe early last week we even issued out a press release talking about how it can be done.

Madam Speaker, the Premier could stand up in his place today following me or whomever and make the commitment that Manitoba will have an elected Speaker ideally tomorrow. If not tomorrow, tell us when you are prepared to accept that sort of a reform because to a certain degree we acknowledged that. We acknowledged that when all 57 MLAs accepted the provisional rules, but because of personalities and people being somewhat pig-headed, we are going to lose those provisional rules. That means Manitobans are not going to be as governed as well as they could be. Why? Because of personalities inside this Chamber. I think that is a disgrace and a shame. We have to ride above that.

You know, I have been called a liar outside in the hallway by a minister in the past and you know what, we rode above that afterwards. You get over it. That is what politics are about. I want to be in the seats across there someday with Ginnie Hasselfield as the Premier. Well, in order to do that, what we have to do—that is a Brownie point, she is up in the gallery—we have to get over the personalities. I see individuals who are outside the Chamber; inside it is a political forum. Once we leave the Chamber it is important that you build up a relationship, a rapport, with the government and with opposition members. That is the reason why I believe we got involved in politics, to try to make a difference, to provide a sense of security to Manitobans, and we can do that jointly even in the adversarial role that we have to play amongst each other.

Madam Speaker, I challenge the Premier (Mr. Filmon) to stand up today and make a firm commitment

to having an elected Speaker. I think that would be a very positive way in which we could put this thing to rest completely. It could be a done deal today and then we can go on and start asking the government what it is doing with whatever the different issues of the day are or long-term projects that this particular government might have. That is what I want to do, that is what the member for St. Boniface (Mr. Gaudry) and the member for The Maples (Mr. Kowalski) want to do, and I believe ultimately that a vast majority of the members in this Chamber want. They want an atmosphere, a Chamber in which there is going to be productivity where people are going to feel as if they can make a difference. That is why I wanted to be elected, because I believe I could make a difference.

I would ask the Premier to do the honourable thing to have that cloud dispersed, to announce to the Chamber that he is prepared to accept an elected Speaker. That would be the most positive thing that came out today. I have seen now seven, eight throne speeches in the past. There is not really that much of a change. You always pat yourself on the back. You always criticize the feds for federal cutbacks, blame them for everything. That is all standard stuff. We know that, Madam Speaker. Here the Premier can actually make a difference. The Premier can stand up and say, we are going to support the idea of an elected Speaker, and with co-operation from your office we could actually be having that election tomorrow.

Madam Speaker, on those few words I conclude my remarks in hopes that the Premier will in fact respond to the challenge and rise.

* (1520)

Hon. James McCrae (Government House Leader): Madam Speaker, I have listened with interest this afternoon to the comments of the Leader of the Opposition (Mr. Doer), the comments of the opposition House leader (Mr. Ashton) and the honourable member for Inkster (Mr. Lamoureux), and I think we can all agree that in every quarter you will find things said by all these honourable members about which there will be agreement. But I think one of the more important things that was said today was said by the honourable member for Inkster when he said that the people of Manitoba would like to see us do our work, and I think

that is why we are here. I totally agree with that statement. I will not make my contribution to the discussion this afternoon extend for an unreasonable period of time, the length of time before which we get down to doing the work of the people of Manitoba. I do not want to talk about the throne speech because that is going to come at the appropriate time, but that is what the work of the people of Manitoba is about and I think that is what we need to get on with.

The honourable Leader of the Opposition made reference to the fact that we are all moving towards the 21st Century, and I think we ought all to remember that as we address this and other issues before us in this Legislature and try not to get bogged down on rules, for example, that come to us from the long, long term past. It was time to have new rules, provisional rules like we had, Madam Speaker, and it is that issue where we find we got a little into some difficulties as a number of parties in an elected Legislature in this country.

Once we strip away all the rhetoric and all of the theatrics, I believe we are left with a situation where we have some members of a Legislature disagreeing with some other members of a Legislature.

Well, with all due respect, that is not new, Madam Speaker. What is different about this one is that instead of calling for accountability on the part of the government of the day, which is what we are here to do day in and day out, we have decided, or some have decided, to make a more personal focus in this regard, and I think that is very unfortunate, and that is why it is with regret that I rise today to speak on the motion moved by the honourable Leader of the Opposition.

This motion is not unlike those moved on previous occasions in this House, but the motion moved today may very well be the first time in the history of Manitoba where a motion of censure has been moved by a member of this Assembly against the Speaker for providing an interpretation and a mechanism in order to fulfill the requirements of a provisional order of the House. We do not always operate under provisional orders. That is what we were doing last session and, yes, as a Legislature we were breaking new ground.

It is sad to me that a Speaker should be singled out, should be blamed and chastised for providing an

interpretation and a mechanism for an unforeseen gap, a gap referred to by the honourable member for Inkster (Mr. Lamoureux) in a set of provisional standing orders.

In order for this matter to be completely before the people of Manitoba, I need to set out very briefly what did happen, Madam Speaker, and set out the reasons I give you for saying that the matter that is bothering honourable members ought not to be directed in such a personal way towards one member of this House who happens to be the presiding member of this House.

Let us turn our minds back to a point of order raised by the government House leader, as he then was, the honourable member for Charleswood (Mr. Ernst), in November of 1996. At that time the honourable government House leader sought your ruling, Madam Speaker, on the implementation of Rule 102.(1) of the provisional rules of this Assembly.

All this may sound a little complicated to a lot of people, but what we are really talking about is trying to move from a somewhat anachronistic set of rules for governing our Legislature into the 21st Century, as the honourable Leader of the Opposition has spoken about.

Sometimes, I know this from having been the Health minister for three and a half years in a time of change, making that transition can have a few little bumps along the way, and I believe that is what we have been having, and we ought to get this thing in perspective so that we can indeed get on very shortly with the work of the people of Manitoba.

You will recall that the previous session saw the completion of five years of dedicated effort on the part of all members of this House in order to revise the proceedings of the Assembly. Through these long deliberations members considered a number of new concepts in order to achieve better use of their time and permit more complete and open debate on matters which were before the Assembly. It was during those discussions that the government made a strong commitment to ensuring that all legislative matters for consideration in the fall session as requested by and agreed to by opposition parties would be fulfilled. Indeed, all government legislation except for one bill

was tabled prior to the June 6 adjournment for the summer by this House.

There is no question that the Legislative package of the government last session was a heavy one. There is no question that a number of major issues were dealt with during the course of the last session. Indeed the committee deliberations on a number of pieces of legislation, which I introduced myself in my former capacity, saw a free flow of information, opinions on both sides of the House and in committee, and those opinions and those discussions led to amendments in some cases and options for policy development in others on a number of major pieces of legislation. In other words, the Legislature was working the way it is supposed to work. There is no doubt that all members understood clearly that these provisional rules provided a calendar and a clear time frame for the introduction, consideration and passage of the government's legislative program. There is no doubt as well that, when this package of provisional rule changes were considered by the rules committee of the House, certain drafting and interpretative points were not considered either by the government or by the opposition. However, it is clear from the memorandum of understanding what the intent was concerning the adoption of legislation.

Provisional Rule 102.(1) states: "Notwithstanding Rule 73, subject to sub-rules (2) and (3), all government Bills will normally receive a vote on Third Reading not later than the last day of the fall sitting of that session." The provisional standing order found its genesis in paragraph 1 of the memorandum of understanding under the section entitled Legislation where it states: "Government bills will be introduced, printed and distributed during the spring session. All bills so introduced will proceed to a vote on third reading and royal assent not later than the final day of the fall sitting."

This is all for a very good reason, and what it left us with was a much more orderly way of doing the business of the people of Manitoba, giving people adequate notice about what the legislative intentions of the government were so that we could have a reasoned and proper and orderly debate and dispatch of government business in the fall part of the session.

It is clear that the last day of the fall sitting, not only in the government's mind but also in minds of members of the opposition, was November 7. That was what was very clearly understood. Hansard for that day clearly shows the clear movement of government legislation by unanimous consent through this Chamber. Hansard of November 7 clearly shows members taking hard and fast positions on various major policy initiatives and legislative initiatives which had been dealt with during the course of this session. It was time. Everybody was getting their positions very clear, making them known and being prepared to deal with the business of the House.

Hansard for committee shows members opposite knew full well and concurred in how Bill 67, the famous MTS bill, would be considered in committee. Members opposite cannot deny this fact. The House adjourned on November 7 and returned on November 12, at which time you, Madam Speaker, ruled that the last day of the fall sitting in that session would be November 28, 1996. I find it ironic that the honourable member for Thompson (Mr. Ashton) did not rise on a question of privilege at that point and accuse you of inventing the rules that day. I find it interesting that the member for Thompson did not rise on a question of privilege at that time and indicate that you did not have the authority to interpret the provisional rules. I find it interesting that the member for Thompson did not rise on a question of privilege and challenge your authority on making such a ruling. After the vote all honourable members in this House accepted your ruling and proceeded with the consideration of the business of the House. Even if they did not vote for it or did not like it, that was the ruling or the will of this Chamber as demonstrated in a vote of this Chamber, and we moved forward—or we tried to move forward.

What was the government House leader attempting to achieve in his point of order in November? The honourable government House leader at that time was attempting to obtain a clear interpretation from the Chair as to what Rule 102 really meant and in particular the context of completing the business of the session. It was perfectly reasonable when there is a gap in rules that we are all trying to get accustomed to, new rules, and there is gap there, to seek some kind of opinion from the Speaker. If you do not like that opinion, let us have a vote on it, which is what happened. At that

point, it was not you, it was not your will, Madam Speaker; it was the will of the Legislative Assembly of Manitoba. That is what needs to be made very clear.

* (1530)

So I say that it was not an unusual request at that time to be made by a government House leader. The government House leader, whose job it is to help with ordering the business of the House, naturally ought to be concerned with, well, what are we going to do when these provisional rules are not as clear as they ought to be? There is no rule there that says you have to go back to the rules that go back for centuries in parliamentary history. There was a genuine gap, and it was, I think, an honest wish on the part of the government House leader and all members of this House that day to find out what these rules really meant and how we really ought to interpret them given this particular gap. So I say it is not unusual that that should have been done by the government House leader, and at no time did the government House leader ask you, Madam Speaker, to consider ways to stall debate and the rights of members across the way.

I have been hanging around legislative chambers for a lot longer than I have been a member of the Legislative Assembly for Manitoba, and I have always agreed wholeheartedly, with what the Leader of the Opposition (Mr. Doer) and the honourable member for Thompson (Mr. Ashton) have said, that the House is a place where single, ordinary, regular, everyday, upper-bench, lower-bench, whatever kind of bench members there are have a right to speak on behalf of their constituents. I agree with that wholeheartedly, and I would never be part of any system that would deny that from members of an elected legislature.

Madam Speaker, honourable members opposite indeed were able to debate Bill 67 freely and openly. All the members were free to present the petitions, and honourable members were free to question the government during daily Question Period. All that happened. I will refer honourable members to a Globe and Mail article back from 1991 where the Ontario government House leader of that time, at one time, one Shelley Martel—I think maybe honourable members opposite would know of that person—requested the Speaker to intervene in ending an impasse which had

been created during the debate at that time on the budget. During the course of that debate Ms. Martel accused members of the opposition of hijacking the Legislature.

What happened in Manitoba was different. What is being sought was a clear mechanism in order to fulfill the principles of Standing Order 102(1), and, Madam Speaker, I sat and listened very quietly to honourable members' opposition when they made their contributions, and I would hope that they would accord me that same courtesy. Indeed, if honourable members would look closely at the ruling made by Your Honour, you did provide caution to the House in that when you said: I feel that ideally the House should be providing a solution and in my opinion the negotiating process provides the most satisfactory solution. I recall that for honourable members' recollections. Given the fact that a negotiated solution was not possible, you provided a mechanism in which to ensure that the rules would be enforced, and we had an opportunity as a House to cast our judgment on that particular version or that particular opinion or ruling or whatever it was called. But, when that vote was taken and when that vote was over, it was not your ruling any more; it was an order of this House, the duly elected representatives of the people of Manitoba.

The honourable member for Thompson, on numerous occasions, has indicated that this is somehow contrary to the spirit and the will of Parliament. Both last fall and last spring he cited a number of citations from Beauchesne. I am not going to want to get into the habit of doing that any more than I have to because most people do not know who Beauchesne was, but, Madam Speaker, I would like to cite some citations from Beauchesne briefly, in particular this one: "The principles of Canadian parliamentary law are: . . . to secure the transaction of public business in an orderly manner; to enable every member to express opinions within limits necessary to preserve decorum and prevent unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse."

I can hardly believe that the events of last session were a complete surprise to honourable members, especially as it relates to Bill 67, given the fact that the

bill was introduced on May 27, 1996, and consideration at second reading began September 16, 1996. There was ample opportunity; thereby providing a full and clear opportunity for honourable members to consult. They had all summer for that, to develop a plan of action for or against the bill and present petitions which the record clearly shows honourable members did.

The honourable member for Thompson and his Leader also talk about the serious precedent that the Speaker's ruling has placed upon the traditions and practices of the House. I would like to point out to honourable members that Rule 102.(1) is not in the standing orders to guide this session. Indeed, the provision orders died on November 30, and that is very unfortunate. The honourable member for Inkster (Mr. Lamoureux) pointed that out. Now, because some honourable members have a problem, Madam Speaker, they want to make it a personal matter and, because of that, all of those good provisional rules are out the window and we are back to the anachronistic way of doing the business of the people of Manitoba. The people deserve better than that, and the honourable member—I would like to point out that those orders died on November 30.

So the question that begs answering is, is your ruling a precedent? For the answer to that question I return to Beauchesne Citation 14, where we read the following: "The interpretation of both the written rules and tradition is in the hands of the occupants of the Chair, with their rulings forming a fundamental part of procedure. Some problems attach to these rulings."

Now, this is the section that I would like to emphasize for honourable members, and I quote: "When the Standing Orders change, for example, rulings based on the old rules must obviously become obsolete." So let it be very clear, if we have to have a procedural argument, Beauchesne is a very recognized authority on parliamentary matters, and that is a very clear quotation from Beauchesne.

It is obvious, Madam Speaker, to those who are watching these proceedings, I sometimes feel sorry for them, but to those who are watching, that honourable members wish to embroil themselves once again on a debate on Bill 67. That debate has been concluded. That debate was resolved last session.

Realizing this, honourable members opposite feel they have no other option but to attack the presiding officer of the House. That, I am sorry to see happening; I am sorry as a parliamentarian to see that happening. If they are mad at the government, let them be mad at the government. Let them not take it out on the presiding officer of the House.

You, Madam, cannot defend yourself in this Chamber. There is no question that the rules provide, indeed, that if you could you would be able to do so very well and very skilfully, but you cannot, Madam Speaker, and I feel very strongly that members opposite should reconsider their actions, for example, return to the Legislative Assembly Management Commission in order to do the work of that body.

I ask all honourable members, let us perform our function as an effective Legislative Assembly.

So, Madam Speaker, while I regret that this has come up on this auspicious day, and I regret having had to take some part in it, it was necessary for me, I believe, on behalf of the government side of the House to put forward the history of this matter as it unfolded, and I really regret when a group of people, when they are mad at another group of people, decide to take out their anger on one individual. I am very sorry about that.

Mr. Gord Mackintosh (St. Johns): You recognize me today. My microphone is on, Madam Speaker. My red light is on today. The last time I heard debates from this side of the House the microphones were off. Each and every one of those speeches on the 29th of November were among the best speeches that I had ever heard in this Assembly, and I have listened to many long before I was elected, some of the most insightful and meaningful speeches, but those microphones were off. Those members were silenced. Their constituents were silenced. The body of thought we represent was silenced. There was no record, and no one outside this Chamber will know what those constituents said and believed through those MLAs.

* (1540)

My microphone is on today, Madam Speaker, finally. But I have to tell you that my constituents cannot trust this place, not any longer. I cannot trust this place, and

I developed a very deep-seated trust of the Legislative Assembly of Manitoba, and I developed it not just through my tenure here, short as it is, three and a half years.

I developed it because I sat at that table for many years, and I saw how this place worked. I saw the balances. I saw the self-restraint that members imposed on themselves. More importantly, I saw the restraint that majorities put on themselves, and when they did not, I saw the restraint that you, Madam Speaker, put on that majority—I mean your office, not you.

I also learned to trust this place because I, as you know, was privileged to be the adviser to Elijah Harper during the Meech Lake crisis. I told the chiefs before Elijah stood on a point of order to say that improper notice had been given on the Meech Lake resolutions that there is a likelihood, I said, a 60 percent likelihood, that the Speaker will consider the political pressure put on him from all Canadians looking at this institution, from the majority likely demanding that that resolution on Meech Lake pass here, that the Speaker will recognize that heavy weight put on him by being appointed by the current Premier (Mr. Filmon), knowing that the current Premier had expectations on that Speaker to keep in mind the political interests of the majority party. Let us face it, that reality is there. I said it was 60:40 that Mr. Harper's point of order would not be accepted by the Speaker. The Speaker came back and said, Mr. Harper, you indeed have a point of order. The Meech Lake resolution died in Manitoba. Perhaps it died in this nation because of what occurred, what thought, what providence was exhibited by the Speaker of the time.

I was so proud to be a part of a process that proved to Manitobans and in particular to the First Nations communities of Manitoba, proved to the constituents of Mr. Harper, who, let us face it, did not have a lot of trust in this nonaboriginal institution, this transplanted governing process, but it was proven to me, to all Manitobans and particularly to aboriginal Manitobans that this institution could be trusted, that minority views would be respected and would be given voice. What have we lost?

I cannot trust this place. You know, when I ran for election, I had a little slogan, and it said, a strong compassionate voice for St. Johns. I believed I could

deliver on that. Well, on November 27 I could not deliver that, not because I was not willing but because I was not able, because you, Madam Speaker, took away my ability to be a voice for my constituents.

You know, some people say and they believe, well, this is an esoteric issue. This is just something of members talking among themselves about some little issue at their office. This is about, I do not know, some philosophy or political science stuff. But just because my microphone is on today, and I suspect it could be off tomorrow even though I stand here, says I cannot speak on the issues of health care that my constituents are so concerned about. I cannot talk about the concerns in education. I cannot talk about the concerns facing the employment situation. I cannot talk about the values that have accumulated in me and that my constituents have asked me to come down here and put on the record.

We cannot represent the 58 percent of Manitobans who voted against this government. We often talk about the views of the minority having been quashed and tossed aside by what took place in November of 1996. In fact, it was the views of the majority, the real majority, the majority of Manitobans outside of this Chamber.

No, Madam Speaker, the last time I got up in this Chamber, you did not see me. My microphone did not go on. Of course, you could not see me. As I said that day, you had that neck problem; you could not see this side of the Chamber. I rose on a matter of privilege. Then there was the time before that that I got up in this Chamber, and the time before that you did not see me. You had that neck problem, and my microphone never went on. I had 29 minutes remaining on Bill 67, the Manitoba Telephone System bill. I had 29 minutes remaining under the rules of this House, a rule that even your ruling could not operate, notwithstanding. That rule remained.

I had 29 minutes to present my research on why I thought it was important that the telephone system remain publicly owned in Manitoba because I believe it will have a terrible influence on research and development in this province. I believe we will lose the research and development in the telecommunications industry that we now have. I researched the thinking of

people at MIT, Madam Speaker. I looked to see what sectors of the economy jurisdictions should be encouraging and fostering. I talked to constituents who worked at MTS, people who were involved in research and development. Do not ever say that there was filibustering being contemplated. I had put work into that speech, and it was my right as a member to give that speech that day.

But that, Madam Speaker, was one of the bad days, and when we come in here now, we do not know if democracy is on or if it is off on any particular given sitting. We just do not trust it. Now, the new government House leader said, well, do not pick on the Speaker, so I will not, not you alone. Disraeli once said that all power is a trust, that we are accountable for its exercise. When I last got up on a matter of privilege—by the way, that was on the 25th of November, I never did hear a ruling on that, interesting. It did not count to you.

I talked about how a government and a majority can set aside the ordinary rules simply by an ordinary resolution. Imagine the power of a majority. They can set aside the operation of the Legislature by a simple motion and a vote from the majority. What power. But no government has ever done that, not in a parliamentary democracy, not yet. Governments have even moved closure, but that is within the rules, but what self-restraint because we recognize how important that is for us to function. Even the majorities know that some day they will be the minority in the Legislature. They will be the opposition, but this bunch, they cannot think that far ahead.

* (1550)

What happened, Madam Speaker, is that you are in a position of a puppet. It is the puppeteers, and it is the puppeteer, the chief one over there, that has to be looked at. What happened in here was a part of that pattern of the consolidation of power, not just in the executive but in the Premier's Office.

Only in the last few days even, we have seen commentators talk about how power has been so consolidated, and each of those individuals over there in the cabinet having attained the potential to be giving input into public policy must go home at night and say,

was I ever hoodwinked. Look what is happening. The decision making is all happening in the Premier's Office, people that were not even elected. Maybe the Finance minister (Mr. Stefanson) will be called in.

What has happened for legislation in here? We have seen consolidation, the powers from this Legislature to the cabinet. We even saw a bill in the last session where the power of cabinet to decide what drugs should be on the drug formulary was consolidated in the minister's office rather than cabinet as a whole. We saw an entire waste reduction regime being established in this province not by legislation but by regulation.

So what took place here, Madam Speaker, is just part of a trend, a consolidation of power, power for its own sake, not for governing, not for the best interests of Manitobans. As William Pitt said, "Unlimited power is apt to corrupt the minds of those who possess it; and this I know, my lords, that where law ends, tyranny begins."

We saw it in front of us, and it happened here. It did not happen some other time, some other place. It happened in Manitoba, Canada. It is interesting. Here was the Premier (Mr. Filmon), who won successive elections, who succeeded because he played by the rules, but when faced with embarrassment, with the majority of Manitobans against him, he did the obscene, he betrayed his trust. He ignored the self-restraint that has served parliamentarians around the world in parliamentary democracies. It is a new extremism, Madam Speaker, that we saw. It is the new right. I do not believe it is part even of a trend in Manitoba.

We have seen omnibus legislation in Ontario, the likes that have never been seen in Canada, under the Harris government. We had the writings, for example, of Pitsula and Rasmussen about the Saskatchewan experience. I want to quote this, Madam Speaker: Within the PC Party there is a strong belief that the market provides all the answers, and this conviction goes a long way toward explaining the Tories' insensitivity to the requirements and practices of parliamentary government. They regard the Legislative Assembly not as a forum in which reasonable people can discuss political issues and reach reasonable compromises but, rather, as a hindrance to their ability

to manage the government and, in the long run, as something to be barely tolerated rather than deeply respected.

It is these kooky radicals, Madam Speaker, of the new right that are threatening our form of government itself, and I think it is a tragedy, the second tragedy, of democracy in this province that now the brand new House leader has just got up and defended what the government did. Indeed, the government did support that ruling. Of course it did, because it asked for it, it orchestrated it. That is why indeed we cannot point the finger just at you, but your removal, your resignation is the first step toward again achieving parliamentary democracy in this province in a real way.

I have heard it said that, well, we just lost two days of democracy, two days without democracy. Get on with it. But we all know that that ruling continues, because rulings are precedents. What happened in Manitoba lowered the threshold against which the decimation of democracy can take place. We have to stand up against it. When this Premier (Mr. Filmon) goes and speaks to Mike and Ralph, I can just hear him say, you know what, you can actually get away with making the Speaker's office an adjunct of cabinet. He really can get the big thumb on top of the Speaker. You can almost get away with it at least.

The outcry was not really too bad. If you do it early enough in your mandate, maybe people will forget about it. Come on fellows, you should really give it a whirl. The word will spread throughout the democracies of the world that you can do away with the opposition for a day here or a day there. You should really do that when the going gets tough because that gets you out of it. I am really concerned that what happens when the majority in the House, when the government has the support of Manitobans for an issue, what will they be prepared to do? What if it was a minority rights issue? What if it was an issue of a particular minority in Manitoba, whether it be a racial, religious? What if it was gay rights and they thought they had the public behind them, where is the threshold? They could say, look it, we did it when people were against us, maybe we can just do it when people are with us. We will not even hear a squeak. It is a dangerous road they have gone down.

I want to deal very briefly with what I have heard as an excuse from this government. I believe it started the day after the session prorogued and the Premier went to the Conservative Party convention, and he got up, knowing that he had to deal with what happened in this Legislature, because we know that the complaining, the concern about this does not come from the opposition MLAs alone. It comes from well and deep within the ranks of the Conservative Party, and he gets up and he says to everybody eager to listen to a way out, so the NDP broke an agreement, that is why we did it. They are the bad guys; they broke an agreement.

I want to just for one moment, let us just assume that there was an agreement that was imposed on this House at the time in November. Yes, you think that is funny, Madam Speaker. Let us just assume it. I cannot recall—and people have talked about the intent of that agreement—any clause in there that said, the opposition would lose all its historic democratic rights if the agreement was broken. Was there a penalty clause in that agreement? Of course not. I know it is particularly odious that just a couple of weeks before your horrendous ruling you said that that was simply a political agreement and not within your domain. That sure changed, did it not, when the big thumb came down on you.

Let us assume there was an agreement in November that was imposed on this House that members agreed to. Let us assume that for another moment—the government had not introduced the amendments that were needed. They were still introducing amendments on the pension plan after this place was supposed to, according to original interpretation, got prorogued. There were days the bill was not even called. They did not move this bill along, if they had this timetable in mind. They frustrated the agreement. That is what they would say in legal circles if there was an agreement.

* (1600)

Madam Speaker, I want to make this perfectly clear: There was indeed a memorandum of understanding that said that on the last day of the fall sittings there shall be Royal Assent, third reading in Royal Assent on the bills. That is what it did say, perhaps ill advised. That is what it said. If that agreement had been translated into rules, the MTS bill would have had to have been

passed by this side of the House on the last day of the fall sittings, but was it in the rules? Did anyone ask that question? No, it was not. The government House leader now says and the member for Inkster (Mr. Lamoureux) says, oh, well, there was some gap in the rules or there was something that went amiss. The House leader said there was an unforeseen gap that the requirement to pass legislation somehow went amiss. That is not the case at all. The rules came back to this side of the House, presumably under the watchful eye of the government House leader, most likely the Premier (Mr. Filmon), knowing where power is consolidated. It did not have that section in there. In fact, it has a different section. The government changed its mind. The government decided that the rules would allow for the extension of the sitting at the instance of the government to deal with unfinished business. All of a sudden, we had the notion of unfinished business on the last day of the fall sittings. So we had unfinished business. It was Bill 67, and it was unfinished through the doing of the government.

So I am entitled to rely on that rule book, and that is the whole idea. My constituents are entitled to rely on that rule book, and that rule book said that there can be unfinished business. Normally, it says, those are given third reading—normally; Another section that said very clearly that not all legislation had to be passed. So do not let anyone believe the nonsense that there was some agreement imposed on this side to pass legislation on the last day of the fall sittings. That is not the truth, Madam Speaker.

Well, Dag Hammarskjold said only he or she deserves power who every day justifies it, and there has been no greater exposition of an abuse of power by a government in Manitoba, an abuse of a power by a Speaker in Manitoba, and indeed I suspect in parliamentary democracy anytime in the last couple of centuries, than what we saw in this House in November of 1996. My microphone is on now. I do not know if it will be on tomorrow when I get up, if I get up, and I ask that the government House leader reconsider his support of what took place and instead support the motion of the Leader of the Opposition (Mr. Doer) so that we can begin a process of renewing this institution and its values, that we can reaffirm the Manitoba experience, and that we can once again trust this place.

Point of Order

Mr. McCrae: Madam Speaker, I rise in consideration for the guests we have in the Chamber and in the gallery this afternoon. Traditionally and normally our House takes—

Madam Speaker: Order, please. Is the honourable government House leader up on a point of order?

Mr. McCrae: Yes, Madam Speaker.

Madam Speaker: On a point of order.

Mr. McCrae: Our House has a different dimension on opening day and usually at this time we are through with the ordinary formalities or traditional formalities of the opening of a session, but we are now engaged in something else. Out of consideration for our guests in the Chamber today, I am looking for some direction from the House. I would not want people staying in their seats out of sense that, oh, I cannot leave this place under all these circumstances. Personal comforts sometimes require otherwise. So I do not know if something ought to be said along that line by yourself or by members of this House. [interjection] I hear someone suggesting a short recess. I do not know what is the right thing, but I do suggest that some consideration ought to be given to this matter.

Madam Speaker: Is there leave for a brief recess?

Mr. Ashton: Madam Speaker, on the same point of order, I would suggest that perhaps the government House leader (Mr. McCrae) listen to the words he placed on the record earlier when he talked about the important business of the House. There is nothing more important than dealing with the motion that is before this House. We believe it is far more important for us as MLAs to be dealing with that than the normal cocktail parties and receptions that we deal with on opening day.

I would suggest that we signal to members of the public, as we have already, that we certainly take no offence if they do leave. Indeed, that is the normal procedure when we have members of the public in the gallery. They are free to come and go, and I would certainly encourage them to do so. I would suggest,

however, that we not waste one more minute of the House on this procedural matter and continue with the debate on the matter of privilege.

* * *

Hon. David Newman (Minister of Energy and Mines): Madam Speaker, I rise to speak to the motion. I want to oppose the motion of the honourable Leader of the official opposition and at the same time to appeal to all members of this Legislature to reconsider the path that is being embarked on by the kind of motion that has been put forward.

Implicit in this is a movement away from the provisional rules, which were the product of so much effort by so many people from all three parties represented in this Legislature that it would be a pity, it would be such a waste of energy and limited resources and, above all, good faith, not to reinstitute those provisional rules with perhaps such modifications as we may have learned from the recent experience.

The representatives of the three different parties spent more than five years working to revise the rules of this Legislature. They did proud work and they did it in good faith. It was done with civility; it was done with reason. Those rules, during the first session after the general election, worked well enough in concept that they resulted in formal implementation on a trial basis of those provisional rules last spring, fall and up until the date, that dark day of November 28 when things took place in this Legislature that I do not think any of us are very proud of.

* (1610)

Some of the negative emotion that was expressed and the words that were spoken were not the kinds of conduct that did any one of us proud simply by association. As a matter of fact, reflecting on it and feeling the emotion of the time, it certainly reminded me of times that I have been treated in that fashion, when I was obliged to cross picket lines to consult with a client. It is like a group hatred. It is an anger, and it is intimidating.

Above all, when that kind of group hatred, that emotion is directed at individual human beings who are

honourable members and especially if that honourable member happens to be chosen to have been the Speaker and is put in a position that that individual must interpret those very rules that have been agreed to by all parties over that period of time, and that Speaker is a woman, I know that I would have interpreted much of what had happened as being a direction of negative emotion and anger in a group way directed at personal characteristics, directed at integrity, the sort of attack that no one in this Legislature would condone or have any respect for if that took place outside this Assembly. I would submit to all of us that the people of Manitoba expect more from the way we conduct ourselves in the Legislature. I would also submit that the kinds of rules, the product of all that labour and all of that good faith, are the kinds of rules that the people of Manitoba want us to practise, want us to utilize in the lawmaking process.

You know it was rather interesting, I thought, to see how the media did choose initially to characterize what had happened as being a negative experience reflecting on the government of the day, and it is interesting that that comes about because of perception, and it is a perception which is often generated by the official opposition. The official opposition often does appeal to and inspire a negative emotion sort of reaction to situations, and I submit that is what happened in this particular case. It is like in a hockey game or a soccer game or a ringette game when there is a referee. The perception of fairness often depends on what objective you want to advance and who for.

An Honourable Member: It is not a game.

Mr. Newman: It certainly is not a game. What takes place in this process certainly is not a game, and that is why it is so disturbing. It is so disturbing that honourable members of this Legislature conducted themselves like people at a sporting event who are unhappy with the referee, most disturbing.

The history of this particular situation is that a memorandum of understanding was negotiated and signed on December 22, 1995, by all three political parties. This agreement was implemented in the form of rules which were approved by all members of the Legislature on April 2, 1996. This action of unanimous acceptance of parliamentary reform was recorded in

Hansard on that day. All parties in the Manitoba Legislature, I believe, are deserving of congratulations for this enlightened initiative entered into in good faith. Under the new rules government committed itself to introduce all of its bills in the spring session no later than June 4, 1996. With this initiative the public and members of the opposition would have had several months to consider those bills and consult with Manitobans and have a complete understanding of the legislation when the House resumed in the fall.

It gave ample time for the caucus to come to an understanding and to consult with the people the individual MLAs represented. The opposition was in return obliged to ensure that all legislation introduced, printed and distributed in the spring sitting would proceed to a vote on third reading and royal assent not later than the final day of the fall sitting, which, according to the rules, was to be not later than the last Thursday of November, that being November 28, 1996.

The achievement of the new set of legislative rules is similar to the achievement of a collective agreement. In effect, the agreement of December 1995 was an informal collective agreement or a memorandum of understanding which was consequently ratified into a formalized agreement on April 2, 1996. This agreement had all the ingredients of a binding legal agreement including a major compromise, what we would call a quid pro quo or a consensus ad idem, a major compromise by each of the government and the opposition. Each party gave up something significant to achieve an agreed-upon process. The governing party gave up something very significant. The governing party gave up the right to introduce legislation and have it passed in the fall unless this legislation was tabled in the spring. Put in the same context and using the same sort of language, it was as if closure were imposed on the government with respect to the introduction of legislation. Also, the governing party gave up the right to amend its legislation if the amendment was not consistent with the original intent of the bill introduced in the spring.

We saw a number of examples in the fall of 1996 when the official opposition objected to certain amendments proposed because they were out of scope and Legislative Counsel interpreting the agreement and the rules upheld that objection, and as a result

amendments that were sought were not permitted because they were not consistent with that agreement. This, in the eyes of the government, was against the public interest and against the interests of the government. In fact, some of the outstanding matters that were not permitted to be introduced at that time have to be introduced now in the spring of 1997, all over again, because of that agreement. But the government accepted that. That was the quid pro quo. That was the price that the public and the government had to pay in exchange for something which was, I would acknowledge, a long established right established by rules of official oppositions to decide when the legislative session would come to an end, a right that hurt members of the public directly and indirectly, I submit, in the past.

I was there, and I knew it as a member of the public and representing groups and coming before standing committees of the Legislature early in July, 3 a.m. in the morning approaching a long weekend or during a Canada Day weekend. Those were the kinds of ways legislators treated members of the public and themselves. But why? You know, it is time in this modern world to ask ourselves why. Is that in the public interest? That was hurtful not only to participants—these are the people that give up their time to come and make submissions to standing committees—well meaning, wanting to participate as good citizens.

Those were the old ways. Think what that cost. What does it cost? All of us are paid salaries. All of us are paid by the Legislative Assembly. Do we ever add up what it costs us to sit every hour in this Assembly, what it costs the people of Manitoba? Do we add up what it costs not to implement legislation which a majority has agreed is appropriate legislation and the public have expected by electing majority government that they have expected them to pass it through? Does the public expect and respect obstructionist tactics? Does the public expect and respect tactics that really are not genuinely intended to generate debate? Is that what the public expects? I would submit to all honourable members the public expects more than that in today's society. They expect the democratic process to work in a transparent kind of way with a certain degree of effectiveness, with a certain degree of effectiveness that does not involve tactical obstruction.

There were significant achievements as a result of those provisional rules being introduced, and the achievements were recognized by the official opposition and by members of the Liberal Party until the MTS bill came into the later stages of the standing committee. Up until then, there is an acknowledgement I think that the process was working well. I commend all honourable members for the contributions they made in those standing committees because, through the constructive involvement of the public, through the constructive involvement of members of those committees from all parties, very, very significant substantive legislation was improved for the benefit of Manitobans. It was working as it should have worked.

* (1620)

It was only in the latter stages when there apparently was a choice, a choice to, in the view of the official opposition, extend time for debate because of the magnitude of amendments in the MTS bill, a need to give it more time and more consideration. Well, if we accept that as a given, if we accept that as a given with hindsight, why then, after November 7, having that period of time until November 28, did not a serious, genuine, constructive debate emerge and take place on the MTS bill, utilizing that amount of time available to us?

You know, you talk about freedom of speech, and all of that is designed often to gain public attention to a right which we all value as highly as any right and freedom in our wonderful Canadian society, but when you talk freedom of speech, that does not mean something without limits in the Legislature. It does not mean something without limits in reports. I have appeared before the Supreme Court of Canada, have colleagues in the Legislature who served in another forum from time to time, and I have been told, "Mr. Newman, you have five minutes" on issues which are extraordinarily important.

What we have had, what the Legislative Assembly members have had, what honourable members have had traditionally throughout areas where there is a parliamentary democracy, is this concept of perhaps too much opportunity to spend time without making it constructive and focused. Again, I would submit that the public expects more. I would submit they expect

more from House leaders and they expect more from leaders of parties, that they expect there to be some sort of management, some sort of understanding of limited times available, and this has been achieved on so many occasions. It was achieved until the MTS debate when the choice was to make that a political standoff. Until then, things proceeded in accordance with the purpose, intent and good faith of the provisional rules.

The agreement which led to those rules was an experimental one. It was a trial process. As with any trial process, any deficiencies arising can always be endured until the trial period is over and lessons learned from that experience can then be utilized to improve it. It is obvious we learned lessons from that previous process. It is obvious that there is a need to improve those rules.

So why do we not focus on that instead of concentrating an attack on the Speaker, who, I will contend, has operated in the defence of the integrity of that very agreement and those very rules that some honourable members are claiming were not respected?

The underlying spirit and intent of those rules was what the Speaker, in a ruling and ultimately in the manner the legislative session came to an end, the rules were being respected, not otherwise. It is time now to focus, it is submitted, in coming up with a revised agreement negotiated in good faith and in the public interest.

With respect to the MTS bill, there were three weeks available for discussion and resolution of outstanding issues concerning the MTS bill exclusively. All other legislation was given third reading by that time. Given this fact, why did the process ultimately break down after all three political parties had reached a unanimous agreement on the new rules? Simply put, I would submit certain honourable members chose to frustrate the process for purposes known to them and it resulted in publicity. They traded off consciously structured debate for whatever purposes they had in mind. They chose tactics which had the consequences of being disruptive rather than entering into the maximum serious explanation of amendments introduced by the official opposition and by the government.

In this environment, consider the role of the Speaker. The Speaker, it is submitted, is the ultimate protector of the spirit and intent of the rules of the Legislature. The Speaker, in this modern world where expectations of the public are higher than ever before about the conduct of the Legislature, the modern Speaker should not take the easier, cautious way out for the sake of popularity, but should above all else uphold the integrity of the agreed-upon rules. There is considerable discretion afforded to the Speaker in this respect, I would submit.

In a ruling requested by the honourable government House leader, delivered on November 21, 1996, Madam Speaker set out a reasonable time table within those parameters, within that parameter of time I had spoken about, to ensure that the primary intent of the new rules was respected and debate was brought to an orderly and timely conclusion. Madam Speaker elected to follow what I would submit was the courageous path of putting the integrity of the process ahead of her own personal popularity. She enforced the rules in accordance with their primary intent, and I would raise the question, without having gone into the issue in any great depth, that one of the difficulties of having an elected Speaker would be that sometimes when you substitute electability, personal popularity for the only alternative guide to proper conduct as the Speaker, which is integrity, you take the risk of not having any courageous decisions. You have substituted potentially the desire to be elected in this House and appeal to both sides. This is not unlike, the honourable member for Concordia (Mr. Doer), labour relations. It is not unlike sometimes choosing a chair of an arbitration. Sometimes there is a tendency to want to be popular to both sides, and you sort of measure your wins and your losses, not the merits of the case. Integrity is the guide; integrity is the discipline. It is integrity which is the important aspect, the important characteristic of respected Speakers.

If there were evidence that the Speaker, Madam Speaker, had done something that was an impropriety, this honourable member would not be standing up and defending the conduct of the Speaker. But when the position of the Speaker is based on the perception of fairness, on doing what is right and on integrity, I think it brings disrepute on those who attack without evidence of impropriety. Because if we do that, we are always going to have a sense that we are unfairly treated every time we lose on a ruling.

* (1630)

The intent of the new rules, it is submitted, was realized when the MTS bill was finally passed on November 28, 1996. Respect for the rules and for the Office of the Speaker, I would submit, has been enhanced by this fulfilment of the agreement in the rules. The Speaker and honourable members who conducted themselves with honour and dignity in the face of intimidation, provocation, insults and threats, and violation and defiance, what I would submit is acceptable parliamentary decorum and rules of conduct, and should be applauded.

It was interesting, coming into this forum from a forum where courts were more common, or arbitration tribunals, or even negotiating forums, one thing you notice is the rules and the thou-shalt-not aspect of the rules that have traditionally governed parliaments and legislatures. I know that my initial impression was, that much like the Emily Post, they are without manners. The Emily Post of the dinner table, the Emily Post of this forum. The underlying purpose of manners at a dinner table, and the underlying purpose of the rules in the Legislature, I would submit is, in large measure, to preserve decorum.

Again and again we hear the comments about the ruling of Madam Speaker about the word "racism" and "racist," as if that is a violation of freedom of speech, as if rules are about freedom of speech, as if the rules of this Legislature and the rules of parliaments are about freedom of speech. It makes an absurdity of the notion; it diminishes the importance of freedom of speech. No, it is about manners; it is about rules of decorum. At a time in this Legislature when you can see the deliberate kind of effort to label people with a comment "racist," and it inflamed, it hurt, it made people upset, hurt and angry. It was hurtful. It hurts people to be accused and labelled in that way. Just as if you do it outside the Legislature, it is hurtful. We have laws to protect against these kinds of things. But in here, somehow or other, it seemed to be appropriate and it was repeated. There was this back and forth provocation. The Speaker made a ruling saying keep it out. What is wrong with that? What is wrong with that? It contributed; it diminished.

There are all kinds of other ways to make the same point, but that was a word. It is like calling me someone who has big ears. I have got big ears. I used to get upset when I was a little kid. I was short once, and I used to get upset when I was called short. Now, what is wrong with calling someone short? Is that a violation of freedom of speech if your parent says, do not call someone short?

I mean, the name calling that goes on in this Legislature is rather amusing to someone that has come from another forum, and rather unbecoming. So, if a Speaker comes in and says, no, you cannot call someone short. or you cannot call someone racist, if that is the word of the moment, the provocative word of the moment, what is wrong with that kind of ruling?

I submit as honourable members, let us not diminish the whole wonderful concept of freedom of speech, freedom of expression. Let us not diminish it by talking about what a ruling in this particular body does. That is not fair to the public, I submit, and it is not fair to honourable members.

Now, it would be very unfortunate if the sound and fury which was exhibited in this Legislature in the past succeeds in blinding the general public to the importance of the legislative reforms, and the courage and wisdom of all of those who contributed to those provisional rules. It would be a pity if that progress were diminished, were retarded, simply because of the kind of misunderstanding that is being perpetuated by this focus on the Speaker. Not to have enforced the all-party agreement as reflected in the rules would have been far worse for Manitobans and the future of the legislative process, I would submit.

The old way of making laws and old procedural tactics such as ringing the bells for no other purpose than to obstruct—and I will acknowledge that happened in the party I am now associated with. I make no apologies for that. I will be as hard on my own party for things that they have done in the past which are unacceptable, as I will be hard on every honourable member on that issue. I make no apologies for that. But that was in the past. It was not only in the past—then the rules did not preclude it.

Now, I am submitting that good faith should prevail in these sorts of situations. The public demands that. The price you pay for not listening to the public, or anticipating what the public wants on this issue in the way we do lawmaking, the peril is that you are going to risk not being re-elected. I think that is a pretty important way to bring about constructive activity in this Legislature. It is my submission that those kind of tactics are unacceptable to the general public today.

Times have changed, and social practices have also changed. For example, users of our courts expect rules of court to be fair, practical, and in the best interests of the public. I had the good fortune to chair the Manitoba civil justice review task force with a number of very respected and honourable people. In September 1996, we completed that report, which was made public in October of 1996. In relation to rule making in the courts, there was a commentary, there was a set of recommendations. They can be capsulized by saying the recommendation involved responsiveness to change in the public interest. That was in the way rules were done.

It is interesting, in the courts only judges made the rules. From 1939 to 1989, in Manitoba, judges made the rules. Lawyers were not involved; the general public was not involved. It was in 1989 that reforms were implemented which involved lawyers. That was in legislation which was started by another government's Attorney General and ultimately implemented by this government. The legal profession then had an input into the creation of rules. You know what was interesting? From 1939 to 1989, there were no changes to the rules. It is not unlike what happened here. There were no changes to the rules—50 years. That was the way institutions operated.

*(1640)

I think back the way Canada Post operated; I think back the way chartered banks operated. Consumer service and respect for the public is not what it is today. We do things differently today, institutions. Peter C. Newman, in his book about the Canadian Revolution, brought all of that out to demonstrate how much we have changed in a decade.

In the courts when those new rules came in and lawyers were involved, there were numerous changes to the rules, a whole new concept. One of the underpinning rules, one of the underlying rules was looking at intent, looking at purpose, looking between the lines, not being too technical. It meant more fairness. It meant a more reasoned approach to doing court business, doing justice.

Then in our recommendations dealing with responsiveness to change in the public interest, we recommended that the public be represented on the rule-making body so that you would add the general public to judges and lawyers because, you know, what is happening in the justice system is not unlike what is happening, I would submit, in progressive legislative rule making. What is happening is people are looking for more practical, effective, fair, healing dispute resolution and the general public and the aboriginal community with their traditions and values have as much to teach us as anybody in that kind of connection.

I thought often when I look back at what took place in November how we needed a dispute resolver in this Legislature. We needed some healing solutions. We needed some facilitators. We needed some mediators. Maybe we needed a group psychologist or a group psychiatrist. We sure needed help, because that way of conducting oneself is not acceptable to the public anymore. It is not acceptable in family relationships. It is not acceptable in organizations. It is not acceptable in the courts. Why should we be distinguished from all of that? Why should we have a different standard like a private club that can fiddle around and take as much time as we want and call each other names? Is that what the public wants?

I know when I am sitting here and I am surrounded by school children who have been brought in here to learn about the democratic process, I am ashamed if honourable members conduct themselves in ways that do not live up to their expectations. I mean, you can imagine what they do when they go home and they tell their parents or they speak to their teachers. Can you imagine what they say? You can imagine how that gets out there and that spreads. I mean, how disturbing that should be for all of us, because that undermines democracy. That undermines the very fundamentals of why we are here and how we go about doing it.

You know, what is interesting is, if every honourable member conducted him or herself in a way that was consistent with the expectations of what might be a school in their constituency's wishes and expectations, or they might have a child, a niece or nephew or grandchild or friend in that classroom, would they not want to do proud, demonstrate that being involved in the political process is something to be worthy of respect, people treat each other with respect? I think it would be helpful if we always bore that in mind when we participated in debate and we conducted ourselves.

In closing, I just wanted to quote from something that was stated by Vaclav Havel, the president of the Czech Republic, in a speech at Harvard University when he said that the main task of the present generation of politicians is to assume their share of responsibility for the long-range prospects of our world and thus to set an example for the public in whose sight they work. Their responsibility is to think ahead boldly, not to fear the disfavour of the crowd, to imbue their actions with a spiritual dimension, to explain again and again both to the public and to their colleagues that politics must do far more than reflect the interest of particular groups or lobbies. After all, politics is a matter of serving the community which means that it is morality in practice.

I appreciate the opportunity to speak on this motion. I would ask, why not put this now to a vote, why not put this now to a vote and get on with what the public wants us to do? Thank you.

Point of Order

Ms. Jean Friesen (Wolseley): Madam Speaker, before I start may I draw your attention to the fact that I think you omitted to make a ruling on the point of order that was raised by the government House leader and spoken to by the opposition House leader. It might be important for the record to have your ruling on that.

Madam Speaker: The honourable government House leader, on the point of order.

Mr. McCrae: I raised the matter by way of a point of order to ascertain the sense of the members of the House. The honourable opposition House leader made that known and at that point, in my respectful view, there was really little for Your Honour to decide upon

because there was not leave of the House to recess the House. I think by virtue of our discussing it, our visitors were probably informed that they are free indeed to step out if that is what they would like to do.

Madam Speaker: I thank the honourable government House leader. There was, I guess, in effect no point of order.

* * *

Ms. Friesen: I regret that that small point of detail is not recorded in Hansard. I believe that Hansard has a very important part to play in the public deliberations of this province, and I think it is important to get it right in the detail as well as in the principle, but nevertheless, Madam Speaker, that is the route you have chosen.

Today, Madam Speaker, I rise with sadness and with a recognition of the seriousness of the issues. I am the seconder of this motion that you be removed from your position and I do not take my speech lightly.

(Mr. Marcel Laurendeau, Deputy Speaker, in the Chair)

Mr. Deputy Speaker, I rise to let the Speaker know and all my colleagues in this House know that the anger, the outrage and the frustration at the events of the last days of the last session has not dissipated. There are many images that will remain from those days in the minds of the members of this House and the officers of this House. One of the ones I think that was quite striking was of the members of the opposition who were arrayed along the back here unable in conscience to vote on the third reading of a most significant bill.

We believed that matters had not been dealt with in the way in which this House ought to have dealt with matters. It was an issue of supreme importance. It was probably the most significant bill that we have voted on in this House since I have been elected. It was fundamentally the transfer of wealth from all the people of Manitoba into the hands of a few, and that is what we were voting on.

Mr. Deputy Speaker, other images which remain will be those of my colleagues and I speaking in a House

from which the Speaker had withdrawn authority. There was at one point in those dying days of that session a period when the microphones were turned off, not by common consent, not by a vote of this House, but by the Speaker of this House. At the same time Hansard was withdrawn, that public record, that supremely important public record of which I spoke at the beginning of this speech. That, too, was withdrawn from the members of this House, not by common consent.

I will remember, and my colleague from St. Johns has spoken of this, the speeches that were made in that Chamber at that time by the members of the opposition. They were passionate and they were eloquent, but they were spoken to an empty Chamber from which authority had been withdrawn by the very person who is responsible for the rights of all members. I will remember that for a very long time, Mr. Deputy Speaker.

Mr. Deputy Speaker, there is a photo, an image that is used frequently in the press and it too remains engraved, I think, on the minds of the members of the opposition. It is a photograph which shows the Leader of Her Majesty's loyal Opposition on his feet asking the Speaker to recognize him on a matter of privilege, the most important matter that a member can bring before this House, and you see in that image the Speaker's back turned against the Leader of the Opposition. No more striking nor memorable image can be left of that session and what it meant. The Speaker physically and metaphorically turned her back on the opposition, and that too, I think, is something which will remain as an image of the Legislature of Manitoba and something which shames the history of this House.

* (1650)

Mr. Deputy Speaker, perhaps you remember, as others do in this House, the initial appointment of the present Speaker. She was nominated by the Premier, she was seconded by the Leader of the Opposition, and she was brought down those central stairs with a show of reluctance, the Premier at one elbow, the Leader of the Opposition at the other. A slight stumble, an indication of reluctance to take on the burdens of office. Why that reluctance? Why do we maintain that tradition? It is not something just out of the myths of

history. It is not just a charade. It is not just some sidebar drama for the opening of the House. It is of extreme significance for the continuance of democracy and of the Legislative Parliament in Manitoba.

The reluctance of Speakers derives from the 16th or 17th centuries from the parliamentary tradition of Great Britain. It comes from a time when it was the Speaker's job to speak to the Crown. It comes from a time when the Crown was autocratic, when the Crown argued that it had divine power unconstrained by anyone, and when the Crown had the only army in the land. There was a time when kings lost their heads. It was time when members of Parliament were sent to the Tower of London and some of them to the oubliettes to be left and forgotten. It was a time when being Speaker of the House meant putting your own life at risk, and that is why we have that tradition, that remembrance of the importance of the role of the Speaker. The Speaker does take a risk when she protects the right of all members of this Legislature of Manitoba to speak, and that is what has been lost in the last days of the last session.

Mr. Deputy Speaker, we do not now fear the autocracy of the Crown. The monarch has been democratized. It is not in the Parliament of Manitoba that we fear the power or the divine authority of Elizabeth the Second. Nor do we fear the power of the Lieutenant Governor, nor do we fear the power of the Governor General, but we do and we should always fear autocracy. It is the role of the Speaker to protect every member's rights against that face of autocracy. I heard, I think, with great regret some elements of that autocracy in the early parts of the speech of the member for Riel (Mr. Newman) who wanted to—well, in fact he wanted to cut off debate now and have a vote. He wanted to take the accountant's instruments to the discussions in the Legislature over the last session to argue that we were paid for by the hour. I do not know whether he is or not, but I am certainly not and to argue in fact that democracy had that kind of a price.

I am disappointed to hear that from the member for Riel. I sat in a number of committees that the member for Riel chaired over the last session and I was impressed, and I told him so. He was a good Chair. I am saddened that those kinds of sentiments, those

autocratic sentiments will, I think, be part of the record of this House.

Mr. Deputy Speaker, we fear and should fear a government which is autocratic. The member for Riel had a few sentiments, but we do see far more frequently an autocratic government which on that occasion was prepared to use or to usurp the Office of the Speaker to get forward, to put forward and to ensure that government business went through the House in a timely and smooth manner.

I noticed in the speech of the government House leader, the current Minister of Environment (Mr. McCrae), a typical confusion, a deliberate confusion perhaps on the part of this government between public business and government business. There is a difference, Mr. Minister of the Environment, but the Minister of Environment, like his Leader, believes that public business can be equated with government business. Public business is the business of all this House. It is the business of every member of whatever party or of whatever independent members who are sitting, and no member and no Speaker should ever forget that.

Mr. Deputy Speaker, the role of the Speaker of the House is indeed to protect the rights of every member to say such things, and I believe that the Speaker did not protect those rights and that that is what was at issue. It was not the first time that the opposition, in particular, has seen the partisan nature of this Speaker, and I am as a teacher, and as most teachers are, prepared to recognize and to be patient with a learning curve. Anyone who sits in that chair for the first time obviously has an important learning curve, and we will all be tolerant of that.

We are always as human beings prepared to acknowledge mistakes and prepared to acknowledge the apologies when mistakes are made. That is part, I think, of the tradition of this House and is often accorded as an important value by all members in this House, but what I think has happened in this House under this Speaker goes beyond this. The Speaker must be seen and must be a servant of the House, and we must all have the confidence that she understands that and acts accordingly, and I do not believe that that is the case any longer in Manitoba and there cannot be

any pretence that it is so after the last legislative session.

It is my view that the present Speaker has been unable or unwilling to separate herself from the ideological perspective she brought to this House, and this is not easy to do. I recognize that. I acknowledge it, but it is one of the prime considerations for anyone who takes on this honoured and important role. The Speaker must be prepared to open his or her mind to all colleagues. She must be seen to be tolerant. She must be the friend and the adviser to all members of the Legislature.

I will also recognize that this Speaker had a difficult act to follow. The previous Speaker, the member for Gladstone (Mr. Rocan), was the Speaker in office when I first came to this Legislature, and I will say and I have said it on the record a number of times, I valued his sense of humour. I think that is one of the important things for a Speaker. Of course, it is not of prime importance, but it was a sense of humour which he used to ensure that new members understood the rules, acknowledged the rules, and yet felt that their right to speak and to participate fully in debate even as new members was fully protected.

What happened to that Speaker, a Speaker who was nominated by the government, seconded by the opposition, brought forward with the same sense of reluctance and whom I think earned and deserved the respect of all members of this Legislature? Where is he now? He is the member for Gladstone (Mr. Rocan), an honourable position, but he is no longer Speaker of this House, removed, removed by the government of the day with, I might say, no consultation with the opposition, no consultation, no notice to the seconder of the motion who had originally brought him in. He had made one decision too far for this government.

Mr. Deputy Speaker, I think it is a tendency, and my colleague for St. Johns (Mr. Mackintosh) has already referred to this as well, and we have seen it in the member for Riel (Mr. Newman), for a government of such Conservative ideology to believe that in fact the House is simply the instrument of its own control, to believe that this is simply a board of governors, this is simply the board of a corporation or simply the chair of perhaps a private corporate club and that the role of the

Speaker is to ensure that business goes through the corporate board, that matters are dealt with in the corporate manner and that they are passed, as the member for Riel would have it, in a timely fashion. But this is wrong.

* (1700)

This is Parliament. This is the place of speaking. It is not a game. It is not a time when the referee, as the member for Riel would like to say, simply sets the rules. It is not the referee who says who is going to play. It is not the referee who ensures that every player is on the ice at the same amount of time. It is very different. This is Parliament, where people speak, and they have a right and in the past in Manitoba have had that right protected by the Speaker of the Legislature, and it is that which is at stake.

It is not the role of the Speaker to ensure that government business goes through the House in a smooth and effective manner. It is the job of the Speaker to protect the rights of all Manitobans to speak. There is a difference. It is a significant difference and one that I believe the Speaker has not understood. To continue to accept the presence of a Speaker who does not understand that difference between a corporate board and a Parliament of the people is going, I think, to have a long-term impact on this Legislature and I believe is unconscionable if it continues.

Mr. Deputy Speaker, we could speak of other ways in which Question Period has been allowed to deteriorate, the cutting off of opposition questions, the encouragement given to ministers to extend and extend and extend their responses, even to repeat their responses on occasion. We could, more particularly, speak of the decision which ruled that racism must not be applied to any policy in this House and that, I beg to differ with the member for Riel, is absolutely and fundamentally a wrong decision and brings shame upon this House.

I represent constituents, as many of my colleagues do, who face racism on a daily basis. In fact, earlier in this week I had a meeting at St. Matthews Church, and one of the issues that came up was of constituents who faced racism in various government offices, a slight here, a loose comment there, and they said one to the

other, what do you do, what do you do when you hear that? Fortunately, one of the other people present at the meeting who had also experienced that said, well, you know what I do? I turn to everybody else in the room and I say, did you hear that? Did you hear what that person said? Then I get names. That was a useful piece of advice. I say it because my constituents in that meeting this very week raised the issue of racism. When my colleague for The Pas (Mr. Lathlin) raised that issue, he did not apply it to an individual. He was very careful. He was clear. He applied it to a policy.

(Madam Speaker in the Chair)

Let us not diminish, as I believe the member for Riel has, the freedom of speech by talking about it simply in terms of manners, Miss Manners or Emily Post. This is an issue of freedom of speech. It is unfortunate, indeed it is tragic, in Manitoba, in 1997, that some things must be named, and racism, a daily event in the lives of many of my constituents, racism must be named in this House. Are my lips to be sealed? Must I be silent on this? Must my lips be sealed on that issue? If we are to accede to your rulings, Madam Speaker, then that is the case.

We might also mention, I expect some of my colleagues will, your surprising inability to see the extraordinary unparliamentary behaviour of the Minister of Education (Mrs. McIntosh) on more than one occasion or to turn your blind eye and your blind ear to the unpleasant and bullying comments of the Premier to the member for Crescentwood (Mr. Sale). I expect my colleagues will speak a greater length on these and other issues. But the fundamental issue is that on that vote on the Manitoba Telephone System, the government knew that it had options. It could have brought, as a number of speakers have said today, it could have brought closure. I believe the government knew that, and I believe equally that you knew that, and that you knew that they would not exercise that option. The government wanted closure without accountability, closure without responsibility, and they were prepared to subvert the Office of Speaker to do it, and you, Madam Speaker, I regret, seemed to accede to that demand.

Madam Speaker, there are other options. We have raised in this House on a number of occasions the

possibilities of an elected by private ballot, by secret ballot, an elected Speaker. There are many Legislatures in the Commonwealth which do this. I am sure that you have spoken to elected Speakers in your duties and in the conferences which you have attended. But we do not need to go very far to find elected Speakers. The House of Commons since 1986 has had an elected Speaker. The Speaker's office in the Parliament of Canada has taken upon itself a particular role of educating the general public about the role of parliament. So the role of elected Speaker has taken on added significance, taken on a neutral, an additional neutral significance even though it is an elected speech. You know, comments such as we heard from the government House leader (Mr. McCrae) today—I do not have Hansard yet, obviously, so I cannot quote his exact words—but something about how he pitied people who had to watch this, and people do not understand what Beauchesne was, I think. Well, I think it is important that the House make the point to the people of Manitoba about the democracy and the form of democracy that we have here, and elected Speakers have taken that responsibility upon themselves. It is an enlargement, and it is, I think, a very useful one.

We need look no further than Saskatchewan which has done something very similar but I think with additional value. Saskatchewan has an elected Speaker, and their elected Speaker has taken on the responsibility, with the support of all members of the Legislature, of visiting every constituency in conjunction with the member of that constituency, from whatever party. His purpose has been to explain parliamentary democracy, because it is true that we are flooded, overwhelmed sometimes, with the American House with the congressional system, and I think many of our people are in danger of confusing the two and, if not, understanding some of the elements of parliamentary democracy. The Speaker in the Saskatchewan House has taken upon himself that responsibility, and I believe that is a useful role for a Speaker to take.

Madam Speaker, where the Speakers are elected by secret ballot or whether they are chosen in the traditional way that this House has chosen them, the qualities required of a Speaker will always remain the same. The quality of fairness, the quality of impartiality, the quality of patience and of appearing to

be patient, the ability to sense the mood of the House, all of those I think are important. No Speaker will be perfect. All will be in the process of learning and developing but, at the end of the day, a Speaker who remembers why they came reluctantly to the Speaker's Chair, what their role in protecting the rights of all members is, will at the end of the day win the respect and confidence of all members.

My point here, in concluding, is that there are alternatives to the destructive impact of a Speaker who has become the servant of the government. It is time, I believe, for the Manitoba House to act on those alternatives. The first step, I believe, and it is with sadness, Madam Speaker, is your resignation. It is time for the Premier (Mr. Filmon) to recognize that even his autocracy will be curbed in the House of all Manitobans.

* (1710)

Hon. Darren Praznik (Minister of Health): Madam Speaker, I too do not take great comfort or enjoyment in having to rise in this debate today on this extremely important matter of privilege now before the House. I do share in many of the reluctances about what this has meant, this whole scenario has meant to our parliamentary system in Manitoba, indeed Canada. I share that great sense of, I think, disappointment that many may have but for different reasons.

I am very disappointed because I think as one of those members who served on an all-party committee in my capacity as deputy government House leader, who worked for many years with colleagues opposite, the member for Thompson (Mr. Ashton), the member for Burrows (Mr. Martindale), the member for Inkster (Mr. Lamoureux), the member for Charleswood (Mr. Ernst), the member for Emerson (Mr. Penner), many long and gruelling hours of discussion and debate over what kind of rules or rule changes we could bring about for our Assembly that would make this place work better.

Many of us have been here for quite a number of years, some, like the member for Lakeside (Mr. Enns), going back to 1966. In that time, we have collectively witnessed great changes in the operation of this place, and I think those of us who have been around for a while have come to the conclusion that the rules under

which we operate today, the so-called old rules, left a great deal to be desired.

So a huge, a huge, Madam Speaker, amount of effort was put into revisions to our rules. They were not perfect. They required a great leap of faith, I think, by many on both sides, because there were trade-offs and there was give and take, as is normally the process, but the end result was to significantly overhaul the way in which we have done business.

The member for Wolseley (Ms. Friesen) spoke about the need to change the way in which we determine our presiding officer, and she spoke about the need to have an elected Speaker. Well, Madam Speaker, the changes in how we choose our presiding officer are part, no doubt, of that whole process of reform. The regrettable part for members on this side of the House, including myself, is that these things do not come by themselves. They come as packages of trade-offs and I assume over time become progressively better.

The problem that we have here today, Madam Speaker, in addressing this resolution is, what happened in the month of November in this Assembly demonstrates a number of great difficulties with rule changes. One, of course, was that the rules that we developed as members of the Legislative Assembly and which we as a House put into effect unanimously left some obvious gaps. I know colleagues have spoken about our expectations on this side of the House, but when we developed those rules and we made trade-offs, there were some very, very clear trade-offs and, I think, trade-offs that were designed to make this place more accountable and operate better for the people of Manitoba.

One of the key trade-offs was to move to a legislative calendar, as members well know, that would require and put in place deadlines when things would be completed. [interjection] The member for Thompson (Mr. Ashton) speaks from his seat. The member speaks from his seat. It was the intent, I believe, in my recollection—and I look to the member for Inkster (Mr. Lamoureux), the member for Emerson (Mr. Penner) as well, for their recollections. Our intention was to change a number of fundamental things to get to a legislative calendar, not maybe in the pure form of where the Houses of Commons are today, but to change

a fundamental way in which we have operated. Members know—I think it has been said many times—that under the rules that we operate today governments determine when the session would begin. Opposition, through the tools available to them in this set of rules, by and large, can determine when the House will end. One of the key tools in that bag of tools for any opposition is the use of the committee process in Manitoba which allows the public, gives the public indeed the right to make presentations to committee.

I have been around here a long time to know that on various issues the committee process is not used for what it was intended by its drafters, which was to allow public input into a bill and discussion, and proposals for amendment, once it had been approved in principle. It has been used as a tactic to delay the passage of the bill, to raise public interest in a bill, to raise public opposition to a bill, and to delay ultimately the conclusion of the session as a bargaining tool in seeking amendment or perhaps withdrawal of the legislation. We accept that. We know that. We should not deny otherwise, Madam Speaker, but it is one of those tools. What we were attempting to do in changing our rules in this House was to give greater certainty to the public in terms of when we would do and conduct our business, and to allow them in that process.

One of the trade-offs again would be to have legislation before then, in the public court, for a much greater time than the old rules in practice ever allowed. So what governments gave up was the ability to introduce legislation at any time during the session, and attempt to have it passed during that session of the Legislature. We committed to have government legislation in this session into second reading stage, in other words, printed and available to the public, by the end of the June sitting or portion of that session, so that legislation could be there for the public to peruse and to read, and for oppositions to take to the public all through the summer months and into the fall.

The trade-off was that it would come to a conclusion by the end of the fall session. That is a fundamental change for both sides in our rule process. Under the rules that we now operate today, this government could introduce bills anytime, right up into June and July. If it is hard to maintain the will to carry forward that

bill—and we have seen it before—it may have a week or two or three of debate and end up being passed because the momentum to end this session happens. Does that serve the public interest? Probably not. So we all made trade-offs.

In drafting those rules, many members may dispute how things were to be brought to an end. One of the expectations of this side of the House in agreeing to those rules, and let it be very clear on the record, Madam Speaker, this side of the House lived up entirely to its part of the bargain. The prerequisite was met. In fairness to members opposite, they have not challenged that. But the prerequisite on the basis of which our rules were structured was met.

What happened, and it is interesting to note the comment of the member for Wolseley (Ms. Friesen) when she talks about the significance of the MTS bill—what happened, I would suggest, is that this particular piece of legislation, this one piece of legislation struck so much at the root of what divides parties in this House, at what may divide Manitobans philosophically, that members of the New Democratic Party could not—in fact, I would even suggest, they may have put themselves inadvertently into that position with their own supporters—were unable to do anything to accommodate the agreement that they made to see passage of this bill.

So once that set of circumstances were created, I do not care what set of rules we would have had in place. I would suggest and I believe it was the intent of members of Her Majesty's opposition to do anything available to them to prevent that bill coming to a conclusion. Whether it be the ruling of the government House leader of the day or the request for a ruling by the government House leader of yourself, Madam Speaker, on a mechanism to bring about what the rules had intended or whether it be through a process of closure—and by the way our rules, if you just follow through the logic of even using closure and the time required, that would not have resulted in the completion of the work of this House by the end of November, which we had all intended to happen. So let us not kid ourselves, closure was not—it may sound like a great option of putting up an alternative but it was not an alternative that that would have achieved the result we had agreed to. It still would have resulted in the

opposition preventing this House from concluding its business by an agreed-upon date.

* (1720)

I have heard members opposite talk about the balance in protecting rights of members and this comes to a fundamental point as to what took place in this Assembly. If members of the opposition, the New Democratic Party, did not intend—and all of their actions in the latter weeks of the session suggest to us it was the case—if it had not been their intention to live up to the agreement of which they were part to bring matters to a conclusion by an agreed-upon date, no matter what the consequences of the matters, they had agreed. It was not their intention but to delay and delay and delay until inevitably this House could not complete its business. Then it rests upon you as presiding officer to ensure that the members of this House, as agreed upon in our rules, had a right to decide that matter by putting it to a final concluding vote.

Madam Speaker, that is what you did, and although the process may have been ugly—and I have never been more ashamed in my days in this House than to be here to see members opposite storming the Speaker's Chair, members opposite, who on a daily basis talked about respecting individuals and their rights, making the attacks upon yourself that went on. I would suggest very strongly that what drove those attacks were not concerned about parliamentary democracy or rules which had been ignored by members opposite, but the desire at all costs even to preventing this Assembly from completing its business at any time is what drove the kind of action we saw. The proof again is in the pudding. The proof of the pudding is in the eating.

How many times in this House in those three weeks leading up to the end of November was extra time offered? How many opportunities did members opposite ask for this House to sit longer hours to accommodate amendments? Rarely was that ever agreed to or accepted or even proposed. Members opposite were not serious about debating those resolutions, in fact, I would even suggest welcomed any opportunity to switch the debate off MTS on to rules, because that gave more publicity, that gave more public interest because the public interest was waning in the

matter under discussion. If that is the case then the great threat to the operation of this Chamber is to let any group hijack its activities and functions such that it cannot complete the business.

That particular bill under the rules that we had all agreed to had more time for public debate than any single piece of legislation in probably decades in this Assembly.

An Honourable Member: Especially on third reading.

Mr. Praznik: The member for Thompson (Mr. Ashton) says, especially on third reading. Well, anyone who knows how this Assembly operates knows that the amount of time allocated for debate is very much a function of negotiation between House leaders, and the member for Thompson should have the courage then to admit to this Assembly that if there was not enough time for third reading, it was because of the planning of him and his caucus in seeing that bill through this Assembly, because there were weeks that went on when the government House leader of the day called upon, offered to have that bill called for debate so we could get the debate on principle on second reading over and moved into committee, and what did we see? We saw delay, Madam Speaker. We saw delay.

Then through committee, we all sat through hundreds of hours listening to presentations. We saw the organization of presenters, Madam Speaker. That is part of the process. I do not criticize that, but a great deal of that was managed by members of the New Democratic Party, part of the timing, knowing full well the deadlines we were facing.

Then when we did get to third reading, when we did reach agreement and had the matter gone through committee, that was fine, and yes, Madam Speaker, the member for Thompson mentions 25 amendments. When the date we intended the House to be wrapped up came to its end and some members opposite thought that was the end of the MTS bill, it did not. We sat for another three weeks. It was the only item on the agenda. There was plenty of opportunity in that time to be able to deal with the business at hand and, yet, one of the most important facts or opportunities if members opposite were truly serious in seeing this debate carry on for the benefit of Manitobans.

Was there one overture, one overture, from members opposite or the opposition House leader to the government House leader of the day to ask for an arrangement to provide for sufficient time with an agreement to bring the matter to conclusion? Did we get one offer of members opposite to say, we need two more weeks and we will run morning, evening and afternoon and to extend by—[interjection] And I am sure members of the Liberal Party would have agreed if that had been the proposal to extend the rules under which we operate to do that.

Never once did we see that happen, Madam Speaker, and the reason, I would suggest, it was the tactic of members opposite not to debate that bill, not to argue its merits, not to move amendments and have them debated and not to see the matter brought to a concluding vote of 57 members of this Assembly, but their tactic and strategy was one thing, to delay it to the point where the government would not pass it but back away and leave it on the Order Paper incomplete.

Madam Speaker, that is not what the rules of this House ever intended or were designed to do. My regret is that the tactics of some in fulfilling their own agenda put you in a position that was unenviable for anyone who serves in a Chair in a Legislature or Parliament in the Commonwealth. You had a difficult time in weighing and balancing those rights, but I honestly believe that on the balance sheet, the balance between the rights of the minority in a Parliament to be heard and to contribute to debate and the rights of all members to be able to vote on a matter to bring it to conclusion was one in which you were put in a position of having no choice but to give effect to the rules that we had all agreed to.

So, Madam Speaker, it is a sad day for our Legislature that we are brought to this debate, but let there be no doubt about it that a good deal of that responsibility lies, I believe, with members opposite, and you should not have to bear the brunt of that position on their behalf in your role as presiding officer of this House.

Madam Speaker, there is another part to this that I would like to raise and put on the table in our discussion. We talk. We have heard many speakers on the opposite side of the House speak about

parliamentary tradition and the history of this place and this Chamber and the history of our rules and the purposes for which they are intended.

The member for Lakeside (Mr. Enns), whom I count among one of my closest friends, the dean of our Assembly, who has been here longer than any other member and has always been a student of politics, continually points out to me the course that we as a Legislature collectively have set upon over the last number of years. We in many ways have abandoned some of the pure parts of parliamentary democracy and procedure and process.

Madam Speaker, I heard the member for Concordia, the Leader of the Opposition (Mr. Doer), speak about the rights of individuals. We are all equal in those rights. I do not mean to be combative in any way with him, but I can think of a number of places in which some members of this House have more rights than others that we have worked into our rules. He, for example, along with my Leader and the leader of any other recognized party, have the right to speak on any issue for unlimited time. No other member of this House has that right.

* (1730)

We also know, and we saw this after the last general election, in which the Liberal Party fell below the numbers for official party status, that members of the Liberal Party made that point, that they had as much right as any others to ask questions in Question Period. My friend the member for Lakeside points out that in true parliamentary fashion there should not be a rotation of speakers in parties during Question Period, that in pure parliamentary tradition its members get up and whoever catches the Speaker's eye, I believe is the phrase of the time, is recognized.

Madam Speaker, if one wants to talk about the traditions of Speakers, that right or privilege of a Speaker goes back for hundreds of years, not 10, not 12, but hundreds. I am sure the member for Brandon East (Mr. Leonard Evans) and certainly the member for Lakeside would attest to the fact that in their early days in this Assembly during Question Period many members were jumping up from the parties that were in opposition of the day and the Speaker would recognize

whoever they wanted, in essence, during the rota of Question Period.

Yet today, where have we moved? We have moved where the role of the party has become more important to some degree than the role of individual members and, as a consequence, we end up with an agreed rota in Question Period. We have this, you get so many questions one day and you get the next day and we go back and forth. but we have removed one of the great rights of private members of this House, to be able to expect that they may in fact be recognized over the planned speaker of a party in Question Period. That is part of the right and privilege of members of the House and part of the powers of a Speaker in traditional parliamentary setting, but we have changed that over time; for better or for worse we have changed it.

So let us not members opposite make out the case that there is anything unusual in who Speakers choose to recognize or that the rights of every single individual member of this Assembly are equal or are totally protected by a thousand years of British parliamentary traditions, because they are not, they are not.

If the Speaker of the House recognized another member, well, if one of their members was standing in the rota, I am sure they would not be pleased and think some rule or tradition had been breached, but that right, that right that we have abandoned to some degree, is what protects three members of the Liberal Party here from ensuring that they have a right to participate in Question Period, and quite frankly that is application of that same rota rule in the House of Commons is what denies members of both my federal party and theirs of questions in Question Period. So, Madam Speaker, let us just put into a proper context.

I think it is important to also discuss for a moment the role of the former member for Rupertsland, Mr. Elijah Harper, now a member of Parliament in that great constitutional debate and, Madam Speaker, when that moment is referred to, yes, it was a moment when the rules of the Assembly did allow that event to take place where one member could, in essence, under those rules, prevent the House from moving on to the business, and that was rules that we all had agreed upon and we respected those rules. Conversely, we also agreed upon a set of rules that saw legislation entered,

introduced by a certain date to be concluded by a certain date, and members of this House, just like Mr. Harper when he was here on Meech Lake, have a right to rely on the application of those rules.

Members of the New Democratic Party chose deliberately to throw those rules out and make no attempt to live up in the letter or the spirit of those rules. So let not members opposite draw any analogy to their role in November to that of the former member for Rupertsland in the Meech Lake debate, because if the way they behaved in November in flaunting a general rule as to how this House was operating would have been allowed to happen, Mr. Harper never would have been able to do what he in fact did in this House. So let us not draw that analogy. It is dead. It is dead wrong.

Madam Speaker, another regret that I have over this whole process that we have got into, and I am glad we are having this debate today because it does give us a chance to clear the air early in this session to get on with the business of the people of this province and that is a good thing. I think we on this side welcome that debate. We welcome it as we get into this debate and have a chance to exchange views. We welcome it. What is really sad for the people of this province, and to some degree I have to put a little responsibility on the media who reported the events in November, because if one followed through everything that happened in this House, I disagree with some of the comments of members opposite about their rights being infringed. I believe that on each step that took place in November there was precedent, logical precedent to support what went on. Yes, it was ugly, but it was ugly because members opposite chose deliberately to do whatever needed to be done to prevent that bill from coming to a conclusion.

So, Madam Speaker, where are we today? We have in the past a set of rule changes that I think were good for the people of Manitoba. We had a package of rules that made this place operate in a much more civil and productive fashion, that gave Manitobans notice of legislation well in advance to have plenty of opportunity to study it, to meet with opposition members and to make their cases well before the bill would proceed to debate and second reading vote and committee stages, and that today is gone. The good

will that is necessary to move to other periods of evolution or stages of evolution, whether it be changes in how we select the presiding officer, whether it be in other manners of dealing with committees, the good will and trust to do that, I would suggest today, is gone. You know, at the end of the day we all bear a collective responsibility for that, because on this side of the House as someone who negotiated that arrangement, who recommended it to my colleagues in caucus, I do not know how today how I could recommend we could go back to those rules without knowing what the mechanism is to bring the bills to a conclusion.

How do we on this side of the House as ministers put forward our legislation in June under those rules and now today know that, if it happens to be a bill that the New Democratic Party does not like or feel strongly about, they will throw the rules away to hold it forever on the hopes that it will be withdrawn? So why would any government go back to those rules today? Yes, the members opposite said, well, we did not hold all those bills, we passed them, and that makes our point. There was one bill that they did not like for fundamental reasons, and they threw the rules away. They threw them away because there was one bill on which they felt very strongly about an issue. And you cannot make your rules around one bill, to say, well, if we like the bills, we will pass them through. Does that mean to say that if there is a bill that we really like, we know that members opposite will not, we do not have to introduce it by the end of June? We will bring it in in November? Of course not. If we did that, members opposite would be arguing to you, Madam Speaker, wanting you to have the bill thrown out or not brought to a concluding vote because we had not met the prerequisite, and you would have to do that, you would have to ensure that it did not come to a conclusion. So the rules protected members opposite as well. They protected members opposite and they threw them away. They threw them away because they did not want to follow. We on this side of the House, we heard what members opposite were saying privately, we heard what they were saying to the media, we heard what they were saying to their supporters, and their intention was not to bring the MTS bill to a conclusion on the 28th of November, or the 5th of December or the 10th of December or the 20th of January. It was never to see it brought to a conclusion, and that is the greatest affront to democracy in this Chamber of them all.

* (1740)

Madam Speaker, that was the greatest affront. [interjection] The member says closure. Well, where was the argument about closure when we set up the rules? The rules were clear. Matters would be brought to a conclusion and if the member, to us, says bring in closure, well, the closure process would not have resulted in conclusion by the 28th? Are the members opposite suggesting that then it would have been okay for the Speaker to bring it to a vote? Would it then have been appropriate? Members will not answer that question. If the closure motion would not have brought it to a conclusion by the 28th of November, would members opposite then say the Speaker would be in her right to have brought it to a concluding vote? Of course, they would not because that was not their objective. Their objective was to ensure that bill never made it to a vote of this House and some members opposite were quite happy when that first hurdle came up and we hit the first deadline, whatever it was, the 6th of June. They thought it was over. Then they thought it was over on the 28th because that was what their objective was, not to bring it to a vote.

So we know that there was more time than any other to debate this bill. We know that opposition members did not rush into completing second reading. They did not want to see committees begin early. They did not ask at any time, if my recollection, is to even extend it beyond the 28th within an agreed-upon day. So, Madam Speaker, I think quite frankly this is just a continuation of a strategy, quite frankly, to play the politics of this rather than deal seriously with the rules of the House, so I have no difficulty as a member of this Assembly in supporting you in your continuation as Speaker of the Legislature of Manitoba. Thank you.

Mr. Stan Struthers (Dauphin): I want to begin by sincerely and as humbly as I can thanking the member for Seine River for acknowledging me today. I think that the people of Dauphin expect that their representative can stand in the House and express their wishes to the majority within the House in a free way. I want you to know that as the member for Seine River, last November, you completely abrogated my rights as a member of this Legislature. That is something that I will remember even after the days that we are all finished here as individual members in this House. It

is the kind of thing that I think you will remember long past your time sitting in that Chair. I purposely referred to you as the member for Seine River, because as long as you are sitting in that Chair I consider it empty.

I am thinking back to when I became an MLA and I had an opportunity to travel to the city of Halifax on the Commonwealth Parliamentary Association trip of which I was joined by my colleague from Osborne, my colleagues from Emerson and Gladstone and my colleague the member for Seine River. One of the things that we talked about at this conference was the role of the Speaker, the independent role of the Speaker, something that was taken very seriously by all members of all parties who attended this discussion.

An Honourable Member: Except one.

Mr. Struthers: Not except one. Every single one. Not excluding anyone around that table except for the possible exclusion, maybe, of the fellow who was sort of at the centre of the whole debate, the Speaker of the Nova Scotia Legislature who had acted in a high-handed manner. He was there as someone who was in a lot of trouble, roundly criticized by people from all parties at that convention for the way he acted in the House, the way he abrogated the rights of individual MLAs in the House in Nova Scotia. It was interesting to listen to all the debate that went around. It sounded a lot like what I have been hearing here today and back in November. It was absolutely, especially interesting to hear the attitudes, the comments, the guffaws of our own member from Seine River. I was assured that would never happen here in Manitoba. Under no circumstances, I was told by the member for Seine River (Mrs. Dacquay), would that kind of nonsense in Nova Scotia ever happen in Manitoba as long as she was the Speaker, as long as she was here to ensure the impartiality of the Speaker in this Legislature.

It is one thing to go to a Commonwealth Parliamentary Association and talk big; it is a whole other dynamic when you have to come in and live up to the talk that you have put forth. It is easy to float around on a vessel in the middle of the Halifax harbour, sipping on white wine, and talking in big fancy terms about what you are going to do as the Speaker of a Legislature. It is a whole other thing to come back to

Manitoba and absolutely abrogate every right at least 18 times of the opposition who still represent people in this Legislature. If you walk the walk, talk the talk—it did not add up that time, though. We can talk about systems, and we can talk about parliamentary democracy. We can talk about how we have the greatest system in the world, but when you come right down to it it is the people within the system that make it go.

The Soviet Union for years talked about having the greatest democratic system in the whole world. Why was it not? On paper it probably was. In practice maybe it was not. We have a pretty good system here in Manitoba. What we need is somebody in this Legislature who is going to defend the rights of every individual MLA.

When I went to university, I was at Brandon University, and I used to catch the Grey Goose bus back and forth to Swan River, Manitoba, and I had the positive opportunity every now and then to share that bus with one Jim Bilton. Jim Bilton used to be a Speaker in this House. Jim Bilton did not consider himself just an MLA. He knew that he had a special responsibility in this House, and he told me so. He bragged about being the Speaker. He knew that there were 56 MLAs and there was a Speaker in the middle, a Speaker whose responsibility was to ensure that all the constituents from one part of this province to the next were heard in this Chamber. Jim Bilton talked with a certain amount of pride about the job he had done. I wonder if the member from Seine River can talk with that same note of pride in her voice after what she did to this House back in November.

Do you know what really bugged me about what happened last November, thinking back to all the great words of Halifax? I actually believed the member for Seine River (Mrs. Dacquay) when she told me that I could count on her to defend my rights in this House. I actually believed that. Maybe I was being naive. Maybe I should have listened to the Premier (Mr. Filmon) after the 1990 election when he said a Tory is a Tory. But I thought for once that somebody was here in the position to ensure that all the people in Manitoba can be heard, to ensure that all the people of Manitoba could be taken seriously.

The member for Seine River on that day in November, all those days in November, destroyed, I guess, that little naive thought that I had as a rookie MLA. Maybe I was just being too naive. I am not a hardened politician. Maybe I think there is actually room in this Legislature for minorities within the Chamber to make their points.

* (1750)

I want to remind the member for Seine River that the people of Manitoba do not see it that way. The people of Manitoba expect a lot from us. They do not expect that we are just going to make the trains run on time, although it is nice if they do. They do not expect that we are just going to have little debates on finances here and there. They expect that we as their elected representatives are going to every now and then at least report to a higher calling, a higher principle.

When I see members across today minimizing this issue, when I see members across the way rationalizing, trying to cover up their attitudes in this whole debate, when I see members across the way revising history and trying to make out the whole debate in November for something else other than what it is, when I see the members across the way take an issue as serious as the charge of racism in this Legislature and twist it to mean, to try to say we were calling somebody a racist when we were calling your policies racist, that is revisionism. The same party that is trying to kick out Canadian History in our schools is into revisionism. The Minister for Northern and Native Affairs (Mr. Newman) this afternoon was into revisionism, and that makes me nervous considering the department he is heading up.

I also want to say to the member for Seine River (Mrs. Dacquay) is that what you did is you denied seniors in my town of Dauphin their ability through me as their representative to ask questions about cuts to Pharmacare, an issue that they are very concerned about. In my office last week, a woman in her mid-80s came in to talk with me and my constituency assistant. She was very upset that this government was attacking its debt and deficit problems on her back. Now, if the member for Seine River had allowed me the opportunity back in November, I could have maybe brought her concern forward, but I was ignored, denied that opportunity.

An MTS worker in Grandview who was concerned about the privatization of MTS, who wanted somebody from this cabinet to come out and talk to them in Grandview about MTS, found that there was nobody with guts enough across the way to go and do it, was talking to me about the hassles he has been through, talking to me about how you have taken something that belonged to all of us and turned it over to the very few. I could not make his case because the member for Seine River had my mike cut off. The rancher in Rorketon who has had enough trouble with lower cattle prices, who has had a lot of trouble with higher input costs, now has to put up with the government across the way being defended by the member for Seine River who is sitting in the Speaker's Chair. I could not bring his issues to this Legislature because I was denied that right.

Parents of kids at the school in Gilbert Plains, Manitoba, whom I met with last week again have a whole myriad of problems with the way this government is operating education. There are kids in our schools who are short of textbooks. There are kids in our schools who are being funded by out-of-pocket expenses from teachers because this government is cutting public education.

On November 27 and 28, I could not come here and say that. I could stand here all I liked with no microphone on, no Hansard in which it was recorded. I get the feeling that the other side just does not care. I get the feeling that the other side is more interested in their political agenda and spinning out their own views on what happened in the MTS debate rather than helping my constituents in Dauphin. Well, if you do not care about it, at least give me the opportunity as their representative to bring these concerns forward and not deny them the democracy that they have worked for for a lot of years.

The member for Seine River (Mrs. Dacquay) has some decisions to make in terms of her future in this Legislative Assembly. The member for Seine River has to determine in her own mind whether she is here simply to represent the Tory caucus as the member for Seine River or whether she is going to respond to Jim Bilton's calling, whether she is going to respond to how the role of the Speaker is supposed to be. She has to decide if she is here for the people of Manitoba or if

she is here simply to promulgate the warped policies of this Tory government. That is a decision that should come quite naturally to any Speaker who believes, as she contended she did in Halifax—that should be a natural decision in favour of the people of Manitoba, in favour of doing her job, in favour of fulfilling the responsibilities entrusted upon her by all the people of Manitoba.

I want to point out to the member for Seine River that we need a Speaker in this House, and the people need a Speaker in this House, and we do not have a Speaker as long as she is sitting in that Chair. It is time for the member for Seine River to consider very carefully what her effect on this House is going to be because the Minister of Health (Mr. Praznik) is dead wrong. We are not just going to have this debate this afternoon and get it over and done with, sweep it under the rug. That is not going to happen. It is going to go on. It is going to go right through to the next election campaign, and the people of Manitoba are going to think back. If there is anything positive that we can say has come out of this, it is that the mask has been torn off the Premier (Mr. Filmon). The cabinet has been unmasked, no longer the teflon Premier who can walk out into the hallway and smile nicely at all the folks and have all this kind of stuff bounce off of him. No more. The people of Manitoba see right through that thin veneer that the Premier has been able to cultivate over the last several years. They know what he is all about.

The people of Manitoba can think back to a time in our country's history that I think was very much a watershed incident in the way our country has developed. It was in the days when the federal Progressive Conservative Party stuck knives in the back of their Leader Joe Clark. It was in those days when the party took the mean, nasty, extreme, undemocratic turn towards Brian Mulroney/Gary Filmon away from the old Tory Party of John Diefenbaker and Joe Clark who used to talk of a community of communities, a kinder, gentler kind of Canada, that this government is now trying to put forth to Manitobans, trying to toss onto Manitobans when they do not really want it. The people of Manitoba see through this debate exactly what this government is all about. They see a government that is arrogant, extreme. They see it coming from a Premier who did not have the guts to do closure himself in this House of Commons because he

could not take the heat. So he got the member for Seine River (Mrs. Dacquay) to do it, because he cannot do his own dirty work. He does not have the courage to do it.

I was quoted in the Free Press as saying that the Premier (Mr. Filmon) was a little coward, and then when I was standing here speaking into a mike that was not turned on, I said that I meant what I said and that I would say it again. Every time I walked into a restaurant in Dauphin or wherever the touring occurred that we did, wherever I was, people were saying: Right on, Stan; you told him. They wished that they could be here with me so that they could tell you the same thing. They—not just Dauphin but across the province—said we wish we could be there to do it too, because they do not get that chance every day. As their representative, I get the chance to come in here and call a spade a spade, and that is what I did. I get to do it, especially sometimes when the lights on and the microphone is on

and Hansard is recording it, which I very much appreciate today.

I want to suggest to this government that, if they had any integrity at all, if they took this problem seriously at all, they would put some serious thought to electing a Speaker. I stand here today absolutely in favour of the motion as presented by my Leader, seconded by my colleague for Wolseley (Ms. Friesen), and, Madam Speaker, it is my contention that you could become a Madam Speaker if you decide that you are here for the people of Manitoba.

Madam Speaker: Order, please. When this matter is again before the House, the honourable member for Dauphin (Mr. Struthers) will have 21 minutes remaining.

According to our rules, I am leaving the Chair with the understanding that the House will reconvene at 8 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, March 3, 1997

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