



**Second Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**

---

**DEBATES**  
and  
**PROCEEDINGS**

---

31-32 Elizabeth II

---

*Published under the  
authority of  
The Honourable D. James Walding  
Speaker*



MG-8048

**VOL. XXXI No. 166A - 2:00 p.m., MONDAY, 23 JANUARY, 1984.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

Name	Constituency	Party
<b>ADAM, Hon. A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Hon. Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, Hon. John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Q.C., Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	NDP
<b>DOLIN, Hon. Mary Beth</b>	Kildonan	NDP
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virden	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Hon. Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
<b>PENNER, Q.C., Hon. Roland</b>	Fort Rouge	NDP
<b>PHILLIPS, Myrna A.</b>	Wolseley	NDP
<b>PLOHMAN, Hon. John</b>	Dauphin	NDP
<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
<b>SCOTT, Don</b>	Inkster	NDP
<b>SHERMAN, L.R. (Bud)</b>	Fort Garry	PC
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
<b>STORIE, Hon. Jerry T.</b>	Flin Flon	NDP
<b>URUSKI, Hon. Bill</b>	Interlake	NDP
<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 23 January, 1984.

Time — 2:00 p.m.

## OPENING PRAYER by Mr. Speaker.

**MR. SPEAKER, Hon. J. Walding:** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

## ORAL QUESTIONS

### Economic recovery

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Thank you, Mr. Speaker. My question is to the Premier. In view of widespread concern throughout our province for issues dealing with the economy, the unacceptable high levels of unemployment, the need to attract investment income in the province today, in view of all these concerns, when is it the intention of government to bring in its Estimates and its Budget so that the people of Manitoba and this House can deal with these important issues to date?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, we would be delighted to be in a position to move expeditiously to deal with the matter of the Budget and Estimates just as early and as soon indeed is possible.

**MR. G. FILMON:** Mr. Speaker, in case the Premier isn't aware, those are decisions that are made by the government, not by the opposition.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

**MR. G. FILMON:** When last I looked, he was the Premier and the leader of this government and that decision, Mr. Speaker, is within his power to make. So my question, Mr. Speaker, is: in view of concerns that are being expressed throughout the province that we ought to be dealing with the real issues of today, the economy, the high levels of unemployment, when is the government going to bring in its Budget for the coming year and its Estimates for the coming year? That would facilitate our opportunity to deal with those issues.

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** I really don't know whether I am hearing accurately - my ears fail me - because I am hearing words from the Leader of the Opposition that demonstrate another flip-flop from Friday, when the

Leader of the Opposition urged this Chamber to spend six more months debating the French language issue. Now the Leader of the Opposition is asking us to move on and deal with other matters of concern in the province.

I agree with the Leader of the Opposition insofar as getting on to deal with other matters. I just don't understand how that is consistent with his plea to us in this Chamber as of last Friday to spend six more months debating the French language issue in the Province of Manitoba.

**MR. G. FILMON:** Mr. Speaker, I know that the Premier has difficulty understanding at the best of times what is going on in this House, but if he'd only read the . . .

**HON. L. DESJARDINS:** There's the bright boy, there's the genius, there's another genius, the Boy Wonder.

**MR. SPEAKER:** Question.

**MR. G. FILMON:** . . . motion, Mr. Speaker, he would understand that our intent was to lay the matter over for six months so that we could deal with these matters.

My question to the First Minister is, Mr. Speaker: when will he allow that to happen; that these other matters be laid aside so that we can deal with the issues that concern the people of Manitoba - jobs, the economy and the future of our province?

**HON. H. PAWLEY:** Mr. Speaker, again I am surprised at the Honourable Leader of the Opposition's comments when I heard him report, either in this Chamber or in the press, as indicating that all 22 members across the way want to debate his motion to put the matters that are before us as way of business over for another six months. All 22 of them, Mr. Speaker, want to continue to speak.

Mr. Speaker, if their record of last week is any precedent by which we wasted 14 hours of bell-ringing time and if all 22 members of the opposition are going to speak on their hoist motion, we will be in this Chamber for another six months wasting our time when we ought to be dealing with the matters of the jobs and the economy in Manitoba.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

### Bilingualism - hoist motion

**MR. G. FILMON:** Mr. Speaker, my question to the Premier then is: if the opposition agrees not to debate the hoist motion, will the government then agree to pass it expeditiously so that we can get on to deal with the important priorities of the province?

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. Order please. If the Honourable Leader of the Opposition would care to rephrase his question so that it is not hypothetical.

The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, I will not make that hypothesis. I will tell the Premier we will agree not to continue to debate the hoist motion. Will the Premier agree then to pass the hoist motion speedily, so that we can get on and debate the important issues of the House?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, I remind the Leader of the Opposition that it was not indicated on this side, but it was spelled out clearly by the former Leader of the Opposition - sometimes one wonders if he is still not the Leader of the Opposition - who indicated that it's going to be a long winter and he would speak many times on the resolution before us. Mr. Speaker, we want to deal with the matter that is before us expeditiously so that we can discuss the Jobs Fund and the success that we've had pertaining to the Jobs Fund in the Province of Manitoba. We want to discuss the Interest Rate Relief Program and the impact that it's had on the economy of Manitoba. We want to, Mr. Speaker, be in a position to discuss the agreements, the agreements that we've signed with the Federal Government, pertaining to improvements in respect to plans for agriculture, for mineral development, for transportation in the Province of Manitoba.

Mr. Speaker, there are many items that we want to discuss but, unlike the former Leader of the Opposition, we don't want to spend the rest of the long winter debating the matter before us which appears to be now some inconsistency on the part of the present Leader and the former Leader of the Opposition. Let's deal with the matters expeditiously before us. We're not interested in postponement, delay, dilly-dallying, Mr. Speaker, we're anxious to get on with the business of this province, deal with the issue of jobs and the economy.

**MR. SPEAKER:** Order please, order please. Order please.

### **Economic recovery**

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, it appears as though the government wants to hold the people of Manitoba at bay until it deals only with its agenda.

My question to the First Minister then is, will his government agree then to have an emergency debate at which time we can discuss all of those areas that he says he's concerned about: the economy, job creation, unemployment, the budget, the future of Manitoba? Will he agree to that emergency debate, so that we can deal with that today or tomorrow instead of being held at bay by this government's agenda?

**MR. SPEAKER:** Order please. The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, if there is any urgency, indeed any emergency, it is that we cease permitting the opposition to attempt to hold this House to ransom, and let the government of this province get on with its business.

**MR. G. FILMON:** Mr. Speaker, we now know where the government stands and we now know where their commitment is. Mr. Speaker, in view of the fact that the Premier said today in Thompson in his speech, and I quote, "The economy is our government's priority. We are moving ahead with those priorities. We are getting on with the business of the economy while the Conservatives continue to obstruct and grind the House to a halt."

Mr. Speaker, if he really believes these words, if they are anything more than empty words being put forward by some of his speech writers that he doesn't understand, if he really believes these words, when will he allow for those issues to be dealt with in the House? Why is this French language issue the only item that we have before us on the Order Paper? When will we be able to deal with it, Mr. Speaker? Let's have an answer from the Premier.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.  
The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, how do you respond to such a kindergarten question when it was the opposition themselves that wanted us to deal with the matter that is before us, wanted the matter to be held over, agreed that the matter would be dealt with as the only matter of business to complete this Session?

Mr. Speaker, I want to also read a further paragraph in that speech that I delivered this morning in Thompson for honourable members across the way, which also assists in answering specifically the question posed by the Leader of the Opposition. I am sure that those of you here today - and, Mr. Speaker, I sense those that were present did agree - and the vast majority of Manitobans join me in saying to the Conservatives let's get on with the job, let's put the French language issue behind us. Let's get on with the job.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.  
The Honourable Leader of the Opposition.

**MR. G. FILMON:** Now, Mr. Speaker, we're in complete agreement then. When will the First Minister allow an emergency debate, so that both sides of the House can let their concerns be known and put their positions on the record with respect to the real problems that we are facing within the economy today: job creation, unemployment, and getting people back to work?

**HON. H. PAWLEY:** Mr. Speaker, I'm surprised that the Leader of the Opposition would say now we are both in agreement because it was again the Leader of the Opposition that wanted to dilly-dally, wanted to ensure that this matter be kept alive for continued debate over

the next six months. The Leader of the Opposition indicated that very clearly. It was the Leader of the Opposition that didn't want to proceed to deal with this matter before Christmas, Mr. Speaker. It was this Leader of the Opposition that led troops into this Chamber that walked out four times last week when the bells were ringing - five times - wasting 14 hours time of this Chamber, when we could have been winding up the affairs of this particular item, so we could have dealt with questions pertaining to the jobs and the economy. It was this Leader of the Opposition on Friday, Mr. Speaker, that said very clearly to this House, I want to continue to dilly-dally on this matter for a further six months. I want the debate on this matter to continue to rage for another six months and then come back to this Chamber in six months time to further deal with this matter. Mr. Speaker, I'm not talking out of both sides of my mouth. There is only one direct clear message that I think is appropriate at this point.

### Workers Compensation fees

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, I have a question for the Minister responsible for the Workers Compensation Board.

Mr. Speaker, my question to him: does the 53 percent increase in Workers Compensation Board assessments, recommended to him by the board, does that increase reflect the new policies and expenditures imposed by the recently appointed new board?

**MR. SPEAKER:** The Honourable Minister of the Environment.

**HON. G. LECUYER:** Thank you, Mr. Speaker. The rates that are to be assessed by the Workers Compensation Board are not now, nor were they ever, as far as I'm concerned, a reflection of the members who are responsible for the board. They are based on the requirements of the board as they are spelled out in the law.

**MR. G. MERCIER:** Well, Mr. Speaker, could the Minister confirm that the dollar amount of the 50 percent increase that's been recommended to him by the board is going to be imposed in spite of an up to a 20 percent increase last year, in spite of the fact that the number of accidents are down, and in spite of the fact that the new board, and the government have used up a good portion of the surplus?

**HON. G. LECUYER:** First, Mr. Speaker, let me correct two of the three facts that are mentioned in the member opposite's question.

First of all, the fees were not raised by 20 percent last year, they were raised by an average rate of 9 percent, when they could have been raised by a larger amount.

Secondly, to say that the funds were depleted; the funds have been in the process of being depleted for the last three years, not only the last two, and basically that is due to the fact that they didn't either feel that the rates should be increased when they should have.

Thirdly, I want to remind the member opposite that we haven't said, at this point in time, that the rates were going to be increased by 53 percent.

### Workers Compensation Board - personnel changes

**MR. G. MERCIER:** Mr. Speaker, a further question to the Minister. Could he confirm that in addition to the senior officers who have left the employment of the board during the past months - Mr. Dyer, Mr. Hebert and Mr. Cross - that two doctors, the treasurer and the comptroller left the employment of the board during 1983?

**MR. SPEAKER:** The Honourable Minister of the Environment.

**HON. G. LECUYER:** I cannot confirm nor deny all of these. First, I might say that I'm not sure that I heard all of the honourable member's question, but I can say this, Mr. Speaker, whatever changes were brought about were to bring about improvements in the operation of the Compensation Board, improvements which will - and we are certain - bring about reductions in costs in the future, and to that even the employers are in agreement. Those employers that participated, for instance, in the Committee 100 report regarding the rehabilitation procedures of the board were unanimous in saying that they also agree that the improvements in the rehabilitation procedures, for instance, will bring about reductions in costs not only in the long run but in the very near future.

### Workers Compensation fees

**MR. G. MERCIER:** Mr. Speaker, one final question to the Minister. No doubt, the board has advised him of a projected increase for 1985 in addition to the one they recommend for 1984. Could he advise us what the projection will be for the increase in assessment in 1985?

**HON. G. LECUYER:** Mr. Speaker, the member of the opposition should realize I think where the actuarial rates are set for any given year they are based on projections of income for that year and projections of pay out for that year. At this point in time, I haven't nor has the board struck any rates for next year.

### McKenzie Seeds

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, my question is to the First Minister. Did the First Minister receive letter from Mr. William Moore, the former Chief Executive Officer of A.E. McKenzie Limited, on or about December 16, 1983, in which Mr. Moore provided a lengthy explanation of the conflict-of-interest situation that he was allegedly involved with?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, it was an explanation that Mr. Moore tendered in respect to his conflict-of-interest situation - yes, such a letter was received.

**MR. B. RANSOM:** A supplementary to the First Minister, Mr. Speaker. Less than three weeks after the First Minister received this letter, Mr. McDowell, the Chairman of the Board of McKenzie Seeds, resigned; and the Minister responsible for McKenzie Seeds, the Member for Brandon East, unexpectedly but quietly was replaced as Minister responsible for McKenzie Seeds. Mr. Speaker, my question to the First Minister: what was in that letter that led to the replacement of these two men?

**HON. H. PAWLEY:** Mr. Speaker, nothing.

**MR. B. RANSOM:** Mr. Speaker, a further question to the First Minister then.

Will the First Minister table that letter in this House?

**HON. H. PAWLEY:** Mr. Speaker, the letter has been forwarded to the appropriate ministers and officials dealing with this matter; namely, to the Attorney-General, subsequently to the RCMP, and to the Minister of Finance, and to those that are engaged in respect to audit accountability.

**MR. B. RANSOM:** Mr. Speaker, I'll repeat the question to the First Minister. Will he table the letter in this Legislature?

**HON. H. PAWLEY:** No, Mr. Speaker, it is a matter that I felt would be best received by the RCMP. We're not going to do anything in this Chamber that will jeopardize

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**HON. H. PAWLEY:** Mr. Speaker, there can indeed be no more openness, but to deal with this matter by referring this matter to the auditor, by dealing with this matter by referring matters to the RCMP, so that the appropriate judicial bodies, the appropriate law enforcement tribunals can deal with this matter in a way that is consistent with the administration of justice.

**MR. B. RANSOM:** Mr. Speaker, a further question to the First Minister.

In view of the fact that neither Mr. McDowell, nor the Member for Brandon East, are available to testify now before the committee and the Minister refuses to table the letter, and in view of his statement made to this House on March 7th, 1979, on Page 638, of Hansard of that year, he said, and I quote, Mr. Speaker, "I can understand fully, Mr. Speaker, why the government of this day wishes to hide behind its own means in order to try to block freedom of information. Let them be forthright and honest in this Legislature, and indicate that they don't believe in freedom of information, that there is certain information that they would prefer to keep close to their own selves. Let them be open."

In view of those sentiments, expressed by the First Minister in this House, will he reconsider and agree to table that letter?

**HON. H. PAWLEY:** Mr. Speaker, there is nothing to prevent the honourable member for asking Mr. Moore for a copy of the letter.

Mr. Speaker, this government has moved to be, and needs no defense from honourable members across the way, to be forthright and to be open. It was this government, Mr. Speaker, that rather than burn reports, as indeed was the case with the previous administration in the Province of Manitoba when things got a little hot, this government referred matters of concern to the Provincial Auditor's Office and has referred matters to the RCMP through the Attorney-General.

Mr. Speaker, we are moving, and let there be no doubt about this, we are moving to clean up a mess insofar as McKenzie Seeds. We have not faltered in our objective of cleaning up a mess so that McKenzie Seeds can operate on an efficient and proper basis.

### Wildlife Report

**MR. SPEAKER:** The Honourable Member for Minnedosa.

**MR. D. BLAKE:** Thank you, Mr. Speaker. My question to the Honourable Minister responsible for Natural Resources. Some time ago the Minister, or members of his department, forwarded or circulated a questionnaire to landowners in and around Riding Mountain National Park as well as other areas, the questionnaire pertaining to wildlife habitat, hunting privileges, methods of hunting and several other questions.

I understand that those questionnaires have since been received by his department and I wonder if the Minister might provide the analyzed information to Members of the Legislature.

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. A. MACKLING:** Yes, Mr. Speaker, I wanted to thank the honourable member for indicating earlier on today that he was going to ask me a question. Since I didn't have all of the details of the question, I am not prepared to give the fullest of answers.

However, let me indicate that the department has, over the course of many years, provided for research by questionnaire technique, and as a result of getting that information developed policy to reflect concerns of the people of Manitoba. In respect to the results of the questionnaire, I don't have those details today. I'll be happy to review the results and if they're in a form in which I can give information to the honourable member or to the House, I'll certainly be prepared to do so.

**MR. D. BLAKE:** In view of the previous statements, Mr. Speaker, by other members on that side about not withholding information, I've been given to understand that information will be made available as quickly as possible. If the Minister can make it available to the House it would be appreciated on this side.

**HON. A. MACKLING:** Well, Mr. Speaker, I want to indicate that what the honourable member says about

this government being open and providing information is quite correct.

Mr. Speaker, at the present time this Minister of Natural Resources is involved in a dialogue with all citizens of Manitoba in respect to wildlife. I'm pleased to report that last week, in this building, there was a dialogue on wildlife that was open to all of the citizens in Manitoba, particularly those who live in Winnipeg. It was well attended and I enjoyed the experience of hearing first-hand from people concerned about wildlife, the issues that they thought were important to us.

### Manitoba Hog Income Stabilization Plan

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I have a question to the Minister of Agriculture.

In view of recent reports, there's indication that the loan that has been approved to the Manitoba Hog Producers Marketing Stabilization, or Marketing Board for Hog Stabilization is depleted or almost depleted. Is the Minister making provisions to provide further funds to keep that fund liquid?

**MR. SPEAKER:** The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Mr. Speaker, I'll take that question specifically as notice and advise the honourable member as to the exact status of the situation dealing with the present stabilization plan.

**MR. J. DOWNEY:** As well, Mr. Speaker, I would ask the Minister of Agriculture: is the Provincial Government charging the Manitoba Hog Producers Stabilization Board or group interest on the funds which they have now used from the province?

**HON. B. URUSKI:** Mr. Speaker, due to the financial situation facing both the livestock industry and the hog industry, we, as a matter of policy, are not charging any interest on the monies put forward in the stabilization fund to either the beef or the hog producers.

**MR. J. DOWNEY:** Mr. Speaker, in view of a possible shortfall in either of the beef or the hog stabilization funds, will the Minister of Agriculture provide more funds from the province or will he expect the producers to have their premiums increased to continue on with the program?

**MR. SPEAKER:** Order please.

Would the honourable member like to rephrase his question so that it does not pose a hypothesis to the Minister?

**MR. J. DOWNEY:** Mr. Speaker, is the Minister of Agriculture going to provide funds for the two stabilization programs, or is he going to be requesting the producers increase their payments into those programs through the producer contributions?

**HON. B. URUSKI:** Mr. Speaker, the honourable member should be aware that the programs have been

developed on past history and projections as to what the future might be. Any changes in premiums would be based on the agreement that we have with the Beef Commission and with the Hog Producers Marketing Board dealing with either the surplus or deficit in the fund, dealing with the payouts given to producers in order to support their income position in periods of low prices. Premiums are and will be changed on that basis dealing with the contract that there is, but until such a time as that is viewed, there are not anticipated any changes in premiums.

### Education funding- 3 percent guideline

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker. I direct a question to the Minister of Education and would ask her, in light of her ministerial statement on Friday the 13th last, dealing with the 3 percent guidelines requested by the government that the school divisions were supposed to adhere to, I wonder if she could inform the House whether or not the government will be bringing in legislation to deal with that particular 3 percent guideline limit.

**HON. M. HEMPHILL:** Mr. Speaker, I believe that the member opposite is raising the question of legislation that may be required relating to the existing legislation of the Education Support Program, and what I said when I made the original statement is that we would be bringing in whatever legislation was necessary during the next legislative process.

**MR. R. BANMAN:** Mr. Speaker, a supplementary question to the Minister. Since approximately 80 percent of a school board's budget is salaries and since we now have binding arbitration, which settles disputes in the case that the school division and the teachers, or bus drivers, or whoever they're dealing with, have to go to, I wonder if the Minister could inform the House whether or not they will be bringing in any legislation to deal with that binding arbitration clause which will allow school divisions to hold the line at 3 percent.

**HON. M. HEMPHILL:** Mr. Speaker, I think it's important to correct something that the member opposite suggested, that is not really accurate. The arbitration process very seldom determines the level of settlements in this province of Manitoba. Most of the settlements and most of the contracts are done through the normal process of negotiations where the decisions are made between school boards and the teachers that are doing the bargaining. In this case, this year, we have I think at least four agreements on the table that will be largely the determining factor of settlements to come, not the arbitration process.

**MR. R. BANMAN:** In light of the government's statements that they will not be increasing the provincial levy on property taxes this coming year, and in light of the fact that is predicated on and that the only way that the school divisions will be able to hold that line and not pass on increased costs to homeowners will

be to adhere to the 3 percent or lower guidelines, I wonder if the First Minister could inform the House whether or not the government will be intervening in settlements that exceed the 3 percent guideline limits.

### Winnipeg Jets

**MR. DEPUTY SPEAKER:** The Honourable Member for River Heights.

**MR. W. STEEN:** Mr. Speaker, I'd like to direct a question to the Minister of Health who is responsible for Sport and ask him that in view of the many news reports concerning the Winnipeg Jets and their financial problems can the Minister bring the members of this Legislature up-to-date as to where the negotiations stand at present?

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, I think that the last press release says it all. There has been some negotiating between the Enterprise and the Jets, and I believe there will be an effort today to try to bring this to an end. The final offer of the Enterprise should be offered today.

**MR. W. STEEN:** To the same Minister, Mr. Speaker, may I ask him if the two persons that have been representing the Provincial Government during the negotiations, if either of them have had any discussions or any meetings with prospective buyers of the hockey team?

**HON. L. DESJARDINS:** No, Mr. Speaker, it's hardly the role of anybody representing the province to do that. First of all, we don't own the team; secondly, we're not the one that signs an agreement with the Jets. This is the Enterprise because they own the Arena, so it would be absolutely wrong for the Provincial Government to do that; and secondly, I don't believe that while you're negotiating in good faith, you should try to deal with somebody else, a third party.

**MR. W. STEEN:** To the same Minister, Mr. Speaker, has he or representatives representing the Provincial Government, have they set any time limits as to when these negotiations can be completed by?

**HON. L. DESJARDINS:** No, Mr. Speaker, there is no time limit as such. I think we're all anxious to see that settled one way or another, but as far as the province or the city, at this time there is no time limit.

### Dakota-Ojibway Tribal Council

**MR. SPEAKER:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Speaker. My question is for the Attorney-General. Mr. Speaker, I would like to ask the Attorney-General if the Dakota-Ojibway Tribal Police have the ability to enforce statutory regulations beyond reserved boundaries?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** No, it's my understanding that their jurisdiction is strictly confined to the boundaries of the eight reserves that are involved in the program which, I think, as members of this House know, is substantially a federally-financed project that has been running for about six years now. They are assisted in their policing by the RCMP who assist both with respect to minor matters on the reserve where time is required, not otherwise available for members of the DOTC force and with respect to serious crimes.

**MR. D. ORCHARD:** Mr. Speaker, a supplementary question then to the Attorney-General is: has the Attorney-General received complaints from any citizens at large in the Province of Manitoba about enforcement off the reserve by members of the Dakota-Ojibway Tribal Police?

**HON. R. PENNER:** I don't think so, but I'll take that as notice and review my files. If I receive complaints of that kind, I normally refer them to our new Director of Police Services, Mr. Charlie Hill, and they're processed in conjunction with the RCMP.

There is a police board that is the governing board for the DOTC. It has representatives from the RCMP on it; it has representatives from my department on it as well; and complaints of that kind would ultimately be handled by the DOTC board.

**MR. D. ORCHARD:** Mr. Speaker, I will provide the Attorney-General with a traffic notice issued by the Dakota-Ojibway Tribal Police to a constituent of mine operating her vehicle on Provincial Trunk Highway No. 23, and I would ask the Attorney-General that upon receipt of this and an investigation of this matter if he would issue a directive to the Dakota-Ojibway Tribal Police that their authority should not extend beyond the boundaries of the eight areas of jurisdiction to prevent any further infringements on citizens operating their vehicles on the highway.

**HON. R. PENNER:** I thank the member for bringing this matter to my attention, and for his undertaking to send me the particular complaint. I should note, and again this will be looked into by officials in my department, that members of the DOTC are peace officers within the meaning of the law and have certain statutory duties, which indeed may be the duties in some instances of all citizens with respect to certain kinds of offences whether or not they take place within the limited jurisdiction. That would be the case with the City of Winnipeg Police, who the moment they step outside of the boundaries of the City of Winnipeg don't stop being peace officers, but I'll look at both aspects of the matter.

### Road signs

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I have a question for the First Minister. In view of a decision made in Nova Scotia and British Columbia and recent court action taken in Ontario dealing with metric or the imposition of metric, will the First Minister have his government



or his Minister of Highways change the road signs or have the dualing of road signs so that the residents of Manitoba have the privilege of reading the mileage and the distances in both imperial and kilometers, Mr. Speaker? Will the First Minister do that?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, in answering that question, first, in attempting to recall whether it was our government or the government over across the way, in which the Member for Arthur was a member of, that put the signs up that he now wants torn down.

**MR. J. DOWNEY:** Mr. Speaker, would the Minister agree that the imposition of metric started back in 1972, and it was not unlike his French language bill that it now has come into effect and the people feel the impact of metric? The French language bill is somewhat the same that in 1987 the people will have the pressure of French language brought on them.

In view of those lessons, Mr. Speaker, particularly in light of all those millions of people who are coming in during the visit of the Pope this coming summer, would he please move to accommodate not only the people of Manitoba, but the millions of neighbours who are going to come in and want to know the distances in imperial measure?

### Children's Aid Society - regional boards

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. M. SMITH:** Mr. Speaker, I would like to clarify a comment, which I made on Friday, in answer to a question about whether the nomination process at the formation of the Children's Aid Boards in the City of Winnipeg would permit nominations from the floor.

Mr. Speaker, the annual meetings of the boards will permit nominations from the floor, but in the formation of the initial boards, because of the complexity - nine people, three for three years, three for two years, and three for one year - it has been recommended that we operate instead with a nominating committee that will be charged with developing a representative slate. We've already been inundated, Mr. Speaker, with nominations and the whole problem of validation and accomplishing that at meetings is not possible.

Information as to nomination procedure and membership is appearing in the daily papers. It is available by a special phonenumber and through the media announcements; mail outs are going to all organizations that we have names of and we will be more than happy to give people full information so they can take part in the nomination process.

### Capital borrowing

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I have a question for the Minister of Finance. In the Minister's Budget, he said that the government expected to be borrowing

approximately \$1.3 billion this year. Can the Minister advise how much of that money remains to be borrowed?

**MR. SPEAKER:** The Honourable Minister of Finance.

**HON. V. SCHROEDER:** Thank you, Mr. Speaker. I'll take that question as notice, but I can indicate that the amount will be somewhat less than we had originally predicted. The Member for Sturgeon Creek appears to find that hilarious. I'm happy about it. I'm quite happy about it, Mr. Speaker, because we recall that members like him were making all kinds of ridiculous statements last year when I presented the Budget, saying that we would be at least \$200 million above where we said we were going to be - and he can laugh all he wants - but the bottom line is that we will be borrowing less and that we have done by far the majority of our borrowing for the year.

### Estimates - 3 percent guideline

**MR. B. RANSOM:** Mr. Speaker, I have a question for the Minister responsible for the Treasury Board. The government has assigned 3 percent spending guidelines to outside agencies and I believe these agencies and others - municipal corporations, for example - are doing their best to stay within the 3 percent guideline. Can the Minister responsible for the Treasury Board give the assurance that in the government's own spending they will not bring in Estimates that go above 3 percent more than last year?

**MR. SPEAKER:** The Honourable Minister of Co-op Development.

**HON. J. COWAN:** Well, just as the member indicated, the outside agencies are doing their best to stay within the guidelines and to provide for budgets which are appropriate. The government will do exactly the same thing with its own departments.

**MR. B. RANSOM:** Mr. Speaker, when the First Minister appointed his first Cabinet, I believe there were something like 12 Ministers in addition to himself. That number has grown steadily now to where we have 19 Ministers in addition to the First Minister and of course those recently added bureaucracies add a great many new people and new expense - deputy ministers, special assistants, executive assistants, etc. Is that the sort of example that the Treasury Board Chairman would like to see set for outside agencies attempting to keep their costs under 3 percent?

**HON. J. COWAN:** Yes, if outside agencies find it necessary to reorganize in order to provide better services to those which they represent and those which they seek to serve, then they will attempt to do that within the limitations that have been suggested to them. If they can make a case outside of those limitations, that case will be reviewed on its merits.

The same with government. Mr. Speaker, we believe very clearly and have been consistent that government must have the capability to govern. It's becoming an increasingly complex job, notwithstanding the laissez-

faire attitude of the members opposite who have turned their back on good government whenever they had the opportunity to provide for it. We are not going to do that because we believe that good government needs resources. We believe that we can do it in a fiscally responsible way and we believe that is a challenge which we must all meet on behalf of the people we have been elected to serve.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. The time for Oral Questions has expired.  
The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, a question of privilege.

**MR. SPEAKER:** The Honourable Leader of the Opposition state his matter of privilege.

**MR. G. FILMON:** Yes, Mr. Speaker, last Friday when I was absent from the House the Member for Inkster raised a matter of renovations to the office of the Leader of the Opposition, and at that time, in my reading of the transcript of Hansard, I see that he made a number of false allegations about work that was done.

Mr. Speaker, I want the record to show, and to show clearly, that not one nickel of expenditure has been made on renovations and/or alterations to the office of the Leader of the Opposition since I have been in the office.

I want the record as well to show, Mr. Speaker, that despite the false allegations, despite the specious suggestions of the Member for Inkster, there was absolutely no involvement on my part or on the part of any members of my family in any request whatsoever.

Mr. Speaker, I want as well the record to show that despite the sleazy suggestions and allegations of the Member for Inkster that there was no request from the former Leader of the Opposition for any renovations to be done to his office either; that the work that was done earlier last year was in the outer office, in the space occupied by the support staff and secretarial staff; that it was done at the initiation of the Deputy Minister of Government Services as a matter of correcting a problem of ventilation; that it had absolutely nothing to do with the request of either the former Leader of the Opposition or myself; and that not one nickel has been spent on that matter since I have been in this office.

I want, Mr. Speaker, to correct that for the record on a matter of privilege, because the allegations were totally false and unfounded. It reflects the narrow-minded, petty and ignorant viewpoint of the Member for Inkster.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. Order please.

The honourable member might have had a matter of explanation for the House, he did not have a point of privilege in that he did not raise a substantive matter at the end of his remarks.

## ADDRESS FOR PAPERS

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I move, seconded by the Honourable Member for Brandon West,

THAT an humble address be voted to her Honour the Lieutenant-Governor of Manitoba praying for copies of all correspondence concerning the French-Language Proposals, from January 1, 1983 to January 19, 1984, between the Province of Manitoba and the following:

- 1) Government of Canada
- 2) Franco-Manitoban Society
- 3) Manitoba 23
- 4) Committee for Manitoba's Constitutional Amendment.

**MR. SPEAKER:** The Honourable House Leader.

**HON. A. ANSTETT:** Mr. Speaker, we have no difficulty accepting this Address for Papers, subject to the normal conditions regarding legal privilege and clearance by third-party interests.

The one item I will discuss with the member moving the motion is, I am not aware of Item 4 in the Address for Papers, "Committee for Manitoba's Constitutional Amendment." I don't know the organization, but I am aware of the other three and we are prepared to meet the Address for Papers. If Item No. 4, or the organization listed as 4, exists and we have correspondence, we'll provide that subject to the same caveat.

**MOTION presented and carried.**

**HON. A. ANSTETT:** Mr. Speaker, on a point of order.

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, I rise on a point of order before Orders of the Day with regard to our customary mode of proceeding as a parliamentary assembly. I raise my point of order in particular with regard to a matter that was touched on briefly in discussion of a point of order last Tuesday, Sir; that being the question of the length of divisions and the ringing of division bells.

Sir, I would like to address that question not on an isolated basis or not with regard to any motions moved last week or the ringing of bells last week or last summer, but rather, Sir, in the context of our basic parliamentary institution and the respect for that, and how that impacts upon the precedents and customs which we follow in this House. I would like Sir . . .

**MR. SPEAKER:** Order please. The honourable member is surely aware that a point of order should do with a breach of our rules or procedures, and not be a reason to make a speech on some particular matter that is bothering him. Perhaps he would indicate which rule or matter of procedure there is a breach of.

**HON. A. ANSTETT:** Sir, under the Appendix to our Rules, which provides that point of orders are raised with a view to calling attention to any departure from the standing orders or the customary modes of

proceeding, I am raising a point of order with regard to the modes of proceeding of our Assembly on division.

Since, Sir, the opportunity to raise a point of order during a division is in some question, I would refer you, Sir, to Erskine May, which provides that a member may raise a point of order during a division seated and covered, whereas Beauchesne does not make such a provision, and the opportunity, Sir, then to raise a point of order regarding such a departure is not available.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. Order please.

**HON. A. ANSTETT:** Mr. Speaker, for those members who consider the argument specious, I would suggest they might wait to hear it.

Sir, I am submitting that the opportunity to raise a point of order with regard to division is not available when the departure may or has occurred. Therefore, the only opportunity is, at the present time, at the opening of the Orders of the Day.

Mr. Speaker, I would propose to proceed on that basis, subject to the same provision in Beauchesne, Fourth and Fifth Edition, with regard to the nature of points of order.

I refer, Sir, not to a specific breach of our rules, but rather to a departure from the customary mode of proceeding, and how that is impacted upon by our parliamentary precedent and, Sir, more importantly by the spirit of parliamentary law.

Mr. Speaker, Beauchesne, Fifth Edition, Citation No. 10 provides, Sir, that, "Changes in the Standing Orders from time to time also give ample opportunity for the House to adjust the interpretation of its precedents and tradition in the light of changing circumstances."

**MR. SPEAKER:** Order please. I'm still not sure what alleged breach of procedure that the honourable member is alleging. Perhaps he would make that clear before proceeding.

**MR. H. ENNS:** Mr. Speaker, I wonder if I could interject at this time.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. The Honourable Government House Leader rose on a point of order. I have not yet heard it. He still has the floor.  
The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, it was my intention to raise for your consideration, and for the consideration of members, whether or not the procedure followed, the mode of proceeding followed under our rules with regard to divisions is in accord with the precedents of this Chamber and with the spirit and fact of parliamentary law, provided for under our rules and under the authorities and other Parliaments which we respect with regard to that form of proceeding, there being no other opportunity, Sir, because of the apparent restriction - and if there is another opportunity, Sir, I would appreciate your advice to that effect - to raise such a point of order during the Assembly.

As I understand it, points of order are not raised with Rules Committee. They must be raised in the Assembly. It is for that reason, Sir, that I believe that there may - and I do not, Sir, allege that it is the case. I raise for your consideration and the consideration of honourable members that there may be a departure from the customary mode of proceeding in this House from the basic premises, the very first principles, Sir, of parliamentary law and conventions followed by other Commonwealth Parliaments and, in particular, Sir, by the mother of Commonwealth Parliaments at Westminster. That is the argument I wish to advance, Sir, with regard to our form of proceeding on divisions.

Mr. Speaker, I wish to demonstrate . . .

**MR. SPEAKER:** Order please. As the honourable member has already noted that a point of order should have to do with a breach or an alleged breach of our rules or a matter of privilege, I know of no possibility that a member can raise a question that might possibly occur on a point of order. If he is suggesting that there is a breach of precedence, he should make that. If he does not have that allegation to make, then he clearly does not have a point of order.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Sir, I do not allege that there has been a breach. I allege, Sir, there has been a departure from our customary mode of proceeding. I believe, Sir, that the appendix on points of order on Page 58 of our rule book uses the words "departure from," rather than "breach of." It is, Sir, in conformity with that that I make that suggestion.

I make that suggestion, Sir, in the context of the spirit of parliamentary law. I wish to advance, Sir, for your considerations and the consideration of members of the House that that departure is a breach of parliamentary law, and that there is no sustenance for that breach in the convention or tradition of this Assembly or other Assemblies in the Commonwealth to which we relate for guidance, the Parliament in Ottawa and the Parliament at Westminster. That is the case, Sir, that I would like an opportunity to make today. I make that case in the context of divisions that have occurred in the last five days of sitting in this Assembly.

**MR. SPEAKER:** I am still not clear - the alleged breach, the departure that the honourable member is alleging. Is he saying that the conduct of those divisions last week was somehow wrong, or a departure from our procedures? If so, he should choose his words with care that he does not reflect upon the Chair.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please. The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, it is not my intent to in any way reflect upon the Chair . . .

**SOME HONOURABLE MEMBERS:** Then sit down.

**MR. SPEAKER:** Order please.

**HON. A. ANSTETT:** . . . and for that reason I have been choosing my words very carefully. I am suggesting,

Sir, that there has been a departure from our customary mode of proceeding by members of the Chamber, Sir, not by the Speaker of the House. I wish, Sir, to state the case that that departure is different from the spirit of parliamentary law and the rules which we traditionally follow in this Chamber. I would like an opportunity, Sir, to make that case before honourable members opposite dismiss it out-of-hand. It is that case, Sir, that I wish to make.

I wish therefore, Sir, to recount for honourable members the basic parliamentary rules under which we operate and under which decisions in this House are taken, and then, Sir, to extrapolate from that a rule or a form of proceeding which I believe, Sir, should apply to the taking of divisions in this Chamber. I wish to advance that argument, Sir, based on parliamentary law and historical precedent. That is my purpose, Sir, in raising the point of order.

I am not clear, Sir, whether that is acceptable, and whether or not you wish me to proceed.

**MR. SPEAKER:** . . . that the Honourable Government House Leader proceed with his allegation of a departure from our procedure.

**HON. A. ANSTETT:** Mr. Speaker, I suggested that Citation No. 10 in Beauchesne provides that, "Changes in the Standing Orders from time to time also give ample opportunity for the House to adjust the interpretation of its precedents and tradition in the light of changing circumstances." I think, Sir, that's a key phrase with which I hope the House will address this question. "It is impossible to estimate the extent of this body of traditional parliamentary law. In Canada, not only is there more than a century of native practice, but also Standing Order 1 adopts for Canada all the centuries of tradition (where applicable) of the United Kingdom House of Commons. Custom and precedent are basic to the parliamentary system. Parliament, and the manner in which it works, has developed over centuries and" - more importantly, Sir, this phrase - "the written rules are relative newcomers to the procedural field. Indeed, increasingly, the written rules are being used, not to codify existing practice, but rather to trim and adjust historic traditions to modern needs."

Under "Speaker's Rulings," Sir, and the character they take upon themselves when given: "The interpretation of both the written rules and tradition is in the hands of the Speaker and his deputies, with their rulings forming a fundamental part of procedure." It's important, Sir, to note that it is both written rules and tradition which is in the hands of the Speaker.

"Traditionally, in Canada, the House has recognized" - and I'm in Beauchesne, Citation 12 - "the usefulness of Beauchesne's Parliamentary Rules and Forms and Bourinot's Parliamentary Procedure." And it goes on to make reference to "Erskine May's Parliamentary Practice" and "Josef Redlich's 'Procedure of the House of Commons.'"

Mr. Speaker, I think then it is clear that the Speaker is not simply an enforcer of the rules - I think members on all sides would agree - but instead, more than that, the judge thereon. Sir, you have the utmost respect of members on this side in that role.

When the rules are silent and precedents lacking or inconclusive, Speakers have traditionally relied on

customs in the context of the basic principles of parliamentary law. We concur, Sir, re the application of these rules of interpretation with regard to the question of taking divisions and calling in members.

I would, Sir, refer to Beauchesne, Fourth Edition, Citation 67 - and, Sir, for purposes of this discussion, I would appreciate the indulgence of members opposite with regard to the basic principles of parliamentary law which guide all of us. Sir, I refer to Section 49 of the Magna Carta, which reads: "In all those things which are appointed to be done by these 25 Barons, if it happened that all the 25 have been present and have differed in their opinions about anything, or if some of them who had been summoned would not or could not be present, that which the greater part of those who were present shall have provided and decreed shall be held as firm and as valid as if all 25 had agreed in it." Perhaps the first statement of parliamentary law and practice out of Runnymede almost eight centuries ago.

That is reconfirmed, Sir, less than 100 years ago in, amazingly, Section 49, the same section number, of The British North America Act. "Questions arising in the House of Commons shall be decided by a majority of voices other than that of the Speaker, and when the voices are equal, but not otherwise, the Speaker shall have a vote." Both, Sir, directly reflective of parliamentary law with regard to divisions.

Then, Sir, I'd like to reflect terms of that basic premise in parliamentary law on Josef Redlich . . .

**A MEMBER:** Who is that again?

**HON. A. ANSTETT:** Josef Redlich, author of "The Procedure of the House of Commons" published in 1908 in a three volume study. Mr. Redlich, Sir, on Page 5 of Volume 2 says, "The journals are by no means the only authentic sources of information as to what has been established by custom. A large part of what concerns procedure is never recorded in them; but not unfrequently usages have been formed and long observed without giving rise to any definite decision of the House or the Speaker, which would constitute a precedent. Long-continued practice, moreover, is not always required for the creation of customs in procedure."

Our rule, Sir, Rule 1(2) provides that we make reference to Beauchesne and in terms of our rules in 1 Sub 2, we refer specifically to the rules in force in 1955 which are more accurately catalogued in Beauchesne's Fourth Edition than the Fifth with which we are usually familiar. And this, Sir, deals very directly with the question of the procedure followed in Ottawa in the Federal House of Commons with regard to bell ringing. That, Sir, reads as follows in Citation 63 on Page 51.

I'm reading, Sir, about halfway down the paragraph: "If at least five members then rise, the Speaker says: 'Call in the members,' and the Sergeant-at-Arms immediately sees that all the bells are rung, and that other steps are taken to bring in all the members from the lobbies and adjacent rooms. The Whips gather their co-partisans who may be in the neighbourhood. There is no special time fixed here as in England, where two minutes only are allowed for calling in the members. It generally takes 10 or 15 minutes to get them, the

Speaker remaining in the Chair although order is not strictly maintained. The signal for taking the vote is the return of the Sergeant-at-Arms who comes in and announces the performance of his duty by an obeisance to the Speaker who then calls the House to order, rises and reads the question."

Mr. Speaker, further in Redlich with regard to the obligations of the House and the powers of the Speaker with regard to ordering the business of the House, speaking of the functions of the Speaker, Sir, and I address this to all members, rather than to you, because I'm sure you are aware, "He must further, like a judge, watch to see that the advance of the majority and the resistance of the minority observe the spirit of the rules and the whole spirit of parliamentary life. It is only when the Speaker is looked upon as a judge that we reach a complete understanding of his attitude to the rules on one hand and the House on the other. As the law stands above judge and parties, so do settled tradition and the unwritten standards of parliamentary law stand above the Speaker and the House. To apply this law to deal with wise discrimination between the House and the individual member and between party and party, to do this according to the rules and in the spirit of parliamentary law is the essential and crowning task of the Speaker.

"If we would understand the spirit of parliamentary law, we must clearly grasp the principle that its provisions, however various, are all directed to one end, namely, that of keeping the activity of Parliament in full swing and of securing that in any event those affairs of state shall be attended to which would not be dealt with without a regulated force of proceedings in the House of Commons. On the other hand, the legislative proposals placed before Parliament by the government must be promptly dispatched. On the other, a minority must under certain circumstances be given a chance of postponing the decision of Parliament as to some particular subject. These conflicting requirements may both under different conditions become necessities of state to the securing of which the order of business and its treatment by the Speaker must contribute."

Sir, I refer more specifically to the decision of Speaker Brand, in 1877, in the House of Commons at Westminster, quoted in Hansard Volume 235, Page 1814, a decision, Sir, now 109 years old, but still is relevant when Speaker Brand dealt with the obstruction tactics of the Irish National Party under the leadership of Charles Stewart Parnell. Speaker Brand ruled, "This House is perfectly well aware that any member wilfully and persistently obstructing public business without just and reasonable cause is guilty of a contempt of this House."

Sir, more directly then to the question of bells and the ringing of what we have here, being electronic buzzers, I would refer you, Sir, and members on both sides, to a statement made by Madame Speaker Sauvé in March of 1982 and then more specifically to a decision made and reaffirmed twice in May of last year, May 17th and May 24th in which Madame Speaker Sauvé dealt with the question of limits on dilatory motions. Madame Sauvé pointed out at the time of her March 1982 statement that it was not a ruling, Sir, but rather a statement for the guidance of members. However on May 17th and May 24th she made specific rulings, Sir, which limited the length of time provided for divisions.

I would refer you also, Sir, to her statement with regard to a division called by Speaker Michener when it became apparent during his term as Speaker of the Federal House of Commons, that the two Whips could not agree to an end to the bells and Speaker Michener is reported to have requested that the Whips attend by a specific time and if they did not attend that the vote would be held without them. I think it is appropriate, Sir, to refer to the Table Research Office in Ottawa, which has done some specific research on this question in an attempt to address the difficulties associated with a new form of obstruction which has been new to parliaments, amazingly only in Canada, not practised elsewhere in Canada.

One of the propositions, Sir, is the one that the Whips, and the Whips alone, signal from both government and opposition and that is a hard and fast practice with regard to the ending of a division. There is even, Sir, some who would argue that it is a rule.

Charles Robert, on Page 50 of the table, which is the Journal of the Society of Clerks at the Table, says as follows on Page 50: "However this proposition is not nearly as clear as has been assumed. Earlier editions of Beauchesne indicate that the signal for stopping the bells was given, not by the Whips but by the Sergeant-at-Arms, an officer of the House who acts under the authority of the Speaker."

More importantly, Mr. Speaker, Mr. Roberts concludes in the last paragraph of his article, "Co-operation can exist only when there is a mutual understanding of the role to be played by the government and by the opposition. This, in turn, is founded on a recognition that the transaction of public business must be secured in an orderly manner while, at the same time, acknowledging the right of the minority to be heard."

Mr. Speaker, I submit that while members opposite may well be right, that in the long term this may be a matter which the Rules Committee may wish to discuss. In our view on this side, it is also a matter, Sir, for all members in this House to consider and you may wish to want to consider it further in terms of the advisability of addressing this conundrum.

Mr. Speaker, I would point out that Bill 115 was called more than eight days ago now, through eight sitting days, that it has only been debated once, that members, as my Premier said earlier, appear to now want to debate it at least twice for each member on the other side. That, Sir, is a privilege that is provided under our rules, but certainly there is no such privilege provided in the form of the unlimited ringing of the bells.

I would submit, Sir, that one of the considerations that must be taken by this House and by its presiding officer is whether or not there is a limit; whether or not there is intervention required; whether or not with respect to the taking of divisions in this Chamber, the purpose of the bells in accordance with parliamentary tradition is to summon the members or to tell them to go home. I submit, Sir, that the purpose of the bells is to summon members; that to have the bells for any other purpose would be to deny the right of government to bring forward legislation and to see it proceed to enactment; that the unlimited possibilities for obstruction by a minority or by an opposition of the right of government to have its legislation proceed to enactment, after proposing it to the House, would make the opposition the government; would make, Sir, the

right of government to propose and enact one of the most basic principles of parliamentary law annuity. I submit, Sir, that would not be healthy for this House or for parliamentary practice to provide that the right of government to propose and enact its legislation can be determined to be annuity by the opposition.

I would ask you, Sir, to consider taking these points under advisement for your consideration with regard to the ringing of division bells in this Chamber.

Thank you.

### SPEAKER'S RULING

**MR. SPEAKER:** Order please, order please. I listened very carefully to the honourable member's arguments and while it is certainly well researched and might be quite effective, if there were to be any debate in the House as to the changing of the rules, the honourable member did not show in any way that there was any departure from the customary mode of procedure in this House, therefore, there is no point of order.

The Honourable Opposition House Leader on a point of order.

**MR. H. ENNS:** On a point of order, Mr. Speaker. I raise the point of order, Mr. Speaker, because the gratuitous remarks of my learned ex-assistant Clerk of the Assembly, now Government House Speaker, has in his remarks reflected on you, Sir, and on the Chair. Mr. Speaker, in making those remarks, he has assumed and was speaking for all members of the House. I want to make it absolutely clear to you, Sir, that we do not feel that way. I've listened very carefully to you, Sir, asking the Government House Leader repeatedly to refer specifically to the breach of the rules that causes a point of order to be raised, Mr. Speaker.

**MR. SPEAKER:** Order please, order please. The honourable member is continuing the debate started by the Honourable Government House Leader. A ruling has been given. There is no point of order; therefore, there is no debate.

### ORDERS OF THE DAY

**MR. SPEAKER:** Can the Honourable Government House Leader indicate the next item of business?

**HON. A. ANSTETT:** Mr. Speaker, would you call the resolution standing in the name of the the Honourable Member for Fort Garry?

### ADJOURNED DEBATE ON RESOLUTION CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General and the amendment thereto proposed by the Honourable Government House Leader.

The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Thank you, Mr. Speaker. I rise to assume my responsibility and take up my duty to speak

on the important matter before us, Mr. Speaker, namely, the government's latest revisions and latest version in respect to its resolution to amend the Constitutions of Manitoba and Canada. I say "responsibility and duty," Mr. Speaker, and I do not say "pleasure" because I think it can hardly be described as a pleasure to find oneself, as a Manitoban, still caught up in the turmoil and trauma of social and cultural divisiveness in this province after lo these seven months - turmoil, trauma and social divisiveness caused entirely unnecessarily, Sir, by a government over there which unfortunately did not apparently know what it was doing. It remains a duty, Mr. Speaker, and a heavy responsibility, bearing on all of us on this side of the House, to continue to serve in this ongoing debate and to continue to try to prevent that government from damaging our province further.

I say damage, Mr. Speaker, because in this debate we're dealing with an incipient or a potential social tragedy, and that is to be found in the damage to the spirit and the brotherhood of Manitobans that has already been worked or for which the ground has already unfortunately been laid as a consequence of the foolhardy course of action pursued by that government for the past seven months in this area of policy and debate. And that is the tragedy, Sir.

The tragedy is that many of us have Franco-Manitoban friends as well as Anglophone Manitoban friends who stop us on the street, who stop us in the halls of this building, who stop us in the course of serving our constituencies and performing our function as legislators in this province, regularly - certainly weekly, sometimes daily - and ask us, Sir, what is that government doing to us and why are they doing it? That is a question of torment that has been put over and over again to members on this side of the House. It is a question of torment that has been put to me, the Member for Fort Garry, by constituents in my own constituency and by Franco-Manitobans of longstanding acquaintanceship and friendship of mine, longstanding associations that have spanned a great period of time for them and for me in this beloved province of ours.

I must say that in the time I have lived in Manitoba - and that now, Sir, is 40 years of my life - I have never, until this past seven months, had this traumatic experience of having fellow Manitobans, in this case Francophone Manitobans, stop me and plead to me, and ask me, what is that government doing, why are they putting us in this position in which they have put us? Why are they turning Manitobans of other ethnic and cultural backgrounds against us? Why are they embarrassing me and compromising me, and making me feel as though to some extent, for some inexplicable reason I have resented the atmosphere, the environment, and the history of Manitoba, and have always felt myself as a Franco-Manitoban somehow denied my rights? I have never felt that way. That is what my Franco-Manitoban friends say to me. For that government of the day to put those words into my mouth as a Manitoban is for them to do enormous disservice and tragedy to me as a Manitoban, to me as a Franco-Manitoban, and to all persons in our province.

That, Sir, is a fair paraphrase of conversations that I have had, conversations that have been brought to

me, directed to me by many of my Franco-Manitoba friends over the past seven months, and that experience has been repeated again and again, Sir, for and among my colleagues on this side of the House. It has been repeated again and again among Manitobans, whom I represent and whom my colleagues represent, and I suggest without fear of contradiction, Sir, among Manitobans whom those members opposite in the government represent, whether they admit it or not.

Whether they admit it or not their constituents have had the same experience and have come to them with the same pleading agony, the same pleading reflection and representation of inner torment, the same dismay and concern over the kinds of corners and positions into which they've been backed by the foolhardy course of that government opposite.

So I say, Sir, that I speak today in this debate out of a sense of duty and responsibility, and out of a sense of trauma and torment, and to a sense of damage in this province, and to a condition that represents at least, Sir, a potential or an incipient social tragedy for this province. The greater part of the tragedy is that those members opposite, through this course of action, have so poisoned the atmosphere in Manitoba now, have so poisoned the harmony, and so damaged the cordial relations that used to exist between our ethnic and linguistic groups that it will be a long, long time, Mr. Speaker, a long, long time before any government, or any party, will be prepared to proceed very vigorously with any initiatives whatsoever in this field.

One of the burning questions for many of us, Mr. Speaker, is with all the urgent problems facing Manitobans today, with the situation, for example, in our health care system, which is in deep trouble and under deep challenge; with the situation in respect to the economy and the opportunity, or lack of opportunity for jobs and careers, and career advancement for our people, including our young people; with the situation in terms of unemployment and the high cost of living and the difficulty for many of our people simply to survive in today's conditions; with the difficulties in terms of financing our priority public services; with all of those problems, challenges, and urgent considerations facing Manitobans today, why are Manitobans in their own persons and through their legislators in this Chamber being forced to expend their time, their energy, and their money at this critical moment on this issue, which has been deliberately developed and foisted upon the Legislature and upon the people of this province, by a government that is misguided in its approach to Manitoba's issues and challenges of the day? Why are we being asked to spend such energy, and such time, and such commitment on this issue, Mr. Speaker, when there is so much that we should be about, so much to which we should be attending in terms of the social and economic well-being of our people.

I want to say, Mr. Speaker, that many, many health care professionals are extremely concerned about the priorities here. Whether those members opposite care to admit it or not, Mr. Speaker, many health care professionals are extremely concerned about the priorities here. That government over there would not permit a debate on the difficulties, the troubles plaguing the health care system in this province. They would not permit it. They would not address the kinds of

references to a crisis in our health care and hospital system that have been raised by many health care professionals and commentators, and media commentators, and consumers of our health care services in the past month or two. They have insisted instead in attempting to smoke screen those issues and divert attention from those issues by focusing on this manufactured one. They have denied Manitobans the opportunity to debate and address critical social issues of that kind.

That cynical unwillingness to meet its responsibilities, Mr. Speaker, on the part of this government has not gone unnoticed in the health care community. I can assure the honourable members opposite of that fact, that health care professionals have approached us in substantial number, with significant expression of concern on that point. They have noticed that government's total lack of consideration for those issues that need to be addressed today.

Mr. Speaker, there is a way of this traumatic impasse into which this government has forced our province to descend and I wish to spend a few moments this afternoon addressing that possible avenue of approach and solution.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. DEPUTY SPEAKER, P. EYLER:** Order please.

**MR. L. SHERMAN:** Mr. Speaker, in its explanatory background notes on its proposed amendments of January 5th, 1984, to the original resolution, which was moved in this House by the Attorney-General last July 4th, the government in the person of the Government House Leader had this to say.

If the Honourable Minister of Natural Resources can restrain himself for just a few moments, Mr. Speaker, he can have an opportunity to participate in the debate. If he would restrain himself for a moment I think he might benefit to some extent from listening to some of the things that some of us on this side of the House are trying to say.

In those explanatory background notes, Mr. Speaker, moved as I say by the Attorney-General, moved on January 5th by the Government House Leader in support of the latest proposed amendments to the original resolution of the government, the government in the person of the House Leader had this to say, and I quote directly from those explanatory notes distributed with the proposed amendments.

"New Section 23.1 The statement of official languages has been redrafted to act as a summary of Section 23 and a preamble to the substantive part of Section 23.1. The substantive part of Section 23.1 protects the freedom to use English and French against any restrictive statutes of the Legislature. Object: to prevent legislation such as Bill 101 in Quebec, where the freedom to use English in the private sector has been attacked by the Legislature."

As I say, Mr. Speaker, that is a direct quote from the government's own explanatory notes. By the government's own testimony therefore, Sir, the substantive part of Section 23.1 in its latest amended form, the January 5th form, the important or crucial part is the part that protects the freedom to use English

and French against any restrictive statutes of the Legislature. That, Sir, is an objective to which I would think all members of this House and indeed all Manitobans of good will can subscribe. It is certainly an objective to which I subscribe. I think we can achieve that, Mr. Speaker, if the government truly has the courage of its convictions and really means what it says in those explanatory notes. I think, Sir, that we are very close.

If the government honestly means that the crucial purpose of 23.1, as it struggles by means of its latest proposed amendments to find an acceptable wording, is to "protect the freedom to use English and French against any restrictive statutes of the Legislature," then I suggest that we really can achieve that in a way that I think should be acceptable to both sides of this House. It can be achieved, Sir, through further refinement of the government's original proposed resolution; that is, further amendment of the government's proposed January 5th amendment being debated here.

It should be clear to the government, Mr. Speaker, that the fundamental sticking point in its original proposed resolution, as far as Her Majesty's Loyal Opposition in this Legislature is concerned, and as far as an overwhelming majority of Manitobans expressing themselves through last October's plebiscites are concerned, is to be found and always has been found in its evocation of federal-style bilingualism for Manitoba. It has been feared and disliked and mistrusted by a majority of Manitobans ever since it was introduced last July 4th because, rightly or wrongly, Sir, it has conjured up visions and reminiscences for the people of this province of a national program of legislated bilingualism implied and invoked by the Federal Government which a great many Manitobans and millions of their fellow countrymen across Canada feel was sold to them, Sir, in cynicism if not outright deception.

A great many Manitobans and millions of their countrymen across Canada believe, rightly or wrongly, that they were deceived by the architects and the salesmen of the federal bilingualism program in this country of the 1970's. Their experience is that it has been a program that, at least in its application if not in its concept . . .

**MR. DEPUTY SPEAKER:** Order please.

**MR. L. SHERMAN:** . . . has damaged the economy, has damaged the nation's social harmony, has damaged the Armed Forces, has damaged their jobs and their career advancement opportunities very very severely in many instances, and all for the sake of ensuring the continued support of a particular and an influential voting block essential to the survival of the Federal Government of the day. That, Sir, has been the experience of the Federal Bilingualism Program for these Manitobans of whom I speak.

Their attitude towards anything more of this nature has, quite understandably, become the attitude, "Fool me once, shame on you. Fool me twice, shame on me." They are not about to let themselves be fooled that second time. If members opposite don't believe me, Mr. Speaker, let them ask the First Minister. Let them ask their own Leader. The First Minister knows that what I'm saying is true.

The First Minister has taken great pains in the past, and quite understandably in my view, to emphasize that he does not want a federal style of bilingualism program developed and applied here in Manitoba in the provincial context. That is not what his government's proposed amendment to the Constitution is intended to do. The Government House Leader, the Attorney-General, the former Government House Leader and many other spokesmen for the government side in this debate have taken pains to try to stress and make the same point, Sir, that this is not federal-style bilingualism.

Indeed, in many of the dramatic changes they have already made to their original position of last June 17th, the date on which in this House the former Government House Leader, the Attorney-General, delivered his opening and introductory ministerial statement on this whole subject, and in many of the equally dramatic changes they have made to the wording and content of their original resolutions, changes embodied in their latest proposed amendments of January 5th, members of the Treasury Bench have come a long way in backing off a position that did smack very strongly of federal-style bilingualism, and coming around to a posture and a revised proposal that is quite obviously designed to soothe those fears in the public's breast.

Thus, Mr. Speaker, their words and their actions over there attest very clearly to the truth of which I am now reminding them, the truth that in their own hearts they quite obviously know; the fact that many of us in Manitoba and all across Canada look at anything having to do with bilingualism programming introduced by a government and saying, conditioned by the experience we had under the federal program, "Fool me once, shame on you. Fool me twice, shame on me."

Hence, I return, Mr. Speaker, to my point that the almost insurmountable barrier that the government of this province has faced and continues to face in its tormented struggle to foist its resolution on the Manitoba mosaic is to be found in that resolution's reminder - maybe realistic, maybe not, subliminal perhaps but there just below the surface nonetheless - that resolution's reminder of the federal bilingual program, and the way it has been applied.

Nothing that the government spokesmen, including the First Minister, have been able to say, nor all the retreats in strategy, nor all the retreats in language, nor content of the resolution itself, nor all the amendments so far have altered that fact, Mr. Speaker. None of the revisions proffered by the Government House Leader and his colleagues, none of the protestations offered by members of the Treasury Bench and other spokesmen on that side, none of the vast, sweeping reversals, retreats and changes in the wording and content of the resolution itself have sufficed to dispel that fear and that suspicion and that anxiety in the public mind. None of those things have altered the reality of evocation and reminder of federal bilingualism. None of them have enabled the government to do anything about that public anxiety and that public concern. It's still there, that reminder of federal-style bilingualism. It's still there, that suspicion and mistrust in the public mind, Mr. Speaker.

On that last point, the Government House Leader may feel constrained to raise an argument. Some of his colleagues may feel constrained to raise an argument, because they may insist that although that



suspicion and mistrust were there to begin with and although the evocation of federal-style bilingualism was there to begin with, everything has changed or should be changed now because of the government's many many modifications of its original position, and its many retreats in language in the resolution's contents.

Members opposite may suggest that the resolution's original stumbling block, its original pitfalls lay in its constitutional provision for vastly-extended French Language Services in our province, and in the concept of entrenchment itself, entrenchment of those provisions in the Constitution of the country and, because its latest proposed amendments remove that profound point of contention, Sir, it has addressed and rooted out that problem. That may be the view of some members opposite. The sore or the ulcer that was gnawing away at the credibility and acceptability of the resolution from the very day of its inception has now been removed, now been excised as a result of the latest amendments brought forward on January 5th by the Government House Leader.

If that's their contention, Mr. Speaker, if that's the posture either of the Government House Leader or the government itself or any spokesman over there, I want to suggest with respect, Sir, that they are dead wrong. Because it's a misreading of the history of Manitoba and it's a misreading of the mosaic of Manitoba and the public reaction to the Federal Bilingualism Program of the 1970's to suggest that was all they had to do to make their position, to make their resolution acceptable to Manitobans.

It's not sufficient simply to remove that deeply contentious and highly unacceptable attempt to entrench an array of new French Language Services from the resolution, Mr. Speaker, to make that resolution entirely palatable to this opposition or palatable to the majority of Manitobans. More is required than that, and this is the reality that government has failed to acknowledge, has failed to face, perhaps does not even understand or recognize. This is the reality that we plead with that government to address. This is the reality that we urge that government and plead with that government to recognize and understand. More is required than that simple removal of that highly contentious and unacceptable entrenchment proposal, Mr. Speaker.

What the government must acknowledge, must be prepared to face if it truly wants a solution to this impasse is that the latest proposed amendment to Section 23 of The Manitoba Act is not quite enough to erase that stigma of federal bilingualism of which I spoke, Sir. Slowly but inexorably, that government is bleeding to death over this ill-considered initiative that it took seven months ago. But the tragedy is that slowly, but inexorably, many of the harmonious relations that have extended and existed for so long in our history among the various parts and components of Manitoba have also been suffering a hemorrhage as a consequence of the traumatic experience we've been put through in this province in this unnecessary debate - unnecessary because the initial initiative was unnecessary - highly necessary once a misguided government persisted in pursuing that kind of unfortunate course.

Sir, in order to stop that bleeding, in order to end that hemorrhaging and in order to find a solution to

the impasse, the government must go one step further, at least one step beyond the step that it has taken in these amendments before us today. If they want worried Manitobans to be able to breathe easy on this point, they need to make a further revision to the resolution that they have put before us.

The current amendments introduced by the Government House Leader on January 5th and the subject of our debate at this point in time come close to resolving the impasse. I think the government is coming very close in its latest proposed amendments, the ones that are in front of us right now, but they're not there yet, Mr. Speaker. I suggest to the Government House Leader and his colleagues opposite that they can come all the way, and the government can come all the way, with a further simple refinement of the terminology of the amendment itself. What's more, Mr. Speaker, it can do so without compromising itself. The government can achieve this without compromising itself.

I remind the Government House Leader and his colleagues, Sir, of their own words, their own explanatory notes to which I referred a few moments ago, those notes which say: "The substantive part of Section 23.1 protects the freedom to use English and French against any restrictive statutes of the Legislature."

Well I read notes of that kind, proffered so readily and so impressively with the proposal for the amendments itself, as indicating and spelling out to me, Sir, and to all members of this Legislature that essentially what the government now is concerned with preserving in its initiative is that protection of the freedom to use English and French against any restrictive statutes of the Legislature, and that other aspects and components of its original resolution are unimportant in relative terms when compared to that objective. The objective is that protection, and we can get it, Sir. We can achieve that. If that's what the government wants, I say, let's do it. Let's provide that protection.

We can provide it without using language and terminology and content that stirs up fears and suspicions in Manitobans' hearts. We can do it, Sir, by means of refining the language used in proposed new Sections 23.7 and 23.9(1). We can do it by refining and reshaping the terminology contained in those parts of the government's proposed amendment; that is, moving on Sections 23.7 and Sections 23.9(1) to alter the language if necessary to accommodate that particular objective spelled out in the explanatory notes offered by the Government House Leader, that objective being the protection of the freedom to use English and French against unforeseen legislative events or initiatives in the future.

To accomplish this, Sir, we start first, I suggest to the Government House Leader and his colleagues, by addressing Section 23.1, by removing from the public fear, concern and anxiety from that sphere, the spectre that is still there of federal-style bilingualism.

Therefore, on behalf of my party, Mr. Speaker, I wish to propose a subamendment to the government's amendment before us. I do so, Mr. Speaker, with great optimism and confidence in its acceptability to the government, particularly to the Government House Leader. I will be proposing that amendment in the next

minute or two, Mr. Speaker, but in support of it I wish to make an observation for the record.

On Friday, January 13, 1984, we moved, through my colleague the Honourable Member for River Heights, our first proposed subamendment to the government's proposed amendment to the constitutional resolution. It was ruled not acceptable, Sir, and it's not my intention to discuss it. That would obviously be a violation of the rules, but I presume it's perfectly legitimate, Mr. Speaker, to refer to the position it represented - the Progressive Conservative position, our caucus position, the opposition position, the position of those Manitobans for whom we've spoken throughout this debate.

It represented, Sir, that position and it was enthusiastically and widely hailed by the Government House Leader. In fact, the Government House Leader dominated weekend news report that weekend - that was the weekend of January 14th and 15th - with his effusive and glowing responses to it. So I'm absolutely confident, as are my colleagues, Mr. Speaker, that he'll have no difficulty with the sub-amendment which we intend to propose now.

On that occasion, the Government House Leader called it, "... a major Tory reversal." I don't accept for a moment that it was a major Tory reversal, Mr. Speaker, but it certainly was a major articulation by this party of its intention to salvage what we can for cordial and harmonious intercultural relations in this province, and it was an intention to preserve the integrity of the Manitoba mosaic as it has been constituted for the last 110 years in this province. The Government House Leader responded to it, leapt to it with enthusiasm, Mr. Speaker, that would have impressed even those champions of bilingualism programming in the federal sphere.

The Government House Leader indicated quite clearly and quite emphatically to us, Mr. Speaker, that he saw a solution here for the problems that he had constructed for himself and into which he had led his government. He said, Sir, that it is, "... clearly not a stalling tactic. It shows that they, the Tories, are willing to move," and he went on in like vein in interview after interview that weekend, Mr. Speaker.

So I have no doubt that the Government House Leader is going to find it equally comfortable and equally exciting to accept and accommodate the sub-amendment that we are going to move now. Mr. Speaker, because this one is moved in a way that is technically in order and apparently the only thing wrong with the other one was the fact that it had some technical inadequacies, but the content, the thrust, the purport of it was entirely acceptable to the Government House Leader; in fact he loved it.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER, J. Walding:** Order please, order please.

The Honourable Government House Leader on a point of order.

**HON. A. ANSTETT:** Yes, Mr. Speaker. The member opposite has just said that the content of a previous amendment moved by his side, I was entirely happy with. Mr. Speaker, the same press reports he just quoted

all contain very strong and direct reservations with regard to that sub-amendment with respect to Section 23.1. He knows that, Sir, and to suggest the opposite is to misrepresent my statements both in this House and to the media.

Mr. Speaker, that amendment was entirely unacceptable with regard to its change proposed to 23.1. I said so . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

**HON. A. ANSTETT:** Mr. Speaker, I would suggest to members opposite that they consult the newspaper clipping, quoted by the Member for Fort Garry, in which I said the opposition has ignored one of the most vital and important parts of the proposed amendment, but with regard to the other sections, yes, they were very attractive and very interesting.

**MR. SPEAKER:** I thank the honourable member for that explanation.

The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Thank you, Mr. Speaker. Could you just advise me how much time I have left, due to that last interruption?

**MR. SPEAKER:** The honourable member has five minutes remaining.

**MR. L. SHERMAN:** Thank you, Mr. Speaker.

Well, Mr. Speaker, we've just witnessed one of the greatest conversions since St. Paul on the road to Damascus in that position articulated by the Government House Leader.

Mr. Speaker, two weeks ago the Government House Leader was singing a far different tune. He recognizes though that he's got himself into difficulty by his response to that amendment, and I don't blame him for attempting to get himself out of that corner, but I don't doubt his sincerity, Mr. Speaker, in his response. I believe that he was quite sincere in that initial response, because I think that he saw for the first time, very clearly, Mr. Speaker, a major indication of this opposition's willingness to help solve this impasse and an acceptable exit for himself from those deep deep waters into which he got himself and his party, so I accept that response and the sincerity of that response.

I simply suggest to him that it was not accurate on his part to suggest that it represented any kind of Tory reversal, because our position on it has been consistently throughout that we did not wish to see the entrenchment of those extended French Language Services and those provisions were taken out of the resolution in the latest proposals for amendment brought forward by the Government House Leader himself.

Now what I'm saying is we can go one step further and I am absolutely confident the Government House Leader will accept that proposal on the basis of performance two weeks ago, and reshape that resolution into a form that works in the best interests of all Manitobans, that works in the best interests of

this Legislature in this House, that resolves this difficulty, that breaks this impasse and that reinforces the existing 116-year integrity of Manitobans and their mosaic and their cultural harmony, in the form in which we have known it ever since The Manitoba Act was passed in 1870, Mr. Speaker. We do that through offering to this Legislature and to this province the following sub-amendment to strengthen the government's proposed amendment and to reinforce Manitoba history and Manitoba cultural harmony.

On that note, Sir, I therefore move, seconded by the Honourable Member for St. Norbert, that the amendment be amended by striking out all of clause (a) thereof and substituting therefor the following clause:

(a) by striking out the proposed Section 23.1 of The Manitoba Act 1870, as set out in Section 1 of the Proclamation and by renumbering the remaining sections as required.

Thank you, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**MOTION presented.**

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** Thank you, Mr. Speaker. Mr. Speaker, I couldn't believe my ears today when I was driving down in the car to hear the news report that the First Minister was blaming the Conservatives for the state of the present Legislature, "that the economy is our government's priority."

Mr. Speaker, this government can rule on the business of the House and this is the agreement that we came to - that we would come back and debate the issue. But this issue we thought would be debated in October, not in January. We had the hearings; we sat all summer. We had the hearings and then there was silence. We didn't come back right away. The government sat, and they sat, and they sat, and then when did they call the House back? Not 'till the 5th of January, Mr. Speaker.

Mr. Speaker, the present Premier of this province hasn't seen fit to speak on this issue unless he's outside the House. Then he is saying, instead of striving for a solution to the French language question that respects the views of Manitobans, the Conservatives have turned their backs and suggested six months more of debate. Mr. Speaker, nothing could be further from the truth. Our move was to hoist the bill for six months - not to speak on it for another six months.

Mr. Speaker, this government is at liberty to bring in a budget, to bring in Estimates, to bring in whatever it pleases and let us get on with the important things, the things that matter most to Manitobans. Instead we're here glued to this building discussing something that the vast majority of Manitobans don't want. They don't want to see the entrenchment of any statement that would extend French language rights in Manitoba and that is the reason that we have brought in the motion to delete 23.1 out of the present watered-down resolution that the government brought in.

Mr. Speaker, it is most important to the people of this province that that section is deleted. That is the

same stand we have taken from Day One. When we stayed in the House this summer it was to assure Manitobans they had a chance to be heard. Well, they had a chance to be heard and they told this government what they wanted but they haven't listened.

Mr. Speaker, on January 14th, in the Winnipeg Free Press, it indicated that the Minister of Municipal Affairs, as has been mentioned by the Member for Fort Garry when we brought in our first amendment, was just elated at this sudden turnaround. Mr. Speaker, he was absolutely elated. Now, Mr. Speaker, in that he said that it was a dramatic change. Where has he been? Where have the members opposite been? Practically every speaker on this side has referred to 23.1 as the offending section.

In the same article the Minister of Municipal Affairs was quoted as saying: "However", he said, "it's clearly not a stalling tactic it shows that they're willing to move." Mr. Speaker, that's what this is all about. Surely they don't think we're here to stall. We're here to get rid of this offending section. We mean business about this. We want to represent the people of Manitoba as this government certainly has not. What is left, the translation sections, and exclusions, and 23.9, 1, and 2 referring to other languages.

Mr. Speaker, in spite of the amazement of the new Minister of Municipal Affairs I am still opposed to the Section 23.1, and we are still opposed to 23.1.

When the new Minister was explaining the changes in Hansard, on January 5th, Page 5377 he said - "It has always clearly, Mr. Speaker, been the government's intention to leave Section 23 in its original form and ensure that none of the amendments proposed in The Manitoba Act, the original resolution, in any way impact on the wording or interpretation of Section 23."

If that was the case, Mr. Speaker, what are we doing here? Withdraw the amendment 23.1, agree with our proposed sub-amendment. It is unbelievable to me that this government was prepared to push the original resolution through. Whether by design or ignorance, this government was ready to adopt a resolution to amend the Constitution of Canada and they didn't know what they were doing, but they were going ahead anyway. It boggles the imagination that the members opposite were blindly following the Attorney-General and they knew not where.

Thank God, Mr. Speaker, that the members on this side, along with the Member for Elmwood, and the people of Manitoba, recognized where this crew was taking us, as the Member for Roblin-Russell mentioned, down the garden path.

To get to this new amendment we had to stay in this House all summer. Mr. Speaker, we pushed, we shoved, we did everything we could to get them to agree to hearings. At first there were going to be no hearings. Then there was going to be limited hearings. Then finally we got an agreement. They were determined to push that original amendment through, Mr. Speaker, but we were as determined that they would not without hearing the people. They got to the point, Mr. Speaker, this government, that they were so afraid we would let the bells ring that the government, themselves, spent one day filibustering. Make no mistake. This government intended to pass the original resolution.

We had the odd lighter moment, Mr. Speaker. I think it was a Friday night when the government had to let

the bells ring to call in their members. The Member for Pembina described it for us as seen from the front steps of this building with the crowning glory, of course, being the Member for Dauphin with his hand on the door as it closed.

Mr. Speaker, the whole point of this exercise that we went through this summer was to have hearings so that the government would listen and would introduce amendments. Well, they did introduce amendments, Mr. Speaker, but they didn't go nearly far enough. Every day during the summer, we had calls, "Can you keep them from passing this resolution?" Today, Mr. Speaker, nothing has changed. Only the calls have increased. The demands are greater. The people are far more aware of the damage that this government has done with this resolution.

Mr. Speaker, we have problems in this province that have arisen from this resolution, neighbour not speaking to neighbour. It has set, as I believe Mr. Georges Forest mentioned, the French back about 50 years in this province. I can believe it, Mr. Speaker. No one wanted to be standing in this Legislature, speaking as we have been on these resolutions with the government determined to get its way and the people of Manitoba wanting them to halt, stop, wait, listen to us. That wasn't happening.

It's a funny thing, Mr. Speaker, about people in communities, and I noticed it when the schools were closing in our area. You get people involved. They have resources, and they are resourceful. The information, the research, the time, the money that they will spend on their own to get to the bottom of an issue, they turn out to be the resources that a school division can use. This is the same thing that's happened in this province.

I don't imagine there are too many people that understood the Constitution of Canada or Manitoba or Section 23 of The Manitoba Act. Now we have countless numbers of people who understand the meaning of that act, who agreed with what we did when the Supreme Court made the ruling. But now, Mr. Speaker, that this government - and I can only think it was in ignorance. Surely, no one would have done this knowing exactly what they were doing - I can only believe that it's in ignorance that they got started on this issue, and they don't know how to get off. Well, we are giving them a bit of an out, Mr. Speaker. Remove 23.1.

The government made their first mistake, Mr. Speaker, when they listened to people other than their constituents, and they're making the same mistake today. Finally, or should I say reluctantly, this government agreed to hearings around the province after that original amendment was introduced. Then, as the Member for Turtle Mountain said, silence, except for the plebiscites and the referendum.

Mr. Speaker, no one had to pull the vote out in the last municipal election, because they had the motivation to get out themselves. The people of this province went out en masse, and in the city or even just generally it was a 78-percent vote against the extension of French Language Services in the Constitution. The pressure, Mr. Speaker, that was put on the council and the Mayor to withdraw, not to have the plebiscite, but this was the only route the people of Manitoba had to go. This government was not going to call an election. They

were not going to let them be heard in any other way, so they demanded of the people that are probably closest to them, the elected officials that are closest to them, that there be plebiscites, that there be referendums, and there were all over the province. Mr. Speaker, they wanted to be heard, and at least one level of government was about to let them.

They were demanding that. That was the only election that was coming up right then. Whether it was a municipal issue or not, it was affecting everyone. That is the level of government that chose to listen at that time to the people. They didn't have the choice to call an election. They didn't have the choice to vote on this government, but they sure let their municipal officials know that they wanted a chance to vote on it there, and they got that chance.

Mr. Speaker, the Minister of Municipal Affairs, referring to a legal opinion, indicated that: "Mr. Speaker, I believe, as obviously does our counsel of record in this case, Mr. Kerr Twaddle, the chances of misrepresentation have been reduced so dramatically as to render the fears of many of the instant constitutional experts completely without foundation, but more importantly, Mr. Speaker, because I honestly don't view this as a battle of legal opinions, this compromise symbolized by the amendment I will shortly move and by the bill we'll be presenting in the House during the next several days represents a consensus of what is best for Manitobans."

Mr. Speaker, this is not a consensus. This new amendment from the government is not a consensus. The people of Manitoba are as opposed today to this resolution as they were to the last resolution. They have no trust in this government, and I think that's basically what it comes down to. No matter what this government is choosing to say on this issue, they will not believe them. The trust has gone, Mr. Speaker.

Mr. Speaker, regrettably Manitobans have lost faith in their government. One of the questions most often asked is: how can we get an election called? I don't think probably in my lifetime that there has been a petition going around hopefully asking the Lieutenant-Governor to have the government call an election to set aside this government. Yet there is a petition as such going around this province. I don't think that this sort of thing would happen normally with the people of Manitoba, Mr. Speaker, but they know once this is entrenched they don't get a second chance, so it's urgent. This isn't like a plebiscite; this isn't like anything else. They don't get a crack at it a second time, Mr. Speaker.

Mr. Speaker, in Gordon Sinclair's column, under the heading, "Dubious Achievements, 1983, the list you've been waiting for," it says, "Don't worry. If it was anything important, it would have been repeated in English. While speaking to a gathering of Liberals in a very small room in Winnipeg, Prime Minister Trudeau casually mentions that the Société franco-manitobaine and the Provincial Government have reached an agreement whereby the province will become bilingual. The problem is Trudeau makes the announcement in French only and the English-speaking media misses it. C'est la vie."

It must be very frustrating for Mr. Trudeau and his cohorts, especially Serge Joyal, pouring all the money into Manitoba through the SFM and who knows where else, and they haven't achieved their goal yet, although,

Mr. Speaker, this government is doing everything in its power to help them achieve the goal.

Mr. Speaker, I think it was the Member for Minnedosa that mentioned there must be a carrot somewhere. Well, it's some carrot, Mr. Speaker, to have them keep on with this kind of an issue in the face of all the opposition.

Now, Mr. Speaker, we are dealing with the new resolution, packaged as made-in-Manitoba. Mr. Speaker, on January 9th, while our Leader was speaking, the Attorney-General interrupted our Leader with a point of order. He indicated that "... a serious allegation which I must point out immediately. That is that I, or anyone else, sat down behind closed doors with representatives for the Federal Government and negotiated some deal." Then he went on to say that for "... approximately 18 months, every single meeting was held in the office of the Attorney-General for Manitoba with the Chief Legislative Counsel for the Province of Manitoba, the Deputy Minister, the Assistant Deputy Minister, the French language consultant, Mr. Turrene . . . "and, of course, had to say that he "... was appointed by the Conservatives," which is true, Mr. Speaker, "... and sometimes representatives from the SFM. At no single meeting was there ever a representative of the Federal Government. This was from start to beginning a made-in-Manitoba solution." Everywhere you turn, all of a sudden this government is trying to tell the people of Manitoba, to quote the Attorney-General, that "This was from start to beginning a made-in-Manitoba solution." Now why they would want to take all the credit for this dubious amendment is beyond me.

This is a resolution that the vast majority don't want, and I just have to look at the plebiscite results, Mr. Speaker, to realize that this is true. They don't want it. Why will this government not listen? They have no intention of listening.

Mr. Speaker, when I'm talking to the original resolution, the amendment that this government put in on January 13th, Page 5565 in Hansard, the Member for St. Boniface indicated in his speech that: "Two or three members spent all their speech reading the results of the referendum. What the hell do I care about the results of a referendum."

**A MEMBER:** Who said that?

**MRS. G. HAMMOND:** That was said by the Member for St. Boniface, Mr. Speaker. That is the point of the whole thing. Someone has to care, Mr. Speaker. But everywhere you turn, Mr. Speaker, in spite of the interruption, of the point of order from the Attorney-General, everywhere you turn there is the fine hand of the Federal Government in this made-in-Manitoba solution.

Mr. Speaker, I refer to the hearings. Most members probably would be familiar with Dr. Shaw's presentation from Quebec. Mr. Speaker, on Friday, September 30th, Dr. Shaw who came in from Quebec to speak against the resolution - his qualifications, Mr. Speaker, are all in Hansard of that page and I won't go through them. He indicates that he is speaking for some of the English-speaking members of the community in Quebec.

He states: "You have already heard from a representative of Alliance Quebec on this subject. We

are in serious fundamental disagreement with Alliance Quebec on this and on many other issues, and we feel that to allow the representation of Alliance Quebec to be interpreted as the consensus of the Quebec non-Francophone community would be improper. In fact, we feel that we more closely represent the consensus of the general opinion of the non-Francophone community in our province, in spite of the fact that we receive no funding from the Office of the Secretary of State."

Mr. Speaker, Alliance Quebec was here twice that I'm aware of, possibly more, speaking in favour of this government's position. They met with our caucus. We were given or had mailed to us glossy packages of material. When they presented their brief, Mr. Speaker, questions were asked about their funding.

Mr. Speaker, on Page 78, on Tuesday, September 6th - I believe it was the first day of the hearing - that a Mr. E. Maldoff, who was the spokesperson for Alliance Québec, was asked a question about their budget, Mr. Speaker. How were they funded? Mr. Maldoff, as part of it, indicated that their "... budget in the past year was \$900,000 of which we received approximately 60 percent through the Official Language Minority Program of the Secretary of State of the Federal Government.

A further question, Mr. Speaker, about that they received approximately \$540,000 from the Federal Government. Mr. Speaker, then a further question - how large is your full-time staff? We have a full-time staff of approximately 25 people. Mr. Speaker, what we are getting at here is this made-in-Manitoba solution has been liberally - and I use the expression loosely - funded by this Federal Government and yet they persist, this government, this NDP Government provincially, persists in the illusion that this is a made-in-Manitoba solution - has no federal input.

Mr. Speaker, now we look at the other side, the people of Manitoba trying to fight this issue. On one hand the pro-resolution people seem to have unlimited funds. Then we have ads in the paper from the Grassroots, funded by the people on donations, Mr. Speaker. On Wednesday in the Winnipeg Free Press, close to a full page ad, "Bilingualism is not what it appears," is an ad that was taken out by a Mrs. Jane Hebert. She had to take, it says, a \$2,500 loan from the bank, Mr. Speaker.

Mr. Speaker, the odds of the people of Manitoba even coming this far to speak against this resolution, to fight this resolution, have been immense and now we are asking the government to accept the sub-amendment that was made by the Member for Fort Garry.

Mr. Speaker, speaking again of the type of funding that has been given to the people who are supporting this resolution, that the SFM were given an additional \$108,000 to the over \$600,000 that was given to the SFM already. Mr. Speaker, Eric Wells used the word "manipulation" to describe the use of monies by the Federal Government and this government has been manipulated out of its socks.

I'd just like to recap briefly the monies we can see that were given by the Federal Government: Alliance Quebec, \$540,000; the SFM, \$627,000 plus \$108,000, Mr. Speaker, for a total of \$735,000 and that's what we know about. That only came out because of people having to go to the Federal Government under the

Access of Information, that that \$108,000 even came to light, Mr. Speaker. So how many other questions haven't been asked in the right places to find out about funding? How much more for this made-in-Manitoba solution versus Manitoba Grassroots? No funding. Mrs. Jane Hebert a \$2,500 bank loan, a consensus, Mr. Speaker - the Minister of Municipal Affairs says that there is a consensus. There is no consensus, Mr. Speaker.

Money isn't the only way the government can manipulate, Mr. Speaker. There are other ways of manipulating besides money and on Page 963 of the hearings in Hansard, September 30th, the Attorney-General asked the question - he was questioning Dr. Shaw - and he said, "But the Supreme Court has not ruled that way," and Dr. Shaw answered, "Because it hasn't had an opportunity, because these cases haven't been passed to the Superior Court. The Quebec Home and School Association has had a case on the rolls for five-and-a-half years."

And then he went on, Mr. Speaker, to say, "Now I would like to speak to that because, in Blaikie, there was the inside route right to the Supreme Court. In Forest, it was pretty darn quick. In Bilodeau, there hasn't been much trouble, but in any other cases that I know, being sort of the prime mover in all the traffic ticket cases in Quebec, and we had to go through nine traffic ticket cases before we could get one that will even be listened to in the Supreme Court, and without any help whatsoever from the courts of the Province of Quebec, we had to go by a special provision of The Supreme Court Act to get that case heard."

"That's the MacDonald case," Mr. Penner indicated, and Dr. Shaw said, "That's right. When you see two kinds, this is another example of the double standard, the double standard in the access to the court system, the double standard in the funding. The Secretary of State has funded Forest," and he goes on about funding.

Mr. Speaker, there's another kind of discrimination. There's another kind of manipulation and that certainly is it. The new Minister of Municipal Affairs said that some kind of individuals in responsible positions have gone to great lengths to be irresponsible and misrepresent and play on that fear - talking about the fear that people had of the amendment going into the Constitution and referring to implementation of federal bilingual programs.

Well, Mr. Speaker, in one of the articles - and it's the Attorney-General, it's from the Winnipeg Free Press, October 29th - it says: "Penner compares battle for rights." Mr. Speaker, the Minister of Municipal Affairs is talking about fear. Well, what kind of fear is the Attorney-General trying to strike in the hearts of the disabled, when he considers minority rights, it says, and I quote in this article, "Minority rights including the rights of the disabled should not be decided by plebiscites or referendum." Speaking to delegates at the National Meeting of the Canadian Association for Mentally Retarded, Mr. Speaker, Penner drew a parallel between the ongoing battle over the extension of French language rights in Manitoba with the extension of rights for the mentally handicapped.

Mr. Speaker, how low can a government stoop when someone will go into the mentally handicapped who have a hard enough time without the Attorney-General

going in and putting that type of pressure on them? What kind of pressure have other Ministers of the Crown put on individual groups that get funding, that get anything from this government? Well, I can imagine, Mr. Speaker, that there's a lot of that going on, and has gone on.

Excuse me, Mr. Speaker, how much time do I have?

**MR. SPEAKER:** The honourable member has seven minutes remaining.

**MRS. G. HAMMOND:** Mr. Speaker, I wish that this Assembly would take our initiative and vote for this amendment the Member for Fort Garry has proposed; that Section 23.1 that states: "As English and French are the official languages of Manitoba, the freedom to use either official language enjoyed under the law of Manitoba in force at the time this section comes into force shall not be extinguished or restricted by or pursuant to any Act of the Legislature of Manitoba," be deleted. Then this government will have come a long way to at least doing some of the things that the people of Manitoba are asking them to do.

Mr. Speaker, they are not going to be happy right now with almost anything that this government proposes when it has anything to do with French language rights. That is something that this government has taken care of for a long time; that anytime they do anything, they make any changes, they make any moves, there is going to be a hue and cry from the community. All one person has to stand up and say, my rights have been taken away. Someone has taken my job. I didn't get this job, because someone who is bilingual has got it. Mr. Speaker, that's the sort of thing that this government has brought us to. They have made this province a hotbed.

People want to get on with their lives, Mr. Speaker, and the amount of time and energy and money that they have spent trying to get this government to listen is a disgrace. It's a national disgrace, because they brought this province into national disrepute with the type of legislation that they are proposing.

Mr. Speaker, I am here representing my constituency.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**MRS. G. HAMMOND:** I know I am representing in the way that they would wish, that I am speaking out for them. I think the members opposite somehow forget that we represent a very large minority in the province officially, but unofficially, Mr. Speaker, we are the representatives of the majority of the people in this province on this issue. I think we cannot say it often enough, Mr. Speaker, that it is time they put this aside.

As the First Minister was saying - I believe it was in Thompson - I wish he would say something like that in the House where we'd get a chance to hear it ourselves, instead of having to hear little news clips. Mr. Speaker, I think it is time that the First Minister spoke out on this issue, instead of going — (Interjection) — I listened to everything that went on in this House - believe me, Mr. Speaker, and I've read everything that's gone on in this House. I know what has been

happening here and the kind of representation that we're getting from the First Minister and from the government across the way.

Mr. Speaker, I hear one of the members over there saying, ding-dong. Well, Mr. Speaker, that applies to them exactly and that's exactly what the people of this province think of them - ding-dongs - and that's one of the kindest things I can say about them.

Mr. Speaker, I would like to close by just reading one of the indications, one of the things that were said. Just to quote from the Free Press again, where the Minister of Municipal Affairs was really feeling his oats and he had the problems in hand, one of the headings says, "Makings of a resolution are in hand." Now, Mr. Speaker, he goes on to talk about having agreements with the SFM, but nowhere does he have agreements with the people of Manitoba. But I think the last paragraph just indicates the arrogance of this government and that Minister. It said, "While the door may not be wide open, if Mr. Filmon knocks, I will open it," added Anstett." Well, of all the arrogant statements I have ever read, that probably takes the cake.

We do represent the vast majority of Manitobans on this issue. Mr. Speaker, this government had better wake up and realize it. We are not giving up on this issue easily. We are not bringing in frivolous amendments. We don't have time for frivolous amendments, Mr. Speaker. We haven't got time to deal with the kind of issues that this government is bringing forward.

Why don't they bring forward a Budget? Why don't they bring forward their Estimates? Let's deal with them along at the same time as we're dealing with this particular issue. Hoist the bill. We don't have to even worry about it for six months, Mr. Speaker. Give Manitobans a bit of a rest and give yourself a chance, because you're going down the tube on this particular issue, Mr. Speaker. I cannot say strongly enough that this issue is not dying. We do not intend to let it die, Mr. Speaker. We would ask you, beg you, that you don't take this opportunity to have just a remote possibility. People in Manitoba want better than that, Mr. Speaker. They want better than a remote possibility. I ask you to support the sub-amendment that was brought in by the Member for Fort Garry.

**MR. SPEAKER:** Are you ready for the question?

The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I can't say that I am delighted to once again address myself to this resolution. One would have hoped that by now the Government of the Day would have allowed some common sense to filter down, even through those thick skulls, but apparently it's necessary that we continue to speak.

Mr. Speaker, I think it is also very necessary to remind honourable members about what it is that we are speaking to, because there is confusion and continuing confusion with sub-amendments and amendments, amendments to what, amendments to the original Manitoba Act. So let's be very clear what we are doing with this sub-amendment.

What the Progressive Conservative Party of Manitoba is saying, loudly and clearly, that we acknowledge, we

respect and we want to reaffirm, if you like, the original constitutional French language guarantees that were provided for when this province was formed in 1870. That's what this amendment does. There surely can be no mistake about this. We all understand it. That's what this sub-amendment stands for.

So the difficulty is, Mr. Speaker, if honourable members opposite don't read it that way and if they can't find this sub-amendment acceptable, then what do they think their amendment to the constitutional resolution means? That's the question that so many Manitobans are asking themselves. We're very clear, Mr. Speaker. It took us a little while, Mr. Speaker, we had to get it straightened out.

I appreciate, Mr. Speaker, your ruling of the other day that was of assistance to us in a sense that it enables us to more clearly focus on the heart, and the guts, and the soul of the amendment that was presented two weeks ago Friday. We attempted to do some housekeeping, if you like, for the government. I suppose learned a lesson out of that, that that's really not our responsibility, it's the government's responsibility to bring in the legislation in the proper and appropriate form. But in our attempt to be helpful, Mr. Speaker, we got a little carried away with the number of provisions that were affected by this amendment, and in so doing I think appropriately caused the ruling that you, Sir, brought down the other day on the sub-amendment that we had previous to this. But, Mr. Speaker, and thanks to your guidance to some extent, in your ruling you indicated to us very clearly how we could represent this same sub-amendment in a way that would be appropriate. That's of course what we're doing.

Mr. Speaker, what is it? Let me repeat. What is it? The sub-amendment simply does away with the tinkering or with anything that this government wants to do with those original French language rights that were written into The Manitoba Act at the time of the inception of the Province of Manitoba. That's what it does. Mr. Speaker, it's important for us in the opposition that we make that abundantly clear to all the people of Manitoba. It's particularly important that we make it very clear to the Franco-Manitobans of Manitoba that that is indeed the position of the Progressive Conservative Party in Manitoba today, in 1984, as it was in 1980, and as it was being worked towards by successive Conservative administrations since the mid '60s.

Mr. Speaker, if honourable members have trouble in accepting this amendment, then it is a fair question to ask, what do they believe the Government House Leader's amendment to the main motion really means? I want to take a little bit of time to let that sink in. We understand what this sub-amendment means. This sub-amendment acknowledges, I don't want to use the word "restore" because those language rights that are of concern, that are the heart of the debate, are there. They are entrenched in The Manitoba Act today.

Mr. Speaker, if honourable members opposite, including the Government House Leader who introduced his amendments to the Chamber at this time, again talks about this provision that this sub-amendment attempts to strike out as being simply declaratory or symbolic, then, Mr. Speaker, surely this government would not allow a mere symbolism, a mere declaratory statement to stand in the way of resolving

this divisive issue in this Chamber and in this province. If that's all that is separating us, Mr. Speaker, something that the Government House Leaders, and government spokesmen, and more importantly the Premier, has suggested in no way extends, in no way changes the original Section 23 of The Manitoba Act, then really what are we arguing about? Except of course, Mr. Speaker, if they believe and have reason to know otherwise that this is, in fact, or the potential for extension of French services beyond those originally contemplated in the 1879 Act are contained in the wording of Section 23 as being suggested through the amendment of the Government House Leader. You know, if that's the case, then we have a genuine difference of opinion that will be continued to be debated by this side of the House.

Mr. Speaker, if that's the case, then there is a lot of loose talk going on in this province on the part of the Government House Leader, on the part of the Premier, on the part of other government spokesmen that seek by letter, by mail, by public speeches and addresses to console some segments, the vast majority of the people of Manitoba that the amendments being brought forward by their government at this time are symbolic, and in no way represent any threat or danger of future extension and complications with respect to French language use in the province. That's how they're speaking to the non-Francophone Manitobans, and speaking differently to the Francophone Manitobans that this amended motion to Section 23 is indeed something that is required, something that is helpful, something that will further the extension of French Language Services beyond those that were constitutionally perceived and entrenched at the time the province was formed. Then, Mr. Speaker, we do have a problem in this province.

Mr. Speaker, I would like to hear, and I am aware that the government is not overly anxious to mount speakers on this question. The Government House Leader went at some length, great length I might say, this afternoon to indicate to you, and perhaps, Mr. Speaker, to intimidate you would be a more appropriate word, although I use it cautiously. I will withdraw the word. But, Mr. Speaker, the suggestion that the Government House Leader was speaking to a point of order when you specifically asked him on repeated occasions . . .

**MR. SPEAKER:** Order please, order please.

That point of order has been dealt with and it would be improper for the honourable member to raise it again.

The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, the point that I was getting to was that the Government House Leader was obviously setting the stage, setting the public opinion mood for an action that he, as Government House Leader, and his government are contemplating that would impinge on the mode - to use his phrase - of the continuing debate that has kept this House occupied since last May or June. Well, Mr. Speaker, that's his privilege, that's his choice to run the government's House business in the manner and way in which he sees it. But, Mr. Speaker, let me assure the Honourable

Government House Leader that we on the opposition are absolutely firm and convinced in our own minds about the responsibility, about the job that we have to do on this side of the House, Mr. Speaker.

Well, Mr. Speaker, this whole debate need not have entered into the level that it now is. The degree of divisiveness that this has caused in the Province of Manitoba need not have happened had this government chosen to play honest and up front with the people of Manitoba.

It was only two weeks ago, Mr. Speaker, when this same amendment, exactly the same amendment, the only difficulty was that, as I have already said and you ruled on it, Sir, there was some attendant housekeeping clauses added to it. But the first clause, if you will recall, you will remember, Mr. Speaker, contained exact phraseology, did exactly the same thing, namely, delete Section 23.1 of the Government House Leader's amended resolution before us.

That motion when put two weeks ago, Friday, in this Chamber, by my colleague, the Honourable Member for River Heights, was greeted by this Government House Leader who couldn't wait to meet with the media in the halls and describe, and indeed visibly show his elation as having recognized that in so doing, the opposition had made a major move. I concur with comments, we've never described it that way, as he describes it, as a major reversal, or as a major conciliatory move on the part of it, I prefer simply to recognize and not to twist any words that the Honourable House Leader has said and words that were correctly repeated throughout the weekend by the media in television, in print, that indeed the solution was close at hand, that a major move had been taken that had bedevilled the Legislature on this issue and that surely the matters could now be resolved. That was the position.

Mr. Speaker, I received some assistance from unknown sources, but here to read into the record, and that they should be read into the record often, Government House Leader, Andy Anstett, was elated yesterday with what he saw as a dramatic - I hadn't used that word before - dramatic, dramatic change in the opposition's stand on the NDP's proposed French Language package. Elated, there was drama in the change. Well, Mr. Speaker, there is drama in the change. When two antagonists had been at each other five or six months over a particular issue . . . and in this case, let's be fair about it; after all, they are supposedly the bigger boys in this game. There are 33 or 34, they're the government, we're the opposition. So, when Goliath recognizes a move that Samuel makes as being conciliatory — (Interjection) — Was it Samuel? David, I think it was David. I always have trouble with these minor details like names or rules, whatever - Goliath and David, I would say. Sam might have been his cousin or his brother, I don't know.

Just simply recognizing that they are the Government of the Day, a majority Government of the Day, we are the opposition of the day. They are a majority, we are minority and we've been locked in this debate for the last five or six months.

Now, the Government House Leader acknowledges on January 14th, in the year of our Lord, 1984, correctly reported by the Winnipeg Free Press, a fine journal: "Government House Leader, Andy Anstett, was elated



yesterday with what he saw as a dramatic change." He goes on to say, "The changes moved yesterday by MLA Warren Steen are a departure from the Tories' stance against any entrenchment."

Mr. Speaker, that was the government's immediate response to what? - to this sub-amendment that has now been put before them once again by my colleague, the Member for Fort Garry. Once again, Mr. Speaker, what does this do? This, Mr. Speaker, ensures that the constitutional French language rights that were provided in our Constitution in The Manitoba Act in 1870 shall be law, shall stand, shall be respected and shall be honoured; and we, Sir, in government, need not go through another long litany of how a Progressive Conservative Government was prepared to go beyond that and to expand in policy matters the kind of provisions that we honestly believed and recognized in 1980 as being fair.

Mr. Speaker, honourable members opposite will have to answer to the people of Manitoba why that position is not acceptable. Mr. Speaker, is it then unfair or unreasonable to be able to understand why many people see problems in the resolution put before this Chamber? Mr. Speaker, I'd be the first one to acknowledge that some of those problems that are seen perhaps are exaggerated fears. I'd be the first one to acknowledge that some of the extreme positions taken about concerns with respect to French Language Services per se in the Province of Manitoba are unreasonable.

But, Mr. Speaker, if we can't, in this Chamber, who have been debating it, if we among the 57 of us, can't agree on the fact that this amendment does nothing more than what is appropriate and acknowledged what is in the act today, and the Government House Leader, the Premier and other spokespersons for the government, when they are speaking publicly say and assure and try to assure Manitobans that they don't want to do anything more than what is called for in the original Constitution of Manitoba, and that anything they are doing now is merely symbolic or declaratory and no reason for concern, then surely, Mr. Speaker, it must become obvious to some of them how close we really are on this issue, unless, of course, I, in my layman's knowledge of what words mean, unless, I, in my perhaps too open trust for what the judicial and the court system could do to certain language and words being used in the entrenched versions of our Constitution, unless those are reasons that I'm not paying enough heed to, that spell quite a different meaning to the proposed changes that the Government House Leader is proposing to make to the original Section 23 of The Manitoba Act with his amendments.

But, Mr. Speaker, he and the government cannot have it both ways. They cannot on the one hand assure people of Manitoba, assure different individual Manitobans when the Premier writes to them. My colleague, the Member for Swan River, on several occasions has raised the matter of letters written by the Premier to individual constituents in his constituency of Swan River where, Sir, the Premier went out of his way to correct any thought, any suggestion that the efforts, the resolution - the language package that was being introduced by the government - in any way represented an extension of French Language Services in Manitoba, even to the extent of suggesting that the

word "official" used in one of his letters was a typographical error. The Premier of this province goes out of his way to correct that. He writes that to an individual constituent in the constituency of Swan River.

The Government House Leader, upon taking on his new assignments as Government House Leader, as the Minister of Municipal Affairs, and more importantly as being responsible for piloting through this Legislature the stalled constitutional language proposals, in his first statements as to how he was approaching the problem attempted to do likewise, to assure Manitobans that under no circumstances would he be party to any changes, any extension, any move at all, Mr. Speaker, that could be construed as being something other than symbolic or declaratory with respect to the motion that now has gone through its third or fourth change that he was presenting to this Chamber.

So, Mr. Speaker, I sincerely ask you, in your own quiet way, to judge the issues that are being debated before you. I know that in the privacy of your Chamber, Sir, you must have by now come to the conclusion yourself on this question, and I believe that an observing person, such as you are, could not help but see the legitimacy of our arguments and share with me some of the real sorrow at what this debate has caused in this province, Mr. Speaker. Because, Mr. Speaker, if we are that close, what price is this government putting on obstinacy? What price is this government putting on arrogance? What price is this government putting on "we'll do it our way or no way," on this delicate and sensitive issue of language rights in the Province of Manitoba?

Mr. Speaker, I am sure that they have received and are receiving much the same kind of advice, much the same kind of counsel from many many individual Manitobans as we are. Mr. Speaker, I know that honourable members opposite are receiving the same kind of counsel, the same kind of advice on this question that we are. It's not possible to be otherwise, unless of course members opposite are so tuned off, in terms of responding to public opinion, so totally reject when the public attempts to access themselves to their offices that they are truly wandering through this whole issue blindfolded and unaware of the problems they are creating in the Province of Manitoba.

Mr. Speaker, I'm satisfied that the issue before us is one that's going to be long remembered by the people of Manitoba, and unfortunately in some respect it's going to be remembered in a way that does not necessarily do us all proud.

Oh, Mr. Speaker, I'm well satisfied that it will be well remembered in an electoral sense, but that really isn't the only reason that those of us in this Chamber put forward and take positions from time to time. That die is cast, Mr. Speaker, and honourable members know that as well, but more importantly is what they've subjected the people of Manitoba to in such an unnecessary way, in such a harmful way. Because the issue is equating not just the kind of differences that are acceptable that one expects on 101 issues that are raised over the period of time in this Chamber, whether or not people agree with buckling up their seat belts, or whether or not the motorcyclists agree with wearing helmets, whether or not citizens will always concur with the Minister responsible for Autopac when they raise Autopac rates, those kind of differences are to be

expected. Those kind of differences are not unnatural. Those kind of differences continue to pulsate and drive a democratic system, and when they reach a certain point of acceptability on any one or a number of issues governments change.

But, Mr. Speaker, the kind of divisiveness that has been generated by this government on this issue unfortunately has the kind of quality that will go beyond any specific election goes beyond the politics of the day, or what the elected members of that day are doing and saying. It has within it the seeds of lasting distrust and lasting apprehension that only helps to divide a community, in no way helps to bring a community together.

Mr. Speaker, so many of my constituents simply can't understand where this whole issue came from. They really and honestly don't understand where this whole "Pandora's Box," upside down with the lid open, dropped on them. Mr. Speaker, they were aware that certain challenges were being made. They were aware of how different governments responded to those challenges. They were aware that Mr. Forest was challenging arbitrary legislation that was passed in this province in 1890 and also were aware that it was successfully challenged. They're also aware that a government - a common-sense government of that day - reacted responsibly, quickly, with dispatch and in a way that caused so little disruption, caused so little disturbance in the social fabric of our province. This government chose a different course, Mr. Speaker.

I won't repeat a speech that I made earlier on this subject matter, but this government, through its bungling, through its bad political judgment, through its ineptness, then set about to create a just about unbelievable course of action that future historians will find it hard to believe that this was wilfully done, wilfully entered into by a government that claims that it listens to people, by a government that claims that it reacts and responds to the wishes of the people, by a government that likes to call itself the people's government. — (Interjection) — Well, socialists like to refer to themselves that way. After all, other parties, Conservatives or Liberals often are painted as representing special interests, big business or what have you, but the socialists like to monopolize that phrase and call themselves the only truly people's party and therefore if they should form government, they truly are the people's government.

Of course it's not true, as my colleague, the Member for Virden points out. Of course it's not true. It's all part of the double speak that we should be all that much more concerned about in this year of 1984. But, Mr. Speaker, that is how they sold themselves to the people of Manitoba to become government, a government that listens, a government that responds. Mr. Speaker, now, when 40, 50 or 70 constituents on cold winter days come to speak to their member, the Member for the Interlake, does he listen? When these people come to speak to their Member for Gimli, does he listen? Does he ever listen? Is he listening now?

Mr. Speaker, does the Minister of Government Services, does the Government House Leader listen? Does he listen, Mr. Speaker, when he addresses his own people at a constituency meeting in the Constituency of Elmwood where a large gathering of New Democrats assembled to watch maybe the debate

and a fight between a member that is not now in such good standing with the government and to have the distinguished new Government House Leader speak to them on the issue?

Mr. Speaker, I'm not privy to what transpired at that particular meeting, but I draw my own conclusions. Firstly, the mere fact that some 26 people would turn out to a constituency meeting concerning a member that has perhaps been one of the most controversial members in this Chamber and in that party the last year; that, first of all, tells you something about where the true faithful NDP card-carrying supporters are on this issue and should be telling this government something. Then when out of that 25 the majority supports the Member for Elmwood on their position on language, not the newly appointed, not the fresh Minister recently designated, honours heaped upon him as the Minister of Municipal Affairs, Minister responsible for piloting the French language proposal through this Chamber, the Government House Leader.

Mr. Speaker, one looks as a party member with some pride and satisfaction when a young member, an aggressive young member, makes it in the party ranks, and when the party and the Premier acknowledge that. — (Interjection) — Well, Mr. Speaker, deep down I think he really did.

Mr. Speaker, the Government House Leader and the Member for Elmwood together in a constituency held since 1966 at least by the New Democrats, an area that is conceded to be NDP turf and home ground, 25-26 people come to listen to this issue. Because, Mr. Speaker, they don't want to hear about this issue. They want to talk about the issues that my leader raised today at question period, and the Premier, who knows his politics just as well, what did our Premier speak today about in Thompson? - not about the French language proposal, he talked about the economy, he talked about jobs, he talked about getting this province moving. Then, Mr. Speaker, he has the audacity of coming back in here . . .

**MR. SPEAKER:** Order please.

**MR. H. ENNS:** . . . and insisting on proceeding with a matter, it's not just the general public, Mr. Speaker, but the dedicated New Democratic Party card carriers don't want to listen to and don't want to hear and don't come to meetings when they're called. I can indicate to you by comparison, Mr. Speaker, that I would suspect that at this time the Liberal Party will draw a larger number of delegates to their meeting for their up-and-coming Liberal Leadership Convention.

**A MEMBER:** There's a message in that.

**MR. H. ENNS:** Mr. Speaker, the message is to honourable members opposite. Come up front with what you're really up to with respect to this sub-amendment. If this sub-amendment is not acceptable to honourable members opposite, then you are not telling us everything that we ought to know. If you are telling us that your amendment is of no substance, is symbolic, then surely we should not let that little difference keep us apart. We should not put the people of Manitoba through further agony on this.

If the Government House Leader says that what he is proposing, and that is what he is saying, the Government House Leader says that what he is proposing has no substance, is purely symbolic. Mr. Speaker, I give him enough credit, he recognized that two weeks ago Friday, initially. — (Interjection) — Then he got stomped on by a few people, you're so right.

Then all of a sudden some boys got to him in caucus and said, no, no. His initial, his gut reactions, were right and they should be right today. If they're not, Mr. Speaker, we in the opposition, along with many hundreds of thousands of Manitobans can't help but conclude that the government reads something else, something more substantial into the amendment that the Government House Leader has put before us with respect to Section 23.1. That's the only logical reason that we can come to. They obviously believe that the amendment that the Government House Leader has before us has far more substance to it and that's what the people of Manitoba fear.

Mr. Speaker, if they can't come to grips with that, then we've got a problem. You can't say on the one hand that Brand X, the thrift brand that's packaged in the white and black labels is really just as good, the soup in that can and it's made by Campbell's, except that the Campbell soup has the brand label on it, but

they're both made by the same company, they're both the same high quality soup. One is a little different, the only difference being the label, and the only difference being perhaps in price because of different merchandising costs attached to it. If that's what we're talking about, if we're talking about his amendment and our amendment being identical, except for he throws in the phrases "symbolic and declaratory," then, Mr. Speaker, we have a problem that we will continue to debate. Mr. Speaker, we will debate with further amendments.

I can assure you, Mr. Speaker, as Opposition House Leader, there are 23 members on this side that will debate on this amendment, and on four or five to come.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Member for Rhineland.

**MR. A. BROWN:** Mr. Speaker, would the Legislature consider calling it 5:30?

**MR. SPEAKER:** Is it the pleasure of the House to call it 5:30? (Agreed) In which case, I'm leaving the Chair to return this evening at 8:00 p.m.