



Second Session - Thirty-Sixth Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(Hansard)**

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



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

<b>Name</b>	<b>Constituency</b>	<b>Party</b>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 21, 1996

The House met at 1:30 p.m.

*THAT MTS has made over \$100 million since 1990 and this money has stayed in Manitoba; and*

### PRAYERS

### ROUTINE PROCEEDINGS

*THAT MTS contributes \$150 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and*

### PRESENTING PETITIONS

#### Manitoba Telephone System

**Mr. Doug Martindale (Burrows):** Madam Speaker, I beg to present the petition of Marie Van Aschte, Rita Tervoert, Stella Mucz and others requesting that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

*THAT MTS with nearly 4,000 employees, including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms and headquartered in Manitoba is committed to Manitoba; and*

*THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.*

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, I beg to present the petition of Hugh Fulford, Laura Ter Horst, E.N. Tapp and others requesting that the Premier withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

*WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System.*

**Mr. Steve Ashton (Thompson):** Madam Speaker, I beg to present the petition of L. Gayle Gossfeld, Hilda Linklater, Larry McDonald and others requesting that the Premier withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

**Madam Speaker:** I have reviewed the petition of the honourable member for Swan River (Ms. Wowchuk). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

### READING AND RECEIVING PETITIONS

**An Honourable Member:** Yes.

#### Manitoba Telephone System

**Madam Speaker:** Yes. The Clerk will read.

**Madam Speaker:** I have reviewed the petition of the honourable member for Thompson (Mr. Ashton). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Mr. Clerk (William Remnant):** The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

**An Honourable Member:** Dispense.

*THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and*

**Madam Speaker:** Dispense.

*THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs; and*

*THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and*

THAT MTS, with nearly 4,000 employees including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms and headquartered in Manitoba is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

**Madam Speaker:** I have reviewed the petition of the honourable member for Broadway (Mr. Santos). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Agreed.

**Madam Speaker:** Yes. The Clerk will read.

**Mr. Clerk:** The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees, including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the

Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

\* (1335)

**Madam Speaker:** I have reviewed the petition of the honourable member for Osborne (Ms. McGifford). It complies with the rules and practices of the House. Is it the will of the House to have the petition read? Yes. The Clerk will read.

**Mr. Clerk:** The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America, thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees, including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

**Madam Speaker:** I have reviewed the petition of the honourable member for Interlake (Mr. Clif Evans). It complies with the rules and practices of this House. Is it the will of the House to have the petition read? Dispense.

*THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America, thousands of jobs and keeping profits in Manitoba; and*

*THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and*

*THAT MTS, with nearly 4,000 employees, including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms and headquartered in Manitoba is committed to Manitoba; and*

*THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.*

*WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.*

**Madam Speaker:** I have reviewed the petition of the honourable member for Burrows (Mr. Martindale). It complies with the rules and practices of the House. Is it the will of the House to have the petition read? The Clerk will read.

**Mr. Clerk:** The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America, thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS with nearly 4,000 employees, including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

## ORAL QUESTION PERIOD

### Royal Commission on Aboriginal Peoples Report Government Review

**Mr. Eric Robinson (Rupert's Land):** Madam Speaker, the Royal Commission on Aboriginal Peoples tabled its report in Ottawa, and it gives hope to the First Nations in this province and also in this country. Considering that Manitoba and Winnipeg have the highest percentage of its population of aboriginal ancestry than any other city and province throughout this country, this report also gives the federal government an opportunity to establish a true partnership with First Nations. Having said that, it also gives the provincial government an opportunity to establish a working relationship with First Nations people as the federal government is calling on provinces to do.

I would like to ask the Premier this afternoon if he will immediately strike a cabinet committee to review the report and ensure that the report is taken into consideration in all departments before the next budget is determined.

**Hon. Gary Filmon (Premier):** I thank my honourable friend for the question. Indeed, I believe that the report, that has been five years in the developing that has resulted from extensive consultations right across Canada, including two lengthy meetings that I had with the commissioners along with members of my cabinet, is one that we are all looking forward to receiving. I have not had an opportunity to see the report. Quite honestly, with it being more than 4,000 pages, it will take quite some time for review.

I believe that it is important that we get a review underway as quickly as possible. I would be having our policy staff do that as quickly as we receive it and commence a process that may well lead to our having cabinet discussions and decisions made about future directions.

I concur with the member's statement about the need for partnership. Indeed, when I was at the meeting of some Premiers with our aboriginal leaders in Calgary less than a month ago, that was the key recommendation that we shared at that meeting, the fact that the impacts of the various challenges that face aboriginal peoples in Canada

are ones that cannot be solved solely by aboriginal peoples or their leaders nor probably solely by the federal government but rather by all levels of government and indeed leaders from the aboriginal community and the broader community.

I believe that there are many things we will want to work on that will come forward from this review, and I believe that we will want to give it careful consideration. I am disturbed when I hear comments about it gathering dust on shelves in the minister's office. I, for one, believe, given the fact that Manitoba has the highest percentage of aboriginal population of any province in Canada, we ought to be giving it serious review and consideration.

\* (1340)

**Mr. Robinson:** Today the national leader, Ovide Mercredi, and others said, failure to act on these recommendations will condemn another generation of aboriginal people to lives of poverty and frustration.

I would like to ask the Premier if he would make that commitment today to make action on this report a priority of this province.

**Mr. Filmon:** As I have indicated, there are some 4,000 pages and, I gather, hundreds of recommendations. I am not sure which recommendations might call for action from the provincial government. Until I receive the report, I cannot say what actions can be taken, Madam Speaker, but I will say this, that I believe that the report does deserve serious consideration from our government in the context of what we might be called upon to do by way of partnership with others, and we certainly will give that very serious consideration.

**Mr. Robinson:** In many ways the report that was tabled in Ottawa this morning could be compared to the Aboriginal Justice Inquiry report of 1991. Its goals are far-reaching and comprehensive in recommending new powers of self-government and economic development.

I would like to ask the Premier today if he will today contact the Assembly of Manitoba Chiefs, MKO and other aboriginal organizations in this province to set up an early meeting to plan how the government can work in

partnership with First Nations and other aboriginal people on this landmark report.

**Mr. Filmon:** Madam Speaker, yes, indeed, our government was pleased to act on many of the recommendations of the Aboriginal Justice Inquiry and has been pleased to invest considerable dollars in the accomplishment of many of the goals that were put forward in the Aboriginal Justice Inquiry.

Madam Speaker, I believe that it will be important for us to partner with the leadership of the aboriginal community, indeed, many people throughout the aboriginal community and leaders throughout our society, in addressing many of the challenges that face us as a province and face the aboriginal people of this province.

I can tell the member opposite that it has been our habit to meet periodically with the Assembly of Manitoba Chiefs, together with cabinet, and to take a look at the challenges that face us and to try and take on a number of the issues that we believe we could productively work on and solve by working together. This report will be no different. As soon as we have an assessment of the report and an evaluation of what areas call for our participation, I am sure that we will want to contact the AMC and others who are identified as important to the solution of our aboriginal challenges in Manitoba.

#### **Royal Commission on Aboriginal Peoples Report Implementation**

**Mr. Oscar Lathlin (The Pas):** Madam Speaker, of all the provincial governments across Canada, this government here in Manitoba has the worst record when it comes to the treatment that it gives aboriginal people in Manitoba, and we have all kinds of evidence to prove that.

One needs only to look at the way fishing and hunting have been treated by this government, the Access programs, the friendship centres and all the aboriginal program funding that has been eliminated. My question to the First Minister is, will this Premier finally get on board with others and get serious and take this report as an opportunity, finally, to develop an implementation plan and show Canadians that he is, indeed, genuinely interested in doing something positive?

**Hon. Gary Filmon (Premier):** Madam Speaker, the blind rhetoric that is put forth by the member for The Pas shows how he is more interested in partisan politics than he is in solving the real challenges that face aboriginal people in this province.

While his government was in office, they gave nothing but lip service to all the major issues that faced and challenged aboriginal people in this province. We have absolute confirmation. We had the Northern Flood Agreement that sat on their table, not being acted on for more than a decade with absolutely no commitment for them to solve the challenges of the Northern Flood Agreement.

\* (1345)

Since we have been in office we have conducted negotiations in good faith; we have settled with three of the five First Nations or are coming very close to settling with them. Outstanding for a century was the issue of treaty land entitlement—absolutely zero commitment made by the members opposite, nothing but empty rhetoric. This government finally, after eight years of hard work, has brought together an agreement in principle on treaty land entitlement. This government—while that administration, the NDP, sat there and did zero on the northeast transmission line—worked on it, committed to it and has committed significant funds, the better part of \$100 million for the northeast transmission line in this province. This government with no help, with no action from members opposite, has entered into an agreement exempting the First Nations from paying taxes on areas like cigarettes, fuel and other matters. That is the kind of nonsense we get if we listen to the empty rhetoric of the member for The Pas.

**Madam Speaker:** The honourable member for The Pas, with a supplementary question.

**Mr. Lathlin:** Madam Speaker, I would be sensitive too if I had a record like that—

**Madam Speaker:** Order, please. I would remind the honourable member for The Pas he was recognized for a supplementary question that, accordingly to our rules, requires no postamble or preamble.

**Mr. Lathlin:** Madam Speaker, given that the so-called Working in Partnership: The Manitoba Policy on First Nation Government inherently contradicts the goals of the commission by suggesting that the province has no role to play whatsoever, will the Premier withdraw that policy and for the first time work with First Nations in this province?

**Mr. Filmon:** Madam Speaker, as I have indicated in the lengthy answer that I gave earlier to the member opposite, all of these areas that we have worked on in partnership have been to the tremendous benefit of the aboriginal people of Manitoba. They have involved hundreds of millions of dollars of investment in our aboriginal communities by this administration, investments that were talked about by members opposite but never, ever implemented because all they got was a lot of lip service and empty rhetoric and he can talk all he wants about the kinds of things that he stands for, but he stands for talk and we stand for action.

**Madam Speaker:** The honourable member for The Pas, with a final supplementary question.

**Mr. Lathlin:** Madam Speaker, I am going to table this document, Working in Partnership: The Manitoba Policy on First Nation Government.

My final question to the First Minister is that I would like to ask him, since he has spent \$250,000 on an urban aboriginal policy since 1988 and no results coming from that study, I wonder if the First Minister can tell the House today whether he will use the opportunity of this report to finally decide to take action on that policy and maybe act on it this year.

\* (1350)

**Mr. Filmon:** Madam Speaker, more particularly we have been investing hundreds and millions of dollars in the various programs I spoke about, the Northern Flood Agreement settlement, treaty land entitlement, the rebate of taxes to aboriginal First Nations, the north-central transmission line. These are all significant major impacts in a positive way on the economic lives of the First Nations of Manitoba. But I tell the member opposite that, with respect to urban aboriginal actions and policies, we have that as an issue that is now being led by the Round Table on Environment and Economy in

Manitoba and he will indeed see some very positive programs and policies developed and come forward from that initiation.

### **Aboriginal Justice Inquiry Implementation**

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, I am very disappointed in the answers and the rhetoric of the Premier today about the questions being posed by members in the Chamber dealing with aboriginal people in this province and the aboriginal inquiry.

Madam Speaker, recommendation No. 1 proposed to this provincial government recommends a joint commission between aboriginal people in Manitoba and the provincial government to implement the recommendations of the Aboriginal Justice Inquiry. That recommendation was made to this Premier and this government some four or five years ago. We had fancy press conferences and no action. When is the Premier going to implement recommendation No. 1 of the Aboriginal Justice Inquiry and have a joint commission with First Nations people to implement the AJI report as they recommended year after year?

**Hon. Gary Filmon (Premier):** Madam Speaker, I repeat for the member opposite that this government has implemented many of the recommendations that were contained in the Aboriginal Justice Inquiry. I could have the Minister of Justice (Mrs. Vodrey) go through chapter and verse listing many of the major recommendations and other recommendations of the inquiry.

This government is committed to do the things within its power that it can in partnership with the aboriginal community, and we will continue to do so.

### **Funding Reduction Access and New Careers**

**Mr. Gary Doer (Leader of the Opposition):** In the early '70s this Legislature introduced programs called Access and New Careers. It was a way of having training for people in First Nations communities to be nurses, to be teachers, to be social workers, to be professionals in their own communities. It was also a way to have training and education programs in our urban com-

munities, to give people hope and to give people an opportunity.

This government has cut funding to Access and has cut funding to New Careers. It has bombed the bridges of opportunity for many First Nations people. I would like to ask the Premier in the spirit of his first answer today, to working in partnership in the future, will he allow people to get education and training and Access programs and New Careers training programs so people can have opportunity in the future? Will he reinstate the funding and reinstate the investment in First Nations people in partnership, like his words today?

\* (1355)

**Hon. Gary Filmon (Premier):** Madam Speaker, I remember this government in The Pas announcing the Northern Nursing Program with the member for The Pas (Mr. Lathlin) who was then the Chief of the Opaskwayak Cree nation, and I remember him complimenting us about that program and talking about what a great thing this was for the North and what a great thing it was for his people. This government, despite massive cuts from Ottawa with respect to the Access program, has maintained funding for Access. It continues to put significant funds into the Access program in Manitoba because we acknowledge—I have met with students who are taking engineering, students who are taking law and various other degrees through the Access program. BUNTEP. I have been with BUNTEP students both in Brandon and in northern communities. This government continues to invest in those things for the future—

**An Honourable Member:** We set it up.

**Mr. Filmon:** —because we believe that it is a good thing. Yes, and the member for Brandon East (Mr. Leonard Evans) says, we set it up. Absolutely, absolutely. We will give him credit for it, and this government has continued to provide it because we believe it is a good program, and we continue to invest in it, Madam Speaker.

### **Friendship Centres**

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, this government has cut Access opportunities; this government has cut New Careers programs. Even



Sterling Lyon would not cut New Careers. This Premier was so callous that he cut programs that allowed people to get jobs and opportunities for First Nations people. He knows it, I know it and First Nations people know it, and he should not deny the truth.

I would like to ask the Premier, why did the government cut money and support for friendship centres that allowed people to get vocational training, allowed people to get hooked up to jobs and opportunities, in fact, even had youth crime prevention workers in the inner city—eight youth crime prevention workers—cut by this Premier and this government? Will he reinstate the support for friendship centres so those centres can support First Nations people both in our urban settings and in our First Nations communities?

**Hon. Gary Filmon (Premier):** Madam Speaker, there is no one right answer to dealing with some of the challenges that are faced by our aboriginal people, particularly the two-thirds in Manitoba who now live off reserve and in our cities and towns and villages. This government continues to look for new and better ways to ensure that the money that we invest in our aboriginal people goes to lifting them up and giving them greater opportunity and giving them pride in their heritage and opportunities to be—[interjection]

**Madam Speaker:** Order, please.

**Mr. Filmon:** Madam Speaker, I cite but one example: Our New Directions in education contains, for instance, courses which will give students a better understanding of the history of aboriginal people and of their contributions to Manitoba society.

I quote from a letter from the United Church of Canada complimenting us for putting that in. They say: In learning the true story of aboriginal people, we believe that students will come to a better understanding and appreciation through the differences and contributions of all of the diverse peoples of their country.

This government continues to find ways to try and include aboriginal people to do more things for education, training and all of the things that will help them meet the challenges of tomorrow.

### **Manitoba Telephone System Privatization**

**Mr. Steve Ashton (Thompson):** The way in which the government is dealing with the sale of the Manitoba Telephone System is arrogant, it is incompetent and it is also raising many questions about legality as well as ethics.

Our legislation in terms of securities makes it very clear that no one can trade in any security prior to the filing of a prospectus, and that includes solicitation.

I would like to table a letter I have written to the Manitoba Securities Commission with two solicitations from financial firms and also one I just received a few minutes ago from an individual who had received something from Wood Gundy.

I would like to ask the Premier if he can indicate what action he will be taking to deal with the situation we find ourselves in now where many brokers, including Wood Gundy which is dealing with the sale of MTS as one of the lead brokers, are sending out letters soliciting on the sale of MTS, something that is clearly illegal under our legislation.

**Hon. Gary Filmon (Premier):** Madam Speaker, I am sure that the member opposite would not want me to intervene or interfere with a quasi-judicial tribunal such as the Manitoba Securities Commission. So I say to him he has done the right thing by bringing that information forward, by sending it over to the Securities Commission. I am sure that they will treat it seriously, as they ought to.

### **Privatization—Brokerage Firms**

**Mr. Steve Ashton (Thompson):** I would like to ask, as a supplementary, whether the Premier will deal with something that is within his direct control and that is the appointment of the lead brokers, Wood Gundy, which also by the way is one of the brokers that recommended the sale, and whether in particular he will raise concerns about one of the letters which states that we do not know the details—and it is in brackets next to it, it says “officially”—and then goes on to suggest that it has information from press reports on the sale.

How does he feel that it is appropriate for the brokers that are drafting the prospectus to be issuing statements in advance of the sale when clearly there is a potential for them to have information that should not be available to them, which should not be involved in any solicitation to the public?

\* (1400)

**Hon. Gary Filmon (Premier):** The correct process, obviously, is to find out through the Securities Commission investigation whether or not they have information that is not available to other people and whether or not the information that they have available or are willing to share contravenes any aspect of the legislation that governs the Securities Commission. So that is the process obviously that will be followed. I commend him for following that process, and clearly we will be guided by the findings of the Securities Commission on the matter.

**Mr. Ashton:** As a final supplementary, I would like to ask the Premier again, will he not deal with the fact that the lead brokers in this particular case are also sending out solicitations? Will he not withdraw their position as the two lead brokers who are drafting the prospectus? Clearly, there is at least a conflict of interest and there is a distinct possibility and concern that many people have that these lead brokers have inside information which should not in any way, shape or form be put out in the kind of document we are receiving for Manitobans today.

**Mr. Filmon:** Madam Speaker, I see various names, from Rice Financial, Summit Securities and so on here, so there are a number of different issues that have been raised. I said earlier that I am not in a position to judge whether or not something contravenes Securities Act legislation, only that quasi-judicial body, the Manitoba Securities Commission, can make that judgment. So before I go and hire or fire or do anything on this issue, I would obviously have to take my lead from the Manitoba Securities Commission.

#### **Manitoba Liquor Control Commission Overservice Restriction**

**Mr. Gary Kowalski (The Maples):** Madam Speaker, my question is for the Minister responsible for the Liquor Control Commission.

In the most recent report of the Liquor Control Commission—and I will table a section today in the Chamber—it indicates that the number of inspections of licensed premises was 27,931 in 1992. In 1996, it had decreased to 27,284. Recently, the chief of the Winnipeg Police Services stated that his job would be made easier if there was a co-ordinated effort between the Winnipeg Police Services and the Liquor Control inspectors to restrict overservice in bars.

My question is, what is the minister doing to enforce The Liquor Control Act to prevent overservice?

**Hon. Harold Gilleshammer (Minister charged with the administration of The Liquor Control Act):** Madam Speaker, I, too, was made aware of the comments by the police chief of the City of Winnipeg and in discussions with the chair of the board from the Manitoba Liquor Control Commission. Certainly, they have offered the services of their inspectors to work with the city police to act appropriately to look at any of the cases that they want to point out, and I think through the efforts of the chairman and the board that a good and valuable partnership is being established.

#### **Liquor Inspectors—Increase**

**Mr. Gary Kowalski (The Maples):** Is the minister going to respond to requests from the Winnipeg chief of police and increase the number of liquor inspectors to do this work?

**Hon. Harold Gilleshammer (Minister charged with the administration of The Liquor Control Act):** Madam Speaker, in discussions with the board chair and people at the commission, they take their responsibilities very seriously in regard to inspections. I think it is an issue of a more appropriate deployment of the inspectors that we have. The commission is working very closely with Winnipeg city police to be sure that that takes place.

**Mr. Kowalski:** I will ask again, is the minister going to respond to requests for more liquor inspectors and continue a co-ordinated working with the Winnipeg Police Services?

**Mr. Gilleshammer:** Madam Speaker, I think if the member will look carefully at the comments made by the chief of police, it was more inspections in a particular

area of the city that he was calling for. That does not necessarily translate into more inspectors as it would be a redeployment of the existing inspectors.

### **Manitoba Lotteries Corporation Video Lottery Terminals**

**Mr. Steve Ashton (Thompson):** Madam Speaker, my question is to the Premier.

Many Manitobans were shocked to learn today that the government, after requiring that 650 VLTs be taken out of Manitoba hotels and other establishments, was at the same time adding 496 machines to its own facilities here in Winnipeg. I would like to ask a question to the Premier (Mr. Filmon) because I know he has stated already publicly that this was slipped in.

I am wondering if he will perhaps instruct his Minister of Lotteries and Finance to make sure that those machines are slipped out and that we have the bottom line of what the Desjardins commission and what the government itself said would happen, a reduction in numbers of machines and not this unfair situation where rural hotel owners are being treated one way and the government itself is being treated another.

**Hon. Eric Stefanson (Minister charged with the administration of The Manitoba Lotteries Corporation Act):** Madam Speaker, some time ago the Manitoba Lotteries Commission did a customer survey and found that many of their customers, in fact the majority of their customers, preferred the electronic bingo as opposed to the paper bingo, so what is being done over the course of the next short period of time is Manitoba Lotteries Corporation is installing some new machines in the two gaming facilities, but they will provide electronic bingo services only. There will be no other gaming. There will be no poker, there will be no keno, there will be no break-opens or whatever. It will be only substituting some of the paper bingo for some of the electronic bingo. If the member saw the comments of one of the senior executives from the Manitoba Hotel Association, they themselves indicated they had no problem with substituting electronic bingo for paper bingo, and that is all that will happen in the gaming facilities.

**Mr. Ashton:** Madam Speaker, I want to clarify this because the Lotteries Commission itself stated publicly that these machines will be used for purposes, including VLTs, not strictly for bingo. If that is the case, and I accept the minister on this, will he instruct the Lotteries Commission to perhaps get its act together because the Lotteries Commission has also extended the hours at its facilities which again is in contradiction of what the government said, when it said it would reduce the level of gambling in this province. Will it get its act straight with the Lotteries Commission?

**Mr. Stefanson:** Madam Speaker, the Lotteries Corporation today is saying exactly what I am saying. I believe they have been contacted by some media outlets and others about this issue. They are saying exactly the same thing, that it will be electronic bingo substituting paper bingo, but the reason for these kinds of machines is they are compatible with the system that is already in place, and the electronic bingo is exactly compatible with the paper bingo, so that is the reason for those machines. But the only service that will be offered will be electronic.

He mentions the hours, and again if he goes back to the independent review done by the Larry Desjardins committee, they suggested turning over the hours to the Lotteries Commission, to give them complete autonomy. When they did a survey across Canada, many of the casinos operate 24 hours a day. We do not think that is appropriate in Manitoba. We looked at our neighbouring province, Saskatchewan, and the hours in the gaming facilities in Manitoba are literally identical to the hours in the gaming facilities in our neighbouring province of Saskatchewan.

### **Gaming—Hours of Operation**

**Mr. Steve Ashton (Thompson):** A final supplementary, and since the minister is now correcting Lotteries, or vice versa, I am wondering if he will perhaps correct that hour extension because it is in complete contravention of the Desjardins commission which wanted to reduce gambling, and why will they not refer that issue to the commission to let them make the recommendation rather than slipping it in before they set up the independent commission?

**Hon. Eric Stefanson (Minister charged with the administration of The Manitoba Lotteries Corporation Act):** Madam Speaker, I am not convinced that member read the Larry Desjardins committee report, or read our response to it, because if he did he would notice that the commission recommended no adjustment in gaming in Manitoba. This government took the initiative to recommend and to follow through with a reduction of 650 machines, so I encourage that member to—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please. The honourable Minister of Finance, to complete his response.

**Mr. Stefanson:** I think I have to point out to the member the independent committee recommended no adjustment in the number of gaming devices. The chairman put it in his own report and suggested some kind of meaningful adjustment. We followed through on that, in light of both his comments and other research that we did, and we did put in place a meaningful reduction of 15 percent of VLTs, 10 percent of gaming machines in Manitoba, 650 machines, so we went further than the gaming commission in that area.

But the issue of hours, the Desjardins committee recommended turning it over to the Lotteries Corporation. If they had their way and compared their facilities to all those across Canada, as I have already told the member, most facilities are operating 24 hours a day in other provinces in Canada. We do not think that is appropriate in Manitoba. We modelled the hours in place in Saskatchewan and that is more in keeping with what should be in place in our province.

\* (1410)

#### **Manitoba Lotteries Corporation Gaming—Reduction Impact**

**Ms. Marianne Cerilli (Radisson):** Madam Speaker, with the shell game that the government is playing with VLTs in this province, some of the real losers could be the sport bodies and other community groups that rely on the paper bingo for revenue. The government is eliminating one-quarter or up to 312 tables for bingo and replacing them with gaming machines. Since the Premier

(Mr. Filmon) said on the radio this morning that this was authorized by the government, I want to ask him, what is the impact going to be of losing this number of tables for paper bingo on the sport groups that rely on it for funding?

**Hon. Eric Stefanson (Minister charged with the administration of The Manitoba Lotteries Corporation Act):** Madam Speaker, those groups are funded on the basis of per event that they participate in and, therefore, there will no change in the opportunity for funding for those organizations.

#### **Manitoba Lotteries Corporation Gaming—Reduction Impact**

**Ms. Marianne Cerilli (Radisson):** I would like to ask the Minister of Sport what he is going to tell the representatives tonight at the meeting of the game plan with all the sport governing bodies when they ask the same questions, what they have been concerned about for a number of years now, that the VLTs are taking over the paper bingo. It is going to be phased out. They now are only required to have 10 volunteers. They are concerned that they are going to lose this source of revenue. What can the minister tell the House and what will he tell those groups tonight?

**Hon. Jim Ernst (Minister responsible for Sport):** Madam Speaker, the first thing I would tell them is that we fund sport on a per capita basis in the top two in Canada. So that is the first thing I will tell them.

Madam Speaker, the Minister responsible for Lotteries has just explained to the member for Radisson that there is no change. They have and will continue to get lottery dates and the funding attached to those lottery dates is also unchanged, so I think their fears perhaps are unfounded.

#### **Manitoba Lotteries Corporation Gaming—Reduction Impacts**

**Ms. Marianne Cerilli (Radisson):** Can the minister assure the House that the \$2.2 million to sports from these bingo games will not be reduced next year, and can he confirm that the number of tables for bingo in the Club Regent and McPhillips Street Station will not be

continued to be reduced so that this money is eroded to the sports?

**Hon. Eric Stefanson (Minister charged with the administration of The Manitoba Lotteries Corporation Act):** Madam Speaker, they will have exactly the same opportunities to provide the services at events and generate approximately the same amount; whether it is exactly the same remains to be seen, but certainly it will be in the similar vicinity. It will be in the same vicinity as what it is because there is no change in the process, no change in the funding level. They do get funded on the basis of per event so the entire process, the entire funding mechanism will all remain unchanged. So the total level of funding should be approximately the same.

### Manitoba Hydro Power Surge

**Ms. MaryAnn Mihychuk (St. James):** Madam Speaker, during the recent blizzard that Winnipeg faced, several sections of Winnipeg, including Riverbend and River Park South, experienced extended periods of power outage, and many then experienced a massive power surge resulting in damage to many electrical appliances and mechanisms. Manitoba Hydro has apparently rejected all compensation.

Will the Minister responsible for Hydro tell the House whether he concurs with Manitoba Hydro's interpretation that system line resetting, which was the result of the power surge, is an act of God?

**Hon. Darren Praznik (Minister charged with the administration of The Manitoba Hydro Act):** Madam Speaker, I may have some training in the laws of this earthly world, but I would not for one moment want to be accused of having the ability to judge on the laws of heaven and of God.

I would like to say that I have read the same report that I am sure the member has that was covered in today's news media. I know from time to time we have had these issues come forward to my office's attention as to whether or not Hydro's position in the matter is a correct one. I, certainly, in reading the same story, want to ensure that Hydro is acting in a fair manner to those who were

involved, and I will certainly endeavour to investigate the matter.

### Compensation

**Ms. MaryAnn Mihychuk (St. James):** Will the minister, in his review of the situation, include the emergency response times and units available, customer service and the compensation policy so that the residents of families that were affected will be properly and fairly treated?

**Hon. Darren Praznik (Minister charged with the administration of The Manitoba Hydro Act):** I noticed in the member's comment that she asked for me to ensure that the people involved are fairly treated, and I respect that question. I did not hear her asking that they receive compensation, and she, like myself, has not made a judgment, I think, on the situation.

I think it is important to remember that there are certain matters that a hydro utility or an electrical utility or service cannot control. Perhaps there are ways. I know there are many industrial users from time to time who face these with large costs. Some of my colleagues have brought those situations to my attention.

Perhaps it is time for Hydro to look at their whole policy, given the amount of electrical equipment that is on-line that severe damages that can result, who should cover that, what kind of schemes should be in place to ensure that damage is collected. Yes, it is time for a look at that, and I certainly would ask the Hydro board to have a look at it.

**Madam Speaker:** The honourable member for Kildonan, with one very short question.

### Health Sciences Centre Capital Projects

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, this government brags about finally producing the capital plan for the Cancer Treatment Centre, but they did that after we called a press conference and showed the Premier (Mr. Filmon) promising the plan during the election campaign and shaming them into doing the capital.

**Some Honourable Members:** Oh, oh.

**Mr. Chomiak:** Maybe the Premier will answer the question, Madam Speaker, since he is speaking from his seat.

**Madam Speaker:** Order, please. The honourable member for Kildonan, to quickly pose his question.

**Mr. Chomiak:** Since the accreditation, people are coming back to the Health Sciences Centre. Since this plan has been promised by the government but now cancelled by the government to renew the operating rooms, and since the hospital says they fear what might happen in the accreditation when the accreditation committee comes back, will the minister finally, after eight years in office, after promising this plan over and over again, today outline for the people of Winnipeg and Manitoba—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please. The honourable member for Kildonan, to quickly pose his question.

**Mr. Chomiak:** Will the Minister of Health (Mr McCrae) today assure this House that the capital required for Health Sciences Centre operating rooms will immediately go ahead so the hospital is not faced with accreditation problems by the Canadian council who have said that they do face those problems and that the city of Winnipeg and the people of Manitoba deserve first-class operating rooms at the Health Sciences Centre?

\* (1420)

**Hon. James McCrae (Minister of Health):** The honourable member ought not to delude himself about the role that he might have played in getting the Manitoba Cancer Treatment and Research Foundation project on the tracks. In his efforts at self-aggrandizement, the honourable member simply makes a fool of himself.

The people at the Manitoba Cancer Treatment and Research Foundation, working very co-operatively with Manitoba Health, we have come together to a point where we are able to put that project into operation and get on with that project. It will be that same kind of spirit which will bring about other projects in Manitoba, an ability to

work co-operatively with the government and with the people of Manitoba.

We are looking to communities for their input with respect to capital projects throughout the province, but again I say, the honourable member ought not to delude himself about any positive role he has played.

**Madam Speaker:** The time for Oral Questions has expired.

### Speaker's Ruling

**Madam Speaker:** I have a ruling for the House.

On November 18, the government House leader rose on a point of order requesting a ruling on the interpretation and implementation of Rule 102. In making the request, the key points in his submission were: Rule 102.(1) requires all government bills to receive third reading not later than the last day of the fall sitting; on November 12, I as Speaker had ruled that according to our Rule 2.(3)(a), November 28 was to be the last day of the fall sitting; Rule 102.(1) does not provide a mechanism to bring a bill to a vote by the adjournment hour of 5:30 p.m. on November 28.

The government House leader proposed that a series of steps be identified in order to give effect to Rule 102.(1).

I would like to acknowledge and thank the honourable government House leader (Mr. Ernst), the honourable opposition House leader (Mr. Ashton), the honourable member for Inkster (Mr. Lamoureux) and the honourable member for The Maples (Mr. Kowalski) for their contributions and the positions they advanced.

Rule 102.(1) does say that all government bills will normally receive a vote on third reading not later than the last day of the fall sitting. There are exceptions set out in Rules 102.(2) and (3), but Bill 67 does not fall into those exceptions. The December 22, 1995, memorandum of understanding is even stronger in its language as it provides that all bills introduced in the spring sitting "will proceed to a vote on third reading and Royal Assent not later than the final day of the Fall Sitting."

It appears that the issue of how the various stages of a bill are to be completed so that the bill can receive third

reading on the final day of the fall sitting was not contemplated when the provisional rules were adopted. Accordingly, there is a gap in the rules.

As your Speaker, I feel that ideally the House should be providing a solution, and in my opinion, the negotiation process provides the most satisfactory solution. Under normal circumstances, a negotiated agreement would have provided a remedy for this situation. However, in the absence of such an agreement from the House, the Speaker is placed in a very difficult position. I am mindful of the process that was unanimously agreed to by all members of this House in the drafting and adoption of our provisional rules. I believe these rules were intended to facilitate the flow of business, improve the opportunities for private members and increase the effectiveness of our procedures.

When interpreting the rules, the Speaker should take into account not only the intent of the rule but the spirit of the rule in finding a common-sense solution. The rules provide that the deadline for consideration is to be November 28, 1996. How the time is to be allocated so that the vote on third reading occurs no later than the normal adjournment hour, with time for royal assent to be given if the bill passes, is something that should be settled by House leaders.

The Speaker is bound by the rules of the House. They provide that bills must come to a vote on third reading by the end of the fall sitting. These provisions were agreed to by the House. In the absence of a direction from the House that this rule should be varied or waived, the Speaker's rule is to give effect to the rules.

In 1987, Speaker Fraser of the House of Commons, when faced with a similar situation, ruled that he was obliged to provide direction to the House. Beauchesne Citation 328, which is based on his ruling, states in part that "the Speaker has some general responsibility for the operation of the House." The citation goes on to quote from the Speaker Fraser ruling. I would like to quote from it now. "The House is . . . facing an impasse which it has been unable to resolve for itself. There comes a time—"

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please. This is a very serious and a very important matter, and I would appreciate if all honourable members would give the Speaker the courtesy to continue to put the ruling on the record.

I would like to quote from it now.

"The House is . . . facing an impasse which it has been unable to resolve for itself. There comes a time when the Chair has to face its responsibilities. When circumstances change and the Rules of Procedure provide no solution, the Chair must fall back on its discretion in the interests of the House and all its Members . . . ."

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Wait until I am finished, please.

Also in that ruling, Speaker Fraser noted that one of the functions of Speaker is to ensure that the House is able to transact its business. Speaker Fraser also said in his ruling that "This is not the first time the House has had to deal with controversial legislation, neither will it be the last. It is essential to our democratic system that controversial issues should be debated at reasonable length so that every reasonable opportunity shall be available to hear the arguments pro and con and that reasonable delaying tactics should be permissible to enable opponents of a measure to enlist public support for their point of view. Sooner or later every issue must be decided, and the decision will be taken by a majority."

Admittedly, it is unusual for a Speaker to allocate time for debate. That is why there should be an agreement by House leaders as to how the time is to be allocated on report stage and at third reading. In the absence of an agreement, the government could introduce a motion for time allocation. Of course, the government could always use Rule 43 and introduce a motion for closure. In the absence of any government motion, the Speaker would have to rule on the allocation of time so that the deadlines established in the rules can be met.

As Speaker, I feel that it is my duty to apply the rules that the Assembly has adopted and therefore, in the absence of an agreement between the government and the

opposition and in order to ensure that all members utilize the remaining time most productively, I am serving notice to all members that, in order to comply with Rule 102, if report stage amendments are not completed at 2:45 p.m. on Wednesday, November 27, the question will be put on the report stage amendment then under debate. Any report stage amendments not yet moved will not be considered after that vote. At 4 p.m. on Wednesday, November 27, the question will be put on the report stage concurrence motion.

Commencing at 2:45 p.m. on Thursday, November 28, the vote(s) will be conducted on those questions necessary to dispose of the third reading of the bill. This timing is designed to allow for royal assent immediately following the vote on third reading.

**Mr. Steve Ashton (Opposition House Leader):** Madam Speaker, in your unprecedented ruling you make reference to agreement between the government and opposition House leader. I want to put on the record that the government House leader (Mr. Ernst) has not had any contact with me of official or unofficial basis since November 7. So what has happened here is that the government chose this route, which is to have you enforce closure on the House rather than dealing with it in the appropriate way.

**Madam Speaker:** I would remind the honourable member for Thompson this is not a time for debate. If the honourable member disagrees with the ruling, the honourable member has the ability and right to challenge the ruling of the Chair.

\* (1430)

**Mr. Ashton:** Madam Speaker, I can assure you that I will be exercising that right, but your ruling makes specific reference to agreement or possible agreement between the opposition and the government House leaders, and I wanted to put that on the record, and also the fact that this ruling makes no reference to Speaker Walding. I sat in the House when Speaker Walding did the appropriate—

**Madam Speaker:** Order, please. Is the honourable member for Thompson challenging the ruling of the Chair?

**Mr. Ashton:** —thing as the Speaker, which was, he did not intervene to stop the bills. Madam Speaker, your ruling is absolutely unacceptable. We challenge your ruling. I challenge your ruling, and I want it put on notice that we will be moving a motion afterwards, no confidence in you as a Speaker of this House.

### Voice Vote

**Madam Speaker:** The ruling of the Chair has been challenged. All those in favour of sustaining the ruling of the Chair, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

### Formal Vote

**Mr. Steve Ashton (Opposition House Leader):** Madam Speaker, in a way I have never done before in 15 years in the House, I want a recorded vote on this absolutely unacceptable, undemocratic decision enforced by you as the Speaker.

**Madam Speaker:** A recorded vote has been requested. Call in the members.

### Division

*A RECORDED VOTE was taken, the result being as follows:*

### Yeas

*Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Kowalski, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.*



### Nays

*Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Hickes, Jennissen, Lamoureux, Lathlin, Mackintosh, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.*

**Mr. Clerk (William Remnant):** Yeas 30, Nays 23.

**Madam Speaker:** The ruling of the Chair is accordingly sustained.

**Mr. Neil Gaudry (St. Boniface):** Madam Speaker, I was paired with the Minister of Environment (Mr. Cummings). If I had voted, I would have voted to sustain the ruling of the Chair.

**Mr. Gary Kowalski (The Maples):** Madam Speaker, I move, seconded by the member for St. Boniface (Mr. Gaudry), that in accordance with Rule 2(b) the Speaker extend the sessional calendar past the normal sitting dates specified in Rule 2(3)(a) in order that this House remain in session until Bill 67 has been fully debated.

\* (1540)

**Madam Speaker:** Order, please.

**Mr. Steve Ashton (Thompson):** Madam Speaker, I was rising on a matter of privilege. I thought the member was seeking—

**Madam Speaker:** I was not aware why the honourable member was standing, but I must deal with the motion that he has proposed here.

The motion proposed by the honourable member for The Maples is out of order because it is a substantive motion that would require notice.

### Point of Order

**Mr. Kowalski:** On a point of order. So when could this motion be brought forward, using the rules, to extend the sitting of the House in the proper way?

**Madam Speaker:** The response to the point of order raised by the honourable member for The Maples is by serving notice.

### MATTER OF PRIVILEGE

#### Role of Presiding Officer

**Mr. Steve Ashton (Thompson):** Madam Speaker, I rise on a matter of privilege, and this will be followed, as according to our rules, by a motion.

Madam Speaker, I regret having to rise today on this matter of privilege because the events we have seen today I never thought I would see in this Legislature in Manitoba. I have had the opportunity to sit in this House since 1981. I have seen many controversial issues. I have seen governments and Speakers placed in very difficult positions.

I was here in 1983 when the opposition led by the current Premier (Mr. Filmon) rang the bells, rang the bells and rang the bells. What is interesting is at that time Speaker Walding did not intervene to shut off the bells, and there was some controversy at the time. I know there were some who would have said that that would have been the appropriate thing to do, but Speaker Walding did not shut off the bells. In fact, the government of the day, the New Democratic Party government, accepted the fact that there was an impasse that could be not be resolved in any way, shape or form other than, in this particular case, going against every rule and tradition of our House and our parliamentary system.

I note, Madam Speaker, that the rules were subsequently changed a number of years later that dealt with that, and that was the appropriate thing to do. You do not invent rules. What you do is you determine rules through a process that has a long tradition in this House of involving all individuals. You do not do that.

I want to indicate, Madam Speaker, that my matter of privilege relates both to the conduct of the government and to your conduct, and I want to indicate that the motion will deal specifically with your role as the presiding officer of this House afterwards. But I want it to be very clear, on the record, and very clear to all Manitobans that what we feel has happened today is that

the government has used you as the Speaker of this House to enforce closure on the sale of the Manitoba Telephone System. What is particularly cowardly about what the government has done is that they did not even use the motion that is on our rules to bring in closure.

Now we may recall the Premier (Mr. Filmon), I think as recently as the last 24 hours, saying, oh, we are not going to bring in closure on the sale of MTS. This is the same Premier who said, we will sit in December and January, if necessary.

Madam Speaker, under our rules, the session can be extended for as long as it takes to deal with full debate on the sale of the Manitoba Telephone System. I ask the question on the record, why the Premier said one thing even a few days ago in terms of this and now has used your office, through the point of order put forward by the government House leader (Mr. Ernst), to enforce closure on this House?

I cannot express how bad the precedent we are establishing here is. I want to stress the background of closure. I did some research, went back to the pipeline debate, 1956, a bitter controversy at that time, Speaker Beaudoin at the time. What is interesting about closure is that in Canada closure is never imposed at the discretion of the Speaker, ever. Unlike the British House of Commons where the Speaker does have that ability, Canadian parliamentary history is very clear: Speakers do not impose closure.

I want to quote from The Office of the Speaker in the Parliaments of the Commonwealth, Philip Laundy. I wanted to quote this because this has to be on the record: It is also interesting to note that the Canadian closure procedure, unlike that of Westminster, does not involve the discretion of the Chair. It is moved by a minister, notice of intention to do so having been given at the previous sitting and decided without amendment or debate. It is less draconian in this operation than the British closure since, if carried, debate may be continued on the House before the question until one o'clock. It is undoubtedly fortunate, given the many other pressures on the Speaker, that he was at least spared the responsibility of deciding whether or not the closure motion should be followed.

I continue: As it was, he was embroiled in a series of complex procedural disputes which culminated in the only motion of censure against the Speaker which the Canadian House of Commons has ever known.

Madam Speaker, today you have not only brought in closure, but, unlike even Speaker Beaudoin in the pipeline debate, you did not even require the government to move the motion. You moved closure. You moved it following next Wednesday and next Thursday. You have now put on the Order Paper something that will deny us the opportunity for having many of our amendments even debated or voted upon in this House. That is the Canadian parliamentary tradition, closure by motion.

I want to deal with Manitoba because unlike the Canadian House of Commons, we do not have a tradition of closure whatsoever. [interjection] Well, the members opposite say we have rules. The rules have a closure provision that is in place. The government has the opportunity to use it, but no government has used that.

What I find particularly offensive—

**An Honourable Member:** You broke the rules.

**Mr. Ashton:** To the Minister of Education (Mrs. McIntosh), I spent many years discussing and negotiating with members opposite and never once—and I include, by the way, the Leader of the Opposition (Mr. Doer) in this case—never once was it ever indicated that there would be scheduled votes. It was indicated that the closure mechanism was still available; that it was not recommended that governments use it since it was not within the Manitoba tradition.

Why do we have a closure provision in the rules when in fact now the government House leader (Mr. Ernst) did not have the courage to use it himself? He is getting you, Madam Speaker, to impose it.

Let us deal with the provisional rules because I take great offence to some of the statements made by members opposite because I spent a long time working on those rules. There are provisions specifically in these rules to deal with a normal situation and to deal with unusual situations. What could be more unique than the sale of the Manitoba Telephone System by a government that said it would not sell MTS, that has no mandate to sell

MTS? This is the most significant financial bill that we have dealt with in this Legislature, not only in decades, but in the history of Manitoba, \$1.5 billion of public assets. It should not be resolved in this way.

The rules which the government House leader, when he raised this point of order, neglected to mention, makes specific reference to the fall sittings normally being eight weeks, later than the last day on Thursday. He never once mentioned that there are other ways in which you can have debate continue. It indicates, under our provisional rules, 2(4), and I want to quote the rule, that "while the House is in spring or fall sittings, if a motion to exceed the concluding dates specified in sub-rules (2) and (3) is passed by the House" the House may deviate from the sessional calendar. So not only does the government have the choice of closure, nothing dies on the 28th of November; they can extend the sitting. They have that option available to them as well.

\* (1550)

I really, Madam Speaker, question how even the government can accept the ruling he raised previously because, quite frankly, when the ruling specifically indicates that there should be consultation between House leaders, I can indicate that the last conversation between House leaders in regard to the rules was on Thursday evening—which I initiated the phone call. I phoned in regard to the committee hearings, and I want this on the record, because what I was amazed at with the government is that I gave clear reference to the fact that there were difficulties regarding Bill 67, the complexity of the bill; it was still in committee. I indicated the leave provisions. I indicated all of that to the government House leader and to the government. They were fully aware of that. They ended up in the—if this was not so serious, it was almost like a comic opera. We had the committee sitting on Friday, the day after they said the session should be over. The bill was still in committee, and they were moving substantive amendments to the bill, amendments that we said on Thursday night would have to be moved to protect the pensions.

Madam Speaker, what did they think was going to happen on the 7th? What did they think? Did they think they could go to the committee the following day and have it retroactively considered as part of the process? How incompetent could this government be to be in the

situation where they gave the amendments on Bill 67 to us on the Wednesday, it was still in the committee on Friday, and they thought somehow everything should have finished on the 7th? But what is most bizarre about their conduct is on the 7th they said, the rules are off, the rules are broken, and they came in the following week and what did they attempt to do?—to shut down the House. They attempted, and what I found most bizarre is they were making this argument we were obstructing the House, by doing what? By requiring normal notice procedures. Nothing more. Nothing less. We were not moving the House adjourned. The government did. They used their majority to shut down the House all last week. That is how committed they were to the rules of this House.

Madam Speaker, it is interesting, with the convenience of the government, because on the Order Paper, it was coincidental, of course, that we have 25 hours of Estimates time that was not considered because of the timetable that was there, time that was not available to the opposition under our rules. The Opposition Day motion, last week we said, we are entitled under the rules to have an Opposition Day on MTS, and do you know what? They did not want that debated in this House. They shut it down rather than debate it. They said the rules were off. Now they said, the rules were on, but do you know what, they said, but the rules are not good enough. We have to do something that has never been done in Canadian history; we have to have the Speaker enforce closure. That is what they have done today. That is unacceptable.

Madam Speaker, let us talk about the Manitoba tradition. We have unique features in Manitoba. We have the committee process. I find it interesting, because government members who did not listen to the public in the committee—the vast majority who are opposed to the sale—said, well, we are unique in Manitoba. We have these committee processes where we have hearings on each and every bill. No courtesy of the government. This is the rules of our House. This is the process we have followed in Manitoba for decades.

What was interesting, Madam Speaker, is that, when they did that, they talk about the unique traditions. One of the other traditions of this House is we have not had closure; governments have not used closure. I have mentioned about the constitutional dispute in 1983. The

New Democratic Party government never once introduced closure on that bill and this Conservative government should be ashamed of itself. This government has no legitimacy or credibility for what it moves. I find it shameful.

I have spent many months talking to Manitobans about the sale of the Manitoba Telephone System. What I find interesting is I started realizing that the government was finally getting the message when they started engaging in personal attacks and the kind of redbaiting from the member for Turtle Mountain (Mr. Tweed). Yes, I was being likened to Fidel Castro because you know what I said, you do not have the right to sell it off and the future government has the right to buy it back. You know what—there are a lot of Conservatives in Manitoba who are saying the same thing. The Deputy Premier (Mr. Downey), he must have thought he really hit a nerve with me when he called me a socialist. I tell you what, Madam Speaker, I think I got him back at least as good when I suggested that the 78 percent of Manitobans in rural Manitoba might be somewhat surprised if they are called socialists, even though a lot of them are going to vote New Democrat in the next election because of this government.

I find it amazing that the government was running around and the kind of personal insults that we were subjected to based on—they blamed us for violating the agreement. What did they expect would happen on the 7th, that we are going to retroactively have the committee meet on Friday and then have it considered Thursday and the bill would go through? The Minister of Education and Training (Mrs. McIntosh), if she cannot figure out that Friday comes after Thursday, she has a real problem. We do lots of things in this House. I realize this is the only place in Manitoba where we do not see the clock. You know, we call 5:30, 4:30, but you do not call Friday, Thursday retroactively.

I say to the government opposite, you know, this is not just about rules. It is about the basic tenets of democracy in this province. I find it interesting that the government when we suggested putting this issue to a vote of the shareholders of Manitoba—a referendum if you want to call it that—and what their argument was at that time, we were elected to make the tough decisions. They were elected to implement what they promised to the people of Manitoba. They promised not to sell MTS. They should

be implementing that. That is what they were elected to do. But what is the most offensive and odious about what the government has done today is the fact they have no mandate to sell MTS. A lot of Manitobans are saying, it is not yours to sell, to the government. They have not had a single public meeting, not one. They will come in this House and members will give big statements, they will attack us personally, they will do whatever they can, but not one of them has had a public meeting on the sale of MTS. You know why—because Manitobans—

**An Honourable Member:** Coward.

**Mr. Ashton:** They are cowards, indeed. Manitobans are saying they do not want their telephone system sold. Do you know what I found interesting? The last few weeks I am getting calls from people who are saying, you know, I am not sure whether I am for or against the sale, but one thing I know is I do not agree with the arrogant, authoritarian, dictatorial way this government is forcing through the sale of MTS. Not only was this government not elected to sell off MTS, it was not elected to break every single rule and tradition of this House by getting you, unlike anything in Canadian history, to enforce closure on this House. I warn this government, because we are not dealing just here with the situation. This is not your caucus. I do not even know if you have votes in there, and I know you were not even consulted in the backbenches on whether MTS should be sold off in the first place. They did not trust you. They did not trust you to have a vote on it. They announced it to you, did not even trust their own board to deal with it.

I do not care how you deal with matters internally. It may be all right for the Premier (Mr. Filmon) and a few select others to make this decision, but this is the Manitoba Legislature. In this House, Madam Speaker, we have centuries of democratic tradition and tradition that dates back to 1870, and you have no right whatsoever to destroy our democratic process in the Manitoba Legislature. I mean, what does it take for the government to realize that what it is doing is odious, getting the Speaker to bring in closure? I want to stress the basic principles of our parliamentary system, because, you know, Beauchesne's Citation 1, "The principles of Canadian parliamentary law . . ." and I want to stress the first part of the citation because I think it sums up exactly what we are dealing with in this case: "To protect a

minority and restrain the improvidence or tyranny of a majority . . . .”

I want to stress another aspect as well, Madam Speaker: “. . . to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.”

That is from Sir John Bourinot, *Parliamentary Procedure and Practice in the Dominion of Canada*, pages 200 to 201.

\* (1600)

“To protect a minority and restrain the improvidence or tyranny of a majority . . . .” What was interesting about that is the New Democratic Party, the opposition in this House, we may be a minority in this House, but when it comes to the Manitoba Telephone System, what this government is doing is using the tyranny of a minority to oppress the will of the majority of Manitobans who do not want MTS sold off.

I want to focus in on the fact it is odious enough that we have closure, but your role, Madam Speaker, in this particular matter. I want to quote Beauchesne, Citation 167: “The essential ingredient of the speakership is found in the status of the Speaker as a servant of the House.” The role of the Speaker in this House is not to be a servant to the government House leader, the Premier or anyone in the Conservative caucus. There are 57 members of the Manitoba Legislature. You are our servant collectively, and by the ruling you brought in today you have no confidence from any member in the New Democratic Party. You are not the servant of this House.

Madam Speaker, I want to quote Beauchesne, Citation 168: “The chief characteristics attached to the office of Speaker in the House of Commons”—which applies to the Manitoba Legislature—“are authority and impartiality.” I want to stress some of the other provisions that indicate how important that impartiality is. “In order to ensure complete impartiality the Speaker has usually relinquished all affiliation with any parliamentary party. The Speaker does not attend any party caucus nor take part in any outside partisan political activity.”

Madam Speaker, I put that on the record because I hope that you have not violated 168(2) with any official

connection with any Conservative function. I hope you have not attended any Conservative Party events or any caucus events, but that is for you and the Conservative Party to explain whether, indeed, that has happened. But you have by your decision today shown a complete lack of impartiality and we will not accept that.

Madam Speaker, I am surprised that you did not look further at the role of the Speaker, because I believe that when you made your ruling earlier today you violated 168(4), which indicates: “Hypothetical queries on procedure cannot be addressed to the Speaker from the floor of the House.” Madam Speaker, the government House leader asked you a hypothetical ruling. There was no violation of our rules at that point of time. A point of order is raised at the point in time in which there is a violation of our rules and procedures. You should have rejected the point of order of the government House leader out of hand because it was a hypothetical situation. Instead, you chose to bring in closure.

Madam Speaker, I cannot believe the situation we are in today. I cannot believe that this has happened. I could have believed many things from this government. I could have believed—you know, I suppose I must admit that I was not shocked when they broke their election promise on the Manitoba Telephone System, but still I was somewhat surprised. I must admit I was not shocked with some of the incompetence of the government in dealing with Bill 67, getting their amendments to us on Tuesday evening. I must admit I was not surprised, the incompetence of the government of getting amendments brought through on 67 on Friday. How about the incompetence of the government, which only this week passed an amendment that we moved on report stage, a bill that was supposed to be over two weeks ago?

I am not surprised by the incompetence of the government, but I am absolutely shocked the government would see any legitimacy in the process that it has adopted today in ramming through, and that is the only word that can be used, they are going to be ramming through the sale of MTS against the wishes of the people of Manitoba, using you, Madam Speaker, to bring in closure.

Madam Speaker, I want to stress to the government that they do not just have to worry about our concerns here in the Legislature. I want to say to you on the

government side, what you have done today destroys any vestige of credibility and legitimacy you have as a government, not just on Bill 67, but for any handling of the public's business. You cannot and will not be trusted by the people of Manitoba to protect our democratic system in this province and handle the public's business. You are incompetent, and you are unethical. I say that to this government—incompetent and unethical.

Madam Speaker, I want to go further, because you do not have to just worry about the Legislature or the people of Manitoba. We also have a legal system in this country. I want to put on notice that we do not accept the legitimacy of any decision made under your ruling next week, not on Wednesday, not on Thursday, not next year, not in three years. I want to put on record to any court of law that considers the legitimacy of these proceedings that the opposition and the people of Manitoba do not accept any sale of MTS conducted in this fashion.

Madam Speaker, I asked the government where they expect us to be going from here. I want to indicate that we are not only moving this motion, but we will never accept your impartiality or authority as Speaker from this day on. I say to the government, if that is the kind of House that they wish to have operate, in which they have used the Speaker and where they have destroyed the credibility of the Speaker, I say to the government, that will affect the functioning of this House from this day on in. I say to the government, why have you done this? You have options. The most reasonable option is the one that would be supported by both opposition parties, to continue the debate for as long as it takes.

Why did the Premier say he wanted to debate this until December and January? What is wrong with debating this? Do you know what I find offensive? The government House leader and the Education minister talked about the waste of money in the Legislature, \$10,000 a day. I want to take the Order Paper, and I want the government House leader and the Minister of Education (Mrs. McIntosh) to indicate on the record that this is the 85th sitting day, the 85th sitting day of the Manitoba Legislature, which is not even above the average sitting length, and I say, one of the most offensive things I heard from the government was to suggest that we are wasting the public's money by sitting here debating the most important bill in Manitoba in decades.

I say to the Premier (Mr. Filmon), to the Minister of Education, you would not give us the ability to debate our Opposition Day motion on MTS, because you wanted to shut down the House. I found that offensive. To the Minister of Education, I am sure there are many people in the history of the world who did not spend very much money on the democratic legislative process, but this is not Italy of the 1920s or Germany of the 1930s, this is Manitoba in the 1990s. I notice the member for Turtle Mountain (Mr. Tweed) takes some offence. I hope he will read something about history, because I took great offence at his comments yesterday about Fidel Castro. He should tell some of his constituents who want to buy back the Manitoba Telephone System after this government has sold it off, tell them the same thing, because he has offended his own constituents, the vast majority of whom support what we are saying. Members like the member for Turtle Mountain (Mr. Tweed), I feel sorry for that member because he was not even consulted by his own caucus, Madam Speaker. They did not even take it to his caucus, I wonder.

The Premier sits there and smiles and smirks, and I will not read back into the record some of his comments in the period of 1983. I sat here. I heard him talk about democracy. I heard him talk about democracy in this House, and I remember a Speaker that never had to bring in closure at the request of a government, because it was a government that had some integrity, that did not bring in closure and accepted the parliamentary paralysis. Well, they laugh, Madam Speaker.

This government has no integrity. They cannot even bring a closure motion. They have to get the Speaker to do it, Madam Speaker. Well, the Premier laughs. [interjection] Ah, he says the government threatened Walding and would not listen. I guess the government threatened the Speaker, and she did listen.

#### Point of Order

**Hon. Gary Filmon (Premier):** Madam Speaker, I just want to put on the record—

**Madam Speaker:** On a point of order?

**Mr. Filmon:** On a point of order, I would ask that the member withdraw the comment that he just put on the record. It is a total falsehood.

**Madam Speaker:** Order, please. On the point of order raised by the honourable First Minister, I will take the point under advisement and report back to the House.

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**Mr. Ashton:** Indeed, I hope the Premier will consider his comments because we had a time in this Legislature when we had a Speaker who was not put in this situation today, because, Madam Speaker, I do not blame you for what has happened. I blame the Premier. He is the one who has led us to this situation.

I realize, Madam Speaker, that it is difficult for some members of this House to understand the basis of our system in this House, and I note the Minister of Education (Mrs. McIntosh) because, you know, I have had the luxury of being both in government and in opposition. It is easy to sit on the government benches and assume that you can ram things through and complain that the opposition is wasting money by sitting in this Legislature and to think that only you know what is best for Manitoba, and who cares if two-thirds of people are against you or 78 percent.

\* (1610)

But the basis of the parliamentary system has always been the fact that the members of this Legislature, of any Parliament anywhere in the Commonwealth, in any democratic body, that we in the opposition have rights as well. We have the right to speak out for our constituents and have full debate in this House. Madam Speaker, history records Speakers who defied authoritarian kings. They lost their heads, Charles II. Even to this day, our ceremonies in Ottawa, in the House of Commons in Britain parallel the fact that the monarch does not go into the House of Commons, going back to that period of time.

Madam Speaker, I would have said the appropriate thing for you to do today would have been to defy in this case an authoritarian Premier and said, no, you were not going to bring in closure. That would have been the appropriate thing to do for you as Speaker.

Madam Speaker, I am absolutely flabbergasted by this situation today, because how do we have any functioning of this House from this point on in? I am not just talking

about acrimony. I have been in this House when there has been a significant degree of acrimony, and I recall the days of 1983, 1984, and it took a lot of time to heal the wounds. There were people who were calling each other names at the time. There were epithets used that were racial in content. There were heated words. I remember opposition members calling Francophone members of this House frogs. That is how intense it was in that point in time. And I was here.

It was not an easy time but the government of that day chose a path not to ram through the particular item in question, and it is interesting, because many arguments can be made for the basic principle of what was being achieved through that motion, but they accepted the parliamentary situation they were faced in, the government of the day, and did not compromise the position of the Speaker. That was one of the key elements in rebuilding any kind of functioning of this House.

That option was available to the government. They could have done many things; they can still do on Bill 67. We brought amendments forward in committee. We started bringing amendments forward in this House that would allow the government to go to a vote of the people of Manitoba. It is interesting, Madam Speaker, because I think we could all probably pass 67. It was subject to one thing, a vote of the people of Manitoba. It is interesting because in 1983 there were votes that were taken—not referendum but plebiscites—and it was indeed an involvement for the public at that time. And I remember the comments of the then-Leader of the Opposition. The government has other options on Bill 67. It had the option of holding public hearings. We moved that prior to proclamation. I would have said that would have been at a bare minimum, appropriate.

I have never talked to one person yet in rural Manitoba who can understand why the government would not hold hearings in rural Manitoba on something that is fundamental to rural Manitoba as the sale of MTS. They had other options as well. They could have discussed and negotiated, if they were interested in doing that, with us to do what? To adjourn the House? We could have adjourned the House, had the public hearings. We could have come back and dealt with it at that point in time. They were not interested in that.

They had one agenda. They wanted this bill passed through on the 7th, and if they did not get it through on the 7th, despite all the circumstances that indicated it could not physically have been passed on the 7th, then what they were going to do is they were going to tear up any sense of co-operation in the House. We have seen that the last two weeks. I mean there has been no discussion from House leaders—not one item of discussion—because the government has decided that they want to dictate to the House how the House should be run.

I say to the government House leader (Mr. Ernst), I do not hold the government House leader responsible for this action. I respect the government House leader; I have worked with the government House leader (Mr. Ernst). I believe he is a man of honour, and I do not necessarily appreciate some of the comments that have been made on the record the past few weeks, but I take it in the spirit that it was given in the heat of the moment. I have a lot of respect for the government House leader. Madam Speaker, I have no respect for the Premier (Mr. Filmon) of Manitoba who is ramming through Bill 67 in this way.

I wish this motion that I am going to be moving in a few minutes could reference the conduct of the Premier because I believe he has 100 percent responsibility on this whole matter. He is the one who did not say the truth to the people of Manitoba in the election. He is the one who broke his campaign promise. He is the one who has no mandate. He is the one who is listening to Bay Street and not Main Street, Manitoba.

But he was not happy enough just destroying a telephone system that has served us well since 1908. He was not happy enough lining the pockets of the Bay Street brokers and his political friends. The Premier was not happy with that. In the process he has to try and destroy our democratic system in Manitoba as well.

**Madam Speaker:** Order, please. The honourable government House leader, on a point of order.

#### Point of Order

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I have been very patiently, quietly listening to what the member for Thompson has had to say, and he has had to say a lot. Most of it, I do not agree

with, but the fact of the matter is he just accused the Premier of lining the pockets of certain people in Toronto and lining the pockets of his friends. That is an imputation of motive, unfounded, and I ask the member to withdraw.

**Mr. Ashton:** On the same point of order, I would point out that it is a fact that indeed this Premier and this government, through their policies, are benefiting as they have three investment brokers on Bay Street—\$300,000, the commissions which are going to be given to those individuals. Members of the board of the Manitoba Telephone System have been getting \$147,000 in legal contracts related to Faneuil; Barb Biggar, the former press secretary, has received contracts in regard to advertising; Mike Bessey, a former senior official with the government, received a \$400,000 advertising contract—oh, pardon me, a scholarship contract with Faneuil. I could give a list. I mean, Mr. Leipsic with the Autopac—this government has been lining the pockets of its political friends.

**Madam Speaker:** Order, please. On the point of order raised by the honourable government House leader, I will take the matter under advisement and report back to the House.

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\* (1620)

**Mr. Ashton:** Madam Speaker, I appreciate that, and I would say this is not even a dispute over the fact; the facts are clear. That is what is particularly offensive.

At what point does this First Minister (Mr. Filmon) and this government understand what it is doing to this province? I mentioned earlier in Question Period the way it has dealt with the sale of MTS. I mean incompetence is clear. You know, the authoritarian nature of it is clear; the antidemocratic nature of it is clear. They broke their promise, and they are not listening to people. You know they have not even followed business principles of due diligence. It has been like a comic opera to see prospectuses leaked over the front page of the paper, brokers now sending out letters based on that prospectus, the Minister of Finance (Mr. Stefanson) in committee, and even as recently as one day before, giving out bit by bit information on the sale of MTS. It is absolutely



offensive that we in the Manitoba Legislature do not even know the full details of the sale, and we are going to have to vote on it next week.

Madam Speaker, you would not sell your house with the same limited degree of due diligence that this government has followed with a billion-dollar-plus corporation. You would not sell a corner store with the kind of lousy analysis and incomplete information that this government used to bring in a decision that it already knew it wanted to do. I say that it is offensive that it is absolutely clear that the Premier and other individuals in that government, you know that little family compact-plus that they have there, that core little group that they have there. I believe they knew well before the last provincial election they were going to sell off MTS. They knew damn well that what they were going to do was when they got in, they would make up a pretext, bring in the Bay Street brokers, and sell off MTS as soon as they could.

But, Madam Speaker, not only are they destroying an institution that has served us well since 1908, that is supported by Manitobans throughout the province, not only are they doing that, they are bringing in this offensive closure mechanism. I say to the member for Brandon West (Mr. McCrae), who was a former House leader himself and may recall what happened during the Meech Lake process, you know in many ways it was disappointing for those who wanted to see Meech Lake passed. It was a victory for those who did not, but one thing that triumphed on that day was that we had a Speaker who made a decision on a point of order that made history.

Madam Speaker, I say to you that you had a choice, as did the Speaker in 1990. I was here, and I remember the point of order. I remember speaking on the point of order saying at that time, while we are dealing with the Constitution of Canada, how important it was to make sure that every procedure was followed properly, particularly, when it is dealing with the constitutional rights of First Nations. People who have shown so much trust in the systems in this country, the democratic process when, in many cases, that trust has been betrayed by those who were in government—and I do look at the Premier when I make that comment about betrayal of aboriginal people.

But there was a Speaker who had the entire weight of the nation on his shoulders, who had the Conservative and Liberal House leaders urging the rejection of the point of order, which was a legitimate point, question of the notice procedures that were followed, and when we felt we had no option at the time, as we did, to say that we had to make sure that every proper procedure was followed. Who can forget how long the bells rang, those of us who were here, while the Speaker weighed the pressures, the future of the country, of the federal government, the other provinces and of his own colleagues in this Legislature? Madam Speaker, that Speaker said no. That Speaker said, in a very historic way, that we have traditions in this House, that we follow those traditions and procedures, and he rejected out of hand that point of order. It made history, and I will always have respect for the member for Gladstone (Mr. Rocan) for what he did on that day. I think one of the most shameful things was when he was so unfairly treated by this government after the last election. He is one Speaker that will be remembered in history in this province.

Madam Speaker, you had a choice. You could have read Beauchesne. You could have read Philip Laundry. You could have read the House of Commons' Précis of Procedure, Maingot, Bourinot. You could have read Manitoba history. You could have reflected on the actions of Speaker Rocan. You could have reflected on the actions of Speaker Walding. You could have reflected on the pipeline debate. You could have reflected on the fact that in Canada we have never had closure brought in at the discretion of the Speaker. You could have even reflected on the importance of the decision that we are being asked to make now under these so-called procedures that you have established, which will deny us the opportunity to even have a vote on many of our amendments. You could have reflected on the fact that you are going to be requiring the passage of third reading with even less time than closure brings in. Under the motion of closure, debate goes until two in the morning to at least give people one more chance to speak. You did not even, in this set of procedures, give us the same kind of speaking time we would have in closure.

More importantly, you could have just sat back and thought about what this will do to our Legislature and to this province. Regardless, Madam Speaker, of the pressure you were under from the government with this

absolutely unprecedented and uncalled for procedure, a procedure they did not even have the courage to put in the form of a motion which would be debated and voted upon, which they ask you to bring in unilaterally, you could have just said, this is wrong, this is not democracy, this is not the way to proceed. You could have said no to the government. I will not speculate on what drove your decision, but I know one thing, in no way can any objective observer feel that this was an impartial decision. You have done something that is unprecedented in Canadian history, and I say that because that is not something that I feel that you will want history to recall you for. You used precedent; you ignored totally Manitoba precedent in terms of Speakers.

The precedent you used in Beausiesne was a motion, the admissibility of a motion. You did not even require the government to bring in a motion. You made the decision for the government. Some people on our side call this cowardly closure. This is worse than closure. This is one of the most offensive episodes in parliamentary history in this country and will forever be remembered in Manitoba for that fact. Do you know what, Madam Speaker? If that is what you wish for your place in history, I will leave that to history to write about it. I am more concerned about the immediate situation we are in, the Manitoba Telephone System, \$1.5 billion in assets, the Manitoba Telephone System that provides service to 98 percent of Manitobans, the Manitoba Telephone service that has served us well since 1908, the Manitoba Telephone System that is supported by two-thirds of Manitobans who do not want it sold off by the government.

\* (1630)

As of next week, thanks to your ruling and your procedures, as of Friday, the Bay Street brokers, the Wood Gundys, the Richardson Greenshields, they will be selling off our Telephone System. There will be a lot of joy on Bay Street tonight, and I am sure members opposite will be lining up their purchase of shares for next Friday. I am sure that a lot of the Conservative friends of the Premier will be counting their potential profits at our expense. But, you know what, Madam Speaker, I know the seniors I have talked to and the senior from Boissevain; I know farmers I have talked to throughout the province, the senior, the pension recipient

from MTS who lives in Steinbach, the First Nations community of Nelson House, all of whom are incredibly frustrated by the sale. I know that people I have talked to in Gillam, in Thompson, in The Pas, in Flin Flon, in Roblin, in Virden, in Minnedosa, in Neepawa, Brandon, Thompson, Selkirk and the people we have talked to in committees like Arbog and Gimli and Teulon and others, in Lac du Bonnet and Beausejour, they will never accept this as a legitimate decision. They will be saying that the government did not have the right to sell off MTS in the first place, and this is not a legitimate decision. You have ensured that by your ruling today.

That is why, Madam Speaker, we challenge the ruling, and we do not accept the 31 members—and I say 31 members of the government caucus, because there are truly 31—ramming through that procedure. We do not accept what the Premier of this province has done to our Legislature and to the office of the Speaker, but since we cannot remove the Premier—at least not until the next election which we are going to do, believe you me—we cannot remove the Premier yet, but we can bring back impartiality to this House. We can bring back a speakership that respects all sides of this House. We can bring back a speakership that respects our rules and traditions passed down from centuries of parliamentary tradition.

Madam Speaker, I will be moving this motion, but I say to you that, even if this motion is put to a vote and is rejected by the government, I would say that you should reflect on your situation because I think the only honourable thing to do, regardless of whether this motion would be passed, is for you to resign. That is why I have followed our rules, this being the only appropriate way of challenging the Speaker—

**An Honourable Member:** Apologize, Steve.

**Mr. Ashton:** To the member for Emerson (Mr. Penner). I make no apologies for demanding that our Speaker represent 57 members of this Legislature and not just 31. As is appropriate under our rules, I will be moving this motion, and, as you have done, Madam Speaker, I would suggest that we put it to a vote, although I would ask you to think about this matter very carefully because I do not believe you can function with the confidence of this House from this point on.

That is why I move, seconded by the member for Concordia (Mr. Doer), that this House no longer has any confidence in its presiding officer.

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, indeed, this is a very serious motion that has been moved by the member for Thompson. I do not believe this is necessarily the first time; there was another opportunity where we debated the confidence of the Speaker. That was a while back, and I talked a lot about the roles of the Speakers back then. I talked about you, in particular. I still believe today that you are no better nor no worse than other Speakers that we have had inside the Chamber.

Having said that, as you could tell by the vote from within the Liberal caucus in which there was a free vote because it was a very important issue, you will find the one thing in which we all agreed upon was a rule in Beauséjour's which I had brought up with my colleagues. It is Citation 33, which reads: "The most fundamental privilege of the House as a whole is to establish rules of procedure for itself and then to enforce them. A few rules are laid down in the Constitution Act, but the vast majority are resolutions of the House which may be added to, amended, or repealed at the discretion of the House."

We take that particular citation very seriously and is, I believe, ultimately why it is that you have seen a split from within the Liberal caucus. I would like to comment on that particular split. You had members of the caucus that looked at this and said, look, to me—and I do not know if I can use myself as a third party—look, Kevin—whatever it is you might want to put it as—there was an agreement and that agreement, in the quote from the agreement the memorandum of understanding, states—[interjection]

The deputy government House leader (Mr. Praznik) makes reference to whom it is signed by. It is signed by individuals representing all three political parties, and I treat us as a political party inside this Chamber. It states: Government bills will be introduced, printed and distributed during the spring sitting. All bills so introduced will proceed to a vote on third reading and royal assent not later than the final day of the fall sitting.

It goes on in terms of the provisional rules which each and every one of us voted in favour of. Each and every

one of us wanted these provisional rules adopted with the idea that in future sessions what we would see is more order and a better form of governing both from the government perspective and the opposition perspective.

That is the reason why all of us voted in favour of those provisional rules. Well, the member for The Maples (Mr. Kowalski) and the member for St. Boniface (Mr. Gaudry) said it very well. From their interpretation, they believe that we have to live by the rules. One can look in terms of what Beauséjour's has to say about it and how important those standing rules are, those rules which we decided to adopt.

I, on the other hand, would concur fully with my colleagues in terms of the importance of the rules. I also concur fully with what the member for The Maples was suggesting in the motion, even though it was ruled out of order. The rules do allow for the government, if you like, to extend the sitting, and I guess that is how I would say—you know, it is kind of like, back at you. The government, if it so chose, Madam Speaker, could allow full debate on Bill 67 by using that rule in order to ensure that there is full debate on Bill 67. We hope that the member for The Maple's (Mr. Kowalski) suggestion or motion, if you like, will in fact be respected, and the government will take it, at least to allow it, somehow to come to a vote, because normally it has to be a government motion. We will acknowledge that, but the mechanism is there within the provisional rules to see the session extended.

Madam Speaker, the other day I talked about principle and the whole MTS issue, and because the member for Thompson took great time in terms of explaining why it was so important to express the motion of nonconfidence, I do believe that there is some onus of responsibility on me to talk about that particular issue, the one of that principle because it is important. Does the principle merit the breaking of the rules? There is a valid argument given the nature of what the government is doing with MTS, that that is in fact the case. I do not believe that the official opposition was on principle going in the same direction, that they are going today, eight months ago. For that reason I have to look at the rules, and the rules say, the last Thursday of November is the day in which we have to rise, normally.

**An Honourable Member:** Normally.

**Mr. Lamoureux:** Normally, as echoed. Actually, let me get the exact wording. It is on page 3 of the provisional rules where it is Clause 3(a) The fall sittings of the House will normally be eight weeks or part thereof in duration and will conclude no later than the last Thursday in November.

And then it allows for that extra rule in which, if you like, and it is (b) while the House is in spring or fall sittings, if a motion to exceed the concluding dates specified in subrules (2) and (3) is passed by the House.

\* (1640)

That is what we are hoping the government will take into consideration. We will hold our breath, but we are hoping that the government will take it in. But we acknowledge and we are prepared to recognize that these were provisional rules and there was an agreement in principle that was made, and that agreement was voted on by each and every member of this Chamber. It is a question of integrity. We each and every one of us agreed that these were going to be rules that we were going to live by, and, as my colleague for St. Boniface talked about the importance of Beauséne's Citation 33, that is the most important privilege of the House, that we have to live by the rules which we set. We cannot change the rules.

Madam Speaker, personally I believe the members for The Maples and St. Boniface put forward a valid honourable argument, then why is it that I voted in the way in which I did? I am somewhat revealing the secrets from our caucus discussion. I hope my caucus colleagues will forgive me for that, but I did do some consulting while the bells were ringing, and you know something, I do believe that not everything was done in order to allow the government to pass this particular bill. The government did have the opportunity to introduce closure. If the government had not been successful in introducing closure or attempted, and it was coming into problems in which here is the rule that says that we are supposed to be out, and they were not prepared to extend the sitting, then there would be a valid argument to be made, that you should have brought in the recommendation that we get out, because that is what the rules in fact say.

Let there be absolutely no doubt in anyone's mind, in particular the minds of the people from within the media as some might read or some might actually be listening as we are speaking, there should be absolutely no doubt that

the principle agreement that I signed on behalf of our party and the agreement that the member for Thompson (Mr. Ashton) and the government House leader, the intent was that each and every government piece of legislation would, in fact, pass. [interjection]

That was the intent, and a member says, no. I will not state the member who said no, but that was the intent. I was there. I was involved from Day One on that process. Every piece of legislation was to pass. It is a question, Madam Speaker, of whether or not we are going to stand on the integrity of being an MLA.

So, Madam Speaker. I do believe that in essence you did not use the best judgment when you said that at 2:45 or whatever time the question has to be put, primarily because I believe the government could have done more to ensure that the bill would have passed. In listening to the member for Thompson and what the member for Thompson had to say, there is one aspect to the whole matter of privilege that really interested me. It is a bit of a contradiction, and I think it is a very important point.

I would ask, Madam Speaker, that members of the Chamber listen to this particular point, and that was that the member for Thompson said—

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please. The honourable member for Inkster is speaking to a very serious matter.

**Mr. Lamoureux:** The member for Thompson, in his remarks—and one can read Hansard. I am hoping I am not misinterpreting it, but as I was listening to him, he said, I do not blame you, Madam Speaker. I blame—and he was making reference to the Premier. [interjection] No, it was very clear. I can read Hansard, and I would retract it if, in fact, I read it wrong. I believe what the opposition House leader was arguing is, I do not blame you; I blame the government.

**Madam Speaker:** Order, please. The honourable member for Osborne, on a point of order.

#### Point of Order

**Ms. Diane McGifford (Osborne):** Yes, Madam Speaker, the Premier (Mr. Filmon) was just over on this

side of the Legislative Assembly and threatened the member for Crescentwood (Mr. Sale) in the following words: Come outside and say that to my face, and I will kick your lights out, Timmy.

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please. The honourable member for Osborne does not have a point of order. I did not hear the comments. The honourable First Minister was not in front of the microphone or had been recognized to speak. The honourable member for Inkster was—my understanding is that the honourable member for Osborne raised a point of order about comments made by the Premier. [interjection] Order, please.

The honourable member for Osborne, to quickly complete her comments on the point of order.

**Ms. McGifford:** I would like to complete my comments, Madam Speaker. The other side of the House made it impossible. I wanted to say that the member for Crescentwood is hard of hearing and fortunately did not hear the Premier's threats of violence and thuggery, but I did. I am insulted, and I think he should retract his words. This is a government that prides itself on its anti-violence programs, and that is violent and ugly. I am ashamed of this Premier.

**Mr. Steve Ashton (Opposition House Leader):** On the point of order, what the Premier just—and I have heard many comments from the Premier over the years, many of which have been unparliamentary, but this is absolutely unprecedented. I mean, this is a comment more worthy of a schoolyard bully than the Premier of this province, and it is up to you, Madam Speaker, not only to be impartial, to ensure order in this House. I would suggest you start with your Premier and ask him to withdraw those absolutely unacceptable, threatening comments. This is not a schoolyard. He is not the bully of this province. He is the Premier and should set an example, and he should withdraw those comments he just made.

\* (1650)

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

**Mr. Ernst:** On the same point of order, Madam Speaker, clearly the member for Osborne suggested that when the Premier was on the other side of the House, certain words may or may not have been understood correctly. The fact of the matter is, though, that the speaker was not in front of the microphone, was not recognized to speak and whatever comments—there have been lots of comments and lots of gestures occurring in this Chamber this afternoon that do not do any respect for the office of an MLA, so whether the comments were made or were not made or whether they were understood or misunderstood, they are irrelevant matters, not on the record.

**Madam Speaker:** The honourable member for Crescentwood, on the same point of order.

**Mr. Tim Sale (Crescentwood):** On the same point of order, Madam Speaker, but I think I will wait until you are listening.

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** The honourable member for Crescentwood, on the same point of order.

**Mr. Sale:** For the record, I do have a significant hearing loss. Many members opposite know that because I have stated it in committee. Many members of my colleagues here also are aware of that. I did not hear the Premier's actual words, and I had to ask my seat mate what all the commotion was about. Since I did not hear the words, I did not rise in my own stead. I appreciate the fact that other members did. I did not ask them to do so. The Premier has made absolutely unacceptable threats. He talks about the importance of violence and nonviolence as a way of life, and he has threatened a member with physical violence, although I did not personally hear the words. I absolutely reject that kind of conduct. He is a small, little schoolyard bully.

**Madam Speaker:** The honourable Minister of Family Services, on the same point of order.

**Hon. Bonnie Mitchelson (Minister of Family Services):** Madam Speaker, on the same point of order, I would just like to indicate that I do know that emotions are running very high in this House. You know, we have a situation and a circumstance where many things have

been said across the floor in the heat of anger, and I understand the frustration on the part of the opposition because in reality they had some sense that they were government up until just the last few hours.

The reality is that I sat in opposition too, and I understand how frustrating it might be, but I think some of the comments that have been put on the record by the opposition House leader (Mr. Ashton) and some of the, can I say, catcalls from the other side of the House have been completely unacceptable. Madam Speaker, I would hope that all members would respect other members of this Legislature. I have to say that I have been very upset with some of the comments that have been made, but I can understand the frustration of the opposition.

**Madam Speaker:** Order, please. On the point of order, I believe I have heard enough on the point of order.

The honourable Minister of Labour, on the same point of order. I will entertain only what has not been already put on the record relative to the same point of order.

**Hon. Vic Toews (Minister of Labour):** Madam Speaker, on the same point of order, I listened very carefully to the remarks from the member for River East (Mrs. Mitchelson), and I, too, have been sitting here and listening to the other side, not just listening to the other side but, in fact, four or five members from the other side have been raising Nazi salutes in this House.

I find that despicable that they are sitting in Her Majesty's Legislature raising Nazi salutes and, to do this, I can only understand the frustration that can go on here. The same people who talk about democracy, the same people who talk about The Remembrance Day Act, they are the ones raising Nazi salutes. I think that should also be borne in mind, what has been happening here today.

**Madam Speaker:** Order, please. I thank all honourable members for the advice given the Chair. I will take the matter under advisement in order to peruse Hansard and report back to the Chamber if necessary.

\* \* \*

**Mr. Lamoureux:** Madam Speaker, in summation, I guess I will attempt to try to keep it as brief as possible. From what I understand in the ruling, in the consulting

that I have done, I understand that in the House of Commons there was one other opportunity where a Speaker went beyond the standing order. That was, in fact, Speaker Fraser, and Speaker Fraser did that primarily because of frustrations with what was happening with the petitions. I think what has happened here is, once again, the Speaker has gone beyond the standing orders.

**Madam Speaker:** Order, please. The honourable member for Flin Flon, on a point of order.

#### Point of Order

**Mr. Gerard Jennissen (Flin Flon):** Madam Speaker, on a new point of order, although it relates to the other point of order as well. It is not just a matter of catcalls back and forth. We are talking about the Premier coming on this side and not only saying the things—

**Madam Speaker:** Order, please. The honourable member for Flin Flon, regrettably, it is not a new point of order. It relates specifically—I have indicated that the point of order has been taken under advisement.

#### Point of Order

**Mr. Jennissen:** Madam Speaker, on a new point of order.

Totally apart from verifying what the member for Osborne (McGifford) said, I also heard the Premier (Mr. Filmon) call my honourable friend from Dauphin a name that I will not repeat in this House, Madam Speaker. I do not think this is acceptable behaviour.

**Madam Speaker:** Once again, I will take the matter under advisement to peruse Hansard and report back to the Chamber.

\* \* \*

**Mr. Lamoureux:** Madam Speaker, to continue on the brief summation, this is an occurrence where the ruling goes beyond, if you like, the standing orders. There is in fact a bit of a conflict in this sense for the Estimates process. There is a mechanism that allows the vote to occur and, even though there was a principle agreement from all members of this Chamber to allow all bills to

pass, there was never any mechanism that was put into place to ensure that, in fact, occurred.

As a result of that, Madam Speaker, with the exception of the closure motion, you have made a decision in which the standing orders do not necessarily take it into account, so I would argue that you have gone beyond that. That is the reason why I find it difficult to accept the ruling that you have made, because the government did not use all of what was within its power in order to get the agreement in principle passed.

So the question then becomes the motion of censure for the caucus, Madam Speaker, and if I could do something I guess with respect to this session, I would put a big asterisk as the session in which we have provisional rules. There are a lot of unknowns because this is the first time in which we have ventured into a fixed date. I do believe that you have made a mistake with the ruling. Whether or not it is a mistake that warrants censure, I think that there is precedent that is there that demonstrates a Speaker can go outside of the standing orders. Whether or not you have crossed that line, I believe in most part that you did act prematurely, and that is the reason why I voted in the fashion that I did.

Does it, in fact, warrant a censure motion, Madam Speaker? By listening to the member for Thompson (Mr. Ashton), I have not been convinced that that is the case. He did make mention of the Speaker previous. He talked about the French debate, for example. You have to keep in perspective that these are new provisional rules. Back during the French debate, there was no limit on the session. Had there been a limit on the session, the outcome could have been entirely different; so you cannot compare apples to oranges.

That is the reason why I would conclude on the same premise that I started my address, by saying I do not believe, Madam Speaker, you are any better or any worse than previous Speakers prior, and for that, I do not believe I can in good conscience vote for censure, even though I do believe you did make a mistake by not allowing the government to use whatever mechanisms it had to address the rule in which I believe they could have and should have, and, hopefully, the government will take the initiative that the member for The Maples (Mr. Kowalski) has suggested and use the rules to extend, so

that there does not have to be any form of closure, something which the Liberal Party does oppose.

\* (1700)

**Mr. Ernst:** Well, Madam Speaker, the motion raised by the member for Thompson (Mr. Ashton) and any point of privilege which is an extremely serious matter, which ought infrequently to be raised in this House, has as its underlying premise a prima facie case for the argument for the motion, but no prima facie case has been made.

The member for Thompson made an extremely impassioned speech, and, Madam Speaker, technically at least he probably ought to have been called to order on a number of occasions for varying from the topic of the motion and the reason that he stood on the point of privilege. But I understand that the member for Thompson as the critic for the Manitoba Telephone System has invested a significant amount of his effort and time and emotion in the debate related to that particular situation, to Bill 67.

Because of that, I understand his frustration and his concerns and so on. He has, in fact, invested a great deal, and he passionately believes in his position, and, Madam Speaker, that is only as it should be in this House. But each of us has the right in the overall scheme of things to represent our position and to express our beliefs and to bring forward our position with respect to voting in this House.

Madam Speaker, this is not a matter of closure.

**An Honourable Member:** It is a matter of respect for the Speaker which you have never shown since Day One.

**Mr. Ernst:** I patiently sat and listened to the member for Thompson speak for some 40 minutes in a very impassioned and heartfelt way. I think I deserve the same kind of respect when I am speaking on this issue.

Madam Speaker, as I said, this is not an issue of closure. This is an issue of the rules. As I raised in my point of order on Monday and as you referenced in your ruling of today, that Rule 102.(1) states, notwithstanding Rule 73 and subject to Rules 102.(2) and 102.(3), all government bills will normally come to receive a vote on third reading not later than the last day of the fall sitting.

Madam Speaker, you had ruled earlier last week that the 28th of November is in fact the last day of the fall sitting. In order to give effect to that rule, a mechanism needed to be found. I do not think for a minute—quite frankly, if this was not the issue before us, that there was some other issue before us, that in fact we would even be here today. I think full heartedly that the members opposite, both the members in the New Democratic Party and the members in the Liberal Party, when the member for Thompson signed the agreement to agree to these new provisional rules, and at the time that the House adopted those rules unanimously and every member in this House voted for those rules, every single member voted for those rules, it was clearly understood at the time, clearly understood the time, and during the discussions, and I participated with the member for Thompson over several months, along with the member for Inkster in discussions on those particular rules. The memorandum of understanding clearly indicated what the intent was, and the intent was to ensure that those bills entered into the House in the spring would come to a vote by the end of the fall sitting.

Madam Speaker, unfortunately, and I say very unfortunately, the rules did not contemplate a mechanism in order to do that. I understand the concerns of the members opposite, particularly in the New Democratic Party, that they have strong feelings with respect to this particular issue. But the issue should not override the rules.

Just because you do not believe in a law does not mean you do not have to obey it. Laws are established. Rules are established, in the case of the operations of this House, for a purpose. The rules are established so that certain things will happen or not happen, and that is exactly what the rules that were entered into say. Each of us in this House had an opportunity. There were a number of opportunities for members of various caucuses to discuss the issues of the rules and what the mechanisms were, and how they would work. Each of us, I know that the member for Thompson and myself and the member for Inkster from time to time would be required to return to our respective caucuses in order to have further discussion around the rules that were going to be implemented.

Madam Speaker, those rules ultimately were implemented and each member in this House ultimately

voted for those particular rules. To have a rule and have no method of enforcing or implementing that rule, quite frankly, is silly. The rules are entered into for a reason, a very succinct clear reason, and I think your ruling today reflected ultimately what that intention was, to bring all government bills to a vote by the end of the fall session, in this case November 28, the date that you so ruled as the end of the fall session.

Madam Speaker, the member for Thompson (Mr. Ashton), in his very impassioned delivery earlier, indicated that they had the right to speak, they had the right to debate the issue, and I concur 100 percent.

Madam Speaker, this bill was introduced into this Legislature in May. The House returned after the 6th of June adjournment on the 16th of September. Between the 16th of September and the 15th of October, four weeks, the members opposite debated Bill 67 once, once in half of the fall sitting. So they could well have been debating that bill from the day we walked in this Chamber on September 16 but did not.

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please.

**Mr. Ernst:** On the 12th of November, when we returned here, I sought leave of the House in order to bring forward the committee reports, when we could begin the consideration and the debate on Bill 67. That leave was denied. That was on Tuesday, on the 12th. On Wednesday and on Thursday, the 13th and 14th, I also asked for leave. That was denied. To debate this bill, we started this week on Monday under the Report Stage amendment. My colleague the member for Lac du Bonnet, the deputy government House leader (Mr. Praznik), sought leave to waive private members' hour Monday, Tuesday. That was denied. I, as the House leader, yesterday sought leave, at the time of private members' hour, to waive private members' hour in order to again have the opportunity to debate. That leave was denied. I also offered last evening to not see the clock to sit to discuss the amendments that the members had brought forward. That was turned down by the members opposite. So let them not say now they have had no opportunity to debate because they have, and they have turned it down or have ignored or have chosen not to do it, as the case of the first four weeks of the fall sitting.



The member for Thompson (Mr. Ashton) brought up the question of Beauchesne Citation 1, and he quoted from that to say “. . . to prevent any legislative action being taken on sudden impulse.” In this case, there is no sudden impulse. This has been known since May. This is not a sudden impulse. What this is is legislative terrorism from the members opposite.

\* (1710)

My honourable friend from Thompson, as well, quoted a number of learned books with respect to procedures and so on from other legislatures or parliaments in the tradition of the British parliamentary system. He said you could have read many opinions, Madam Speaker, but, in this case, you read the Manitoba provisional rules as you should have. Those Manitoba provisional rules were voted upon by every single member in this House on the 2nd of April of this year, knowing full well the impact of those, and the fact that you in fact have ruled today on the question of how to implement those rules is most appropriate. I see no conflict at all. You have done the correct thing to intervene in the case where there was a void. The void in the rules was there, and you have intervened to deal with that void as you properly should have.

I see no reason to bring forward the matter of privilege advanced by the member for Thompson. I understand his frustration. I understand his concern. I understand his passion for the issue. That is not a question, but you cannot choose which rules you will obey and which rules you will not obey based upon the issue that is before you or how you feel about it. Rules, laws, in this country and under our system, are there to govern what we do. If you do not like the rules, then change the rules or do not put them in in the first place, but do not—just because an issue is of such importance or concern to you that you should avoid those rules entirely. The motion of privilege, I think, is certainly not called for, and I think we should demonstrate that.

**Madam Speaker:** The honourable member's matter of privilege has been raised at the earliest opportunity. I believe the subject matter of the honourable member's motion is of such importance that the House would want to deal with it immediately.

Therefore, the question before the House, moved by the honourable member for Thompson (Mr. Ashton),

seconded by the honourable member for Concordia (Mr. Doer), is that this House no longer has any confidence in its presiding officer.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

#### Formal Vote

**Mr. Ashton:** Yeas and Nays, Madam Speaker.

**Madam Speaker:** A recorded vote has been requested. Call in the members.

Order, please. The motion before the House is that this House no longer has any confidence in its presiding officer.

\* (1750)

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Hickes, Jennissen, Lathlin, Mackintosh, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Struthers, Wowchuk.*

#### Nays

*Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Kowalski, Lamoureux, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner,*

*Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.*

**Mr. Clerk (William Remnant):** Yeas 21, Nays 31.

**Madam Speaker:** The motion is accordingly defeated.

**Mr. Neil Gaudry (St. Boniface):** Madam Speaker, I was paired with the Minister of Environment (Mr. Cummings). If I would have voted, I would have voted against the censuring of the Speaker.

**Mr. Ernst:** Madam Speaker, it has been an emotionally draining day, I understand that, but I wonder if there is interest in the House sitting this evening from 7 p.m. until 10 p.m. or so?

**Madam Speaker:** Order, please. I would remind the honourable government House leader that the hour is after 5:30 p.m. Therefore, the hour being after 5:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. Monday next.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 21, 1996

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