



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

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**DEBATES**  
and  
**PROCEEDINGS**

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33 Elizabeth II

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



**VOL. XXXII No. 34 - 10:00 a.m., FRIDAY, 1 JUNE, 1984.**

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

**Members, Constituencies and Political Affiliation**

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 1 June, 1984.

Time — 10:00 a.m.

**OPENING PRAYER** by Mr. Speaker.

**MR. SPEAKER, Hon. J. Walding:** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** Mr. Speaker, I have another statement.

Mr. Speaker, I would like to inform this House of an event that could have extremely positive far-reaching effects on the economic development and job creation initiatives of this government.

I am very pleased, Mr. Speaker, to announce that this government of Manitoba has signed a Letter of Intent with the Western Area Power Administration of Golden, Colorado.

The letter clearly states an intent by the two parties to negotiate a 35-year export sale of firm power and energy from a new hydro-electric generating station on the Nelson River beginning in 1993.

I must point out, Mr. Speaker, that any successful sale to the Western Area Power Administration, coupled with the sale to the Northern States Power Corporation of Minneapolis, Minnesota, will ensure a minimum of 10 years of continuous hydro development in Manitoba. This development will, of course, bring with it significant economic benefits for all Manitobans.

Mr. Speaker, the construction of both the Limestone and the Conawapa Generating Stations would mean an estimated cumulative expenditure of approximately \$6.5 billion over the 10 years required to complete the two dams.

It is estimated that the two projects would create in excess of 42,000 person years of employment. There would be in the order of 15,000 person years in direct construction employment and an additional 27,000 person years of indirectly related employment.

The Letter of Intent was negotiated on behalf of the province by the Manitoba Energy Authority. It specifies the principles the two parties have identified and agreed upon as the basis for negotiating the export sale.

Following successful negotiation of a sale agreement by the end of December of this year, Mr. Speaker, the province would then seek export approval from the National Energy Board.

Mr. Speaker, the following are the main points of the letter:

"The Manitoba Energy Authority would sell the power and energy equivalent to the production from a hydro-electric generating station such as Limestone or Conawapa of approximately 1200 megawatts per year.

"The term of the sale would be 35 years. In order to comply with the National Energy Board practice of

limiting export sales to maximum of 25 years, the province would apply for an extension from 25 years to 35 years prior to the end of the tenth year.

"The sale would begin in 1993-94, when the first generating unit comes on stream.

"The pricing regime would be based on a percentage of the cost of Western's alternative energy sources, i.e., coal-fired thermal generating plants.

"The pricing regime includes both the capital costs and the operating and maintenance costs. As a safeguard, the sale price would never be less than a guaranteed minimum price which will be negotiated by the parties.

"The export sale would call for the construction of new transmission facilities from the generating station to a location at or near either Jamestown, North Dakota or Watertown, South Dakota.

"Either party may terminate the agreement after the twentieth year by giving ten years written notice and making a termination payment."

Mr. Speaker, the Western Area Power Administration is an agency of the United States Federal Government Department of Energy. It is responsible for providing electricity to more than 500 customers in 15 states which include municipalities, co-operative utilities and private utilities.

This initiative by the Government of Manitoba is a further demonstration, Mr. Speaker, of the effort being put forth by this government to lead the way in economic development and creation of long-term jobs for Manitobans.

With the permission of the House, Mr. Speaker, I would like now to table this letter of intent between the Western Area Power Administration and the Government of Manitoba.

Thank you.

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

**MR. H. ENNS:** Mr. Speaker, in welcoming this morning's statement, let me begin with where the Minister of Energy left off when he states and talks about the impact of long-term jobs. Let it be clearly put on the record that the long-term jobs are going to be provided for our cousins across the line in the United States.

Obviously, when he speaks of this agency with some 500 customers, he is talking about intensive power users, hydro users in the United States, and that is where the permanent, long-term jobs are going to be. Mr. Speaker, that doesn't for a moment detract of course from the fact that we shall have the somewhat shorter-term jobs with respect to construction of any generating stations that the agreement would call for, should it be successfully concluded.

Mr. Speaker, I think that the other matter that has to be looked at very seriously by any government in Canada is the extension to making agreements in the energy field that have a life span of 35 years and more.

Mr. Speaker, our fellow Canadians in the Province of Newfoundland know what long-term power

agreements can cost, those people who are directly responsible and who are asked to carry the burden of costs with respect to building those facilities. I would like to be assured, Mr. Speaker, and we will, of course, have to await the final details of the sale, that in no way are Manitobans being asked to pick up some of the up-front costs in order to sell subsidized power to American users. That, Mr. Speaker, will be the acid test of this announcement this morning.

One cannot, of course, help but also notice, I suppose, the desperation of this government when they talk about agreements that hopefully will come into effect in the year 1993 and beyond, that these kinds of statements are now being made . . .

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

**MR. SPEAKER:** Order please.

**MR. H. ENNS:** . . . at this time. Mr. Speaker, I can understand their grasping for any and all possible good news, because if ever there was a government that needed it, it is this government.

Mr. Speaker, the pricing regime would be based on a percentage of the cost of western alternative energy sources, i.e., coal-fired thermal generating plants. Mr. Speaker, I will want to and the opposition will want to hear from Hydro officials before us in a Standing Committee, precisely the kind of details and the kind of expert support that in no way Manitobans will be saddled with costs higher than those that are going to be born by the American users of this power — (Interjection) — well, Mr. Speaker, we will find out about that in due course.

We have yet only seen letters of intent. We have seen no specific information, but I caution the government and I caution the people of Manitoba that in the rush to try to bail out a government that is obviously in deep trouble, I am nervous and I think the people of Manitoba have every reason to be nervous about the bargaining position that this government is in.

So, Mr. Speaker, we'll watch for the details of these agreements. We'll watch and we will examine very closely senior hydro officials as to the appropriateness of making these kind of long-term commitments of our natural resources and at what price and at what return to Manitoba's generations yet to come.

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

**HON. E. KOSTYRA:** Thank you, Mr. Speaker.

It is my pleasure to table the Annual Report of the Manitoba Department of Cultural Affairs and Historic Resources for the fiscal year ending March 31st, 1983, and the Annual Report of the Manitoba Development Corporation for the year ending March 31st, 1983.

**MR. SPEAKER:** Notices of Motion . . . Introduction of Bills . . .

### INTRODUCTION OF GUESTS

**MR. SPEAKER:** Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have 20 students of Grade 5 standing from

the Wabowden School under the direction of Mr. Mihalyk. The school is in the constituency of the Honourable Minister of Northern Affairs.

There are 58 students of Grade 11 standing from the Teulon Collegiate. They are under the direction of Mr. Reinsch and Mr. Masters. The school is in the constituency of the Honourable Minister of Housing.

On behalf of all of the members, I welcome you here this morning.

### ORAL QUESTIONS

#### Bairstow Reader Report

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

**MR. G. FILMON:** Thank you, Mr. Speaker, my question is for the Honourable Minister of Housing.

It is my understanding that the Department of Housing has commissioned a study which has been done with respect to reorganization of the department role of MHRC and so on, a report known as the Bairstow Reader Report. Has that report yet been completed?

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

**HON. J. BUCKLASCHUK:** Yes, the report that has been referenced to has been in my possession for some time, and the reorganization of the department has been partly as a result of that report.

**MR. G. FILMON:** Mr. Speaker, will the Minister be tabling that report for public review by members of the Legislature and members of the public?

**HON. J. BUCKLASCHUK:** Yes, I will take that under consideration, Mr. Speaker.

**MR. G. FILMON:** As part of the recommendations of the report, is there an intention to collapse MHRC into the Department of Housing and remove it as an entity?

**HON. J. BUCKLASCHUK:** There is no intention at the present time to do away with Manitoba Housing and Renewal Corporation. It will remain as a corporation which will be the vehicle through which we deliver many of our projects for the Department of Housing.

#### Workers Compensation Board

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

**MR. G. MERCIER:** Mr. Speaker, I have a question for the First Minister, arising out of answers given by the Minister responsible for the Workers Compensation Board during his Estimates last evening. My question to the First Minister is: in view of the fact that administrative costs under the NDP-appointed Workers Compensation Board have increased by 70 percent in two years during 1982-83 over 1981, and in view of the fact that in 1984, at this very time, Mr. Speaker, the Workers Compensation Board is proceeding with over .5 million worth of expenses - in fact, \$537,000

was for expenses for remodelling and refurbishing and carpeting their offices at Eaton Place - would the First Minister review the capability of the membership of the Workers Compensation Board?

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

**HON. H. PAWLEY:** Mr. Speaker, if I am not incorrect, and I am going to re-examine my data because I may be wrong, but I thought that the Manitoba rates were the lowest in Canada insofar as workers compensation; if not the lowest, one of the lowest in the whole of Canada. In fact, Mr. Speaker, honourable members may want to talk about carpet, but I believe that we are the first jurisdiction to bring in the workers' advisors insofar as assisting injured workmen, injured workwomen, in order to deal with claims before the Workers Compensation, to assist them and ensure that they obtain proper and reasonable results, and access to medical records. Mr. Speaker, those . . .

**A MEMBER:** Answer the question.

**HON. R. PAWLEY:** I am answering the question to the extent that that demonstrates the commitment of this government to the workers compensation system and to ensure that workers, both men and women in this province, receive a decent deal. Mr. Speaker, I believe that we can compare our workers compensation system, insofar as treatment and service to workers, with any other province, with any other jurisdiction in Canada, with pride.

**MR. G. MERCIER:** Mr. Speaker, when this government took office, this province had the lowest assessment rates in Canada, as well as the second highest level of benefits.

Mr. Speaker, I would ask the First Minister, when he is reviewing his data, would he note that some \$243,000 has been paid by the Workers Compensation Board to all the senior officials of the board, whom his appointed board has fired or forced to resign, and take into consideration the fact that at least \$60,000 per year is being paid in retirement allowances to these individuals when they could have been working for the board, and the fact that the board has since hired 40 additional people.

**HON. H. PAWLEY:** The Member for St. Norbert has been misled or misinformed, but it's my understanding that no one that he's referred to has been fired. I think what I would like to do to ensure that the Honourable Member for St. Norbert is better informed than obviously he is, is ask for the Acting Minister responsible for the Workers Compensation Board to provide information so the honourable member need not trot into this House with so much misinformation.

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

**HON. J. COWAN:** Thank you, Mr. Speaker. In my capacity as Acting Minister, I would like to reaffirm what was stated by the Minister last night in the Estimates; and that is that there were not firings of the

sort or the magnitude or the type which the Member for St. Norbert continually and constantly alludes to, that there were changes in senior management, that there were a number of ways by which those changes were accomplished. But I think what has to be said, as well, and was said last night by the Minister of Environment and Workplace Safety and Health, is that the system is now working.

You don't see the types of demonstrations; you don't hear the types of horror stories; you don't hear the types of frustration that was imposed upon workers in this province for four years, when for four years that member was a member of the Cabinet and had the opportunity to do something to improve conditions for those in this province who dearly needed that type of assistance. They turned their backs on those workers; we refuse to do that and we're proud of what has been done under our system.

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

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

**MR. G. MERCIER:** Mr. Speaker, I would ask the First Minister, in reviewing the data and in reviewing the competence of the people that he and his government appointed to the Workers Compensation Board, would he consider the fact that this board has recommended increases in assessment rates, over a period of two years, of a total of 89 percent?

**MR. SPEAKER:** Order please, order please. May I remind all members that Oral Question period is for the purpose of gaining information and not for giving information to the House.

Does the Honourable Member for St. Norbert have a question?

**MR. G. MERCIER:** Yes, Mr. Speaker. I want to ask the First Minister, when he is reviewing the data, reviewing the competence of the members of the Workers Compensation Board that this government has appointed, would he consider the huge increases in assessment rates that have been recommended by his board, which have not entirely been followed by the government and which will have to be imposed in the future, as well as the cost of these increasing administration costs, and does he consider that to be part of his new-found relationship with the private sector and businesses who will be forced to pay these increased assessments?

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

**HON. H. PAWLEY:** I'm going to indicate to the Honourable Member for St. Norbert I will be delighted to not only analyze what has taken place during the past two years, but to analyze what occurred between the years 1977-1981, not only by way of assessment, Mr. Speaker, but more important what took place by way of accident prevention, what took place by way of helping those workers that sadly were inflicted with injury, and what took place in respect to their applications to the then existing system, what the

previous government did in order to attempt to deal with what was a deplorable situation in respect to the providing of claims to the Workers' Compensation system to ensure that there was some improved extent of decency insofar as the provision of compensation.

Mr. Speaker, we'll have an overall examination, 1977-1984. We'll be delighted to come back to this Chamber and discuss the improvements that have taken place in respect to the Workers Compensation.

We'll also be anxious to speak to those workers that have, in fact, been most directly involved with the Workers Compensation system as to whether they are receiving fair treatment now, or whether they were receiving fair treatment under the stewardship of the Honourable Member for St. Norbert.

### Mary Scorer Bookstore

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

**MR. R. DOERN:** Mr. Speaker, I'd like to direct a question to the Minister of Cultural Affairs and ask him whether he has been approached for assistance by Mary Scorer's Bookstore which was voted the best bookstore in the country, I believe, in 1980, one of the oldest independent bookstores in Manitoba which has, unfortunately, gone bankrupt?

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

**HON. E. KOSTYRA:** Thank you, Mr. Speaker, I'm very concerned that the turn of events that have happened with respect to Mary Scorer Bookstores. My department did become aware of it on the day that the bank was taking the action with respect to the closure. We did intervene with the bank and asked them to reconsider, to hold off for a short period of time, but, unfortunately, the bank was not prepared to that. We had suggested that they take some time to allow the publishing and writing community and others that are interested in keeping that particular enterprise alive, to give them some time to consider what options might be available for assistance. Unfortunately, that did not take place and we certainly regret that.

The situation is that bookstore is one of the few locations that provides for a wide variety of periodicals, books that are published and written by Manitobans, and that loss is a severe one in terms of the Manitoba publishing industry and Manitoba writers. We're certainly prepared to work with those communities to try to ensure that there is an adequate retail outlet for Manitoba-published and written books.

**MR. R. DOERN:** Mr. Speaker, I'd also like to ask the Minister, given that there are grants available for Manitoba writers and publishers, are there any programs to assist local independent book sellers?

**HON. E. KOSTYRA:** Mr. Speaker, no, at the present time there are not. The only grants that are available is through the Manitoba Arts Council for Manitoba publishers and Manitoba writers. The province has been working for some time on a publishing policy and I'm pleased to report that we are in the final stages of discussion, liaison with the publishing and writing

community with respect to that policy and I would expect that within the next short while that policy will be finalized and will be incorporated into what I expect to conclude with the Federal Government in the form of a Regional Economic Development Agreement dealing with cultural industries.

One of the issues that has to be addressed in terms of publishing and writing in the province is the method and the means of distribution, and that is one area that is under active consideration and I would hope that through our efforts and the resulting efforts in securing a federal-provincial agreement that we will be able to provide a base of support to the industry in Manitoba.

**MR. R. DOERN:** Mr. Speaker, I thank the Minister for that comment. I want to ask him if he can shed any light on the statement that apparently one of the reasons for the decline was a fall off in government purchases. Can the Minister indicate whether that was a reference to Federal Government purchases or Provincial Government or both?

**HON. E. KOSTYRA:** Mr. Speaker, I am not aware of any of that fact. I noted it in the newspaper report and I have asked staff to investigate and report back to me on it.

### Lotteries

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

**MR. R. BANMAN:** Thank you, Mr. Speaker.

I address my question to the Minister in charge of Lotteries and would ask him if he could inform the House whether or not the Government of Manitoba, through the Lotteries Department, is requiring that the government hold the head lease on the 6/49 sales locations in Winnipeg shopping centres?

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

**HON. L. DESJARDINS:** Mr. Speaker, we're required that we hold the lease, was that the question?

**MR. R. BANMAN:** Mr. Speaker, that they require the lease from the shopping centre where the 649 kiosks or locations will be located.

**HON. L. DESJARDINS:** Mr. Speaker, I remind my honourable friend, first of all, that there's no 6/49 as yet in the shopping centres. Yes, we're discussing with the shopping centres - I'm talking about the larger malls now - and yes, this is the requirement that we hold the contract between the mall and them. Now, that doesn't mean for a minute that we would replace the people that are there now. That's not the idea at all.

Let me be quite candid with my honourable friend, one of the reasons is exactly to be able to fight the feds if need be on the question of the pools so that they would not be permitted to sell both products. If we invest in that kind of machine which is quite costly, we want them to concentrate on selling the products that'll keep the revenue to help the charities here.

I wonder, Mr. Speaker, while I'm on my feet, if I can could remind the members and inform those that weren't here yesterday that we will have a mobile dental clinic in front of the building from 11 to 2 o'clock this afternoon and there'll be staff there. So, anybody that wants to visit and discuss and ask questions of staff, they certainly would be welcome. — (Interjection) —

**MR. R. BANMAN:** Mr. Speaker, in light of the fact that the Western Canada Lotteries Foundation has announced that the Winsday ticket will be going computer, like the 6/49 is, has the Minister or the Department of Lotteries done any checking as to how this will affect the smaller retailers in the province that have been selling tickets for many years and have grown over the years to become fairly reliant on the sale of the Winsday and some of the other products?

**HON. L. DESJARDINS:** Mr. Speaker, my honourable friend knows quite well that the decisions of the games and the recommendation for the games is made at the level of the Western Canada Lottery Foundation which is a Crown corporation owned by the four Western provinces and set up to do exactly that. I think my honourable friend would agree with me that we have to keep up with the times and the games or we'll be left behind and maybe then that'll give an opening to another government to come in and sell the products. I think that games have to be looked at constantly - some of them have to be changed - they have to be modernized. I think it is obvious that the future will be with computerized games as far as lottery games are concerned.

**MR. R. BANMAN:** Yes, Mr. Speaker, I appreciate that, but I would ask the Minister in light of the fact that there are a lot of people who in the last 10 years have developed a clientele, small people who have made a living exclusively by going from business to business who normally would have difficulty maybe making ends meet or making money in a different location, these are people that have been involved in the Lottery system.

Will the Minister assure this House that as we're moving into the computer field that somehow these people are plugged into the system, that they are not left behind because of the advancements that are happening, and that some consideration be given to them? The Minister has announced that he will be cutting commissions on this, and my concern is for the individual who is making a livelihood on this.

I wonder if the Minister could give that some consideration when he's developing the policy with regard to the sale and the installation of computer system, different systems?

**HON. L. DESJARDINS:** Mr. Speaker, with the accommodation of members of the House, I wonder if I could remind the people that we are going through my Estimates and to accommodate the members of the opposition when next we meet to consider my Estimates, we'll keep Sports to the very end and then discuss Lotteries as much as you want, as long as you want under the Minister's Salary. This would

accommodate, I'm sure, the Member for Fort Garry and the members covering Sports and Lotteries for the opposition.

### Western Area Power Agreement

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

**MR. D. SCOTT:** Thank you very much Mr. Speaker. Mr. Speaker, I have a question for the Minister of Energy. — (Interjection) — Yes, no kidding, Mr. Speaker. Mr. Speaker, the opposition House Leader intimated in his comments that there be a subsidy to U.S. power. Will there be any subsidy in the power agreement, the Letter of Intent and the developing agreement that we have right now with the Western Area Power Administration of the United States, will there be any subsidy in t at price of power?

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** Mr. Speaker, — (Interjection) — it is never the intention of a New Democratic Party Government to subsidize sales to either Alberta or Saskatchewan or anyone to the south of us, so I can guarantee categorically that there are no subsidies envisaged in either a Northern States power sale or the Letter of Intent that is being discussed and is signed with the Western Area Power Administration.

I can indeed say, and I will expand on this in my Estimates, that there were subsidies in the agreements negotiated by the previous government.

**MR. SPEAKER:** Order please.

The Honourable Member for Inkster.

**MR. D. SCOTT:** Mr. Speaker, a supplementary question to the Minister of Energy regarding the potential of cost overruns. Could the Minister please tell the House and myself whether or not if there are any cost overruns, Manitoba will have to absorb those costs as it did in a previous agreement that the previous administration had negotiated with the Western Power Grid, will any cost overruns be passed on to the ultimate consumer?

**MR. SPEAKER:** Order please.

The question is hypothetical.

The Honourable Member for Inkster.

**MR. D. SCOTT:** Mr. Speaker, is there any provision in this agreement for cost overruns?

**HON. W. PARASIUK:** We have built in in these negotiations very very significant profit margins, as a result since we are not selling power at cost as was the case previously with some, in fact, built-in subsidies, since we are making significant profits, Mr. Speaker, we can handle very clearly any cost overruns that we might run into.

**MR. D. SCOTT:** Yes, Mr. Speaker, a final supplementary to the Minister. Is there a base rate in the power of the sale contract to the Western Area Power Administration, so that if something totally unforeseen



happened in that the price of energy from alternative sources could be less than our power supply costs, would then be covered by a guaranteed minimum price?

**MR. SPEAKER:** The question is hypothetical.

### Video cassette regulations

**MR. SPEAKER:** The Honourable Member for Sturgeon Creek.

**MR. F. JOHNSTON:** Mr. Speaker, my question is to the Minister of Cultural Affairs.

Last year, in Estimates, he made a statement. The one area I might just add that we are looking at is the whole area of video tapes. Since that time of Thursday, June 2 of 1981, there have been hundreds, possibly thousands, of porno video tapes sold in the Province of Manitoba. What is the intention of this government to stop that practice in this province?

**A MEMBER:** Hear, hear.

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

**HON. E. KOSTYRA:** Mr. Speaker, with respect to the issue of video tapes for home use, the department does have a study under way in terms of the options with respect to the classification of those forms of films for home use.

I might add that, with respect to any material that may be in contravention of the Criminal Code, that provision does exist with respect to the enforcement of the Criminal Code in Canada and indeed, in Manitoba, for the police to take action with respect to any material that could be in violation of the Criminal Code. So in terms of the issues of classification, they are under study, active study in the department, and I would expect by the early summer to have recommendations in terms of how the province will deal with the question of classification of home video.

**A MEMBER:** Isn't the Member for Lakeside the expert on these?

**MR. F. JOHNSTON:** Mr. Speaker, the Minister keeps mentioning the word "classification." Classification is not censorship. I would like to ask the government, since the Minister is explaining that they are having studies, regardless of the studies, what is this government's policy on the sale of porno video tapes within this province and will they censor them so that the people of Manitoba don't have 'his trash in front of them as it is being presented at the present time?

**HON. E. KOSTYRA:** This government is very concerned about the sale of any type of that kind of material in the Province of Manitoba. There has been action that's been taken by my colleague, the Attorney-General, with respect to that, and we'll continue to monitor and to enforce the provisions of the Criminal Code.

As I indicated, we are reviewing the factors regarding the classification of video tapes so that people, when they are choosing material to take home, that they will have the benefit of knowing what kind of material they

might be renting or purchasing, as the case may be, but it's certainly not our intention, Mr. Speaker, to go back to the situation that existed some many years ago in this province of censoring material.

We believe that if there are problems with respect to that kind of material that the provisions of the Criminal Code should be altered, should be changed, to ensure that there are the necessary laws in place and the necessary mechanism in place through the police and the courts to deal with that. But, as far as having the Government of Manitoba making determinations for the people of the province with respect to what they can read or cannot read or what they can see or cannot see, I don't believe that is the role of the government.

**MR. F. JOHNSTON:** Mr. Speaker, it's fairly obvious that the government's policy is not to question this trash in Manitoba. I would ask the Minister if he has consulted with women's groups who are opposed to these tapes, if he's consulted with church groups, if he's consulted with home and school groups, and if he has taken the time to examine what other areas have been doing to stop the sale of this trash in their provinces? Has he done all of that research - and obviously the government's policy is not to censor it - what is he doing to get the advice he needs to stop this pornography?

**HON. E. KOSTYRA:** In reply to that speech, I indicated that the province is taking a number of steps with respect to that material, and after I respond I would ask my colleague, the Attorney-General, to talk about the enforcement side.

In response to some of the points in that debate, Mr. Speaker, I have consulted with various groups that are interested in this matter. I have met with the Catholic — (Interjection) — Mr. Speaker, I would ask you to determine whether or not the member would like to hear a response to his question or not.

**MR. SPEAKER:** Order please.

The Honourable Minister of Culture.

**HON. E. KOSTYRA:** Thank you, Mr. Speaker. As I was attempting to say, I have met with a number of groups that are interested and concerned about this area in the Province of Manitoba. I have met with the Catholic Women's League of Manitoba; I have met with the Manitoba Action Committee on the Status of Women; I have reviewed information from the Manitoba Teachers' Society and other organizations that are very concerned about this area, but I do not believe, and it has not been the consensus from those groups, that people want us to go back into a situation of having government making decisions, having government censorship in the province.

They are concerned, the fact that there is no classification, that there is no public information with respect to that kind of material. There are concerns with respect to the enforcement and, as I indicated, we are dealing with those aspects and we will continue to do the things that are necessary to ensure that there is adequate public information with respect to this material. In terms of the enforcement, Mr. Speaker, I



would ask my colleague, the Attorney-General, to outline the steps that he has taken with respect to that area.

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

**HON. R. PENNER:** Just to complete the information which the Member for Sturgeon Creek has asked, indeed, a few months ago I announced a much stepped-up enforcement policy with respect to the provisions of the Criminal Code, which in my view is the appropriate way to deal with this material. Members may recall that one aspect of that policy is that with respect to this material, which is particularly material of sexual violence, in appropriate cases the charges are to be laid by way of indictment; and indeed in appropriate cases Crown Attorneys will be asking judges to consider jail sentences instead of the old system of fines, which in many cases turned out to be no more than licenses. I can report to the House that there are several trials under way or pending where distributors - and those are the ones who are making profit on the distribution of this material - are in fact charged.

In addition, we have asked the Minister of Justice, we have indicated our support to the Minister of Justice with respect to strengthening provisions of the Criminal Code. It's not clear that will be dealt with before the next federal election; I hope that it is.

### Hydro employment - northern preference

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

**MR. S. ASHTON:** Mr. Speaker, in view of the potential, economic impact of the announcement made by the Minister of Energy and Mines earlier today, I was wondering if the Minister will be referring the subject matter of that announcement to the working group of Northern MLAs he's established to look into the question of Northern preference on Hydro work.

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** Mr. Speaker, yes, I certainly would want them to pursue this with Northern communities, because if one talks about 42,000 person-years of work, carried out at least over a 10-year period, then one has sufficient lead time to really do all the planning required and people then have confidence that there is some continuity of employment; so that will be referred to that working group and certainly we'll be meeting with businessmen and workers throughout Manitoba.

I know that the Canadian Manufacturers' Association, for example, the other day was very pleased with these types of announcements, Mr. Speaker. Unlike the Conservatives, they are very pleased with these announcements. They know that if we have at least a 10-year of development they can develop the industry here in Manitoba so that we can become the industry leaders of the world with respect to energy development.

**MR. S. ASHTON:** A supplementary, Mr. Speaker. In view of the fact that with announcements such as they

being a reality there would be upwards of 10 years of employment, literally thousands of jobs at any given time, I would like to ask the Minister whether he would also look at the question of Manitoba preference, since I am sure we would all like to see all Manitobans benefit from this development?

**HON. W. PARASIUK:** Mr. Speaker, we believe that we don't have to get really involved in the type of thing that the City of Winnipeg got involved in, in that if we provide sufficient lead time, and that will be our intention over the course of the summer to meet with business people throughout Manitoba to let them know what the possibilities are, to provide them very detailed information, so they can plan ahead to bid properly on these projects. We believe that in that manner, which is a fair-handed manner, we can ensure that to the fullest extent possible Manitoba business benefits, all Manitoba people benefit.

### Railway contracts

**MR. SPEAKER:** The Honourable Member for Sturgeon Creek.

**MR. F. JOHNSTON:** Mr. Speaker, my question is to the Minister of Industry and Technology. The report that I have in my hand from the CP Rail says there are \$600 million of contracts that will be met in Western Canada for new railway facilities in Western Canada. There have been contracts let, and I don't notice that any of them have come to Manitoba.

What is the Minister of Industry and Technology doing to see that Manitoba contractors or Manitoba companies receive some of this work, and what efforts are being made to get the spinoff from the contracts that are being let in Western Canada? Mr. Speaker, this is happening now. What is the Minister doing now?

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

**HON. E. KOSTYRA:** Thank you, Mr. Speaker. I will have to answer the question a bit in the past tense and not of what the Minister is doing now but what we have done to date with respect to that.

Myself and some of my colleagues on the Cabinet committee dealing with economic matters have met with senior officials of both railways here in the province to talk with them with respect to their overall plans in the province with particular emphasis on how we can work with them to ensure that there be maximum spinoff benefits from the increased rail activity in Western Canada. Unfortunately, most of their plans with respect to that increased activity is not here in the Province of Manitoba but is dealing with the double tracking in the provinces of Alberta and British Columbia.

We have, as I indicated, met directly with them in terms of encouraging them to work with us to ensure that there is maximum spinoff for Manitoba companies. In addition, staff of the department have arranged seminars with the railways and Manitoba companies to look at increased opportunities for Manitoba companies to provide materials, to provide manufactured goods, for the two railways here in the Province of Manitoba.

In addition, members of our investment branch have been working actively out of the province, looking at the possibility of some increased activity, some new investment by firms that supply railway manufactured goods from other parts of Canada and other parts of the North American continent.

So, Mr. Speaker, we have been working quite intensively to date with respect to trying to ensure the maximum benefit for Manitoba industry, and thereby the Manitoba economy, with respect to the increased rail activity, and we will continue those efforts to ensure that there are maximum benefits because we believe that there needs to be a balanced approach with respect to economic development in the province.

We have been working with things like have been announced today by the Minister of Energy and Mines, we have been working with the railways, we have been working with other Manitoba businesses to ensure that we have a balanced overall approach with respect to economic development in the province.

**MR. F. JOHNSTON:** Mr. Speaker, the Minister answered the question in the past tense of what has been done. With all of these efforts that have been put forward, can he report what benefit Manitoba manufacturers will have from the contracts that have been let now? After all this work, did any Manitoba manufacturers benefit after all their work? Can he report?

**HON. E. KOSTYRA:** I think, Mr. Speaker, I would be pleased to provide that detailed information to the member, in due course, to the House.

### **K-Cycle Engines**

**HON. E. KOSTYRA:** While I am on my feet, I took as notice a question some time ago from the Member for Fort Garry with respect to K-Cycle and I would like to provide additional information in response to the questions that I took as notice.

I did receive, as I indicated, a response from the Federal Minister for Small Business with respect to K-Cycle. He indicated that FBDB will be soon advertising the assets of K-Cycle for sale but that they would put their best efforts forward with respect to keeping that technology in Manitoba.

The staff of my department has had subsequent discussions with the local FBDB officials, and they indicated that they are willing to meet with Mr. Kristiansen to see if he has some new ideas with respect to his operation. Our staff have been meeting with him on a regular basis to assist him with his attempts to raise more private capital with respect to reassembling his operation.

I should also add that I have been informed that the Manitoba Securities Commission has, as a result of an application from the Federal Business Development Bank, given relief from the cease trade order that they had imposed on that operation. However, that relief is going to be done in two stages; one, to allow for the advertising of a sale, but that it has to come back to the commission for final approval, which will give the government the opportunity to reassess any proposals that come under that initial call for sale.

**MR. SPEAKER:** The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Thank you, Mr. Speaker. I appreciate the information from the Minister and I would like to ask him what he means precisely by the Federal Business Development Bank extending permission for advertising to be held that would advertise sale of the company, or offer the assets of the company for sale.

Does that mean that the expertise and the technical capabilities and capacities of the company would be offered for sale; and, further to that, is there any consideration being given to the extension of time under which the present owners would have the opportunity to repay their indebtedness to the Federal Business Development Bank?

**MR. SPEAKER:** Order please, order please. The question does not seem to refer to matters within the administrative competence of this particular government. Perhaps the honourable member would prefer to ask the Minister privately.

The time for Oral Questions has expired.

### **INTRODUCTION OF GUESTS**

**MR. SPEAKER:** Before proceeding with Orders of the Day, may I direct the attention of honourable members to the gallery.

We have 23 students of Grades 4 to 6 standing of the New Hope School under the direction of Mr. Enns. The school is in the constituency of the Honourable Member for Rhineland.

There are 40 students of Grade 9 standing from the Whitemouth School under the direction of Mr. Steinhoff. The school is in the constituency of the Honourable Minister of Municipal Affairs.

On behalf of all of the members, I welcome you here this morning.

### **ORDERS OF THE DAY**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker. Mr. Speaker, would you please call the concurrence motion on Page 2, standing in the name of the Leader of the Opposition.

### **ADJOURNED DEBATE ON RULES OF THE HOUSE - BELL RINGING**

**MR. SPEAKER:** On the proposed motion of the Honourable Government House Leader, the Honourable Leader of the Opposition.

**MR. G. FILMON:** Thank you, Mr. Speaker. I wish to resume my comments on the motion for concurrence with the proposed rule change that is before us. I do not intend to speak at any great length or to belabour the issue, but I believe, Sir, that there are some points that need to be reinforced with respect to what we are doing and how we have gotten to this point; some points that I think may have been obscured by some of the discussion and rhetoric that has gone on, and the whole process that we have gone through in Committee of the Whole in arriving at this point.

Sir, we are dealing with a proposal by the Government House Leader and his colleagues to unilaterally change the rules of this House; a proposal to limit the time during which the division bells may ring in this House which is, without question, in response to the experience which the government went through recently in dealing with the proposal to amend our Constitution with respect to the French language issue in Manitoba.

I say to you, Sir, that the proposal will go a long way towards perhaps putting in the hands of government the power to steam roll over the wishes and the will of not only the opposition but the people of Manitoba with respect to the consideration of, in particular, an amendment to our Constitution.

I think it's been well noted that the area with which our side of the House has some considerable difficulty is in applying this proposed rule change to constitutional amendments. We have acknowledged time and again, Mr. Speaker, that constitutional amendments have to be dealt with, have to be considered in a different light from ordinary legislation and, indeed, even from motions to change our rules, because a motion to change our rules such as we are considering today is one that can, of course, be changed by future governments if indeed it is not in the best interest of the people of this province.

As well, legislation, should it prove to be harmful or, again, not in the best long-term interests of the people, can be amended, can be changed in future. But constitutional proposals, amendments to our Constitution fall into the category that makes them almost irreversible in many respects because the amending process is complicated. There is a requirement for Federal Government assent to amendments to the Constitution and so on. We have always indicated that in itself requires that we look upon these matters in a much different light than we do ordinary motions, ordinary pieces of legislation.

Sir, during the recent discussions and, particularly, in Committee of the Whole, I believe that the Government House Leader indicated that he felt that there had been consensus on the part of the opposition and the government to deal with respect to certain amendments that he had proposed in Committee of the Whole. I want to reinforce, because I believe that it has already been clarified in this debate by the Opposition House Leader, that the consensus was only with respect to the fact that these proposed amendments were better and went a way towards acknowledging the concerns that were raised in Rules Committee by members on our side of the House. They certainly, in our view, didn't go far enough. We had, in fact, a proposal by the Member for St. Norbert to take it a step further and provide some additional safeguard, in our view, that called for public hearings with respect to constitutional amendment.

Now, Mr. Speaker, I want to ensure that all members of this House understand that the bottom line, from our point of view, was that a rule change at this point in time without consensus was not warranted, that there were many considerations and concerns raised by members of the opposition in the Rules Committee that had not been taken into account and, therefore, we ought not to proceed with the rule change at the present time, lacking consensus. That is the bottom line, Sir.

The initial part of the proposal was indeed passed in Committee of the Whole on the understanding that

we would consider further some other safeguards but that the whole process itself should not have proceeded to this stage without consensus in the Rules Committee. That was our bottom line.

Having said that, the further proposals that were put forward by the Government House Leader went a way to give a tip of the hat, a nod to the concerns that had been raised in Rules Committee. Further to that, the Member for St. Norbert added some additional material that would have gone even further towards recognizing concerns for providing greater safeguards during the process of consideration of a constitutional amendment. Sir, it particularly zeroed in on the need to have public awareness, public representations before a standing committee of this House.

The need for public hearings and public input into constitutional amendment, I don't think can be understated. I don't believe, Sir, that we can, in any way, underestimate the value of that and the importance of that in the process of arriving at constitutional amendment; and the fact that certain safeguards, perhaps certain powers within the grasp of the opposition to deal with the process of constitutional amendment were being lessened or removed by virtue of the rules change meant that we should then find ways of providing additional safeguards, and that additional safeguard of public hearings, to my view, is one of the most important ones. In fact, the whole process of last summer's events in this Legislature that began with the introduction of a proposal to amend our Constitution by the Attorney-General, that carried on with long, bitter and acrimonious debate through the months of June, July and well into August really zeroed in on an effort to ensure full and complete public hearings.

The Government House Leader said, immediately upon that statement being made, I believe, by the Opposition House Leader a few days ago, that that's not so; the government was prepared to go to public hearings early on in the process. But, Sir, their idea of public hearings was nothing like the idea of public hearings that the opposition had in mind or indeed that the people of Manitoba were demanding. Their initial idea of public hearings was an informational session, a travelling road show that went to about four locations in the province on an orchestrated basis that really was a manner in which the Attorney-General could make his views known in a totally controlled atmosphere.

Sir, as I recall, the opportunity for people to have significant input was very limited. The speakers were limited and, in fact, the kind of orchestration produced questions only and the impression that many many groups in society were totally in favour of what the government was doing. In fact, Sir, even to this day, the manner in which that was so carefully and well orchestrated has left in the minds and in the impression of many people outside of our province in Canada that those proposals with respect to the French language in Manitoba were supported by the ethnic groups of Manitoba.

I read an editorial in an ethnic newspaper that's produced in Edmonton. I read that editorial just a matter of month ago in which they restated that false impression, and that false impression was created by that first series of public hearings in which ethnic groups were formed with a purpose. Instantly, overnight, these

organizations were formed with the purpose of showing or demonstrating support for the government's proposals and trying to create that impression. That's how well they orchestrated and did that series of public hearings.

Well, that is not what we have in mind and that's not what the public had in mind when it demanded public hearings in a full and open sense as we do for any piece of legislation, allowing for representations by the public, allowing for open questioning and discussion in the committee, and allowing for a real and true expression of public opinion in the finest democratic sense that we can ask for in this province. That's the kind of thing that we have asked for in the past; that's the kind of thing we had in mind when we had those long acrimonious debates during the summer of 1983. That's the kind of thing that I believe is a necessary safeguard, for instance, to the process of constitutional amendment that ought to be included in our standing rules at the very very least.

Well, Sir, it seems to me that that is the crux and the essence of how the whole government proposal with respect to the French language issue got off the rails, because if there had been some mandatory requirement for public discussion, public presentation and review of a constitutional amendment proposal, this government would never have gotten into the dilemma and the difficult circumstances it found itself because, believe me, if there had been some broadly spread review of the proposal at public hearings throughout the province, almost in a White Paper sense, prior to its introduction in the House, it would never have seen the light of day in this House.

That's the kind of thing that I believe is of such considerable merit that the Member for St. Norbert had in mind when he made that proposal before the Committee of the Whole earlier this week, a proposal which was rejected out of hand by the Government House Leader and his colleagues. I say to you, Sir, that this is the kind of thing that leads us to say that we should not be passing this concurrence motion, that we should not be dealing with the rules change, as it is today, without consensus, without some assurances and safeguards for the people of Manitoba. It's not the right time and it's not necessary at the present time, Mr. Speaker.

I am told, Mr. Speaker, that members opposite have some grave concerns that the opposition would use the tactic of the bells on any issue in future and could, in fact, paralyze this government. Well, Sir, I say to you this government doesn't understand yet why it got into the circumstances it has; it doesn't understand yet why that whole situation happened. It didn't happen because the opposition was prepared to take that; it happened because something in the order of 80 percent of the population of Manitoba was opposed to what they were doing.

I've said before publicly, and I repeat it here, that the public of Manitoba would never have tolerated the actions of the opposition under those circumstances if it were not for the fact that they believed that this government was totally wrong-headed in its approach, was on a course that was so inappropriate for the needs of Manitoba at that time and place in history that they would tolerate almost any actions being taken within the rules to try and stop a majority government forcing

its will in a totally unacceptable manner on the people of Manitoba.

That's why, Sir, the use of the bells was acceptable to most people in this province because they wanted the government stopped because the government had proceeded on an ill-considered course without having first found out what the public believed, what the public wanted to see happen in this province. And to see, in a fundamental realtering of rights and freedoms in this province, this government proceed in such an ill-considered course, that is why the whole situation occurred; not because the bell ringing per se was a tool and a weapon that ought never to have been used. That was there in the rules for eons, Sir. That, Sir, was available to successive oppositions throughout the years of operation of this Legislature, but it never came into being and into play until a government proceeded in such an ill-considered manner so contrary to the rights, to the feelings and the desires of the people of Manitoba that it came to this stage.

So, in response to this again, the government has taken a totally inappropriate course of action. They immediately seek to take away any potential for that ever happening again in order to try and ensure that they have the total control and power over the workings of this Legislature.

Sir, we have seen that desire for total control and power taken even a step further where they're willing to trample on the rights of the opposition, they're willing to, on points of procedure and points of order, overrule you as the presider over this House, and they're willing to take that to any extent in order to demonstrate their total power and control over this Legislature. They have gone haywire, run amok once again in dealing with a matter that really is of very very little consequence in the normal workings of this Legislature at any time.

I say to you, Sir, that the intense public reaction and controversy over the issue that caused this rule change to be put forward was as a result of the government's total insensitivity to public opinion, total unawareness of public reaction on an issue of fundamental importance to the people and the future of this province.

The convulsion and the disruption that occurred throughout this province, not only in this Legislature but throughout this province, was because of the ill-considered course that they embarked upon; not because of the rules; not because of the things that exist in our rules and procedures to protect the rights of all members of the House; not at all, Sir. It occurred because they were so determined to force through a proposal that was unacceptable to the vast majority of Manitobans that they would even go to the extent of imposing closure on a constitutional matter, something that had not occurred in decades in this House, and probably never on a constitutional measure.

Sir, that's what brought us to this point, that is what resulted in the bell-ringing episode, and it is that which will probably never happen again, because I doubt, after this government is replaced, that any government would proceed in that matter again in future. So they are not protecting future governments from taking that kind of action. Future governments would never consider that type of action. They must only, Sir, be trying to ensure that they could take that kind of action again in future and that's what worries me about this proposal to change the rules.

Mr. Speaker, in reviewing the matter that's before us, I just want to place on the record that, in the past, consensus has always been sought on rule changes. In the future, I would hope that consensus would always be sought, but this government is setting a precedent - a precedent that we are not unmindful of - that says that if the rules are not in accordance with the wishes and the desires of the government, you go ahead and change them for your own purpose and that I don't believe is healthy.

But at the same time, Sir, if in doing that sort of thing they have set the precedent, then it will not go unrecognized by future governments. It will not certainly go beyond their notice that it is theirs to do again in future. That has taken away something that I believe was important in the past, that government and opposition got together and, by virtue of consensus, arrived at decisions on rule change.

I say to you that they've changed that, and I say to you that they've done it not only with respect to dealing with ordinary motions and ordinary pieces of legislation, but with proposals to amend our Constitution. That leaves a major, major gap because we know now that governments with their bare majority, temporary as they may be in office, can in future come before this Legislature and propose amendments to Constitutions without getting any semblance of public reaction and response to their proposals, without getting any sense for public opinion, or even consensus among the people of this province or the people of this Legislature, and bring forward constitutional amendments and change. I think, Sir, that demonstrates an insensitivity - in fact, a contempt - for people of this province and the people of this Legislature.

I say that we on this side of the House do not support the proposal to change the rules as the government is forcing through with this concurrence motion. We, Sir, believe that the government should not be acting in this heavy-handed manner. Mr. Speaker, I say so much for democracy, so much for their commitments to protection of minority rights. We, the opposition, are the minority today. In fact, the people of Manitoba appear to be the minority in terms of dealing with this because they have no say in what this government is going to be doing. They have been set aside, frozen in time and space by an inability to get to this government, because they've set themselves up above the opinions of the people of this province.

Sir, for that reason, we cannot go along with it. We do not support concurrence with this report and we do not support concurrence with this proposal to change the rules.

Thank you very much.

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

**MR. R. DOERN:** Mr. Speaker, I think that the opposition has been double-crossed in this debate, because it was only a short time ago that we were — (Interjection) — well the Minister of Municipal Affairs says outsmarted, so he recognizes . . .

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

**MR. SPEAKER:** The Honourable Government House Leader on a point of order.

**HON. A. ANSTETT:** Yes, Mr. Speaker, I was just identified as having said something from my seat. Mr. Speaker, I do my best to refrain from in any way participating in speeches by the Honourable Member for Elmwood. I said nothing.

**MR. SPEAKER:** I thank the honourable member for that explanation.  
The Honourable Member for Elmwood.

**MR. R. DOERN:** Yes, Mr. Speaker, I meant to refer to the Minister of Government Services who made that remark.

I say to the House Leader, he doesn't have the guts to debate with me in this Chamber. He makes his debating comments to the press.

**A MEMBER:** That's right, that's right.

**MR. R. DOERN:** He makes them to the press. He makes unparliamentary comments and makes unparliamentary statements about other members outside the Chamber, because he doesn't have the guts to do it in the Chamber. All you have to do is look at the Free Press a day or so ago and that, of course, is borne out.

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

**MR. SPEAKER:** Order please. The Honourable Government House Leader on a point of order.

**MR. R. DOERN:** He also makes comments about the Speaker outside the Chamber . . .

**MR. SPEAKER:** Order please, order please.  
The Honourable Government House Leader on a point of order.

**HON. A. ANSTETT:** Yes, Mr. Speaker, first to the use of the phrase which appears as item 4 on the list. On page 107, I raise a point of order respecting the admissibility of the expression that has been consistently ruled unparliamentary under Citation 320. I would ask you, Sir, to consider asking the honourable member to withdraw.

Mr. Speaker, I would also ask you, Sir, to consider the propriety of the honourable member suggesting that this member made allegations which reflect on the Chair either in or outside of this Chamber.

**MR. SPEAKER:** Order please.  
The Honourable Member for Elmwood to the same point.

**MR. R. DOERN:** Mr. Speaker, On the point of order, one of the points made by the House Leader is that I suggested that he reflected on the conduct or the ruling of the Chair. Mr. Speaker, I cite as evidence of that, that the House Leader said only yesterday . . .

**MR. SPEAKER:** Order please. The honourable member is debating the issue.

It is clear that the language complained on by the Honourable Government House Leader does in fact appear in the list of terms which are considered to be



unparliamentary and should not be used in this House. I would ask the Honourable Member for Elmwood to choose his words with care and not to make personal attacks on other members of this House, to restrain or to restrict his arguments on matters of principle and policy rather than on individuals.

The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I thank you for that caution, but I say by way of clarification that the House Leader rose and made the remark that it was beneath him to debate with me in this Chamber. That was the inference that he suggested. My retort to that was that I make my comments in this Chamber not outside the Chamber.

I would say to him that he should have the courage to make comments in this Chamber that he makes outside the Chamber every day to the press.

Mr. Speaker, I'm concerned about this legislation. I'm concerned about the fact that we began to debate a package. We were given the impression by the House Leader that he was going to consider and include and incorporate the suggestions that came from the official opposition. There was some discussion obviously between the two House Leaders, there was some debate. There were suggestions made in committee and we were then considering, not only a limitation on bell ringing, which in my judgment is not necessary; but we were considering a change or a new procedure in regard to constitutional amendments.

All of us know that it isn't bell ringing that is the real debate or the real question, it is the amendment of the Constitution of Manitoba. That is the name of the game, Mr. Speaker. The discussion and the focusing of attention, public and legislative on a limitation of bell ringing is a subterfuge. It is not what should be dealt with.

So now we're left with some fancy manoeuvrings or as the Minister of Government Services says he thinks that the opposition was outsmarted. Mr. Speaker, I say the opposition was misled. I say that the opposition was given assurances and positions were put that would lead any reasonable person to believe on the basis of trust and on — (Interjection) — well there certainly is. Anybody would think, having sat in on the debate, that we were debating a package, 15 minutes of bell ringing, 10 days of discussion on a constitutional amendment and then a further amendment by the Member for St. Norbert about public hearings.

We know that when finally we got to that point, because the government was more than prepared, more than willing to consider allowing a 10-day period of debate because it really was a small concession indeed. It was a throw away concession. It wasn't anything for them to really be concerned about, because in a four to five month Session, 10 days of debate amounts to a couple of weeks. So if the Session is a little longer or a little shorter by a couple of weeks on an annual basis, what does it really matter? Nobody is going to get concerned in this Chamber whether we're here 3-1/2, 4 or 4-1/2 months, at least not at the beginning. So the result is that, that was not the issue.

But soon as the opposition decided that they would make some specific proposals or amendments to this legislation, then all of a sudden the House Leader got

into a huff, not only dropped the reasonable proposal from the Member for St. Norbert, but dropped his own suggestion. All of a sudden because of some manoeuvrings that went on, this side of the House assumed that the other matters would be discussed and the government immediately proceeded to, in effect, close the debate and demand passage of it.

Mr. Speaker, I don't know how to describe that exactly, but if the Government House Leader or the Government Services Minister wants to say that that is outsmarting the opposition, those are not the words that I would use.

Mr. Speaker, I think it's interesting to note in passing that whereas you requested that the matter be taken under advisement, this was not allowed by the House Leader and it makes me think that if the government can do that, it's a pity that the opposition doesn't have the same privilege, because I recently put a motion which was taken under advisement, and I don't have the authority, as a single member of this Assembly, to unlock that reasonable proposal and to proceed with business as I wish; but the government can, by exercising its muscle, see that brought into effect.

**MR. SPEAKER:** The Honourable Member for Concordia on a point of order.

**MR. P. FOX:** I believe it is the custom and the practice of this House, decisions taken by this House are not to be referred to again and debated again.

**A MEMBER:** Peter's looking for a new job.

**MR. SPEAKER:** The Honourable Member for Elmwood should be aware that he should not reflect on decisions formerly made by this Chamber in the same Session. The Honourable Member for Elmwood.

**MR. R. DOERN:** I thank you, Mr. Speaker. What I was attempting to do, and I was painfully aware of that danger, was to point out that what is sauce for the goose, in this instance, is not necessarily sauce for the gander, that the deck is stacked and that we're not playing a fair game here when the government can simply come in and use its majority.

Mr. Speaker, we go back to the original proposal and I can tell you that the people of Manitoba are getting nervous about the fact that bell ringing is being debated once again in the Manitoba Legislature. I believe there is a letter in today's paper on that very question, a letter to the editor in the Winnipeg Sun — (Interjection) — No, I didn't write this letter. I haven't written any letters to the editor for a while, but I may be inspired to write a few letters very shortly.

Mr. Speaker, this letter, I believe, deals with this general question. It's today's paper, Winnipeg Sun, and it's called, "History Rules Against Pawley." That's the heading on the letter, and it says, in effect, as follows: "Manitobans are within their rights to demand Mr. Pawley's Government debate the legality of the present constitutional amendment procedure before considering any further amendments. The preamble to The B.N.A. Act describes the Canadian Constitution as being similar in principle to that of the United Kingdom, a preamble is used as an aid to interpret expressions used in the body of the statute.

"The Canadian Constitution was modelled as closely as could be on that of Britain and was also influenced by the example and experience of the United States. In the U.K., the doctrine of the mandate required Parliament to have a mandate from the electorate for making any constitutional change. In the U.S., amendments to the State Constitutions are generally required to be prepared by the State Legislatures and ratified by popular ballot.

"The results of the plebiscite indicate the Pawley Government does not have a mandate from the electorate of Manitoba. Therefore, unless he consents to have an election, he should seriously consider Mr. Lyon's proposal for a vote of the Legislature for future constitutional amendments.

"The recent attempt to force through a constitutional amendment by simple majority and closure was thwarted by the ringing of division bells by the Conservatives on behalf of the people of Manitoba. It now appears that Mr. Pawley's Government intends to limit bell ringing, which will regress the constitutional rights of Manitobans to 1214, before the Magna Charta. Some maintain that the Pawley Government has already violated the soul of Magna Charta, the most vital of the four remaining clauses, 29. The essence of this clause, that justice shall not be sold or deferred, but by lawful judgment of the law of the land, does not appear to condone an attempt to impose a constitutional amendment in place of allowing a case to proceed unimpeded to the Supreme Court."

Mr. Speaker, it is a fact that without the weapon of the bells, without the possibility of ringing the bells, Manitoba would now be officially bilingual. Some people, of course, would think that's a wonderful thing; some of the members opposite do think that. The CBC certainly thinks that. I watched their program last night along with, I'm sure, many other members, and found another biased, slanted, unbalanced, hatchet job on the people of Manitoba, another corny account of what really happened. What really happened, according to that document, was that the people of Manitoba who are French speaking, have been maltreated in this province for 100 years.

Mr. Speaker, that is not the case, and the fact that one or two people think that, doesn't make it so. I was speaking to some people only yesterday who simply made the point to me that all of us in this province got along and there was a lot of harmony in Manitoba until this issue hit; and then, because of the issue, because of what the government tried to do; namely, make the province bilingual and namely, bring in extended services and bilingualize the Civil Service, there was a public reaction, a significant public reaction.

That reaction was manifested politically in this Chamber in the following way, that it shook the government and it put steel into the Conservatives and the Conservatives who might have, at one point in time, decided that there had been enough public debate and enough legislative debate, were bolstered and encouraged by the public, which phoned them and wrote to them and spoke to them and demonstrated and held rallies in this very building, held meetings in this very building, came to the public galleries and filled the galleries for weeks on end, and in combination, Mr. Speaker, stopped the government.

My honourable friend from The Pas thinks that was simply a case of organization, that all a person has to

do is get a telephone and phone up a couple of thousand people and those people will run into the streets and write letters and, well, you know, Mr. Speaker, in a way it's very flattering indeed that he thinks that there are people in this Chamber or in the gallery or nearby who have that kind of clout that they just press a button and thousands of people turn out and thousands of people — (Interjection) — Mr. Speaker, the fact of the matter is, you cannot do that no matter how hard you try unless you touch the public pulse, unless there is some feeling and appreciation and understanding in the public for that basis.

I'll explain that further, to say to the honourable member that Great-West Life recently conducted an extensive advertising campaign against government life insurance and they had full-page ads in the Winnipeg papers and throughout the Province of Manitoba; and those ads cost thousands of dollars. A page in the Free Press during the week costs \$7,000.00, on the weekend it's more; a page in the Sun is about \$1,000.00. Pages throughout the province are hundreds of dollars apiece, so they undoubtedly spent 20, 30, maybe \$40,000 on a campaign, and that sounded to me like a good campaign. It sounded to me like a campaign that there'd be some public reaction, because of all the insurance people, because of all the business people, because of all the supporters of the Progressive Conservative Party who would be opposed to government life insurance, but what was their response?

I thought that they would get several thousand coupons or ballots or letters back. What did they get? Seven hundred replies. Well, I'm sure, Mr. Speaker, that made the government happy and maybe it made the opposition sad, I don't know, but I do know that the expenditure of money or that the designing of a campaign does not elicit a result that one might expect.

Those of us who fought this measure from Day One I think were surprised at the intensity and the extent of the feeling of the people of this province, "Friendly Manitoba," about this issue, because they were satisfied with the way things were and they were willing to make changes. It was the heavy hand of this government that aroused them and it aroused them, first of all, to contact MLAs and to try to get the message through to the government. Even members of the New Democratic Party tried and failed to get the message through to the government.

Mr. Speaker, after a while, as the government kept proceeding and kept tightening and maneuvering or, as the Minister of Government Services would say, outsmarting the opposition on his terms, they eventually invoked closure. That is when things really blew up in the province when a lot of people, who had never before been interested in this issue or in the political process, suddenly woke up and realized that within hours the harmony that had existed, the good feelings that had existed and the feelings of friendship with people who were French speaking, were suddenly now becoming endangered.

All the phony groups and all the heavily-funded groups of the Federal Government could not stop that. The Manitoba 23s which suddenly came out of the woodwork and the constitutional committees that suddenly sprang up, funded by the Federal Government, they could not turn the tide.

Then, finally, we got to the attempt by the government to cut off the debate in terms of bell ringing. Mr. Speaker,



that is what we are now discussing, that the government, which didn't have the courage to cut the bells because of the feelings of the people in the province, attempted to do a parliamentary maneuver and were not successful. They pressured the Speaker and were rebuked, just as they pressured the Speaker the other day and were rebuked again. Two times, Mr. Speaker. So now they bring in legislation asking us to put a 15-minute limit on bell ringing.

Mr. Speaker, I will never support that motion. Never. If the government brought it in, in conjunction with a package, that would say that there would be a time set aside for constitutional debate, that there would be public input, that there would be public hearings, that there would be a new formula so that any government, this or any succeeding government, couldn't just simply pass a constitutional amendment any time it felt like it, then I would consider it seriously.

But, Mr. Speaker, I do not trust the government, I do not trust the House Leader, and neither do the people of this province, because the concern is now that if this measure passes that this government will reconsider reintroducing their legislation. Nothing will prevent them. Who will stand between that and the new rules of the House? It was because of the possibility of ringing the bells that the government was stopped dead in its tracks and if we now give them this weapon, then what will happen?

Mr. Speaker, there is an old saying. It is, "Never give your enemy a club and then beg for mercy." That is what we are going to do. We are going to hand them a club and then hope that they don't bludgeon us with it, or this province, into submission. That's where the danger lies, Mr. Speaker. So all this talk about abusive bell ringing is a lot of nonsense.

Mr. Speaker, I read by way of illustration an editorial from the Free Press on March 24th, called "Haggling over the bells." They say in one paragraph, in the middle, "As it happens, however, bell ringing and refusal to vote, while serving the unworthy purposes of the opposition in the recent shenanigans, also got the government out of a difficult position with its principles intact." That's quite a line, but the interesting part in it is it had got the government off the hook.

I am reading further - "It provided the minority party a way of preventing a decision which would have gone against its wishes. It provided the majority party a reason for abandoning an unpopular project which, even after extensive revision, was not finding widespread comprehension or majority support in opinion surveys and was arousing vociferous opposition.

"Mere obstruction and filibustering by the opposition makes it difficult and uncomfortable - no more than that - for the government to carry on with those projects to which it is profoundly committed and from which it may want to escape, but bell ringing elevates the difficulty to impossibility.

"A government which has no will to govern, which would rather follow than lead, might wish to supply to the opposition a gun for pointing at the government's head."

So the government was able to take this following position in the end, and it was a very interesting bit of footwork on the part of the government. They eventually took the position: We tried to get the legislation through, but the opposition used the bells

to block us and therefore they are to blame. That's the first proposition.

Then following from that came the brilliant deduction that we will take away this impediment to the government. Then what follows from that, Mr. Speaker? What conclusion can one draw from those various premises? Very simple. Take away the bell ringing, reintroduce the legislation and ram it through because that's what they tried to do before. They didn't stop the bells from ringing and they didn't replace the Speaker because they knew there would be an explosion in the province. Otherwise, they would have done it. They would have cut the bells, they would have called the vote, they would have replaced the Speaker and they would have rammed through the legislation, but it would have been a disaster. It would have been a political and social disaster, so they didn't do it. They went to the brink and they looked over the precipice but they didn't take that final step.

Mr. Speaker, I say again on this question: What is the rush? What is the urgency of getting this change through? We have lived with these bells and with this policy in this province since 1870, and all of a sudden it has to be changed. We know very well, Mr. Speaker, that the government is always in a rush to do something. They were in a rush to bring in this legislation; they were in a rush to pass it. When we started this debate, and it's a year now, it started in the NDP Caucus in the middle of May, 1983, came into this Chamber in June, and what did the Attorney-General tell us at that time? He said there's a deadline. We must have this through the House of Commons and we must have it through the Senate by the end of December, 1983. Mr. Speaker, that was the ultimate deadline, but I believe the Attorney-General set a preliminary deadline of the fall, didn't he? Wasn't it in the fall that he needed this passed so the whole package could be through by the end of the year?

Then when pressed and challenged, he said, well, we'll allow a little more time. I'll talk to Mark MacGuigan, who is a good friend of his, and Mark will hold off the Bilodeau case - a great big concession on the part of Mr. Bilodeau and his lawyer - and we'll put it back a little bit. Then, when that deadline was passed, Mr. Speaker, then he said, well, we'll put it off a little further. Then, when we got up to that deadline, he said we'll extend it a little further. These were the Attorney-General's deadlines. Remember those deadlines, those deadlines that kept receding further and further and further into the future?

Mr. Speaker, when I pressed the Attorney-General on one occasion in question period about his deadlines, he then said they're not deadlines. In fact, Mr. Speaker, they're targets. So that was a bit of a change. We now had targets at which to shoot, at which the government shot and missed.

I suppose if we pushed the Attorney-General further on that issue, he would say, well, they're not really targets, they're just thoughts or penses, or maybe they're dreams or just whims. So we know in the last analysis that the urgency was urgency in the mind of the government; no practical urgency whatsoever.

Now, Mr. Speaker, we see that the Supreme Court is discussing this question on June 11th, not in September, not in December, but a year later. The court will rule probably months after that.

So I'm saying to the House Leader and the government, what's the rush? Why is the House Leader getting so huffy and, instead of coming in with a package of both bell ringing and constitutional amendment, why does he now suddenly just bring in bell ringing alone in total isolation from the real issue and the real problem that faced the government and faced the Legislature?

Mr. Speaker, this is simply a variation of the two-week agreement on bell ringing. The original agreement signed by the Member for Turtle Mountain and the Attorney-General, at the Attorney-General's insistence, was to limit bell ringing for two weeks. Isn't that really in a way what's being done here again, namely, to have a sort of a limit on bell ringing which was to have been translated into two-week limitation on debate, but now that has gone by the boards? The government doesn't want to talk about that. The House Leader who gave assurances and described what he intended to do has suddenly now pulled that back. If he can't have his way, Mr. Speaker, then he won't play at all. As he would say, it's my way or the highway and that's what he says to the opposition all the time. He'll either get his way or he'll do something to bring in all his buddies. You can't fight the House Leader alone, Mr. Speaker, he has all his gang hiding out in the corridors who will come in and he'll challenge you to a fight, but then he'll bring in his boys and since he has more numbers he feels certain of winning.

Mr. Speaker, this really to me shows how desperate the government has become and how they still refuse to see the error of their ways. There's some sort of a stubborn refusal to face the facts.

Mr. Speaker, I would suggest that the House Leader and his colleagues get a copy of a new book, which has just come out in April or early this year, written up in April in the Globe and Mail called the "March of Folly" by a very good writer, first of all, and historian, Barbara Tuckman, and some of us will recall reading the "Guns of August" about the incredible insanities leading up to the First World War. She has written a book, "The March of Folly" from Troy to Vietnam. Now, I don't know whether there'll be a chapter in that book on the battle over official bilingualism in Manitoba. It doesn't seem to rank with Vietnam, although I think one of the finest expressions I ever heard, and the funniest expression I think I've heard in 10 years in this House came from the Honourable Member for Charleswood when he said, by way of comparison, did the government retreat on this question, did they retreat? He said that it made Napoleon's retreat from Moscow look like a walk around the block. So maybe there'll be a footnote, perhaps a footnote, in Napoleon's attack on Moscow in Tuckman's book, no more than that.

But I want to read in conclusion, Mr. Speaker - may I ask how much time I have left because I may be able to get leave to extend my remarks and I'd like to know?

**MR. SPEAKER, J. Walding:** The honourable member has approximately five minutes remaining now.

**MR. R. DOERN:** Thank you, Mr. Speaker.

Barbara Tuckman, who is a historian, wrote a couple of interesting paragraphs - I'm quoting from a review in the Globe and Mail, April 21st - and she said this,

"What distinguishes folly from say simple incompetence?" Because there is a difference, you know, you can be incompetent and you can be foolish, and there's an overlapping but there still is a distinction.

She said as follows, "To qualify as folly for this enquiry," she writes, "The policy adopted must meet three criteria. It must have been perceived as counterproductive in its own time, not merely by hindsight." So that is the first criterion.

2) "A feasible alternative course of action must have been available." Must have been an out.

3) "The policy in question should be that of a group, not an individual ruler, and should persist beyond any one political lifetime."

Well, Mr. Speaker, I think that meets the criteria. — (Interjection) — There were some people on the other side, Mr. Speaker, who knew that the policy was counterproductive. Maybe they didn't speak in public - they may have spoken in private - but some knew. There must have been a feasible alternative action. There certainly was, drop it. There was that alternative course of action but the government didn't drop it, they were forced to drop it.

Finally, the policy in question should be that of a group, not an individual, and should persist beyond any one political lifetime. Mr. Speaker, that's the tragedy that the New Democratic Government has coerced its own members to support an insane policy. They have been told from the very beginning, and I know this because I was there, Mr. Speaker. We are part of a team that we all go with the team, the team is greater than any individual. We must stick together regardless of the consequences. — (Interjection) — Well, Mr. Speaker, that is not a good approach.

A better approach is: what are the facts of the matter or what is the truth of the matter? In the last analysis, Mr. Speaker, even what are the politics of the matter? But the members of the New Democratic Party - I'm talking about the caucus - were stampeded and held in line by the notion that they must play on the team and nobody can stray from that.

Mr. Speaker, that's the approach of the lemmings, everybody after me, follow me this way and then the next thing you know you're lying in the brink, drowning, with the entire herd, and that's the tragedy of this matter, that there weren't enough people who were willing to stand up and warn and argue and caution and debate this matter, because if three or four members of the caucus had taken a strong position, this legislation would have been dropped a long time ago.

There were people in the caucus - and I'll stop that point here because I may be straying too far at this point - but if there were three or four members on the other side who had the courage to stand up and say to their own people in caucus, we won't support this, we won't go for the destruction of the New Democratic Party, we don't want the province to be destroyed, they could have stopped it; but they were all, somehow or other, bamboozled or as the Minister of Government Services would say, they were outsmarted, outmanoeuvred; they were sold a bill of goods.

Mr. Speaker, we wind up now, after a year of discussion, after a year of debate, with the government finding out what the problem was. The problem wasn't the legislation. No, no, the legislation was good all along. The problem wasn't the way the Attorney-General

handled the question and then his replacement, Rolly Il, no, it wasn't his fault. That wasn't the problem either, Mr. Speaker. The problem was, and it wasn't the people of Manitoba, no, the problem was the bells. It was the fact that the bells could be rung longer than 15 minutes, so there's the problem. Fix it and everything will fall into place.

The House Leader will rise, the Attorney-General will be recycled, the government will dust off its proposals and reintroduce them and then there'll be a little debate, maybe not two weeks, because that's not a guarantee any more, maybe a few days and so on.

Mr. Speaker, I conclude with this sentence. It is not the ringing of the bells that was the problem; it was the legislation, the manner in which it was introduced and the fact that the opposition used its best available weapon to block a bad government introducing bad legislation.

**MR. SPEAKER:** Are you ready for the question? The Honourable Government House Leader would be closing debate.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

This topic has been before the Legislature now for a number of months. I think members on both sides have some regrets that the subject matter of this concurrence motion has created the kind of rancor and bitterness to which this province was exposed last winter.

Sir, I think it's important to note that that rancor and bitterness dwelt, Sir, on two subjects. The one subject on which the Honourable Leader of the Opposition and the honourable member who followed him in debate today, spent most of their debating time, the question of a constitutional amendment, but the public debate also centred on the question of parliamentary practice in this province.

Mr. Speaker, for those members who forget that, I remind them that despite the strong public views on that constitutional question, when the Institute for Social and Economic Research to which I understand members opposite attach some credibility, because they often quote the data provided by that institute - and I, Sir, attach a fair amount of credibility to its work - that institute reported last February that a majority of the people of this province and many of the people who concurred in the position the opposition was taking on the issue were opposed to the abusive, obstructionary tactics that were being used in this Legislature.

Mr. Speaker, the Member for Sturgeon Creek now chooses to dispute the results of the ISER Poll. He has that right, but if the honourable member comes back to this House in the future and attempts to attach validity to that institute's research, I will remind him that he was the one who in this House rejected the fact that that polling demonstrated the complete rejection of the people of Manitoba - by a majority - of the kind of abusive tactics.

Mr. Speaker, that's the issue. The issue is really something which, Sir, was first brought to your attention on January 23rd and subsequently on February 8th, in this House. On the 23rd, you quoted from Appendix II of our rules, which reads: "Wilful disobedience to

orders and rules of Parliament in the exercise of its constitutional functions," constitutes a breach of our orders. However, Sir, you said that we did not have a specific rule on bell ringing. Quite correct; we had a practice but we did not have a rule limiting that activity.

Sir, you went on and said that since our rules and precedents have not been disobeyed, it's difficult to argue a matter of privilege on those grounds, but that, "Insults and obstructions during debate are breaches of the privilege of this House." You then, Sir, went on to say, and I think this is the key phrase, "It is operative for this whole debate," and Sir, I think it was a phrase which, perhaps unconsciously, because I'm sure that public opinion does not enter into your decisions, Sir, but a phrase which was reflective of the public mood in Manitoba.

I quote, "Thus the use of the rules cannot be considered a matter of privilege, but the abuse of the rules may be." You went on, Sir, to say that on the basis of the behaviour of members opposite, and cited, as a prima facie case of privilege, that there had been considerable bell ringing, that there was a prima facie case of privilege of the abuse of the rules of our House.

Mr. Speaker, that's the basis upon which government acted, and any assumptions by members in this Chamber imputing other motives are not only irresponsible and unparliamentary but, Sir, are beneath contempt.

If I am inciting members opposite, I apologize, through you, Sir, to the House, but not to those whose hides have been struck by the small pebbles I've tossed so far.

**A MEMBER:** Give 'em a rock, Andy.

**MR. SPEAKER:** Order please.

**HON. A. ANSTETT:** Some honourable members, Sir, have suggested an unwillingness on my part to participate in debate. I have challenged them on many times including the Member for Virten. I would never challenge the Member for Lakeside, but I would welcome him to a stage in Springfield just as openly as he would welcome me to one in Lakeside because I know he's a man of integrity who enjoys debating his principles and will do that. But Sir, I don't choose — (Interjection) — Mr. Speaker, I think there's a member calling out his need for another cheese fix. I suggest he goe and get it. If his real problem - the Minister of Finance said this morning during the ministerial statement, Mr. Speaker, that some members opposite needed a little more sugar for their sour grapes.

I'm sorry, Mr. Speaker, if the things that are being said, either in that ministerial statement or now offend members opposite, because they have difficulty dealing with the facts and the truth and with the principles of what we're addressing in this Chamber; then they should put some more sugar on their sour grapes.

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

**A MEMBER:** Russ, pass some of the cheese down to Don.

**HON. A. ANSTETT:** Mr. Speaker, the honourable member refers to a public meeting called in my

constituency on January 28th which I agreed to attend as an informational meeting and it was organized as an informational meeting and at the last minute, some other individuals from an organization in this province tried to inveigle themselves into a meeting which had been clearly set up and the agenda set up for a specific purpose.

I offered at that time to attend a debate at a subsequent meeting. But I said the information meeting was set up for one purpose and I attended it for that purpose.

Mr. Speaker, the rules change that is proposed in response to your ruling of February 8th of this year is proposed to strengthen Parliament and to strengthen the position of the Chair.

Mr. Speaker, you said at that time, you did not have that authority. This change proposes to give it to you. You said at that time, our rules were silent and that in that position, you, following on the precedence of Speaker Sauvé and others could not make any decision which in any way would appear to be partial to one side or the other, to one member or to another.

I respected that decision then, Sir. Sir, on that basis we have proposed and did shortly after that decision on February 8th that the Rules Committee examine the question of providing a mechanism to deal with that matter.

Sir, I believe the public would condemn this Legislature and more particularly this government if we did not act. We have an obligation to address what the ISER Poll and members in this Chamber said was wrong that the question of providing that Parliament makes decisions had to be addressed.

Mr. Speaker, I find it remarkable that some members in this Chamber have reflected, Sir, on that decision that you made on February 8th. We have heard this morning, at least one member and during the last month several others, when they refer to all of this talk about abusive bell ringing is a lot of nonsense. For those members, Sir, who make that statement, I commend to their attention your ruling of February 8th in which that is exactly, Sir, what you determined as the presiding officer of this Chamber.

Sir, the Member for Fort Garry in remarks in an earlier stage of debate on this matter - I believe in committee Tuesday night - talked about circumstances under which the end justifies the means. Sir, he also from his seat in collusion with the Member for Sturgeon Creek, who seldom I would think philosophically would be in quite such a close tune with the Member for Fort Garry whose philosophical integrity and positions I often respect, although I may not be in complete agreement with him - talked about the dangerous thinking of some members in this Chamber. The dangerous thinking of those who believe in Parliament rather than rule from the gallery or rule by popular will or rule by plebiscites or referendum.

Now if that was the kind of thinking the member was referring to and the Member for Sturgeon Creek was referring to my last speech on this subject and I discussed that matter in some detail in that speech. If that was the matter to which the member was referring when he talked about the end justifying the means; or, Mr. Speaker, if the honourable member was really telling this House that the opposition had the right, the prerogative, the authority in this Chamber to do

absolutely anything they wanted to obstruct, then members opposite have adopted a new parliamentary philosophy. The end justifies the means and that philosophy includes extra parliamentary activity.

Now what is extra parliamentary activity? Mr. Speaker, clearly it is anything that is not part of our parliamentary form and practice. Surely, Sir, it is part of our practice.

**MR. SPEAKER:** The Honourable Member for Fort Garry on a point of order.

**MR. L. SHERMAN:** It could be a point of order, Mr. Speaker. I would ask the Honourable Government House Leader if he would accept a question because otherwise it would be a point of order.

**HON. A. ANSTETT:** Sure.

**MR. L. SHERMAN:** Mr. Speaker, I'd ask the Honourable Government House Leader if he is alleging that I said and I may have misunderstood his remarks, that I said in my remarks on Tuesday night that the end justifies the means or that the thinking on that side was dangerous because I used neither of those terms.

**MR. SPEAKER:** Order please. The Honourable Minister of Municipal Affairs.

**HON. A. ANSTETT:** Mr. Speaker, the dangerous thinking reference was a reference to the Member for Sturgeon Creek just a few minutes ago. The justification — (Interjection) — no, I referred to comments by the Member for Sturgeon Creek and the Member for Fort Garry.

The comment I referred to from the Member for Fort Garry was made on Tuesday evening. Sir, the member said that the government's measure was unpopular, unwarranted, authoritarian, arbitrary, unilateral, dictatorial; and that - in the flower of the moment he said, and that justifies bell ringing. That's what he said.

Now if the member is now going to try and tell this House that he can break the rules of this Chamber and upset parliamentary practice and indulge in extra parliamentary activities to achieve his ends, Mr. Speaker, I reject that and I believe every thinking Manitoban and Canadian rejects extra parliamentary activities for that purpose.

The justification of bell ringing is directly quoted from Hansard, Mr. Speaker. Mr. Speaker, I suggest the honourable member reread his remarks. If he has a correction to make, I'll gladly yield the floor to him for purposes of that correction.

Mr. Speaker, the . . .

**MR. SPEAKER:** The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Mr. Speaker, I am asking the Minister and I challenge him again to say that I made what in semantical terms would be described as a generic principle of debate or philosophy that I said the end justifies the means. I say, Mr. Speaker, I did not say that. There was a situation in this House where the action we took was provoked in defense of the people because of the authoritarian action of the

government. I did not say, and I have never said, that as an approach to the public affairs and public administration of this jurisdiction or any other, that the end justifies the means. I'm challenging the Minister to find that quotation.

**MR. SPEAKER:** Order please, order please.  
The Honourable Minister of Municipal Affairs.

**HON. A. ANSTETT:** Thank you, Mr. Speaker. The Honourable Member for Fort Garry clearly described the government's tactics in the most pejorative terms and then said that justified the bell ringing that was engaged in this past winter.

Mr. Speaker, there is no way members opposite, who acknowledge now, although the Member for Fort Garry doesn't appear to be doing so, that that was the statement made on Tuesday evening, that that was an attempt to justify the means to an end. Mr. Speaker, very clearly, it was an attempt to justify extra-parliamentary activities that amount to a denial of the rule of law and I think the Member for Fort Garry will have trouble living with that. I think the Member for Fort Garry will want to reconsider his comments of Tuesday night and, Mr. Speaker, he will have that opportunity; but the end does not justify the means, either in Parliament or in life, but any attempt to deny the rule of law in an orderly society will lead to the destruction of that society to an extent even the Member for Fort Garry would not tolerate to achieve his political ends.

**MR. SPEAKER:** Does the Honourable Member for Fort Garry have a question?

**MR. L. SHERMAN:** One brief question, Mr. Speaker. Would the Government House Leader not concede that there is a difference between an action justifying an action and an end justifying a means? I reject his suggestion that I said in this Chamber that the ends justifies the means. Certainly an action can justify another action and that's what happened.

**MR. SPEAKER:** Order please, order please. The Honourable Minister of Municipal Affairs.

**HON. A. ANSTETT:** Mr. Speaker, very clearly, you, Sir, ruled that activity was a breach of the rules and the member indulged in it anyway. I believe that is using an end which is a breach and abuse of the rules to achieve a purpose that the member is committed to, an illegal extra-parliamentary activity.

Mr. Speaker, if the member wants to tell me that he can get 12 angels on the head of the pin on which I just put 10, I'll concede the point. The fact of the matter is, he condoned the breach of our parliamentary practice, the abuse of our rules. He attempted to justify bell ringing and he denied the rule of law in this Chamber and in this province.

**MR. SPEAKER:** Does the Member for Fort Garry have another question?

**MR. L. SHERMAN:** Mr. Speaker, I believe that we now are verging into the area of points of privilege and

points of order. The Government House Leader, Mr. Speaker, is very clearly imputing motives and that, Sir, is unparliamentary and unacceptable.

He is entitled to his own distorted or his own erroneous interpretation of one's remarks. He is not entitled to impute motives and that is what he is doing, Sir, and I would ask him to refrain from doing so. I would ask him to refrain from putting words into my mouth or anybody else's mouth.

**HON. A. ANSTETT:** Mr. Speaker, perhaps I shouldn't have permitted the first question. I never suggested that the motives of the honourable member were being impugned in my comments and I did not intend to impugn them.

I believe the honourable member's objectives were very clearly stated by him in this House. They wanted to stop the proposal and were prepared to do whatever was necessary to stop it and that included extra-parliamentary tactics and that's what was used.

Mr. Speaker, I don't have any quarrel with the members opposite and their attempt to do that if they tell me that was the principle on which they were operating, but I reject totally that principle and I tell them it's anti-democratic and anti-parliamentary.

For the benefit of the Member for Morris and the Member for Fort Garry, the Speaker of this Chamber identified it as an extra-parliamentary tactic, declaring we had no rules with respect to it; and the Member for Morris seems to have been hit by some of the pebbles. I wish his hide wasn't quite so sensitive.

The Leader of the Opposition suggests that there was some concern about public hearings, in the debate on Tuesday night. I suggest the honourable member should read the debate. I agreed, in principle and concept, with the proposal put forward by the Member for St. Norbert. There was never any question about that, but the details of how his proposed amendment, which no one had ever seen before, on this side of the House, could easily have been dealt with in the Standing Committee on the Rules of the House and that matter which is really a separate matter, and on which members on this side would just as much like to have consensus, as members on that side, could easily have been dealt with; but it was the Member for St. Norbert - and I think somewhat reluctantly some of his other colleagues - persisted in saying that although their own House Leader in the debate that evening had said, and I quote, "It is for that reason that I'm asking the members of the Official Opposition to support this particular clause, that it is at least an acknowledgment of the importance of constitutional matters when they arise in this Chamber," and what happened? Then the Member for St. Norbert got up, moved an amendment and blew the opportunity and forced us to request that it go back to Rules Committee so the whole thing could be worked out and the amendment could be incorporated into the proposal. We had no problem with it conceptually, and let's not play games with that.

I found it rather peculiar as well that the Member for Tuxedo tried to raise the hoary beast again about public hearings last summer, when this Chamber spent six weeks debating that, and I think it's extremely unfortunate that there's been an attempt to again play that card, that the government is, in some way, opposed to public hearings.



Mr. Speaker, my statements in committee Tuesday night were very clear on that. My statements in the media were very clear on that this past week; but a more interesting argument by the Member for Tuxedo, the Leader of the Opposition, was his statement today that public toleration, the activities of the opposition, justifies the opposition action. Mr. Speaker, the honourable member says that their activities in this Chamber, and he carries on with the argument the Member for Fort Garry made, were justified by the public support they saw for them.

The Member for Sturgeon Creek, at the time, voiced support for that position and talked about the unwillingness of members on this side to accept the public will. I dealt with that in my remarks on the motion to refer to committee, Mr. Speaker, and I don't intend to go into that again, but I have to say that members on this side have concluded a long time ago that it is the unwillingness of some members opposite to accept the results of the last election in this province that has caused a great deal of the bitterness and rancor in this Chamber in the last two years.

Mr. Speaker, I think the key elements of this rules change have been dealt with at length, both in Rules Committee and Committee of the Whole and on the two substantive motions in the House. I would welcome an opportunity to debate the philosophical precepts that some members, particularly the Member for Morris, introduced, at much greater length and I trust at sometime we'll have that opportunity if the Member for Morris does not shrink from them sooner in some new-found wisdom; but I have to say to the Member for La Verendrye who commented that he was concerned that the waiting period, Sir, which you could allow with respect to divisions, could destroy the pairing system. It had that potential, I think he said.

I have to say, Mr. Speaker, I think just the opposite is true. I think the opportunity then to extend will allow members the flexibility to ensure that the pairs are respected, that they can work that out, having had that assurance that the bells will not be extended, but that the pressure then to make that work will be that if it doesn't work, there won't be a defeat on a motion, but instead can be consulted and the time extended.

I think just the opposite will occur. Mr. Speaker, if anything has happened to destroy the pairing system, it has been the arbitrary removal of pairs that has occurred on occasion in the last 12 months. Without that, the whole question of extensions might never have entered into the debate.

So, in response to the Member for La Verendrye, I think that counter-argument should be considered. I want to say, Mr. Speaker, I did appreciate the opposition's concurrence in the amendments to Rules 10.(3), 10.(4), 10.(5) in the Committee of the Whole stage. I recognize that concurrence is not support, but it is an acknowledgement of both public will outside this Chamber, but also of the will in this Chamber.

To put this matter behind us, to deal with the rules in a responsible way, I recognize that in no way implies support by members opposite. I recognize that members opposite oppose and will continue to oppose the change, but I also believe that members opposite, as well as members on this side, believe that the matter must be settled. We can't spend years debating rules changes. We have to provide this Chamber, this House

and this province with rules that allow its Legislature to make decisions and not be held to ransom or blackmail. Mr. Speaker, we must provide you with those tools.

Thank you.

**MR. SPEAKER:** Order please.

The Honourable Member for Elmwood on a point of order.

**MR. R. DOERN:** Mr. Speaker, in my judgment it is now 12:30, and therefore it's Private Members' Hour, and we should proceed with the order of business.

**MR. SPEAKER:** Order please.

The question before the House is the referral motion proposed by the Honourable Minister of Municipal Affairs, those in favour, please say aye; those opposed, please say nay. In my opinion the ayes have it and I declare the motion carried.

The Honourable Member for Lakeside.

**MR. H. ENNS:** Yeas and Nays, Mr. Speaker.

**MR. SPEAKER:** Call in the members.

Order please. The question before the House, as moved by the Honourable Minister of Municipal Affairs, that this House concur in the report of the Standing Committee on the Rules of the House received by the Assembly on April 30, 1984.

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

### YEAS

Adam, Anstett, Ashton, Bucklaschuk, Cowan, Desjardins, Dodick, Dolin, Evans, Eyler, Fox, Haraplak, Hemphill, Kostyra, Mackling, Mallnowski, Parasluk, Pawley, Penner, Phillips, Plohman, Santos, Schroeder, Scott, Smith, Uruski.

### NAYS

Banman, Blake, Doern, Enns, Filmon, Gourlay, Graham, Hammond, Hyde, Johnston, Kovnats, Lyon, Manness, Mercier, Nordman, Oleson, Orchard, Sherman, Steen.

**MR. CLERK, W. Remnant:** Yeas 26; Nays 19.

**MR. SPEAKER:** The motion is accordingly passed.

Order please. The time being 12:30 and Private Members' Hour, the Honourable Government House Leader.

**A MEMBER:** It's a ringing day.

**HON. A. ANSTETT:** Mr. Speaker, I believe there's an inclination to dispense with Private Members' Hour today and I would therefore move, seconded by the Member for Lakeside, that the House do now adjourn.

**MOTION presented and carried** and the House adjourned and stands adjourned until 2:00 p.m. on Monday afternoon.