

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 20 June, 1986.

Time — 10:00 a.m.

OPENING PRAYER by Madam Speaker.

MADAM SPEAKER, Hon. M. Phillips: Presenting Petitions . . . Reading and Receiving Petitions.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MADAM SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Madam Speaker, the Committee of Supply has adopted certain resolutions, directs me to report progress, and asks leave to sit again.

I move, seconded by the Member for Inkster, that the Report of the Committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MADAM SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Madam Speaker, I would like to table the Manitoba Labour Management Review Committee Annual Report for 1985.

MADAM SPEAKER: Notices of Motion . . . Introduction of Bills . . .

INTRODUCTION OF GUESTS

MADAM SPEAKER: Before we proceed to Oral Questions, may I direct the attention of honourable members to the gallery, where we have 24 students from Grade 5 from the St. Pierre Elementary School. The students are under the direction of Mrs. Shewchuk, and the school is located in the constituency of the Honourable Member for Emerson.

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

ORAL QUESTIONS

Dump, Illegal - Portage la Prairie

MADAM SPEAKER: The Honourable Member for Portage la Prairie.

MR. E. CONNERY: Thank you, Madam Speaker. My question is to the Minister of the Environment.

Apparently a year ago, the department was aware of an illegal dump upstream from the Portage la Prairie water supply, a dump that contained toxic chemicals and could be injurious to health.

The city was not informed of this situation until only last week, which did not allow them to monitor their water supply throughout the course of the year.

I'd like to know when the Minister . . . (inaudible) . . .

MADAM SPEAKER: The Honourable Minister of the Environment.

HON. G. LECUYER: Thank you, Madam Speaker.

I thank the Member for Portage for raising this question. The dump is located outside of the perimeter of the City of Portage la Prairie, approximately seven kilometres west of Portage la Prairie. It's in the R.M. and immediately upon this issue of having the public health inspector for the region apprised of the presence of this dump, which by the way, appears to have been there for some 25 years or so, we were in touch with the R.M. of Portage la Prairie. In fact a letter was sent two days after this was discovered, to the R.M. of Portage la Prairie. Perhaps it was an oversight that it did not go to the city as well. It was, I presume, the department's belief at the time, it should go to the R.M. and that the exchange between the R.M. and the City of Portage la Prairie would occur at that point.

On the other hand, I want to correct the statement made by the member across, as this has in no way impeded the ongoing monitoring of the quality of the water. I have, Madam Speaker, copies of the ongoing monitoring of the water supply, including for pesticide residue. The latest is as of April. It's done monthly and I can assure all members that there has been no change to the quality of the water supply.

The dump consists primarily of domestic wastes, and indeed, anything from soup to nuts in there, kitchen sinks and fridges and stoves, old automobiles, pesticide cans. Staff from the department were on the scene yesterday to inspect the conditions and to ascertain that there indeed would be no problem to health; as also expressed by the City of Portage la Prairie's individual responsible for water quality as stated in today's paper.

MR. E. CONNERY: It's not the soup and the nuts and the kitchen sinks that we're concerned about. It's the toxic chemicals. Because of budget constraints that the department has, is the Minister prepared to risk the lives of Manitobans, and keeping in mind that Portage la Prairie has two food processing plants?

MADAM SPEAKER: Order please. A question should not impugn motives. Would the honourable member like to rephrase his question?

MR. E. CONNERY: Will the Minister be prepared to clean up the mess immediately?

HON. G. LECUYER: Madam Speaker, we're certainly prepared to see that that happens most expeditiously. I am, at this point in time, trying to determine whc

owns the land in question; who is responsible for this happening. There is an internal inquiry taking place. We have staff on the scene. They were there yesterday as well. We have options.

We can proceed to the immediate clean-up and charge back to whoever should take that responsibility and that's one of the possible routes. We can try to establish the ownership and we're proceeding along both of these options. If we proceed to clean directly, which is possibly what might happen, it does not in any way indicate that we will not turn around and introduce either prosecutions or bill the responsible party.

MADAM SPEAKER: The Honourable Member for Portage la Prairie with a supplementary.

MR. E. CONNERY: Yes, would the Minister give us the date on that letter that he referred to?

HON. G. LECUYER: Madam Speaker, the member, I presume, refers to the date that the letter was sent to the R.M. of Portage la Prairie. It was July 22, 1985. I can table a copy.

ManOil - production in 1985

MADAM SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Madam Speaker. I direct my question to the Minister of Energy and Mines, who two days previously tabled the Oil Activity Review in the province for 1985.

Madam Speaker, I've gone through the report and I notice on Page 19, headed "The 1985 Annual Production by Company" within the province, two facts: Firstly, that ManOil seems to have produced no oil; secondly, that SaskOil produced 2,325 cubic metres.

I would ask the Minister, did ManOil, either in joint venture form or by itself, produce any oil in 1985?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. V. SCHROEDER: Thank you, Madam Speaker.

As the member knows, ManOil has been involved in the drilling for wells for approximately two years. That has been very highly successful. Exactly when the oil started flowing is an issue that I'll take as notice, but I can assure the honourable member and this House that ManOil is doing quite well in terms of its exploration, far better, Madam Speaker, than members opposite would ever have expected.

ManOil - oil production revenue 1985

MR. C. MANNES: A supplementary, Madam Speaker. Did ManOil receive any oil revenue at all in 1985? I'm not talking about selling off leases they may have had. Any oil production revenue at all in 1985?

HON. V. SCHROEDER: Madam Speaker, I've indicated that I will take the specifics as notice. I point out that

you do have to drill first before you get oil, and that we have been successful in more than 80 percent of our attempts, and more than 80 percent of the drilling attempts have turned out to be successful. That's a pretty good batting average.

Water Supply, Wpg.- asbestos content

MADAM SPEAKER: The Honourable Member for Ellice.

MR. H. SMITH: Thank you, Madam Speaker. My question is to the Minister of the Environment.

A few weeks ago, I received this in the mail. It's a pamphlet that says, "Clean, refreshing, and safe water supply in Winnipeg." What the writer of this pamphlet tries to do is minimize the contribution of asbestos fibres in the water supply of Winnipeg due to the asbestos pipes.

My question to the Minister is, can the Minister inform the House as to what extent the City of Winnipeg is contributing to the asbestos content of our water supply through the use of asbestos pipes?

MADAM SPEAKER: The Honourable Minister of the Environment.

HON. G. LECUYER: Thank you, Madam Speaker.

The member has an advantage which I don't. I haven't seen this pamphlet at this point in time and cannot comment in terms of the points made as far as its contents are concerned.

We have, indeed, been involved in a number of studies that have been done, generally Canada-wide and overall, at this point in time, the position adopted does not show that the asbestos fibers in water are — and there may be more studies and there are more studies being carried out especially in terms of what might be the effect of fibers ingested. As far as we know, they do not pose a significant threat to life.

Water Supply, Wpg.- ongoing studies

MADAM SPEAKER: The Honourable Member for Ellice with a supplementary.

MR. H. SMITH: Well, that raises a supplementary question, can the Minister inform this House if there's any studies been done by his department with the City of Winnipeg water supply that would, in effect, tell us that our water is safe, and if such studies are available why not give every member of this House a copy?

HON. G. LECUYER: Madam Speaker, I'll take that as notice.

Parking - Legislative Building

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker. My question is for the Minister of Government Services.

At 8:23 this morning I arrived on the Legislative grounds to discover that every single visitors' parking

spot was being occupied. In checking, I've discovered that's not exactly a peak time for visitors at the Legislature. Can we, in any way, plan for the future so that a parkade can be built for employees so that visiting parking becomes accessible, and that this building and the Law Courts become accessible to the people of the province?

MADAM SPEAKER: The Honourable Minister of Government Services.

HON. J. PLOHMAN: Madam Speaker, this certainly is a longstanding problem that many administrations have tried to address. We have undertaken a number of studies on parking and are discussing the possibilities with the MGEA. As well, as the member may know, the government employees do not pay for parking and it is an area that has to be explored because certainly at the present time there is inadequate parking here both for visitors and employees and I expect that we will have some developments to work towards some solutions to this problem in the near future. It is a longstanding problem and one that is difficult because it involves some fundamental changes insofar as who pays for parking in the province insofar as government employees are concerned.

MRS. S. CARSTAIRS: The question, despite the comments to the right of me, has to do with accessibility. Is this government committed to a program of making this building more accessible to the public and to the voters of this province?

HON. J. PLOHMAN: Madam Speaker, I think this government has shown over the last five years in the first term, and in this term, that we believe in the accessibility of this Legislative Building.

There have been numerous cultural events held by people. There's one coming up on Monday for seniors, Seniors' Day, that has occurred in each of the last number of years. We've had open houses for people to come in and meet informally with Ministers and with MLA's in their offices and to view the beautiful structure that we have as a showpiece for Manitoba. Ordinary Manitobans have not had the opportunity to view this building to appreciate the tremendous architecture that we have in this building. We have indeed provided opportunities to bring people in and we encourage it at every opportunity and our policies that are set up, I think, exemplify the fact that this building is for the people of Manitoba first and foremost.

Employment - Native re Limestone

MADAM SPEAKER: The Honourable Member for Turtle Mountain.

MR. D. ROCAN: Thank you, Madam Speaker. My question is to the Minister responsible for Native Affairs.

Madam Speaker, I believe that a quota for Native employment is not now in effect. Can the Minister inform the House of the number of Natives now employed at Limestone?

MADAM SPEAKER: The Honourable Minister responsible for Native Affairs.

HON. E. HARPER: As for the specifics, I'll take that as notice. We don't have a quota system in place. The one we have in place is a Native hiring preference, which gives preference to Northern qualified Native people.

Thank you.

MR. D. ROCAN: Has Hydro set a target for a percentage of its permanent work force which will be Native?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. V. SCHROEDER: Thank you, Madam Speaker. There are no such quotas at the present time.

MR. D. ROCAN: Has Hydro implemented a plan to award certain contracts such as construction and service contracts to Native firms only?

HON. V. SCHROEDER: What Hydro is looking at is to do everything possible to encourage and assist northern Native business to become involved in the Limestone project, which, as members here know, is our largest ongoing program now.

Just getting back to that first question, although I don't have the exact numbers, I know that it is in the 30 percent range of the people working at Limestone are northern Natives. That is an exponentially greater proportion of workers, Native workers, than we have ever had in the past. So, in that sense, the work that has been done over the last several years on that issue is beginning to pay off for our northern Natives and we should all take a good deal of pride in that fact.

MADAM SPEAKER: The Honourable Member for Lac du Bonnet.

MR. C. BAKER: Thank you, Madam Speaker. My question is to the Minister of Highways and Transportation.

In view of the Federal Government's recent statements on . . . trade, would the Honourable Minister please provide the House with a brief synopsis of what the . . . (inaudible) . . . grain transportation . . . on our producer ability to compete in the international market place . . . on rural communities and infrastructures . . .

MADAM SPEAKER: Order please. Could the honourable member repeat his question, I couldn't hear it.

MR. C. BAKER: Thank you, Madam Speaker. My question is to the Minister of Highways and Transportation.

In view of the Federal Government's recent statements on the enhancing trade, would the Honourable Minister please provide the House with a brief synopsis to . . . (inaudible) . . . a brief synopsis of what the 40 recommendations contained in the grain transportation . . . (inaudible) . . .

Lake Winnipeg levels

MADAM SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Madam Speaker, I direct this question to either the First Minister or the Acting Minister of Natural Resources.

Madam Speaker, it has to do with the concern around the lake levels of Lake Winnipeg, which is now I believe at maximum, or indeed above the allowable maximum level.

It's my understanding that as long ago as last January, the Member for Gimli met with a group of the property owners, and at that time the Premier was advised of the situation and a local report has it that as a result, a major study of bank erosion is being conducted by the Department of Natural Resources. My question to either the Premier or the Acting Minister of Natural Resources is, is that study under way?

MADAM SPEAKER: Order please. As the honourable member knows, he should be apprised of the facts before he brings them to the House. It's the member's responsibility to ascertain the facts.

The Honourable Member for Lakeside.

MR. H. ENNS: Madam Speaker, I'm asking either the Acting Minister of Natural Resources or the Premier, whether or not a major study of the effects of high water on Lake Winnipeg is currently under way in the department?

MADAM SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Yes, as Acting Minister, I will take the specifics of the question as notice. I understand that there has been a request to look at the issue of the effect of any higher water levels that may be occurring naturally on Lake Winnipeg, and certainly the specific answer to the question will be delivered by the Minister.

Eliesen, Marc - contract

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Thank you, Madam Speaker.

Over two weeks ago, I asked the Minister of Energy and Mines to table a contract with Mr. Eliesen in the House. I reminded him the other day, he said he didn't have it.

Could he now table in the House a copy of the contract with Mr. Eliesen, an indication as to whether Mr. Eliesen received a bonus and a list of his personal expenses?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. V. SCHROEDER: Thank you, Madam Speaker.

What we're planning on doing is to provide the contracts of all people in similar positions in the public sector to the House. I hope to have that for the House within the next several weeks.

MR. G. MERCIER: A further question to the Minister.

He indicated the other day that he had the contract, but he didn't bring it to the House. That's all I ask for right now, Madam Speaker. Could he not bring that contract to the House and table it?

MR. F. JOHNSTON: As he promised to do.

HON. V. SCHROEDER: Madam Speaker, my recollection is that I said I didn't have the contract here. I didn't say that I had the contract here, and I did tell the member that we will have the contracts here within the next several weeks. We may as well see the whole — (Interjection) — Madam Speaker, I have never said when I would put them out and I've given — (Interjection) — the Member for Fort Garry is suggesting a cover-up, when I'm saying specifically that not only will the contract of Mr. Eliesen be out there, but also the contracts of other people in similar positions. Is that not what the Opposition wants, to see exactly how that contract compares with other contracts in the public sector? I think that the people of Manitoba would like to see how it compares and not just pick one contract and say, oh, is this different from other things?

A MEMBER: Well, what are you hiding?

HON. V. SCHROEDER: We're not hiding anything. We are providing open government.

MR. G. MERCIER: Madam Speaker, could the Minister of Energy and Mines explain what difficulties he is having in taking over two weeks to obtain a copy of a contract which is on hand and indicating whether or not Mr. Eliesen received a bonus and filing a list of his personal expenses in the House. Why is it taking this long?

HON. V. SCHROEDER: Madam Speaker, I just finished telling the member that the contracts will all be tabled at one time. Once we get them all together they will all be tabled at one time.

The Member for Sturgeon Creek from his seat says I'm a phony. The Member for Sturgeon Creek is the member . . .

MADAM SPEAKER: Order please.

HON. V. SCHROEDER: . . . Madam Speaker, who signed contracts on behalf of the Government of Manitoba which required people contracting with the Government of Manitoba to promise not to even admit there was a contract in existence.

MADAM SPEAKER: Order please. Order please. Members should not raise matters of past history.

Manitoba Energy Authority Board Minutes

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Madam Speaker. My question is for the Minister of Energy and Mines.

On Wednesday of this week he took as notice a question as to whether members of the Opposition

would have access to the Minutes of the board meetings of the Manitoba Energy Authority. Can the Minister now answer that question?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. V. SCHROEDER: No, Madam Speaker, I've been busy with other things between Wednesday and today.

MR. D. ORCHARD: Madam Speaker, my question is to the First Minister.

The First Minister on many occasions has indicated to this House that this government is an open government willing to provide information to Manitobans and to the Opposition. Can the First Minister indicate why the Manitoba Energy Authority board Minutes are not available to members of the Opposition when board Minutes of MTS and Hydro are similarly accessible by members of the Opposition? What is this government hiding in the Manitoba Energy Authority?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. V. SCHROEDER: Thank you, Madam Speaker.

We have always been committed to providing open government to Manitoba. What we are not committed to is gaping government which will put us in a position where we would have commercial issues while they are ongoing during negotiations put forward in a way that could be harmful to the interests of Manitobans. That we will not do.

MR. D. ORCHARD: Madam Speaker, my question is for the Minister of Energy and Mines. I almost said "whines" because that's what he just did. Madam Speaker, this Minister has for a number of weeks kept from this House pieces of information that we've asked . . .

MADAM SPEAKER: Does the honourable member have a question?

MR. D. ORCHARD: My question to the Minister of Energy and Mines is what is so hidden in the Manitoba Energy Authority board Minutes that members of the Opposition cannot view those Minutes to find out the signing authority as we have done in Manitoba Telephone System; as we have done in Manitoba Hydro. Those aren't hidden from the people of Manitoba. Why the selective authority of hiding information under Mr. Eliesen's control in the Manitoba Energy Authority?

MADAM SPEAKER: The honourable member should not impute motives.

MR. D. ORCHARD: They're there, Madam Speaker.

MADAM SPEAKER: Would you like to rephrase your question?

POINT OF ORDER

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: On a point of order. You clearly indicated to the Member for Pembina that an honourable member in this House when addressing questions to members opposite should not impute motives. I distinctly heard the Member for Pembina from his seat as a challenge to your suggestion say and I quote, "They're there, Madam Speaker." I would ask that he withdraw those comments and that he apologize to the Chair for any inference in respect to the ruling of the Chair.

MADAM SPEAKER: The Honourable Government House Leader has a point of order.

The Honourable Member for Pembina.

MR. D. ORCHARD: Yes, Madam Speaker, do you wish me to rephrase my question?

MADAM SPEAKER: There's been a request for the honourable member to withdraw his comments.

MR. D. ORCHARD: Withdraw what comment?

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: To the point of order, Madam Speaker, the Member for Pembina when he posed . . .

MADAM SPEAKER: Order. Order please.

I ruled that the Honourable Government House Leader has a point of order.

Would the Honourable Member for Pembina please withdraw any imputation of motives.

MR. D. ORCHARD: If there is an imputation of motive that you find offensive, Madam Speaker, about Mr. Eliesen and the Manitoba Energy Authority hiding from the people of Manitoba information in the directives and the board Minutes of the Manitoba Energy Authority, I will withdraw that at your request, Madam Speaker.

May I rephrase my question?

A MEMBER: Withdraw.

MR. D. ORCHARD: I just did. I just did.

ORAL QUESTIONS (cont'd)

Manitoba Energy Authority Board Minutes

MADAM SPEAKER: The Honourable Member for Pembina with a question.

MR. D. ORCHARD: Madam Speaker, to the Minister of Energy and Mines.

Could the Minister of Energy and Mines undertake to take time from his busy schedule to provide an answer to the question as to whether members of the

Opposition by Monday can have access to the board Minutes of the Manitoba Energy Authority, so we can get on with our job of researching issues that are important to the people of Manitoba?

MADAM SPEAKER: The honourable member cannot insist that a Minister answer a question to which an answer has already been refused or to which the answer is not satisfactory.

The Honourable Minister for Energy and Mines on a point of order.

HON. V. SCHROEDER: Thank you, Madam Speaker. The Member for Pembina in his usual, I believe, unparliamentary way has suggested in these questions of his a number of inaccuracies. The fact that he is ruled out of order gives me no opportunity to point out to the House the total . . .

MADAM SPEAKER: Order.

HON. V. SCHROEDER: . . . lack of consistency with what he says . . .

MADAM SPEAKER: Order please.

A dispute over the facts, may I remind the honourable member, is not a point of order.

Riverbank Enhancement Program

MADAM SPEAKER: The Honourable Member for Charleswood.

Order please, order please.

The Honourable Member for Charleswood.

MR. J. ERNST: Thank you, Madam Speaker. My question is for the First Minister.

Has the government included \$10 million in the current Budget to carry out the promised Riverbank Enhancement Program as promised during the provincial election?

MADAM SPEAKER: The Honourable Minister of Urban Affairs.

HON. G. DOER: Yes, Madam Speaker, in answer to the question, we'd certainly be prepared to discuss the whole area of the riverbank development and the promise of the government under Estimates. There is a course of very, very important planning process to take place in its initial stage this year, and the promise the Premier made was a ten year program which will be started . . .

MADAM SPEAKER: Order please, order please.

Could the honourable members please keep the racket down so I can hear whether the Honourable Minister's answer is in order?

The Honourable Minister of Urban Affairs.

HON. G. DOER: Yes, Madam Speaker, we are discussing the whole area of the planning and development, that is its first stage, so that we just don't go holus bolus into the program. It's a 10-year commitment which will include planning and

development in its first stage and we will proceed from there, Madam Speaker.

MR. J. ERNST: Madam Speaker . . .

MADAM SPEAKER: Order please.

MR. J. ERNST: Madam Speaker, again to the First Minister. Does the government have the authority or propose to have the authority to spend \$10 million in fiscal '86-87?

HON. G. DOER: Madam Speaker, as I indicated, we would be prepared to discuss the specifics in the Estimates process. However, we have also communicated with the Federal Government, with the city government. We have included discussions on the riverbank development in the Core Area Renewal. It's a multi-layered package that we're hoping to put together.

MADAM SPEAKER: Order please, order please.

The Honourable Member for Charleswood has the floor. Could we please hear his supplementary question?

MR. J. ERNST: Thank you, Madam Speaker.

I understand the Core Area Initiative Agreement, proposed renewal agreement, contains a \$5 million Riverbank Enhancement Program. I'd ask then the Minister of Urban Affairs is the 5 million proposed in the Core Area Renewal Agreement, half of the proposed \$10 million program, or is it in excess of that?

MADAM SPEAKER: The Honourable Minister of Urban Affairs.

HON. G. DOER: Madam Speaker, the Core Area Renewal Program has not yet completed its final ratification and final details are not ready for release. As the honourable member opposite mentions, there is money in the Core Area Renewal Program for the river bank development, which was the priority placed on the table by the province. We're pleased that the Federal Government and the city government have also seen that as a priority.

The River Renewal Program includes the cleanup of the river. It includes the recreation of the river. It includes the heritage of our rivers, and it includes the rivers that flow, the Assiniboine and Red, throughout Manitoba, not just in the core area. So we see the Core Area Renewal as a complement to the promise made by our Premier to return the rivers to the people of Manitoba.

Crop Insurance

MADAM SPEAKER: The Honourable Member for Ste. Rose.

MR. G. CUMMINGS: Thank you, Madam Speaker. My question is to the Minister of Agriculture.

Are those personnel that assess the productivity capacity of the lands in Manitoba for crop insurance purposes, qualified to do so?

MADAM SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Madam Speaker, I will take the question as notice and inquire of the Crop Insurance Corporation. I'm assuming the member is saying those reviews that are made in terms of the soil capability and carrying capacity of those soils — I will specifically inquire as to the qualifications of those individuals.

Municipal Affairs Appeals Board - qualification of new members

MADAM SPEAKER: The Honourable Member for Ste. Rose.

MR. G. CUMMINGS: My question is to the Minister of Municipal Affairs.

In the Langford and Lansdowne municipalities, there is a great discrepancy between the value placed on land for crop insurance, and the value placed for taxation purposes. Stock and soils are being taxed at a rate equal to a "B" classification for taxation purposes, but are valued at a rate of an "E" or an "F" soil for crop insurance purposes. Will the Minister inform this House which department has the competence to deal with this situation?

MADAM SPEAKER: The Honourable Minister of Municipal Affairs.

HON. J. BUCKLASCHUK: Thank you, Madam Speaker.

The member has raised this issue with me twice privately. He has my assurance that when I receive the ruling from the Manitoba Municipal Board, we will sit down and take a look at that. I will then certainly be apprised of the facts. At this time, I have not had any report from the Municipal Board.

MR. G. CUMMINGS: A supplementary question, Madam Speaker, to the Minister of Municipal Affairs. The assessments in this area were done a year ago. The appeal was this past winter.

MADAM SPEAKER: Does the honourable member have a question?

MR. G. CUMMINGS: How long will it be before he will be able to answer the concerns of the people in the area?

HON. J. BUCKLASCHUK: I have raised this matter with the Deputy of the department. I have asked for that report to be provided to me as quickly as possible.

MADAM SPEAKER: The Honourable Member for Ste. Rose with a final supplementary.

MR. G. CUMMINGS: May I ask a new question to the same Minister, Madam Speaker?

MADAM SPEAKER: Go ahead.

MR. G. CUMMINGS: Would the Minister explain to this House the qualifications that are required for those who are appointed to the Municipal Affairs Appeal Board?

MADAM SPEAKER: Order please. The Honourable Minister of Municipal Affairs.

HON. J. BUCKLASCHUK: As the member probably knows, the members of the Municipal Board are appointees by the Lieutenant-Government-in-Council, as they have been, I presume, since the board has been in place.

The persons that are on that board are knowledgeable people. They have had municipal experience. They are representative of virtually every part of Manitoba. I don't know what other qualifications one would require.

MR. G. CUMMINGS: A supplementary to the same Minister.

Would he consider, in the case of hearing an appeal on farm land, that two mayors and a hobby farmer are qualified?

HON. J. BUCKLASCHUK: As the Minister, I do not have any say as to the composition of the board that hears matters. However, I have full confidence in all members of the board to hear matters before the Municipal Board.

Crow benefit payment proposals

MADAM SPEAKER: The Honourable Member for Lac du Bonnet.

MR. C. BAKER: Thank you, Madam Speaker. My question is to the Minister of Highways and Transportation.

Can the Minister tell the House the effects on rural Manitoba and farmers of recent Crow benefit payment proposals?

MADAM SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: Madam Speaker, we are extremely concerned about the proposals and we will be voicing our concern to the federal officials on a number of areas, particularly the fact that the Federal Government would be considering a proposal as incredible as to buy out the Crow responsibilities that have been historic in this province, for transportation in this country, for transportation of grain for export.

What they are proposing to do, Madam Speaker, and we want to make this point very clearly to the Federal Government, is that future generations of farmers, in order to compete with other countries such as the U.S. and the economic community, are going to require subsidies the same as those countries offer at the present time. It is totally inconceivable that they would take the approach that this subsidy, as modest as it is, is in some way a trade irritant or an unfair trade practice, because the subsidies in the economic community in the U.S. are much higher than farmers in Canada enjoy at the present time, and they will not be able to compete.

MADAM SPEAKER: The Honourable Member for Lac du Bonnet with a supplementary.

MR. C. BAKER: With regard to the Churchill line, what is the position of government as the GTA applies to Churchill.

MADAM SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: Madam Speaker, the Grain Transportation Agency has made a recommendation with regard to the CN adjustment as it applies to The Western Grain Transportation Act Review.

We find that recommendation, if accepted, would see the Churchill line no longer becoming or being classified as a grain transportation, grain-dependent line, as a positive step, because we don't think that the Churchill line should be treated any differently than the other main lines that the major railways operate in this country.

Certainly it is expensive to operate the main lines and to maintain and construct through the Rocky Mountains, and yet there is no special cost attributed to that.

MADAM SPEAKER: Order please.

HON. J. PLOHMAN: We don't think that the Churchill line should be treated differently, Madam Speaker.

MADAM SPEAKER: Order please.

Rural Municipalities - funding to

MADAM SPEAKER: The Honourable Member for Springfield.

MR. G. ROCH: Thank you, Madam Speaker. On Thursday, June 5, I asked specific questions to the Minister of Municipal Affairs in regard to grants to the Rural Municipality of East St. Paul, and the Village of Landmark, and the Rural Municipality of Tache, which he took as notice.

I was wondering if he had the answers to those questions today.

MADAM SPEAKER: The Honourable Minister of Municipal Affairs.

HON. J. BUCKLASCHUK: Thank you, Madam Speaker.

On reviewing the question that was made of me by the Member for Springfield, I was advised that, in fact, that question should have been directed to the Minister of Agriculture.

I have since referred that question to the Minister for a response. I know that he'll be responding when the information is available to him.

MR. G. ROCH: My question would then be to the Minister of Agriculture. How soon could I expect an answer, because the answer can affect some definite plans of people out there.

MADAM SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Madam Speaker, I believe that we can have a fair bit of discussion on this matter as soon

as we're into Estimates, because the Water Services Board is before committee, and we can go into those details there.

MR. G. ROCH: Yes, Madam Speaker, but those grants were specifically promised. In one case, construction has begun.

MADAM SPEAKER: Does the honourable member have a supplementary question?

MR. G. ROCH: Yes. Will those grants be forthcoming or not?

HON. B. URUSKI: Madam Speaker, every community that has been made eligible under the program will receive their portion of funding. The question will be in terms of the setting up of the priorities of the board and in light of the total budget of the program, will — (Interjection) — Madam Speaker, the honourable . . .

MADAM SPEAKER: Order please.

HON. B. URUSKI: Obviously, some of the those members don't want to hear the answer. They already have their answer.

Madam Speaker, I want to tell my honourable friend that honourable members received the whole sheet as provided by the Manitoba Water Services Board last night as to the projections and the cost implications of all the requests made and the entire program was provided to them. There are about, in terms of applications and in relationship to the grant money, three times as many applications as grant money available. Communities will have to be scheduled and will have to take their turn until the project is completed, but those communities which have been deemed eligible under the program will receive their assistance.

MADAM SPEAKER: The time for Oral Questions has expired.

INTRODUCTION OF GUESTS

MADAM SPEAKER: Before moving to Orders of the Day, first of all, I'd like to draw the attention of honourable members to the gallery where we have 80 students from Grade 8 from the Parkside Junior High School under the direction of Mr. Mel Klassen. The school is located in the constituency of the Honourable Member for Rhineland.

On behalf of all the members, I'd like to welcome you to the Legislature this morning.

SPEAKER'S RULING

MADAM SPEAKER: Again, before moving to Orders of the Day, I have a statement that I would like to make to the House.

I have two matters on which I wish to make a statement to the House today.

My first point relates to the incident of June 18 in which copies of the Speaker's Ruling were inadvertently given to a government member before the ruling was given to the House.

I wish to assure all honourable members that this event was entirely accidental and that measures have been taken to guard against a recurrence. In my administrative capacity, I take full responsibility for these events.

I have attached to copies of my ruling a copy of a memorandum from the Clerk of the House in which he has described the sequence of events and has detailed the measures taken to guard against a repetition. Before continuing with my ruling for clarity sake and to ensure that there is no misunderstanding, I will read into the record the Clerk's memorandum to me on this matter:

Dated June 19, acting on your inquiry during question period yesterday as to whether or not government members had obtained copies of your ruling prior to your giving it to the House, I determined the following:

The final ruling was completed during question period on word processing equipment in the Clerk's Office and was delivered in a multi-use envelope by staff to the message room with oral instructions to deliver it to the Deputy Clerk. The message room attendant orally instructed a Page to deliver the envelope to the Deputy Clerk. It is not clear whether the Page misunderstood the instruction, did not hear it, forgot it, or chose to disregard it. In any event, the Page read the name of the Honourable Member for Thompson on the envelope and delivered it to him. All copies except one were recovered shortly thereafter. Multi-use envelopes used in the Clerk's Office are obtained from the Government and Opposition Caucus offices and from the Speaker's office, which explains how this office would have an envelope addressed to Mr. Ashton. Because the draft ruling was not finalized until after 1:45 p.m., preparation and delivery of the final copy occurred in a state of urgency and high priority. This may have contributed to the errors which occurred.

To guard against similar occurrences in the future:

- (1) A directive has been issued to all staff under direction of the Clerk that effective immediately, Legislative Assembly, not multi-use envelopes, must be used for material being sent into the Chamber or committee rooms for specific individuals.
- (2) An instruction has been issued to Clerk's Office staff that the names of all previous recipients on multi-use envelopes are to be crossed out when supplies of these envelopes are obtained.
- (3) This very serious matter will be discussed fully with the Sergeant-at-Arms and the Page involved when that individual is next on duty. The text of an oral reprimand will be placed on file.

In concluding, I wish to assure you that this very serious incident should not have occurred and that precautions to avoid similar incidents in the future have been taken as outlined.

I believe also, as mentioned to you, that this incident is symptomatic of the extreme pressures under which the staff in the Clerk's Office is working.

Secondly, on June 19, 1986, the Honourable Member for Turtle Mountain rose on a matter of privilege relating to the fact that government members had seen copies of my June 18, 1986, ruling before I gave it to the House. Three essential conditions must be met when a matter of privilege is raised:

(1) The matter must be raised at the earliest opportunity;

(2) The member raising the matter must conclude his or her introductory remarks with a motion proposing a reparation or remedy; and

(3) Sufficient evidence to suggest that a breach of privilege has occurred, must be presented to warrant giving the matter precedence over the regularly scheduled business of the House.

I am satisfied that condition (1) has been complied with, recognizing that the member was unable to confirm his suspicions about this matter until yesterday morning. Similarly, the member has complied with condition (2). With respect to condition (3), I find the following: Beauchesne (5th edition) Citation 16, states in part that:

"The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are 'absolutely necessary for the due execution of its powers'. They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members; and by each House for the protection of its members and the vindication of its own authority and dignity."

Maingot's "Parliamentary Privilege in Canada" on Pages 14 and 15 enumerates the privileges of Parliament as follows:

"The individual privileges are freedom of speech, freedom from arrest in civil process, exemption from jury service, and the privilege relating to members summoned as witnesses.

"The corporate or collective privileges are the power to punish for contempt (or its penal jurisdiction), the right to regulate its own constitution, the right to regulate its own internal affairs free from interference, the right to discipline its own members, the right to institute inquiries and call for witnesses (persons, papers, and records), and the right to settle its own code of procedure.

"Generally speaking, it will be seen that the powers, rights, immunities, and privileges of both the elected Assembly and its members exist to enable the members to attend the assembly without disturbance, to enable the assembly to perform its functions, and to guard the functions of Parliament undisturbed."

Maingot on Page 14 also states that Parliaments "have the power or right to punish actions, which, while not appearing to be breaches of any specific privilege, are offences against their authority or dignity.

"These may include disobedience to their legitimate commands or libels upon them, their officers, or their members. Such actions, though often called 'breaches of privilege,' should more properly be considered 'contempts'".

On Page 190 Maingot indicates, in regard to a valid matter of privilege that:

"There must be some act that improperly interferes with the member's rights, such as his freedom of speech or freedom from civil arrest. The interference, however, must not only obstruct the member in his capacity as a member, it must obstruct or allege to obstruct the member in his parliamentary work. For, just as the member is protected for what he does during a 'proceeding

in Parliament,' so must the member's parliamentary work or work relating to a 'proceeding in Parliament' be alleged to be improperly interfered with before the Speaker may find a prima facie case."

In the above reference "interfere" may be considered as being synonymous with "impede".

In regard to the limitless nature of contempt, Maingot on Page 196 states:

"Therefore, while it is not possible to give any definition of contempt unrelated to any enumerated privilege or right generally, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his "parliamentary" duty, or which has a tendency, directly or indirectly to produce such results may be treated as a contempt even though there is no precedent for the offence."

In the final analysis, in areas of doubt a Speaker must ask 'Does the act complained of appear at first sight to be a breach of privilege?' — or to put it shortly — 'Has the member an arguable point?' If the Speaker feels any doubt of the question, he should leave it to the House."

The events complained of concern the fact that certain members had inadvertent prior access to my ruling of June 18 and thereby were placed in a position of advantage over all other members — a situation of which they did not inform the House.

The basic parliamentary principles in impartiality and equal treatment of all members appear therefore to have been impaired.

Consequently, in line with the reference quoted earlier respecting reasonable doubt, I am of the opinion that the evidence presented indicates that a breach of privilege may have occurred.

Therefore, my ruling is that this matter be given precedence over the regularly scheduled business in order to allow the House to decide on the matter of privilege.

The motion before the House is moved by the Honourable Member for Turtle Mountain, seconded by the Honourable Member for Brandon West, that the Honourable Member for Thompson be requested to apologize to the House for not informing the House that he received the Speaker's Ruling prior to all other members.

The Honourable Member for Lakeside.

MR. H. ENNS: Thank you, Madam Speaker.

Madam Speaker, I take this opportunity to rise and speak to the motion presented by my colleague, the Member for Turtle Mountain, with the full recognition that it's an occasion that doesn't occur too often in this Chamber.

My very first comments would have to be, of course, a very sincere congratulations to the Member for Turtle Mountain, who, as a new member of this Chamber and of this Legislature, has obviously very quickly observed and learned some very important and fundamental facts of how this Legislature is conducted.

Allow me to put on the public record my words, and that of his party's congratulations, for being observant

and having succeeded, Madam Speaker, in convincing you that he had indeed a very serious matter of privilege which you have just ruled on.

Madam Speaker, having said that . . .

MADAM SPEAKER: On a point of order, may I clarify for the member, I have not made a decision that there is a point of privilege. That's for the House to decide.

MR. H. ENNS: You are, of course, correct, Madam Speaker. What you have ruled on is giving us the opportunity to debate the question of privilege and I should have made that plain.

My second comments would have to be made very quickly. To say that the Official Opposition certainly attaches absolutely no fault, finds no fault or blame on any staff people — I'm thinking particularly of the Page that delivered the rulings inadvertently to a private member and indeed to your office, Madam Speaker — we accept wholeheartedly the initial statements that you provided in your written ruling that it was an accidental, inadvertent snafu, if you like, Madam Speaker, that created the incident in the first instance. Madam Speaker, I take the opportunity to say just a few words about this, and again, Madam Speaker, you have already alluded to that in the ruling. There are those that may not understand. Perhaps new members of the Fourth Estate view this Chamber with some confusion from time to time — excluding some, of course, that have viewed it for a number of years — and wonder why is it such a matter of privilege that somebody got your ruling ahead of other members of the Chamber.

Well, Madam Speaker, you, Madam, and your office are called upon on a day-to-day basis to make rulings, some of greater significance, some of less, and as you've stated in your ruling, the impartiality of your office and the manner and way in which you make those rulings, and the manner and way in which you impart them to the members of this Chamber are of utmost importance.

They are of greater importance because, Madam Speaker, — and I wish to be very careful in choosing these words because there is absolutely no reflection on the office that you hold and on your person — but under our system you cannot divorce yourself from the party and the politics that you have dedicated your public service to for a long period of time.

In other words, you come into the office of the Speakers, as has been the custom in this House, no matter which party is in power, from a partisan position. If a Conservative Government forms the majority, a Conservative member is elected to the office of the Speaker. If it's a New Democratic Party Government in office, it's a New Democratic Party person that comes to the office. So it makes that job that much more difficult in my eyes.

It means that the Speaker has to be that much more alert and concerned about providing the impartiality that I'm prepared to acknowledge every Speaker very quickly and very sincerely attempts and, to a surprising degree, successfully brings to the position of the Speaker's Chair.

It's for that reason, Madam Speaker, why this kind of a breach that occurred the other day is important

to be dealt with and to be dealt with immediately in the way in which we're dealing with it right now to preserve and to enhance the impartiality and neutrality of the Chair.

I think we owe, again, a debt of gratitude to one of our very new members, the Member for Turtle Mountain, for having observed the impropriety and having correctly sought out the appropriate House measure to correct it.

Madam Speaker, I'm trying to, I believe, correctly put forward a position that we in Opposition certainly do not lay any fault or responsibility or blame on members of the staff and members of your office, and you, correctly, as the person with the chief responsibility, acknowledge your responsibility, Madam Speaker and have so stated in your ruling.

I cannot be so charitable about the First Minister, nor about the Government House Leader. The First Minister, who has sat in this Chamber since 1969, and the Government House Leader, by virtue of having been made Government House Leader, and has been in this Chamber for a little while, ought to know the propriety of dealing with subject matter that was not their right to be looking at. They could have, Madam Speaker, anticipated the position they were putting you, Madam, into and, indeed, the staff of your office.

There is room for condemnation on my part and the part of the Official Opposition to look at the conduct of the First Minister and that of the Government House Leader. I won't even excuse the Member for Thompson, although he has been in this Chamber some five years, but Madam Speaker, as a backbencher, perhaps it's understandable that he didn't fully appreciate the fact that the material that he was handling — and, ironically, this is the same backbencher that a little while ago was irate and stood up here flaunting his wrath at the fact that some of his mail might have been inappropriately or received in somebody else's office.

So, Madam Speaker, having said that — as I say, I'm excusing the Member for Thompson — but, in my judgment, the First Minister's actions and the actions of the Government House Leader leave a lot to be questioned about their integrity with respect to ensuring that the impartiality and the neutrality of the Chair at all times be sustained in this Chamber.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, the Member for Lakeside, in rising in his place to speak to this issue, and through his last comments, has clearly indicated what we have all known for many years — that his depth of understanding of parliamentary procedure is somewhat lacking and has gotten him into the position where he has made such statements previously which proved, upon reflection and upon review, to be somewhat inconsistent with the facts as they exist. We will accept . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.

HON. J. COWAN: . . . that in fact there was an error made, inadvertently so; not made by the Member for

Thompson, not made by my Premier, and not made by myself, in respect to the delivery of the particular ruling. There's no doubt in anyone's mind, and I believe you addressed that issue yourself in your ruling and indicated very clearly that due to an error, a mistake, the letter was delivered in an envelope, addressed to the Member for Thompson, his name on it, and he opened it and shared that in fact with myself.

The question is not whether or not that error was made. I think the prima facie evidence very clearly indicates that it was and your ruling indicates that it was. The question is whether or not the Member for Thompson or the House Leader should have informed the government of that error — or should have informed the House of that error, excuse me.

In respect to that, one has to look at the parliamentary procedures that have existed, now and previously, to determine if in fact there is not precedent for rulings being given privately to members before they are shared with the House. I refer you to Page 214 of Erskine May, in which it is stated, "But sometimes rulings are given privately in matters before they are brought before the House." — (Interjection) — Well, the members opposite say that is not the practice in this House.

How is one to know whether or not the Speaker, having assumed the office, is referring to procedures which are available to her and has determined, in fact, that may be a practice out of courtesy or whatever reason to have that sort of action take place? Certainly it is not up to us to question the delivery of an envelope, with the name of the Member for Thompson on it, to the Member for Thompson, and his receipt of those materials, given the fact that there is precedent for that sort of action to take place in other Parliaments of this sort.

So there was no attempt to deceive; there was no attempt to use to unfair advantage the materials, which we believe on the basis of the manner in which they were delivered, were delivered to the Member for Thompson by the Speaker, in respect to this particular ruling. So if in fact we are operating under that assumption, and there is certainly parliamentary precedents for that assumption to be taken, then we had no obligation whatsoever to inform the House.

So if there was a breach of privilege, it was not a breach of privilege that can be attributable to members of this side of the Legislature or to members of that side of the Legislature, nor in fact to any elected official in this particular Legislature.

So while we accept that you have indicated that this debate should proceed; in doing so, we accept no responsibility for us being compelled or even the suggestion that we should inform the House of receipt of that material, having operated under the assumption that if this is possible in other Houses, other parliamentary Houses of this sort, it could be possible in this particular House, in having acted accordingly.

The First Minister, in fact, did talk to the Member for Thompson, in the course of that question period, and I can tell you that I requested the First Minister to talk to the Member for Thompson, following a caucus discussion, which we had in our caucus room regarding this issue, previous to the question period taking place. I had asked him to discuss with the Member for Thompson that caucus discussion, so we were clear in our minds that we would be following the course of

action as determined by a caucus decision, and it would have taken place with or without a ruling having been given or the ruling having come into our possession.

So certainly if there is any question as to whether or not a breach of privilege has been effected here, I would suggest that it is a matter that does not relate to either the Member for Thompson, the Premier, or myself, but a matter which relates to a mistake which was made in the House and certainly I am comfortable with the material that has been outlined in your ruling, that that mistake will not happen in the future.

If that is what we are after here, to make a more perfect — not a perfect — but a more perfect Legislature and House, I believe the actions that have been taken by your office and by the staff — and certainly one accepts that these things are going to happen from time to time — will in fact deal with the issue at hand and no apology is required on the part of any member of this House in respect to the incident as outlined.

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Madam Speaker.

Madam Speaker, I am not terribly surprised by the last comment made by the Government House Leader, indicating that in his opinion, his members, the Member for Thompson, his Premier, and he, himself, did nothing untoward and nothing out of the ordinary in this House, and hence no apology is necessary. That does not surprise me.

Neither did it surprise me, Madam Speaker, when the Government House Leader made the accusation that all too often my colleague, the MLA for Lakeside, doesn't have things right and leaving the clear impression that he doesn't often have his facts right. That, Madam Speaker, was entirely uncalled for by the member in this particular matter because in this matter we have indeed a serious matter. That is why you have referred this for debate to this House.

Now, Madam Speaker, the Government House Leader says that this could have been an intentional release in advance of the Speaker's Ruling to the Member for Thompson, because that precedent exists in "other Houses," but we are not operating in other Chambers. We are operating in the Chamber of the Legislative Assembly of the Province of Manitoba; wherein, Madam Speaker, you have already been called on, in the some seven weeks of this Legislature, to make a number of rulings.

Madam Speaker, I do not believe that any of those rulings were given in advance to any member of this House, whether it be on this side or on the government side of the House. Clearly, Madam Speaker, the Government House Leader's argument to legitimize this process that he, himself, involved himself in is not a reason for denying an apology to this House, because this Government House Leader knows the process of previous rulings that you, yourself, Madam Speaker, have brought down. There was no advance notice to any member of this House, unless the Government House Leader could indicate that there was on previous occasions and I don't think he did. I don't think he did.

We clearly have here a situation where a five-year veteran of the House, the Government House Leader and the Premier have all shared with your ruling, prior to it being given to the House by yourself, Madam Speaker. In this parliamentary system that we have that clearly is a breach of privilege, that clearly is a breach of the rules of this House, where one member or one group of members has advantage over other members of this House, by use of Speaker's Rulings and other information, which should be shared equally and at the same time with all members of the House.

Madam Speaker, to further add weight to what I say about the Government House Leader's argument, they accepted that this was a new process by which your rulings were going to be released in advance. Then I simply ask the Government House Leader, with the envelope arising, with all those copies; why simply wasn't a copy of that ruling sent to our House Leader and myself or my leader, if that was the honest belief of the Government House Leader that it was a ruling to be shared in advance by all members? Why was it kept only in the purview of members opposite in the government benches? And further, Madam Speaker, in the third paragraph of your ruling, you indicate, "I wish to assure all honourable members that this event was entirely accidental and that measures have been taken to guard against a recurrence."

So clearly, Madam Speaker, there was no precedent in this House under your term, as Speaker of the House, wherein rulings made by yourself are shared with other members of the House, whether it be on the government side or Opposition side. That argument given by the Government House Leader is simply not a valid argument for this matter of privilege. It is a diversionary tactic. It is an attempt to wiggle out of an embarrassing situation which could be solved relatively easily by simply having the Member for Thompson stand and do the honourable thing of apologizing for having advance notice of a Speaker's Ruling, that he, as a veteran of this House, should well know.

Madam Speaker, if he can't apologize for that, then he should at least apologize on behalf of his Government House Leader who went up to him and saw the ruling, and with his experience in this House and with his obvious confidence given to him by his colleagues in government by making him Government House Leader, his understanding of the rules must be there for him to have known that the Member for Thompson had the ruling in advance of it being made. The Government House Leader owes this House an apology which could be delivered through the Member for Thompson since he is the one named in this matter of privilege.

Madam Speaker, you know, we've got a unique situation where both the Premier and the Government House Leader have availed themselves of the information that the Member for Thompson received, accidentally, albeit, no fault attached to the Page or even to the Clerk's Office staff. Because, the Pages aren't expected to know the routine of this House as well as five-year veterans and nine-year veterans and 17-year veterans of this House, such as we have for the Member for Thompson, the Government House Leader and the Premier.

Madam Speaker, those individuals should have known the process and should have stopped that process, but they didn't because they wanted as much advance

information on preparing the Member for Thompson for his rebuttal and that turned out to be quite a protracted and quite a complex retraction that you, Madam, extracted from the Member for Thompson, and his defences were prepared with advance knowledge of your ruling. Had the ruling been delivered to him at the same time you brought it down, I suggest the Member for Thompson would not have attempted to deviate and not apologize to the House as he attempted to do.

Madam Speaker, I guess, to me, what is equally important in this matter of privilege is the position that the government has put you in. Because, Madam Speaker, clearly an outside observer might come to the conclusion — and it would be a wrong conclusion, let me say this — that there was some sharing of information between government members and the Speaker, and that would be a wrong conclusion. But one would be drawn to that conclusion by the record established by this administration under this same Premier during its first term.

I'm sure all members of the House will recall the circumstances by which two of our members, our then leader and the Member for Fort Garry, were ejected from the House because of allegations that the Premier and the Attorney-General had visited Mr. Speaker in his Chambers over a matter that was before the House. That, Madam Speaker, at that time, cast a great deal of doubt on the impartiality of the then Speaker, and it did not assist Mr. Speaker of that day in carrying on and conducting this House with the impartiality and the protection of all members that a Speaker must do under the parliamentary system.

We have the similar situation here today where these members, the Member for Thompson, the Government House Leader and the Premier, have by not returning that ruling to the Clerk of the House whence it come — oh, the Member for the Government House Leader says it was returned; only after it was read and one copy was kept back. If it was returned, why did you not return them all? I mean, that's sort of finding a wallet full of money and coming to the conclusion: well, I don't know whose wallet this is, but maybe they wouldn't have counted all the money that's in it so we can remove some of the bills. Because that's what the Government House Leader did. They returned the rulings, but they kept one. Would that be considered honest if one found a wallet full of money and kept a few of the bills back and returned in the wallet?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. D. ORCHARD: Would that be honest?
My honourable friends say, "Be fair."

MADAM SPEAKER: Order please. Could we please discuss this issue calmly.

MR. D. ORCHARD: Thank you, Madam Speaker.
My honourable friends say, "Be fair." But I ask you, put yourself in the position of returning it, minus one copy, and I use the analogy of the wallet full of money. If the Attorney-General wants to talk about that at another time, we'll talk about his false allegations any time he wants to — any time he wants to.

Madam Speaker, by the actions of the Government House Leader and the Premier and the Member for Thompson, we are into the same sort of doubt being cast on your impartiality in that office, and that is not fair to you, Madam Speaker. Senior members of this government should have known the circumstances they were putting you in.

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

HON. J. COWAN: A point of order. There has only been one group of individuals, one political party in this Legislature, who has ever cast doubt on your impartiality and it has not been members on this side. We reject any inference or imputation by the Member for Pembina that we do not have the full faith and confidence in your impartiality. They are the only ones who have made that statement publicly inside this House or outside of this House.

MADAM SPEAKER: Order please. The honourable member does not have a point of order. A dispute over the facts is not a point of order.

The Honourable Member for Pembina, calmly.

MR. D. ORCHARD: Thank you, Madam Speaker.
The Government House Leader has further demonstrated the difficult position that he has put his party in by having advance knowledge of that ruling, and I say again, with no reflection on you, that has the ability to do exactly what we had before some four years ago with another Speaker in the Chair. It doesn't serve the purpose of you as an impartial moderator of this House.

Madam Speaker, those actions by the Government House Leader and the Premier could simply be rectified by doing the honourable thing and have the Member for Thompson simply apologize to the House. Because clearly, Madam Speaker, he should not and ought not to have had advance notice of your ruling. Your new procedure indicates that such a recurrence will not happen again; new procedures are in place. What is so difficult, Madam Speaker, about having the Member for Thompson apologize to the House again? He's an honourable member. It should, for the breach of privilege of the House — if you don't understand that, Mr. Attorney-General, then you ought not to be where you are. It would be a simple matter to resolve it, to simply apologize as an honourable member for a breach of privilege of the House.

MADAM SPEAKER: Order please, order please.

MR. D. ORCHARD: Thank you, Madam Speaker.

MADAM SPEAKER: May I remind the honourable member that all members are honourable members.
The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, it's quite ironic that the member, who in this House breaks every rule continuously, who chose this particular debate, to impute motives to the members of this side of the House.

MADAM SPEAKER: Order please.

MR. C. BIRT: Come on, slime bucket, sit down.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, on a point of order.

I very clearly heard the Member for Fort Garry address comments I believe to the Minister of Health as he was standing at the time from his seat which said, "Come on, slime bucket, sit down." I do not believe that is parliamentary language and would ask for the Member for Fort Garry to withdraw these comments.

MADAM SPEAKER: Order please.

. . . the Honourable Minister of Health to order for allegations he was in the process of making and the aspersions that he was casting on a member, I would like the Honourable Minister of Health to apologize to that member. I did not hear any further comments and I cannot be expected to rule on a point of order where I did not hear the comments.

I will peruse Hansard on the Honourable Government House Leader's comments.

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I rose and stated that it was ironic that a member, who in the past, at different times, has broken the rules of this House would speak on this debate, and I also stated that he used this debate to imply motives to all of us; he implied motives that we purposely wanted to be ready and took advantage of that and I think this is wrong. I think if anybody should apologize . . .

MADAM SPEAKER: Order. Order please. Order please.,

The honourable member was casting aspersions on another member of the House. I have asked the Honourable Minister for Health to withdraw those aspersions.

HON. L. DESJARDINS: What aspersions? You told us that the . . . should make the rules.

MADAM SPEAKER: Order please.

The honourable member does not argue with the Chair. The Honourable Minister of Health was accusing another member of breaking the Rules of the House, and I would like the honourable member to withdraw those accusations, now.

The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, on numerous occasions not only have members on this side suggested that members of the Opposition have broken the rules, but members of the Opposition that members of this side have broken the rules, and you yourself call us to order many times in any given Session for having broken the rules.

On a point of order, for a member to stand in this House and to suggest that another member has broken

the rules, I think is only a statement of fact which all of us — all of us — have in many instances referenced in our comments. I find nothing in Beauchesne which suggests that it is unparliamentary to suggest that a member of this House breaks the rules, especially when that has been the case.

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Madam Speaker, I wish to pardon for speaking with respect to this matter. As I understand it, you have already made a ruling which is in accordance with the Rules of the House, that no member may use offensive language against any member of the House, which the Minister of Health regrettably has done. You have made that ruling and it is not subject to any further debate and the Member for Health has no other responsibility but to comply with it, or otherwise be named.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, it is a commonly accepted practice for members when a ruling has been made to provide advice to the Chair and for the Chair to accept the advice. We have gone through that on numerous occasions over the past few days, and I would suggest that any advice which we can provide to you to assist to make this House operate better, is advice which is in the best interests of this Legislature and that is what we are all here for, and for that reason we would hope that there would be others that might be willing to provide advice on rulings as has been customarily done in the past and not as the Member for St. Norbert suggests, in any way out of order.

MADAM SPEAKER: Order please.

I first recognized the Honourable Government House Leader on what I thought was a point of order. I had already made my ruling. I usually asked for advice from honourable members on both sides before I make a ruling. It is not parliamentary to cast aspersions and use offensive terms against other members of the House. I will remind all honourable members every time that happens. As to when — (Interjection) — Order please.

Whenever there are objections from honourable members, I made that very clear in my ruling a few days ago, that I do expect all honourable members who also have a duty to bring to my attention, language that they find offensive. In this case, the words of the Honourable Minister of Health were found to be offensive by several members opposite. I asked the honourable member to withdraw his references to an honourable member for often breaking the Rules of the House.

The Honourable Minister of Health.

HON. L. DESJARDINS: I will bring to your attention that during the Speaker . . .

MADAM SPEAKER: Order.

HON. L. DESJARDINS: . . . brought some language that is not acceptable to us that was offensive. When

he said that we purposely kept papers so we can be ready, taking advantage over that; that is absolutely offensive; that honourable member . . . I use the term . . .

MADAM SPEAKER: Order, order please. Order please.

I will not have honourable members arguing with my request. There is one thing to have a dispute over the facts. That is not a point of order. Now I have requested twice the honourable member to withdraw the language that has been found to be offensive by members opposite. Would he please . . . I am now directing the Honourable Minister of Health to withdraw that language.

The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I think your ruling is wrong and I will not withdraw my language.

MADAM SPEAKER: In that case, I have no alternative but to name the Honourable Larry Desjardins for disregarding the authority of the Chair.

HON. L. DESJARDINS: The name's not fair.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, as per precedent I have no other option, you having named the member, but to move, seconded by the Minister of Community Services that the Member for St. Boniface be suspended from the service of the House for the balance of the sitting today.

MOTION presented and defeated.

MR. G. MERCIER: Yeas and nays, Madam Speaker.

MADAM SPEAKER: Call in the members.

The motion before the House is that it has been moved by the Honourable Government House Leader, seconded by the Honourable Minister of Community Services, that the Member for St. Boniface be suspended from the service of the House for the balance of the sitting day.

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

YEAS

Birt, Brown, Connery, Cowan, Cummings, Derkach, Driedger, Ducharme, Enns, Ernst, Findlay, Hammond, Harper, Hemphill, Johnston, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Parasiuk, Pawley, Penner, Rocan, Roch, Santos, Smith (Ellice), Smith (Osborne), Storie, Uruski, Walding, Wasylycia-Leis.

MR. CLERK, W. Remnant: Yeas, 35; Nays, 0.

MADAM SPEAKER: I declare the motion carried.

The Honourable Attorney-General.

HON. R. PENNER: Madam Speaker, addressing the issue which is before the House, I think that indeed is

what the focal point of this discussion should have been and, regrettably, wasn't at all times, a fault perhaps shared on both sides of the House.

There are things that I too have some feelings about and would like to comment on, and I will refrain from doing so because I do not think it adds to the resolution of the problem. I hope I will find an early opportunity on a grievance to say what I think about the way in which we run our parliamentary institutions and the necessity of adhering to not only the rules in terms of the black letter law of the rules but to the spirit behind the rules. Madam Speaker, it is to that question which I address myself.

Quite simply, I do not believe that there has been a breach of privilege. You have left it quite properly up to the House to determine that. It's quite clear what my vote on that issue will be. I simply want to advise you, Madam Speaker, why I do not think there has been a breach of privilege; that is, I base that on the very finding of fact which you have made, namely, inadvertence.

I think that is the key question which I would have hoped all members, recognizing that they owe, at least prima facie, a duty of feeling that people act in good faith would have seemed to be the issue. If a piece of mail is delivered to me and it bears my name, I will open it, I will read it and, unless I have had some reason for thinking that I ought not to read it, I will continue to read it. In the instant case, I would want to find out from my House Leader what do I do in the circumstances.

I think that if members really kept their eye on that ball and did not look upon this as an opportunity to raise other issues, we could dispose of the issue rather quickly. We could either say yes or no from our conscience and our heart and our mind as to whether or not there's been a breach of privilege and get on with the business of the House which the people of Manitoba would like us to address.

I think my concluding remark, because I have undertaken to focus on the issue, is this. As I understand it, and, Madam Speaker, in the fullness of time you will help us to come to a fuller understanding of the rules, if something is not dealt with specifically in our rules, which this is not, that is whether or not this particular kind of occurrence is a breach of privilege, then one must have resort to the precedents of this House in the first instance. No one could possibly know at first blush whether or not there is a precedent that has dealt with this. I think not, but I can't say that for sure. Then one, by our practice, looks to the authorities — Beauchesne, Erskine May — as you have done and as previous Speakers have done; that's the way we approach these things.

One must only assume — in my view, Madam Speaker, one can only assume — that the Member for Thompson, having mail addressed to him, assumed that he was rightfully in receipt of it. How could he know otherwise, unless there's a rule or a quickly available precedent which says that the Speaker cannot, under any circumstances, distribute a ruling in advance.

It is suggested, well, he ought to have known that because it hasn't happened before. I don't know that it hasn't happened before in our House. That may be right. We can, if we are so minded — I'm not particularly — go and do some research to find out whether it's

happened before. You, acting in your own best judgment, have thought that there is an issue to be determined. I think you were right to say that there is an issue to be determined. I think that it ought to be disposed of on that basis. Those of us in this House, on either side, who believe that there was not a breach of privilege for the reasons I have stated or for other reasons, namely, that it lacks that quality of advertence and intention, then I think that we ought to vote that there is no breach of privilege.

Remember that what is being asked for in the substantive motion, which would then have to be dealt with, is that the Member for Thompson is being asked to apologize. It's the Member for Thompson who, everyone seems to agree, inadvertently opened a piece of mail addressed to him. This wasn't the kind of case that we've had some discussion about, of someone — one knows not who or indeed whether or not there is someone — opening a piece of mail that, in fact, was not addressed to them. There's qualitatively a different situation, and I think that everybody in this House should act under that spirit.

Let's get back to some common decency; let's get back to parliamentarianism; let's get back to the issues of the day. Let's serve the people of Manitoba and not our self-interests.

MADAM SPEAKER: The Honourable Member for Morris.

MR. C. MANNESS: Thank you, Madam Speaker.

My comments will be brief. The Attorney-General spent a fair amount of time on the area of precedent. Madam Speaker, in my view, if this motion is not carried, we indeed are setting a precedent in this House. We will then be saying to all the members of this House that their rights can be breached, that they can on some circumstances, however innocent, Madam Speaker, receive notice of a ruling before other members of the House. I say to you, Madam Speaker, this motion has to be supported by all members of the House.

Madam Speaker, the Government House Leader talked about precedent also. He indicated that in other Houses the main principal of the motion may have been given advance notice of the ruling. Madam Speaker, this cannot be allowed, indeed, within your own ruling. To prevent it, you indicated there would be a new system of envelopes coming forward to prevent what you obviously believe to be a bad precedent. You, yourself, under the rules that exist today, do not believe it proper that one member of the House should have advance notice.

So, Madam Speaker, while the former Minister of Finance, the Minister of Energy and Mines, says he can't believe it — oh, I apologize — it was the Minister of Agriculture, Madam Speaker. As we know, it allows an unfair advantage to one person. How could you imagine, if one person received advance notice of your ruling, the advantage that person would have to go and research? Yet, how could people who did not have notice of that ruling possibly prepare to argue their case, given the multitude of rulings that may come down on any situation?

So, Madam Speaker, clearly, one person in this House be given priority in the sense of having an opportunity to view a ruling before any other matter.

I call into question the propriety of the actions also of the First Minister and the Government House Leader, Madam Speaker. My colleague used the analogy of found money. The members opposite, Madam Speaker, have the envelope. They knew all the copies that were to be distributed in this House were in that envelope. It just wasn't watched.

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

HON. J. COWAN: Madam Speaker, following your very strong guidance of a few moments ago, I would suggest that the Member for Morris is imputing motives, calling into propriety our motives, casting aspersions on the First Minister and on members on this side, and would ask him to withdraw those words.

MR. C. MANNESS: Madam Speaker, I will withdraw. What I will then say is members opposite should have known. They should have known, when they looked into the envelope and saw all those copies, that indeed some portion of them belonged to members on this side of the House, and to other members.

And, Madam Speaker, what could they think? What could the members opposite think? Did they think that the Speaker, at the time, was favouring them? We know that wasn't the case. But did they believe, because of your political affiliation with their party, that maybe they were being favoured to some degree?

I'm asking the question rhetorically, Madam Speaker.

MADAM SPEAKER: Order please. The Attorney-General on a point of order.

HON. R. PENNER: I'm asking a question. On a point of order, that is definitely the imputing of a motive. To say I put it in the form of a rhetorical question, therefore it's all right, is to find an end run around what must happen in this House.

Secondly, speaking personally, and that's why I rise on a point in order, at no time, in any event, was I privy to what was going on and he talked about "members on that side of the House." Clearly, he's wrong on both counts and should withdraw.

MR. C. MANNESS: On the point of order, Madam Speaker.

MADAM SPEAKER: On the point of order, the Honourable Member for Morris.

MR. C. MANNESS: I prefaced my remarks. I indicated the First Minister and also the Government House Leader.

HON. R. PENNER: He said all members on this side of the House.

MADAM SPEAKER: The Honourable Member for Morris on the point of order?

MR. C. MANNESS: Madam Speaker, I will withdraw the comment. Again, I'll restate what I said previously, that the First Minister and the Government House

Leader should have known — should have known —

MADAM SPEAKER: Order please.

The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, to impute motives to one individual or to impute motives to all individuals in this House, is equally out of order.

MADAM SPEAKER: Would the Honourable Member for Morris please clarify that he is not imputing motives, and withdraw any comments that might have?

MR. C. MANNES: Madam Speaker, I do not wish to impute motives. I will state, Madam Speaker, and this is what I'm saying and again you can rule, Madam Speaker. I questioned whether the First Minister and the Government House Leader should have known, when they looked into the "6-Ålope, that there were copies there than belonged to members of the Opposition and other members of the House.

MADAM SPEAKER: Order please. The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, is the Member for Morris suggesting that he did not wish to impute motives, or withdrawing what was an imputation of motives, not only on us but on the Speaker in respect to party affiliation, is not the same thing.

I would suggest, on your strong advice which was given to this House just recently, that the Member for Morris be directed to withdraw those comments or be named.

MR. C. MANNES: Madam Speaker, I am stating an opinion. That's what debate is all about, and I ask you to rule on the matter.

MADAM SPEAKER: The Honourable Government House Leader has raised an objection to language that he considers the Honourable Member for Morris to have made which, to him and to members opposite, is offensive.

Would the Honourable Member for Morris please withdraw any statements that have been considered by other members to be offensive, in regard to imputing motives.

MR. C. MANNES: Madam Speaker, you have to rule on that. I am *not* trying to impute motives. I apologize for any appearance that there may have been motives imputed. — (Interjection) — Madam Speaker, the Minister asked me to withdraw. Withdraw what?

MADAM SPEAKER: Order please. Order please. In my opinion, I am satisfied that if the honourable member apologizes for any statement, that is, in essence, a withdrawal.

The Honourable Member for Morris.

MR. C. MANNES: Madam Speaker, back to the debate. The white faces over there told the whole story, told the story when this issue was happening, Madam

Speaker. It indicated, it told the story totally. Members, in my view, in my opinion, knew that there was something going wrong, that they had material in their possession, they had copies in their possession that they should not have. Yet did they indicate such to the Chair, Madam Speaker?

MADAM SPEAKER: Order please. It has not been determined that anyone knew they had copies of material that they should not have had. Those are the motives that the honourable member is imputing. That particular matter is the subject of the debate this morning.

MR. C. MANNES: Madam Speaker, this is a most serious matter and I would ask members of the House to give support to the motion. I would ask the Member for Thompson to issue an apology. As my colleague, the Member for Lakeside said, to issue an apology for the Government of Manitoba, for the government and for the First Minister, and the Government House Leader.

MADAM SPEAKER: Order please.

The Honourable Member for Pembina on a point of order.

MR. D. ORCHARD: Madam Speaker, the Minister of Energy and Mines said from his seat, in clear and audible tones, that my leader opened the Member for Thompson's mail. That is not a factual statement and I wish him to withdraw that and apologize to my leader and to the House.

MADAM SPEAKER: Order please, order please. I will peruse Hansard to see the accuracy of the allegation made by the Honourable Member for Pembina, to see whether in fact he does have a point of order.

The Honourable Minister of Labour.

HON. A. MACKLING: Madam Speaker, honourable members have referred to this debate as very important and very critical. I suppose I can agree with that but I find that a lot of the argument that has been addressed by members opposite is absolutely silly.

What we have before us is a concern by the Speaker, asking members of this House to give guidance and direction to her, and make a decision, a collective decision as to whether or not there has been a breach of the privileges of this House.

Now what is the basis for the concern? The basis for the concern, Madam Speaker, the whole initiation for the problem which you cite in your ruling, is an error in the Clerk's Office. The Clerk has made an error in using an envelope . . .

MADAM SPEAKER: Order please.

The Honourable Member for Brandon West.

MR. J. McCRAE: Madam Speaker, the Honourable Minister of Labour is making comments about Your Honour's ruling. You have ruled . . .

MADAM SPEAKER: Order please, order please. May I please hear the honourable member out.

MR. J. McCRAE: Madam Speaker, you have made your decisions respecting a mistake made in the Clerk's Office. There is no further need for the Minister of Labour to . . .

HON. A. MACKLING: You don't have to tell me what I can say.

MADAM SPEAKER: The honourable member does not have a point of order.
The Honourable Minister of Labour.

HON. A. MACKLING: I am referring specifically, Madam Speaker, to your ruling and the contents of that ruling which has attached to it the memorandum to you by the Clerk. In that memorandum . . .

MADAM SPEAKER: Order please.
The ruling of the Speaker is not the issue that's being debated. The issue being debated is the motion before the floor. A ruling of the Chair cannot be debated.

HON. A. MACKLING: Madam Speaker, I am not debating your ruling. I'm referring to the causation for the matter before us and that is in order.

The causation for the matter being before us comes about by an error in the Clerk's Office. An envelope was used inadvertently that was addressed to a member of this House. The ruling states there was an inadvertent error in the Clerk's Office.

The memorandum goes on to talk about other things which I will not talk about because I don't think it's germane, but the basis, therefore, of this whole issue is that someone made an error. Then, your concern is whether or not that error produced some impediment to the rights of members of this House.

Well, let's look at that. The documents in the envelope that were addressed to a member in this House were delivered to that member the very afternoon when you were about to deliver your decision. Does that give members opportunity to do something to impede your standing and making your decision? I can't conceive of any way in which the member, on the basis of the fact that you are going to make a decision, can thwart the Speaker of this House in making that decision. So how could any impediment to the process arise? The answer is, there could be none. Therefore, the work of the House was not being impeded.

Now the question is, did the member or did some members gain some unfair advantage? Let's look at that. What unfair advantage did any member have knowing, if that's the case, that you're going to make a ruling which essentially is going to call upon a member to apologize? What advantage is there for any member? What impediment to the House? None, Madam Speaker, and these are the questions you're concerned about. Is there some unfair advantage? No. Is there some impediment? No. Was the basis of this some deliberate, knowledgeable act of a member doing something wrongful, impinging upon the rights of members in this House? No.

The whole basis was an error in the Clerk's Office. I say to you, Madam Speaker, the whole thing isn't worth debating. I don't know why we spent the whole morning at taxpayers' expense debating a non-issue.

Error, whether it be in law before the courts or anywhere is not the foundation for any right. This is honest error on the part of someone in the Clerk's Office. Why should we be spending all morning talking about whether or not a member of this House has offended the rules? No such offence has occurred. Therefore, there is no issue that really ought to be decided in the affirmative in this matter.

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Thank you, Madam Speaker.
I rise to speak to this matter with a great deal of concern, having witnessed, Madam Speaker, only 12 members on that side of the House supporting you in your actions here this morning. Twelve out of 29 chose to vote to support the motion by the Government House Leader.

Madam Speaker, having said that, I believe that the issue before us is with respect to the duty of a member to inform members of the House that he had received a Speaker's Ruling in advance of all other members. You clearly indicate in your ruling that this is a matter that must be guarded against in the future, confirming, I think, the seriousness of what occurred.

If the Member for Thompson stands up and says that he did so, not recognizing the seriousness of not informing other members of the House, that he sought guidance from the Premier, as he apparently did, and received no proper guidance from a veteran member of this House for some 17 years; if he says that and says that it was all an error on his part, that he received no proper guidance, then I'm prepared to accept that statement, Madam Speaker. It puts into question, without any doubt, the type of guidance he received from people who should have been able to give him proper guidance.

Madam Speaker, this matter is of very great importance to the House because all members of the House have the right to be treated equally and to receive the same information at the same time. — (Interjection) — Good, Madam Speaker, the Minister of Environment says nobody has ever questioned that.

Events have occurred in the past that cause us on this side of the House to have very grave concerns that information received by members opposite is being used to their partisan political advantage. Did they fully inform members of this House, Madam Speaker, when they received the information that was contained in the Third Quarterly Financial Report that they deferred until after the election? No, Madam Speaker, that causes a concern to the Member for Turtle Mountain and all members on this side of the House.

MADAM SPEAKER: Could the honourable member please keep his debate relevant to the motion?

MR. G. MERCIER: Yes, Madam Speaker, the issue is the obligation of a member of this House to ensure an act accordingly so that all members of this House receive relevant information at the same time, as we are entitled to.

I'm saying, Madam Speaker, we have very grave concerns because of what happened with respect to

the Third Quarterly Financial Report, as an example. We have concerns, Madam Speaker, because of the manner in which they handled the Manfor Report. They used that information to their own advantage and that's what can happen in this situation, that members on that side of the House can receive information in advance and use it to their own partisan political advantage. In that particular case, they had that information and they changed the year end . . .

MADAM SPEAKER: Order please, order please.
The Honourable Attorney-General on a point of order.

HON. R. PENNER: Madam Speaker, on a point of order, and I again will speak in my own defence.

I did not receive any information in advance, and when the Member for St. Norbert says members on the opposite side received information in advance, he includes me and I ask that be withdrawn.

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, if the Attorney-General is concerned about that, I would withdraw my remarks, and I would like to continue in my remarks to defend his right and members on this side of the House, all of their right to receive information at the same time.

MADAM SPEAKER: The Honourable Member for St. Norbert.

May I caution the honourable member to keep his comments relevant to the motion before us. I have great difficulty seeing how government reports have anything to do with this particular motion.

MR. G. MERCIER: Well, Madam Speaker, the broad issue is with respect to the right of all members of the House to receive information to which they are entitled. I believe it is a very important principle and I think it is a matter to be considered by this House as to whether it is a matter of privilege.

Madam Speaker, I submit that in the circumstances — and hopefully the Member for Thompson will speak — we're very interested in hearing his remarks, Madam Speaker, with respect to this matter.

MADAM SPEAKER: The Honourable Member for St. Vital.

MR. J. WALDING: Madam Speaker, I did want to say just a few words, but not to hold up the debate for an unconscionable length of time.

The Member for St. Norbert has made mention of a vote that occurred this afternoon and I want to assure him that the vote by members on this side was to uphold the authority of the Chair and to support what the Chair did in that particular aspect and that's what was done.

On this particular motion that is before us, Madam Speaker — I wonder if you would just read the resolved portion of the motion again; I don't have it in front of me.

MADAM SPEAKER: That the Honourable Member for Thompson be requested to apologize to the House for

not informing the House that he received the Speaker's Ruling prior to all other members.

MR. J. WALDING: Thank you, Madam Speaker.

The fact that we have a matter of privilege before us should not be too difficult for the House to deal with but it is complicated by another issue. I found from experience that when the House gets into these procedural debates, it is very often the case that two matters coincidentally come together and affect each other and that seems to be the cause of the problem that is affecting us.

To look at just one part of the problem itself, the matter of one member receiving a ruling in advance of the Whole House, would clearly be a matter of privilege since it suggests that there is some preference by the Speaker to one or two or three members of the House. If that were in fact the case it would not be too difficult for this House to discuss the matter and resolve it.

What has complicated the matter is that an error has occurred somewhere. Now we accept your explanation of the matter of where it had occurred but in fact an error did occur.

Just on one side, during my term in the Chair, things were done just a little bit differently in that Speakers' Rulings were prepared in the Speaker's Office and I would bring them personally into the House. None of them would be distributed to members in advance of the time that I stood up to give that ruling to the House. But that has happened; that somehow an error has occurred.

The Member for Thompson clearly is not at fault in receiving that. The House Leader and the Premier also are not at fault in receiving it. They were the beneficiary, or the victims, of an error which has occurred and I don't believe, from what you said, that it was not intended; that they should in fact be responsible or have to make some amends for an error having occurred. Surely that is what the case before us is, that they are the recipients of an error which has happened and they are being asked — or the Member for Thompson is being asked — to apologize for something for which he is not responsible. Surely that is the point here.

Perhaps he should have known that he should have advised the House that there was some mistake and he had received that in advance, but possibly he didn't know and he, I'm sure, will tell us that.

The Government House Leader has also said that he probably was not aware that this error required him to make that fact known to the House; the same thing with the First Minister in this case, but perhaps we are making too much of a fuss.

Particularly looking back on this morning and the events of this morning, surely we would all regret that perhaps an hour-and-a-half has been taken up with this particular debate when we could have been engaging our time much more expeditiously on the business of the province.

I don't know what the Member for Thompson is going to say but I'm sure that the House will listen to him and give him the proper attention so that he can perhaps clarify, if it needs to be clarified, or at least to put forward his point of view and his opinion in this particular case.

MADAM SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: Thank you, Madam Speaker.

In looking at the rules and looking at Beausnesne in terms of a question of privilege which is before us today, I think this House should realize exactly what we're talking about when we reference a question of privilege.

Our rules are quite clear and our rules state, "A question of privilege ought rarely to come up in the Legislature." — Page 59, Madam Speaker — and Beausnesne is equally clear. "The import of a question of privilege, when it states a question of privilege, is a question partly of fact and partly of law — the law of contempt of parliament."

I think the seriousness of the matter of privilege should be kept in mind when considering this debate today. I want to address those aspects outlined in Beausnesne that form part of the question of privilege, of fact and of law.

First of all, Madam Speaker, let there be no doubt about the facts in this matter. The copy of the rulings referred to as outlined in the attachment to your ruling, Madam Speaker, was delivered to me in an envelope which was addressed to me in this House. Madam Speaker, when I received that, there was no way that I could have known who had received or who had not received such copies. I had no way of knowing, for example, whether the Opposition had received such copies and that's important, Madam Speaker, that's an important fact, I think, to be kept in mind.

I received some mail that was addressed to me and I opened it. There was no error on my part. There was an error on behalf of the Clerk's Office, Madam Speaker, and I'm quite willing to show members of this House this envelope. If they doubt the word of the Clerk or myself or the page, Madam Speaker, that this envelope was addressed to me, I am quite willing to show this to any member of this House, Madam Speaker.

So I received some mail — I opened it Madam Speaker. The question that the members opposite have raised is whether I should have known there was any wrongdoing in that fact. Well, I submit clearly the fact that it was addressed to myself is clear evidence, Madam Speaker, that there should have been no such expectation.

But, Madam Speaker, when this matter of privilege was raised yesterday, realizing the significance and seriousness of a charge of breach of privilege I researched the rules because, Madam Speaker, in the five years that I've been in this Legislature, I've never been subject to a ruling on a point of order or a matter of privilege, so I have had no experience in terms of the procedures that are followed with Speaker's Rulings in that regard.

So I researched, Madam Speaker, the rules; and I find no reference in our Rule Book, no reference in Beausnesne, to any statement on Speaker's written rulings. It is simply not covered in our rules and I think that's an important fact to consider and I'll get to that in just a minute, Madam Speaker. In fact, the Government House Leader pointed to references, Madam Speaker, in Beausnesne and in Erskine May, to both private and public rulings of the Speaker. If

members want to peruse the references in Beausnesne on Speaker's Rulings, to check on what I'm saying, in Citations 11 and 119 they will find no reference whatsoever to written rulings whatsoever, certainly no reference as to when they should be delivered to members of this House. In actual fact, Madam Speaker, there's no reference at all.

So I submit to you, Madam Speaker, how could I know? There was no rule, Madam Speaker, that says there was anything wrong in that item being delivered to me. It was certainly not brought to my attention. There has been no rule cited, Madam Speaker, by the members opposite in this reference to a question of privilege, no rule whatsoever, and members opposite have cited no precedent that determines that fact.

So I would submit to you, Madam Speaker, that there is no breach of privilege in terms of the rules of the House. There is no contempt of Parliament. What occurred, Madam Speaker, and the facts are clear, is that the copies of the ruling were inadvertently delivered to myself, inadvertently delivered. So there's no reason, Madam Speaker, for me to apologize. I've done nothing wrong; and members opposite have failed completely, Madam Speaker, to prove that fact.

You know, there's a certain irony in it, Madam Speaker, because I would submit if I had obtained this and it had been addressed, say, to somebody else, that there might have been a question of privilege. There's a certain irony in that, Madam Speaker, given the roots of this issue in terms of my mail; and there's a certain irony in that I'm finally getting my mail delivered directly to me and I'm being brought up on the floor of the Legislature on a question of privilege about it.

Madam Speaker, politics I guess is full of ironies. In this case, I know I have to restrict my comments to the particular matter here, although certainly I would like to address the question of the irony even more, but basically, Madam Speaker, it's clear.

There's been no breach of the rules of this House; certainly no contempt of this Legislature. Madam Speaker, the facts clearly show that I've done nothing wrong and there is nothing to apologize for. Thank you.

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker.

We have been subjected today to a debate which, quite frankly, is dismaying I think to many of us, in its direction and in its content, in the side comments that were made by both sides, many of which were inappropriate, leading unfortunately to the ejection of one of our most honourable members of this House.

What we are dealing with, it seems to me, is a very simple message of how difficult is it to apologize. Does it take so much difficulty, when we do it 100 times a day? We say "excuse me" as we go through a door if we are interfering with another's passage. Apologizing is very simple.

We have had an incident in the House in which a member has inadvertently — no question of that — been given material to which the honourable member should not have been given at that particular time. He opened it and no one is questioning, I don't

believe, that he didn't have the right to open it. But having opened it, it appears to me that he should have recognized that a Speaker's Ruling is not distributed in 10-copy sequence to one individual member.

Further, when he was requested to return same, he did so again, with no question. That should again have led him to believe that perhaps there was something strange in this occurrence. Despite his, perhaps, lack of being in this situation before, surely there should have been some recognition that he had something which he should not have had, and that would have been the opportunity for the honourable member to indicate that he had been in possession of materials he should not have been in possession of.

But, Madam Speaker, despite all of these concerns that I have, perhaps the one that most concerns me today, and which I do not believe has been adequately addressed, is the implication that somehow or other a Page will receive a reprimand and that she perhaps chose to disregard the message given to her. If anyone's privilege I think has been imputed today, it is a member of our Pages.

Madam Speaker, I will have to support the ruling or the motion that has been indicated, because I don't believe the Honourable Member for Thompson informed this House at the earliest possible opportunity that he had received notice before the rest of the members of this House. I believe that that is really the essence of what we are discussing today.

MADAM SPEAKER: Are the honourable members ready for the question? The motion before the House, moved by the Honourable Member for Turtle Mountain, seconded by the Honourable Member for Brandon West, that the Honourable Member for Thompson be requested to apologize to the House for not informing the House that he received the Speaker's Ruling prior to all other members.

QUESTION put, MOTION defeated.

MR. G. MERCIER: Yeas and Nays.

MADAM SPEAKER: Call in the members.

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

YEAS

Birt, Brown, Carstairs, Cummings, Connery, Derkach, Driedger, Ducharme, Enns, Ernst, Findlay, Hammond, Johnston, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

NAYS

Ashton, Baker, Bucklaschuk, Cowan, Doer, Dolin, Evans, Harapiak (The Pas), Harper, Hemphill, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Uruski, Walding, Wasylycia-Leis.

MR. CLERK: Yeas, 23; Nays, 26.

MADAM SPEAKER: The motion has been defeated.

HOUSE BUSINESS

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, Fridays, being such as they are from time to time, I did not have an opportunity to inform the House earlier of some House Business which will take place on Tuesday next. We'd like the public to be made aware as well that we will be referring The Real Property Air Rights Bill to the Statutory Regulations and Orders Committee Tuesday evening, by leave. I've consulted with the members opposite, and it has been agreed that we will have the two committees in Estimates sitting at the same time that we are having the Committee of Statutory Regulations and Orders reviewing this particular bill.

MADAM SPEAKER: The hour being 12:30 — the Honourable Member for Kildonan.

MR. M. DOLIN: Being new in the House, I really don't know how to deal with this. But on your ruling, Madam Speaker, the Member for River Heights mentioned the matter of the Page being reprimanded. I really feel, not to compound the tragedy of errors, perhaps that you could look at this again.

MADAM SPEAKER: I thank the honourable members for their advice.

The hour being 12:30, the House is now adjourned and stands adjourned until 2:00 p.m. Monday next.