

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 22 April, 1981

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): The Honourable Leader of the Opposition.

MATTER OF PRIVILEGE

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, I rise on a matter of privilege of the House.

Mr. Speaker, I, of course can sense from the anguish from across the way that members of the government are not looking forward to hearing more debate in respect to the matters pertaining to Hydro. But Mr. Speaker, important new evidence has come to light. Important new evidence has come to light which discloses and confirms in fact that misleading statements were indeed made by the Minister responsible for Hydro and by officials of Manitoba Hydro.

Mr. Speaker, it's my intention to deal with the misleading statements and also to present to this Chamber the evidence pertaining to the grossly misleading statements that were made by the Minister responsible for Hydro as well as the officials that were reporting for Manitoba Hydro before the committee dealing with Public Utilities on April 7th of this year.

Mr. Speaker, in order to do that it will be necessary for me to background the statements that were made in committee and subsequent to the statements that were presented in committee, the statements that were made in the House.

Mr. Speaker, as members will recall, a question was posed by the Member for St. Vital as to whether or not a legal opinion had been sought or received by Manitoba Hydro. And on April 7th, in committee, the Chairman of Manitoba Hydro stated, on Page 112 of Hansard, and I quote his words in Hansard, "Mr. Chairman, as you can appreciate, I was not involved at the time. The question was asked on Friday. Mr. Blachford and members of staff researched the minutes, consulted the people that were involved at that time, and the answer has been given by Mr. Blachford, and I thought that the answer had been complete." Then the Minister responsible for Hydro advised the committee, "Mr. Blachford has reported that no legal opinion was requested from Hydro nor documented presumably with the Hydro Board, at least with regard to this matter. I don't know what further information can be relayed to the committee."

Mr. Speaker, further, there was reference that was made by officials of Manitoba Hydro to having researched the minutes and as a result of their researching the minutes they were satisfied that there was no reference to a legal opinion having been received or sought from Mr. Steward Martin. On April 9, 1981, on Page 2597 in Hansard, the Minister is reported as stating, and I quote, "There was a suggestion last night that legal counsel at that time was concerned about a number of things and that information I was aware of, but to go beyond

that, and to suggest that this thing had gone to the point where there was a recommendation or a legal opinion that a certain course of action should be taken, was dealt with last day, I think dealt with adequately by Hydro who did say that a legal opinion was not sought and was not documented." And I again underline the words, "was not sought and was not documented."

The debate continued in the House on April 9th in this Chamber, before you, Mr. Speaker, in respect to this matter of privilege. On April 9th, the Minister, on Page 2596 in Hansard in reference to myself, as Leader of the Opposition, stated, "He seems to be trying to make a point that somehow I received a legal opinion either directly or indirectly from chief legal counsel, and even though he's told that it is not the case, he keeps coming back to it and he wants to say it over and over and over again and he insists that I never answered it." Then the Minister responsible for Hydro further states that indeed, "Chief Legal Counsel had departed from the services of Manitoba Hydro" and he adds that Chief Legal Counsel for Hydro was "disturbed about matters" and acknowledges that Chief Legal Counsel was disturbed about matters.

And then he continues, "and that somehow I intervened in this matter is just so much nonsense." Furthermore, the Minister responsible for Hydro states, "The Leader of the Opposition talks about stonewalling. Well, there was every possible effort made to assist them," and the Minister responsible for Hydro was making reference to the questions and answers that were given by officials of Manitoba Hydro as well as himself in committee on April 7th.

Then further on page 2597, the Minister states ". . . that there was a question at the time of legal counsel at Hydro being disturbed about the progress, or lack of it, of events with regard to the work of Tritschler Inquiry Commission. He was concerned about a number of things that I know he relayed, as has been indicated to the Board of the former Chairman, some of those were related to me." Then he further says, "Mr. Speaker, I have to tell you that I was never presented with a legal opinion."

The Premier in speaking to this Chamber on April 14th, 1981, and I regret the Premier is not present this afternoon, said in reference to the motion that was then presented in this Chamber that they had been confronted with a ". . . trumped-up issue that my honourable friend thinks is the biggest thing that's happened to him in his life. I can only say if my honourable friends have any evidence that is worthwhile, signed under oath, that is the Member for St. Johns talks about under oath and smiles in his own cat-like way . . .", typical of the First Minister's side remarks during the course of his address, but he states that we are dealing with ". . . unsigned letters or things of that sort. Now if my honourable friends can document anything of substance with respect to this issue of fabrications that they've put forward so far, then the House I'm sure would be prepared to give it another look. But on the basis of the non-evidence that has appeared thus far, my honourable friends are really wasting

their time and the time of this House . . ." is the words that were uttered by the First Minister.

Mr. Speaker, so what we have had throughout, in summary, is statements by the officials of Manitoba Hydro; that they had searched the minutes of Manitoba Hydro; that as a result of —(Interjection)— yes and as the Minister of Natural Resources states, there were none. Yes we were told that there were no minutes relating to this matter that we raised in Committee. We were advised of that by the Chairman of Manitoba Hydro and the Minister said that we had received total and adequate answers pertaining to the fact that the officials at Manitoba Hydro have reported back that there was no information on record in Manitoba Hydro, nor, and they added, had they been able to find any information from other sources.

The Minister then went on during the course of the discussions, both in Committee and in this House, to reluctantly over a space of time to admit that he was made aware of disturbances and of concerns by Chief Legal Counsel, one Steward Martin. Throughout the Minister had denied that he had received legal opinion or recommendations, at any time, pertaining to the matter of Manitoba Hydro.

So the issues are clear as to the background of this material and this motion that we're dealing with, Mr. Speaker. Straight statements — the Minister not aware of any opinion, not aware of any recommendations. The officials at Manitoba Hydro before the Committee, indicated to the Committee that there were no records of minutes, nor did they have any information that indeed legal opinion had been presented to the Board of Manitoba Hydro or had at any time been dealt with, neither sought nor received. That is the position that we arrive at today, Mr. Speaker. We have attempted through various motions in this Chamber to have this matter dealt with by other committees outside of this Chamber so that we could call all material witnesses to that committee, so that we could wipe away the cover-up and the stonewalling that has taken place over the past two weeks.

All that, Mr. Speaker, has been to no avail and all that we have received by way of response, Mr. Speaker, is the government members whipping their members into line to defeat us by way of votes in this Chamber, again and again, Mr. Speaker. Or, Mr. Speaker, we have been told by the First Minister that we can go to hell; that we can go to hell. That has been the substance of the First Minister's comments in this Chamber, except, and I now take the First Minister who is not in his seat unfortunately, up on the fact that he indicated that if members did come forward to this Chamber with some additional evidence, then members would take a look at that additional evidence. He suggested that the document that the Member for St. Vital had tabled in the House, indeed was not evidence and was not a written legal opinion.

Mr. Speaker, I want to deal with a minute of Manitoba Hydro, and it was reported to us that no minute existed of Manitoba Hydro in committee; a minute of January 11th, 1979, at 9:00 o'clock in the morning, in the board room of Manitoba Hydro at 820 Taylor Avenue, Winnipeg, Manitoba. Present at that meeting was the Vice-Chairman of Manitoba Hydro at the time, Martin Wedepohl, J. S. Anderson,

Arnold Brown, J. Hoogstraten, and Mr. Dennis Scott. And the minute is numbered 491-79-16, and I want to read that minute into the records of Hansard, Mr. Speaker.

The Vice-Chairman stated that he had a meeting with the corporation's special counsel, Mr. W. S. Martin, Q.C. Mr. Martin had indicated that there were a number of aspects of the Commission's work which caused him concern. In this connection he had drafted a letter which if the Board concurred he would forward to the commissioner. The Vice-Chairman stated that he had discussed the matter with the Minister responsible for Manitoba Hydro, Donald Craik, and that they had agreed, and I repeat, and that they had agreed — making reference to himself as Vice-Chairman of Manitoba Hydro and the Minister responsible for Manitoba Hydro, Donald Craik, that they had agreed that it would be inappropriate, inappropriate, Mr. Speaker, is the word used in the minute for such a letter to be sent, particularly as it could result in a delay in the proceedings; a delay in the proceedings. After discussion the Board concurred. Mr. Speaker, what we have by way of minute, which minute, Mr. Speaker, it was denied ever existed. Which minute, Mr. Speaker, was denied on the part of officials for Manitoba Hydro in which the Minister, Mr. Speaker, said never existed and which the Minister said that the officials of Manitoba Hydro had answered totally and fully when they told the members of the committee that no minute existed. Yes, Mr. Speaker, said that no such minute existed.

Now, Mr. Speaker, I bring to you the minute of the records of Manitoba Hydro, Minute 491-79-16 which clearly, Mr. Speaker, substantiates the claim of Members of the Opposition have been pressing for the past two weeks that there was a letter that was brought to Manitoba Hydro by Chief Legal Counsel that Chief Legal Counsel expressed concerns about the proceedings of the Tritschler Commission and that that letter was discussed by the Vice-Chairman of the Manitoba Hydro with the Minister responsible for Manitoba Hydro, and the result of that meeting according to the minute, there had been agreement. Agreement that —(Interjection)— Mr. Speaker, I don't pay much attention to members across the way because they have been saying for the past two weeks that no minute existed, that no evidence existed, Mr. Speaker, and Manitobans just don't take them seriously any more.

Mr. Speaker, Manitobans take cover-ups seriously, they take stonewalling seriously and, Mr. Speaker, let me warn members across the way that they'd better now come straight. They'd better now come straight so we can obtain the truth of this matter before a committee of the Legislature in which this minute can be forwarded to that committee, so that we can ensure that all material witnesses are brought to that committee because, Mr. Speaker, the First Minister laughed this aside last week, said there's no evidence, referred to the Member for St. Vital as bringing in unsigned letter into this Chamber. Mr. Speaker, in case members suggest that the letter isn't a legal opinion, what it indicates that 30-some members across the way, 30-some members across the way have done little better than the Minister responsible for Manitoba Hydro in that they have gone home and watched the Gong Show for the past

week rather than read the letter that was tabled in this Chamber. Because the letter details, Mr. Speaker, that indeed a legal opinion that the proceedings had gone beyond what was equitable, what was fair, that the proceedings in fact were of a Star Chamber manner, that some of the practices that were engaged in were as such that would have been better expected of Gestapo agents in the Second World War and, Mr. Speaker, in addition I say to honourable members, that that legal opinion recommended court action to be taken and that letter, according to the minutes, — and, Mr. Speaker, for members to continue to deny is to argue the height of the ridiculous — was taken up with the Minister responsible for Hydro and as a result of the Vice-Chairman for Manitoba Hydro discussing that letter containing legal opinion with the Minister responsible for Hydro, it was agreed that it would not be — what are the words? That it would not be appropriate — appropriate to undertake any further actions pertaining to the letter.

Mr. Speaker, we also have a letter from the Vice-Chairman in today's paper, and, Mr. Speaker, although the Vice-Chairman denies that there was any interference on the part of the Minister, doesn't go as far as the minute of Manitoba Hydro insofar as discussion as to any agreement with the Minister.

What indeed the letter does indicate is that, yes, the opinion of Chief Legal Counsel was discussed with the Minister responsible for Hydro and that as a result of that discussion, the Vice-Chairman did return to the Board and he says that he took the responsibility for recommending that no action be undertaken. He doesn't include in his letter, of course, the reference that as a result of the meeting with the Minister, the Minister and he both agreed that it would be inappropriate for any further steps to be undertaken.

So, Mr. Speaker, I now place to members across the way the question, and they will have to answer this question along with other questions. First, Mr. Speaker, I would be interested as to whether the Minister responsible for Hydro has yet read the letter that has been referred to by members on this side of the Chamber.

As the member continued to watch the Gong Show, rather than — and if the Minister has indeed ripped himself away from the Gong Show, Mr. Speaker, and if he has had opportunity to read that letter, does it indeed remind him of a discussion that he had some time back with the Vice-Chairman of Manitoba Hydro, Martin Wedepohl? That's question number one.

Question number two — is he now prepared to recognize officials of Manitoba Hydro, despite earlier denials, and as per the letter in today's Free Press by the former Vice-Chairman that a special meeting of Manitoba Hydro was held to deal with the letter of legal opinion from Chief Legal Counsel? Are they now prepared to acknowledge that a special meeting of Manitoba Hydro's Board was held for that very purpose?

Further, are they now prepared to acknowledge that a letter was written and that letter did contain legal opinion and recommendations, or are members still going to claim that there was no written legal opinion, that there was no written letter, that there was no opinion, that there were no

recommendations, that all that indeed was taking place was a disturbance on the part of Chief Legal Counsel Steward Martin, and that he left Manitoba Hydro for unknown reason, of which it was speculated by the Minister responsible for Hydro that it was illness on the part of Chief Legal Counsel, Steward Martin. And most important, Mr. Speaker, now that we have brought to this Chamber a minute of Manitoba Hydro which we were informed some two weeks ago did not exist and which, Mr. Speaker, I only just this morning had opportunity to receive and to read, and that's why the Motion of Privilege, at this point.

Is the Minister now going to be true to his words in this House, that he now has evidence from the minute book of Manitoba Hydro, substantiating basically the claims by the Opposition in this Chamber, is he now prepared to call a committee of the Legislature to obtain the truth of this matter? That is now the question. Or instead are we going to witness the continued ducking by the members across the way of their responsibility? Will we continue to observe their nervous hiding of what they ought to be opening up with as fact; are we going to continue to witness?

Mr. Speaker, I mentioned ten days ago that before the government was finished on this matter, Mr. Speaker, they would twist and they would squirm. Mr. Speaker, they have been twisting and they have been squirming for the past ten days. I would suggest it would be a more fruitful exercise on the part of the government if they would squirm their way into a committee room so we could bring the material witnesses to that committee room so we could we obtain the truth of that matter. It would be more effective; it would be more fruitful. If members felt there wasn't evidence previously, there is now evidence, Mr. Speaker, there is now evidence and for members — (Interjection) — It just makes one wonder, Mr. Speaker, about credibility and whether there is any credibility that is left on the part of any of the members across the way. And I except the Member for Rhineland from my comment because the Member for Rhineland did demonstrate credibility on this matter, Mr. Speaker. I except him from my comments.

But, Mr. Speaker, is there any credibility left on the part of members across the way? Are they now prepared to state, now that we have found out there is a minute, a minute that had earlier been denied by officials of Manitoba Hydro and by the Minister responsible for Manitoba Hydro, now that we've discovered that minute does exist — yes, now is the time for this matter to be referred to committee.

Mr. Speaker, what we are challenging the members across the way is to be true to some principle. We are challenging the members across the way to be open. We are challenging the members across the way to place all documents on a table. We are challenging members across the way to bring witnesses before a committee to give sworn evidence.

Mr. Speaker, we are prepared to state our credibility on a committee in order to deal with these matters. Mr. Speaker, what is the government afraid of? What is the government attempting to avoid? Mr. Speaker, I can only conclude that the government is afraid of the truth, the truth, and that's why they

have been twisting and squirming for the past two weeks and, Mr. Speaker, rather than deal with this matter in the manner that would be expected of a responsible government, I anticipate they will twist and they will squirm for the next two weeks, the next month, the next year on this matter, as they continue to avoid, Mr. Speaker, dealing with this matter in a truthful and an open fashion.

Mr. Speaker, I am left with no alternative but to move the following motion:

WHEREAS there is evidence now in the hands of the Members of the Legislative Assembly which shows that the Deputy Premier knew about and expressed his views about the letter prepared by special counsel for Manitoba Hydro expressing concerns about the Tritschler Commission, and;

WHEREAS the Chairman of Manitoba Hydro, General Manager of Manitoba Hydro and Deputy Premier, stated before a committee of the House that the minutes of the Manitoba Hydro Board did not indicate any evidence that the special counsel had communicated his opinion regarding the Tritschler Commission, and;

WHEREAS the Deputy Premier has stated that he had no knowledge of a letter prepared by special counsel and that he did not interfere in Manitoba Hydro's legal affairs, and;

WHEREAS there is need for evidence from the former special counsel to Manitoba Hydro, Mr. Steward Martin, and from the former members of the Manitoba Hydro Board to explain the misleading statements made by the Deputy Premier and others;

THEREFORE BE IT RESOLVED THAT the Standing Committee on Public Utilities and Natural Resources be authorized to enquire into:

(a) Manitoba Hydro Board minute No. 491-79-16 — and I repeat that for members across the way, No. 491-79-16 — and other matters regarding legal advice to Manitoba Hydro regarding the Tritschler Commission;

(b) possible breach by the Commission of its alleged terms of reference or the rules of natural justice;

(c) the Deputy Premier's acknowledged inaction regarding Manitoba Hydro's position vis-a-vis the Commission, and;

(d) all other matters arising from the letter prepared by special counsel and allegations made regarding this matter.

I move, and seconded by the Member for St. Johns.

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

HON. GERALD W. J. MERCIER (Osborne): Mr. Speaker, I firstly through you, Sir, request the Honourable Leader of the Opposition to table the minute that he has referred to.

MR. SPEAKER: Order please. The Honourable Member for St. Johns on a point of order.

MR. SAUL CHERNIACK: Mr. Speaker, the minutes of Hydro are a matter of public record. The committee heard evidence from the chief executive officer of Manitoba Hydro that they are available. I can inform the Honourable House Leader that I attended at Hydro yesterday. I saw the minutes. They

are in a book, they are bound, and they are there, and I think this committee would certainly have them when it is referred to the committee and there is therefore, Mr. Speaker, no need, I believe, to table a document of public record and therefore, Mr. Speaker, I don't see the point. If the member wants, as a request, he can get it later or he can get it from Hydro itself.

MR. SPEAKER: Order. The Honourable Government House Leader on the point of order.

MR. MERCIER: Well, Mr. Speaker, I think it's clearly established in the rules of this Chamber that any document referred to by a member during a speech at the request of another member should be tabled, and I am simply asking for same as a courtesy. I don't happen to have a copy of the minute he has referred to, and either I or another member on this side might like to refer to it in speaking to this Matter of Privilege.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, rather than — (Interjection) .

MR. SPEAKER: Order please. Order please. Order please.

The Honourable Leader of the Opposition on the point of order.

MR. PAWLEY: Mr. Speaker, it's interesting that members like to talk about cover-up when in fact they have access to the minutes. If their Minister had done his homework we wouldn't be placed in this position today. Mr. Speaker, I will forward to the House Leader a copy of minute 491-79-16 for his assistance.

MR. SPEAKER: Order please.

The Honourable Member for Rock Lake on a point of order.

MR. HENRY J. EINARSON: Mr. Speaker, I would like to ask the Leader of the Opposition, I think I saw visibly where he had two sheets together, attached together, from the document he read, and he split them and he picked up another sheet, Mr. Speaker, and I'm not sure that the Attorney-General is giving the information that he read from.

MR. SPEAKER: Order please.

The Honourable Leader of the Opposition on a point of order.

MR. PAWLEY: Mr. Speaker, I just wouldn't want the Member for Rock Lake to lose any sleep about that missing page. I would send to the House Leader, who may share the first page of the reference to meetings of the members of the Manitoba Hydro-Electric Board held Thursday, January 11, 1979, at 9:00 o'clock in the Board Room, 820 Taylor Avenue, in the City of Winnipeg in the Province of Manitoba, indicating the members that were present at that meeting. I'm prepared to send that page to the House Leader, Mr. Speaker.

I would appreciate, so that the Member for Rock Lake doesn't lose any sleep, that the House Leader do share that first page with . . .

MR. SPEAKER: Order please. The Honourable Member for Rock Lake on a point of order.

MR. EINARSON: Mr. Speaker, I rise again on the same point of order. Mr. Speaker, the Leader of the Opposition distinctly had two sheets of paper attached together on the document that he was reading from, which the Attorney-General asked him to table, and I suggest, Mr. Speaker, that the Leader of the Opposition table the two sheets that he had, which he read from in the beginning of his speech.

MR. SPEAKER: The Honourable Member for St. Johns on a point of order.

MR. CHERNIACK: Mr. Speaker, on a point of order. I stated what I believe are the rules, that a public document may not be tabled. However, the Leader of the Opposition, the next First Minister, did send the copies that were in his hands to the Leader of the House, and now that the Member for Rock Lake is challenging the Leader of the Opposition, I believe that, too, should be referred to the Committee of Public Utilities so that we can ascertain whether or not these minutes are truly minutes. I expect the Member for Rock Lake to support me, that this be sent there to check on whether these minutes are in truth copies of the minutes.

MR. SPEAKER: Order please.
The Honourable Member for Rock Lake on a point of order.

MR. EINARSON: Mr. Speaker, I rise again on the same point of order, since I heard the comments of the Member for St. Johns, and I'm hearing echoes that I should apologize. Mr. Speaker, I have no intention of apologizing. I think I understand the rules of this House . . .

MR. SPEAKER: Order please. Order please. The honourable member did not have a point of order.
The Honourable Government House Leader on the point of order.

MR. MERCIER: On the matter of privilege, Mr. Speaker, raised by the Honourable Leader of the Opposition . . .

MR. SPEAKER: There is no matter of privilege yet before the House. The honourable member had no point of order?

I would like to have the opportunity to also look at the document that was the basis for the point of privilege raised by the Honourable Leader of the Opposition.

SPEAKER'S RULING

MR. SPEAKER: Order please. The matter raised by the Honourable Leader of the Opposition, I accepted his word that it was only this morning he received it, that it was the first opportunity he had to raise the matter. In that respect I believe the resolution he has put forward is in order and it would appear from the printed two sheets of paper I have here, which are not identified, that there is sufficient grounds for a prima facie case to be made.

MOTION presented, QUESTION put.

MATTER OF PRIVILEGE (Cont'd)

MR. SPEAKER: The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, it seems to me that the mere fact that there is no inclination on the part of government members to speak on this motion, that either they will accept it and move the matter into committee, or else they will just continue to stonewall it by using their majority to suppress any efforts to obtain further information. I would be pleased, Mr. Speaker, to save the time of the House and not participate in the debate if there was an indication from the House Leader that the motion is being accepted and therefore there is no need to debate it further.

But failing an indication from the government side that they are prepared to accept the motion, Mr. Speaker, I would like to elaborate somewhat then on this.

I felt, Mr. Speaker, that Mr. Steward Martin had clearly indicated a point of view, and clearly felt that there ought to be some public method by which it could be brought to the attention of the public and of the Tritschler Commission that it was going beyond the bounds of what was expected of them. I believe that was done and I believed further that that information was communicated to Hydro Board and Hydro Board decided in its wisdom not to authorize this to proceed. I believe that from what I saw before me and that was really the unsigned, seven-page document which clearly was a draft of a letter addressed to the Commission.

Mr. Speaker, yesterday I volunteered to and did, go to the Hydro offices, yesterday afternoon, and I requested access to the Minute Books. I was informed that there were certain rules to be followed in relation . . . for example, Mr. Speaker, I could not make a copy of the minutes. I could only make notes on the minutes, so I made notes on the minutes, rather extensive, and I reviewed them. Mr. Speaker, it's interesting that the minutes that preceded the one that you have just seen deal with the Tritschler Commission from time to time. For example, back on November 10th, 1978, Mr. Bateman had produced a statement which he proposed to make to the Tritschler Commission and it was concurred in by the Board and the statement is attached as a schedule to the Minutes. The next meeting on December 13th did not refer to the Tritschler Commission, but then the meeting of December 19th did indeed have a report from the Chairman, who was Mr. Bateman, who stated that he had recently had a meeting with Messrs. Martin and Smellie relating to the Tritschler Inquiry. Now, this was with both gentlemen. They indicated that in view of evidence which the Chairman and other members of the task force had given to the Commission that there could be a conflict between their responsibility as counsel to the corporation and their responsibility as counsel for individual employees including the Chairman, and they thereupon offered to withdraw. The Chairman stated that he had independently come to the conclusion that he should engage his own personal legal counsel.

The minute reads to the effect that after discussion, members of the Board agreed that they were satisfied with Martin and Smellie and that no

conflict of interest presently exists which would require them to withdraw. And the Board requested the secretary to arrange an early meeting with counsel so members could be briefed. Following a telephone call, the secretary advised that counsel would be available to meet with them at 2:00 p.m. that afternoon. Now, Mr. Speaker, the minutes then conclude with a statement that the Board adjourned at 12:52 and the minutes do not indicate that meeting with counsel which was to be held the same afternoon of December 19th.

Now, Mr. Speaker, I have reason to believe that the meeting was held, but there is no record of that meeting in the minutes. I'm assuming that there was a decision to call it informal or whatever but there are no minutes of that meeting although I do believe the meeting was held.

Mr. Speaker, on January 3rd, there was a special meeting at which Mr. Wedepohl was present as was the Honourable Don Craik and it was stated at the meeting as recorded in the minutes that Mr. Wedepohl was appointed Vice-Chairman by Order-in-Council 1194/7 dated December 20th, 1978 and then item 490-79-3 of the minutes refers to Mr. Craik stating that Order-in-Council 1202/78 dated December 28, 1978 revoked the appointment of Mr. Bateman and states that Mr. Craik explained the reason. Mr. Speaker, incidently, the reasons given by Mr. Craik were not referred to in the minutes. And then there is mention that Mr. Fraser was appointed Chief Operating Officer and there was also in the minutes this statement, Item 490-79-5 that the termination of Bateman's employment might cause concern amongst the staff of Hydro and they called in Mr. Mills to the meeting . . .

MR. SPEAKER: May I suggest to the honourable member that he stick to the subject matter which is before the House — the Resolution that was moved, and seconded by himself. I believe the information he is giving at the present time bears very little resemblance to the Resolution before him.

MR. CHERNIACK: On your point, I did not read the motion as you read it but listening to it, it seems to me that it indicates that the committee should deal with other matters relating to the letter. And I want to point out to you certain matters in the letter related to that these minutes deal with.

Let me just conclude that I said that Mr. Mills was instructed to prepare a message to the staff of Hydro reaffirming the Board's confidence in the staff. Now, Mr. Speaker, the reason I mention this is that there was apparently a meeting between the Board and Counsel on the afternoon of December 19th. Mr. Bateman was fired by Order-in-Council December 28th; that's nine days later. The draft letter which has been made available to everybody which appears to be a draft of a letter to the Commission refers to Mr. Bateman's employment having been terminated which means that that draft had to have been written after the meeting was held on December 19th and indeed after December 28th when Mr. Bateman was dismissed, discharged. That's the reason I referred to that. Now there's a meeting of January 11th, 1979, which is the meeting referred to by the Honourable the Leader of the Opposition, and there was the statement that the Vice-Chairman had met with Martin; Martin had

indicated a number of aspects which caused him concern and drafted a letter which if the Board concurred, he would forward to the Commissioner.

Mr. Speaker, the important point is that that draft letter was not submitted to the Board immediately it was received, the Board wasn't meeting, but it was taken to Mr. Craik to the Honourable the Deputy Premier, and it was discussed with him, if one is to believe the minutes of Hydro or what was reported by the Vice-Chairman. It was discussed as he said. He discussed the letter with the Deputy Premier and they had agreed that it would be inappropriate for such a letter to be sent particularly as it could result in a delay in the proceedings. Mr. Speaker, I interpolate now to say that obviously they are anxious to see that the proceedings proceed without delay and what the Honourable Leader of the Opposition did not read, but which you or the House Leader have before them, is the very next paragraph. "The Vice-Chairman stated, he had discussions with Richard J. Scott, Q.C., counsel for the Commissioner to discuss matters related to the future work of the Commission."

Mr. Speaker, I pause again and I wonder, and I really would like to know, just what was it that was being discussed between the Vice-Chairman of Hydro and Counsel to the Tritschler Commission in relation to future work of the Commission. I don't know, but he stated — now I go back to the minutes — "The Vice-Chairman stated it was a cordial meeting, and he received the distinct impression that the Commission was anxious to bring this business to a speedy conclusion."

Well, Mr. Speaker, I think it's important that we were given the impression that the Honourable the Deputy Premier didn't know anything about it, then we were given the impression that a number of matters were discussed by Dr. Wedepohl with the Deputy Premier, amongst which was something about the concerns of Mr. Martin, but no reference to a letter. The Deputy Premier and the Premier and other members question the actual existence of such a letter, and when it was submitted or when a draft of a letter was submitted, they rejected it as being trumped-up, as being — well, we've discussed this before — fabricated, and now we find the records of Hydro clearly show there was a draft letter. They clearly show that the draft letter was discussed with the Deputy Premier. That's clear.

There is no draft letter attached to the minutes. True. If the draft letter indeed was attached to the minutes, then, Mr. Speaker, there would not be a problem. We would know the truth about the whole story, but it's not attached and I find no fault and make no comment about it, other than to say that it wasn't there and there wasn't even mention of the fact that the draft letter was submitted to the Board itself.

What the minute says is that the letter was submitted to the Vice-Chairman by Mr. Martin; that the Vice-Chairman discussed the letter with the Deputy Premier; that they agreed that it would be inappropriate and he so reported to the Board and the first sentence, "After discussion the Board concurred."

Mr. Speaker, I don't know if the Deputy Premier had made any threats about the Board, but if there were any suggestions of that type, then that would

be the occasion, I assume, when it may have been discussed, and the members who were present were Messrs. Wedepohl, Anderson, Brown, Hoogstraten and Scott and we don't know what transpired other than is in the minutes.

Mr. Speaker, we are trying to get to the truth of this. In essence what does it mean? It means that special counsel to Hydro, if that letter was his, which I believe it was, and I believe the Member for Inkster became a part-time amateur —(Interjection)— not an amateur. He became a part-time handwriting expert and tells us that it appears clearly that this was a draft dealt with and prepared by Mr. Martin. What it does is criticize severely the manner in which Mr. Tritschler conducted himself at the Commission; the manner in which Mr. Richard Scott conducted himself at the Commission Hearings and the way Mr. Scott dealt with witnesses during the preliminary examinations and all that was designed to indicate the opinion of Mr. Martin, that the Commission was exceeding its authority and going beyond the Terms of Reference.

Mr. Speaker, I suppose it's self-serving, but I can't help but tell you that having read that letter, which I believe to be a draft prepared by Mr. Martin, I went back to my own files dealing with my own appearance before the Commission and, Mr. Speaker, I attended at an examination by Mr. Scott in the office of the Commission, a preliminary before the Commission itself, and I answered questions of Mr. Scott and dealt with questions he asked.

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

MR. MERCIER: On a point of order, Mr. Speaker, I am wondering what relevance this line of remarks has to the matter before us. It doesn't seem very relevant or germane to the motion.

MR. SPEAKER: The remarks of the Honourable Government House Leader are indeed well taken. I do appreciate some of the private, intimate life of the Honourable Member for St. Johns, but I don't believe it is part of the privilege that is presently before us.

MR. CHERNIACK: Yes, Mr. Speaker, the matter of privilege before us is the letter, the draft letter, which was prepared by Mr. Martin, or . . .

MR. SPEAKER: Order please. The question before us is not the draft letter. That has been already dealt with by this Chamber.

The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. What I was going to complete my sentence with was to say that it was whether or not that draft letter was reviewed by the Deputy Premier, and whether he commented on it, and whether he discussed it with Mr. Wedepohl, and that's the letter we're talking about. We were told bring proof that there was such a letter and then that it was indeed truly something prepared by Mr. Martin. Proof was asked for and the minute was produced, which does indicate there was a draft.

I just wanted to indicate, Mr. Speaker, that I wrote a letter to Mr. Scott following on the nature of his

examination and the way he dealt with my interview and I received a reply from Mr. Scott, which I believe supports that my opinion on December 5th, which is before all this took place, was in accord with the draft of the letter by Mr. Martin. That's all I wanted to indicate, but, of course, if it serves as a matter of greater concern for the House Leader, I will not proceed with it.

All I'm saying, Mr. Speaker, is the peculiar position that this House finds itself in with this entire matter. It started with an opinion of legal counsel. It's ending up now with a whole question of the acceptability of the statements being made to the House and to Committee by the senior persons of Hydro, who were not part of the meetings that took place, but did say that they looked through the minutes and the Deputy Premier himself.

Now, Mr. Speaker, it's becoming more and more of an important matter and when originally the Leader of the Opposition called it Hydrogate, indicating the cover-up of the intent of Richard Nixon in Watergate, I thought it was a glib phrase, but, Mr. Speaker, it's becoming more and more a serious matter, much more than it was at the beginning and all of it because of the fear or reluctance of the government to participate in an open form of government. This resolution before us provides for an open form of government.

Mr. Speaker, if the meeting had been held as originally suggested, the matter would have behind us; it would have taken a couple of hours of the Committee's time; it would have been dealt with and the public would have judged whether or not Mr. Martin did prepare the letter and whether or not he was right in his opinion.

Now we've spent a great deal of time in the democratic process, on behalf of the Opposition, in an effort to make sure that there is an opportunity for the people of Manitoba to find out through its legislative function, whether or not there is truth to the statements that had been made in the past. And now it became a question the other day of the credibility of the Member for St. Vital, now it is constantly a question, not only the credibility of the Deputy Premier, but the credibility of all members who are denying the opportunity of the democratic process to refer the matter to committee for review and for investigation as set out in this resolution.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I listened carefully to the Leader of the Opposition, I've tried to listen carefully to the remarks and questions and answers that have been given in this House over the past number of days with respect to this matter, and I must say, Mr. Speaker, that firstly, I would submit, that there have not been, to my understanding or my knowledge, any evidence of any statements made that have been inconsistent.

We are asked in this motion, Mr. Speaker, to refer to the Standing Committee on Public Utilities, four matters: (a) The Manitoba Hydro Board minute which the Honourable Leader of the Opposition tabled in the House, or at least provided me with a copy of, and it's interesting to compare that minute, Mr. Speaker, with the Letter to the Editor in today's edition of the Winnipeg Free Press. And for the

record of the House, there are parts of that letter to the editor from the former Vice-Chairman of the Hydro Board that I would wish to read into the record.

He indicates in his letter that early in January of 1979 he became aware of Steward Martin's proposal to challenge the Commission of Inquiry because of his grievances associated with the Commission in his role as legal counsel for Manitoba Hydro. He states, "I myself was shocked at his proposed course of action, namely to challenge the Terms of Reference of the Commission in the Manitoba courts. The morale of Manitoba Hydro was at that time very low and declining. It was my considered opinion that the best thing for us to do was to cooperate with the Commission of Inquiry, which was a properly constituted body, . . ."

A MEMBER: That's the Vice-Chairman speaking now.

MR. MERCIER: . . . "in order to bring this phase of the corporation's history to a steady conclusion without compromising the integrity of the corporation or its staff. In my opinion the intervention proposed by Mr. Martin would have had no effect other than to protract the inquiry and would not serve the best interest of the utility. With hindsight I believe that I was right and if called on to consider the situation today I would not find any reason to change my then reaction.

"I informed the Minister about my viewpoint and my intent to so recommend to the Board. I also informed him of the general nature of Mr. Martin's grievances contained in his submission to the Board."

It doesn't say, Mr. Speaker, that he provided him with a copy of any opinion or a copy of any proposal, he informed him of the general nature, and certainly no legal opinion.

MR. MERCIER: "Subsequently, at a special meeting of the Board, my recommendation was ratified, the proposal was taken no further, and that as far as I was concerned was the end of the matter.

"I am therefore very puzzled by the suggestion that there were threats by the Minister, since the course of action taken was in accordance with my recommendation in the first place." He then goes on to make certain remarks about some inaccurate reporting, in his view.

Mr. Speaker, it's clear from this statement, from the Vice-Chairman of Manitoba Hydro that he had made a decision, he had come to a recommendation on his own concerning Steward Martin's proposal, informed the Minister, and subsequently informed the Board. The minutes, and I take them to be the accurate minutes of the meeting that you indicated earlier, Mr. Speaker, there is nothing official to indicate they are the minutes, but I assume they are the minutes.

They, Mr. Speaker, indicated that he had discussed a letter from Mr. Martin with the Minister responsible for Manitoba Hydro and they had agreed that it would be inappropriate for such a letter to be sent, particularly as it could result in the delay in the proceedings. After discussion, the Board concurred. Mr. Speaker, there's nothing inconsistent in those minutes with the letter to the editor today from Dean

Wedepohl, nor with any previous statement, I suggest, by the Deputy Premier, the Minister responsible for Manitoba Hydro.

Now, Mr. Speaker, the motion by the Honourable Leader of the Opposition goes on, in paragraph (b), to have the Standing Committee on Public Utilities inquire into possible breach by the Commission of its alleged Terms of Reference of the rules of natural justice. Mr. Speaker, I think that is very inappropriate. The former Vice-Chairman of the Board had some recommendations or material before him apparently, he made a decision on it as to the proper course of action, he took it to the Board, the Board approved his recommendation, Mr. Speaker, so I submit to you that there is no substantiation, no justification for proceeding with that kind of an inquiry by the Standing Committee.

Mr. Speaker, the motion goes on, in paragraph (c) to have the Standing Committee inquire into the Deputy Premier's acknowledged inaction regarding Manitoba Hydro's position vis-a-vis the Commission and indeed, Mr. Speaker, I fail to understand why that is included in the motion. The letter from Mr. Wedepohl indicates in fact that Mr. Wedepohl had come to the conclusion not to challenge the Terms of Reference of the Commission. He had made that decision, he informed the Minister, he recommended that to the Board and the Board concurred — (Interjection)—

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

MR. MERCIER: Mr. Speaker, one thing that no one has mentioned and I'm amazed that no one has mentioned it, certainly members do mention it when they think it appropriate to their objective at the time, we're asked in this inquiry it would appear, by the Standing Committee, to look into legal advice to Manitoba Hydro.

Now, Mr. Speaker, and I am saying this as a lawyer, Mr. Speaker, there are many people who would say that you could give the same facts to ten different lawyers and pay them for ten different opinions, and you'd get ten different opinions.

Now, Mr. Speaker, we have here a situation in which apparently there was some advice of some kind, some kind of proposal from Mr. Martin, on which the Vice-Chairman of the Board made a decision, informed the Minister, recommended action to the Board of Manitoba Hydro, not to challenge the Terms of Reference and the Board concurred in that recommendation, Mr. Speaker. I submit, Mr. Speaker, that there is no basis here for any enquiry by Standing Committee or anyone else. I think the letter in today's edition of the Winnipeg Free Press by Dean Wedepohl, which is not inconsistent at all with the minutes, which have been tabled in this House by the Leader of the Opposition, clearly outline what happened.

In fact, Mr. Speaker, there is no mention in these minutes of a legal opinion, just a reference to a meeting by the Vice-Chairman with the Corporation's special counsel, Mr. Martin, in which he indicated certain aspects of the Commission's work caused him concern.

So, Mr. Speaker, I submit to you, Sir, that there is nothing before the House, nothing before the members of this House, which justify the enquiry that

is referred to in the motion of the Honourable Leader of the Opposition. There is not, to my knowledge at this time, any evidence of any inconsistent statements by the Deputy Premier, as a matter of fact that the Leader of the Opposition refers to some comments that no legal opinion was requested or sought, certainly is not in any way inconsistent with a legal opinion coming forward, without any request.

So, Mr. Speaker, there's no evidence of any inconsistency and statements. There is a clear indication now, from the letter from Mr. Wedepohl, as to the course of events that took place. They substantiate the Deputy Premier's position and, Mr. Speaker, on the basis of the evidence before the Chamber at this particular time, I can see no other way for the government to deal with this matter than to defeat the motion by the Leader of the Opposition.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I would like to put this matter into perspective insofar as I'm concerned. Mr. Speaker, we are dealing with a situation which results from a lawyer giving a Board certain advice which was then not followed and I can tell you, Mr. Speaker, and I tell my friends in the government, that I respect that. Indeed more than respect that, I would do it and get it. I can tell you, Mr. Speaker, that when the members of the Water Commission and one of them is in this room, said that they were going to go beyond their Terms of Reference and said that they were going to conduct their proceedings in a certain way, I put it on the record in writing, that if . . .

MR. SPEAKER: Order please. May I ask the honourable member to confine his things to this, rather than bring in the Water Commission and various other unrelated matters.

MR. GREEN: If a member is not allowed to present historical analogies and historical alternatives then, Mr. Speaker, I think that the debate in the House would become even more mundane than it is already. I don't intend to be a contributor to that.

I want to tell the members that in writing and then tabled in the House, I told the Commission, that if they wanted to proceed that way I would withdraw the reference and refer it to somebody else and, Mr. Speaker, I can tell you that I respect the right of a government to do it, not only do I respect it, I guard it and would want to do it myself and would not want to take it away from the Conservative Government. Mr. Speaker, I don't need the credibility of Steward Martin and I'm not saying that that's not a worthwhile addition to some, but I do not need the credibility of Steward Martin to debunk the Tritschler Commission, because that has already been done and there isn't one thing that's contained in that reference, Mr. Speaker, that Mr. Martin made to the Board of Directors of Manitoba Hydro, that I did not make in this House and more, Mr. Speaker, and more, that all of those things, that are contained in Mr. Martin's report, are things that I said without seeing that report, Mr. Speaker, just seeing the actions and the report of the Tritschler Commission.

So there may be some that feel that this gives an additional debunking to the Tritschler Commission

but I don't think the Tritschler Commission has any credibility left in any event. So I am not concerned, Mr. Speaker, with trying to resurrect this already dead Commission for the purpose of trying to attract credibility to a position which I don't feel the least bit needing of credibility on, because it's the government that needs credibility on that issue, not the Opposition. But there is one issue, Mr. Speaker, and that issue stems from the Minister and his Chairman, before Commission, making it appear that this did not happen.

Well, Mr. Speaker, not only is that an issue in itself, but when one looks at the history and one has this Minister, this Deputy Premier, firing a civil servant of some 40 years standing, before the Commission had made any findings, Mr. Speaker . . . Mr. Bateman went before Commission and was pursued by a lawyer into making a false statement, Mr. Speaker, or a statement which the lawyer said was false, because the Chairman of Manitoba Hydro happened to say that a report which was open to anybody; he used the word "recommendation" and the lawyer thought there was no recommendation and he should have used the word "findings" and on that basis, Mr. Speaker, this Minister fired a man before the Commission had commented on whether in fact there had been misleading of the Board and got rid of that civil servant.

Now, Mr. Speaker, what the Minister did and what his main Chairman did, Mr. Kristjanson, were far more an example of misleading of a Commission than anything Bateman did and, Mr. Speaker, I say what's good for the goose, is good for the Deputy Premier. Why is not Kristjanson fired? Kristjanson came before the committee and said that the 1966 Agreement provided for a transmission line, Kettle Rapids, the Churchill River Diversion, and Lake Winnipeg Regulation, in that order. A highly political misleading deliberate statement in writing, Mr. Speaker, in writing. He wasn't being pursued by a lawyer. He wasn't being tricked. He deliberately, politically, and knowingly misled the committee. Why was he not fired?

MR. SPEAKER: Order please. May I point out to the honourable member that we have a debate dealing with a motion, moved by the Honourable Leader of the Opposition, and seconded by the Honourable Member for St. Johns, and I would ask the honourable member to confine his remarks to the action that is requested in that resolution.

MR. GREEN: Mr. Speaker, I have looked at the resolution: "THEREFORE BE IT RESOLVED THAT the Standing Committee on Public Utilities and Natural Resources be authorized to enquire into: (d) all other matters arising from the letter prepared by special counsel and the allegations made regarding this matter."

One of the things that arises from the letter that was prepared by special counsel and the allegation regarding this matter is that the Minister and the Chairman of Hydro and the Managing Director of Hydro gave evidence misleading to a committee that it did not exist — virtually saying it did not exist, Mr. Speaker. I remember the equivocating, and whether there was a formal opinion, whether there was a legal opinion, whether it was contained in the minutes. Those things are not true, Mr. Speaker, and

I was sitting in that committee meeting, and others sat at that committee meeting. And if you want to nit-pick, Mr. Speaker, and say that's the kind of thing that is going to be accepted at a Legislative Committee — and my question, Mr. Speaker, that has to be referred to this committee is, why has Mr. Kristjanson not been fired? Why has Mr. Craik not resigned — excuse me, why has the Deputy Premier not resigned? Because they made, and I say, Mr. Speaker, that I ask them to be judged as they have judged. That's the issue. That's the only issue, Mr. Speaker; that's the only issue.

I do not agree with my friends in the New Democratic Party that the issue as to whether this opinion was accepted or not accepted makes any difference as to whether the Commission went beyond its Terms of Reference or didn't go beyond. I don't care, but I do care about a Minister who fires a civil servant who gave 40 years of his life to this province before a Commission terminates on the basis that he made a misleading statement to a committee; hires his political hat, the present Chairman of the Manitoba Hydro, let's that political hat make a deliberately political misleading statement before the committee himself, Mr. Speaker, misleads by conduct of omission or commission to mislead the committee. Why are they not fired? I want that referred, Mr. Speaker, to the Committee on Privileges and Elections.

Mr. Speaker, Cass-Beggs is found to have made a misleading statement by a judge on findings that would be supported by no court in the world, because he said that, I have determined that Mr. Cass-Beggs knew when he made the statement that the estimate was \$50 million, that he didn't know — not a single word of evidence that Cass-Beggs didn't know, except Mr. Tritschler's intuition that he knew; that he knew.

Mr. Speaker, I say that the present Chairman of Manitoba Hydro is a political hat for the Conservative Party, Mr. Speaker. I would ask, Mr. Speaker, that the honourable members refer that to committee if they want to, and I will say the same thing at committee, Mr. Speaker, because the Chairman of Manitoba Hydro got up and said, and wrote down in a report, a political position of the Conservative Party, which is unsubstantiated by any evidence, and mislead, deliberately mislead the Hydro committee on that question; said that a report in 1966 called for something to be done in that order, and the next day, Mr. Speaker, came back and he said he has to withdraw three little words, three little words, in that order, Mr. Speaker. He should write a song about it. It's a good title for a song actually; three little words.

Mr. Speaker, that's what I want referred to the committee and I have one more comment to make on this, Mr. Speaker. I noted that I was quoted in the Brandon Sun as having listened to Mr. Craik berate the previous government and then it said, on Friday last, that I said that Mr. Craik was a liar. I went to the Hansard, Mr. Speaker, because I know I didn't say that. I said that he mislead the committee. And the Hansard shows recording Mr. Craik saying of Mr. Green, you are lying, you are lying. And the Brandon Sun takes that as me saying that Mr. Craik is a liar. Now what I said, Mr. Speaker, was that I didn't want the honourable member to withdraw his remarks, that I was quite satisfied to leave them on the

record, because being called a liar by Mr. Craik, by the Honourable Deputy Premier, is to have, Mr. Speaker, an endorsement of your integrity, because anything he says, the reverse is true.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. GARY FILMON (River Heights): Mr. Speaker, I am interested in the tenor of the debate because the motion revolves around the assumption that there was a letter prepared by the special counsel for Manitoba Hydro, a letter, Mr. Speaker, which has not been identified, which has not, even in the records of the minutes which the Leader of the Opposition quoted from, that letter was not indicated to have been presented either to the Vice-Chairman or to the Board of Manitoba Hydro. And I will read it over again. The Vice-Chairman stated that he had a meeting with the Corporation's special counsel, Mr. W. S. Martin, QC. Mr. Martin had indicated that there were a number of aspects of the Commission's work which caused him concern. In this connection he had drafted a letter. It didn't say he had presented it. He had drafted a letter, which if the Board concurred, he would forward to the commissioner. Now the rest of it indicates that the Board did not concur so therefore the letter was never presented, and therefore in my view, Mr. Speaker, is not legitimate to be considered because I think anybody, whether he be a professional, whether he be a lawyer, an engineer, can sit at his desk and in a fit of anxiety or pique or agitation over understandably the difficulties that he was having at the committee, or at the Commission, because indeed he was having difficulty attempting to defend the inappropriate actions of Manitoba Hydro in the course of events of the development of the Nelson River. I think he was having difficulty with the evidence that was coming out that was very very damaging not only to the Utility, some of its people, and indeed to the members of the former government for their waste and mismanagement and inappropriate direction that they were giving politically to the Hydro.

So under those conditions, Mr. Speaker, I think it's understandable that somebody might have had some agitation and in the course of that agitation drafted the essence of an opinion, but at that time it was obviously not asked for by Hydro. It was not presented to Hydro, and it is still not legitimate evidence or anything that we ought to be concerned about, because I say, Mr. Speaker, that on the other hand there was suggestion by members opposite that they were mislead in committee by the chief executive officer of Hydro, and I will repeat what Mr. Blachford said from the minutes of the committee of Tuesday, the 7th of April, concerning Mr. Walding's question, "Did Manitoba Hydro lawyers give an opinion that Judge Tritschler was exceeding his Terms of Reference? We looked into this and no request for an opinion was asked of Manitoba Hydro lawyers nor did they give an opinion in this respect. I believe the other questions that were asked were therefore void after this."

It's obvious that the minutes do not say that they requested an opinion and in fact they specifically requested that an opinion not be presented. — (Interjection)— They did not, the board did not, the

Vice-Chairman apparently had some discussions about an opinion —(Interjection)—

MR. SPEAKER: Order please, order please. If the honourable member will address his remarks to the Chair, we may avoid some of this cross-chatter.

MR. FILMON: Mr. Speaker, as I say, it is obvious from the minutes that opinion was specifically not sought and not requested and I say, Mr. Speaker, that the members opposite are up a blind trail, that they have laid no evidence before this House that should indicate that we ought to proceed with this because in fact the very evidence that they have presented indicates that opinion was specifically not requested on the recommendation of the Vice-Chairman of Manitoba Hydro at the time.

More so than that, Mr. Speaker, we have had a series of accusations brought before us that have endeavoured to bring this whole issue before the committee again and those accusations included suggestions that threats were uttered by the Minister responsible, threats about the firing of the Hydro Board members and none of that is substantiated either by the letter. In fact it's denied by the letter that we're presented today by the former Vice-Chairman of Manitoba Hydro or indeed by the minutes of this particular meeting. It indicates that the ball was carried by the Vice-Chairman of Manitoba Hydro and that the Minister really, although he was made aware verbally of it, had very little to do with it. I might indicate that the Minister had never at any time indicated that he wasn't aware of it, he simply indicated that he had not issued those threats and that he had not specifically had a formal opinion, and that's confirmed over and over again, by reading Hansard of either the debates that took place in committee or the debates that have taken place in this House and I submit to you, Mr. Speaker, that no evidence that should cause us to put this to a committee has been presented either today or in the past, and I suggest that this matter is just totally out of all proportion because in the final analysis the Minister had the power to vary and expand the Terms of Reference of the Commission. He had no need to do anything about an opinion. It was his own Board who specifically asked that that opinion not be presented because their objective, as I believe his objective and all Manitobans, would be to bring it all out in the open, to clear the air, and to not suppress any information at the enquiry; let the enquiry have the widest, broadest possible Terms of Reference, and that's exactly what happened, and that's exactly what it was intended to have happened, and that's why this presents us with nothing more than a smoke-screen and nothing that we should be taking action on here today, Mr. Speaker.

MR. SPEAKER: The Honourable Member for St. George.

MR. BILLIE URUSKI: Thank you, Mr. Speaker. In hearing some of the comments of the Attorney-General and now the Minister of Consumer Affairs, Mr. Speaker, I can only come to one conclusion — incredible. Mr. Speaker, the actions of this government and its Ministers are nothing short of being incredible in terms of the way that they have

handled this affair. We have the Minister of Consumer Affairs try to justify to us that no letter was ever received by the Board, Mr. Speaker, and no opinion was given to the Board. Mr. Speaker, we have statements. You know, it even goes further than that, it even goes to the present Chairman of the Board, who came to committee and told committee that the records and the minutes of Hydro were checked and that there was no opinion, Mr. Speaker.

Mr. Speaker, the present general manager came to the Board and he said on April 7th, 1981, page 109, concerning Mr. Walding's question: "Did Manitoba Hydro lawyers give an opinion that Judge Tritschler was exceeding his terms of reference? We looked into this and no request for an opinion was asked of Manitoba lawyers, nor did they give an opinion in this respect. I believe the other questions that were asked are therefore void after this."

Mr. Speaker, I went beyond that a while later. I asked Mr. Blachford, because we questioned him further whether or not, you know, who was he talking about. So he talked about Mr. Smellie in his remarks, that he asked Mr. Smellie. And in my questioning I asked Mr. Blachford whether or not — and I'll read my remarks into the record, Mr. Speaker: "Mr. Chairman, it has been provided to this committee by a Board member that concerns and matters were raised by legal counsel at the time and at the time, Chief Legal Counsel, when these concerns were raised was not Mr. Smellie, but Mr. Martin at the time. Am I correct on that matter? It was raised by a Board member here who was present at the Board. Surely the same courtesy that was given to members of this committee in asking the present legal counsel whether he gave an opinion; surely when the matter was raised, the legal counsel at the time was not Mr. Smellie, but Mr. Martin and if he was the legal counsel at the time, you know, actually the questions were not answered that were posed by Mr. Walding. Clearly they were not answered because the fact of the matter is that a Board member came to this committee, said that this was raised . . ." and it's his own calling, Mr. Speaker, the Minister of Consumer Affairs sits right next to the Member for Rhineland, the member who brought this to the attention of the committee that this matter was raised at the Board. He could have asked the Member for Rhineland whether or not his statements were accurate to the committee. He's the member who revealed that there was a discussion before committee between counsel and board members, and I go on, Mr. Speaker, ". . . a person who was completely . . ." —(Interjection)— Clearly they were not answered because the fact of the matter is the Board member came to this committee said that this was raised and the person who was alleged to have raised this was not even asked. ". . . a person who was completely different than the individual that was discussed and a Board member of this committee raised that matter."

The reply, Mr. Speaker, came from Mr. Blachford, and I quote, "The information that was given on Friday was that no opinion was asked or given. They did not refer only to the last legal counsel for Hydro." Mr. Speaker, they did not even refer to the last legal counsel so they . . . The General Manager in his remarks clearly indicated that he had spoken to everyone involved. Mr. Speaker, if that is not

misleading members of the committee but even going further, Mr. Speaker, even the General Manager, the Chairman of the Board, spoke to Committee; I had it underlined. Mr. Speaker, the present General Manager spoke to the committee and indicated in defense of his statements and I am sorry, Mr. Speaker, I had it in Hansard in front of me, and I've misplaced it. The fact of the matter is, the present Chairman of Manitoba Hydro indicated and confirmed that records were checked in Manitoba Hydro, records and minutes were checked, perused, and that there was no record of this ever having been raised, Mr. Speaker.

You know, clearly, Mr. Speaker, when statements like that were made and then a member of this House goes and gets the minutes of Hydro and the minutes of Hydro show that clearly . . . Yes, Mr. Speaker, on April 7th, 1981, page 112, Mr. Kristjanson, and I quote, "Mr. Chairman, as you can appreciate, I was not involved at the time. The question was asked on Friday. Mr. Blachford and members of staff researched the minutes, consulted with people that were involved at that time, and the answer was given by Mr. Blachford, and I thought the answer had been complete." If that was not misleading, Mr. Speaker, to members of this committee and the members of the public, that he clearly indicated that the minutes were researched, Mr. Speaker, the gall of a public servant to come before committee and indicate that the minutes were researched.

Mr. Speaker, the Minister responsible for Hydro as was indicated by the Member for Inkster, fired a long-time civil servant for less than misleading and clearly misleading this House, Mr. Speaker. And the members of the government side, the Minister of Consumer Affairs, has the gall to stand up here and the Attorney-General, and to indicate that we should vote against this; there is no difficulty with this matter at all? Mr. Speaker, you know, there are books written about the episode of Richard Nixon, and you look, they went in three stages. First of all, Mr. Speaker, Richard Nixon denied everything. He denied everything that he was implicated in. Mr. Speaker, first of all, the Deputy Premier denied ever having any knowledge of this whole episode. He denied everything and then when the Member for Rhineland raised some issues that there were concerns raised, the Deputy Premier started remembering that there were discussions between he and the former Vice-Chairman of the board, Mr. Speaker. Doesn't that remind you of the scenario going back to dear old Richard, Mr. Speaker? Then there was the matter of the records, Mr. Speaker, the thing that the President of the United States didn't do was to get rid of the tapes; the tapes were located.

Surely, Mr. Speaker, maybe the present Chairman of Manitoba Hydro or the Deputy Premier should have burnt the minutes of the meeting of the meeting of Manitoba Hydro when a letter that . . . Mr. Speaker, surely there should have been a burning of the minutes. At least they would have had a one-upmanship on Richard Nixon in terms of the affair but. Mr. Speaker, why didn't they deal with the minutes? Mr. Speaker, and the implications in the minutes indicating that — look, there was no threat on the Board at all, Mr. Speaker. Clearly, how best

would a secretary to the Board speak about a matter that would be as sensitive as this but to use the words of . . . it would be inappropriate for such a letter to be sent? Mr. Speaker, how much more sensitive could a matter have been put in the record than using the word "inappropriate" Mr. Speaker? One can just —(Interjection)— Yes, Mr. Speaker, if one can carry that definition forward, one could say it was inappropriate. You know, you either don't talk or we'll remove you. But, that's inappropriate, Mr. Speaker, don't you dare send that letter.

Well, Mr. Speaker, to have members of the Treasury Bench get up and speak in this House and say that certainly there was no misleading of members of this House and members of this committee, surely, Mr. Speaker, flies in the face of everything that has been raised. Surely, if there was no record of the minutes and the Chairman of the Board who has been appointed by the Conservatives after they fired the former Chairman indicated clearly on the record that the minutes were checked, and now the minutes are here, Mr. Speaker, the minutes are public; the minutes were checked.

How can they explain this? How can they tell the people of Manitoba that, sorry, Mr. Speaker, we didn't burn the minutes? That's the reason we didn't get rid of the evidence. That's the reason that we got caught with our pants down, so to speak, Mr. Speaker. That's the reason we're in this mess, Mr. Speaker, because we really didn't get rid of the evidence, Mr. Speaker.

Did they want to go one step further? Do they want to have that letter analyzed, Mr. Speaker, that they don't want to accept in the record? Do they want to check the typewriter whether or not this matter came from Steward Martin's office? Do you want that to happen? I mean, that can certainly be done. Why don't we call the experts, Mr. Speaker? You seem not to want to talk to Steward Martin, then talk to his typewriter, Mr. Speaker, analyze the typewriter, Mr. Speaker, if you don't want to talk to Steward Martin, Mr. Speaker, speak to the typewriter, maybe you'll get a bit more information with respect to that letter. Why don't we do that? What's the next step, Mr. Speaker?

Mr. Speaker, if the members of the government will not call this committee together and clear the air, surely, Mr. Speaker, they can't hold out forever on this matter. Surely, the Premier by this time should be scratching his head and wondering who will be one of the other colleagues who will make the next Deputy Premier. That's the least that he can do, Mr. Speaker, in the way that they have treated other civil servants. The Premier should be treating his own Deputy Premier in this respect, and to save the integrity, not only of members here but the Member for Rhineland, the only member on that side who at least admitted that this matter was raised in committee and concern was raised, but he indicated to the committee, he said, "Look, you know, we really didn't want to deal with this matter because we already decided that we were going to cooperate fully." How are we going to cooperate fully, Mr. Speaker? The Vice-Chairman stated that he discussed the letter with the Honourable Donald W. Craik, Minister responsible for Manitoba Hydro, and they had agreed that it would be inappropriate for such a letter to be sent particularly as it could result in the delay of the proceedings.

Mr. Speaker, how could the Board do anything other than cooperate; other than resign? Mr. Speaker, the Board could have resigned. Mr. Speaker, maybe that's what should have happened; Board members should have resigned on this whole matter then it would have been opened right then and there, but they didn't resign, Mr. Speaker. It would be interesting in light of the letter that has been now published in the Free Press to bring Mr. Wedepohl to the committee. Surely members would want him to clear the air on this matter and his discussions with the Deputy Premier. Surely, Mr. Speaker, we would be prepared to call Mr. Martin to committee. The members want to deny that. Why would they want to even deny that such a letter existed, Mr. Speaker? They really don't want to deny that a letter existed but yet they continue, Mr. Speaker.

I hope that the government will reconsider its position and certainly to clear the air in this matter, call the Committee in post-haste, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, you know, it is for anybody that is keeping track of this big issue that the Leader of the Opposition has found how the target has changed in the course of the week that he has been raising just now. It started of, if you recall, Mr. Speaker, with that unsigned, unvalidated document. So we dealt with that, Mr. Speaker, I believe in the only responsible way any responsible group of people could deal with it. I mean, do you tell me, does anybody tell me, and we do get it, we all get anonymous notes from time to time, letters, something like that, maybe from our constituents from time to time. Do you really try to chase them down or take them too seriously? If people haven't got —(Interjection)— well, Mr. Speaker, the Honourable for St. Johns now tells and looks at me with a straight face that he takes every anonymous letter that he receives seriously, then he is stretching his credibility a pretty pretty long way.

But, Mr. Speaker, that was the first issue, then all of a sudden, we got to dealing with the, I think it was even the matter of the Member of St. Vital's personal, you know, credibility in having brought the issue before the House. That took up another day that we discussed this matter on. Now we're back to . . . we forget, Sir, that we have indicated and the Deputy Premier has indicated precisely the steps that are available, that can validate that letter, that there is no restriction put on by this government or by Manitoba Hydro in terms of releasing any former counsel with respect to client and solicitor relationship. Mr. Speaker, that is true. That offer was made, that offer was made here in this Chamber . . .

MR. SPEAKER: Order please. The Honourable Member for St. Johns on a matter of privilege.

MR. CHERNIACK: On a matter of privilege. I'm sure that the Honourable the Minister of Natural Resources would not like to mislead the House. And I think, it should be drawn to his attention that there is nowhere on record any indication that Mr. Martin has been released from his solicitor-client relationship with Hydro. Nowhere does that say that.

MR. SPEAKER: The Honourable Minister of Natural Resources.

MR. ENNS: The Member for St. Johns pretends, with some sincerity in his voice, to detract, to deviate from the simple statement, the true statement that I made, that there is no hindrance from Mr. Martin releasing himself from any obligation that he feels with respect to client-solicitor relationship, absolutely none that was indicated by the Minister responsible for Manitoba Hydro, that was indicated several times by the Minister responsible for Manitoba Hydro and that, Mr. Speaker, is on the record. That is on record, but then, Mr. Speaker, we have come back now full circle, we've come back full circle in dealing, which the Member from Inkster was quick enough to point out, you know, completely an issue that has absolutely nothing to do with the dredged-up drama that the Leader of the Opposition is now trying to say. He is talking about what the Tritschler Report concluded or what they did not conclude, the Terms of Reference of that report, or the lack of Terms of Reference of that report. Mr. Speaker, what I'm trying to point out is how this issue is moving around and different targets are chosen from time to time because with the aid of the media the Honourable Leader of the Opposition has, in his mind, finally got a bit of an issue going in an otherwise pretty dull performance during this whole session, and specifically during this Budget Debate.

Mr. Speaker, let me deal, without straying from the rules that we bind ourselves with respect to this question, let's understand what is at the root cause of this concern. The honourable members opposite feel and have to accept a great deal of the responsibility for the mess they left Manitoba Hydro in. Mr. Speaker, the honourable members opposite have to accept the responsibility that that mess had to be straightened up and was straightened up. Mr. Speaker, there is no particular pleasure in firing a long-time public servant, but, Mr. Speaker, the truth of the matter is that is what had to be done and that was done. I don't make any of these comments to detract from Mr. Bateman's many years of service.

I might remind honourable members opposite that under different circumstances, the same maligned Mr. Kristjanson, now Chairman of the Board, gave up long service with Manitoba Hydro and a very promising career, because of his convictions with respect to the direction that Manitoba Hydro was going under their leadership. That is being forgotten. Mr. Speaker, I can't forget that, because the same executive officer, Mr. Bateman, four months, three months before the last election was up in South Indian Lake with me on a whole week-end advising me, as the then Minister of Natural Resources, to go to the high level project on South Indian Lake. An election occurred and that professional advice changed overnight.

MR. SPEAKER: Order please. Order please. We do have a resolution before us and I hope the honourable member would keep his remarks to the resolution before the House.

MR. ENNS: Mr. Speaker, I will certainly try to follow that advice. The Honourable Member for Inkster, I think, was given the opportunity to suggest to us members that the real issue at stake was the firing of

the Executive Officer of Manitoba Hydro by the Minister currently responsible for Manitoba Hydro.

Mr. Speaker, he attempts to draw some parallel to the situation of what I believe he called the change in three little words. Mr. Speaker, it took an expensive, yes it was an expensive inquiry, and a good lawyer to drag out of the then Executive Officer of Manitoba Hydro the fact that he had misled the Committee of this House year after year with respect to the plans that were being put before us on an annual basis on the development of Hydro in the north.

Mr. Speaker, that's not just myself saying that. That is on record. The members opposite may not like everything that Mr. Tritschler concluded with, but they cannot deny it because the participant, the person himself, Mr. Bateman, acknowledges that he misled representatives of the people of Manitoba as they sat on that Committee. (Interjection)— Well, Mr. Speaker, I will not argue because I would be breaking the rules.

The present Chairman, Mr. Speaker, needed no such Commission of Inquiry to make a correct that the honourable member now likes to draw some parallel to as three little words. He obviously, and quite frankly, I think I would say this to his face if he were present, perhaps not fully conversant, not fully experienced with the importance to which the putting together of words can be in this situation, saw that an interpretation or an error, if you like, existed in the manner and way in which he had presented the presentation, the opening statement, by Manitoba Hydro to the Committee and voluntarily changed it. Changed it. (Interjection)— All right, that's fine, but he changed it. (Interjection)— Mr. Speaker, that is not the issue. The honourable members opposite have an understandable proprietary dealing about Mr. Bateman, that's understandable. After all, he misled, misdirected the management of Hydro; he caused the Hydro rates to increase by 150 percent in a short five or six years of their administration; any executive officer for no other reason deserves to be fired but for those reasons. Under our four years we have stabilized the Hydro rates for the next five years. That's just the simple difference. And the people of Manitoba will understand that, Mr. Speaker.

Now, Mr. Speaker, if you want to talk about that action, they've criticized the Minister for having the guts, for having the courage, to fire a senior civil servant. I want to tell you, Mr. Speaker, it isn't easy. It isn't easy. Members opposite believe that one can displace or remove a senior influential public servant just at the tip of a hat, or that there is any pleasure in doing that. Mr. Speaker, what is the general complaint of the public at large? The greatest thing is that we, policy makers, are all too often not given the opportunity to direct policy; that we are captives of our civil servants; that we cannot, in effect, bring about the changes that the public often requires, particularly when a change of government is brought into being.

Mr. Speaker, this government, whether it was the First Minister, in terms of recognizing that he could not work with a certain Deputy Minister; whether it was the Deputy Premier in terms of recognizing that we obviously could not be working for too long a situation with the then Chairman of Manitoba Hydro and the executive officers; there was just too much

water under the bridge, too many public committee meetings that we were sitting on as Opposition members, and that we were being led around on a merry-go-round path with respect to Hydro development, Mr. Speaker. There were just too many other good people that were involved that were hurt by that, including the former Premier of this province, then a director of Manitoba, who was ridiculed by Executive Officers of hydro as being somebody playing with schoolboy arithmetic.

MR. SPEAKER: Order please. I would refer the honourable member to the resolution and if the honourable member wants me to, I will read the resolution to him:

THEREFORE BE IT RESOLVED THAT the Standing Committee on Public Utilities and Natural Resources be authorized to inquire into . . . the Honourable Minister of Natural Resources.

MR. ENNS: Mr. Speaker, I do apologize, but let us put this into its proper perspective. The Leader of the Opposition is having a bit of fun with this. The fact of the matter is they are smarting, still smarting from the fact that the former General Manager and Executive Officer of Manitoba Hydro was fired by this administration. We believe he had to be fired by this administration, we make no apology for that. Since his departure, rates to the consuming public of Manitoba Hydro have not gone up —(Interjection)— that's not something that the honourable members opposite can say. But for any reason, is anybody seriously challenging that the then Acting Chairman acted in any way that is not proper, that is not appropriate with respect to the manner and way in which Mr. Martin's proposals were dealt with?

By the way, Mr. Speaker, again, it's not a question, but Mr. Martin, an appointee of theirs, I believe a friend of the Premier Schreyer's, who has not received legal work from this administration, will not receive legal work from this administration, so, Mr. Speaker, that's an understandable sour grape disgruntled person that feels that his people are being attacked and he may well have suggested to somebody, yet to be proven —(Interjection)— Mr. Speaker, the Chairman, the duly appointed Chairman of Manitoba Hydro, dealt with the matter. The suggestion, in fact, is quite the reverse of what is being portrayed in this House. You remember at one time the question was whether the Deputy Premier had exercised pressure, coerced the members of the board and Manitoba Hydro not to accept certain information, supposed information. Mr. Speaker, we're not talking about that now anymore, because Mr. Wedepohl has cleared that matter up.

It's rather strange that this information was available to the Free Press long before this debate started, in written form, signed, Mr. Speaker, by a responsible former Chairman of the Board of Manitoba Hydro, or Vice-Chairman, I believe it is, but, Mr. Speaker, we choose to ignore that.

So the issue really, and we understand it, and I think the people of Manitoba understand; the previous administration is out to do anything they can to get even, if you like, with the fact that we had the courage to remove the former Chairman and Executive Officer of Manitoba Hydro, and yes, we had, if you like, the courage to appoint Mr. Kristjanson to that Board, knowing full well that we

would get this kind of reaction. Mr. Speaker, the only difference being that Mr. Kristjanson will not be under any disillusion as to his tenureship should a change of government occur.

I have the comforting knowledge that he will be able to serve out to his retiring age of 65 under this administration so that particular difficulty will not be faced by the present Chairman of Manitoba Hydro.

That is the issue, and let's just keep that before us. I think there is a little danger, perhaps, with some of our members, and some of our own members on this side of the House, not having had the experience of sitting in and watching the Hydro debate develop during the decade of the '70s, not understanding the kind of controversy that developed throughout the '70s on this issue, not knowing the steps that were taken by certain individuals such as Mr. Kristjanson or by Mr. Bateman on this issue, and what we now see is a continuing effort by members opposite to discredit the Tritschler Report, to discredit the Tritschler Report, and that, Mr. Speaker, by the way, is one of the better compliments that report is receiving. One would have thought that by now, you know, we haven't been raising it in particular, but by now that might have gone its way as reports finally do go their way. Like the many reports that we've had with respect to Hydro. We had a dandy one before my time called Grand Rapids Hauling Report. That was a dandy. That was a massive scandal of the . . .

MR. SPEAKER: Order please. May I again remind the member that we have a specific resolution before the House and I would ask him to direct his remarks to the resolution at hand.

MR. ENNS: Mr. Speaker, one of the difficulties is that the target, as I started off, keeps changing on this resolution, so you have to forgive me if I am not so clear as to what the resolution is. In fact, the House Leader and I, we had to ask ourselves just what is it today that this particular resolution, even though it's on the same issue, is targeting on.

So the target that we're looking for is Manitoba Hydro Board minutes, all right, regarding the Tritschler Commission. I suspect that allows me all kinds of leeway to speak about the difficulty that the members opposite are having in coming to grips with the reality, with the truth of the Tritschler Commission, with the Godawful mess that Manitoba Hydro was in under that administration, and the fact that certain surgical steps had to be taken to correct that situation, and one of them included the firing of Mr. Bateman.

Mr. Speaker, I suppose that is contained in the motion before us and we could speak about it. We want to talk about the possible breach (b) of the resolution, the possible breach of the commission in its alleged Terms of Reference or the rules of natural justice. Well, that term, natural justice, I have to always wonder particularly what it refers to.

Mr. Speaker, without having any legal training at all, but having been around a Cabinet table for some time, any, any — I won't use the word schoolboy because that was their terminology for a former Premier of this province — but any kindergarten graduate would recognize that a Term of Reference, if there was some suggestion, if indeed the Deputy Premier would have reported to us and said, look,

fellows, there's a possibility, I hear some rumblings that the Tritschler Inquiry could be challenged because it's going beyond its Terms of Reference, why we would have changed the Terms of Reference. We would have changed the Terms of Reference, it's that simple. Just that simple.

But what I'm attacking here is the veracity in believing that anybody could take that as serious legal advice, and that's obviously what the Chairman of Manitoba Hydro at that time said. That's obviously what the Board of Directors recognized; that while a lawyer, a legal counsel, may have his nose out of joint, he certainly could not present any plausible case that would stand in any court and Manitoba Hydro would look foolish, Manitoba Hydro would have looked foolish taking this kind of an issue to court. (Interjection)— No, that's not my opinion. That is the opinion of the duly appointed Chairman, or Acting Chairman of Manitoba Hydro and supported by the Board of Directors at that time. Let's not lose sight of that argument. If honourable members are saying that we should ignore that kind of action by the duly appointed Chairman of Manitoba Hydro, by the Directors of Manitoba Hydro, then, Mr. Speaker, that's an entirely different ball game.

Well, Mr. Speaker, I think I've said enough on the subject matter, but simply to indicate to honourable members that we understand what your problem is gentlemen. We have no problem. We have no problem. You are, you know, scratching and fighting and trying to find and build an issue, partly because you think you can build one on this issue more deeply because you are still smarting; you are still smarting because of responsibility that has to be placed on your shoulders, and that Judge Tritschler properly placed on your shoulders, as a result of the mess of Manitoba Hydro. That is the issue, and the cost to the people is 150 percent rise in Hydro rates that need not have been there, that need not have been there.

Now that will be a wrinkle that will cause them discomfort as long as any of the existing breed are around, Mr. Speaker. They have to live with it and it's documented in the Tritschler Report and that is the whole purpose of this exercise. The Deputy Premier has made it clear, his position on this matter. He has made it clear that the Leader of the Opposition has access to Mr. Wedepohl, to individual members or past members of the Board, as well as anybody else in this House.

It simply, Mr. Speaker, is not an appropriate issue to place before a Committee of this House. Mr. Speaker, the business of this House, which is as slow and cumbersome, you know, by many people who will judge it in terms of its performance, would come to a complete standstill if we were to seriously accept this motion that is before us, and that is that we should take a non-issue such as this before a Committee of this House. It is simply nothing that a Committee of this House should spend its time for.

MR. DEPUTY SPEAKER, Abe Kovnats (Radisson):
The Honourable Member for Winnipeg Centre.

MR. J.R. (Bud) BOYCE: Mr. Speaker, this is the fourth occasion that such matters have come before the House and I won't repeat myself, but I could in response to the Member for Lakeside say, you know,

you using 4 1/2 percent as a base interest rate in perpetuity caused some problem for the New Democratic Party Government and that some of their projections were off. I could say simply, you know, bring forth such arguments as that was a stupid bill the former Member for Mines and Natural Resources brought before the House in 1969 vis-a-vis flooding the South Indian Lake and all that, Mr. Speaker.

In sitting through this fourth debate on the Matter of Privilege, and I look around and I made a speech one day about all the symbolism in this room. Old Moses over there shaking his finger at us and Solon over here, and I hear such statements by the Minister of the Crown that he doesn't know what natural justice is, and the reason he doesn't is because we don't define it, as we don't define Matters of Privileges of this Legislature. It is up to us to decide what is a Matter of Privilege.

I couldn't help but thinking in looking at people opposite, my mind goes back to the late Fifties when one of the former members of Rossmere raised a question with one of the Ministers of the Crown about a possible conflict of interest down around the Centennial Centre. Mr. Speaker, that man resigned. That man resigned his seat and they called a by-election and he ran and he was re-elected, so the people decided, but there was integrity, there was integrity, Mr. Speaker.

I've tried to make this case and I have neither the wit nor the words once again to sway men's mind, but, Mr. Speaker, these people are running around the province saying —(Interjection)— Ha] Ha] Ha] I want it on the record, the Member for Minnedosa laughs. To me it's a serious matter. (Interjection)— You're right and perhaps I'm a basis for humour. That may well be, but what is happening is not. What is happening is not, because you people are destroying the system. If you want this body to function as a Legislature, not as a court of law — (Interjection)— It's a Matter of Privilege if the Member for Minnedosa still doesn't know what a Matter of Privilege of this House is. (Interjection)— Get on with the business of the House. As long as we have members elected to this House who refuse to accept their responsibility, that the discharge . . . in my view, that when a Minister of the Crown stands in this House and misleads the House that is a Matter of Privilege and it used to be the case that the Minister resigned when witnesses come before a Committee of this Legislature and prima facie case has been made that the Committee was mislead, because there is a variance between the minute which was presented and the words which are recorded in Hansard as having been given as response to a question, a prima facie case has been made.

So why, Mr. Speaker, is the government afraid to let the process work. Let the process work, because that isn't the question, that isn't what is at stake; it's not whether our mistakes as a government are worse than your mistakes, or vice versa; it is, will the process work when it comes down to the crunch? Will members who are elected to Parliaments and Legislatures in this country ensure that the system works or whether they will not? That's been my debate on three different occasions relative to similar points. Will the process work?

It will only work if members opposite stop functioning as a one-man rule and exercise their

individual responsibility to the people who elected them, because, Mr. Speaker, parties are a matter of convenience of this House. We are all members of this House and we organize ourselves into parties, as a matter of convenience, but in the final crunch it comes down to us each individually to discharge our responsibility.

So I ask once again of members opposite, let the process work.

MR. DEPUTY SPEAKER: Are you ready for the question? The Honourable Minister of Finance.

HON. BRIAN RANSOM (Souris-Killarney): Thank you, Mr. Speaker.

Mr. Speaker, this question or this issue, seems to me to centre to a very great extent around a misunderstanding of an initial question, which has subsequently come to be interpreted as misleading answers. Mr. Speaker, there was a misleading question, if in fact the answer they wanted was the information that they now have come to, and let me go back and place on the record again, the original question that was asked of the Committee. Mr. Walding said on Friday, April 3rd, he said, "I would like to ask whether Hydro received a legal opinion from any of those gentlemen giving a legal opinion that the Tritschler Commission was exceeding its Terms of Reference?"

Now, Mr. Speaker, I'm not a lawyer but — (Interjection)—

MR. DEPUTY SPEAKER: Order please. Order please. It strikes me . . . Order please. I would hope that the honourable members would give the courtesy to the member who is speaking the chance to complete his remarks, so that I can hear them. I don't care whether anybody else does, but at this point I would like to hear the honourable member.

The Honourable Minister.

MR. RANSOM: It strikes me that the term "legal opinion" has some rather specific meaning to it, and I think that the Member for St. Vital knew that when he placed the question, because he stressed twice in the first question "a legal opinion".

He was advised that at that time that Hydro officials would enquire as to whether or not there was a legal opinion provided. I think that the Chairman said, "Maybe Mr. Kristjanson and Mr. Blachford can take some of these questions as notice and get the answers for you. As you well know, neither of them were connected with Hydro at that time." Mr. Walding, "I realize that, Mr. Chairman, and I recognize the honesty of a reply that is not known. If there is an undertaking that it will be looked into, then it would quite satisfactory for me." So he asked very specifically, was there a legal opinion and they undertook to see if, in fact, there was a legal opinion.

On the next day that the Committee met, Mr. Speaker, then the Minister of Energy and Mines, in following up on questions from the Leader of the Opposition said in reference to the Member for St. Vital, "He was asking as to whether or not the Board had been advised formally by a lawyer or their legal counsel with regard to certain procedures that should be followed in regard to the Tritschler Commission". Then only a moment or two later, the

Member for St. Vital said, "Yes.", and the Chairman asked the Member for St. Vital, "Mr. Walding, is that then your understanding?" and he was referring to a statement made by the Minister of Energy and Mines as to whether or not the Board had been advised formally by a lawyer. Mr. Walding, "Yes, it is, Mr. Chairman, substantially as Mr. Craik has said."

Now, it strikes me being a layman, Mr. Speaker, that there was something specific being asked for. The Minister of Energy and Mines was enquiring as to whether in fact that is what was being asked for, a formal legal opinion. The Chairman turned to the Member for St. Vital and said, "Is that your understanding?" and the Member for St. Vital said, "Yes, it is, Mr. Chairman, substantially as Mr. Craik has said."

Then Mr. Blachford went on, Mr. Speaker, and said — concerning Mr. Walding's question, "Did Manitoba Hydro lawyers give an opinion that Judge Tritschler was exceeding his Terms of Reference?" — "We looked into this and no request for an opinion was asked of Manitoba lawyers, nor did they give an opinion in this respect." Mr. Speaker, that is an answer, a full answer, to the questions that were asked by the Member for St. Vital.

Now, subsequent to that, Mr. Speaker, then the members opposite proceeded to present 7 pages of material, which were subsequently ruled out of order, because they were directed to no one and their source could not be identified and the Member for St. Vital, in fact, did not take any responsibility for that material, but they attempted then to use that material as an indication that the Minister of Energy and Mines had somehow mislead the Committee in his responses to their questions.

Well, Mr. Speaker, we have to look at what the Minister of Energy and Mines said. He said, "Mr. Chairman, I can tell the Leader of the Opposition directly that the former legal counsel certainly did not in any direct way advise me of his feelings in this regard. I'm quite aware of the fact from the former Chairman of Manitoba Hydro, that Mr. Martin left under a high degree of disturbance over the affairs with regard to representing Hydro on the work of the Commission and so on, so if that is any help to him, that's about as much help as I can give him", and he goes on and he says, ". . . but there was no formal, as you can see, just so the record is complete, there is no evidence in Hydro of at least a formal concern being expressed about the Terms of Reference of the Commission, although it is quite possible he may have on a personal basis expressed those concerns."

Again, Mr. Speaker, there is a clear — (Interjection)— Mr. Speaker, would you mind asking the Leader of the Opposition, if he would give me the courtesy of allowing me to place these few comments on the record. He persists in interrupting continuously.

The point is, Mr. Speaker, that there was a very specific question asked. It was tested to see that that's the question that was being asked. It was confirmed. The answer was given. At the same time the Minister of Energy and Mines said, "He may have, on a personal basis, expressed those concerns." He was giving every indication that a concern had been expressed. There is nothing inconsistent with what was being said then with

what's being said now. One need only look at the letter that is in the Free Press today from the former Vice-Chairman of Hydro to show that is so, Mr. Speaker.

But when the members opposite found that they could not gain substantially on that point, they then switched to trying to make the case that somehow the reputation of the Member for St. Vital was at stake, having impaled himself on his own bayonet for bringing in that sort of information, he then turns around and says, someone's got to help me to clear my reputation because I introduced this material. That didn't work either, Mr. Speaker, so now we have a resolution before the House again, and I would like to deal specifically with some of the sections of that resolution. And it says:

WHEREAS there is evidence now in the hands of members of the Legislative Assembly which shows the Deputy Premier knew about and expressed his views about the letter prepared by special counsel for Manitoba Hydro expressing concerns with the Tritschler Commission.

Now all of a sudden, Mr. Speaker — not all of a sudden, they've been moving around, I shouldn't say it, but they now have moved away from their original question of — Was there a legal opinion? That has now gone from the question as far as they're concerned. ". . . which shows the Deputy Premier knew about and expressed his views about the letter . . ." There is no letter. To our knowledge there is no letter, Mr. Speaker. There was reference to a proposed letter; there were seven pages of material introduced into this House or attempted to be introduced into this House which I have had a look at, and I must say, as a layman, that I would hardly consider that to be in the form of a legal opinion. If that was a legal opinion, Mr. Speaker, I certainly would not want to be paying for it. It may have been, as the Minister of Energy and Mines pointed out, a personal opinion, concern, expressed by the former counsel for Hydro, that may have been. So, Mr. Speaker, the first WHEREAS of the resolution contains nothing substantive.

The second resolution says: WHEREAS the Chairman of Manitoba Hydro, General Manager of Manitoba Hydro and Deputy Premier stated before a Committee of the House that the minutes of the Manitoba Hydro Board did not indicate any evidence that the special counsel had communicated his opinion regarding the Tritschler Commission. Mr. Speaker, that WHEREAS is simply not true, and the record shows it's not true. That is not what they put on the record. They put on the record that there was no legal opinion asked for and none provided. They weren't asked about personal opinions expressed by a lawyer whose case was going badly. The second WHEREAS is simply incorrect, Mr. Speaker.

Then, WHEREAS the Deputy Premier has stated he had no knowledge of a letter prepared by the special counsel, and that he did not interfere in Manitoba Hydro's legal affairs. Mr. Speaker, I can't find where he said there was no knowledge of a letter. I'm not even sure that that's a relevant question. At least it was not relevant as to what was being asked previously. He said that perhaps there was a personal opinion expressed. I think in the House later he said that he had not seen a letter, and none of us yet know that in fact there was a letter. So what is it

about the third paragraph, the third WHEREAS, that contributes anything substantive towards this resolution.

He stated he did not interfere in Manitoba Hydro's legal affairs, and indeed that's the case, Mr. Speaker. He has not interfered in Hydro's legal affairs. Perhaps if he had he might have been able to clear up the question that's being put forward by the members opposite in an attempt to discredit the Minister and to discredit some of the staff of Manitoba Hydro.

The fourth WHEREAS says: WHEREAS there is need for evidence from the former special counsel to Manitoba Hydro, Mr. Steward Martin, and from the former members of Manitoba Hydro Board to explain the misleading statements made by the Deputy Premier and others. Mr. Speaker, there is no misleading statement on the record. Go back to the original question that was asked by the Member for St. Vital, a legal opinion. What does the minute say that was introduced today, Mr. Speaker? It says, "The Vice-Chairman stated that he had had a meeting with the corporation special counsel, Mr. W. S. Martin, Q.C. Mr. Martin had indicated that there were a number of aspects of the Commission's work which caused him concern. In that connection he had drafted a letter, which, if the Board concurred, he would forward to the Commissioner."

Now, Mr. Speaker, he said there were a number of aspects of the Commission's work which caused him concern. Is that a legal opinion? —(Interjection)— Well, Mr. Speaker, if that's — the Member for Inkster, the fat cat from Inkster that can command \$100 or \$125 an hour I guess knows about legal opinions, but if that was a legal opinion. If those seven pages of material that were introduced into this House which were simply a vitriolic attack on the Commission and on the counsel for the Commission, if that constitutes a legal opinion, Mr. Speaker, then I would be surprised.

The minute goes on, Mr. Speaker, to say, "The Vice-Chairman stated that he had discussed the letter with the Hon. Donald W. Craik, Minister responsible for Manitoba Hydro, and they had agreed that it would be inappropriate for such a letter to be sent, particularly as it could result in a delay in the proceedings. They have made much, Mr. Speaker, of the word, inappropriate. I think some of my colleagues have dealt with that question, which I don't think is one that is relevant to the original question placed by the members opposite, but if the government sees fit to establish a Commission of Inquiry, I think that inappropriate is probably a proper way to describe the response of a Minister who would quite naturally say we established the Commission for a purpose, and I think it would be inappropriate to try and block the proceedings of the Commission, which we have established.

I think that the letter that Dean Wedepohl has placed on the record today, Mr. Speaker, is also relevant and I think that it should be read as well, because it not only indicates the nature of the exchange and that the exchange is entirely consistent with everything that's been said by the Minister of Energy and Mines, and it also deals with the question of the alleged threats that were made to Board members. He said, Mr. Speaker, "I wish to refer to the recent controversy relating to the

Tritschler Inquiry into affairs of Manitoba Hydro. Early in January 1979, I became aware of Steward Martin's proposal to challenge the Commission of Inquiry, because of his grievances, associated with the Commission in his role as legal counsel for Manitoba Hydro." — the end of the second paragraph.

They refer to grievances, Mr. Speaker, his grievances. He's not talking about a legal opinion that was asked for, but the grievances of the lawyer. Then Mr. Wedepohl goes on, "I, myself, was shocked at his proposed course of action, namely to challenge the Terms of Reference of the Commission in the Manitoba Courts. The morale of Manitoba Hydro was at that time very low and declining. It was my considerate opinion that the best thing for us to do was co-operate with the Commission of Inquiry, which was a properly constituted body, in order to bring this phase of the corporation's history to a steady conclusion without compromising the integrity of the corporation or its staff. In my opinion the intervention proposed by Mr. Martin, would have had no effect, other than to protract the Inquiry and would not serve the best interest of the utility. With hindsight I believe that I was right and if called on to consider the situation today, I would not find any reason to change my then reaction. I informed the Minister about my viewpoint and my intent to so recommend to the Board. I also informed him of the general nature of Mr. Martin's grievances contained in his submission to the Board.

"Subsequently at a special meeting of the Board my recommendation was ratified, the proposal was taken no further and that, as far as I was concerned, was the end of the matter."

So, Mr. Speaker, there simply is nothing misleading or inconsistent with the answers that were given by the Minister of Energy and Mines and by the officials of Hydro. There is nothing inconsistent or misleading about their answers relative to the questions that were asked by the Member for St. Vital and there is nothing inconsistent with what the Minister of Energy and Mines has placed before the Committee or before this House in the letter that today appeared in the Free Press, written by the former Vice-Chairman of Manitoba Hydro.

Mr. Speaker, I have also pointed out there are a number of statements in the resolution that simply are not correct. I believe that the members opposite are simply attempting to continually shift their ground on this issue, in an effort to try and embarrass the government and senior people in Manitoba Hydro. They would like to see the Committee called again, so that this sort of personal opinion and vicious attacks that were outlined in those seven pages that no one knows for sure where they came from, Mr. Speaker, that perhaps that's the sort of thing that they would like to see put forward in Committee. Mr. Speaker, that simply is not something that is either going to be constructive or is even relevant to the specific questions and answers that have been asked and given and, Mr. Speaker, there is no doubt in my mind that the course of action and responsible thing for the government to do is to simply defeat the resolution that's before us.

MR. SPEAKER, Harry E. Graham (Birtle-Russell):
The Honourable Member for St. Vital.

MR. D. JAMES WALDING: Thank you, Mr. Speaker.

I wasn't intending to get into this debate again, because it's tending to get repetitive and we're hearing the same quotations and the same arguments made each time the matter comes up and is discussed and voted down by the government again and again and again and again.

However, Mr. Speaker, just as I came in, I did hear the Minister of Finance making some reference to me and to statements that I had made and I understand he made the suggestion that it was all my fault, because I asked misleading questions and then he proceeded to read out a question that I had asked of Hydro staff, implying, I presume, that the question was misleading.

The question as he quoted it was to the effect that, was there a legal opinion given to the Board of Manitoba Hydro, by their legal counsel. Now, I'm not sure if the Minister of Finance considers the question to be misleading, Mr. Speaker. I consider it to be very straightforward. It's a request asking for information and information was given in answer to the question.

Does the Minister consider it a little odd that I should ask if there was a legal opinion asked for by legal counsel? Well, maybe he considers it odd, Mr. Speaker, but I certainly wouldn't ask if they'd had an opinion as to the weather that day from their legal counsel, or to whether the counsel had commented on the hockey score on the day before.

Since that is one of the tasks of a legal counsel is to give legal advice, do legal work and give legal opinion, should it come as any surprise to the Minister of Finance that I had asked whether he'd given a legal opinion?

Well, Mr. Speaker, the answer was given to us the next morning, but not in the context that the Minister of Finance read to us. In the replies for the next morning the Minister quoted me as saying that I had agreed with the Minister and that it was substantially as the Minister had said, but it was not in that context, Mr. Speaker. If the Minister would care to read the first two pages of Hansard, he would find that the discussion as introduced by the Chairman of the Committee, the Member for Crescentwood, had to do with the production of Hydro minutes and that discussion took up the first two pages.

If I can quote the Chairman, his opening remarks in calling the Committee to order says, "Members of the Committee will recall that on Friday last when we met that Mr. Walding at that time asked if minutes of Hydro Board meetings and internal documents could be made available to him. At the time I said that I would take it under advisement and discuss the matter with the Senior Clerk of the Legislature. I've also talked to legal counsel and frankly, we're not much further ahead than we were on Friday. What I could do for the benefit of Members of Committee is to refer to Beauchesne and read it into the record."

I spoke next, Mr. Speaker, and I said on a point of order, I don't believe that you put the question entirely accurately. I was not asking for Board minutes, the matter that you took under consideration was not the production of those papers, it was the power of this committee to call for persons and papers to be produced to the committee. That discussion was continued by myself, the Chairman, the Member for Inkster, the Minister,

and the Leader of the Opposition, and then the Minister again.

Perhaps I should just quote the last words of the Minister which comes before the quote that the Minister of Finance just gave, and the Minister had said, "Mr. Chairman, again, I think that the interpretation that the Leader of the Opposition has put on it is the one I went away with as well at the end of last week. Mr. Walding was not asking for minutes specifically, he was asking as to whether or not the Board had been advised formally by a lawyer or their legal counsel with regard to certain procedures that should be followed and regarded to the Tritschler Commission. Somehow the issue of the minutes has evolved and I don't think that was the issue. The issue was whether or not Hydro had been advised formally or its Board had been advised formally of some procedures that should be followed. I think that was the question that I went away with as well."

What I followed up then, that the Minister of Finance quoted, was my agreement with the Minister reporting for Hydro as to what the discussion had been about and that the matter of minutes was involved with the question that I had asked, not the production of minutes, or the production of other documents.

Mr. Speaker, if it would be of assistance to the Minister, the next time I was given the floor at the committee was on page 116, and that's some 8 pages later, where I said, "Mr. Chairman, Mr. Brown has told the committee that he was on the Board when there was some concern raised. Mr. Craik has used the term disturbed in reference to Mr. Martin's concerns, yet the answer we received this morning was that there was no formal opinion. So the question before us seems to hinge on what is formal and what is informal and who said what to whom."

Mr. Speaker, that seems to have been the crux of the matter that we were discussing at that time. The Hydro officials had come back to us and said that they could find reference to no written legal opinion having been requested or having been received, and I got into some discussion with the Chairman of Hydro over the use of the words, "sent" and "received," and he saw no difference between the two which I found a little bit odd, but that's by the by. The Minister assured the committee at the same time that he had received no formal indication from the Chairman or from legal counsel as to receiving any document.

Now the Minister of Finance makes reference this afternoon that as a layman he doesn't think that draft letter was a legal opinion. Now he is entitled to his opinion but the Member for Inkster and the Leader of the Opposition who are both lawyers believe that could well be, or is, in fact — was — a legal opinion. I am not sure whether we have any other lawyers present in the Chamber but the Minister of Finance happens to be sitting just two places from a member of the Treasury Bench who is also a lawyer and I am sure would be able to give him his legal opinion as to whether that seven-page document constituted a legal opinion or a recommendation for action or a suggested course of action.

Mr. Speaker, I regret I cannot hear what the Minister of Finance is saying but if he has a question

and wants to stand up, I would be glad to hear what he has to say.

MR. SPEAKER: Order please. The Honourable Minister of Finance on the point of order.

MR. RANSOM: The Honourable Member for St. Vital agreed that he would accept a question and I simply ask him, in order to qualify for a legal opinion does it have to be written by a lawyer?

MR. WALDING: In answer to that, Mr. Speaker, I would have to say, that not being a lawyer I can't give the Minister a legal opinion on that matter.

Mr. Speaker, the members of the government side are obviously uncomfortable about this whole matter. The point that the Minister of Finance was attempting to make here this afternoon and a couple of days ago when he spoke as well, that simply because I had read from that seven-page document that I needed the committee to look into the matter to prove that I was right or wrong. Mr. Speaker, that was not the point at all. The point was that in response to that document, two senior members of the Treasury Bench had used the expressions "half-hoax" and "fabrications" in regard to it, that the House subsequently voted was not a Matter of Privilege to be referred to a committee.

As further evidence of the discomfort of members over that side, during the debate on the use of those two words, Mr. Speaker, I jotted down three other words that were used by members of the Treasury Bench. Now I come to take note of it. The Minister of Consumer Affairs in discussing the document called it an illegitimate document. The Minister of Agriculture in his contribution to the debate used the terms "devious and trickery."

Mr. Speaker, I would suggest that both of those two latter words are probably not in order and could perhaps be cited by us a Matter of Privilege of the House. We don't raise them as such. Whether the expression or the reference to that document as being an illegitimate document is also in breach of the privilege of the House, we don't plead that, Mr. Speaker, we accept them as an indication of the acute discomfort that members opposite — (Interjection)— acute protracted discomfort, my colleague suggests to me on this particular matter.

But, Mr. Speaker, this matter has gone on long enough and I just wish to raise one small further point that just may convince gentlemen over that side that there is something more to be looked into. You will recall, Mr. Speaker, if I am to be permitted a historical reference, as others have, that there was a famous occurrence some four or five years ago having to do with the Presidency of the United States when there was a break-in at the political party headquarters and there were allegations that were unproved at the time that there was a particular dirty-tricks committee or a plumbers group or words such as that, that were involved, and after this scandal just had begun to break and was a few days or a few weeks old, there came a revelation, Mr. Speaker, that comments made within the President's office had all been taped and that these tapes were in storage somewhere. They were subsequently unearthed and made public and it was then that there was a famous 18 minutes, I believe, that was missing from one of them.

Mr. Speaker, it just occurred to me that if we had a similar transcript of Hydro Board meetings that perhaps that would in fact be a position to help satisfy some of these matters and as it happens, Mr. Speaker, I happened to have been speaking to a former Board member of the Hydro Board just a few days ago who informs me that at each Hydro Board meeting there was a microphone that sits in the middle of the board room table that is used, or was used at that time to assist the secretary in making the minutes at the meeting, and that the proceedings of each Board meeting were in fact taken down on cassettes. Now the former Board member was not able to advise me whether the same cassette was used over and over again for each meeting or whether in fact these tapes have been put into storage and might just possibly be available for a committee of this House to review and perhaps to listen to.

Mr. Speaker, I have no knowledge of whether there are tapes of Hydro Board meetings. I cannot say for certain that these tapes are presently on file. The Minister reporting for Hydro is not present in the Chamber for he perhaps could advise us on this particular matter. In any case the matter could be determined, I believe, quite easily by gentlemen opposite or perhaps more preferably by the committee, Mr. Speaker. The quick convening of the committee that this resolution calls for would be in a position to review all of the documents. It would be in a position to call for papers and documents and even tapes, I believe, Mr. Speaker, and that it would enable us to get to the truth of this matter.

I am sure that the government members opposite would like to see this thing out of this Chamber so that we may get on with the other business of the House and we also would be quite happy, Mr. Speaker, to see the matter referred to a committee with powers to act so that we can find the truth of this matter. There have been allegations and denials and half-denials and smokes-creens and stonewalls and all the other terms that have been used in this regard, Mr. Speaker, and we feel that it's time to get it over with and get it to the committee and that given, Mr. Speaker, that tapes have been made of Hydro Board meetings, that members of the government themselves and their backbenchers might be curious to know whether there is evidence on there that could be of assistance to the members of the House in really getting down to the truth.

So given that small little piece of additional information to the members, and these snippets of information do tend to dribble out over a time, Mr. Speaker, we would much rather be able to sit down at a committee and get all of the information all at one time and get it dealt with, get it off the table, rather than to have these matters come up, a new little piece of information every day. Mr. Speaker, you know, that would be a responsible move on the government's part. It would show, I believe, that they do have an appreciation of the political liabilities of this particular matter. The Minister reporting has already shown his political insensitivity to this matter when he told us, and I am not sure whether it was facetiously or not, Mr. Speaker, that he did not read the document because he was watching the Gong Show.

I have a suspicion that perhaps the Minister was being a little facetious when he said that, because,

Mr. Speaker, a professional engineer, as the Minister is, is supposed to be a man of some, perhaps intellectual standing or of superior education whose intellectual pursuits ought to be of a rather higher level than a show such as the Gong Show — (Interjection)— Mr. Speaker, it is no problem for the Member for Inkster, he believes the Member for Riel, but I'm not sure whether I believe him or not.

If the Minister really was watching . . .

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

MR. MERCIER: Mr. Speaker, on a point of order, I would ask that you request the Member for St. Vital to withdraw his latter comment that he does not believe the Member for Riel, the Minister responsible for Manitoba Hydro. I believe that such a comment is entirely unparliamentary, Mr. Speaker.

MR. SPEAKER: The honourable member on a point of order.

MR. WALDING: Mr. Speaker, I was prepared to accommodate the Honourable the Attorney-General. The Attorney-General had suggested to me that I should not doubt the word of the Minister reporting for Manitoba Hydro, and it is on record, Mr. Speaker, that the Minister did tell the House that he did not read that document because he was watching the Gong Show on television that evening. Mr. Speaker, I said quite honestly, I did not know whether the Minister was being facetious or not, when he said that.

Since the Attorney-General is now telling me that I must take the word of the Minister at its face value, I will do so, Mr. Speaker.

Mr. Speaker, I am now convinced because of the remarks of the Attorney-General, I am convinced that the Minister did leave that important document in his briefcase when he got home and that he felt that the Gong Show was the proper form of relaxation for a Minister of the Crown.

MR. SPEAKER: The Honourable Attorney-General on a point of order.

MR. MERCIER: Mr. Speaker, on the same point of order, members opposite may wish to twist the remark that I made. My concern, Mr. Speaker, was that although I agree with him, that the comment made by the Minister of Energy and Mines, with respect to a specific television show was probably made facetiously, Mr. Speaker. My concern as a member in this Chamber, was that his comment that he does not believe the Minister of Energy and Mines, is related to all statements he makes, Mr. Speaker.

MR. SPEAKER: Order please. Order please.

The Honourable Member for St. Vital on a point of order.

MR. WALDING: On the same point of order, Mr. Speaker, the Attorney-General stood up in this House not three minutes ago and told the members of the House that a member's words must be taken at face value and must be believed, because they are made in fact with his knowledge.

I agree with that, Mr. Speaker, and I went along with it and I made it quite clear that I would take the word of the Minister reporting for Hydro, that in fact he was watching the Gong Show.

The Attorney-General now stands up, Mr. Speaker, and says that he does not believe those words and that he believes they were made facetiously.

MR. SPEAKER: Order please. Order please. We can only deal with one point of order at a time.

Would the honourable member stick to the first point of order, please.

MR. WALDING: Yes, Mr. Speaker, I believe the point of order was that it's required of members in this House that they accept as face value any comment that is made by another member that he knows to his particular knowledge. I believe that is the requirement in Beauchesne and I believe that is the point of order that was raised by the Attorney-General, that I should in fact, take the word of the Minister reporting for Hydro, which I agreed to do. I accepted the word that the matter was — that the remark was not made facetiously, however it is I believe on the same point of order, Mr. Speaker, that the Attorney-General then stood up and said, that he does not believe his colleague, the Deputy Premier, and that he believes something else, that it was in fact a facetious remark and, Mr. Speaker, I would ask that the Attorney-General withdraw that remark, as I withdrew mine.

MR. SPEAKER: Order. Order, order please. We are dealing with a matter of privilege of the Chamber. I would hope that members would direct their remarks to a very serious matter before this House and if we allow the debate to degenerate into frivolity, then I would have to question, very seriously, any further attempts at raising matters of privilege in this Chamber.

The honourable member may continue his remarks.

MR. WALDING: Well, Mr. Speaker, I thank you for the admonition and I agree entirely, that this matter should not descend to a frivolous level and that is precisely the point that we have been making for the last couple of weeks, Mr. Speaker, that we do have a serious matter here.

What we have is a matter of misleading remarks and a lack of a full disclosure being given to a Committee of the House, despite the fact that a report was brought in by the Committee, that said that all questions were answered to the full satisfaction of the members of the Committee. That was not so. We had a vote on it, if you recall, and the matter was carried.

We have raised the matter of the Minister's conduct in this regard, of the statements that he had made, which we have suggested, Mr. Speaker, have been misleading. We are of the opinion that the government has refused to allow the House to really get to the bottom of this and that it has done everything in its power — and I lose count of the number of votes that we have had on this matter, it may be six or seven, I'm not keeping the score, Mr. Speaker, but they have prevented us from getting at the truth and that is all that we ask, Mr. Speaker. Let us get to the truth and I invite honourable members

to support this motion and let us finally get to the bottom of this. Give us the truth.

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

MR. WILSON PARASIUK: Mr. Speaker, I have only a few comments to make on this particular issue. I've been listening to the debate for some days now in the Legislature and what struck me about today is that my Leader, who took this issue early on; took hold of it very firmly; acted very decisively on this issue when we had the Premier and the Deputy Premier; waffling all over the place, with respect to this issue; changing their position; saying things that now they will have to withdraw; using their majority in the Legislature to try and defeat a motion, because they thought it would go away. And what's happened is that day after day, more and more evidence has come out, which is damning the Conservative Party, damning the Conservative Government and certainly damning the Conservative leadership in the Legislature and it's interesting and other people have drawn the parallels, the extent to which the Conservatives now are using different language, and that is very much like Watergate. It is very much Nixonian.

We were talking about — the First Minister got up and he talked about Steward Martin, as a lawyer of considerable repute and he implied that we shouldn't be bringing in documentation here, purportedly by a person of considerable repute. That's what was said a couple of weeks ago.

Today we have witnessed Conservative Ministers getting up and attacking the integrity of Steward Martin, attacking his competence as a lawyer, questioning whether he could provide a legal opinion or whether in fact this wasn't some emotional diatribe, because we are now dealing with a document that I believe to be true and factual, calling Steward Martin an NDP hack.

The First Minister said this was a man, a lawyer of considerable repute a few weeks ago. Notice how the terminology changes. We are now talking about a proposed letter and because we talked about a letter as opposed to a proposed letter, somehow this whole issue should die and go away. It reminds me of Nixon getting up and saying, well, what I said before, my denials before are now inoperative. That was the key word through Watergate. My denials in the past are now inoperative. Don't question me about those denials. Let's talk about something else. And that is exactly what the Conservatives are doing, when they use their majority to defeat this issue time and time again.

And you know, Mr. Speaker, if the Conservatives had some type of national security blanket to hide behind, I'm quite certain that they would now be hiding behind that national security blanket, because frankly, just about every other bit of cover is fast disappearing, just as it disappeared for Nixon and he was left with only one blanket, only one cover-up, namely national security. But the Conservatives in Manitoba, the Conservative Government doesn't have that national security blanket.

So the truth certainly is going to come out. They are hiding behind one thing and one thing only, namely, the integrity of Steward Martin, the solicitor-client relationship, knowing full well that he has

integrity, that he has not breached that confidentiality, even though we are getting front bench members of the Conservative benches getting up and attacking his integrity, knowing that they are ultimately hiding behind his integrity.

That's the irony of their position and that's the shallowness of it. It has no substance.

Now the interesting thing is that we've been talking about what really went on and we want to go before the committee and my colleague, the Member for St. Vital raised a very fascinating point about the transcripts. Do they exist? I think we should look at them and determine whether they exist. There are tapes and that again will start undoing the — (Interjection)— yeah, that was five minutes ago, the Member for Winnipeg Centre says, and that is how they have destroyed their credibility. When you situations like that arising, where people actually wonder whether in fact the Conservatives haven't destroyed the tapes. That's how far they've gone by voting down this attempt to get at the truth six times now.

But I look at these minutes that were introduced by my Leader, and they indicate that there's been a person who was at that meeting, who could enlighten us, who's right here in the Legislature. It says A. Brown, MLA. He's a servant of the Manitoba Legislature; he gets paid, I believe \$5,000 by the people of Manitoba, \$5,000 extra to sit on the Board of Manitoba Hydro as a representative of the Manitoba Legislature. And the thing that I find amazing is that throughout this six times, this is the seventh time now I believe, throughout the seven times that this matter has been raised in the Legislature, the Member for Rhineland, who sits on the Board of Hydro, as the people's representative, as the Legislature's representative, has not spoken and, Mr. Speaker, by not speaking he is conspicuous by his silence. (Interjection)—

Mr. Speaker, all I am asking, all . . .

MR. SPEAKER: Order, order please. We can only have one speaker at a time. At this time I recognize the Honourable Member for Transcona.

MR. PARASIUK: Thank you, Mr. Speaker.

What I want to ask the Member for Rhineland, who is a servant of the Manitoba Legislature, who is paid \$5,000 to carry out that responsibility, to tell us whether in fact he was at this meeting, as these minutes indicate; whether in fact he did not receive copies of these minutes as he should, as a person who was attending that meeting; and if he did receive copies of these minutes, why didn't he tell the Minister responsible for Hydro, that the Minister was misleading the Legislature when he was making the statements that he was making, two and three weeks ago? Why didn't he tell him that there are minutes that exist, which completely contradict the position of the Premier of Manitoba and the position of the Deputy Premier, and that when they were voting down the request to get at the truth, using their majority, that in fact they were covering up the truth which he had in his files, because he attended those meetings.

So I think it's incumbent upon the Member for Rhineland, who is a person who was there, to get up and indicate what took place, because the minutes have a couple of interesting comments. The minutes

indicate — and I won't read them over again, but just the point — one point is that the Vice-Chairman stated that he had discussed the letter with the Honourable Donald Craik, Minister responsible for Manitoba Hydro. That contradicts what the Minister responsible for Hydro has been telling us for some time now and they agreed that it would be inappropriate for such a letter to be sent out, particularly as it could result in a delay of the proceedings. One final sentence with respect to that minute and it concerns what happened in the board, it says, "after discussion, the board concurred". After discussion.

Now that means if there was discussion and you note it in the minutes, any meeting that I've attended, where there has been controversy, it's usually noted as there was discussion on the matter. So we have a minute of Hydro saying, there was discussion.

I don't know what that discussion was. Obviously it was whether in fact they should concur with the position arrived at, not by the Board of Manitoba Hydro and then recommend it to the Minister, but rather should they concur with the position reached by the Minister and the Vice-Chairman, then communicate it to the Board for their concurrence supposedly.

Now if that isn't political interference by a Minister, I don't know what is and they must have had some concern about that, because the minutes indicate after discussion, they concurred. And members of the Board, who are not on the Board anymore have given their own personal recollection of what went on in that discussion, whether in fact there were threats, or not threats, but the Member for Rhineland who sits on the Board, blurted something out, I think in a truthful manner at the committee some weeks ago and since that time when this matter has been raised in the Legislature he has consistently refused to participate.

Now I wonder whether in fact he's been gagged. That would be a terrible thing for the government to do to a representative of the Manitoba Legislature on the Board of Directors of Manitoba Hydro. And I find it difficult to believe that this is anything but a muzzling by intimidation of the Member for Rhineland because as the member of the Legislature

MR. SPEAKER: Order please. May I point out to the honourable member, Citation 319 of Beauchesne, sub 3: "A member will not be permitted by the Speaker to indulge in any reflections on the House itself or a political institute or to impute to any member or members unworthy motives for their actions in a particular case or to use any profane or indecent language or to question the acknowledged and undoubted powers of the House in a matter of privilege, or to reflect upon, argue against, or in any matter call in question the past action, proceedings of the House, or to speak in abusive and disrespectful terms of an Act of Parliament."

I would hope the honourable member would take those words wisely and govern his actions accordingly.

MR. PARASIUK: Mr. Speaker, it is certainly not my intention to do that. I am trying to understand why the member won't speak and I would hope that none

of that took place. I would sincerely hope as a member of this institution that nothing like that took place, and the best way to find out, of course, Mr. Speaker, since we are a free democratic assembly, is to have the Member for Rhineland who is present, speak. And that's why I say that it's incumbent upon him to speak at this time. He has studiously avoided speaking on this issue, but I will give him credit for one thing, is that throughout these six, or now it's seven discussions on this matter, virtually every one of the Conservative members of the Legislature has heckled from his seat and cat-called the Leader of the New Democratic party, the Member for St. Vital, They have called it this, they have called it that, they've used whatever remark from their seats possible to try and say that this isn't an issue, to say that document tabled wasn't a document; to do all of those things.

But again in this respect, because we have pretty good hearing and the dome carries sound, the Member for Rhineland, to his credit, has been conspicuous by his silence in terms of cat-calls and heckling from his seat. He must be put in a terribly difficult position. I am certain that he must regret having blurted out in the Legislative committee that indeed there was some discussion at a Board meeting about legal counsel's opinion on this matter. But, Mr. Speaker, I think his duty as a member of the Legislature, as a member representing the people of Manitoba on the Board of Manitoba Hydro, for which he gets paid an extra stipend of \$5,000 comes before loyalty to the Conservative government which for six times now has shown that it has used a fairly heavy-handed approach in using its majority to cover up something which increasingly is coming to be true, namely, that the Minister obviously has not been forthcoming with the correct information. And the tragedy is, Mr. Speaker, that the Conservative government, the Conservative caucus has been using their majority in the Legislature six times now, probably now for the seventh time, to sweep something under the rug, and then they have the audacity to get up and try and champion themselves as the defender of Parliament. That is inconsistent, it's ironic, and it's just not true, Mr. Speaker. So I issue the challenge to the Member for Rhineland. I think it's incumbent upon him to speak on this matter.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MS. WESTBURY: Thank you, Mr. Speaker. I am going to speak very briefly on this matter. I have not taken a strong part in this debate. I did say on a couple of occasions something to the effect that the slight on the honour of members is spreading throughout the Chamber. I have now had to sit here and listen to the Minister for Highways and Transportation impune my honour in this matter from his seat, Mr. Speaker, and the cancer is spreading.

Now I am not going to impune anyone's honour, Mr. Speaker, because I believe that most members, if not all members of this House are honourable people and I believe that if they are also being as smart as I think some of them are, they will send this matter to the committee.

Mr. Speaker, I think this is the stupidest thing I have ever sat and listened to. Why they give us, is it

six or seven opportunities to spend hours debating this matter when they could send it to the committee, I do not understand. I do not understand their thinking and the more they avoid it the more they make the Member for Rhineland, who had our admiration, has our admiration for having spoken up in the first place, the more they subject him to these humiliations, the more people outside this House are saying, what are they covering up. I don't understand their thinking, Mr. Speaker, and again, I am going to say, before this gets any worse, before it gets any worse, for the sake of sanity, refer it to a committee and let us have an honest debate. Half of these things that have been said here this afternoon should have been said in the committee in proving or disproving the accusations that are being made in this Chamber, Mr. Speaker. If we could refer it there and have witnesses called, Mr. Speaker, in a rational way, and let's get on — I would like to hear some of the Budget Debate. We are going to vote on Friday, and we are going to have spent most of the time talking about this matter of the Privilege of the House.

Mr. Speaker, I just want to repeat that I think it's very ill-advised for the government to be taking the position that they are taking. If the Minister for Highways had as much gumption as he has mouth and would get up on his feet and say what he said about my honour . . .

MR. SPEAKER: Order, order please. Again, I must remind the honourable member of the Citation I cited only five minutes ago, and obviously members must use this Chamber in a proper manner. Citation 319, and I quote for the honourable members' edification: It is the House of Commons, "a member will not be permitted by the Speaker to indulge in any reflections on the House itself, as a political institution, or to impute to any member or members unworthy motives for their actions in a particular case or to use any profane or indecent language."

The Honourable Member for Fort Rouge.

MS. WESTBURY: Mr. Speaker, if I did any of those things, then I sincerely and deeply apologize to you, Sir. I would not for the world slight this House or the members. I wish that every member would take that attitude, Mr. Speaker, and especially the Minister to whom I've twice referred.

Mr. Speaker, as I said I wasn't going to carry this on for very long. It is now 14 minutes past five and we have spent the entire afternoon again on the matter, but I am trying to bring a different perspective to this matter, and in doing so, asking the front bench to reconsider this matter and reconsider whether they really want to perpetuate the agony, or whether in fact it would not be wiser to refer the matter to a committee, Mr. Speaker.

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

MR. ARNOLD BROWN: Mr. Speaker, first of all I would like to say that I do not get \$5,000 a year. That again was a mistake that the Member for Transcona made. I get \$300 a month, and 300 x 12 makes \$3,600, so it's not \$5,000.00.

Secondly, I would like to say that I had to be at a meeting this afternoon and I couldn't be in the

House and unfortunately I have not seen the motion that we are discussing so I will have to be very brief because I have not had the opportunity to take a look at the motion, and I will be going to a Hydro Board meeting in a couple of minutes time from now, and that's going to take up my time tomorrow also. I am not going to be in the House tomorrow, so any of you who want to make reference to that, well, you're perfectly free to do so, but at least you will all know where I am.

Now this whole thing is rather ridiculous and I wonder how many of you have read the Terms of Reference of the Tritschler Commission of Inquiry. Has anybody read the Terms of Reference? Will you hold up your hands? One, two, three maybe. Those Terms of Reference were very broad. As a matter of fact they let the Tritschler Commission pretty well do what they let them do, whatever they thought was necessary to do to carry out this inquiry. (Interjection)— Well, the Cabinet, the people who signed the Order-in-Council. They were the ones who established the Order-in-Council, and if it would not have been brought in, as the Member for Inkster said the other day, then all they had to do was take that Order-in-Council and broaden its terms. So what are we really discussing? We are discussing whether the Hydro Board should have taken the advice of a lawyer —(Interjection)

MR. SPEAKER: Order please, order please.

MR. BROWN: . . . who was, by the concern that was expressed, looking at ways of which possibly the Tritschler Commission could be taken to court and establish whether they were going beyond its Terms of Reference, but there was no way that the Tritschler Commission could go beyond its Terms of Reference because I have already explained this.

Now the major concern of the Board at any time was over the length of time that it was taking the Tritschler Commission to complete its findings. Now all that possibly could have been achieved is that it would have prolonged the inquiry from completing its findings and us getting on with the work that we would all like to do at Hydro, we would all like to be relieved of this pressure that's being put on us now over an issue which is a non-issue.

I agree with the letter that Mr. Wedepohl had in the Free Press today. I have seen that letter. That, as far as I recollect, is exactly the way that things happened. So what's the issue? What are we talking about? All these things could have been explained the other day when honourable members walked out of the Public Utilities Committee. All these things could have been explained at that time, but you walked out on that Commission, and now you are asking for it to be called again; on what grounds? What grounds do you have for recalling that Commission? That's really on the Terms of Reference whether the Terms of Reference were broad enough. That really is no issue at all.

So, Mr. Speaker, these are just a couple of the comments that I would like to make, that there is no issue over here, and the people are making a big to-do about nothing. Thank you.

MR. SPEAKER: Order please. The honourable member will be closing debate.

MR. PAWLEY: Mr. Speaker, I wanted to ask the Member for Rhineland if he would answer a question.

Would the Member respond to a question, Mr. Speaker?

MR. SPEAKER: Having not heard any . . . are you ready for the question?

The honourable member will be closing Debate.

MR. PAWLEY: I had wanted to ask the Honourable Member for Rhineland if he would elaborate on why the board members saw fit not to accept the legal advice of Mr. Steward Martin? The honourable member could have indeed assisted members of the House by dealing with some of the detail as to why members of the board, including the Member for Rhineland saw fit not to follow the advice. I would have been interested as other members in the House would have been interested in that response.

Mr. Speaker, there is a phrase that I don't believe I can paraphrase accurately, at this point, but a phrase from Shakespeare — what tangled webs we do weave — and what we have observed across the way is honourable members becoming more and more tangled up, more and more tangled, Mr. Speaker, in their own misrepresentations; their own misleading statements; their own deceit, Mr. Speaker, that has been practised in this Chamber and in committee.

MR. SPEAKER: Order please. I would suggest to the honourable member that he choose his words very carefully. He may be bordering on the unparliamentary.

MR. PAWLEY: Mr. Speaker, what I have heard in committee and in this House have been statements that have misled members of this Chamber, and I'm afraid that there is no way that we can otherwise conclude, on the basis of the written record before us, there is no other conclusion but that members of this Chamber have been misled in committee and in this Chamber. And it is for that reason, Mr. Speaker, if there is any question as to whether words are being used incorrectly in this respect, let the matter proceed to committee, and that is what we're asking. That is what we were asking the front bench, that is what we're asking the back bench of the government.

MR. SPEAKER: Order please. Order please. All members of the Chamber have had an opportunity to take part in debate. We are now in the closing moments of debate. Members that chose not to take part before should not attempt to take part now.

The Honourable Leader of the Opposition.

MR. SPEAKER: Thank you, Mr. Speaker, for your few words.

Mr. Speaker, we were informed that there was, first, no minutes that indicated that a legal opinion had been rendered. We now have the minutes that, indeed, indicate that a letter was received which contained a legal opinion. Mr. Speaker, the honourable members have this before them and if honourable members say that we are still wrong, I am prepared, and members of the Opposition, I believe, all members of the Opposition are prepared to see this matter forwarded to committee so that in committee we can find out indeed if we are wrong, that we are wrong when honourable members

suggest that there was no letter that was received that contained a legal opinion, Mr. Speaker, because there was a letter that was received by the Board of Directors of Manitoba Hydro which contained a legal opinion and which contained recommendations, Mr. Speaker. And, it was not just a mere disturbance on the part of chief legal counsel but it was a letter containing a legal opinion and recommendations, a letter which was discussed with the Minister responsible for Hydro.

And, Mr. Speaker, the Minister responsible for Hydro, let me again relate, and the words are in Hansard, indicated that he was not advised formally by chief legal counsel or by the board of directors of Manitoba Hydro pertaining to legal opinion. Those are the words of the Minister responsible for Hydro. They're not words of the members on this side of House.

It's interesting that members across the way are still attempting to make believe that fiction is still fiction on their part, Mr. Speaker.

Mr. Speaker, what we are asking for is a very simple approach, a very simple approach. We do not enjoy seven motions. We do not enjoy spending hours of time being consumed debating this matter in this House. We do not enjoy, Mr. Speaker, debating this matter when we would sooner be discussing the Budget and the failures of the government across the way, but the government has left us with no alternative, Mr. Speaker. They are leading Manitobans with no alternative but to raise this matter at every available opportunity.

And, Mr. Speaker, let it be clear that we would welcome, to the Member for Fort Rouge, we would welcome this matter to be referred to committee. I believe, Mr. Speaker, that a few members in committee representative of this Chamber could deal with this matter in less than a day. The material witnesses could be called; the documents could be received by that committee; and Mr. Speaker, you know what? We would then have the truth of the matter. We would have the truth of the matter and the Opposition want the truth in this matter, Mr. Speaker.

And, if members feel across the way, if they feel across the way as they appear to, that they can continue to dodge and to duck and to wiggle and twist, as we observed the Minister of Finance doing this afternoon, as we observed the Minister responsible for Natural Resources doing this afternoon, as we observed other members doing, let us advise the government members, Mr. Speaker, that if they don't insure that this matter reaches committee; if they don't insure that we can have the material witnesses before that committee; if they do not insure that we have all appropriate material documents before that committee, including tapes — if there be tapes, Mr. Speaker, — we will continue to raise this matter even though honourable members may continue their practice of wiggling and twisting and trying to avoid the truth.

So, I am challenging the members across the way, Mr. Speaker, to be open; to be truthful; to be honest; and to say we have nothing to hide, let this matter proceed to committee. Let's get it over with so we can get on with other matters. I am giving to the members across the way that challenge, Mr. Speaker, that challenge. Mr. Speaker, unfortunately, I

fear that members across the way, for some, some, some unknown reason within their souls are not prepared to permit this matter to be dealt with as it ought to be dealt with so we can obtain the truth.

QUESTION put, MOTION defeated.

MR. WALDING: Yeas and nays, Mr. Speaker.

MR. SPEAKER: Has the honourable member support? Call in the members.

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

YEAS

Messrs. Bostrom, Boyce, Cherniack, Corrin, Cowan, Evans, Fox, Hanuschak, Jenkins, Malinowski, Miller, Parasiuk, Pawley, Uruski, Uskiw, Walding, Ms. Westbury.

NAYS

Messrs. Banman, Blake, Brown, Cosens, Downey, Driedger, Einarson, Enns, Ferguson, Filmon, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Kovnats, MacMaster, McGill, McGregor, McKenzie, Mercier, Minaker, Orchard, Mrs. Price, Messrs. Ransom, Sherman, Steen.

MR. CLERK: Yeas 17, Nays 27.

MR. SPEAKER: I declare the motion lost.

The hour being 5:30, the House is accordingly adjourned and stands adjourned until 2:00 o'clock tomorrow (Thursday).