

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, January 10, 1990.

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### ORAL QUESTION PERIOD

#### Health Sciences Centre Elevator Upgrade Funding

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, my question is to the Minister of Health (Mr. Orchard), and it concerns the deteriorating conditions at the Health Sciences Centre. The Minister of Health said outside the House yesterday that if elevators at the Health Sciences Centre were a priority, all the hospital had to do was apply for funding.

No wonder our health care system is in such a sad state when the Minister has no idea of what is going on within his own department. The Health Sciences Centre has been asking for upgrading funding for elevators since 1982, for seven full years. Why is the Health Minister not aware of the Health Sciences application to the Manitoba Health Services Commission to upgrade its elevators?

**Hon. Donald Orchard (Minister of Health):** Madam Speaker, or, Mr. Speaker—

**Mr. Speaker:** You have got that right.

**Mr. Orchard:** In a moment of excitement, I reflected back to three years ago, Mr. Speaker.

My honourable friend comes often to the House, as Leader of the Opposition, with some information, but it is not always completely accurate information.

There is a \$44 million capital budget, which was approved, and I know that there were no questions as to where it would go because that is appropriate, because that is a capital contingency fund, which health care facilities across the province can access to undertake minor capital improvements as prioritized by the institution.

I stand by the statement I made yesterday that if the Health Sciences Centre considers the repair of those elevators to be their capital priority for that contingency fund of capital expenditures, it shall be done.

**Mrs. Carstairs:** Mr. Speaker, that is like saying you have three problems, all of which need immediate solutions, and you have to choose which one.

Mr. Speaker, we are talking about life and death situations. We are talking about life and death situations. We are speaking about trauma patients who have to move seven floors in an elevator that regularly breaks down and the Minister of Labour (Mrs. Hammond) who does not bother to have it investigated. Will the Health

Minister (Mr. Orchard) tell this House why he has not given consideration to the application of the Health Sciences Centre for the upgrading necessary on these elevators?

**Mr. Orchard:** Mr. Speaker, in this world of if and fantasy that Liberals live in, they believe all you do is back up the Brink's truck, give a blank cheque, and everything is resolved. Management decisions are made every single day in every single aspect of every single funded organization within Government, and if -(interjection)- My honourable friend the Member for St. Vital (Mr. Rose) just indicated that some of the decisions made by the institutions are not good decisions. Is that the Liberal Party policy on the Health Sciences Centre management?

**Mr. Speaker:** Order, please. The Honourable Leader of the Opposition.

**Mrs. Carstairs:** Thank you, Mr. Speaker, but the Health Sciences Centre did its job. It requested the upgrading and it was refused by the Manitoba Health Services Commission.

Mr. Speaker, this Minister, without any training as a physician, is prepared to state that the patient would have died anyway. This, despite the fact that the Medical Examiner, who is a physician, is not prepared to rule out the fact that the patient died because of a 20-minute delay on the elevator.

Mr. Speaker, to the Health Minister, will he now order a full public inquest into this death to include an examination of elevator facilities in all hospitals in our province so that no further deaths occur because of sloppy elevator practice?

\* (1335)

### POINT OF ORDER

**Mr. Speaker:** The Honourable Government House Leader, on a point of order.

**Hon. James McCrae (Government House Leader):** The matter raised by the Honourable Leader of the Opposition (Mrs. Carstairs), the Leader of the Opposition should know is not a matter within the administrative capacity of the Minister of Health. The calling of inquests is not something that the Minister of Health does. The Honourable Leader of the Opposition ought to know that. If she does not, she should maybe do her homework before she comes to this House.

**Mr. Speaker:** I would like to thank the Honourable Government House Leader. The Honourable Leader kindly rephrase your question, please.

### Patient Death Inquest

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, will the Minister of Health investigate this incident and take the request to an inquest to the Minister of Justice (Mr. McCrae), who can indeed order an inquest?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, we now have the Liberal Leader (Mrs. Carstairs) being so knowledgeable of every circumstance surrounding every single individual patient's circumstances that she now is telling Government that what she would do is order, without information, an inquest. That is exactly what we have Dr. Markesteyn for. Dr. Markesteyn is investigating the circumstances surrounding this death. He is yet to make a decision as to whether there will be the necessity of an inquiry. That position and that decision by Dr. Markesteyn is his. It is not one to be gerrymandered at the political whim of the Liberal Leader or anybody else in this House. That is the process of justice without the narrow political interference for partisan gains that a Liberal Leader of this House might wish to do.

### St. Boniface Hospital Elevator Upgrading

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, the Minister of Health (Mr. Orchard) went public and already overruled the necessity, because he, a non-physician, declared it unnecessary.

Mr. Speaker, my question to the Minister of Health (Mr. Orchard) is, the St. Boniface Hospital will be undertaking a major overhaul of its elevator system. Why is it acceptable or why is it advantageous for one hospital that has indicated their elevators are a problem to undertake that overhaul, but not for our other most senior hospital in this province?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I want to first off indicate to my honourable friend, the Liberal Leader (Mrs. Carstairs) that she might be cautious in bringing individual Manitoban's cases to the floor of this House, because there are circumstances surrounding every incident that are sensitive to the bereaved members of the family. If my honourable friend wants those circumstances made public because her criticism of the health care system is now relegated to individual circumstances, then let her make that decision.

Mr. Speaker, in the decision at St. Boniface Hospital, in the agreement to move with elevator renovation, obviously the management of St. Boniface Hospital has made their elevators a higher priority in an ongoing list of capital improvements. That is the reason, very simply a management decision of St. Boniface.

### Health Sciences Centre Elevator Inspection

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, I have a question to the Minister of Labour

(Mrs. Hammond). The regulations governing elevator inspections were weakened in 1987, but they clearly gave the Minister complete discretion as to when elevators were to be inspected. The permit to the Health Sciences Centre in April of 1987 was granted for three years. Can the Minister explain why a three-year permit would be issued for a 25-year-old elevator used to transport multiple trauma patients when the regulations clearly say that she has discretion when age of the elevators is an issue?

\* (1340)

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, I met with the director of mechanical and engineering, and unfortunately I had not been aware that on December 30 when the incident happened, our people were called that the Dover elevator mechanic was called at 1415 of that day, and he arrived at approximately 1445, that Wayne Andrews, Supervisor of Inspectors with Mechanical and Engineering, arrived at 2110, that they had the switch turned off at 2120, the doors were wired closed. What they are saying about this particular elevator is that the operating procedures were probably not taken into consideration.

When they inspected this elevator, and when the elevator mechanic went, the elevator was able to be started immediately. They tested that elevator for five hours and they could not find anything wrong with the elevator. The elevators were checked thoroughly on January 2, and as far as they can see, there is nothing structurally wrong with the elevator. How elevators are inspected is, they go from six months to three years, and it is linked as the Member had said to age, design and availability of maintenance personnel. There are maintenance personnel at Health Sciences Centre, and when our department was called they were there immediately.

### St. Boniface Hospital Elevator Inspection

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, we are talking about inspections before a death occurs, not afterwards. Can the Minister explain why the elevators at St. Boniface Hospital are given a check each and every year, but the elevators at the Health Sciences Centre are still ordered only inspected once every three years?

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, if the Leader of the Opposition (Mrs. Carstairs) would just listen, she would understand that is how they do the inspections. Regulation was changed so that it is linked to age, design and availability of maintenance. If St. Boniface is required, because they feel that it needs a yearly inspection, it gets it. Health Sciences has not been deemed to be that. When it was put in 20 years or so ago, it was the state of the art, and they have people on staff. This is the way they do it and it makes common sense to do it that way.

### **Solvit Resources Inc. Storage Capacity Statistics**

**Mr. Gary Doer (Leader of the Second Opposition):** We have indicated publicly that although we can certainly support the fact that the Fire Commissioner was not able to find a conclusive cause at this point of the fire, that the report tabled by the Minister of Labour (Mrs. Hammond), the Department of Labour report, raises as many questions as it answers in terms of the major explosion and the potential for the safety of citizens in our province.

In fact there are a number of calls we have been receiving from citizens in the solvent disposal area that are asking a number of questions to us in this Chamber and felt that those issues were not dealt with in the report.

My question to the Minister, yesterday we asked the Minister why the report did not include the volume of materials, the three times the volume of materials at the site of the explosion in the last three months leading up to the date of the explosion versus the three months prior to that. The Minister has yet to confirm those numbers.

Why were those numbers excluded from the report, some 157,000 litres? Secondly, is the Minister satisfied that all the chemicals listed on page 3 of the report are accurate in terms of the chemicals that were in fact at the site when the explosion took place?

\* (1345)

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, the volume on site of the explosion was unknown for the barrels. The underground tanks have a capacity of 115,000 litres, and the aboveground tanks had a capacity of 15,600 litres, but storage and quantities at the time of the incident is unknown. This is the report received from the Fire Commissioner.

### **Prime Oils Ltd. Fire Code Compliance**

**Mr. Gary Doer (Leader of the Second Opposition):** I would ask the Minister—and I tabled the amount of litres received at the site, the amount of litres returned at the site. It will tell you from the Department of Environment's own files it was some 157,000 litres deposited at the solvent site prior to the explosion, three times the volume of litres there prior to the explosion. In other words, there was a massive buildup of materials, something not cited or reported on in the report for Manitobans to learn by.

My further question to the Minister is, on page 11 of the report, there are a number of conditions set out in the fire code for purposes of storage of these types of chemicals and solvents. One condition being piles not exceeding 23 drums. Two, the minimum of six metres from the building property line and three, a maximum of 4,700 litres.

Is the Minister satisfied that the site that they have indicated as exemplary, the Prime Oil site, which is

adjacent to the Inter-City natural gas distribution point in St. Boniface, that this new site is consistent with the fire code operating in a safe way within the fire code given there are 200 to 300 barrels of solvent and other material on the site today?

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Evidently, the Winnipeg Fire Department has placed an order with Prime Oil to remove those barrels, that they are not within the fire code and that they have been given an order.

**Mr. Doer:** Mr. Speaker, there are some 200 to 300 barrels. While the Minister was sitting on this report those barrels have been sitting there, and people who have called our office say there are literally thousands and thousands of potentially dangerous toxic chemicals again located to a natural gas site that have been left there in a potentially dangerous situation.

Why has the Minister not instructed that those barrels be removed immediately while she was sitting on this report? Why are they still there this morning? Our people went down there this morning. They still remain there. Why can we not get an independent public inquiry to deal with all these issues? Why do we have to raise them in this Legislature?

**Mrs. Hammond:** Mr. Speaker, I understand that the Fire Commissioner's Office was just informed about this particular incident.

**Mr. Doer:** The Fire Commissioner's Office was informed because our people were phoning today. That is why we have called for an independent public inquiry. There are hundreds of stories out like this. The Government is suppressing information and not allowing the public to come forward in an independent inquiry.

### **Solvit Resources Inc. Public Inquiry**

**Mr. Gary Doer (Leader of the Second Opposition):** I would ask the Premier (Mr. Filmon), why has his Government determined that the Fire Commissioner's Report should not be used as part of an independent public inquiry so there can be a comprehensive review of the disposal of potentially dangerous goods, the storage of dangerous goods and the way in which we recycle dangerous goods so the public can be involved in this process and we can all learn and benefit from the experience of an inquiry and the cross-examination process that is necessary in that type of an inquiry?

**Hon. Gary Filmon (Premier):** Mr. Speaker, firstly I assume that the Member wants to ensure that an unfortunate thing such as the explosion that occurred does not occur again, that we take every reasonable means to set up prevention for that happening and that we employ in the analysis, in review of the situation, people who are best qualified to do that.

The Minister has referred the total matter to the Workplace Safety and Health Advisory Committee, which is chaired by Wally Fox-Decent, which was the

council that reviewed the matter of the regulations that the Member raised earlier in the Session with respect to limits for exposure in air and all of those kinds of limits, carcinogens and so on.

They have representatives of the workers, of companies, that deal with these matters. They have of course representation by staff, technical staff, from the departments, the relevant departments of Workplace Safety and Health, Labour, Environment and so on. These are the people who will have to come up with a better plan and a better protocol for handling these situations to ensure that in future we do not allow it to happen. This is the best body to do it.

It is not -(interjection)- now the New Democrats are expressing no confidence in this group. This is the group that evaluated the regulations, that changed them to the way in which the New Democrats say they ought to be. This is the trained group of all disciplines who put together the kinds of regulations that they wanted. Now the New Democrats say they are not good.

\* (1350)

**Mr. Doer:** Mr. Speaker, how can the Premier stand up in this House and talk about the credibility of the independent Health and Advisory Committee, and talk about Wally Fox-Decent, when the one recommendation that he got in Cabinet that he chairs, he rejected. He went along with the business advisers, he went against his own Health Advisory Council. He is a total hypocrite to raise that as a solution in this House, because he totally neglects following their advice when they gave him a recommendation. The Order-in-Council signed in May verifies that point.

**Mr. Filmon:** Mr. Speaker, I assume that excessive outburst by the Member by Concordia (Mr. Doer) is not in order. Regardless of whether it is order -(interjection)-

**Mr. Speaker:** Order, please. Order.

**Mr. Filmon:** When the matter was brought to the attention of this Government, it was referred back to this same council, the Advisory Council, Workplace Safety and Health. It was reviewed and has been confirmed now in the form that the New Democrats have suggested that it ought to have been, and we have accepted their recommendation. If the Member has no confidence in this council to review this matter then why are you asking for a different inquiry if you have a council -(interjection)-

**Mr. Speaker:** Order, please; order, please. I would remind Honourable Members that questions and answers should be put through the Chair.

### North Portage Development Corp. Legal Intervention

**Mr. James Carr (Fort Rouge):** Mr. Speaker, my question is to the Minister of Urban Affairs (Mr. Ducharme). The tale of the North Portage housing

problem takes on new twists. We have now learned that the North Portage Development Corporation has three mortgages registered at the Land Titles Office totalling more than \$4 million, not just one.

We have also learned that all of the mortgages including those of CMHC and MHRC have all been guaranteed by a company numbered 72597 Manitoba Ltd. The search of the company's branch reveals that the Imperial Group, which is the failed developer, and the numbered company have some of the same directors.

My question to the Minister is: does the North Portage Development Corporation plan to sue company number 72597?

**Hon. Gerald Ducharme (Minister of Housing):** First of all, I am glad the Member brought to the attention that MHRC has a mortgage on the property. MHRC does have a mortgage on the property. They are secured. The taxpayers of Manitoba are secured to the point of \$18.5 million. As I explained earlier this week, the board will be reviewing the auction that has been put forward from MHRC this following Monday. I am in contact with my three representatives and the chairman of the board on a daily basis and after they have had their meeting I will have some other summary of whether they are to sue the numbered company. I have no idea on that. All I know is that the \$18.5 million on MHRC is protected under the insurance agreement.

### Vacancy Rate

**Mr. James Carr (Fort Rouge):** Mr. Speaker, with a supplementary question to the same Minister. We also have been told that the vacancy rate of the complex is some 20 percent. Would the Minister be prepared to make the rent rolls public so we are assured that the monthly shortfall of \$30,000 or \$40,000, which is now on the public record, is not converted magically into \$60,000 or \$70,000 or \$80,000.00?

**Hon. Gerald Ducharme (Minister of Housing):** Just a fax the other day from the Chairman and the President of the corporation, Mr. Issie Coop, who has suggested that the rate right now is 20 percent. I am sure that when my representatives review that meeting next Monday they will bring any change in that vacancy rate.

### Documentation Request

**Mr. James Carr (Fort Rouge):** Mr. Speaker, with a final supplementary question. The board of directors of the North Portage Development Corporation are meeting Monday night. Will the Minister ask his representatives on that board to make public agreements between the North Portage Corporation, the mortgage companies and the developer so that the public of Manitoba can see in full public view just what the details of these two agreements are?

**Hon. Gerald Ducharme (Minister of Housing):** To the Member across the way, he must realize that I am only a one-third partner in this particular venture, or our Government is. These agreements are drafted up. There

could be reasons why we do not release the agreements. My first concern is as Housing Minister, and that is to protect the \$18.5 million for the taxpayers of Manitoba.

\* (1355)

### Rape Assessments Rural Manitoba

**Mrs. Gwen Charles (Selkirk):** Mr. Speaker, last October 11, I brought to the attention of this House the fact that women in the Interlake cannot receive, and do not receive, rape assessments done in the Interlake hospitals on a regular basis as required. The hospitals should be obliged by law to give these rape assessments, and yet I will table in this House today a letter indicating that they are not always able to follow up on that procedure.

Will the Minister of Health (Mr. Orchard) immediately look into the problems in rural Manitoba of why these services are not provided to the victims in need of this not only justice but medical treatment?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I look forward to the correspondence and will certainly attempt to provide information to my honourable friend on these kinds of unfortunate circumstances.

**Mrs. Charles:** Mr. Speaker, three months ago I brought this matter to the attention of the Government. We, in the Opposition, should not have to do their paperwork.

Will the Minister immediately look after his department and look into the reasons why rape assessments are not always provided as needed in rural Manitoba?

**Mr. Orchard:** Mr. Speaker, as I indicated to my honourable friend, with her first question, I will provide her with an answer when I receive information to enable me to do so.

**Mrs. Charles:** My supplementary question is to the Minister of Health (Mr. Orchard). Despite the lack of services in the hospitals being able to be provided, even those women who have to go to Winnipeg to have that assessment done are denied that service willingly. There is no responsibility for the Interlake people to do follow-ups on rape victims and give them counselling. This is due to freeze on funds by the Minister of Justice (Mr. McCrae).

Will the Minister of Health (Mr. Orchard) look into the reason why freezes are put on counselling services for money that could be provided from the Victims Assistance Fund, but this Government is unwilling to support victims of rape anywhere in Manitoba, especially in rural Manitoba?

**Mr. Orchard:** Mr. Speaker, with as much patience as I can I have to reject outright the wild accusations by my honourable friend, because this Government, under the leadership of successive Cabinet Ministers, has introduced more assistance to women in areas of abuse,

family violence and other areas of concern to the women of Manitoba. I regret that my honourable friend, the MLA for Selkirk (Mrs. Charles), would fail to recognize that commitment not only in consultation but in policy, in funding and in action by my colleagues in this Government.

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

### Northern Development Agreement Northern Education Funding

**Mr. Speaker:** Order, order. The Honourable Member for Flin Flon.

**Mr. Jerry Storie (Flin Flon):** Since 1982, Mr. Speaker, literally hundreds of northern Manitobans have taken advantage of a series of post-secondary and adult continuing education programs under the Northern Development Agreement. In 1987, a review and evaluation of those programs was conducted. In the main it was very positive and indicated a continuance of those programs was needed.

My question is to the Minister of Education (Mr. Derkach). Since this program, which is funded under the Northern Development Agreement which expired in March of 1989, since that time the Minister has given us assurances that the programs would continue and that the hundreds of students who are expecting to enroll in fall of 1990 would be accommodated. Can the Minister now indicate whether he is in a position to sign a new Northern Development Agreement with the federal Government?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, first of all, the agreement did expire and indeed it has been extended for a year so that those programs can continue. The agreement is presently being negotiated by the Minister responsible for Northern Affairs (Mr. Downey), and those negotiations as I understand it are proceeding very well.

**Mr. Speaker:** The Honourable Member for Flin Flon, with a supplementary question.

**Mr. Storie:** Mr. Speaker, I recognize that the responsibility for signing the agreement is with the Minister of Northern Affairs (Mr. Downey). However, the Department of Education delivers some nine programs, or a tremendous portion of the budget.

Can the Minister, given his last statement, explain why directors of these educational programs have been told that there will be no new Northern Development Agreement, why an agreement that has served the North since 1982, trained hundreds of nurses and social workers and doctors, is being eliminated by this Government?

**Mr. Derkach:** Mr. Speaker, I have no knowledge as to who gave that information to the directors of those programs. Certainly that information and that directive did not come from me or indeed from my Deputy Minister.

\* (1400)

**Mr. Speaker:** The Honourable Member for Flin Flon, with his final supplementary question.

**Mr. Storie:** Well, Mr. Speaker, I have been told by staff that the directive was sent out two weeks ago, or it was conveyed to them two weeks ago, that there would be no new intakes in 1990, that the existing program would no longer exist, and there would be no new Northern Development Agreement.

Can the Minister give this House an assurance, and the literally thousands of people who expect to be able to access those programs in northern Manitoba, that the province will continue to fund those programs even in spite of the federal renegeing of its responsibilities? Can the Minister give those people that assurance at this point?

**Mr. Derkach:** Mr. Speaker, I guess I can only indicate to the Member for Flin Flon (Mr. Storie) that this Government is indeed committed to ensure that educational opportunities are available to northern Manitobans. We have done many things in northern Manitoba to ensure that in fact the programs are even expanded in many of the areas that are remote and difficult to get to.

Mr. Speaker, I might indicate that we have already done some investigating in the possibility of being able to extend through distance education university programs in northern Manitoba, so if the Member for Flon Flon (Mr. Storie) has a concern, all he need to do is address it with myself or my Deputy Minister, and I would be happy to go through the list of programs that we have ongoing in northern Manitoba at this time.

### Rape Counselling Services Rural Manitoba

**Ms. Avis Gray (Ellice):** Mr. Speaker, crisis services for women outside of the City of Winnipeg are almost non-existent. Women in the Interlake who may need rape counselling or who may need drug and alcohol abuse counselling have nowhere to turn. One of the reasons cited by the Selkirk Hospital for not providing medical rape assessments was because there were no follow-up counselling services anyway.

My question to the Minister of Family Services is: what does the Minister suggest to these women? What should these women do when they are faced with a crisis and require these essential counselling services?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, it is regrettable that service is not available when people need it. The Minister of Health (Mr. Orchard) has just indicated to the Member's colleague that he will be looking into the matter and there will be referrals whenever possible. I am sure that the referrals are made and so that service is provided.

**Mr. Speaker:** The Honourable Member for Ellice, with her supplementary question.

**Ms. Gray:** I have a supplementary question for the same Minister. For the Minister's clarification, she is

the Minister who is responsible for counselling services. The Minister of Health (Mr. Orchard) is responsible for medical assessments in regard to the hospitals.

My supplementary question to the Minister is: can the Minister tell us what we, as Opposition, should be directing these people to do when they phone us and tell us that their wives and their daughters do not have access to any rape counselling services in the Interlake area? What do we tell them?

**Mrs. Oleson:** Mr. Speaker, I should remind the Member that this Government has done considerable amount of work on services to women during the mandate of our Government. I should remind the Member that 47 percent increase to wife abuse shelters is certainly a step in the right direction in helping women who are in crises.

### Rural Funding

**Mr. Speaker:** The Honourable Member for Ellice (Ms. Gray), with her final supplementary question.

**Ms. Avis Gray (Ellice):** Can the Minister tell us what percentage of that 47 percent of dollars is actually reaching women in the Interlake area who require those counselling services?

**Hon. Charlotte Oleson (Minister of Family Services):** I would remind the Member that we are in Estimates. We could discuss it at that point.

I would also remind the Member that when I came into office the per diems for those shelters—and part of the per diem is used with counselling services, Mr. Speaker—those per diems were exceptionally low and have been raised considerably since we took office, somewhere, at first from \$13 to \$35 and now to \$45.00.

### Pay Equity Health Care Profession

**Ms. Judy Wasylycia-Leis (St. Johns):** My question is to the Minister responsible for Labour and Status of Women (Mrs. Hammond). Her colleague, the Minister of Health (Mr. Orchard), has in the past shown no interest in implementing pay equity in the health care sector. Now the Manitoba Labour Board has just come out with a most disappointing decision which supports the Government's position that health care workers are entitled to only 75 percent of pay equity and that it is okay to discriminate by 25 percent.—(interjection)—

**Mr. Speaker:** Order. Order. The Honourable Member for St. Johns.

**Ms. Wasylycia-Leis:** My question to the Minister responsible for the Status of Women is: what steps is she taking now to see that this situation is dealt with once and for all so women get their rightful justice and so health care workers finally get pay equity?

**Hon. Gerrie Hammond (Minister responsible for the Status of Women):** Mr. Speaker—

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

**Mr. Speaker:** Order. Order please. I am sure Honourable Members will want to give their courtesy to the Minister to respond. The Honourable Minister responsible for the Status of Women.

**Mrs. Hammond:** Mr. Speaker, the Labour Board brought down a ruling based on the legislation, and that the former Government brought in, which capped at 1 percent per year. That was the Labour Board decision. That was part of the legislation, and it was a natural conclusion that they have come to because of the legislation.

**Mr. Speaker:** The Honourable Member for St. Johns, with her supplementary question.

**Ms. Wasylycia-Leis:** Mr. Speaker, that is an excuse and a very weak excuse. It certainly does not do anything in terms of dealing with the wage gap in our society today. The Minister knows the Act is about achieving full pay equity within a reasonable amount of time.

My question to her is, does this Minister, since she is responsible for the Status of Women and talks about equality for women, does this Minister accept that pay equity is closing 100 percent of the gap or not, or is she going to let this dangerous precedent stay on the books and be applied in her own Government and by employers across the board?

\* (1410)

**Mrs. Hammond:** If this Member had been so interested in pay equity, I do not imagine there would have been a cap of 1 percent put on that legislation, nor would there have been a chance to appeal to the Labour Board. I would suggest that she might look to her own record. We are following the letter of the law. Certainly we want equality for women, and they can do that through their negotiations.

**Mr. Speaker:** The Honourable Member for St. Johns, with her final supplementary question.

**Ms. Wasylycia-Leis:** Mr. Speaker, I am not going to get into that silly argument, because the Minister knows the spirit—

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

**Mr. Speaker:** Order, please. Order. I have recognized the Honourable Member for St. Johns for her final supplementary question. Question, please.

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

**Mr. Speaker:** Order, please. The Honourable Member for St. Johns has the floor.

**Ms. Wasylycia-Leis:** Thank you, Mr. Speaker. Given that the Minister knows full well the spirit of the law is to bring in full pay equity in a reasonable amount

of time, I simply want to know from her, what is she doing to ensure that women in the health care field are not treated as third class citizens and are able to get the gap closed, which averages 96 cents an hour after four years? What is she doing to ensure that reasonable amount, that small amount of 96 cents an hour is achieved after four years?

**Mrs. Hammond:** The legislation was followed. There was a cap put on of 1 percent per year. The money is there, ready to be flowed, and the nurses will be paid.

### VIA Rail Cutbacks Manitoba Statistics

**Hon. Gerrie Hammond (Minister of Labour):** I am wondering, Mr. Speaker, while I am up, if I might answer a question that I took as notice to the Leader of the Opposition (Mrs. Carstairs).

**Mr. Speaker:** The Honourable Minister then, respond.

**Mrs. Hammond:** Thank you. The Leader of the Opposition had asked about VIA Rail layoffs. VIA Rail, as of the 8th, the day that the Member asked the question, there are up to 225 positions that will be lost in Manitoba in 1990. The actual number of individuals to lose positions is still unknown at this time due to situations such as early retirement provisions within the collective agreement, such as the bumping process and filling of vacant positions with VIA employees.

The labour adjustment unit in the province and the industrial adjustment service, which is federal, have been in ongoing contact with Al Cerilli, who is Regional Vice-President, Canadian Brotherhood of Railway Transport and General Workers, representing the union, and Paul Newsome, Director of Human Resources. To date, both union and management have indicated a committee is premature subject to VIA's internal mechanism of adjustments, support and placement. VIA has committed to a committee and it has been monitored biweekly since the fall.

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

### SPEAKER'S RULING

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

On October 4, 1989, I took under advisement alleged contempts of the Standing Committee on Economic Development as reported to the House by that committee.

I hope Honourable Members will bear with me since this is a long ruling. As in my earlier ruling on this matter, extensive research and consultation were required. I believe that this is a most serious matter and that Honourable Members, therefore, would want it dealt with in a serious and careful manner.

As Members will recall, these charges relate to the following events, which occurred at a meeting of that committee on May 1, 1989:

the departure from the committee meeting in the early morning of May 2 of the Honourable Minister

of Finance (Mr. Manness) immediately following the defeat of an adjournment motion which he had moved;

the departure, at the same time as the Honourable Minister, of all other Honourable Government Members of the committee excluding the Chairperson; and

the subsequent departure, a short time later, of the Chairperson, having recessed the committee.

I listened with care to the advice provided by Honourable Members at the time the report was presented, and I thank them for their input.

I have reviewed the report of the Standing Committee and the advice given to me together with relevant precedents and references in the various parliamentary authorities to which we refer in such matters.

Before dealing with the specific charges identified at the beginning of this ruling, I believe it would be helpful to the House if I were to define what constitutes contempt of a Legislature or Parliament.

May's "Parliamentary Practice" provides the following information:

"It may be stated generally that any act or omission which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly to produce such results may be treated as contempt."

Speaker Brand of the United Kingdom House of Commons defined it more simply in 1877 when he ruled that:

"This House is perfectly well aware that any Member willfully and persistently obstructing public business, without just and reasonable cause, is guilty of a contempt of this House."

Sir W. R. Anson in "Law and Customs of the Constitution" includes interference with the procedures of the House in a summary of Acts constituting breaches of privilege.

The terms "contempt" and "privilege" have been used by Honourable Members somewhat interchangeably in connection with this matter which may have caused confusion or misunderstanding. Any such difficulty may be clarified by the following extract from Laundy and Wildings "Encyclopedia of Parliament":

"Certain other offenses against the authority and dignity of Parliament, whilst not breaches of specific privileges, are also punishable and are more correctly called contempts. It has become the custom, however, to refer to all such offenses as breaches of privilege."

A final important quote which may be of assistance in fully understanding this complex matter is found in Beauchesne's (4th edition) Citation 108(1):

"Anything which may be considered a contempt of Court by a tribunal, is a breach of privilege

if perpetrated against Parliament, such as willful disobedience to, or open disrespect of, the valid rules, orders or process, or the dignity and authority of the House, whether by disorderly, contemptuous, or insolent language, or behaviour, or other disturbing conduct, or by a mere failure to obey its orders."

At the beginning of this ruling, I indicated that the charges contained in the committee's report could be divided into three separate parts, those which relate to:

- (a) the Minister of Finance;
- (b) the Government Members of the committee; and
- (c) the Chairperson of the committee.

I will now deal with each of these charges.

The departure of the Honourable Minister of Finance from the meeting would not have resulted in the loss of a quorum and would not therefore have prevented the committee from continuing to meet. However, the Honourable Minister's absence from the committee did make it impossible for committee Members to continue to obtain answers to their questions respecting the matters before it. Consequently, the Honourable Minister's departure from the committee meeting did interfere with the committee's ability to continue consideration of the matter before it and did contribute to preventing the committee from completing the task it was addressing.

\* (1420)

The departure of the Honourable Government Members of the committee, other than the Honourable Minister and the Chairperson, from the meeting did not result in the loss of the quorum. The meeting could have been continued in their absence. Their departure did not, in my view, in any way interfere with or impede the committee's ability to carry out its assigned task.

The report of the committee advised this House that the Chairperson recessed the committee and left. According to the procedures by which the committees of this House operate, the presence of the Chairperson, where that position is not vacant, is necessary for a meeting to be properly constituted and for it to carry out its assigned business. Similarly, an election of a Chairperson may only be held when the position is vacant or the Chairperson is prevented from carrying out his or her responsibilities by, for example, serious illness. As Honourable Members know, in this Assembly committee meetings are called by the Government House Leader and, when recessed, are reconvened by the Chairperson. The Chairperson recessed the meeting, remained in the position of Chairperson, and did not reconvene the meeting. Based on the committee procedures and practices which I have just outlined, it appears that the actions of the Chairperson impeded the committee's efforts to complete its task and interfered with its ability to do so.

In his remarks on October 4, the Honourable Government House Leader (Mr. McCrae) raised a

number of concerns about this matter. In doing so, he referred to a number of citations in Beauchesne's and to rulings of Speakers Jerome and Lamoureux of the House of Commons. I have had these references reviewed to determine their applicability in this case. The authorities cited primarily addressed matters of order rather than privilege. In a matter such as this, it is important to distinguish between order and privilege. Privilege can only be dealt with by the House. Committees have no power to deal with it. On the other hand, questions of order are settled in the committee.

Maingot, on page 189, describes the correct process for dealing with an alleged matter of privilege or contempt arising in a committee as follows:

"While the Speaker may find that a prima facie case of privilege exists and gives the matter precedence, it is the House alone that decides whether a breach of privilege or a contempt has occurred, for only the House has the power to commit or punish for contempt.

"Accordingly, a committee may not commit a person for contempt or a breach of privilege. Nevertheless it may report to the House that in its opinion a breach of privilege or contempt has occurred and ask the House to take action. Therefore, while the Chairman cannot entertain questions of privilege in the sense that he is not competent to rule on whether a prima facie case has occurred, as the Speaker may do, the Chairman of a committee may entertain a motion that certain events that occurred in the committee may constitute a breach of privilege or contempt and that the matter be reported to the House."

The words of the report of the Standing Committee indicated that the following motion was adopted by the committee:

- (1) THAT the events which occurred during, subsequent to, and related to the May 1, 1989, meeting of the Standing Committee on Economic Development be referred to the Standing Committee on Privileges and Elections; and
- (2) THAT this committee strongly urge that the Standing Committee on Privileges and Elections be instructed to meet within 10 days of the acceptance of this motion and as frequently thereafter as the committee may decide, in order to review the matter and to report to the House as soon as possible.

Because the issues in this matter are so very important, I knew the Honourable Members would want me to be certain of all the relevant facts. I therefore asked the Clerk to undertake a review of the proceedings of the committee when this matter was considered before it.

That review indicated that in the committee a motion to report this matter to the House was entertained and adopted. The committee also proposed to incorporate in the report the following motion:

- (1) The events which occurred during, subsequent to and related to the May 1, 1989 meeting of the Standing Committee on Economic Development be referred to the Standing Committee on Privileges and Elections.
- (2) The Standing Committee on Privileges and Elections be instructed to meet within 10 days of the acceptance of this motion and as frequently thereafter as the committee may decide in order to review the matter and report to the House as soon as possible.

A subsequent amendment in the committee inserted, at the beginning of Part 2, the words "this committee strongly urge that" after which the motion to report the matter was adopted. The objective of the committee clearly was to have this matter referred by the House to the Standing Committee on Privileges and Elections.

The very broad mandate, which the report proposed be given to the Standing Committee on Privileges and Elections does concern me. This mandate could permit the committee to review any matters, which it felt were in any way related, no matter how remotely, to the May 1 meeting of the Standing Committee. To my knowledge, there have been no previous cases in Manitoba of matters of privilege in a committee being dealt with by the House on receipt of a report. Consequently, House of Commons practice was reviewed with respect to the type of mandates given to their Privileges and Elections Committee. This research indicated that a similarly broad mandate usually has been given to the committee to which such matters have been referred.

The information placed before the House has failed to establish a prima facie case of contempt with respect to the activities of the Honourable Government Members attending the May 1 meeting of the Standing Committee on Economic Development excluding the Honourable Minister of Finance and the committee Chairperson. With respect to the behaviour of these Honourable Members, the House may have just grounds for complaint, but the conditions of contempt have not been satisfied.

With respect to the actions of the Honourable Minister of Finance (Mr. Manness) and the former Chairperson of the committee, the Honourable Member for Minnedosa (Mr. Gilleshammer), the information provided has established, on the basis of the definitions of contempt cited earlier in this ruling, a prima facie case of contempt or privilege. I am therefore ruling that the matter is in order as a matter of privilege with respect to the actions of the Honourable Minister of Finance and the former Chairperson of the Standing Committee, the Honourable Member for Minnedosa.

Having said that, I must emphasize to the House and to the Standing Committee on Privileges and Elections, in the event that the matter is referred to that committee that I have been satisfied that a prima facie case exists only with respect to the actions of the Honourable Minister of Finance (Mr. Manness) and the Honourable Member for Minnedosa (Mr. Gilleshammer), and therefore debate in this House and in the committee should be restricted to consideration of the actions of those Honourable Members.

A word about the process is also necessary at this time. The function of the Standing Committee on Privileges and Elections, if the House refers the matter to it, will be to examine the events which occurred at the May 1 meeting of the Standing Committee on Economic Development to the extent that they concern the alleged contempt by the Honourable Minister of Finance (Mr. Manness) and the Honourable Member for Minnedosa (Mr. Gilleshammer). Having examined these events the committee would report to the House whether or not in its opinion a contempt of the committee did occur. The committee's report may include such recommendations as it considers appropriate.

Before concluding I wish to urge very strongly that in future any Honourable Members preparing to introduce complex or unusual matters into the House seek the advice of the Clerk and other Table officers.

As I stated earlier, we have no Manitoba precedents to guide us in this exact situation, and therefore I will follow House of Commons practice and will accept a motion without notice, duly seconded, stating:

THAT the alleged matter of contempt reported to this House on October 4 by the Standing Committee on Economic Development be referred to the Standing Committee on Privileges and Elections for consideration and report.

The Honourable Member for Wolseley.

**Mr. Harold Taylor (Wolseley):** Mr. Speaker, I would move, seconded by the Member for St. Norbert (Mr. Angus), that the alleged matter of contempt reported to this House on October 4 by the Standing Committee on Economic Development be referred to the Standing Committee on Privileges and Elections for consideration and report. I would like to speak to that motion.

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

**Mr. Speaker:** Order, please; order, please.

It has been moved by the Honourable Member for Wolseley (Mr. Taylor), seconded by the Honourable Member for St. Norbert (Mr. Angus), that the alleged matter of contempt reported to this House on October 4, 1989, by the Standing Committee on Economic Development be referred to the Standing Committee on Privileges and Elections for consideration and report.

The Honourable Member for Wolseley.

**Mr. Taylor:** It has taken us many months to arrive at this point where the Chamber is dealing with a matter of privilege as outlined by your response to our report on October 4. It is unfortunate this precedent has to be set in the House, because as you mentioned in your ruling there is not a precedent yet in Manitoba on a matter of this nature. As a result the research by yourself and the Clerk's staff depended upon, to a large extent, the precedents and the experiences of the Canadian House of Commons.

\* (1430)

The matter of privilege is one of the most serious matters that can be brought before a House and a Speaker, because it affects how Members are able to conduct themselves in the work that they were elected to do.

We have, with what took place on May 1, the meeting of the Economic Development Committee, an unfortunate situation which saw Government Members leave their benches. We saw a precedent set, unheralded in the annals of the parliamentary system in the Commonwealth.

The fact of the matter is that the Minister of Finance (Mr. Manness) by his leaving the committee effectively shackled that committee and permitted it to carry out no further work. His presence was absolutely required in order to carry out the work of that committee, the work of that committee being the questioning of the Minister on matters very important to this province. That is not saying that there was not some work that was done that was fruitful that evening; there was. It was only last evening that I mentioned the same to the Minister of Finance in private conversation with him. The consulting engineer who was brought in from Vancouver to deal with us and to explain processes that might be expected in that meeting I think were very beneficial.

It is unfortunate, Mr. Speaker, that there is a series of catcalls that have come from a number of the Ministers of the Government on this matter. It shows again their lack of concern on this sort of thing and their lack of respect when a matter of this nature comes forward to the Legislature. I hope we will not have any more of that this afternoon, because should there be I intend to put their names into the record.

The matter of the Minister not being flexible in offering alternative times and the Minister not being prepared to sit later that evening to continue the questioning, which was the offer, both those options were offered to the Minister and to his colleagues at the committee. That was not acceptable. Instead, what we were going to do, we were going to see the Government Members walk out, thereby hamstringing the work of that committee.

The committee was dealing with, or attempting to deal with I should say, probably the most significant business deal that this province has seen and is likely to see for some time to come. I am talking about the sale of the Crown-owned Manfor Corporation located in The Pas to Repap of Montreal.

There is real potential for benefit out of this deal. There is real potential for problems from a business viewpoint, and there is potential for real problems of course in the environment as well. This deal went on to become the subject of environmental hearings by the Clean Environment Commission, unfortunate hearings that were of a split or separated and non-comprehensive nature.

Members opposite, particularly those on the front bench, have mentioned how they are prepared to sit evenings to deal with this matter or that and in particular the matter of the new Municipal Assessment Act before the Legislature right now, Bill No. 79.

That same resolve was quite obviously not there on the night of May 1 when this so very important matter needed to be aired and which there was the opportunity, and I might say the first opportunity in some month and a half last spring to be able to deal with it.

We also have the very interesting circumstance, Mr. Speaker, where other Government Members, including front bench Members, walked out as well, and the appearance was that unfortunately of a bunch of silly school boys off to do some prank. That is the appearance that it gave, and that is unfortunate, because when dealing with serious matters of concern of this province, we should not be giving that sort of an appearance, but that is exactly what it looked like when the little troop walked out. Then unfortunately some minutes later so did the Chairperson.

Now the Speaker points out in his ruling today that by the Minister walking out he did not contribute to the loss of the quorum. What the Minister did though was contemptuous, because he walked out and therefore the committee could not continue its work. That is very significant.

He then goes on to say that the other Government Members that walked out also in themselves did not contribute to the loss of quorum. That is quite correct. But we did lose their presence and we did lose their contribution. I think that is sorry. I think there is reason for there to be certain numbers of Members on a committee, and in this province the committee structure is normally 11 Members.

I think anytime there is a walkout by any Party, it weakens the capability of any committee. Certainly when we see three other Members walk out following the Minister of Finance (Mr. Manness), the committee is weakened and the quality of its work is not likely to be better. I think the 11 are put there for good reason, and we need to keep the numbers up as much as possible.

The most significant point though brought out by the Speaker in his finding today, is the role of the Chairperson, the Honourable Member for Minnedosa (Mr. Gilleshammer). The role played by that Member on the evening of May 1 and in the subsequent days is one I tell you that was nothing short of convoluted and hidden and lacking in candor and lacking in communication and denial of real fact.

The problem was, I think the Member was completely unnerved by the walkout that did occur of his own Party Members. The hour was late and people were tired, and maybe he did not respond the best as could be expected bearing those facts in mind. The fact of the matter is that points were brought to the Member for Minnedosa by the remaining Members of the committee as to their views of what had just transpired and their views on how it might be dealt with.

Many suggestions were put forward such as getting in additional clerical staff to help in evaluating how to respond to the matter, in dealing with the fact that we really did need the presence of the Honourable Member for Morris (Mr. Manness) to be able to ask the questions. How were we to get him back successfully so that we

might continue for a few more hours and properly deal with the matter at hand, a matter that was about to be dealt with within days.

I am referring to the inking of the contract between the Province of Manitoba and Repap. This was a deal about to happen. New information had been brought forward through sources in the United States, specifically the American Securities Commission located in Washington D.C.

Those matters we were getting into, and we were getting some information, albeit reluctantly, very, very reluctantly. At times, the Minister of Finance (Mr. Manness) would say, well, I cannot really give you this information. Of course, then we would bring out information that we had, which was a public document in the American jurisdiction but of course could not be shared with the people of Manitoba or their MLAs because they were not capable of handling this confidential material. What they were going to do with it that was going to be so dastardly or so wrong, I am not sure, but that was the message that was quite distinct that evening.

That was a very unfortunate message. It says, we will comply with American regulations because there is an American ownership aspect of the Repap firm, and we will of course disclose to the American authorities that which is required by them for their processing, but we will not share that same information that is in the public domain in the United States in their capital, but it will not be shared in Manitoba's capital.

I guess the Opposition Members in that committee had a lot of trouble in dealing with that. At times, the questioning was intense. It did get hot. Tempers flared at times. It led to fatigue, no doubt, but it did not lead to the excuse that was given as: I am tired, these questions are not producing anything, the questions I deem all to be repetitive and having been asked before, and you have as much information as I am prepared to give you. Good evening.

That walkout, Mr. Speaker, was repetitive of things that had come up earlier before other committees in the preceding two months in which the Minister of Finance (Mr. Manness) had to be formally requested to attend meetings of committee, to the embarrassment of the Minister of Industry (Mr. Ernst) who could not seem to get his colleague to come to the meetings. Finally by motion the committee requested the Minister of Finance to appear at earlier meetings.

The walkout on May 1 was a third example of the same thing in a two-month period. It is unfortunate that sort of thing had to go on the first time, let alone cause the upset and the very bad precedent that it did on May 1. That was the culmination; that is how it came to.

When annual reports of Manfor were brought forward by the Member for Charleswood (Mr. Ernst), it was appropriate that we deal with those matters as it related to previous years and deal with what was about to happen as well. Why could the Minister of Finance not lend himself to be at those meetings and create an

atmosphere of candour, of confidence and certainly one not of arrogance? That was not to be; it was the latter impression and image that was created.

I think that is a sad day for this Legislature and certainly for that committee. I think we can expect more from that Member. I have always thought we could.

\* (1440)

## HOUSE BUSINESS

**Hon. James McCrae (Government House Leader):** Mr. Speaker, I rise on a matter of House business very briefly. I do not like to interrupt the Honourable Member, but I think it needs to be done in this case. With the leave of the House, I would announce that the Standing Committee on Municipal Affairs will sit this afternoon at 3:15 p.m. in Room 255 to continue consideration of Bill 79.

**Mr. Speaker:** Is there leave?

**Mr. McCrae:** If there are any committee changes required, I would urge the Whips at this point to make those changes.

## COMMITTEE CHANGE

**Mr. Edward Helwer (Gimli):** Mr. Speaker, I move, seconded by the Member for Minnedosa (Mr. Gilleshammer), that the composition of the Standing Committee on Municipal Affairs be amended as follows: Connery for Manness.

**An Honourable Member:** Is there leave?

**Mr. Speaker:** There was leave. Agreed? (Agreed) The Member for Wolseley.

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**Mr. Harold Taylor (Wolseley):** Thank you, Mr. Speaker, I will continue. I mentioned a moment ago about the unfortunate performance by the Honourable Member for Minnedosa (Mr. Gilleshammer). He was at the head of the committee room, and all the Members were there remaining, the two Members from the New Democratic Party and the four from the Liberal Party, and - (interjection)-

Mr. Speaker, I am going to ask that you request the Member for Pembina, the Minister of Health (Mr. Orchard), to kindly keep his asides to himself. This is a serious matter, and if he does not choose to listen properly, and he continues to make asides, I am going to start making those comments into the record. It is outrageous, the sort of thing that is going on over here. I am aware the Speaker cannot hear those comments, but I am making note to him now formally that there is a problem.

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

**Mr. Speaker:** Order, please. The Honourable Member for Wolseley.

**Mr. Taylor:** Mr. Speaker, the Minister of Health refers to Disneyland. Well, I do not know if maybe he is living in Fantasyland, but you know, we are showing the true character of the front bench here, and this is really unfortunate. This is the true character of the front bench, and it is unfortunate the Member for Tuxedo, the First Minister (Mr. Filmon), does not rein in his people better and teach them a little decorum.

## POINT OF ORDER

**Mr. Speaker:** The Honourable Member for St. Norbert, on a point of order.

**Mr. John Angus (St. Norbert):** The Attorney General (Mr. McCrae) from his seat has pointed his finger at me, named me and mentioned—I am sure that Hansard picked it up—that this is a burning Liberal issue. I wish to bring to your attention, Sir, that this is your reciting of the facts that happened. We are simply standing up using the due course that is available to us to bring to the attention of the Government Members your issues, your interpretation of the facts of those days.

Mr. Speaker, would you please ask these individuals to pay attention to your instructions?

**Mr. Speaker:** Order, please. The Honourable Government House Leader, on the same point of order.

**Hon. James McCrae (Government House Leader):** The Honourable Member refers to he and his colleagues simply putting their case, and that is the key word. The key word is “simply” which sets out very clearly the whole platform of the Liberal Party which is a very simple one indeed.

**Mr. Speaker:** Order, please; order, please. On the point of order raised by the Honourable Member for St. Norbert (Mr. Angus), he is quite correct, and I have asked in the ruling that Honourable Members keep their comments relevant to the actions of the Honourable Minister of Finance (Mr. Manness) and the Honourable Member for Minnedosa (Mr. Gilleshammer).

The Honourable Member for St. Vital, I would ask you to withdraw your comments. The Honourable Member for St. Vital.

**Mr. Bob Rose (St. Vital):** Thank you, Mr. Speaker.

**Mr. Speaker:** I have recognized the Honourable Member for St. Vital to withdraw his remarks.

**Mr. Rose:** Thank you, Mr. Speaker. I will make an unqualified withdrawal of any remarks I made.

**Mr. Speaker:** I would like to thank the Honourable Member for St. Vital.

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(Mr. Neil Gaudry, Acting Speaker, in the Chair)

**Mr. Taylor:** Maybe we can get on now with this discussion. We are talking here about whether Members

have respect for this House and the traditions upon which it is built and how it is expected to operate or not. The discourse off the Government benches will indicate their true feelings and beliefs on that matter and they will speak for themselves.

Mr. Acting Speaker, I wish to further address the matters of the conduct of the Member for Minnedosa (Mr. Gilleshammer) as Chairperson of the Committee on Economic Development. The Speaker has found that the Member's performance was not acceptable and there is a prima facie case for reference of that conduct to the Committee on Elections and Privileges. I think we on this side of the House feel vindicated by that finding after very, very thorough research. I compliment the Speaker for having conducted it as thoroughly and sincerely as he has done.

The Chair of any Standing Committee of this Chamber is a key element. The committee, unless there is some extremely exceptional circumstances, such as, death, very serious illness, et cetera, has to assume that Chair is still filled when there has not been a resignation and there has been no substitution done by the House Leader. What we have here is we have a committee Chairperson who refused to carry out, whether on his own cognizance or whether others led him to, those acts, subsequently, I do not know. I am sure that will be one of the matters for discussion when this does appear before the Committee on Elections and Privileges.

\* (1450)

My hope would be that will be as soon as possible, that the Member for Brandon West, the Government House Leader (Mr. McCrae), will call together that Committee on Elections and Privileges as soon as practically possible so that it might deal with, yes, what is a very, very serious matter, contrary to what certain Members of the front bench opposite have said, because the Member for Minnedosa, as Chair, left the room, did not seek further advice as we said he should and as the normal practice of Chairs of Standing Committees of this House when they recess, and he chose in fact, not only chose but refused to come back and Chair that committee. He totally hamstrung the committee and in so doing was in contempt of this Legislature, and in so doing offended the privileges of the Members of this Legislature in that they were not able to carry out their duly elected duties.

That is no laughing matter. That is not a matter to be referred to as a "Disneyland issue" by the Health Minister (Mr. Orchard) and echoed by the Government House Leader, our own Justice Minister (Mr. McCrae). That is a matter that is very serious. That is a matter that is so germane it talks about what are Legislatures in a parliamentary democracy for. What were they set up for? To carry out the democratic will of the people of this province and of whatever jurisdiction they happen to be in.

I do not take this matter lightly. Neither did the Member for Selkirk (Mrs. Charles), the Member for St. Norbert (Mr. Angus), the Member for St. Vital (Mr. Rose), the Member for Thompson (Mr. Ashton), and I believe

it was the Member for Flin Flon (Mr. Storie) who was the other Member. Those six Members took this matter very seriously. Quite frankly, we did not know what to do in a context like that. Not surprisingly it has never happened before in this Legislature. In fact, it would appear it has never happened before in the British Commonwealth.

The very unfortunate precedent that was set cannot be left to lie without challenge and without remedy, and that is what my motion, seconded by the Member for St. Norbert (Mr. Angus), is all about this afternoon. This was brought forward I might mention in spring, not too long after this unfortunate event, by the Member for St. Norbert. His motion however was not accepted because of the way it was presented. Our Speaker said: that notwithstanding the technical problem and how the Member for St. Norbert presented his material, and it unfortunately was technically unacceptable the manner in which he presented it, the matter was very serious. The Speaker said: and this does not preclude it being brought up again in another fashion.

We took him at his word and he was as good as his word. We brought it up at the next sitting as the first item of business when finally the Government House Leader (Mr. McCrae) allowed the Committee on Economic Development to sit again after the House was called together this fall and that report of that committee, which was its first item of business, was presented on the 4th of October.

It was at that time that I put my initial motion, the motion that was contained in the report from that committee, saying that this matter was one that contained matters of contempt and breach of privilege and therefore should be referred to the Committee on Elections and Privileges as soon as possible. It had other provisos about when the committee should be called and how it should be responded to, et cetera. The motion today does not contain those expectations. Our sincere hope is, however, that we will see it dealt with in an expeditious, thorough and sincere fashion.

I am sure the Members from all three Parties who will be selected, Mr. Acting Speaker, to sit on that Committee of Elections and Privileges, a committee I might add that rarely sits in this Legislature, rarely has to sit, will as well take the matter as seriously as we do on this side of the House and will delve into this matter and look for the reasons why this took place and look for ways that this might be avoided in the future, and what remedies are in order, given what has taken place.

The interesting situation was that we had a committee that still had quorum. Six out of 11 is a quorum; we had six. We also had the situation, however, that the main person that we wanted to speak to, also a Member of the committee, would not make himself available. Therefore the real work of the committee could not take place. I refer to the Minister of Finance (Mr. Manness).

Then we had the situation where the committee, having recessed for a very short time, the comment made to the Member for Minnedosa (Mr. Gilleshammer) just before he left the committee room was, if you do

not think you can get your answer in the next short while from the Clerk's staff on how to deal with this, then the last resort is that we will reconvene the following morning.

The committee room was prepared, the Opposition Members were there, the press was there, and the Clerk's staff was ready, but lo and behold, Mr. Acting Speaker, we did not have a Chairperson. Not because a Chairperson could not have been available; that was because he would not make himself available, or he was told not to make himself available.

I do not know what the truth is. We hope the truth will come out of the findings of the Committee on Elections and Privileges, and that will be out on the table. We expect to see the statement there as to why there was a deliberate choosing not to attend a duly constituted committee empowered by this Chamber. That I think is going to make for an interesting telling and an interesting reading in the newspapers across this province and potentially elsewhere in Canada as well.

I do not think we ever want to see the situation again where Government shackles the operations of any Legislature, and that is exactly what happened. That is the reason why this is so deadly serious, because if Government is allowed to do walkouts and to contemptuously impose its will on duly constituted empowered committees of any Legislature, then what has happened to the democratic process? It is not there anymore. It ceases to exist, because a small cadre of irresponsible people early in the morning can say, we are walking out, it will not function anymore, it will not function again until we see fit to come back, if we see fit to come back.

That is exactly what happened on May 1. I for one I know that my colleagues on this side and I assume my colleagues in the next Party say that we will not let that happen. It is not going to happen and it is not going to be dealt with by lying over and playing dead. We are going to make one heck of a lot of noise about it, because it is grossly contemptuous of this Chamber and of the people of Manitoba who elected the Members to it.

We had this situation go on for days. It was not Disneyland, as was suggested by a couple of Members opposite. It was a little more like Alice Through the Looking Glass. The unreality of the situation where we have a Government House Leader who many allege instructed the Chair of that committee not to appear. If that was the case, then I would suggest that is also going to be meat for the Committee on Elections and Privileges. I think if that is the case that would be nothing short of despicable.

\* (1500)

We will find out what the motivation was by the Member for Minnedosa (Mr. Gilleshammer) in choosing not to carry out his role. I think it quite frankly has a bearing on his ability to later conduct other meetings as Chair, and I am sure that also will be considered by the committee.

I have said a number of times in this Chamber and other committee meetings in public and in private that

I have a lot of problems with the committee structure of this House because it is old and antiquated, and it is. It has not been reformed for 30 or 40 years, contrary to the experience in other parliamentary Legislatures around the world including our own Parliament.

I do not think modern society can be properly governed without a modern committee system in its Legislature, and that we do not have. We do not have that in Manitoba, but thank goodness we at least had a committee of referral to deal with an awkward, difficult, complex issue like the May 1 walkout. The Committee on Elections and Privileges functions on a fairly frequent basis in Ottawa and deals with many matters, but it also has a much larger House. It also has a mandate on what it is it will deal with.

Our committee is rarely called. I do not know if that says that we rarely have problems. I hope that is the case, but I am sure we are all going to do some learning when this matter comes before it. I know many of other committees are not called often, but then again, most of them do not have any mandates even stated.

It was not a happy experience to go through the turmoil and the confusion and very much the frustration of that first week of May. It was not -(interjection)- I hope you are paying attention, Mr. Downey.

The issue before us is that the Government chose not to govern, the Government chose not to participate, the Government chose not to lead and the Government chose to be irresponsible and contemptuous. I am certain this matter came up in the caucus of the Conservative Party. I am sure it came up in Cabinet deliberation that same week on the Wednesday morning when they normally meet. I know for a fact that it was the subject of numerous meetings by the Government House Leader, the Member for Brandon West (Mr. McCrae). I will also have to say that on this matter I am very, very disappointed in the lack of House leadership that he gave on this matter at that time.

Mr. Acting Speaker, it cannot be let that Chairpersons of Standing Committees of this Chamber are allowed to behave in that fashion. I think he did a disservice to this Chamber, he did a disservice to democracy and he certainly did not set himself as a fine example to the people of Minnedosa who elected him. Neither did the Minister of Finance (Mr. Manness), one of the most senior Members of the Government's front bench, when he performed his little two-step and waltzed out of the room at two in the morning saying, I have had enough, and he contemptuously talked of the nature of the Members of the committee and their questions and the issue.

I am saying that is not an acceptable way to behave. This Chamber and the people of Manitoba demand something better. I look forward to seeing the results of the deliberations of the Committee on Elections and Privileges. I look forward to the bringing of its report back to this House. I also look forward to participating in that matter, because I and the other Members who were on the committee that night fully expect to be called to that committee to testify as to what actually transpired.

Thank you very much, Mr. Acting Speaker, for this opportunity to speak on such a serious matter.

**Hon. Clayton Manness (Minister of Finance):** Mr. Acting Speaker, I thank you very much for recognizing me. I want to indicate to Members of the House I will not be speaking from a prepared text. I did not, in any way, prejudge that there might be a motion coming today, or indeed anytime, that may cause an opportunity for Members of this House to be able to debate this matter in this way.

Firstly, let me indicate I regret withdrawing from the committee at approximately 2:15 a.m. on the morning of May 2, approximately six hours before beginning final negotiations with respect to the Manfor sale purchase agreement. I will say more on this in a few moments.

I regret that action. Nevertheless, I regret even more leaving all Members of the committee that particular evening. I will explain again in a few moments why. I particularly regret leaving the Chair of the committee, the Member for Minnedosa (Mr. Gilleshammer), in a most untenable position, completely innocent as he was at that particular moment. In my view he was thrust into a situation in which there was no precedent. I guess I could say it could only happen in a minority Government. Nevertheless, my sincere apologies to him.

In a sense I feel responsible for what has transpired thereafter. Nevertheless, I stand today to completely defend my actions and to lay out for those Members, indeed for those who want to take interest in this whole issue, some of the circumstances surrounding that evening, because, of course, although the Speaker and his staff have to rightfully judge on the information that is there they have to rightfully judge on the procedures and the way each and every one of us conducted ourselves. There are other circumstances which have to be taken into account, and I will lay those on the record in defence of my actions that evening.

Mr. Acting Speaker, I have just heard one of the most sanctimonious presentations by a Member of this House that I have heard for some period of time. The Member for Wolseley (Mr. Taylor) says that we were schoolboys as if we were off to do some serious prank. Then he talks about the arrogance of Members opposite.

Mr. Acting Speaker, let me set for the record the scene that evening. Why was I there? Why was I in that committee at 2:15 a.m.? Was that committee there dealing with the divestiture of Manfor? It was not, because it has no power to deal with the divestiture of Manfor. That committee was there to deal with the Annual Report of Manfor -(interjection)- 1987, I believe. That was the purpose of that meeting. Why was I, as the Minister of Finance, responsible for the negotiations around the divestiture of Manfor? Why was I in that committee room at 2:15 a.m.? I was there because this Government made a conscious decision to share information surrounding that divestiture with Members of the Opposition.

Never in the history of a corporate -(interjection)-

\* (1510)

**The Acting Speaker (Mr. Gaudry):** Order, please.

**Mr. Manness:** —sale purchase agreement, had a Government laid before the people, indeed as

representatives, a sale purchase agreement that had not even been finalized. Never had that been done. Yet, Mr. Acting Speaker, I was there to do that, to try and provide greater detail surrounding that agreement.

Was that the first meeting that I was there? Well, as a matter of fact, it was not. I was there March 23. I was also at that committee March 28. That is part of the record. People that want to go into the First Session of the Thirty-Fourth Legislature, and go into a report on the Standing Committees will see that. That is documented; that is part of history.

What did I say at the 28th's meeting when the Member for Wolseley (Mr. Taylor) chastised the presentation in some respects that was coming forward particularly from Mr. Brandon indeed from Mr. Rannard to some degree, because it was too technical? I promised him and I promised all members of that committee that I would undertake to have for them a layman's presentation as to the new process, which was to be developed by Repap. So, Mr. Acting Speaker, we turned to Mr. Ross Lewis, part of the Stothert Engineering group out of Vancouver, and we asked that individual to come in to that meeting.

Who was responsible for calling that meeting on May 1? Who approached the Leader of the Liberals (Mrs. Carstairs)? Who approached the MLA for Flin Flon (Mr. Storie) to try and desperately have this May 1 meeting before a final agreement was reached with Repap? Well, Mr. Acting Speaker, I was that person, because I had remembered the commitment I had made to the committee, and because we wanted to honour that commitment. Now, I missed that meeting. I missed the month of April by one day. Nevertheless, it was held the day after.

What happened that night, Mr. Acting Speaker? That night started kind of differently right away at eight o'clock, because at that time it was obvious with the atmosphere in the room, the electricity, and some of the new faces that had not been to economic development committees—and I am not talking about Members of the Legislature, I am talking about citizens at large who were at that meeting—that something was up, that there was something big about to happen.

The Opposition either individually or collectively had a scoop or something, and it did not take us long to find out. As a matter of fact, it took about two or three minutes when the Member for St. Norbert (Mr. Angus) rushed in, to tell the world that the Government had in essence, and he did not use this word, I will use it, lied to Manitobans because all of a sudden this document which they could not make public was made public in the United States, before the Securities Exchange Committee of the U.S., and therefore that then became the issue. Of course the Member for St. Norbert (Mr. Angus) was trying to develop for himself some notoriety. He was as if possessed, because in his view he had me.

#### POINT OF ORDER

**The Acting Speaker (Mr. Gaudry):** On a point of order.

**Mr. Reg Alcock (Opposition House Leader):** I can appreciate the discomfort that the Minister of Finance

(Mr. Manness) is feeling right now, but he knows that he should not be impugning motives to other Members of the House. The Member for St. Norbert (Mr. Angus) did what he felt was in his mandate as a Member of this House, and for the Minister of Finance to ascribe other reasons for it is simply and clearly unparliamentary, and I would ask that the Minister withdraw.

**Hon. Clayton Manness (Minister of Finance):** On the same point of order, Mr. Acting Speaker, I would say that was my opinion as I watched him perform that evening, I considered him possessed. He may not have been, but that was my opinion.

**The Acting Speaker (Mr. Gaudry):** I thank the Members for their comments and will take it under advisement and review Hansard.

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**An Honourable Member:** Mr. Acting Speaker, what happened the first hour?

**Mr. Manness:** The first hour was in procedural. As a matter of fact, Mr. Acting Speaker, Pankratz, in other words the MLA for La Verendrye, became so upset with the Member for St. Norbert (Mr. Angus) he almost physically removed him from the committee room.

Let me say, Mr. Acting Speaker, for the first hour this important meeting was to be directed toward a layman's understanding and presentation as to some of the technical aspects of the process by which Repap was going to introduce the bleaching process into the Manfor plant. Well, let me indicate that the first hour was spent on a supposed breach of good faith by the Government because of the filing of Repap, under the laws of the United States, of the agreement with the Securities Exchange Committee. That is what started that evening off.

At around eleven o'clock that evening we finally moved—or 10:30—into a presentation by Mr. Lewis. I had asked him to be present to provide evidence, to answer the questions. I think his presentation was well accepted. It was well accepted by the committee and certainly was useful.

Mr. Acting Speaker, roughly before midnight, it became apparent that the questioning was taking on a bizarre twist. The questions began to be similar and in many respects repetitive to what they had been on March 23 and March 28. Around 12:30 it seems to me, the Liberals were noticeably running out of questions. It was somewhat difficult for them to continue in their line of questioning, and then of course the third Party started. The third Party again centered in on lines of questioning that had been for the most part covered earlier or indeed at earlier Sessions. At that time word came to me roughly around 1:30 in the morning, and I cannot remember who, that there was a good time in the Liberal Caucus room. Pizza and beer were being served and that there were good times happening there. They were now going to sit all night, that they were going to somehow, by making this committee sit all

night and into the next morning and into the next day, prevent us from finalizing the Repap deal.

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

**The Acting Speaker (Mr. Gaudry):** Order, please.

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**The Acting Speaker (Mr. Gaudry):** The Honourable Member for St. Norbert -(interjection)- order, please. The Honourable Member for St. Norbert, on a point of order.

**Mr. John Angus (St. Norbert):** Mr. Acting Speaker, I do have a point of order. The Minister is—well, I am sure would not like to leave misinformation on the record. In prudence with good planning and good preparation, the Liberal Caucus prepared some sustenance for themselves, which did not include any alcoholic beverages of any kind. Once again he has his facts wrong.

**The Acting Speaker (Mr. Gaudry):** A dispute over the facts is not a point of order.

On a point of order, the Honourable Member for Wolseley.

**Mr. Harold Taylor (Wolseley):** The Member opposite in his speech has imputed motive as to the reasons why we wished to continue that meeting. His suggestion was we wished to interrupt him so that he would not be able to complete the Manfor deal. We did not have the information that was what he was doing. For him to impute motive is wrong, and I would like to ask him to withdraw that motion or to seek advisement of the Speaker on that.

**The Acting Speaker (Mr. Gaudry):** A dispute over the facts is not a point of order.

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**Mr. Manness:** What the Member for St. Norbert (Mr. Angus) has fully admitted was that obviously they had called in food. What they had to drink—I accept his indication that it was not alcoholic in mind. That is not important. I say to you, Mr. Acting Speaker, what was important to me, as a Member of Executive Council, a person who had to start negotiating the final portions of the deal roughly at 7:30 the next morning, which was evidenced to me at that particular time was that there was a move afoot to make that committee sit all evening.

I had to make a decision right then and there in my view in the best interests of Manitoba. I made that decision on my own. I would be no part of this façade after I attempted to provide virtually all the detail associated with the Manfor-Repap share purchase agreement, all the information that I could at that particular point in time, over three sittings of the committee. Again I reiterate, never in the history of a Government sale of a business had there been such

open disclosure as to some of the basic principles and tenets contained within a deal.

\* (1520)

Mr. Acting Speaker, so let me say I will gladly support this motion. Let the Committee on Elections and Privileges decide my fate in this matter. My conscience is clear. I was not indulging in good times in my caucus room as indeed the Liberals were. I, as an Executive Councillor, had the future of the province to consider and I would not let the Opposition threaten the bright economic future of this province that could manifest itself as a result in part of this divestiture of Manfor.

Again, I reiterate what I said at the beginning. I regret having walked out on the committee, but more importantly than that—(interjection)—well, Mr. Acting Speaker, he says you did not sound like it. If the Member wants to read Hansard of May 23, the next sitting of the committee, he will see those words, he will see it. Let me say that particularly I regret the pressure that was imposed on the Chair of that particular committee that evening who really was in an untenable position, and really from my point of view had no opportunity to make a right decision that particular evening.

Mr. Acting Speaker, I thank Members opposite for listening to some of the circumstances that surrounded that whole evening and caused me to make the decision that I did. Thank you.

**Mr. Steve Ashton (Second Opposition House Leader):** I have listened with interest to the comments of the Minister of Finance. I must say I thought initially the Minister had indicated his regret. I thought that there was going to be some recognition of the fact that what had happened was wrong, the fact that it was a bad precedent for this Legislature, the fact that should not happen again in this Legislature.

I am disappointed that the Minister chose to say he regretted the circumstances of what happened in walking out and then spent the next half hour attempting to justify what he did. I believe what he did is not justified. I do not believe a Minister that is before a committee should be walking out of a committee. I might add, Mr. Acting Speaker, the Minister and the Members of the committee did this after moving a motion of adjournment which was defeated. The Minister did not include that in his recitation of what happened that evening.

Mr. Acting Speaker, let us look at what the consequences of what happened were, the chain reaction. I will say I think it is unfortunate in a way that we are only dealing with the Minister of Finance's (Mr. Manness) action and the Chair of the committee's actions, because I do believe that the Minister of Northern Affairs (Mr. Downey) who led the walkout should be the one that should be accountable for what happened. I also believe that the House Leader (Mr. McCrae) has to be held accountable, as I assume that what the Members of that committee did was part of an overall strategy by the caucus directed by the House Leader. I assume that was the case, in which case the House Leader should accept ultimate responsibility for what happened.

We are not dealing with that, Mr. Acting Speaker. We are dealing with the fact that the Minister of Finance (Mr. Manness) joined the other Members of that committee and left the committee. They walked out of the committee after having moved the motion of adjournment and having lost it.

I will say, Mr. Acting Speaker, that there should be in dealing with this matter—and it is a very serious matter, and I hope the Minister of Health (Mr. Orchard) would recognize this. If the Minister of Health would care to read the decision of the Speaker, the Speaker has said there is clear prima facie evidence of breach of privilege and contempt.

If the Minister of Health would contain himself for a moment, and if he would care to look at what we are dealing with in terms of this motion, this being a matter of privilege, this is a matter that should rarely come up in the House. It should only come up in the most serious of matters. I believe that is why we are dealing with this today, because it was a serious matter. It would have set a very serious precedent for the Legislature of Manitoba if we had allowed what had happened to become a precedent, a procedure that could be followed by other Government Members, other Ministers and indeed other committee Chairs in other circumstances in the future.

Let us look at what happened. The Members of the committee on the Government side walked out, and the committee was paralyzed. That is why this is clearly a prima facie case of breach of privilege, because privilege is fundamentally defined, Mr. Acting Speaker, as the whole ability of Members of the Legislature and the Legislature as a whole to fulfill its obligations and its role. That is what was most fundamentally breached by what happened because what happened was, the Members of the committee, a quorum of the committee was left in the position where it could not continue the deliberations of the committee. They would not be able to continue the deliberations of the committee. How more fundamental—(interjection)—well, for the Minister of Highways and Transportation (Mr. Albert Driedger), how more fundamental breach of a privilege can you have than to be sitting in a committee with a quorum present and be unable to ask questions, first of all of the Minister, or even function because you are without a Chair?

Not only that, Mr. Acting Speaker, as a Member of that committee I ask the Government Members to put themselves in our shoes. We were not even able to elect a replacement because a recess was called. We could not replace the Chair of the committee because there had been no resignation. We were left in a situation where the committee was in limbo. It happened.

I believe that if the Government had approached this matter properly, they could still have corrected the situation the next day. We gave notice that we would be willing to meet with the Chair of the committee, reconstitute the committee, and continue the questions that we had. We gave every opportunity to the Minister of Finance (Mr. Manness) to be in attendance. We went, even as Members of the committee, down to meet with the Government House Leader (Mr. McCrae).

The Liberal House Leader (Mr. Alcock) and myself approached the Government House Leader and urged

him to bring that committee back so that we would not be in that situation, but that was not done, Mr. Acting Speaker. What we ended up with was a situation where the Opposition Members of the committee felt they had no choice, no other remedy, other than to report this matter from the committee, which was done on October 4, 1989, and move that the matter be referred to the Committee on Privileges and Elections.

If one reads through the ruling of the Speaker today—and I will commend the Speaker for bringing in a ruling that is very detailed, I think it is one that has put a lot of thought into this particular matter—it is clear that the Speaker has recognized that there is a prima facie case of breach of privilege and of contempt. I realize those are very serious charges.

I want to say that my concern in this is in terms of the precedent. I find it unfortunate that the Minister of Finance (Mr. Manness), who has been in this House as long as I have, was not more forthcoming in terms of his recognition of the error that he made. To regret and then attempt to justify, Mr. Acting Speaker, is not an unqualified withdrawal in terms of what had happened that night. It was not an apology on the behalf of the Minister of Finance (Mr. Manness) and I think that would have probably gone a long way towards dealing with some of the concerns that the Opposition Members had; an apology from the Minister of Finance for what happened. That did not happen. That is most unfortunate because I think that would have contributed once again towards dealing with this matter.

I stated on October 4, when this matter first came before the House in the form of a report from the committee, that one of my concerns was for the precedent. The Minister of Finance walked out of that committee. I believe, as a Member who has been in this House for eight years, he should have known better. Mr. Acting Speaker, he should have known better as a Minister of the Crown there to answer questions from Members of the Opposition, than to walk out. That is what we are dealing with in this particular case, a very serious matter.

\* (1530)

I will say that in terms of the committee Chair, who is a new Member of this House, that I perhaps put less weight on what had happened. I believe that the Member for Minnedosa (Mr. Gilleshammer), if I were in his shoes, Mr. Acting Speaker, I would certainly have been confused about what the Government Members were doing. I certainly would have had some questions to ask when the Minister himself walked out as to what was happening. I believe the Member for Minnedosa made an error of judgment, but I do not believe that he was malicious in intent. I believe that will be one of the factors we will look at when we get into the Privileges and Elections Committee. The fact that I believe the Member for Minnedosa—I believe it was an error on his part. Perhaps if he had the opportunity to go through that committee hearing again he would do so, but I do not believe it was malicious.

I do not seek, through supporting this motion or proposing it along with the Liberal Members back in

October, to in any way attempt to persecute, if you like and I use that word advisedly, the Member for Minnedosa (Mr. Gilleshammer) for his actions.

I hope that the Member for Minnedosa, when he has the opportunity to participate in debate, will go perhaps further than the Minister of Finance (Mr. Manness) in indicating his regret. I would say that would be a very positive move on his part. Regardless of what position the Member for Minnedosa will eventually take on this, I will say for the public record that I believe that in the circumstances the Member for Minnedosa was faced with that while I would not have done the same, and I do not think what he did was the appropriate thing to do, I do believe that it was in a different situation entirely.

As I said, it is unfortunate, because I would say that both the Minister of Finance and the Member for Minnedosa are less responsible than the Member that organized the walkout. For any Member who was at the committee, it was clearly the Minister of Northern Affairs (Mr. Downey) who organized the walkout, whether it was with or without. He was the first one out of the committee.

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

**The Acting Speaker (Mr. Gaudry):** Order, please; order, please.

**Mr. Ashton:** They laugh and find great amusement at that, Mr. Acting Speaker. I think that is unfortunate. It shows once again that they -(interjection)- Well, the Minister of Northern Affairs (Mr. Downey) considers it a laughing matter. I do not. I believe the Minister of Northern Affairs should not have organized a walkout from that committee, which he clearly did. He may wear that as a badge of honour.

We know that perhaps the Minister of Northern Affairs, despite his length of time in this House, does not always have the greatest concern for the parliamentary process. I feel it is very unfortunate what happened, because his action, and it is compounded as I say now by the fact he laughs at this, I believe started the series of reactions, the chain reaction, lead to what happened in terms of the Minister of Finance and in terms of the Member for Minnedosa.

The Speaker I think quite appropriately indicated that he could not deal in terms of the actions of other Government Members who walked out of the committee, that the real obligation to the committee in a functional sense was on the back of the Minister and in terms of the Member for Minnedosa. I recognize that. There is nothing we can do in terms of the actions of other Members.

I did want to point that out, because whether indeed what the Minister of Northern Affairs did was technically a breach of privilege, and I once again concur with the Speaker that we cannot deal with it as a matter of privilege, I believe it was nonetheless wrong. I believe that type of tactic, and you know it is rather a bizarre situation we are looking at, a Government Minister, a senior Government Minister, leading a walkout, Mr.

Acting Speaker, by Government Members from a committee.

I heard where there have been situations where Members have left committees, Opposition Members in frustration. I think that it is unprecedented in parliamentary history to have a Government walk out of a committee. I believe the arrogance of what happened was compounded by the fact that they moved a motion of adjournment and then walked out. They moved a motion of adjournment and then walked out.

The bottom line -(interjection)- Well, for the Government House Leader (Mr. McCrae), in terms of whether I want to or our Party wants to be associated with a matter of this type, I want to state for the public record that we would not be here today in January of 1990 debating this matter if the Government had not walked out of that committee. If the Government the next day had brought that committee back into force, if they had not been so arrogant in terms of dealing with this matter, we would not be here today.

If there is any concern about whether we are debating this matter today, the responsibility rests entirely with the Government that precipitated this matter. I believe the Speaker of this House did the appropriate thing in terms of bringing back this ruling, one that he gave a great amount of consideration, and the situation that we are dealing with now and that is referral to the Committee on Privileges and Elections. So it is the Government that has to accept responsibility for it.

I expressed my concern at the time, on October 4, 1989, about one major thing, the precedent of what has happened. I will say to the Government House Leader (Mr. McCrae) once again, if the Government House Leader will recognize the real concern of Members of the Opposition, certainly my own concern and the concern of my colleagues in the New Democratic Party, our concern is with the precedent, Mr. Acting Speaker. Yet the Government House Leader and the Government have taken no initiative to try and deal with those concerns.

Even today there has been no recognition on the part of Government Members that what happened was wrong and was a dangerous precedent for this Legislature. There has been no recognition of that and that is fundamentally unacceptable. There has been no initiative taken on the part of the Government. We could be dealing with this matter, for example, in the Rules Committee, but the Government has not called the Rules Committee together.

We could be dealing with amendments to our Rules to make sure that this would not happen again, and I want to suggest a possible solution to the problems that may have been caused by this particular matter, Mr. Acting Speaker. That would be to have a Rules change that would not tie up a committee in the case where a Chair leaves the committee, that would allow an existing quorum of a committee at a duly constituted meeting of the committee that has not adjourned. What happened on the evening in question was that the committee had recessed, that would allow them to elect either a replacement Chair, or at least an acting Chair.

If that ability had been there on the part of the committee, the committee could have continued to

function. I believe if that had happened, we may still have dealt with a matter of privilege and contempt but in a far different context. It would have been strictly on the individual actions of the individuals involved in that walkout, and particularly the Minister and the Chair. The committee would not have been hamstrung. It could have met, Mr. Acting Speaker. It would have been difficult of course to be meeting without a Minister. That would have been a bizarre situation, but clearly, if the Minister would not stay at the meeting, the committee could still have met, could still have taken some form of action. It could have even perhaps have passed a motion indicating its own unhappiness with what had happened on that particular occasion.

Those type of avenues are available. I hope that we will not get to the point where we concentrate so strictly on the events of the evening in question that we will lose sight of the fact that the most important thing for us, as Members of this Legislature, has to be in terms of the precedent of what happened that night. As I said, it is unprecedented and it is dangerous.

I approach this not strictly from a view that we should look at it just in terms of the Rules, Mr. Acting Speaker. I think the public of Manitoba, listening in to this debate would probably have very little concern about our Rules. They are important. There are other Members of the Legislature who sometimes attach far less importance to our Rules than they should, but what is the concern?

I think the real bottom line of this is common sense. If the one million people of Manitoba were aware of what had happened on that evening, I think the first thing they would have said is this: why did the Government Members walk out right after they lost the vote? They would have said that is wrong. They moved the motion, they lost, they did not like it, so they went out anyway. They would have said that is wrong. You moved a motion, you lost the vote, you should live by that vote, Mr. Acting Speaker. That is the first thing they would have said.

\* (1540)

The second thing they would have said is that it was wrong for the Minister to walk out when Members of the Legislature still had questions to ask on such an important matter, the divestiture of Manfor. They would have said it was wrong. They would have said in their own way that the Minister should have been accountable to that committee, a duly constituted meeting of that committee, as he has to be accountable to this Legislature on a daily basis, as do all Members of Executive Council have to be accountable in terms of Question Period and in terms of dealing with other matters in this House.

The third thing I think they would have said was it was wrong for the committee Chair to leave at that point in time, but I also believe in that regard that most people would not have attached the blame to the committee Chair. The walkout of the committee Chair was really the third part of what happened that night in terms of the walkout. First, the Members walked out, the Government Members; second, the Minister of Finance (Mr. Manness) walked out; and then finally the committee Chair walked out.

I believe that the fact the Member for Minnedosa (Mr. Gilleshammer) is a new Member of this House is probably a contributing factor to that, because I do not believe the Member for Minnedosa really had thought through the consequences of what had happened. I state that again. I am not calling the Member for Minnedosa—I am not putting the same amount of concern on his actions, although once again the committee can deal with it.

I think the members of the public would have said in terms of common sense, the way you have a meeting and you have a democratic institution such as the Legislature, that fundamentally the first thing that should be followed is you follow the rules. The rules are that if you lose a vote you do not pack up your bags and leave, you stay in there and you respect the will of the democratic body that dealt with that particular motion. They lost on the motion, and yet they walked out in an attempt to frustrate the committee.

The people of this province would have said that is not common sense. They would have said that was wrong, the same thing I think they would have said in terms of the precedent of this, because they could recognize the fact that we can get into that situation where a walkout by either a Minister or a committee Chair can paralyze a committee. This Government could just walk away from virtually any committee it did not like the proceedings on. Any time it was really being called to account they walk out, the committee Chair walks out, the meeting is paralyzed. Even if the committee Chair remains, if the Member for Minnedosa had remained, I think we have to recognize one thing would have happened. Without a Minister there, the committee would have been able to sit but would have been frustrated nonetheless.

I think the people of Manitoba who I believe have said to Members of this Legislature—and we may disagree to the extent we follow this—to try and make the minority Government situation work. It will be a judgment call in terms of Members of this Legislature as the length of which we continue to attempt to do that, because minority Government does produce frictions, it clearly does in a situation.—(interjection)—

The Minister of Northern Affairs (Mr. Downey) talks about frictions in majority Governments, but the friction is usually more internalized. It is not evident in the House to the same extent, because there is a Government that has a majority that essentially can do what it wants. What you have in this current situation is, in terms of the people of this province, they are asking Members of this Legislature to attempt to make the minority Government situation work. In this particular case it is clear that it was the Government Members who were not willing to live with the fact that they do not have an absolute majority in this House.

When I say on this particular issue their actions—when they are a minority I say I really thank the people of Manitoba that they do not have a majority in this House, because if they were going to be so arrogant on this particular matter as a minority, what would they do if they had a majority to ram through their will in any level in terms of committees? What kind of opportunity would the Opposition have had to ask

questions? I would say, what would have happened is that instead of walking out at 2:30 in the morning, I doubt if that committee would have gone past ten o'clock. It may not have even met at all, and that is because they would have used their power in the same arrogant way, but they would have had the power to ram through whatever they wished.

There is nothing we can do, Mr. Acting Speaker, to stop that other than point to the fact that the Conservative Party in Manitoba has shown that kind of arrogance to the people of Manitoba, but the bottom line once again is that this is a very dangerous precedent. For Members of the Government to show as little respect for this particular debate and motion, I consider is compounding what they have already done. This whole unfortunate episode that could have been avoided, they are compounding it here today.

The Speaker brought in one of the most detailed rulings on a matter of privilege that I have seen in this Legislature. I believe it is a very well researched ruling. We are dealing with a very important situation, an unprecedented move that could set a very dangerous precedent for this House. That is why I will be supporting, and our caucus will be fully supporting this motion because we hope not that it will concentrate strictly on the events of the night in question. I really think the fact that the Minister of Finance (Mr. Manness) spent half an hour in his speech going through those events, he spent a majority of it trying to justify what had happened, I would hope that he would get up and say that what happened was wrong and that it should not happen again. I think that is what we are looking for in terms of our own role, in terms of Members of the Opposition, some recognition of why we are frustrated.

I believe the onus should be on the Minister, I believe it should be on the Government House Leader (Mr. McCrae) to say, that is wrong and that it will not happen again and that this Government will co-operate with all Parties in this House to attempt to come up with a way, whether it be a rules change or some other way of making sure that it does not happen again, because that is the bottom line concern. That is why we really should be dealing with this matter in the Committee of Privileges and Elections and perhaps also as I say dealing with it at a later point in time at the Rules Committee. That is not our option as an Opposition Party, to call the Rules Committee. The Government House Leader can deal with that. He can take the initiative, and I would urge the Government House Leader and other Members of the Government Caucus to consider that. Perhaps there is some other way of resolving this than continuing this type of debate, because I think that this debate could go on virtually indefinitely both here and in the committee so long as the Minister of Finance (Mr. Manness) and others attempt to justify what happened that night.

This is not a discussion about pizzas, Mr. Acting Speaker, it is not a discussion about pizzas. I hear them from their seats talking about Members getting pizza that night as if that was the issue we are dealing with.

What we are dealing with in this case is a very serious breach of our parliamentary privileges as Members of

the Legislature. We are dealing with a very serious precedent. If we do not take action I will predict now that this will be taken as a precedent, it will be followed, if not by this Government again, although there is no indication they would not use that tactic again, it will be used by others. I would not want Manitoba to have set the precedent that says, that if you do not like a decision of a committee you walk out and you paralyze it, because that would be a denial not only of our privileges as Members of the Legislature, there would be a denial of the very democratic process.

For the life of me, at a time when the world is sweeping toward democracy, it seems that we as the inheritors of the British parliamentary system, the original democratic system, a system that is built on hundreds of years of traditions, of recognition of the privileges not only of Members of the Legislature, but of the public as a whole. Mr. Acting Speaker, as other countries are trying out new-tested democracies we should be sending them a clear example that we have a living, breathing example of democracy in this province, one that will not be frustrated by the Minister of Northern Affairs (Mr. Downey), one that will not be frustrated by the Minister of Finance (Mr. Manness) or any individual Member of this Legislature. What we have before us as temporary Members of this House, because indeed we are all temporary, even the most experienced Members, Mr. Acting Speaker, are only here at the will of the electorate, once every whatever number of years.

\* (1550)

We are the inheritors of a system. Let us make sure that when we leave this Legislature, whatever time we will leave this Legislature, that we will not have on our record as Members of the Legislature a serious breach, Mr. Acting Speaker, of the parliamentary process, a serious breach of our traditions of parliamentary democracy. We can take the move today by sending this to the Committee of Privileges and Elections, of ensuring that that does not happen. It is our choice. It is going to be our choice, not only in voting on this resolution, but in terms of dealing with it in Privileges and Elections.

I hope that when we get there we will recognize that that is exactly what is at stake, not strictly the events of one night, not strictly the personalities or the issues of what had happened in that night. Long after the committee hearing meeting that we are dealing with, Mr. Acting Speaker, long after we finished talking about the committee hearing meeting on May 1, 1989, or even the divestiture of Manfor, I believe the people will be asking, what did the Legislature do when they had this precedent, this dangerous precedent set? That is how we will be judged.

I say the only appropriate way to deal with this is to get this into the committee and look at coming up with a way that says this will never happen again in our Legislature and that the democratic rights and traditions of the parliamentary system will be safeguarded by the Members of this Legislature, Mr. Acting Speaker, that it will be safeguarded by the Thirty-Fourth Legislature of the Province of Manitoba and handed down to the Thirty-Fifth and the Thirty-Sixth and the Thirty-Seventh

Legislature intact. The only way to do that is to make sure that no Members of the House, no Government can ever do again what was done by the Members of this Government on May 1, 1989, at the Standing Committee hearing meeting. Thank you, Mr. Acting Speaker.

**Mr. John Angus (St. Norbert):** Mr. Acting Speaker, I am pleased to be able to enter into this debate. I would like to start right off by agreeing with the Minister of Finance (Mr. Manness) in respect to the technical expertise that was provided at the committee hearings that the information that was forthcoming by the people that he brought to the table was straightforward, honest and direct, and all of the things that legitimate committee Members would want.

I also, Mr. Acting Speaker, agree with him in relation to the Honourable Member for Minnedosa (Mr. Gilleshammer). I am not going to make any remarks at all about his conduct, about the situation that he found himself in. I have a great deal of admiration for the Member's ability to represent his constituency. I have a great deal of respect for the Member's ability to represent the constituents that he represents, for his honesty and his sincerity in holding the post, and with the highest degree of integrity that he can muster take on the challenges and the responsibilities, the situations that are given to him by this House.

However, I am not going to be snookered nor am I going to be sucked in by the George Washington attitude of the Minister of Finance (Mr. Manness), "Yes, I chopped down the cherry tree, daddy, but please do not punish me." Clearly what he has done is wrong. No amount of justification; no amount of rationalization; no amount of excuse making will allow for any form of relief from the severest of penalties that are due in relation to the inexcusable and arrogant misrepresentation of his responsibilities.

Mr. Acting Speaker, the Minister has suggested, with open palms, to this House that he was willing to come before the committee and willing to, in an unprecedented fashion, share the information on a not-as-of-yet-done deal.

As reported accurately in the Winnipeg Sun on March 22, Finance Minister, Clayton Manness, had to be ordered to appear before the legislative committee yesterday morning—

**An Honourable Member:** Summoned.

**Mr. Angus:** —summoned by the Clerk of the Legislative Assembly. This is after he rebuked and scorned the Minister of Industry, Trade and Technology.

The Minister of Industry, Trade and Technology also went to the Minister of Finance and requested that he attend to answer questions about the divestiture of the Manfor enterprises. I am appalled by the fact that Mr. Manness, the Minister of Finance, in an attempt to wash his hands of the events of that evening, resorted to some form of a child-like rationalization process. The arrogance of this particular individual is only the tip of the iceberg. The cavalier, disdainful and presumptuous attitude goes far below the surface.

We have seen this individual Minister time, after time, after time rebuke the legislative process. We have seen him rebuff the legitimate structure of proceedings in this particular House. We have seen him, in a very offhand and arrogant manner, have total disdain for the proceedings of this particular Assembly.

Mr. Acting Speaker, let me start with another two times. The Minister of Finance (Mr. Manness) in his overconfident, overhyped, blown-up opinion of himself feels that he is squeaky clean, and that is the most dangerous—

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

**The Acting Speaker (Mr. Gaudry):** Order, please.

**Mr. Angus:** Mr. Acting Speaker, it is even more dangerous when an individual Minister cannot see the problems he is creating when he is attempting to circumnavigate the process of elected representatives in the Legislative Assembly. It is very important that the whole process of democracy is underpinned, it is supported by the willingness of individuals who disagree on specific items to agree on how to solve those particular problems. Those are the rules that loosely govern the democratic principles, and they are very, very fundamental, and they are very, very important. If you do not like the rules you try to change the rules. You simply do not ignore the rules, because that is borderline criminal.— (interjection)—

The Minister of Finance (Mr. Manness) has asked from his chair for at least two other examples. Let me cite the arrogant example of his blocking The Freedom of Information Act and having the Ombudsman have to come down and tell him that he had to release the information to those individuals that wanted the information on MDS sales.

Mr. Acting Speaker, let me further identify to you that the Minister had misled this Legislature and the committee in March when he said that he could not release the Economic Development Committee copy of the deal, but it had already been made available in the United States of America, March 13, a full 10 days before the committee where he said that he could not make that information —(interjection)— available.

**The Acting Speaker (Mr. Gaudry):** Order, please.

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**The Acting Speaker (Mr. Gaudry):** The Honourable Minister of Finance, on a point of order.

**Hon. Clayton Manness (Minister of Finance):** On a point of order, Mr. Acting Speaker. I do not often do this, but I ask the Member to withdraw that. I have explained on many occasions why we as a Government were not at liberty to release that document. It was written as a covenant to the agreement, I signed the agreement, and I ask the Member to withdraw that, because if he does not, I will use a very unparliamentary term toward him, and I will not withdraw it.

**The Acting Speaker (Mr. Gaudry):** The Honourable Member for Thompson, on the same point of order.

**Mr. Steve Ashton (Second Opposition House Leader):** Yes, Mr. Speaker, on the same point of order.

I think first of all, the Member does not have a point of order, that is the first thing. Second of all, I do not believe it is appropriate for Members of the Legislature to get up and threaten to do anything whether it be using unparliamentary language or not. I would ask that you would ask the Minister of Finance (Mr. Manness) to withdraw that threat and to not obstruct the Member who was making a speech on this very important matter.

**The Acting Speaker (Mr. Gaudry):** I thank the Honourable Members for their—order, please; order, please. I thank the Honourable Members for their comments. A dispute over the facts is not a point of order.

### POINT OF ORDER

**Mr. John Angus (St. Norbert):** On a separate point of order. I wish to bring to your attention that the Minister of Finance (Mr. Manness), in no uncertain terms, has threatened me with some form of an invisible axe, something that I cannot see, or I do not know, and cannot deal with. I am sure that a review of Hansard will show that he has used those types of threats, and I am equally sure that they are unparliamentary, and I request that you take them under review.

**The Acting Speaker (Mr. Gaudry):** We will review Hansard and take it under advisement.

On the same point of order, the Minister of Finance.

**Hon. Clayton Manness (Minister of Finance):** I should not leave the whole House in suspense. I was going to call the Member for St. Norbert (Mr. Angus) an unmitigated liar. I should not have left the impression that I might do so, and therefore I withdraw that.

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

\* (1600)

**The Acting Speaker (Mr. Gaudry):** Order, please. The Honourable Minister of Finance (Mr. Manness) has withdrawn, so that concludes the matter. Thank you very much. The Honourable Member for St. Norbert.

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**Mr. Angus:** The substance of the issue at hand, Mr. Acting Speaker, is in relation to the arrogance, in relation to the disdainful, the presumptuous attitude of the Minister of Finance (Mr. Manness). The cavalier—and cavalier perhaps is a good word to use in this case, because if history recounts accurately, it was originally associated with those individuals who aligned themselves with Charles I in the overthrowing of the British parliamentary system, so cavalier is an appropriate word when you are attempting to undermine the parliamentary system.

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

**The Acting Speaker (Mr. Gaudry):** Could I have order, please?

**Mr. Angus:** Mr. Acting Speaker, it is very, very obvious and it has also become very evident that it was most unfortunate that the Minister of Finance (Mr. Manness) chose to leave that meeting at the time that he did, as it is very obvious now that further scrutiny, more investigation and a closer look at the whole opportunity for the Repap and the Manfor divestiture was very, very much needed and very, very important. We can see the whole opportunity unraveling before our very eyes.

Mr. Acting Speaker, we have a difficulty and we have found a glitch in the system. The glitch must be addressed. The personalities of the individuals become secondary to the Rules. The Rules Committee will deal with the actions of the individuals. The individuals will be appropriately chastised, they will be told that they did wrong. They have admitted that they did wrong, they have in fact admitted that they had wished they had not done anything wrong. The Rules Committee will then have the responsibility of repairing the problem so that it does not happen again.

Mr. Acting Speaker, I would like to read a letter into the record, and I would be more than pleased to table it if any of the Members desire to see it. It was a letter that I wrote on May 3 to the Premier of the Province of Manitoba. It says:

"I am writing to ask you to use the full authority of your office to uphold the basic principles of democracy. Undoubtedly you are aware of the situation that has developed at the meeting of the Committee on Economic Development. As you are the Leader of your Party and the Premier of the province, it is incumbent upon you to ensure that the principles of democracy are not undermined. I believe you have a moral responsibility to uphold the fundamental rights of freedom of speech.

"The people of Manitoba have elected a minority Government, and we as elected representatives must ensure above all political differences that the process of democracy be exercised as provided. I believe what has happened is unethical. Your colleagues, for whatever reason, are putting themselves above the Legislature. There is no doubt that their behaviour is contemptable, it is a black mark in the Legislature of Manitoba. The real question is what are you going to do to correct this inappropriate behaviour?

"This issue supersedes the legitimate questions that we have on the divestiture of Manfor. Having said that, we are very interested in discussing the divestiture in the most positive light. We want what is best for the people of Manitoba and would like to give you and your colleagues every opportunity to answer specific questions before the deal is closed. Surely, avoiding the questions by total contempt of democracy is the worst possible course of action. The regulations, the Rules and all the legal opinions will not correct

the specific appearance of trying to thwart the legitimate process of the Legislature.

"Your immediate attention is imperative and a reply would be appreciated."

Two weeks went by, and I did get a reply from the Premier. I do not want to take any of his words out of context; he very much took the opposite side. This one paragraph will give you a clear indication of his and his colleagues' consideration of this particular matter: Over the past weeks you have sought to misuse the power of the Legislature to force the Minister to disclose sensitive information which has had a direct bearing on the negotiations which were being finalized, even as you held your news conference.

Mr. Acting Speaker, the Premier said that he discussed this with his colleagues. They all, not just one individual, got up and walked away and were not prepared to listen. On that same evening the Government Members of the committee, the Member for Morris (Mr. Manness), the Minister of Finance; the Member for Arthur (Mr. Downey), the Minister of Northern and Native Affairs; the Member for Lakeside (Mr. Enns), the Minister of Natural Resources; and the Member for Gimli (Mr. Helwer). That is three Cabinet Ministers; three Cabinet Ministers and the Premier can all align themselves in that same arrogant misuse of power. What they have done undoubtedly is wrong.

As a result of your very lengthy and very investigative review of the circumstances has indicted, as there is no precedent to this type of activity, as there was no precedent for you to find for this type of activity, equally, Mr. Acting Speaker, there is no precedent for the committee to deal with it. Correcting the flaw will be the simplest. That will be the most straightforward and it will be legitimate.

What form of penalties does the Legislature invoke upon those Members that have so blatantly abused, so obnoxiously, so arrogantly abused the privileges, and I say privileges with the utmost of respect, Mr. Acting Speaker, the privileges of the elected representatives of this Assembly. What penalties do we invoke upon those individuals? Do we strip the Minister of Finance of his title of Minister of Finance? Do we remove him from Cabinet? Do we expel him from the House?

Mr. Acting Speaker, the Members of the Government continue to make light of the situation and the circumstances. Unfortunately this is an extremely important matter. It is a very serious matter, because if it is allowed to persist, if it is allowed to continue, if it has gone any further, if there was any intent, if there was any motivation beyond the spontaneity of the moment and the frustration that was being brought to bear upon the Government by the Opposition Members, then we have a more serious problem. The more serious problem is the unravelling of the democratic process and the seeds of anarchy being planted.

Mr. Acting Speaker, all over this world people are swinging away from the autocratic, arrogant, self-righteous, opinionated form of Government to the

democratic, elected, individual, responsive to the people form of Government.

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

**The Acting Speaker (Mr. Gaudry):** Order, please.

\* (1610)

**Mr. Angus:** Mr. Acting Speaker, this single incident, as I have suggested, is the tip of the iceberg. The ledger will go on to show that there are continual committees that stand adjourned with outstanding reports as old as two and three years; the Liquor Control Board; MPIC; the list goes on and on and on. It is clearly a strategy to thwart legitimate opposition. Whether the Government likes it or not, whether they appreciate it or not, we have a minority Government situation. While it may be a little tedious, while it may take a little longer, experience has shown us that this is a much better form of Government, it is more regulated, it is more controlled, it is more balanced and it produces better legislation in the interests of the common people.

Mr. Acting Speaker, we all shudder to think of what would happen, of where we would be, if we were not in a minority situation. We have seen exactly what is happening and what can happen and what has happened as a result of the minority situation. We have seen the arrogance, we have seen the cavalier attitude, we have seen the obnoxious behaviour of the Minister of Finance (Mr. Manness) in relation to legitimate rules that he simply ignored—no amount of rationalization, no amount of justification, no amount of telling anybody in the world that the pressure was getting too great, no amount of indicating that the Opposition was turning up the heat, Mr. Acting Speaker. We did not question and as a matter of information, the Minister of Finance has suggested in this House on a number of occasions that he was not going to divulge information of a privileged nature that may in fact jeopardize the arrangement that was pending between Repap and Manfor.

On a number of occasions we respected, and I am sure that Hansard will indicate that we respected, Cabinet confidentiality. We have on numerous occasions as the combined opposition in LynnGold and the Hudson Bay Mining and Smelting, Flin Flon negotiations, in the Conawapa negotiations, in the MDS negotiations, and we did it in the Repap negotiations, we have said, do not tell us anything that will jeopardize the deal. It was not us, it was not our Party that released that information in the United States. It was certainly not our fault that the Minister of Finance was caught totally unaware that that information was public in the United States of America.

We have taken that information that was available in the United States, that was available to the shareholders of Repap, and we simply wanted to ask questions on that. If that was wrong while it was still in the Rules, it was certainly not wrong, maybe uncomfortable for the Minister of Finance (Mr. Manness), maybe he did not like it, maybe he did not like the questions, but there was nothing wrong, it was not

illegal. We did not break the Rules. For any single individual Member to not like the Rules then, Mr. Acting Speaker, it is a simple matter for him or her to resign.

I have talked in terms of stripping the Minister of Finance of his portfolio. I have talked about expelling him from this House for a short period of time. Now we will talk of the honourable thing, the collective will of this House, to impose the harshest penalties possible on the Minister of Finance in relation to his totally untoward, totally arrogant, disdainful, presumptuous, overopinionated actions on May 1, the walking out on the committee.

Mr. Acting Speaker, the dictionary defines contempt as bitter, disdain and scorn. I sincerely believe that we cannot allow the individual personalities to colour or to reflect on the circumstances that we are dealing with today.

As I have said earlier, the matters of the Rules are the easiest problem to solve. The matters of the attitude are far, far more difficult to deal with. They lie there, silently growing and developing, and unless we impose the harshest of penalties on this type of behaviour on any Member, on any and every Member who breaks those privileges, we run a serious risk of this Legislative Assembly and the democratic process coming unglued. Thank you, Mr. Acting Speaker.

**Mr. Harold Gilleshammer (Minnedosa):** I am very pleased to be able to make a few comments on this issue, and I have listened with considerable interest and intent to the Members who have spoken before me. I sense that there is a general acknowledgment that these were very unusual circumstances.

(Mr. Speaker in the Chair)

Certainly in the committees that I have been in, the Standing Committees and the Estimates committees, the feeling that night, the electricity in the air, the near disorder at the beginning of the committee, the scurrying about of Members, certainly led one to believe that this was a very unusual committee meeting.

I sensed a great deal of frustration from many Members of that committee, frustration partly due to the time of night. We sat, as Members have acknowledged, till nearly 2:30 in the morning, and there was frustration on the part of many, many Members that evening. I would I suppose like to talk about my role in this committee meeting. Certainly the problems that existed there were not of my making, and I think that has been recognized.

The Member for Wolseley (Mr. Taylor) said that the hour was late and perhaps I had become unnerved as a result and left the committee meeting. Well, I would like to tell him that he is half right. The hour was late and a lot of things had happened that evening.

The recessing of the committee was as a result of a procedural dilemma that the Chairman faced that evening. This was not done to frustrate the procedure, and I regret that Members opposite see my actions that evening as actions of contempt, and I regret that.

I would like to zero in on the procedural dilemma that the Chairman faced that evening. A motion had

been put regarding the time and the place of the next meeting. All of the instructions that I have had are that only the Government House Leader can set the time and the place of that next meeting. As a matter of fact, earlier that evening this discussion had taken place. There were attempts before midnight to try and set the time and the place of the next meeting. It was ruled out of order then, and at 2:30 in the morning I also ruled that motion was out of order. I would emphasize that the Rules state that it is the obligation and the duty of the Government House Leader to set that time and place of the next meeting, and I would remind Members that it was also indicated that the facilities were already booked for that next day because of the Meech Lake hearings.

At that time my ruling was challenged. This then is the procedural dilemma, and on the advice of the Clerk—and I turned to the Clerks for advice—I can tell you that they were not sure what to do, that we were facing an unprecedented situation. After asking numerous times how we might rule on this and that my ruling had been challenged, I know that in the committees that I have had before, and I would go back to one earlier this Session. When the ruling was challenged we returned to this House. I believe the issue at that time was whether the Minister of Northern Affairs (Mr. Downey) could stand in for the Minister of Highways (Mr. Albert Driedger) who was away, and the only way it could be resolved was to come back to this House to have the decision rendered here.

So this procedural dilemma then was unprecedented. I felt at that time that the Clerks required some time to do some research on this to try and resolve the problem, and I called for an indefinite recess to allow the staff to do this research. I would emphasize very strongly that there was no agreement made to reconvene at 9 a.m. the next morning.

\* (1620)

Now, various Members have indicated that as I left the room or after I left the room suggestions were made, but when I was there there was no agreement that we would reconvene the next morning at nine o'clock. I believe we had a legitimate misunderstanding.

The next day I was quite surprised to learn of this notion that we were to meet. I was here the next day at the Meech Lake Task Force. We convened that meeting at ten o'clock in the morning and met during the day. In fact, the Deputy Leader of the Liberals, the Honourable Member for Fort Rouge (Mr. Carr), approached me over the supper hour and asked me very directly, did you agree to meet at 9 a.m. this morning and not show up? I said to him, no, that is not true, that is not the way it was left the previous evening, and I urged him to consult with Members of his Party. I urged him to consult with the Clerk to see if there had been any agreement. He did so, and when he came back he said, well, there was no commitment but the perception was that you would be there.

I can tell you very truthfully that my understanding of the events was not that we had agreed upon a subsequent meeting that next morning. In fact, getting

back to the procedural dilemma, I am still not sure how we would resolve that at 2:30 in the morning if it should happen again. When a motion is made and the Chairman rules that motion out of order and then the ruling is challenged, that I have yet not been told, nor has anybody said how that should be resolved. The one manner in which we have done it before is to come back to the House and have the House resolve that. So I believe that there was a procedural dilemma there.

The Opposition Party has gone to great lengths in my constituency through the local newspaper to try and make a political issue out of this. I can tell you that in the copy of Wednesday, May 24—

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**Mr. Speaker:** Order, please. The Honourable Member for St. Vital, on a point of order.

**Mr. Bob Rose (St. Vital):** A point of order, Mr. Speaker, as part of the committee, I am sure that the allegations made, that any articles appearing in the local newspaper did not come from this Party in any manner whatsoever—

**Mr. Speaker:** Order, please; order, please. The Honourable Member's point of order is a dispute over the facts, therefore not a point of order.

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**Mr. Gilleshammer:** I would simply point out that it was a tremendous coincidence that the article appeared the same week that the retreat was held in my riding.

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

**Mr. Speaker:** Order, please. The Honourable Member for Minnedosa has the floor.

**Mr. Gilleshammer:** I would commend the editor and the reporter for the Minnedosa Tribune in correcting that misinformation under the heading "Local MLA Victim of Political Posturing." I certainly commend that reporter for looking into the details of it and trying to understand the procedural dilemma that was faced that evening.- (interjection)- Well, I believe the Member for St. Vital (Mr. Rose) makes my case.

I would just conclude by saying that I sincerely regret if the perception created was that I was being obstructionist or unco-operative in these proceedings. I have the utmost respect for the process and the procedures and the rules. I have tried to conduct myself with a certain degree of dignity and make a positive contribution to this Government and to the Province of Manitoba. I would hope that Members opposite would do likewise.

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, I was somewhat reluctant to enter into this debate. However, after the comments from the Member for Churchill (Mr. Cowan) I have to clearly—

**An Honourable Member:** Not Churchill, Thompson.

**Mr. Downey:** My apologies, Mr. Speaker, the Member for Thompson (Mr. Ashton). Mr. Speaker, I will just make a couple of comments, because I think some of the things that have been put on the record are absolutely important to respond to and I want to make it very clear that in no way, shape, or form was there any intent to be in contempt of the committee or the parliamentary or the legislative system by Government, by the Chairman of that committee, and/or any of my colleagues, I think it is very clear.

The question that you have asked this House, Mr. Speaker, is whether or not this matter should be going before Privileges and Elections Committee of this Assembly. After hearing the debate here today, I am sure that most people would truly agree that there is not any need to carry this matter any further, that everyone has had an opportunity. After all the Privileges and Elections Committee of this Assembly is made up of all the Members here and this should have been a golden opportunity to fully express each and everyone of their individual concerns as it relates to this matter.

So I am very strongly opposed to carrying this issue to the Privileges and Elections Committee to further try and wring out of this issue some reprimand, or some further actions that should be taken, because after all, we are a policing organization, we are a policing body, that is what we are. So really what are the Liberals and the NDP trying to get out of it? What is the next step by taking it to Privileges and Elections? Are they going to put some of us in irons? Are they going to throw us to the sharks? Are they going to defeat us in our constituencies over this issue? I say not, Mr. Speaker, but they truly are frustrating important matters of the Province of Manitoba by carrying this any further. They have had the opportunity today to express themselves and I believe it would be to no one's advantage to further carry on this debate.

\* (1630)

Mr. Speaker, let me carry out one other example. What if, and it has happened before, we were all to leave this Assembly and break the quorum? Well, the Member for Churchill (Mr. Cowan) said we have done it. We did not have to go to the Privileges and Elections Committee for any kind of reprimand. We did not have to go for any lecture to anybody, we would have to answer to our electorate, that is who we answer to in a democratic system. We live in a free country. Thank God we can get up from a committee if we want to and leave it and we are not chained to that chair or afraid of a police at the door to hold us there at gunpoint.- (interjection)-

Yes. Well, no, that is not an incredible statement. We are here under the democratic elective process and if our actions are to be questioned it is our constituents who will eventually eliminate the actions that take place.- (interjection)- No, we are not holding any constituents in contempt and we can do it if we want to break the quorum.

Mr. Speaker, it is in no way a reflection—the issue of the question in this House is being asked is whether

or not we should pass it on to Privileges and Elections and I say no. I say no because we have had the opportunity to truly say what our thoughts are. What would further come from Privileges and Elections? Do you want to force a by-election in Arthur? The Member for Thompson (Mr. Ashton) keeps referring to me as being the ringleader. Well, to show you how much he knows about what goes on in this activity, Mr. Speaker, I was sitting in that committee not as a Member of that committee, but as a voluntary Member of that committee to fill in for the Member for Steinbach who wanted to go home because it was getting late. I was not appointed by the Legislature to be on that committee. He comes at me as if I, in some great breach of something, I do not know what it is, irresponsibly left the committee.

Who was frustrating the system were the Members of the Opposition. We sat until 2:15, and if the Privileges and Elections Committee were to only look at what was happening in that committee, they would determine that very little productivity was coming out as it related to the report that we were to be studying. We were to be studying the 1987 Manfor Report, not the environmental issues, as it related to the sale of Manfor to Repap.

Mr. Speaker, I do not think there were any intentional actions on anybody's part, whether it was the Liberals or the NDP, but the productivity of what was going on really has to be looked at, and there was very little productivity in the interests of the taxpayers. That is what we are here for, we are for the interest of the taxpayers and guiding of public affairs. At that point, and I think the Member for Fort Garry (Mr. Laurie Evans) would have to agree if he were to read some of the documentation that very little was actually taking place as it related to the whole affairs of the 1987 Manfor Report.

The question that was put to us, as you did so today, Mr. Speaker, is whether this issue should be carried on to Privileges and Elections, and I say strongly, no, it should not. Every Member has had the chance here today to make their thoughts and their concerns known. I compliment my colleague, the Minister of Finance (Mr. Manness), the Member for Minnedosa (Mr. Gilleshammer) in his presentation of explaining the issue as it was. Everyone else had a chance to explain as well.

I can tell you there was absolutely no intention, deliberate or otherwise, to frustrate the committee, to frustrate the work of the province, or any contemptuous action taken by any Member of this Government.

Mr. Speaker, I fully conclude that the Member for Minnedosa in his comments as it related to procedural activities -(interjection)- That is right. The fact that the committee was unable to give direction or the Clerk, the House, the support service were unable to give a definitive, clear response to the committee I think clearly is something that we should all learn from, but I think to pass it on to the Privileges and Elections would be unnecessary.

However, the House will make that decision as every parliamentary system allows it to do. I think the issue

is in fact -(interjection)- No, I still believe that in the democratic system this House will make the decision as to what will happen with it. All I am saying is that I think everyone has had a good opportunity to put their feelings forward at this opportunity. Thank you, Mr. Speaker, for this opportunity.

**Mrs. Gwen Charles (Selkirk):** Mr. Speaker, we have been in this House as new Members for less than two years, and it has been a momentous two years. Some of it has been very historical in the positive sense, and unfortunately, historical in the negative sense. We were very pleased last year to see the Premier change his mind and hopefully his heart in removing the Meech Lake Accord from the floor of this House. It is very interesting to me that at a time when we are deliberating the Meech Lake Accord, we also have a Government that is willing to in essence breach what is a constitution and the will of a constitution in a democratic country.

The Government, by the Speaker, has put forward, seemed very concerned about whether or not the Opposition Members ordered pizza and whether or not perhaps there was beer with it. I would like to say that I think that perhaps the democratic process is a little bit more important than whether pizza was ordered or not, and the Minister of Health went on and on about whether we had chicken and chicken bones, he kept saying in his seat, although I doubt Hansard picked it up. The levity that they are taking the situation I think is full indication of the lack of dignity and decorum that this Government shows on an ongoing basis and particularly showed on the night of May 1st, 1989.

The Minister of Finance (Mr. Manness) stood up and stated that he regretted the actions taken that night. I noted he only apologized to the Member for Minnedosa (Mr. Gilleshammer) and not to the House, nor to the process this House represents, and he said that although he regretted the action, he was going to defend these actions.

I do not know that you can wholeheartedly regret an action and defend it at the same time. You can perhaps explain it, but I do not think that you can defend something that you regret if indeed you truly have those regrets. He went on to explain the purpose of the meeting. He said that was to discuss the 1987 Manfor Report. However, I must note that as an aside that if that was the only intention of the committee, and if that was to be what we were to discuss, then it was up to the Chair to call in order the fact that the Minister himself called in representatives to explain the Manfor sale to Repap.

So I would say by the actions of the Minister himself that he was under the intention himself to discuss the sale to Repap that evening in that he called expert witnesses to explain the processes that Repap say they will undertake in the new facility. We therefore were not sitting that evening to discuss the 1987 Manfor Report, although that is in essence the call of the committee. We were, by the intentions of the Minister himself, by his call of the expert witness for the process of Repap, we were therefore meeting to discuss Repap. I do not think there is any way we can dispute that, because of the remarks the Minister has put on the record today.

He goes back to the fact that on March 23 and March 28, we in committee discussed the sale of Manfor and that in that discussion he made the commitment that he would call another meeting, and he was not able to do so until May 1. Now I think it is fair to say that we were pressuring the Government to call a meeting on Manfor and the sale to Repap, that we were very concerned about the repercussions that sale would have on the province economically and more importantly, environmentally, and that we, in a minority situation, as Her Majesty's Loyal Opposition, felt it was our duty, and indeed still maintain that it was our duty to know in the fullest extent that we possibly could what this major sale would be, and the impacts it would have on the Province of Manitoba.

The fact that after the May 1 meeting the next sitting of the committee did not occur till May 23, I think also reflects upon the intention of this Government to act in a willing manner to deal with the sale of Repap; that they were not willing to sit until May 23 is a reflection of the intention of this Government after pulling the committee on May 1 of that same month.

\* (1640)

Again the Minister of Finance (Mr. Manness) stood up and spoke more in greater detail about whether or not we ordered pizza. I cannot believe that in 100 years from now when people will be reading this historical moment, this unfortunate historical moment, that they will understand what in the world pizza had to do with the constitutional walkout that this Government put on the people of Manitoba, and on the people of parliamentary system throughout the world. This is of major importance and it cannot be taken lightly by anyone. It is the essence of what democracy is.

There are some realities that we in a democratic system have to accept, and one of those realities that this Government has to accept is that they are in a minority situation until the people decide otherwise. A minority situation changes the actions that take place in a parliamentary system hopefully always for the better, but certainly understandably that is not the case.

Certainly this situation shows the worst that can happen in a minority situation. The Government tried to adjourn the meeting. They moved a motion of adjournment. The majority of the people's representatives defeated that motion. The Government got up and walked out.

That is not like the Minister of Northern Affairs (Mr. Downey) mentions—the same thing as removing a quorum. Removing a quorum is done in a House situation where there are other methods of pulling the House back together and calling it back together.

When Government walks out, when Government holds the power to call the committee back together again, or not to call the committee back together again, in essence it is my conclusion that the Government is thereby shutting the Opposition out of the proceeds of the legislative process. When a Government of any size locks out the Opposition, we are not a democracy any longer.

I understand that this is not just one committee size, and I understand that it is not a reflection on a whole

democratic process on a day-to-day basis. This one incidence unfortunately had no repercussions in the press, and did not make a wave of objections occur throughout the world. It is these steps one by one where Government locks out the Opposition, where they say we do not want to hear what you have, we do not want to continue on with the ways that Government works; that we have the power by locking you out, to shut down a democratic process. They used that power. Actually they abused that power. When you lock out Opposition in a democracy, you lock out the freedom of speech.

The weakest argument for that I believe is the fact that the Meech Lake Accord was taking place the next day. In essence, we are discussing a constitutional accord, or were at that time, in order to maintain democracy and to object to the improvements that were put forward by the federal Government to the Constitution of Canada. It is just so ironic that on the night that we are waiting for these discussions to take place, the Government was doing the worst they could with a democracy and that is by mocking it.

The Member for Minnedosa (Mr. Gilleshammer), in standing up and defending his actions, was very disappointing to me in that he did not offer any apologies that I heard. I hope I missed what he was saying, but I did not hear any apologies to the House. I think we all realize that the Member is new to this House and was put in, as his Minister of Finance indicated, an untenable position, and we realize that.

We were shocked, along with the Chair I believe and with the staff in that room, when the Government walked out. We were shocked. I think the words in Hansard show the degree of shock that took place. The Chairperson turned to the Clerk, it is true, and the Clerk, being new herself—although certainly with enough background that she is very capable—because it has never happened before in the experience that we can find in the parliamentary system of the world of history, did not know to handle it.

When we asked, when it was recessed, was this to come back, I believe that our question of whether we were coming back from the recess was more a question of are we recessing only to get more legal opinion of what to do next. I think as an Opposition we could have understood that had taken some time, hours, maybe even a day to come up with a legal opinion, but there was no willingness by this Government in questions put verbally and letters written, no willingness of this Government to explain what they were trying to do to find the answer to the situation. They were in essence locking us out of their intentions as well as the committee.

(Mr. Parker Burrell, Acting Speaker, in the Chair)

We certainly, as I say, can understand the position that the Chair was put in, but over the next few days and even weeks, we realized that there was no willingness by the Government nor the Chair himself, who was to represent as Chair all Members of the committee, no willingness to come back into committee, no willingness to sit down and discuss what could be done to get us out of this position.

It was only to see the House Leader of the Government (Mr. McCrae) that we were told and by letters and even by some actions that we took trying to put a committee together and call the Government to come in, actions that were taken in an extreme situation where we were trying to get democracy back on track. No way did this Government show their willingness to perform with a heart, with an understanding that a misfortunate situation took place, but that they as a responsible Government, a Government who would like to be managers, a Government who would like to have a majority, no way did they show any heart for democracy or the people they represent and come to the table to discuss in any way what could be done.

They locked us out in their walking out. They locked us out in their unwillingness to discuss how to come to a compromise situation, and even to this day they are more concerned about whether or not pizza was ordered rather than how important democracy is to the Province of Manitoba, the people of Canada and the people of all democracies in the world.

I believe in these last few months and these historical months where we have seen walls broken down in order to gain freedom, that it is most important that this House today discuss this issue. Democracy is not taken in leaps and bounds, as we well know. It is taken in very little steps. Will any of us ever forget the person in China, in Tiananmen Square, standing in front of that tank? That was not a leap of faith taken by a majority person, it was a leap of faith taken by a minority person. We do not know to this day what happened to that person, but it is by these small actions that we indicate our belief in freedom and our belief in the will to look to the future in what we do today and the reactions that they will have on the future.

I could not help in listening to the speeches but think back to last November when I think many of us in this House expressed our emotions when the Member for Burrows (Mr. Chornopyski) stood up and made a statement on the reflections and his remembrances on Remembrance Day. We were all touched and I know that I have total agreement in the touchingness of that moment to hear through the emotions expressed what it must have been like to see and know the horrors of war.

\* (1650)

I do not to this day understand why so many people in wars go off to think they can make any difference. Why would one person against millions make any difference? I can only explain as I do to my constituents that as much as we can fight and make a difference in war, we can fight and make a difference individually in peace. Peace does not exist without the exclusion of war. Peace exists when we have a democratic system that works in a democratic fashion.

You will say I am taking this to extremes I suppose, but I think you have to look at what the democratic system is all about, particularly our parliamentary system. We have rules and we have procedures that have been set down in history. The Magna Charta, for

instance, has come to Canada for the first time, a document that is hundreds of years old, that we base still our major laws on. If we can go back hundreds of years to base our freedoms, we can certainly see the importance of today's matter, the motion that we are discussing.

The Minister of Northern Affairs (Mr. Downey) says, thank God we can walk out, that he would hate to see the day when our rights were taken to walk out. There certainly is a need for being a free country and that we can make our own actions, but when you become a Minister of the Crown, when you represent not just yourself, not just your constituency, but you represent the will of the people to put their faith in you to represent democracy in our province, then you are not walking out on your own free volition, you are walking out for all those hundreds of people you represent.

Thank God we can walk out, the Minister for Northern Affairs says. Well I say, thank God we have an action that we can take against those who walk out and lock out democracy. This is what we are discussing today, what action should be taken, and those that have undertaken to snub their nose at what hundreds of people have given their lives for, millions of people have given their lives for, and that even to this day are dying to have.

This is not a funny situation that the Minister of Health (Mr. Orchard) would like to have, whether we had pizza or chicken. This is not a discussion about whether people had the intention to do something else, but made a mistake. If it were a mistake they made, they could have apologized and pulled it back together much faster than they did. This was an intentional snub by this Government on democracy and on the democratic process. I believe that we cannot overact in taking, as the Member for St. Norbert (Mr. Angus) has said, the most serious actions against those who initiated and were responsible for the actions taken on May 1, 1989, by this Government.

We have very many options, I understand, when this goes to the committee to discuss what action shall be taken. Although I do not personally have any wish to see the Members involved personally taken under hand of the court system, I feel they are representing, as Chair and as Minister of the Crown, much more than just their own individual rights and freedoms.

When we are elected, as we well know, we leave behind many of our individual freedoms as personal citizens. We also maintain them, but we gather on more freedoms and rights as legislative Members. We take on the rights and privileges of the people, and we represent them. When we inadvertently or purposely take actions against the people, then the action against us must reflect the seriousness and the intent of our decisions.

I think that is part of the deliberations that should be taken by the committee making the decision on what actions should take for this motion. Is that the intent of the Members involved that we are discussing today? The intent, I think I have proved, had an opportunity to be changed to a misadventure if an immediate apology had come back to this House, if

immediate action had been taken to pull the committee back together. That intent though was shown in the fact that they did not call the committee back together. The Government House Leader (Mr. McCrae) denied us the right to have that committee pulled together.

It was very interesting to note that last evening, in the Government's willingness to pass a Bill, they mentioned that perhaps we could sit all night and order in pizza and beer. Now this Government seems to be very concerned about pizza, but it is quite unfortunate that seems to be of more importance in this particular case than they care about their actions. This Government seems to have two standards; that which they can do, and that which they do.

**An Honourable Member:** You do not have any.

**Mrs. Charles:** The Minister of Health (Mr. Orchard) says I do not have any standards. I think I could take objections to that, but I will reflect upon where it came.

Mr. Acting Speaker, this is a most serious crime.

**An Honourable Member:** Crime?

**Mrs. Charles:** I believe it is a crime to break a democratic tradition, to put on the record -(interjection)- I would like to point out to the Minister of Health (Mr. Orchard), as he heckles from his seat, that the possible decisions made to this motion can include jail term. You do not jail people for something that is not a crime. So indeed it is a crime, because that is a possible repercussion of the actions by the Minister and the Member for Minnedosa (Mr. Gilleshammer).

It will not be up to myself to make that decision. It will be taken by authorities who hopefully will represent democracy better than this Government has. I hope that it will be covered by the people's realization that minority Government can work, but not when Governments think they are more important than the people they represent.

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Acting Speaker, the debate we are embarking on today once again shows the people of Manitoba just where and what the priorities of the Liberal Party are. I find it extremely regrettable—

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

**The Acting Speaker (Mr. Burrell):** Order, please.

**Mr. McCrae:** I find it extremely regrettable, Mr. Acting Speaker, that Opposition Members, in a pathetic attempt to grab some kind of headline, have to throw this Assembly into the abyss of procedural wrangling in an attempt to portray the Minister of Finance (Mr. Manness) and the Honourable Member for Minnedosa (Mr. Gilleshammer) as less than Honourable Members of this Assembly.

I would say to the Leader of the Opposition (Mrs. Carstairs) that after seeing what I have seen in this House today, the distance between the seat she now

occupies and the one she hopes to occupy is the longest distance in politics. Cheap politics like the kind she is encouraging and presiding over today will weaken her potential even more than the damage she has already done to herself and to her colleagues. She is not the Leader Manitobans once thought she was. The Liberal Party should be ashamed of their Leader today.

\* (1700)

The trust of the people, I say this frankly to the Leader of the Opposition, you have to earn it. Cheap politics is not the way to do it, and the Leader of the Opposition has a long way to go. Raising phony issues simply to gather media coverage does not sit well with the people of Manitoba.

**Mr. Angus:** Mr. Acting Speaker, on a point of order.

**The Acting Speaker (Mr. Burrell):** The Honourable Member, on a point of order.

**Mr. Angus:** The Honourable Attorney General (Mr. McCrae) is reflecting, Sir, on your Chair, on your wisdom, on the deliberations that you made on the clear evidence that was pointed. He has suggested—I would respectfully request that you review Hansard and request, ask the Honourable Attorney General to remove those remarks from the record if they are undesirable.

**Mr. McCrae:** Mr. Acting Speaker, it is interesting the Honourable Member for St. Norbert (Mr. Angus) should look to you for some kind of guidance when we know that the Liberal Party has shown nothing but disdain for the Rules of this House since the day they arrived here. Overturning, burning the Speaker, regularly in this House, and that Honourable Member has the unmitigated gall to stand in his place and invoke the words of the Speaker of this House when the Liberal Party Members, by thumbing their noses, their upturned and arrogant noses, would burn the Speaker just as often as they would do anything else in this life.

**An Honourable Member:** Shame on them.

**Mr. McCrae:** I say shame on the Honourable Member for St. Norbert (Mr. Angus). He has a few things to learn yet, but he is not able to learn very much from his Leader when she sits proudly and presides over this spectacle today. They thumb their upturned, arrogant noses regularly at the traditions of this place.

Let Honourable Members not stand in their places and so piously attempt to appear to defend the rules of this House. They are not doing that. They are playing their political games as they always do, misjudging how the public is going to react to their misbehaviour in this House.

As I said, the Leader of the Opposition (Mrs. Carstairs) has a long way to go, and presiding over the raising of phony issues in this House, simply to gather media coverage as usual, does not sit well with the people of Manitoba, any more than running around this country demanding apologies from anybody who happens to

be within the camera's lens. The Honourable Leader of the Opposition, I am sure, spends more time demanding apologies than she does thinking about what is good for the people of Manitoba. We know that with that person, and I can quote it from memory, "what is good for Sharon Carstairs is what is going to prevail."

My comments today will clearly indicate that the actions, or the alleged actions, of certain Members of the Government were done in response to a deliberate attempt by an irresponsible and tyrannical Opposition to break down, scuttle and destroy the negotiating position of the Government vis-a-vis the sale of Manfor to Repap.

I have been in this Assembly as long as the Leader of the Opposition, nearly four years, and I have watched parliamentary debates for many more years. Never over the course of that time have I ever seen an Opposition Party act in such an irresponsible manner as the Liberal Party of Manitoba has done in this House. It is for that reason that I would like too, to do my part in setting the record straight and providing the House with accurate information which led to the House having to debate this motion today.

The Economic Development Committee of this Assembly met on May 1, 1989 to discuss the Annual Report of Manfor. I would reemphasize—the Annual Report of the corporation for the fiscal year 1987. As a responsible Government, we agreed and the Government, as indicated by the Minister of Finance (Mr. Manness), provided full and complete information to the Opposition, as full and complete as could be provided at the time. We answered their questions as best we could without jeopardizing the deal, that deal which would benefit the people of The Pas, and all of the citizens of Manitoba.

The critical point, Mr. Acting Speaker, is that the Government was under no obligation to provide this information to the House until the deal was signed. Indeed it was unprecedented for the Minister of Finance (Mr. Manness) to be so open. Now I hear the Member for St. Vital (Mr. Rose) chirping from his seat, from somebody else's seat, but somebody said something that really makes me think of the Honourable Member for St. Vital, and that is, it is better to keep your mouth shut and be thought a fool than to open it and to remove all doubt. I always think of the Member for St. Vital when I am reminded of that particular expression.

We could have said no to the Opposition Parties, Mr. Acting Speaker. Instead, for the first time in the history of this province, the Government provided information to the public through the Standing Committee on Economic Development on a deal before it was signed. That is accountability. That is responsible Government. That is strong and effective leadership, which the people of Manitoba have supported in our Government and will continue to support. They will not support the childish games Honourable Members opposite want to play and continue to play.

The proceedings of the Standing Committee on Economic Development on May 1 were very unique indeed.

We have to put into perspective what occurred that evening. We have to start from the premise that the

Opposition has never supported the deal in the first place. They may have paid some lip service, and the debates of the committee, I suggest, would support that, but deep down they never really supported the deal.

How do I know this? It is evident from the line of questions Honourable Members opposite were pursuing that evening, questions they knew would scuttle the deal, questions we could not answer until the agreement had been signed.

The Minister of Finance (Mr. Manness), a responsible Minister in this House, and a responsible Minister in this Government, would not allow those Honourable Members opposite to jeopardize the deal which would benefit the people of Manitoba.- (interjection)- We continue to hear from the Honourable Member for St. Vital (Mr. Rose), from somebody else's seat, Mr. Acting Speaker. His comments are no more intelligent than they were a few minutes ago.

The Minister of Finance answered all the questions which were posed to him, but instead of accepting what the Minister was saying, as an Honourable Member of this place, instead of attempting to work with the Government, instead of taking their membership on the Economic Development Committee seriously, what were Honourable Members opposite doing? They were ordering in pizza. We have had that confirmed for us today by the Member for St. Norbert (Mr. Angus). They were turning the committee into a pizza party, making it into a fun evening, instead of dealing with the issues that are serious to the people of Manitoba.

Now, Mr. Acting Speaker, you must understand that there is still another reason as to why the pizza was being ordered. That reason was, that there were no media present at two o'clock in the morning.- (interjection)- The Honourable Member for Inkster (Mr. Lamoureux) tells me a certain member of the media was present, but I guess that was not enough media for the Liberal Party. They like to be surrounded by cameras.

The question for the Member for St. Vital might be, was Gordon Sinclair there? Was Gordon Sinclair ready to write about how important the Honourable Member for St. Vital is as an MLA in the Province of Manitoba? There were no media present at two o'clock in the morning, so the Opposition orders in pizza and they hunker down in an attempt to drag on the committee meeting all through the night, so that at the end of the exercise they could say, this was such a bad deal, we had to sit here all night and review it. It backfired on them, because the Minister of Finance was not going to permit the Repap deal to go down the drain because of the irresponsible actions of Honourable Members opposite.

(Mr. Speaker in the Chair)

As I was saying about the meeting on May 1, the Honourable Member for Minnedosa (Mr. Gilleshammer) was presented with a motion to adjourn the committee, which was defeated, and then was presented with a procedural matter raised by certain members of the committee in which he felt that further advice was required, and he recessed the committee.

\* (1710)

On May 23 the committee met again to consider the deal. The Honourable Member for Minnedosa was no longer a member of that committee, having stepped aside in a spirit of an honourable gentleman, and the transcript from the committee meeting indicates that a new Chairman was elected. An honourable gentleman, he stepped aside in a spirit of co-operation and in the spirit of trying to work together. The persecution that we are seeing in this House today perpetrated by Honourable Members opposite, I suggest speaks fairly loudly.- (interjection)-

The Honourable Member for Concordia (Mr. Doer) wants to get into the act. Up until now, I have deliberately left the NDP out of the issue for good reasons, I suggest. But the Honourable Member for Concordia wants me to get into the part played by the NDP, and so I shall oblige the Honourable Member.

The Honourable Member wants to talk about the Speaker being the one who has made a ruling today about this particular matter and about persecution, perpetrated by Honourable Members opposite, and he wants to bring the name of the Speaker into this, Mr. Speaker. If he would sit and listen for a moment, it might do him some good.

It does the NDP no good either to invoke the name of the Speaker when it comes to anything to do with this House, because they, like their friends in the Liberal Party, routinely burn the Speaker and show no respect whatsoever for him. Speaking out of the other sides of their mouths when on the day of his selection they were so pleased that this Speaker would take his place in this Chamber and be respected by all of the Members, and we talk about all the respect we have for the Speaker and for each other and then we act the way we do. I say that is pretty reprehensible on the part of the NDP.

Maybe the Honourable Member for Concordia (Mr. Doer) will stand in his place in this debate, since he wants to speak from his seat so much, and maybe he will let the people of this province know where he stands. Does he stand with his colleagues, I wonder? Well maybe we will find out, maybe we will not. More likely we will not.

On May 23, as I was saying, the committee met again to consider the deal. The Honourable Member for Minnedosa (Mr. Gilleshammer), as I also said, had stepped aside. The Members of the Opposition have indicated by their remarks in committee that they no longer have any confidence in the Member for Minnedosa to Chair any committees of the Legislature, no confidence in the Member for Minnedosa.

I would assume, as well, the Committee of Supply proceedings—Sir, this side of the House I can tell you has complete and absolute support for the Honourable Member for Minnedosa. That Honourable Member has demonstrated that he can be fair, he can be impartial when he is called upon to Chair any deliberations of this House. May I say personally and parenthetically, he is a very decent human being, and I do resent the way he is being treated by Honourable Members in the Opposition.

If indeed the position of the Liberal Party is that they do not have any confidence in the Honourable Member for Minnedosa as confirmed by the Honourable Member for Osborne (Mr. Alcock) just now, if they do not have confidence in him to handle the deliberations of this House, then why on two separate occasions that I can recite for you, namely June 28 and September 22, and I am sure many more times since then, why did the Honourable Member for Seven Oaks (Mr. Minenko) and the Honourable Member for Burrows (Mr. Chornopyski) both as Deputy Speakers request the Honourable Member for Minnedosa (Mr. Gilleshammer) to take the Chair of this House. Why? Where is the consistency of the Liberal Party?

These Members, the Member for Seven Oaks and the Member for Burrows are high-ranking members of the Liberal Party. Are those two Honourable Members going to turn from the silly path their Leader wants to take them on, and stand up in this Assembly and speak to honour the integrity the Honourable Member for Minnedosa has demonstrated in this Assembly? Will those two Members come forward, or will they be pressured by Members of their Party to go against the strength of their convictions? Well, I guess time will tell.

For the information of Honourable Members, I would like to table the two notes that indicate the Liberals have no concrete position on this matter. They are divided, disorganized, and slowly but surely they are destroying themselves. I will read them into the record as the Honourable Member for Concordia (Mr. Doer) suggests.

On June 28 the Honourable Member for Seven Oaks and I quote, "Harold, can you take over for me, Mr. Deputy Chair, signed Mark". This is the position of the Liberal Party which has no confidence in the Member for Minnedosa. I have another one dated and I could probably show you many more because I have seen the Honourable Member for Minnedosa sitting in the Chair on many occasions. On September 22, 1989, quote, "Harold, would you please take the Chair for 5 minutes. Thanks, B.C." meaning Bill Chornopyski.

Now, the Liberal Party cannot be believed on anything, Mr. Speaker, and it is a little frustrating trying to run a House when you have to deal with that kind of Opposition, but here we are and we will do our best. As I said, through ruses like the one we see today, the Liberal Party is slowly and surely destroying itself.

The Government is not confused as to what our position is on this matter. The Honourable Member for Minnedosa (Mr. Gilleshammer) has our complete confidence and that is not going to change. That will not waver, unlike the Honourable Members in the NDP and the Honourable Members of the Liberal Party who have stated quite clearly the way they feel about the Honourable Member for Minnedosa.- (interjection)-

You will forgive me, Mr. Speaker, if I will block out what the Member for Concordia (Mr. Doer) is saying from his seat because he still has not had the courage to say where he stands on this matter. We do not know where he stands, we just know where some of his loud and crazy backbench Members stand. I would have

thought that the New Democratic Party is a principled Party and would take positions of principle rather than horsing around and playing around with people's lives. Let me tell you this makes me sick, quite frankly.

Members of the Government Caucus, who were Members of that committee, have nothing to apologize for at this time, Mr. Speaker, because there is no rule anywhere in our Rule Book which states that a Member is not permitted to leave a committee meeting. Nowhere do we find such a phrase. Indeed our practices strictly forbid any Member of this place to comment on the absence or presence of any Member of this Assembly. I am sure that the Standing Committee on Privileges and Elections may want to look at that fact when that committee is called upon to look into this matter.

Throughout the course of this matter, I have seen some pretty amazing events. However, I saw the most unusual event on May 3 when the Honourable Member for Wolseley (Mr. Taylor) together with Members of the committee and the press, of course the press in tow, you will recall, Sir, what I said earlier about having an audience. Well, all those Members came down to my office demanding to see me. Well, you can imagine how overwhelmed I was when I stepped out of my office.

The words of the late Andy Warhol apply here I think, namely, that everyone would be famous for 15 minutes. I suggest Andy Warhol never had a chance to know the Honourable Member for Wolseley (Mr. Taylor) or the Member for St. Vital (Mr. Rose). He would not have given them 15 minutes, Mr. Speaker. Not to mention the Member for St. Norbert (Mr. Angus), we do not know whether he has been given any time at all.

I suggest that Honourable Members were famous for about 30 seconds on the six o'clock news and that was about all. The Member for Wolseley (Mr. Taylor) we know has a lot of nerve, we know that already. He demonstrates that daily. I suggest he used a fair amount of nerve to barge into my office demanding that I intervene in a matter which is before a committee of this House.

Here again we have a clear misunderstanding on the part of the Liberal Party about the Rules, the traditions, and what is proper and right about this House.- (interjection)- Oh, I think I hear the Member for St. Vital again, Mr. Speaker. I think I hear him again probably uttering another phrase that ought not to find any place in history.

I respect this place and their traditions that have evolved not just over the last two years or the last 18 months but over many centuries. I have not in the past, will not in the future, and I would not do it just because the Member for Wolseley demanded it, to interfere with the Honourable Member for Minnedosa (Mr. Gilleshammer) to try to attempt to breach the impartiality of a Chairman of one of the committees of the House.

That alone should be the subject matter of a complaint, but we have the business of the people of Manitoba to do around here, and I do not see any point playing little political cheap trick games as we see happening on the part of Honourable Members

opposite. I do not want to interfere with the Honourable Member, or any Chairman in an attempt to breach impartiality.

Because the Government respects the traditions of the Assembly, the Opposition decided that it would seek the mantle of power and call a committee meeting, thereby circumventing the traditions of the House and the history of this place. Here is where I really feel for the Members of the New Democratic Party because I know they cannot be comfortable with all of this; they cannot be. They have been around long enough to know a little bit about what is right and wrong, and that is why I am having trouble with the NDP position today. If anyone has contempt for this place, it is the Honourable Members opposite. The whole fiasco shows the signs of a desperate Opposition.

\* (1720)

The Deputy Speaker is speaking from his seat, and I have heard him doing it previously today on this matter. I know the position he takes with regard to the Honourable Member for Minnedosa (Mr. Gilleshammer). So if he does not support, respect, and show some decency for that Honourable Member, then perhaps we will hear from him as to why. We know, from the note I tabled a moment ago, that the Liberal Party does feel a certain respect for the Member. We will just find out where the Member for Seven Oaks (Mr. Minenko) stands on this matter, I suspect, or maybe we will not. But the whole fiasco shows the signs of a very desperate Opposition.

This Government has brought forward progressive legislation and a brighter and more prosperous outlook for the future of Manitoba. The Government Manitobans have been getting from the present Government seems to be irritating Honourable Members opposite. It is upsetting them, and instead of getting on side and supporting a progressive approach to the Government of the people, they would rather play around their little games and spend a whole Session worrying about little else but this. I find that upsetting, as a Manitoban, but I suppose as a Progressive Conservative I should not be too upset because it is going to backfire rather badly on Honourable Members opposite and certainly on the Leader of the Opposition who seems to be spearheading all of this and supporting it all.

It is a sad state of affairs when certain Members of this Assembly attempt to hijack it and use it strictly for partisan purposes. It is a sad day for this place as an institution, and a sad day for the people of Manitoba who support and have asked this Government to bring forward new and progressive policies and programs which will enrich their lives. It is a sad day, Mr. Speaker. I am extremely disappointed, not as a Progressive Conservative, and not as a Minister of the Crown, and not as the Government House Leader—although heaven knows I am disappointed in that capacity—but I am very disappointed as a Manitoban.

I cannot understand people like the Member for St. Norbert (Mr. Angus), the Member for Wolseley (Mr. Taylor, the Member for St. Vital (Mr. Rose), maybe the Member for Seven Oaks (Mr. Minenko), maybe the

Member for Burrows (Mr. Chornopyski). I cannot understand it, and I am having a little trouble with the Honourable Member for Thompson (Mr. Ashton), understanding the position he is taking, but I will try harder. I will try harder to understand Honourable Members, but how much longer do I have to put up with this nonsense, this foolishness?

Then when I say that, the Members say, oh, no, but the Speaker said it is not foolishness. Well, Mr. Speaker, can we believe Honourable Members opposite when they invoke the name of the Speaker in this House, when they have shown such disdain for you, when they have thumbed their noses at you and they have overturned your rulings with such rapidity it is enough to make your head spin? Can you really believe them when they say support the Speaker when their actions belie such comments?

Well, Mr. Speaker, I am going to stop now because I hope I have made it clear how I feel about the way Honourable Members approach their duties in this House. If they think their constituents think this is the way they should approach their duties, well good for them, but we will see somebody else in their places after the next election.

**Mr. Kevin Lamoureux (Inkster):** First of all, Mr. Speaker, I would like to compliment you on the, no doubt, hard dilemma that you were put in, in terms of trying to come up with a ruling on this particular nature, realizing that not too many Speakers, I believe, in Manitoba's history have been given a task of this nature. I can appreciate the work, no doubt, that you have put into coming up with this particular ruling.

Getting to the ruling itself, and I was somewhat intrigued and interested in the remarks that the Attorney General (Mr. McCrae) was levelling in his comments regarding the ruling, Mr. Speaker. We look at a few of them. He had suggested that the motives of the Liberal Party behind what we are doing is just to grab headlines. He suggests that the Leader of the Opposition (Mrs. Carstairs) should be ashamed of herself.

Mr. Speaker, he also states that we do not understand completely the rules of this Chamber. Nothing can be further from the truth. This we have been treating as a very serious matter because it deserves to be treated as a very serious matter. The Government of the Day is treating it in a manner which is not acceptable to this side of the House, and not acceptable to Manitobans. It is nothing about grabbing headlines or anything of this nature. It is defending what is the parliamentary tradition and we believe that this Government has violated parliamentary tradition in the actions that they have taken. The Attorney General should not be trying to belittle the importance of this.

He also made reference to the Chairperson, the Member for Seven Oaks (Mr. Minenko), and the Member for Burrows (Mr. Chornopyski) in terms of asking the Member for Minnedosa (Mr. Gilleshammer) to take the Chair. Mr. Speaker, I am sure that the Member for Seven Oaks -(interjection)- The Minister of Finance (Mr. Manness) asks if I have an explanation. Mr. Speaker, many times in this Chamber you will find the absence

of many Members of the Government, and if you take a look at who is actually sitting inside—

### POINT OF ORDER

**Mr. Speaker:** The Honourable Government House Leader, on a point of order.

**Hon. James McCrae (Government House Leader):** I know the Honourable Member is having a difficult time explaining how it is the Member for Seven Oaks and the Member for Burrows have seen fit to be very supportive of the Honourable Member for Minnedosa, but the Honourable Member for Inkster (Mr. Lamoureux) ought not to refer to the presence or absence of Members or Ministers in the House. He knows better than that already. He should know better and he is doing it anyway. I think that maybe he should be called to order.

**Mr. Speaker:** The Honourable Government House Leader is quite correct. We do not make reference to Members either being present and/or away.

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**Mr. Speaker:** The Honourable Member for Inkster.

**Mr. Lamoureux:** Mr. Speaker, the Minister of Finance (Mr. Manness) suggested that I ask or explain why the Member for Burrows (Mr. Chornopyski) and the Member for Seven Oaks (Mr. Minenko) had asked the Member for Minnedosa (Mr. Gilleshammer) to take the Chair, and maybe in a different way. But the Attorney General (Mr. McCrae) should be aware of the fact that once you are sitting in the Chair, you cannot ask a Minister to take position in the Chair.

Unfortunately, under many circumstances you will be fortunate if there is one backbencher that might be in presence, and automatically the person who is sitting in the chair, and if we want the Conservatives to take the chair, in which they should be in the chair, in many cases, we do not have too much of an option. If you cannot ask a Minister, you have to ask a backbencher of the Government. If the Member for Minnedosa (Mr. Gilleshammer) is the only one who is in the Chamber, I would suggest to you that might have been the case, but you will find the Member for Seven Oaks (Minenko) no doubt will be more than happy to enlighten you to whatever reasons or rationale he might have had at that time.

\* (1730)

I also wanted to comment on some of the remarks that the Minister of Finance (Mr. Manness) had made, because this ruling is indeed going to affect the Minister of Finance when we do go into committee on this recommendation. He has suggested that he regrets walking out, and I personally believe that he is very sincere in his remarks, that he does regret walking out. I think if he had the opportunity to rethink, that in fact he might not walk out of the meeting, Mr. Speaker. I also believe when he has suggested that he regrets

that he left the Chair in an awkward position—in his view, that the position that he had put the Chairperson into was as a cause of his actions, by himself walking out of the Chair.

I think, Mr. Speaker, it is important that we realize that the Minister of Finance has acknowledged that there was something wrong in what the Government has done. He has done that through his admission of guilt. I was glad to hear that he did acknowledge that he did put the Chairperson in a very awkward position. I was there from the moment the committee started, to two o'clock or 2:12 in the morning when it finally came to an end in the manner in which it did. I was somewhat disappointed in the manner in which the Minister of Finance (Mr. Manness) put his colleague from Minnedosa (Gilleshammer) in such a compromising position, and I do not envy any Member, whether it is in a Conservative Government or an NDP Government or a Liberal Government, Ministers putting a Chairperson in such an awkward position.

Mr. Speaker, the Minister also admitted that we had a right to ask questions. We had many questions that we did want to ask and we were putting forward the questions. Unfortunately we were unable to ask all the questions that we would have liked to have been able to ask. He himself said that he would make himself available in order to discuss the divestiture of Manfor, and so that although the committee was there to discuss, or was called originally to discuss, the 1988 Manfor Annual Report, the Minister of Finance acknowledged that he would be more than happy to discuss the Repap and Manfor deal.

In fact, Mr. Speaker, he brought forward staff people to facilitate the questions that we might have, to assure us that the Government in fact had a good deal, in their view, but did not allow us to use that expertise to the fullest extent that we would have liked to, because of the fact that he had walked out, taking the staff and really crippling the committee. I think that is something that is important to be recognized.

**An Honourable Member:** The record will prove you wrong.

**Mr. Lamoureux:** Mr. Speaker, I would like to comment about what had happened at that meeting. The Minister of Finance (Mr. Manness) says that Liberals seem to be coming in with a charging attack, ready to throw something at the Government, some preconceived, hidden motive to try and disrupt the Government agenda. That is just not the case.

We came forward with the legitimate concern, a concern in which the dealings, the Minister of Finance was stating, were not available, the contract that was not available for us to be able to go through in detail, for Manitobans to go over with in detail, that American citizens had available to go over in detail. The Minister has made reference to the fact that the Government could not reveal this to us.

Mr. Speaker, I think maybe, as an Opposition, we could have reached actually to get a copy of it and then release it to the public through the United States,

and I think that is wrong. For whatever reasons the Minister of Finance (Mr. Manness) defended what he felt was in the best interest of his particular Government, and not what was in the best interest of all Manitobans. I think that is wrong.

The Minister, in his remarks, and we hear heckling from the floor, that there was pizza, or the Liberals had ordered in pizza and beer, Mr. Speaker. They are quite correct in the sense that we ordered in pizza, but I do not think the Government is being quite so fair on that particular issue, and maybe what I should do is let them know what had actually taken place. It looked as if we were going to be having a long evening, and I had approached my colleagues. When I had seen that the others were eating, that were on the committee, I had made the suggestion to my colleagues that we go ahead and order pizza because we do not know what time this is going to end.

This is what we did. It was an organized thing on my behalf in order to ensure that we could sit as long as necessary, to ensure that Manitobans would have the benefits of being able to have the loyal Opposition have the opportunity to ask as many questions regarding this divestiture as possible, Mr. Speaker. For the Minister of Finance (Mr. Manness) and his colleagues on that committee, if they had no foresight in wanting to order in food or whatever it might be, well that is their problem. If they were hungry, this is what they should have done.

Mr. Speaker, at the beginning of the committee when we were discussing things across the table, and I am not too sure if Hansard will actually show any, but reference was made in terms of how long we were going to be sitting tonight. The Minister of Finance - (interjection)- well, if the Minister of Finance would have stayed around, we would have shared with him. If - (interjection)- you were more than welcome to come in for a piece of pizza if you would have liked a piece of pizza.- (interjection)-

Mr. Speaker, the Minister of Finance (Mr. Manness) says that we were indulging in good times. How far off the mark can the Minister be? I think we were being reasonable if we are going to continue to sit into the evenings that we sit at least as comfortable as possible. After all, it was the Minister of Finance at the beginning of the committee in who had stated over the table that he is willing to sit till whenever, that he did not want to meet in the next morning. He would rather sit and draw to an end, at whatever time it might end. This is the type of conversation that was going across the table for the first little while when the committee was sitting.

Then when it actually came down to it, we saw a change in mind from the Minister of Finance. No longer was he willing to sit. The excuse they use is the fact that we were ordering pizza. That was not the real reason. The real reason was that the Government was getting, through the Minister of Finance, frustrated and felt that they did not have to put up with the line of questioning that the official Opposition was putting forward. That was the real reason why the Minister of Finance walked out of the committee, and he knows that. I am sure his colleagues know that. It had nothing

at all to do with pizza. They refer to pizza and beer, I do not where they get the beer from. I would ask the Minister of Finance (Mr. Manness) if they actually had anything to eat.

(Mr. Neil Gaudry, Acting Speaker, in the Chair)

Anyway, the other Member that is going to be substantially affected by the ruling that you have made today is the Member for Minnedosa (Mr. Gilleshammer). The Member for Minnedosa, I sat back to listen to what he had to say. I must admit I did expect him to say something in terms of stressing regret and some of the actions that he himself had taken, because I felt that a responsible thing to do would have been able to at least admit in part as a minimum that maybe he was wrong. Maybe in walking out of the committee or saying we are in recess knowing that the committee was not actually going to be in recess, I think that was a mistake. I was hoping he would actually include that in his remarks.

\* (1740)

I can appreciate, as the Member for Minnedosa had stated, that it was very unusual circumstances. Indeed it was unusual circumstances that he was put in. As I pointed out earlier, I do not envy the position that he was put in, because in sitting in the committee room and watching the Minister of Finance (Mr. Manness) walk out of the room and then the remainder of the Conservative committee standing up and walking out, I do not believe that they even consulted the Chairperson and stated their intentions, nor should they have tried to put a bias on the Chairperson.

What they have done, Mr. Acting Speaker, is they did put the Chairperson in some unusual circumstances to say the very least. I can say, in what I saw, he did appear to be very uncomfortable about the position that he was put into. It is too bad one of the Government Members, whether it is the Government House Leader or someone that was not on the committee so they would not have had to worry about that, but someone from the Government would have been there to give him some advice, maybe a Member that had more experience to advise the Member for Minnedosa (Mr. Gilleshammer) on maybe what he should be doing.

The procedural dilemma was a problem on the recess, is really what he had stated. As far as the committee was concerned, and the majority of the committee was concerned, there was no question mark in terms of what the committee should be doing. It was very clear, and there was a lot of discussion, even though Hansard might not show exactly what the discussion entailed, because of conversations that were going on while we were waiting for the Clerk to advise the Chairperson. There was a lot of discussion going on, and the will of the committee was not carried out. I find that is very unfortunate, even though I can understand, as I say, the circumstances and the procedural dilemma that the Member for Minnedosa (Mr. Gilleshammer) was put into.

Mr. Acting Speaker, the Member for Minnedosa stated that there was no agreement to reconvene. I can actually make reference to the night in question, or the early morning in question, in which a couple of Members,

both Mr. Angus and myself, had brought up very clearly what were our intentions or what we were wanting to see. This was not taken into account and it is somewhat unfortunate, but I do plan to go over some of the events of that evening in a bit more detail after I go through some of the other comments that I did want to talk about.

Mr. Acting Speaker, I also wanted to comment on some of the remarks that the Minister of Northern Affairs (Mr. Downey) made. The Minister of Northern Affairs I think got a bit carried away in some of the things that he was saying in the Chamber this afternoon, stating that he does not believe that there should be a penalty, that things have gone far enough, that we should stop here. I think what he is really doing here, or I would start questioning, is to what degree he is contradicting, or what the Speaker has stated in his statement. He says that there is no need to take it to the Privileges and Elections Committee.

I think that is far from the truth. I think it has to go to the Privileges and Elections Committee, it has to be debated fully, and you can count on it in fact going to the Privileges and Elections Committee. The Minister of Northern Affairs, thank God, he quotes. I cannot really quote, but he made reference to the fact that they are able to walk out of committees if they so choose. He thanked God for that.

That is scary. What the Minister of Northern Affairs was saying really is that we should be grateful that we can walk out of a committee in the manner in which the Government did. Mr. Acting Speaker, what the Minister of Northern Affairs is saying is that even after the fact he sees that there was nothing wrong with what was done, he still concurs that the walkout of the Government that morning was correct, that there was nothing improper about it. I find that unbelievable that someone of this Chamber, knowing the circumstances, knowing what happened that evening, would stand up and say something of that nature. I think that it is appalling, and maybe when we go into the Privileges and Elections, the Minister of Northern Affairs (Mr. Downey) will rethink some of the words that he put on the record today and possibly retract a few of them.

Mr. Acting Speaker, we do want to see it go into Committee; it is important that it goes to Committee. I personally believe that some measures do need to be taken, and I do not want to be presumptuous. I believe that this particular Committee should debate it and debate it thoroughly and come up with an answer to bring back to the Chamber in terms of what should happen, what type of penalties should be served.

The idea that, and I will cite an example, we might see something coming out to the effect that the Member for Minnedosa (Mr. Gilleshammer) should not be allowed to Chair for this Session or the remainder of the Session. We might see some ruling that will alleviate the concerns of what we perceive on this side of the House is a violation of the parliamentary system. Whatever comes out of that Committee, I am sure that we will be debating once again in this Chamber and ensure that if there is a penalty that in fact it is a just penalty and a well thought out penalty.

(Mr. Speaker in the Chair)

The most important thing here is that the Minister of Northern Affairs (Mr. Downey) is dead wrong to say that it should not go to a Privileges and Elections Committee. I believe it should go to that committee and it should be that committee that ultimately decides what should be done in this particular case.

To that point, Mr. Speaker, I did want to make a couple comments of what actually went on in that particular evening. As I had pointed out, I was there from the beginning of the meeting in which there were many conversations across the table. We were of the opinion, the official Opposition was of the opinion, that we were going to be sitting until all of our questions were answered. The Government, through the Minister of Finance (Mr. Manness), had given us that impression and we had taken him at his word on that. We were quite content to be able to sit down and listen and put forward our questions and hear the answers until all of our questions were answered.

\* (1750)

Shortly after two o'clock, Mr. Speaker, what I would like to do is quote to you what actually took place shortly after two o'clock, and this is coming from the Minister of Finance, and I quote: he says, Mr. Chairman, in my view, good and open Government should do things in this manner in reporting to all of Manitoba, but nevertheless Government has to make decisions and it has to move on, because there are basic decisions that have to be made, the Government has to govern, and therefore, Mr. Speaker, and therefore -(interjection)- this is the important part, the Minister of Northern Affairs (Mr. Downey) should be listening to this part here. This is very important. This is what the Minister of Finance said at 2:10 in the morning, and I quote: I will be moving the motion that this Committee now rise. That is what the Minister of Finance at 2:10 in the morning had moved.

The Minister of Finance was using the rules correctly. There is nothing wrong with moving a Committee to rise, and I do not argue that. Where I do argue is when the question was put, and the Minister of Finance was calling for the question to be put. When the question was put, the majority Members of the Committee said no, the committee was not to rise. What was the Minister of Finance's (Mr. Manness) reaction to having his motion defeated in a democratic fashion, in a fashion in which our parliamentary history has seen through hundreds of years? What does the Minister of Finance do? He decides that he is fed up with answering the questions from the Opposition, Mr. Speaker. So he takes it upon himself to walk out of the committee room and right behind him is the remainder of the committee Members from the Conservative Caucus.

I think all Members—and I do not want to assume that all Members of the Conservative Party who were on that committee were aware of what they were doing—but I have to believe that all Members are Honourable and that those Members who did walk out might not have had the intention of doing what they were actually doing. But, in fact, Mr. Speaker, I am sure, as they are aware of right now, the Government sent a very, very strong message, and I would hope that

the Members, the other Conservative Members of the committee, knew what they were doing, because that Government did send a strong message to not only the committee, they sent a strong message to all Manitobans that they are not going to put up with the minority Government and the way in which it has to operate. It has to operate on cooperation. Time after time after time we see this Government showing no display or no knowledge of how to cooperate in order to facilitate what the Government would like to be able to do, whether it is in a committee, such as that evening, or whether it is during regular House business, committees in-between or anything of that nature. The Government knew what it was doing when it did what it did. It was a slap in the face to the parliamentary system.

We have children who are taught in our schools in the province about the parliamentary system, and it starts right from kindergarten when we might see children in our own public gallery. We have children and so forth at the public gallery in Ottawa who believe that we are fortunate to have a parliamentary system, and it goes right from the kindergarten all the way up into university. I can cite my intro to the political science course that I had taken. When you discuss parliamentary systems, you compare it to other democracies in the world.

Mr. Speaker, in all cases, I believe that people would be disappointed in the manner in which this Government that early morning, at 2:10 in the morning, decided to walk out of the committee room. To stomp out of the committee room, Mr. Speaker, and that is probably a much better way of putting it, because as they were walking out they looked very content with what they were doing, they were happy with what they were doing. That even bafflegabs me that much more that there was no doubt whatsoever in their minds that when they walked out they knew what they were doing.

It violates, in my opinion, all parliamentary procedure that I have ever heard of in terms of a minority of a committee meeting, a duly called committee meeting, in our parliamentary system. I am not just talking about Manitoba, I am talking about Canada, any other provinces, Britain, Australia, anywhere in the Commonwealth. I am sure through your extensive research you would have had to go a long way into different jurisdictions. It would be awfully hard to be able to come up with an example such as this because I believe that there is no other precedent of this type in which we have a walkout of this nature. It is precedent setting, and that is why we should not be taking it

lightly, that is the reason why we should be sending it to a committee, Mr. Speaker, that is the reason why it is important that we do not take this issue lightly. It has nothing to do with grabbing media headlines and grabbing as much media's attention as possible. It is a matter of principle.

I personally believe that we should go as far as possible to ensure that what we do in this Chamber will no way reflect negatively on Manitoba's Chamber. My only fear is, Mr. Speaker, that we treat it lightly. This is a very serious thing that has occurred, and it should be treated in the manner in which you are treating it.

Getting back on to that decision that the Minister of Finance (Mr. Manness) and the Government knew what they were doing, shortly after they had walked out—and I made reference to it—the Chairperson was put into a very awkward position. I was there when they walked out, I saw the expressions and the spot that the Member for Minnedosa's (Mr. Gilleshammer) colleagues had put him into. I did not envy that position. He consulted with the Clerk. It was a very tough position.

Mr. Speaker, I would like to quote what myself and the Member for St. Norbert (Mr. Angus) had said, because there was discussion in terms of what the committee wanted, there was a will of the committee. This is really what I would like to emphasize for the Member for Minnedosa.

I quote, Mr. Speaker, from myself from May 1: Mr. Chairperson, on a point of order, just for clarification. Maybe the Clerk can clarify it for me. If we take a recess, from what I understand there is nothing preventing us from meeting again at nine o'clock in the morning. What the committee has decided unanimously is that we will reconvene at nine o'clock in the morning. It is not an adjournment. Through the point of order that I had suggested, it was very clear that the will of the committee was to recess until nine o'clock in the morning. I made it crystal-clear from the committee Members.

Mr. Speaker, in fairness the Chairperson consulted once again with the Clerk, and another—

**Mr. Speaker:** Order, please. When this matter is again before the House, the Honourable Member will have five minutes remaining.

The hour being 6 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).