



Fifth Session- Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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



Vol. XLIX No. 17A - 10 a.m., Thursday, April 29 1999

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
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DRIEDGER, Albert	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
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ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
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FILMON, Gary, Hon.	Tuxedo	P.C.
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FRIESEN, Jean	Wolseley	N.D.P.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
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NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
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WOWCHUK, Rosann	Swan River	N.D.P.
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 29, 1999

The House met at 10 a.m.

PRAYERS

ORDERS OF THE DAY

Government Motions

Hon. Darren Praznik (Government House Leader): Madam Speaker, we would ask, as we have indicated in seeking leave of the House to sit this morning, that you shall call the government motion with respect to Rules, Orders and Forms of Proceeding of the Legislative Assembly. I think if you canvass the House, there would be an agreement that upon conclusion, should this matter conclude, the House would then see fit to call it twelve o'clock.

Hon. Gary Filmon (Premier): Before I begin, I wonder, on a point of procedure, if it is your desire to have me read the entire rule change into the record as part of the motion. I am quite prepared to do that. I think I am capable of doing it, but I just wonder whether or not we can accept it as printed. Is that acceptable in terms of procedure?

Madam Speaker: Is there leave not to have to read the entire motion into the record? [agreed]

Mr. Filmon: Madam Speaker, I move, seconded by the honourable Minister of Environment (Mrs. McIntosh), that the Rules, Orders and Forms of Proceeding of the Legislative Assembly of Manitoba be amended by adding the following new rules immediately after the heading "The Speaker" which follows Rule 4, and the remainder to be taken as printed.

1. THAT The Rules, Orders and Forms of Proceeding of the Legislative Assembly of Manitoba be amended by adding the following new Rules immediately after the heading "The Speaker" which follows Rule 4:

"4.1(1) At the opening of the first session of a Legislature, and at any other time as determined pursuant to Rule 4.1(2)(a), the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding.

4.1(2)(a) In the case of a vacancy in the Office of the Speaker, as a result of death, resignation or for any other reason, the House shall proceed to elect one of its Members to be Speaker.

4.1(2)(b) If the Office of Speaker becomes vacant between sessions or during a period when the Assembly stands adjourned to the call of the Speaker, the Clerk shall immediately notify all Members that the Office of Speaker is vacant.

4.1(2)(c) The Clerk, when the Office of Speaker is vacant, shall ensure that the notification to Members of the date for the opening of a new session or the reconvening of an existing session contains the information that the first order of business shall be the election of a Speaker by secret ballot.

4.1(3) No Minister of the Crown, or leader of a recognized political party, shall be eligible for election to the Officer of Speaker.

4.1(4) The election of a Speaker shall take precedence over all other business and the House shall continue to sit, if necessary, beyond its ordinary hour of daily adjournment, until a Speaker is elected and is installed in the chair and if the House has continued to sit beyond its ordinary hour of daily adjournment, the Speaker shall thereupon adjourn the House until the next sitting day.

4.2(1) For the purpose of electing a Speaker, the Clerk, or in the absence of the Clerk another Clerk at the Table, shall administer the election process and shall preside during the election of a Speaker.

4.2(2) During the election of a Speaker, the Clerk shall not be permitted to entertain any question of privilege or point of order.

4.2(3) *During the election of a Speaker there shall be no debate and no adjournment motion nor motion of any other kind shall be accepted for consideration.*

4.2(4) *The election of a Speaker shall not be considered a question of confidence in the government.*

The election of a Speaker shall be conducted by secret ballot as follows:

4.3(1)(a) *After a general election, or at any other time when there is a vacancy in the Office of Speaker, any Member who wishes to stand for election to the Office of Speaker shall, not later than 4:30 p.m. on the working day preceding the day on which the election of a Speaker is expected to take place, in writing in the prescribed form, so inform the Clerk who shall prepare, in alphabetical order, a list of the given names and surnames of those Members who wish to stand as candidates for election to the Office of Speaker.*

4.3(1)(b) *After the closing days and times referred to in sub-rule (a), the Clerk shall affix a copy of the list of candidates provided for in Rule 4.3(1)(a) in a conspicuous place in or near the Legislative Chamber, and shall provide copies of that list to the caucus office of each recognized political party and to each independent member.*

4.3(2) *If only one member stands for election to the Office of Speaker, or at any stage a withdrawal, pursuant to Rule 4.3(13), leaves only one candidate remaining, the Clerk shall announce in the Chamber that candidate's name and without any vote declare that Member to be elected Speaker.*

4.3(3) *If there are two or more candidates for election to the Office of Speaker, ballot papers shall be provided to Members present in the Chamber, by the Clerk, prior to the taking of the ballot.*

4.3(4) *Before the taking of the first ballot, the Clerk shall distribute the list of candidates to Members present in the Chamber.*

4.3(5)(a) *Each Member present in the Legislative Chamber who wishes to indicate his or her choice for the Office of Speaker, shall proceed to one of the voting booths at the Table and print or write legibly on the ballot paper the surname of a candidate whose name appears on the list distributed pursuant to Rule 4.3(4)*

4.3(5)(b) *Notwithstanding paragraph (a), when two or more candidates, whose names appear on the list distributed pursuant to Rule 4.3(4), have identical surnames, each Member who wishes to indicate his or her choice for one of these candidates shall print or write legibly on the ballot paper the given name and the surname of the candidate of his or her choice.*

4.3(6) *Members shall deposit their completed ballot paper in a box provided for that purpose on the Table.*

4.3(7) *Once all Members wishing to do so have deposited their ballot papers, the Clerks at the Table shall retire from the Legislative Chamber with the ballot box and shall count the vote and the Clerk, being satisfied as to the accuracy of the count, shall destroy the ballots together with all records of the number of ballots cast for any candidate.*

4.3(8) *If one candidate receives a majority of the votes cast, the Clerk shall announce the name of that Member as the Speaker.*

4.3(9) *If no candidate receives a majority of the votes cast, the name of the candidate, or in the event of a tie the candidates, having the lowest number of votes cast, shall be excluded from subsequent ballots.*

4.3(10) *If every candidate receives the same number of votes, no names shall be excluded from the next ballot.*

4.3(11) *For each subsequent ballot, the Clerk shall prepare a list of candidates and distribute it to Members present in the Chamber.*

4.3(12) *Subsequent ballots shall be conducted in the manner prescribed in Rules 4.3(3) through (13) and the balloting shall continue, in a like manner, until such times as a candidate is*

elected Speaker upon having received a majority of the votes cast.

4.3(13) At any time after the result of the first ballot has been declared, but before the commencement of a second or subsequent ballot, a candidate may withdraw from the election by rising in his or her place in the House and stating that he or she is withdrawing, and the election shall then proceed as if the Member had not become a candidate.

4.3(14) The Clerk shall prescribe the following:

*Member's notice of intent to seek election to the Office of Speaker;
The form of the ballot paper; and,
Such other forms and information as may be required."*

2. That these amendments shall come into force on Dissolution of the Thirty-Sixth Legislative Assembly.

3. That the Clerk be authorized to renumber and reprint the Rules.

Motion presented.

Mr. Filmon: I am pleased to rise today to move this motion which will see the election of our presiding officer in this House in the next Legislature by way of secret ballot. Over the last 40 years, this House has attempted to find ways of strengthening the office of Speaker. In 1959, for example, the House concurred in a resolution sponsored by former Premier Douglas Campbell expressing its support of the continuity of the Speakership based upon the Parliament of Westminster model.

In 1967, the House again agreed to a motion related to the Speakership and referred the matter to the Special Standing Committee on the Rules of Consideration. In 1985, former Speaker James Walding took the unusual step of making a statement concerning his views on how he felt the Speakership should be enhanced.

Today, we bring to a conclusion the discussion on this topic of reform and put in place a proper mechanism which will stand the test of time. The concept of election of the

Speaker through secret ballot is relatively new in Canada when one takes into consideration the parliamentary history of our country and province. Indeed, it was in 1984 when the Special Committee on the Reform of the House of Commons tabled its report that this matter was given careful and close scrutiny. In 1985, the government of the day accepted the recommendations, and on September 30, 1986, the first Speaker was elected under this system in the House of Commons.

The motion before us today builds on this work and allows Manitoba to join other provinces like Ontario, New Brunswick, Saskatchewan, British Columbia and Alberta in adopting this process. In drafting this motion, all jurisdictions were reviewed, including the House of Commons of Canada, in order to bring forward a comprehensive motion for members to consider. I would like to thank the table officers for their assistance in this regard.

Madam Speaker, we are embarking upon this course not because a group of members wants to see this happen. We are not embarking upon this course because of one incident in this House. We are embarking upon this change because all members of the House from both sides genuinely believe that this is the right thing to do and the right time to do it. This matter could have been referred to another committee or even to the Standing Committee on the Rules of the House. It was not. By taking this route, we are ensuring that the rules are modified quickly and in the spirit of nonpartisanship in order to strengthen the office of the Speaker and our parliamentary institution.

Madam Speaker, I commend this motion and this change of rules to all members of the House.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I support the proposed rule change on the Order Paper as printed today. I would say that we believe it is long overdue. We felt that, before the '95 Speakership should be determined, an elected Speaker was the preferred way to go.

As the Premier had noted, the House of Commons reform committee had made its

decisions in the early '80s, some 15 years ago. Since that time, Manitoba, that has had a tradition of nonpartisan reforms to its institutions leading the way in the country, in our view, fell behind. When I say leading the country, we note that we just passed a couple of days ago the nonpartisan independent boundary process, again, something that we led in this country as an institution and as a province.

Regrettably, on the elected Speaker's position, we are following most jurisdictions in Canada and following the traditions established in Westminster, which the Premier noted was the model for the initial reforms to the Speaker's role in this Legislature as adopted by former Premier Campbell.

So we have said and suggested that if the Mother of Parliament, the Westminster Parliament, could introduce an elected Speaker that was supported by all the political parties in that great institution, that it could achieve an elected Speaker years ago, that it could do so through a secret ballot, and it could do so with over 600 members, surely this Chamber should have moved earlier to introduce and support the idea of a Speaker that has the support through secret ballot of the majority of members.

I recall my first experience in this House when a Speaker was selected, post Mr. Walding's comments of '85, and it was then again a controversy of how we established the Speakership. I think at that point the then Leader of the Opposition did not participate in the usual procedures to second the appointment and follow the traditions of guiding the person to the chair, and it was left to Mrs. Carstairs, I believe, the former member for River Heights, to do so.

* (1010)

Obviously, they would not have performed in that way if they did not feel it was good and sufficient reason. Perhaps a number of years ago we should have learned that the Speakership and the role of the Speaker is crucial to the operation of this Chamber, and therefore the old way of the Premier of the day, whether it was Howard Pawley, the former member for Selkirk, or the present member for Tuxedo (Mr. Filmon),

appointing the Speaker by basically Premier discretion was outdated, and in fact we had to move forward.

Madam Speaker, we now note that the House of Commons has had at least two elections of Speakers if not three elections. I believe now we have eight provinces in Canada that have an elected Speaker. This will be the ninth. This will be the ninth province in Canada, in our estimation, that has proceeded to an elected Speaker by secret ballot.

The important issue here, Madam Speaker, is the fact that the person who is elected Speaker and holds that role in this Legislature is the presiding officer. It is that person's responsibility to not only uphold the will of the majority government, but also it is that person's responsibility as presiding officer to represent equally all 57 members in this Chamber and the views of all voters in all 57 constituencies in their expressed decisions in the last election and therefore their desire to be represented in this Chamber. That is a very, very major responsibility. It has been one that has required a great deal of integrity and creativity and—how should I say—intelligence in the past.

I recall in a minority situation, a very serious situation, in this Chamber where there was a challenge to the rules of procedure. One member had the ability to challenge a procedure on the basis of the rules of this Chamber. Notwithstanding the will of all the three parties in the way in which we conduct our business, the issue, the principle of how an individual member's rights would be protected by the Speaker of the day was paramount and superior as an issue of principle to the will of the expedient passage of business in this Chamber by the three parties. The Speaker then made the decision—Speaker Rocan at the time as I recall—that the rights of an individual member must be protected by the presiding officer.

The Premier mentioned that this rule change is not based on one incident alone. We think that the Speaker's role and the rules on the Speaker should not be changed based on an incident. That is why we had suggested it in 1995 before there were any incidents. But I would suggest that there is much more coverage,

if you will, and public attention, if you will, on the role of the presiding officer after the events of October and November of 1996. So the public consensus to proceed with an elected Speaker is consistent, I would suggest, to the position put forward by the Premier today for this rule change.

We felt at that time that the ability to stand on a point of privilege, which was protected by an elected Speaker in the House of Commons, even for a member of a separatist party, was rebuked and rejected by the Speaker of the day, and it built to the consensus. When we had bells ringing and members not allowed to speak on points of privilege, the member for Inkster (Mr. Lamoureux), I believe, was also affected. Certainly our side was affected, that points of privilege would take precedent. We felt that that had gone way beyond the traditions of this Legislature to have the presiding officer protect the MLAs of the minority view on issues of privilege and substance and principle. So I am not going to hearken back and spend a lot of time on it, but suffice it to say that I was proud of what the Speaker did in 1990, even though it did not necessarily meet my expedient desire to deal with the proposed constitutional change. There were other members of our caucus that perhaps felt differently, and I respect their views as well.

Having said that, the Speaker made the decision. The right of an individual member, all rights of an individual member, that is why you need unanimous leave. It is not 90 percent leave or 99 percent leave, it is unanimous leave. If any one member is going to be affected, the rights of individual members to fulfil their responsibilities are paramount to the rules of this Chamber. Therefore, I think there is a parliamentary desire to change these rules for an elected Speaker. There is a public desire based on an incident which most independent pundits said was unprecedented in terms of its arbitrary and unparliamentary nature in this Chamber in October and November of 1996.

Therefore for both reasons of principle and substance and also parliamentary reform, we support these rule changes. I want to thank the Clerk's staff and other staff that worked on these rule changes. We believe they are long overdue.

Obviously we are expediting the passage of these rule changes because we want them in place for this Legislative Chamber, for the next Chamber, whoever the public elects, to be able to use these rules, to finally be the ninth province in Canada to proceed to have the presiding officer elected by all of us through secret ballot.

Mr. Kevin Lamoureux (Inkster): I too rise today in solid support of the motion that has been presented for the changes of the rules and on behalf of the Liberal Party would like to indicate the support for having an elected Speaker. It is something that is indeed long overdue. It is something which we believe will give more strength to the presiding officer in the future.

Madam Speaker, there are a couple of comments that I wanted to add to the words of support, that being the importance of the role the Speaker plays in recognition of all members inside the Legislature. I know in the past that Madam Speaker and I have had on occasion many discussions on how we perceive a third party's role inside the Chamber. I think in many areas there have just been significant improvements. As every Speaker goes through, I think precedents are set. A lot of what has happened in terms of progress within the minority party's abilities to be able to communicate to all Manitobans through this Chamber has in fact been enhanced in part by Madam Speaker's acknowledgment of recognizing members of the Liberal Party as part of a caucus in need, in getting party positions, much like the government and the official opposition on the record.

Madam Speaker, what we look forward to, whatever position that we might be into, an election, is that whether it is in government, official opposition, third party, or whatever it might be, that there has to be a sense of fairness, equity. One has to factor in individual MLAs rights. A part of those MLA rights is also party responsibilities. We hope to see dialogue in that area, whoever the presiding officer is in the future. We also believe that the Speaker's Chair can be an advocacy or play a very positive advocacy role of the real benefits of being an MLA or being a part of the democratic process,

whether it is going out in a more aggressive fashion to different communities, different ridings and talking about our democratic process.

* (1020)

I think there are just wonderful opportunities for individuals, Madam Speaker, that do sit in the Chair that you preside over today, and we would like to see that particular Chair given the respect that it is, in fact, owed. In looking at this particular rule in the discussions that I have had with members of the Liberal Party, quickly the subject changes because there is a general feeling that it would, in fact, pass and the subject goes on additional reforms. There is a need for additional reforms of our rules. I have made reference to the provisional rules that we had a couple of years ago. It is something in which the Liberal Party still today believes that we need to revisit. The member for Thompson (Mr. Ashton) acknowledges that need also, I believe.

There is a need for us to have fixed dates. You know, the Premier (Mr. Filmon) is right in his assessment that he is not the only government that has allowed so much time to lapse between calling the session, but it does not make it right. Given that we raise and spend billions of dollars on an annual basis, there is a responsibility for us to be sitting. We believe that we should be sitting 100 days a year as a benchmark, minimum, if you like, Madam Speaker.

There is a need for us to look at other ways in which we can deliver better democracy—as I made reference to yesterday in a speech that I had given inside the Chamber—with respect to having those bills introduced in the spring and ultimately passed in the fall allowing members of the public, members of all sides of the House, the opportunity to get a better, more comprehensive understanding, that we can get more MLAs involved in the debates on legislation both on the government side and the opposition side.

There are many, many changes that are needed and necessary. One of the most interesting rules that I have found and is often cited is the parliamentary language. The one

citation in Beauchesne's—and I do not have Beauchesne's in front of me—in essence says it depends in terms of the context in which one uses what has been said that will ultimately determine whether or not it is parliamentary or unparliamentary. You know, given my experiences over the last 11 years, it would be nice to get a better understanding of that, Madam Speaker.

For that to occur, I think that you need to see the Speaker, in particular, sitting down with representatives from all groups within the Chamber. That even, I would suggest, would include backbenchers on the government side and, of course, other members that might not necessarily be included in a larger caucus not only to talk about that particular rule but other rules that are quite often addressed through regular points of order.

Another good example of that would be something that we often hear in terms of a ruling that you would give, Madam Speaker, that would be a dispute over facts. I think at times we get speeches that occur in the Chamber where there is maybe some challenging words being put on the record. If something could be taken into account through a rule change to be able to address that so we are not necessarily violating the rules to be standing up on a point of order. I am guilty of doing that myself, where at times I will engage through a point of order knowing that it might not be a point of order. At times, I might have been somewhat negligent. I think that those forms, points of order, do serve a purpose inside the Chamber because I think it adds to the debate when you get individual MLAs engaging in the dialogue that an MLA might be talking about, and I much prefer that as opposed to reading a speech verbatim. I like, very much so, the ad-libbing that takes place. Those are the types of speeches that I think individuals will pay attention to. I believe it is the time in which maybe we see some individuals will slip up to a certain degree, maybe say what they really think on different issues.

They might not necessarily be always politically correct, but I would suggest that that would be a nice thing to see happen, and again I believe that through rules that we would be more

successful at ensuring that that does take place. It is the rules ultimately, Madam Speaker, that will determine how successful we are in terms of providing good, solid, accountable government. It is a way in which we can ensure responsible behaviour of opposition parties.

In conclusion, I would commend speedy passage of this resolution and hope to be around to be able to place a vote in the future for the next Speaker. Thank you, Madam Speaker.

Mr. Steve Ashton (Thompson): Every day we sit in this House we are part of history, part of the history of parliamentary democracy. On a day such as this I would suggest that in our own small way we are making history.

This is a very significant event for this Legislature. Madam Speaker, I want to stress today, as I speak in support of these rules changes, that fact, that this is a very significant rules change and I believe it will significantly change the operation of this House.

I want to reflect on that history for just a brief moment because, in our focus on day-to-day political events and dare I say in this current part of the political cycle where we are days or weeks or at most months away from an election, certainly more immediate concerns come to mind, the more immediate political debates, political discourse that we see, and I find myself very much part of that view at the current point in time.

But, you know, as we go through these cycles, these electoral cycles, political cycles, parties on the ascendancy or descendancy in this House, we must never forget the basis of the parliamentary system and some of the significant change we have seen in that system, just even the last several decades which I think have fundamentally shifted the way this House and many other legislatures have operated.

Madam Speaker, the origins of our system are very much a part of the tribal heritage in Britain. Actually the original structures of Parliament were very similar to the structures one sees with aboriginal people in Canada respecting that. If one were to look at parliamentary history, one will see several

important developments over time, the development most particularly of a parliament independent of the Crown, and the office of the Speaker was a very significant part of that. One then has to move to the point where the Speaker for a number of centuries was very much seen as directly part of the government. In fact, I would point to the fact that, as recently as 1887, the act of electing a Speaker was seen as a confidence vote.

* (1030)

This goes back to the Plantagenet and Tudor times when, indeed, the Speaker was very much a part of, in those days, the Crown's agent, and what we have seen essentially with the development of the Speaker is a continual process. In the House of Commons, for example, they have progressed in this century to 1954, I believe, when the Speaker was first nominated by both the Prime Minister and the Leader of the Opposition. Previously, it was done strictly by members of the government, and, of course, they eventually moved to the election of a Speaker in the 1980s.

I would note in this House that there have been, I think, some unfortunate developments in recent years, not just the one incident—and I will reflect on that—but we have seen a situation where even the basic underpinnings of how we appoint Speakers have deteriorated to the point where I would say in this last 20 years we have seen the Speaker become very much a patronage appointment of government. I want to say, Madam Speaker, that, for example, even going back to the 1980s, even prior to this government, we saw a situation in which there was an appointment of a Speaker without agreement of the opposition. We saw the loss of the consensus role that is reflected in the fact that both the government and the opposition would second the motion, and that is something that very significantly has continued in this decade and certainly, I think, is very much at root with the developments in 1996.

But I want to stress that, while we have seen this uncertain development of the Speaker's office in this House in the last 10-20 years, we have seen one other significant development, and that is the increasing executive power in this

Legislature. I want to reflect on that for just a moment. In the 1960s, when one talks to members of the Legislature at that time, in those days not only was there not the same kind of executive government we have now, even party discipline was nowhere near as uniform as it is today.

In those days, it was not uncommon for rural members and rural members—two different parties—to be voting on issues of common cause, urban members in different parties to be voting the other way. You would see—I know Ed Schreyer, for example, in the early '60s, when he was a member of this Legislature before he was elected as a member of Parliament, often voted in a way that was different from his caucus, and that was not seen as disloyal. I would point to the fact that I think it is now 11 years since we had a member of this House vote against his party, and that was very historic, actually, in 1988.

When was the last time a member of this House voted against, a Conservative member of government voted against the party Whip? I look at it because actually I think going back a little further, the member for Lakeside (Mr. Enns) voted on second reading for the nationalization of the gas industry in 1987, and I would stress that there have been instances in the 1980s.

But, Madam Speaker, I would note the increasing presence of executive-style government even in our debates. In the early 1980s when I was first elected in this House, it was not unusual to have debates on bills of government members, followed by opposition members, followed by government members. I find that unfortunate today that on debates on some of the most significant issues in this House there is no debate. There are speeches. There are many speeches given, but very rarely is there that kind of exchange of ideas that one sees in a true debate. That was not the case in the 1980s when I was first elected.

Other aspects of our practices have fallen into disuse. For example, I would say when second readings are brought in, it was not unusual, in fact it was the standard practice for members of the House to raise questions of a

minister on second reading. It was standard practice in this House for members to ask leave to ask a question of a member who was speaking, at the end of that speech, once again creating a sense of debate back and forth. Madam Speaker, I am not necessarily, I suppose being an opposition member right now, reflecting on this, but I, as a government member, asked numerous questions in Question Period, mostly on behalf of my constituency. In some cases I was accused of asking softball questions that might benefit the government. But, you know, I often asked questions on serious constituency issues. I was very pleased, by the way, that we developed the members' statements in the House to deal with some of the roles that all members of this House, particularly government backbenchers, play in this House.

But if you were to look at even the last 10-15 years, there has been a significant decline in the importance of this place in the operation of government and in the public affairs of this province. Now, it is not strictly because of changes within this House.

I note, by the way, that it is very rare to see the media cover anything other than Question Period. I would note that a number of years ago it was not uncommon for debates to be covered in this House. I know the member for Brandon East (Mr. L. Evans), who was here in the '70s, will reference that, but I remember getting coverage as a government backbencher one time—big story. I had actually gone through the Throne Speech Debate of the Leader of the Opposition, who is now the Premier (Mr. Filmon), and I had calculated that out of 108 paragraphs I think 102 of them were negative. So I said: what a negative opposition. That is why I must say that I find it rather ironic when the Premier sort of accuses us of being a negative opposition. I mean, it is part of the role you play. But, you know, I got coverage in the Free Press on that speech. I mean, we have speeches now, not a member speaking in debate on the throne speech as I was, on significant bills that are never covered.

An Honourable Member: The Winnipeg Tribune would put your picture in and give you the summary of your speech.

Mr. Ashton: Perhaps I think the member for Brandon East points to some of the reasons why. We used to have the Winnipeg Tribune, which was an excellent paper, an excellent paper. We used to have in the Free Press the Under the Dome column and, by the way, I find it very unfortunate that currently if you look at even the coverage of this House and compare it to other cities, I would say the coverage of this Legislature in the major media outlets, certainly in terms of commentary, I believe the news coverage is fairly equivalent, but in terms of commentary is inferior to what we have seen in other provinces. We have no Under the Dome. We have basically one columnist that covers it on a regular basis, one who periodically covers it.

You know, that combination of debate in this House and coverage by the media is very much a part of the democracy. I want to focus on, we have a major television outlet, the leading news outlet in this province does not even cover the Legislature. They may come here today, I suppose, for the budget. But, you know, democracy is far more than having an election every four or five years. Democracy is about the freedom of debate and expression that exists on a daily and a weekly and a monthly basis in between elections. I believe that it is an organic system, especially the parliamentary system, that is based very much on reflecting on the importance of this House and also I believe ensuring that this House has a significant place in society as a whole. I do include the media on that.

* (1040)

But focusing on our own House, I would say that I have seen in the last 10 years what I would consider the proudest moment of this Legislature and the saddest moment of this Legislature. The proudest moment, to my mind, was clearly the day on which when we were debating Meech Lake, when the then member for Rupertsland on a point of order questioned the legitimacy of the notice of the motion that was being considered when we, in this House, based on a situation—I want to remind people that all three political parties had agreed to make best efforts to pass Meech Lake. One member, speaking, I think, very much from the moral authority of speaking

on behalf of many aboriginal people who had been excluded from the process, questioned the notice procedures, used the rules to question the notice procedures.

I remember the discussions, and I remember as House leader at the time for the second opposition party saying that it was legitimate to question that, that we had to make sure that, with an issue as important as the Constitution, we followed the rules of our House and our parliamentary traditions. I note at the time that the fate of the nation, according to some, rested on the shoulders of this Legislature. I note the position played by the then Speaker, the member for Gladstone (Mr. Rocan), who, after, I know, some very difficult considerations, ruled that indeed the member for Rupertsland had a legitimate point of order. That, in and of itself, killed the Meech Lake agreement.

Remember Brian Mulroney? He had rolled the dice. He had rolled the dice and lost because what he had not counted on was the fact that this Legislature respected its rules, its proceedings, and I say this was the finest hour of this Legislature when the Legislature respected the right of one member against the collective will of three political parties, 56 members. There were other members of the House who had concerns about Meech Lake. I respect that, but you had three political parties. You had the Prime Minister, you had pressure from all over the country.

I remember media coverage from all over the world focused in on this Legislature. You had a member—

An Honourable Member: There were 5,000 people roaming around—

Mr. Ashton: —people roaming the building—

An Honourable Member: Five thousand people running around—

Mr. Ashton: —thousands of people. This was the focus of all that pressure, and a Speaker, by the way who was not elected by this House, a Speaker who was appointed by the then Premier (Mr. Filmon), took the courageous stand of saying that one member and the rules that he had

cited were more important than anything else. That was our proudest moment.

I also have to reflect on the saddest day I saw in this Legislature, Madam Speaker, because I do believe, and I do disagree with the Premier (Mr. Filmon), that one of the reasons we are dealing with this today is because of that fact, and perhaps not so much the impact it had on us, but, I believe, on government members who saw what happened. I reflect on the events of October and November 1996. I remember when I was unable to be recognized. The member for St. Johns (Mr. Mackintosh) was unable to be recognized in this Legislature on a matter of privilege. I remember when I had reflected on the rules of this House, when I had looked at precedents going back hundreds of years, precedents from the House of Commons, when I knew what would be done if the rules were followed, and I saw some of the saddest events in this Legislature when a government and the Speaker's office were very much one and the same.

I reflect on that because I believe that one of the reasons we are seeing this today is because of, first of all, the reaction of the people of Manitoba. I remember after that talking to a lot of people who did not have much sense of the parliamentary system in any detailed way but who instinctively understood that what happened was not fair, having that situation occur in Manitoba. A lot of fair-minded people and, by the way, a lot of Conservatives that I spoke to, said that it was wrong, that this should not happen. I remember people talking, a Conservative lawyer talking to one of our members, saying it would be like having the judge and the Crown operating from the same script. He understood because in a courtroom you need a judge that is impartial.

I know the impact it had on the people of Manitoba, but I also know from members of this House, especially members who have had the luxury—and I call it the luxury because if you have the luxury of having been on government and in opposition, you understand—I know what the reaction would have been of government members if they were in opposition and a similar situation had occurred.

I remember when they did not agree with the Speaker who was nominated in 1996. This was not the actions of the Speaker; they did not agree with the Speaker. The fuss they made—

An Honourable Member: 1986.

Mr. Ashton: Yes, 1986, pardon me.

They made it very difficult for that Speaker right from the beginning, did not even second the motion, not based on actions of the Speaker but based on the personality of the Speaker. I thought, by the way—and Myrna Phillips is a good friend of mine today—she made a very credible effort in this House as Speaker.

When you have been on both sides you understand. I think I can maybe use the political cycle somewhat here to remind people that in a few weeks or months from now we do not know which side of the House we will be sitting on if we are members of this House. Ultimately, the people will decide, and experience has shown in this House nothing can be predicted. I remind people, especially when you are in government, always remember not only that you too may be in opposition, but reflect on the fact that to have a properly functioning system of democracy in this province, one of the fundamental things we need to do in this House is to ensure that all voices are heard, that all elected representatives in this House, in the truest sense, are treated in this House as equals regardless of which party they are from, regardless of which position they occupy.

I often recall, I think back on, remember when Pierre Trudeau said that M.P.s were nobodies when they left the House. Remember that? I remember it very well. You know I always thought that Trudeau got it wrong. The ironic part is when I leave this House and I go to my constituency, people know they elected me. They phone me if they have problems. They have a concern; they want me to raise it. It is the same for everybody in this House. I would suggest, in a lot of ways, we are somebodies in our constituency. The ironic part is we often come into this House, and that is where we become nobodies. I mean the pecking order within government between cabinet ministers and backbenchers, and within cabinets the inner

circle and the outer circle, let alone the pecking order between opposition members and government members, or members of third parties and second parties. Once again, I have had the ultimate luxury of having been in all three, being part of a government, being part of an official opposition and being part of a third party.

An Honourable Member: Gee, Steve, you must have been here for a long time.

Mr. Ashton: Well, and partly having been here for a while, as the member for Burrows (Mr. Martindale) points out, but it is also because of the vagaries of Manitoba politics. We have gone through some changes.

An Honourable Member: So when do we get to experience the government side?

Mr. Ashton: Well, the member for Inkster (Mr. Lamoureux) is hoping for the experience of government. One never knows. Hope springs eternal. After what I have seen and, you know, even getting re-elected is often something one can never take for granted. I know the member for Inkster knows that. I know why I am looking at the member for Wellington (Ms. Barrett) when I think of that too.

You know, you see the vagaries of politics again. Within this House we increasingly see a situation where what we say and what we do is becoming less and less relevant. That, Madam Speaker, is a sad comment. I believe one of the key factors in that has been the growth of executive government. I believe what we are seeing now increasingly—and by the way I do not say this is strictly a process of the last 11 years—but I would say most of the real debates in this Legislature are taking place behind closed doors in the caucuses and particularly in the government caucus.

Now people may say: what are you proposing? Madam Speaker, I am not proposing that we weaken the party system, but what I am saying is fundamentally what we have to do. I believe in the party system, by the way, and I do believe in solidarity within a caucus. I believe that our party system, by the way, is one of the reasons why we have, for example, medicare in

this country; whereas the United States has a much weaker party system. The same level of support exists for medicare, and 41 million people do not have health care insurance. One issue, but a good example of the weakness of having a system with weak parties.

When you have strong parties, and when you have an increasing executive focus in government, I look at this government in particular. The last number of years, I am not even exactly sure the government caucus runs a lot of things. I am not going to get into the Monnin inquiry, but I find it increasingly interesting, by the way, and I just do not pick on this government.

* (1050)

I find that the Taras Sokolyks and Jules Bensons, to use the example, the previous group around the Premier (Mr. Filmon), often have way more power than even the most senior cabinet ministers. That in itself is wrong. People like them or their equivalent are not elected, and yet they have much more power as part of that process. Anyway, I am not arguing against a strong party system, but I am saying a couple of things here. One is, I think, we should draw back somewhat from the strong executive government. I want to suggest a couple of ways in which we can do it. Number 1 is to continue the kind of process we undertook. The member for Inkster (Mr. Lamoureux) talked about it. I acknowledge, by the way, he was very much a part of that, was a key part of that, the rules reforms.

One of the key ways is to look at what the House of Commons has done: strengthening the committee system, improving debates within the House, our calendar. By the way, even with the fixed session, I think the big problem, to the member for Inkster, was the fixed ending. Not so much fixed beginning dates or fixed sitting dates, it was the ending date. I do believe, and I put this on the record, that this will be revisited at some point in time, and I do commend the member for Inkster for putting this on. [interjection] Yes, they will normally sit. Exactly. That is what I want to suggest is that we are in a time in this province where we need to make a conscious effort to revitalize our

Legislature. We are doing that today in a very important way.

We are now moving our House towards the situation where we are going to have an elected Speaker, and I want to remind people what Beausiesne references in terms of the key role of the Speaker. The chief characteristics attached to the office of Speaker in the House of Commons are authority and impartiality.

Madam Speaker, we are ensuring from this point on that the Speaker will be accountable not to the head of the government, but to 56 members of the Legislature. That in itself is a fundamental shift in the impartiality of the House. I do not say that all Speakers have been less than partial. I have mentioned the member for Gladstone (Mr. Rocan), of his heroic decision, and I use that advisedly, but heroic decision in 1990.

Madam Speaker, if you reflect on it, we have relied very much on the good faith and good behaviour and the honest intentions and the integrity of individual Speakers, because for the last number of years and even preceding this government's situation the Speaker has reflected who the Premier of the day wants to appoint as Speaker. It has become an extension of appointing a cabinet minister. That is wrong, and that will not happen under this system.

I want to suggest this is not the only way in which we can continue this part of turning around this decline in the parliamentary system in this province. I would want to make a couple of suggestions, for example, of what the new Speaker should do. I want to say this now in this Legislature, not knowing, of course, whether I or any of us will be back in the Legislature, I point to Saskatchewan. Glenn Hagel, the Speaker in Saskatchewan, has spent a great deal of time going out to schools explaining the role not just of the Speaker but of the Legislature.

There are a lot people who have no sense of the parliamentary system. I spoke to a Grade 9 class. They actually knew a fair amount about politics, but they probably know as much about Jesse Ventura being the governor of Minnesota as they do about our own parliamentary system—a comment on the level of knowledge of our

parliamentary system. Our parliamentary system, I think, is far superior to the American system. I am not saying it cannot be improved, but, as we lose the sense of the parliamentary system I believe we lose one of the fundamental fabrics of our country that keeps us together, that binds us together. That is one thing I would like to see.

I would also like to see with the election of the Speaker the same practice that we have in the House of Commons adopted. That is that the person, once again with Beausiesne 168(2): "In order to ensure complete impartiality the Speaker has to usually relinquish all affiliation with any parliamentary party. The Speaker does not attend any party caucus nor take part in any outside partisan political activity."

I would suggest that, with this move, that part of Beausiesne should become standard practice in this province. Speakers from this day forward, the next Legislature on forward, the moment they are elected as the Speaker should have no contact, no role with any political party, should not attend a caucus, should understand that they represent 56 members of the Legislature and not just the party of which they are a member. By the way, I say: "... the party of which they are a member," because I also would point to the fact that with an elected Speaker I believe the day will come when we will have a member of an opposition party as the Speaker.

I notice, for example, the British House of Commons, the Mother of Parliaments, that has been the case, certainly was the case under the Conservative administration. There was a Labour Speaker.

An Honourable Member: When you have a squeak in, a small majority, you may want the opposition to be the Speaker.

Mr. Ashton: Well, the member for Brandon East (Mr. L. Evans) says that there may be reasons why that may happen but, you know, I would say that would be the true sign in this House of the progress we will have made on our elected Speaker from the current situation. When a member of a party that has fewer votes in this House can persuade members across the

board, I think you will see that significant situation. I mentioned this the other day when we were talking about condolences, because I actually did think that Neil Gaudry would have certainly been encouraged to run and might indeed have run as a candidate for Speaker, and that of course coming from a third party. I am not trying even in this Legislature to predict who might or might not run, but I would say this is an important part of it.

But, you know, as we make this significant step, as we make a fundamental shift in the role of the Speaker, I want to suggest that we go further. Let us revisit many of the rules changes that were part of the interim rules changes on the function of this House. We talked about the session count, but we have a long way to go in terms of the function of our committees. It was part of our original agreement. The member for Inkster (Mr. Lamoureux) will recall that, the member for Burrows (Mr. Martindale). We ran into problems defining it but, you know, I think it is ridiculous, when we have decisions—I will give you an example. I am the Liquor Control critic. We have seen fundamental changes in liquor legislation in the last number of years. We have seen the raising of the 300-seat limit in beverage rooms, a move to a one-to-one ratio in restaurants between licensed and restaurant facilities. We have seen huge changes. We have seen private wine store licences. You know, we have not even sat as a committee, I believe, for a couple of years now. [interjection] We sit for two hours a year, as the member points out.

Now, I do not know about this. Maybe when it comes to private wine stores there is an element of politics about who gets them and who does not, but I have yet to be persuaded that the issue of how many rooms you can have in a beverage room has anything to do with partisan politics. It certainly should not. So why not have a committee of the Legislature deal with that. One step further—there was no consultation on any of this, by the way. But if you had a committee of the Legislature, why not go around the province trying to develop an all-party consensus on liquor legislation in the next decade. [interjection] Well, the Deputy Speaker, who as I know has a very distinct personal interest in this bill, a very distinct personal interest, should reflect on the fact that what I am

suggesting today is that we have consensus on this issue today. It is time to build on that consensus.

I want to propose that what we do on a consensus basis following the next election, no matter who is in government, no matter who is in opposition, no matter who is elected in this House, is that we revisit parliamentary reform. If we can have consensus on this resolution today, reflected on how far it has come since 1996, we can reform the rules of this House—

An Honourable Member: And we will.

Mr. Ashton: —and we will. I believe that. And I say to the member for Inkster (Mr. Lamoureux), who points out rightly, it should be done early on. I think indeed we might even want to sketch out now some of the changes that we put in place, but we need a commitment to do that. I want to suggest that we need a vision of this Legislature, a vision of a revitalized Legislature, a vision of a Legislature under the true parliamentary tradition that all members, when they set their feet inside this Chamber, are somebodies and are in fact equal, where our vision is that they are not only equal pro forma basis but where they have a way of participating and in particular in our constituency basis on behalf of their constituents.

* (1100)

There are far too many times when I set foot inside this House and I say to myself there must be better ways in which I can speak on behalf of my constituency. And I think we need some internal discipline from governments. Whoever the next government is I think should look at stepping back from this dominance of executive power and should step back from the control of governments by a small, elite group of nonelected people who usually are very close to the Premier and have no accountability democratically to anyone. I give that advice, by the way, now because it may be advice that may be read back to me in a couple of months if we are fortunate enough to be in government, maybe read back by members on the other side, and I want it read back—

An Honourable Member: Or your own colleagues.

Mr. Ashton: —by my own colleagues. I want it read back because I believe whatever you say in this House is there for a purpose, for one of the reasons is to remind you of it when it comes back.

I encourage—by the way, if we are fortunate in government—members of the other side, no matter what has happened within their government, to continue to fight for democracy and accountability in this province by ensuring a greater role for this Legislature.

So I want to conclude by saying, as I said at the beginning of my remarks, that we are all part of history. We often forget that. We are no less a part of history than the generations, the hundred—we are into a hundred generations now, really, of people who have developed a parliamentary system. We are part of that history. The real question is—and I always view history as a stream, as a river, as swirling water. We are either swept along by that history trying perhaps to keep our head above that water, or at times in our own small way we can shift our direction, we can steer a course whereby we can put our own mark on it. We are doing that today in this Legislature. I know, as we sit back, people are saying, probably, well, we will get back to the more important things like getting ready for an election, for the budget, for various different things, but, Madam Speaker, in an historical context, what we are doing today will be remembered a lot longer than the budget in this House. It will be remembered a lot longer than the next election. Reflect on that.

We do have the ability collectively, especially when there is a consensus. [interjection] And I say to the member for Lakeside (Mr. Enns), when we step back sometimes from our other roles and remember that I think we are in one of the most important positions anywhere; we are members of this Legislature; we are part of parliamentary history. If we can understand our ability as well to change that history, to shift us back on that course, that long proud tradition of parliamentary democracy, I say that will be remembered far more than the day-to-day developments of the political cycle. Thank you, Madam Speaker.

Mr. Leonard Evans (Brandon East): Madam Speaker, I had not originally intended to speak in

this debate, but I have been prompted by the fine speech given just now by our House leader, the member for Thompson (Mr. Ashton), who reminded me of some historical events and who reminded all of us of the necessity of a strong Chamber, a strong Speaker to ensure that we have the maximum democratic process in place in this province. He is so right when he comments that over the years the Chamber, the Legislature as a whole, has become less significant in the minds of the people and indeed in the structure of government. The question can be asked and should be asked: just where is the power in government? I was interested in reading—I just got it this morning—the latest issue of Time magazine where they talk about the king of the Commons, Jean Chretien, and they are saying what I said I think yesterday or the day before in debate that the Prime Minister of Canada has far more power than the President of the United States could ever imagine, could ever possibly dream about. Admittedly, we are a small country, but on a relative scale Chretien is the king and others before him were as well, Mulroney or Trudeau or whoever.

In the provinces, by and large, over the years the Premiers have corralled a great deal of power as well. As the member for Thompson (Mr. Ashton) has pointed out, it appears that in our governments—I am not only talking about this government or this party that is presently in government, I am making a generalization because I was in government too—and what is happening in other provinces, as I can determine, is that the power more and more is in the hands of the Premier and one or two key ministers and certainly a small handful of key bureaucrats, the mandarins if you will, who together pull the strings, and some of them have been mentioned in the Monnin report, the chief of staff to the Premier, the secretary of the Treasury Board. These are key positions, and these people normally have a great deal of power. I recall when we were in government that we had backbenchers on our side complaining about the power that was held by certain key people in the bureaucracy.

So the reality is, Madam Speaker, that there is an excessive concentration of power in the Premier's office and a few people around him. They make decisions that really do not involve

the caucus. The caucus is told about the major decisions, and I suspect the Manitoba Telephone System sale was one of those determined by a small key group around the Premier. The caucus is subsequently told that this is the decision that we are going to go with. So the Legislature becomes more and more of a rubber stamp, and the speeches we make here do not seem to matter at all.

I could not agree more with the member for Thompson (Mr. Ashton) when he said we are making history today. It may seem like a small step. There are not too many people here listening. Certainly, there are no media here. [interjection] Thank you. The fact is that we are making history here. I regard this as a very significant step towards more democracy in the whole process. We talked about the excessive power, executive power in government, particularly of the First Minister, whether in this province or the House of Commons or in the federal government, the fact is by having an independent Speaker now or having a Speaker elected by secret ballot by all members of the House, we are in effect taking some power away from the Premier. We are doing that.

Whoever that Premier is—I am not personalizing this—we are taking power and giving some power back to the Legislative Assembly of this province, and we need to do more of that. We need democracy in this province and in this Chamber, not less. One way to get more democracy is what we are doing today by passing this resolution, but also there are other ways of doing it. I would suggest one way is to have freer votes. You cannot always have a free vote. There has to be unanimity on, let us say, the Budget Address. The caucus has to stay together; either you hang together or you hang separately.

But there are so many other issues. There are so many other policies that come up that should be determined by a free vote of the Legislature, rather than by a vote of one caucus versus another caucus. I can think of one example where we did actually engage in this exercise in democracy back in the Schreyer years, and that was on the very important issue of public funding of private schools in this province. The Premier who wanted to do this,

Mr. Schreyer, nevertheless recognized that this is a very fundamental matter, a matter of conscience for a lot of people and that therefore we should have a free vote. Indeed, we did have a free vote, and the move that the Premier wanted to engage in, the move to give funding to private schools, was defeated. Unfortunately, every member on the opposition side voted against it. There was no give-or-take there. They had the caucus Whip on, even though it was supposed to be a free vote; but, on our side, some of us, including myself, voted against the Premier, against public funding of private schools because I did not believe it. I just did not. A matter of conscience, I just do not think we should do that.

An Honourable Member: One of your cabinet ministers resigned to fight the agreement.

Mr. L. Evans: That is correct. One of the cabinet ministers did, and I was not the only cabinet minister—

An Honourable Member: And then went back in.

* (1110)

Mr. L. Evans: Ultimately, after a year or so. Incidentally, I was not the only member, I believe, to vote against it. I believe Howard Pawley also voted against the Premier on that particular motion.

So, anyway, I would like to see more of these, where we have major policies brought in and members being allowed to vote according to their best judgment, perhaps expressing the interests of their constituents or their own particular strong moral views in some instances. At any rate, this is, therefore, Madam Speaker, a small step in the process of enhancing democracy.

There are many things. There is another suggestion I would like to make, and that is when we talk about giving more powers to committees. There is one committee in particular that can play a very key role in keeping government on its toes. That is the Public Accounts committee, of which I had the privilege of being chair for a few years.

Now, it is normal in all jurisdictions for a member of the opposition to be the chair of the Public Accounts committee, but in this province this committee virtually is under the thumb of the Minister of Finance. The chair of the committee, the committee itself, has no jurisdiction on when it will call the meetings of the committee, has no jurisdiction virtually over the agenda. Whatever we have is very limited. It is pathetic. This has gone on, I believe, since time immemorial in this province, that that committee meets one or two days a year at the pleasure of the Minister of Finance essentially. It is a very short session, and even though you may raise some very good questions in one day or two days, it does not meet anymore. It is just closed down.

Our Provincial Auditor, not only the present one, but the previous one for sure, lamented on the fact that the Public Accounts committee was not doing its job, could not do its job because it was not given the freedom to do so, unlike what happens in most other jurisdictions. In most other jurisdictions, the committee meets at the call of the chair, and the committee will meet as long as it deems necessary to meet and dig into whatever it wants to dig into. It has that freedom. If that were to happen—we talk about a lack of media coverage, and indeed I agree 100 percent with the member for Thompson (Mr. Ashton), there is not sufficient media coverage of this Chamber and its proceedings—but if we had a Committee on Public Accounts that operated in the way I suggested, that it had the freedom to meet when it wanted to, have its own agenda, you would get the media there. That would be a positive.

Years back, there were always media at committee meetings. Today, it is a rarity. It is even rarer what they report, so the public out there do not realize really—unfortunately, while people criticize us for not being in here, many people do not know whether you are in here or are not in here. Over the many years, often I am asked in my riding: When is the House going to sit again, and we are in the middle of it; or, conversely, how are things going in the Legislature when we are not meeting?

Another rather interesting piece of feedback I got is when you asked them about the election of a Speaker, everybody agrees that there should

be an elected Speaker, but I would suggest 99 percent of the people think that that means that the electorate out there will vote for the Speaker of this House. They do not realize that what we are talking about are the members electing the Speaker. They think there will be direct election of a Speaker by everybody in the province of Manitoba. Well, that is not the case, and I am not advocating it. I am just pointing that out to illustrate how little people know about what goes on in here and how this could be corrected if we had greater media coverage.

I think if we had—just talking about the free votes again for a moment—that situation, we would have more speeches from the back benches of the government side. It is remarkable how little the backbenchers of this government participate in the debates. It is remarkable. I know the odd member's statement, but that is no substitute for participating in some of the important bills that come before the House. There is just nothing, not a thing. I recall rather fondly of the fact that when we were in government—I was a minister—we often had our back benches, including the member for Thompson (Mr. Ashton), who added considerably to the debate and brought up a lot of points. You know, the minister who brings in the legislation does not have all the answers.

As a matter of fact, this is something else that the Time magazine article, incidentally by Professor Donald Savoie of the University of Moncton, who has specialized—he is the regional economist—also in political regional issues. He has written this article about the king of the Commons, talking about Mr. Chretien and all the power, that he has more power than Bill Clinton. He goes on to lament that political parties offer little of substance in policy matters. He says that they are, for the most part, simply election day organizations. I am quoting from this article of Time magazine dated May 3, Canadian edition, 1999: The policy research of our parties is notoriously weak. It goes on to say that the Canadian Pulp & Paper Association has a greater capacity to do strategic analysis than the Liberals and the Progressive Conservatives combined. He is thinking essentially of the federal scene.

But it is true. The opposition parties do not have enough research capacity in particular. The

government side has the entire civil service ultimately. Therefore, another way of increasing democracy in this House is for more research capacity for the opposition so that more searching questions can be asked and more positive recommendations can be offered by way of amendment. You know, governments do not have all the answers, and I say that from being in office for 15 years. I recall that, when we had a minority position at the Legislature here between 1988 and 1990, many of the bills brought in by the ministers were indeed changed in the committee by the members of the opposition. Government had no option, had no alternative. I mean, if they did not go with it, the combined opposition would simply defeat the bill. I believe the drinking-and-driving legislation was one category where some very positive suggestions came forward from the opposition and indeed were incorporated. I believe my colleague the member for Brandon West (Mr. McCrae) was then the minister involved and all credit to him for recognizing this, but he did not have much alternative.

So you have that situation. If you had more research capacity for the opposition, you would get, I believe, more concrete and interesting proposals and criticisms, legitimate criticisms, being brought forward by members of the House.

I guess one reason the media do not cover the Legislature to the extent that they used to is the realization that we are simply a rubber stamp for whatever the government wants to do, and what the government wants to do is essentially what the Premier (Mr. Filmon) wants and maybe one or two key mandarins and one or two key ministers have decided. That really is unfortunate.

The member for Thompson (Mr. Ashton) also referred to the history of Speakers' rulings in this Legislature. I agree with him, for 1996 was a sad time because I really believe our Speaker was under terrific pressure from the Premier to do and act as she did. I really think that if you had a Speaker who was responsible to the whole House and had been elected by the whole House, you might have had a different episode in that instance.

I also was reminded by the member for Thompson of the Meech Lake Accord where Speaker Rocan made a very significant decision to uphold the objection of the member for Rupertsland at that time and virtually stopped the Meech Lake Accord. I mean we killed the Meech Lake Accord in this House. It was not Clyde Wells. In fact, Clyde Wells, I might point out if members are interested, phoned Elijah Harper around noon hour of the Friday just before noon to make sure he had not changed his mind, and we were still going to hold our fort and in effect allow the clock to run out. By Friday noon, it was game over because the two-week period that we were allotted was finished then. Clyde Wells, who had been upheld as the great fighter of the Meech Lake Accord, was going to kill it in Newfoundland, really was depending and waiting on what was going to happen in Manitoba. What happened in Manitoba is history, but what happened also is because of the ruling made by Speaker Rocan at that time.

*(1120)

In addition to actions by the member for Rupertsland, and as the member for Thompson pointed out, there were some of us who opposed it. I say this, if Mr. Harper at that time had not said no, I would have said no. I had made that clear to Mr. Harper. I said to Elijah, if for one reason or another you do not show up one morning, because this went on for several days, if there was an accident or something—and people were quite concerned I might add, because he was even given guards by the native organizations. There were actually guards and he was put in different hotel rooms I understand from time to time to protect him to make sure we got him here and cared for his safe environment. There were guards with him in this Legislature who followed him around. At any rate, I told Mr. Harper that if for one reason or other he did not show up that I would get up and say no—or you do not have to get up, you just say no from your seat. At any rate, the Meech Lake was, I believe, a proud day for us with respect to the ability of the Speaker and what the Speaker did at that time.

The other one is rather sad, and that is the decision by Speaker Walding to allow the bells

to ring in this Legislature for weeks on end when the now government, the Conservative Party, was in opposition. They opposed French language legislation, which we had brought forward in good faith, which was going to save the people of Manitoba money because we would not have had to translate all the laws. You know all those laws were supposed to be translated. [interjection]

Well, the information we had, by agreeing to the legislation, there was agreement by members of the Franco-Manitoban community and others that we need not translate everything but only a small portion of it. Therefore there would have been a savings of money.

Mr. Marcel Laurendeau, Deputy Speaker, in the Chair

But, regardless, the point is the bells rang. The Speaker made no effort whatsoever to stop the bells. This was actually the tyranny of the minority, if you will, in holding up legislation that would not be revolutionary by any means. It would simply provide for certain translation and certain French services to be implemented. As it happened, ultimately, of course, the bells did stop ringing when the government said they were going to withdraw the legislation, and instead we went to court, which is what should have happened in the first place, I would have suggested, because simply, when you get into language, French language debate, there are too many emotions that are involved. Unfortunately, it becomes a very divisive issue.

This is the way to go. This is the way Sterling Lyon went. This is the way Edward Schreyer went in dealing with language issues. Put it to the courts and let the courts make a decision. They ultimately did in this case, and I believe we ended up paying a lot more money. In the meantime, the courts agreed that this language legislation, or the elements of it, had to be put in place anyway.

At any rate, I have talked at some length here, more than I really intended to, but I think that it was an opportunity to put some thoughts on the power of increasing democracy in the Legislature of Manitoba. I think the member for Thompson (Mr. Ashton) was right on. We are

making history in this Legislature today by passing this. Indeed, we are. As I said earlier, what it does is diminish the power of the Premier. I am not personalizing this. Whoever the Premier is, it is diminishing that person's power, and to that extent it is good. It is putting more power into the hands of the individual members. If individual members had more power, had more research capacity, had more power on committees, especially the Public Accounts committee, then you would have a greater degree of democracy than we have at the present time, and you would have more attention paid by the public of Manitoba. Maybe they would realize when this House is sitting and when it is not sitting.

Hon. Harry Enns (Minister of Agriculture):

Mr. Deputy Speaker, I appreciate this opportunity to put a few observations, comments, about how we conduct our affairs in this Chamber, on the record on this resolution. Let me indicate my support for the resolution. I believe, although the system in the past has, in the main, surprisingly served us well, there have been occasions where the issue of the day or the particular conduct of a Speaker of the day has called into question the independence of the Speakership. So I suppose this is an issue that was bound to come, and we have dealt with it.

I was interested on the comments made by some of the last speakers, the opposition House leader (Mr. Ashton) and the honourable member for Brandon East (Mr. L. Evans), with whom I share a distinction. We are the two veterans in this House, and we have seen this House evolve in those 30 years to quite some extent.

We talk about bringing the importance of this Chamber back to it. One simple means is to cut off all media contact outside this Chamber. If we shut the electronics off so that the media could only learn what is happening in this House, we would have their attention more often, and they would be forced to watch us more often to pick up that scoop, that piece of material or something like that, but dawdling in the back on comfortable lounges that we provide them, with television hook-ups, why would they come? Sure, they have one spotter there that serves as the whole network, CBC, CJOB, something like that, and if there is something

good or juicy coming on, if it looks like we may even be getting to physical contact, then they even come out and look at us. More normally, they do not do that.

So that is rule No. 1. You cut off all electronic observations from this House. That would make this House more interesting other than just the 40-minute Question Period. Number 2, on government announcements. I can recall, it was a cardinal sin for a minister to make an announcement outside of this Chamber, a discourtesy to members. You did not have a Minister of Health going outside of this Chamber while the House is out, making \$120-million, \$130-million capital budget announcements. You did not have any Minister of Agriculture, Minister of Highways—you announced that, when the House was sitting, it was a cardinal rule—you owed it as a courtesy to this House, as a respect to this House—that you made that announcement only in this House. You did not send a news release out to the media unless it was first made in this House.

So there are a number of things that we could do ourselves that would bring back some relevancy, some importance, to this Chamber. I could not agree with the honourable member more. I believe that there needs to be a stronger role played for all members of the House. I think the party Whip is really far too severely exercised these days.

In my early days, we did use it and it is still tactically there. On matters of conscience, it is generally believed members do not have to vote with their party. If there are issues that deal with a man's, that bothers a person's—it could be a liquor issue. It could be a moral issue, an abortion issue, a health issue. It could be other issues. I routinely sat through, when I was with Duff Roblin's government, when the Duff Roblin government introduced some extended measures that broadened the sale of liquor in the province, a number of his caucus, a number of his cabinet did not support those measures. They voted on a matter of conscience. I remember Sterling Lyon's government, when there was an expansion of liquor in those days. The member representing Steinbach, Mr. Banman, if you recall, even though he was a minister of Sterling

Lyon's government, did not and could not in conscience support those issues.

I think a man that we all have a considerable amount of respect for in the federal arena and was a forceful minister for Manitoba, Mr. Jake Epp, hurt himself when as Minister of Health he could not, chose not to reflect his conscience on the abortion issue that he had to deal with as a federal health minister. It certainly hurt him in his home community of Steinbach on that moral issue. I do not think our governments ought to be so power hungry that we cannot find that elbow room for individual members of the Legislature to find ways to express that.

I think governments should, we should think about it intra. I do not know when they do that. Governments of themselves are not going to give up power that they now have.

* (1130)

We should be examining more carefully what in fact are issues of confidence that defeat governments. None of us would welcome anarchy or the kind of things that would enable a government that was demonstrably elected in representing a majority of the electors from carrying out its programs. We should examine more cautiously what constitutes confidence. If we did that and if that was understood, then there would be a greater role for independence on the part of members on all sides of the House, the government side of the House, as well as on the opposition side of the House.

Mr. Deputy Speaker, I would suggest—I am saddened to see the erosion that has taken place over the last 30-32 years in this Chamber. I can recall, for instance, we still have press tables when we go into the examination of the departmental Estimates. Furthermore, I can remember when there were three or four reporters sitting at those tables throughout the examination of those departments. The member for Brandon East (Mr. L. Evans) remembers that. We do not have that anymore. We have condensed it to the 40-second hit parade that we have in Question Period, the scrum. We try to get that 30-second fast blip off on the electronic media, all at the expense of serious debate within this Chamber. I think at some point we should

provide ourselves some time to see how we can restore some of that.

Mr. Deputy Speaker, I will close with what has done the most severe damage to not only this Chamber but all parliaments. I interjected that as the member for Brandon East wrote, but I do not think he necessarily heard me. This parliament was, when I first entered it, the supreme parliament and the supreme court of Manitoba or the country. Since 1981, that, of course, is no longer the case. Nine unelected judges make the important decisions in this country, and they have demeaned, they have debased every parliament across this country. That is what happens when we tinker with the system, when we try to adopt half of, or portions of, the American congressional system and put them onto our system. That is why the Mother of Parliaments—Britain still does not have a written constitution. True parliamentary democracy constantly reflects the will of the people, and it changes, it evolves. You do not carve it in stone as the Americans did. What the Americans did, there is nothing wrong with that, but it is a different system. By implementing the carved-in-stone Constitution, we have fundamentally altered the role of Parliament.

An Honourable Member: Sterling Lyon was right.

Mr. Enns: And Sterling Lyon was right in that case. Not only that, we find ourselves now, you know, our courts clogged with Charter challenges. We find ourselves having to look at legislation that we propose, legislation that I can get a great deal of support from back home in my constituents—I can get legislation that is proposed, I can get a great deal of support from a vast majority of people in Manitoba, but we cannot introduce it and we cannot pass it, we cannot express that will because we know in advance that an unelected judge will throw it out, will call it unconstitutional.

Being a free and open society, one hopes that we make the right decisions most of the time, but it also gives us the right to make the wrong decisions from time to time. In a free and open society, there is a marvellous way that that corrects itself. A government that becomes arrogant, a government that makes too many

mistakes does not stay government very long. A bad law on the books that does not work, a bad law that has obvious deficiencies does not stay on the books all that long. They do get changed in time.

Madam Speaker in the Chair

We do not need to have that superimposed group of unelected people who, particularly in our Canadian system, will arrive there by whom and in what manner. How do we elect, how are judges created? Well, we all know judges are created. Quite an arbitrary, often in a political-charged atmosphere, judges are appointed to the federal courts, to the Supreme Court and the likes of that. To have them have such a powerful role in what Canadians, what Manitobans can or cannot do for themselves through the Legislature was, and is, and continues to be a serious debasement of our House and, to some extent, has led to some of the issues that honourable members have raised—a lack of relevance of the Chamber.

Madam Speaker, I want to also say that, despite what some may want to read into this resolution, I certainly want to indicate to you that I trust and hope that, certainly from this side, this resolution is in no way reflective of the services you have provided to the Chamber, to all of us in this Chamber and this House. I would hope that, among other considerations in the future, you will be among the forefront to run for this office that we are creating when we pass this resolution or bring this resolution into force.

With those few comments, Madam Speaker, I indicate my support for the resolution, and we move on to a different style of appointing Speakers to this Chamber.

I regret that we lose a little bit of history in all of this. Some of the new members do not understand enough history of this Chamber to begin with. I notice so few of them acknowledging Her Majesty as they walk past the Mace, for instance. That is the purpose of bowing at the centre aisle, bowing as you leave this Chamber. It is not to the Speaker; you acknowledge the presence of Her Majesty, of our monarch when the Mace is on the table.

You only do it when the Mace is on the table. When we are in the Committee of the Whole, you do not bow. Not many people understand that anymore. It is a common part, but if we are going to have a kind of courtesy, let us have it.

The whole purpose of the little struggle, when a Speaker gets appointed, taken by one member under one arm, a member from the opposition, and another member from the government and is supposed to be dragged up to the Speaker's Chair. The Speaker reluctantly leaves his or her seat, because he or she was elected to represent the people. She wants to be an active member in the Chamber but her peers, in this case, or his peers have honoured her with choosing her to be the neutral steward, the guardian of our affairs. So they have to forcibly drag that Speaker into the Speaker's Chair. That is the purpose for that little ceremony. That is the history for that little ceremony that some of us have forgotten.

So all of these things we, of course, will be throwing out as we become more democratic. I share a bit of a nostalgic side, that we lose one more little bit of a very proud British parliamentary history, that I particularly have a reason to be aware of and to be conscious of. We take it for granted that what we have, because it has been here for all our time, that it will always be this way. We should not be surprised that all things can change, and sometimes they can change in a horrible way. It should sadden all of us that in so many parts all over the world, resolution solving—that is what Parliament is all about, that is what government is all about. It is still done in such a primitive way, you know, Kosovo. This is not the depths of developing the Third World part of the plan. This is relatively sophisticated Europe that is tearing itself apart.

I always like to make that case with the schoolchildren that come to visit us from time to time. Sometimes they see us, particularly in a boisterous Question Period. I have gotten letters back from the students saying, gosh, if we behaved that way in our classes, we would get expelled. We would get penalties. We would be severely censured or something like that. I remind them that the very word "parliament" is we fight with words instead of with bombs,

instead of with tanks or with swords in the olden days.

That ought not to be lost on all of us, we fight. We fight hard with words. Of course the traditional separation of the Mother of all Parliaments and the House of Commons, when you look at something like that, is precisely the distance between two sword lengths that was measured up for that purpose, so that they could not physically fight each other. The distance is just a bit beyond the length, the outreach of two swords. That determines the corridor that separates the opposition from the government side. Again, a little bit of tradition.

With those disjointed comments, I am going off to talk to the chicken producers and the broiler producers and worry about eggs and canola and wheat and the kind of things that a Minister of Agriculture is supposed to worry about, instead of pretending to be a parliamentarian here and understanding some of these things. Thank you.

*(1140)

Mr. Doug Martindale (Burrows): It is a pleasure to rise to speak on the Premier's motion to change the Rules, Orders and Forms of Proceeding of this Legislative Assembly. I always enjoy speaking after the Minister of Agriculture, usually so I can rebut him, but today so I can say I agree with him on a number of respects.

For example, I remember the debate on the patriation of the Constitution in 1981. I agreed with Premier Sterling Lyon and with Premier Romanow, who were the last two holdouts of the Premier's and who eventually came onside, but who took a principled position that Parliament should be supreme and that the Legislature should be supreme rather than an entrenched Constitution. That is an old debate, but the Minister of Agriculture (Mr. Enns) remembers it well.

I also agree with him about coverage by the media. It is not that long ago, when I was first elected in 1990, there were still media representatives in Estimates debates, at least when there was something controversial there. I

believe that the member for Lakeside (Mr. Enns) was elected in 1966, and he confirms that.

At the North Portage mall, there is a display of front pages of the Winnipeg Free Press. There is one, I believe from 1966, and there is a story from the Legislature and then there is a little box with an index to all the stories inside the paper. I believe there was something like 11 stories in one day from the Manitoba Legislature. Now, if that were true today, then all six or seven or eight of us who ask questions would get a story, as would six or seven or eight cabinet ministers. That would be considerably more coverage than we get in the Legislature today, other than on throne speech day and budget day, and it really is a shame that we do not get more in-depth coverage.

Now, it is interesting as to why the Premier (Mr. Filmon) is bringing in this resolution today. I think there is a very simple explanation. That is that we are going to have an election, and the Premier had to get a number of issues out of the way, especially a number of issues that had a negative connotation for the government. For example, the Premier had to apologize for the vote-rigging scandal before he could have an election, so he did that. He got that out of the way. The Premier had to bring in new boundaries legislation, which was being perceived by the government as a negative issue for them, and so they did. They brought in the boundaries bill. They got that out of the way so they could call an election. Then they had to amend legislation because Judge Monnin recommended it, so we amended The Elections Act and The Elections Finances Act. So the Premier got that out of the way so they could call an election.

Now, to be relevant to the motion in front of us, the Premier deemed it expedient to get what could have been a negative issue for the government, and so now we are having an elected Speaker before the election is called, rather than after the new session takes effect, which we anticipated might have happened. So I disagree with the Premier when he says he is not embarking on this because of any group of members or because of any one incident. The group of members he is referring to, of course, would be the official opposition. I think the

member for Thompson (Mr. Ashton) had a private member's resolution on the Order Paper for three or four sessions in a row asking for an elected Speaker. Of any one incident, he is probably referring to the incident whereby we said that there was Speaker's closure and that this was unfair, and we made some accusations about bias and political interference.

Certainly that fuelled the public debate and the media coverage, the Free Press editorials, and I found a very interesting transcript, Notes from the Leg, CBC Radio, February 28, 1997. I would like to quote Jennifer Dundas, probably not one of the government's favourite reporters, but this is what she said: "The time has passed for the government to get out of this one gracefully. The time for them to do that would have been two or three months ago after some of the very high feeling had died down a bit from the end of the last session and they could have been conciliatory. They could have come across as real statesmen-like people over this, but now they've been so stubborn about this one now for so long, and now right up here on the eve of the next session for them to give in now, for them, would feel like a loss of face, and the Premier is never one to step into that kind of situation."

Well, I am not sure whether it is a loss of face for the Premier to bring in these amendments at this time. He said that it is the right thing to do, and I would have to agree with that. The timing is because of the election, but the principle being that we are going to have an elected Speaker, yes, it is the right thing to do.

Now, at the opening of the next session we are going to see a lot more excitement than we have seen normally. I mean, there will be the excitement, well, not only of the throne speech, but possibly of a new government, but all members here will be filing in an orderly way to the Clerk's table to a polling place and then putting a ballot in a secret ballot box and electing a new Speaker. I think that will be a very different kind of opening to the session.

People have talked about good rulings and bad rulings in the past of Speakers, and I have a few observations. These are not intended to endorse any one individual. Therefore, I will not name them. They probably do not want to be

named, but we have seen some very interesting things happen in the time that I have been here. For example, we thought that former Speaker Rocan made good rulings. He may have made some bad rulings. I cannot think of any particular bad rulings. We know, though, that some of his rulings were in favour of the government, some were opposed to the government. Some of his rulings were in favour of points of order or matters of privilege by the opposition and some were against the opposition. That is the kind of balance and fairness that I believe we need in an elected Speaker.

Now some people have asked me about the member for St. Norbert (Mr. Laurendeau), who has been the Deputy Speaker, and we have seen some interesting and commendable things. For example, I can remember the member for St. Norbert in the Chair as Deputy Speaker interrupting members on our side on relevancy. Of course, he was right and perhaps individual members strayed away from the content of the bill at hand, and then a half an hour later the member for St. Norbert would interrupt a member on the government side on relevancy, and that is the kind of fairness that one would expect in a Speaker.

I can also remember being at a committee one night where there were two bills from the Minister of Family Services (Mrs. Mitchelson), and there were something like 36 or 39 presenters. We started at 7 p.m., and we finished the presentations about midnight. It was the government's intention to pass both bills, and I said there is no way we are going to pass both these bill tonight. We are going to do one, and then we are going to adjourn.

Well, the government did not get it, and they said, we are going to do both bills. Well, the member for St. Norbert started negotiating with the government House leader and the minister involved and the Chairperson and with the opposition. He came to me and confirmed that we had no intention of passing both bills, and in fact we would keep talking about the first bill and would not even get into the first clause until we had some sort of agreement that we are only going to do one bill.

So the member for St. Norbert went back to the government and said, you know, they are not going to pass both these bills tonight. We might as well come to an agreement now. He convinced the government House leader or the minister at the table or the committee Chair, I am not sure who needed the convincing, that we should adjourn after the first bill. Well, lo and behold, a couple of hours later, after we had finished the first bill, the Chairperson of the committee said, committee rise. We went home, because one individual was wise enough to figure out that the opposition intended to only do one bill and would stay there till seven or eight o'clock in the morning if they had to but sometimes—

An Honourable Member: Done that, too.

Mr. Martindale: And the member for Thompson (Mr. Ashton) says, done that. We remember the member for Thompson kept the House in session till about 9 a.m. and managed to successfully stall the bill, I guess, for one more day by talking all night.

An Honourable Member: I was just debating it; I was not stalling.

Mr. Martindale: He was debating the bill. I stand corrected.

I would like to talk briefly about why we think it is important to have an elected Speaker. I would like to quote from Erskine May, the 20th edition, on the Speaker as presiding officer of the House of Commons, and this is guidance for us in this Legislature as well. Erskine May says, "The chief characteristics attaching to the office of Speaker in the House of Commons are authority and impartiality."

Further, it goes on to say, "Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized."

* (1150)

Well, I think we do not have any quarrel with the authority of the Speaker. I think all of

us recognize the authority which is symbolized by the Mace. When it comes to impartiality, I believe that we support this bill, and we have asked for this bill because we believe that there needs to be an improvement in the impartiality of the Speaker. The Speaker must not only be impartial but must be perceived to be impartial.

Now this is our desire and this is our hope, but we do not know how it is actually going to work out in practice. I can remember speaking on a matter in the past, and I predicted that something would happen. I was wrong and I admit that I was wrong. In fact, the member for Sturgeon Creek (Mr. McAlpine) yesterday was talking about the self-righteous attitude from members on this side of the House and so the member for Crescentwood (Mr. Sale) and I, in stereo, in unison, quoted Paul as saying, "For all have sinned, and come short of the glory of God."

We admit that we make mistakes from time to time. Now we have this hope. We have this desire that a new elected Speaker will not only have more support from all members but will be more impartial, but we have no idea whether that is actually going to come true or not. There may be rulings that an elected Speaker makes that one side or the other will not be happy with, or that they may even be wrong in or will not enjoy the support of the House, so we cannot say definitively that this is going to be an improvement. It is only our hope and our expectation. I think if one looks at elected Speakers in other jurisdictions, whether it is in the House of Commons or other provincial legislatures, that I have not heard any criticism of how elected Speakers are actually working out in practice. So we hope that the success that has happened there will happen here as well.

I would like to give one other member who I think might want to speak a little bit of time. There is one further thing about the member for Lakeside (Mr. Enns) that I have never said on the record, and I regret that I did not do it earlier. That is that one time during the first session that I was elected in 1990 I made some comments in an Estimates committee and shortly after I left the committee table and I was out in the hall, the member for Lakeside was there taking a break and he said: Doug, I have some advice for you.

And he gave me some very helpful advice, which I have always remembered, and I have not repeated that particular mistake. I am happy to thank the member for Lakeside on the record for that very helpful advice. It is always good to learn from people who have been here for a long, long time. It is good to be reminded about traditions that used to be practised here and are no more, things like free votes and things that we could bring back if the government of the day decided to do, and I would hope that our government, a future NDP government, would do so.

Mr. Marcel Laurendeau (St. Norbert): I would like to put a few words on the record about the motion brought forward today by our Premier (Mr. Filmon). The Premier was very clear that this motion did not reflect upon any decisions that were made here in the Chamber, and I would like to thank you for the job that you have done in the past, and you never can tell, you might decide that you want to be the Speaker after this election. I have had the opportunity of serving with you and I have seen the difficulties that a Speaker can go into, but when we are speaking about an elected Speaker, all we are changing with this rule is for a secret ballot. We already had an elected Speaker, Madam Speaker. You were elected. You were nominated by our Premier and you had a seconder in the Leader of the Opposition. It was not a secret ballot, but we still knew in the end that you had the support at that time of the entire House.

The secret ballot will be an interesting way to have a speakership brought forward in this House. I think change is always nice. I have agreed with the elected Speaker in the past when I spoke to the member's motion. The only thing I disagreed with the member on was that he was bringing forward a bill and I did not think a bill was necessary. I said we could do it by a rule change, which is what we are doing today.

The member had asked me if we could bring forward this type of motion. Our Premier at that time had agreed that we would bring forward a motion before the next election. This is before the next election, Madam Speaker, and I do not think it reflects badly upon the decisions being made. This gives us an opportunity to put in

place the proper rules. I do not think the member wanted us to rush into it and invent rules or run under somebody else. This give us Manitoba rules that we were able to adapt from other provinces and the federal government.

Madam Speaker, I know there are other members who want to just say a couple of words, so I would just like to give them that opportunity. But I think we have made history today. I am looking forward to after the next election to having an elected Speaker and having that person have the total understanding of this House.

Mr. Jack Penner (Emerson): When I listened to the honourable Minister of Agriculture (Mr. Enns) and the honourable member of the opposition, the Whip of the party, talk about the need for this legislation, it brought to mind the total process by which we operate in this House. Having been here since 1988, I think I would agree that there have been significant changes that have happened. Whether they are always correct or not is questionable. I think the honourable Minister of Agriculture indicated that clearly. I have always wondered whether there really is a need in this building, in this Chamber, for the TV cameras. I wonder whether there is a need, as the Minister of Agriculture indicated, a need for the electronics process to be transferred, for the debate to be transferred out of this Chamber. I think we would have a dramatically different Question Period if we knew that only those people, without camera, could sit there and make note or take note without recording and make comment later on.

If there then was a need for a scrum, I mean, that is, of course, outside of this Chamber, but out of respect for those people who are elected and out of respect for the people of Manitoba to have their representatives not play the media

game that has been referred to here I think is something that we should debate at some point in time in this Legislature. Maybe we could revert back to a greater degree of confidence that we were not only playing, in Question Period and/or during the debates, to the media. I think that would lend an entirely different perspective to this Chamber.

But the reason I wanted to rise today, Madam Speaker, is just to question one part of this legislation. I have spent a bit of time doing legislation, and my question is what do we do if, as the Minister of Agriculture (Mr. Enns) indicated, people had to be dragged to the Speaker's Chair? What do we do if nobody in this House puts their name forward as a candidate to run for Speaker under this act?

Madam Speaker, I raise this for the Chamber. There might need to be some debate as to a clause amendment to this act to allow for another process to take place after that. Thank you.

Madam Speaker: Is the House ready for the question? The question before the House is the motion to change the rules for an elected Speaker. Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

What is the pleasure of the House?

Some Honourable Members: Twelve o'clock.

Madam Speaker: Twelve o'clock? The hour being twelve o'clock, I am leaving the Chair with the understanding that this House will reconvene at 1:30 p.m. this afternoon.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 29, 1999

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