

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 19 April, 1985.

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

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

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker. I beg leave to file the Annual Report of the Public Utilities Board for the year ending December 31, 1984.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: Prior to Oral Questions, may I direct the attention of members to the gallery where there are 25 students of Grade 9 standing from the Ken Seaford School under the direction of Mr. Zuk. This school is in the constituency of Kildonan.

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

ORAL QUESTIONS

Interest rates - expectations of

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister of Finance. Interest rates have been trending down for the past few weeks now in a very encouraging fashion and I'm wondering if the Finance Minister can advise the House what his expectations are with respect to interest rates over the next few weeks and months.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, the indications from our advisers are that rates can be expected to possibly go down somewhat further, but there are always possibilities of going in the other direction as well.

Interest rates re borrowing

MR. B. RANSOM: Mr. Speaker, given the fact that interest rates have been trending down for some time now . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. B. RANSOM: . . . why did the government proceed to borrow \$269 million in the first 19 days of this fiscal year?

HON. V. SCHROEDER: Well, Mr. Speaker, it was our view that it was prudent to do so. There is a large borrowing program for the year as a whole. There's long-term borrowing and refinancings of existing loans as indicated in the Budget documents. There's more than a billion dollars of borrowing to be done in the year as a whole.

The second issue, \$150 million, was not one that had been anticipated for any length of time. The background to that was simply that the Government of Canada was in the market for an issue that was of a similar length. There were indications by the securities firms involved that that issue appeared to be oversubscribed, and it appeared that it would be an appropriate time for us to also come in on that particular kind of turn. We believe that it was an appropriate thing to do.

MR. B. RANSOM: A further supplementary, Mr. Speaker. Are the government's requirements now so large in that they have to borrow well over \$1.4 billion this year, that the government is forced to go to the market to raise money irrespective of the rates and has now lost a degree of flexibility that the government would normally have to get lower rates if the borrowing requirements were not so huge?

HON. V. SCHROEDER: Mr. Speaker, not at all. I think if the Member for Turtle Mountain would check out our requirements for last year and the manner in which they were picked up, I think that speaks for itself. You don't always get right at the bottom of a market, but on the other hand we have done very very well compared to many other provinces in terms of timing of borrowings. Indeed, even after this particular issue came out for the first few days there were trends in the market heading in the other direction, Mr. Speaker. For a couple of days it appeared that interest rates were going up, and of course they have dropped since then and that particular issue sold very well.

General Aluminum Forgings - shutdown due to lead poisoning

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, my question is for the Honourable Minister of the Environment. In view of the fact that some 12 workers from General Aluminum Forgings have been on sick leave due to lead poisoning, and in view of the fact that condition is attributed to an improper ventilation system, what steps has his department taken to correct that situation?

MR. SPEAKER: The Honourable Minister for the Environment.

HON. G. LECUYER: Thank you, Mr. Speaker. The whole issue started because the staff from my department imposed a work order with changes in the workplace required in accordance with that work order. Since then there have been a number of difficulties, but the company has hired the services of a consultant and has now agreed to abide by the advice received and to install a ventilation system in that company.

In the interval, we did proceed to force a shutdown of three days, from March 18th to the 21st. The company has been reopened, and while awaiting the installation of the ventilation system the employees have been required to wear face masks to protect them from further absorbing lead in their blood. In the meantime, the physicians of a number of the workers have advised them to stay off work while the level is reduced in their blood. I don't know at this point in time exactly when these people are scheduled to go back to work.

MR. G. FILMON: Mr. Speaker, I wonder if the Minister could indicate when the condition of improper ventilation first came to the attention of staff in his department.

HON. G. LECUYER: I am not sure of the date, Mr. Speaker. I will take that under notice.

MR. G. FILMON: I wonder, Mr. Speaker, if the Minister could indicate whether or not in his capacity as Minister responsible for the Workers Compensation Board he has instructed the board to review the criteria . . .

MR. SPEAKER: Question.

MR. G. FILMON: Mr. Speaker, I wonder if the Minister could indicate at what stage the review of criteria with respect to the lead-in-blood levels is, and whether or not he can give any assurances at this point in time to the workers that they will be covered.

HON. G. LECUYER: Mr. Speaker, indeed, I have asked the board to review the criteria and to make sure that the criteria that they use is in accordance with the most recent available information on lead poisoning, and the board is in the process of reviewing this policy and will be making an announcement shortly next week. Now, whether this will apply to each individual, I cannot state at this point in time, but I am quite sure that the board will certainly do everything that is required to make sure that those who fairly qualify for compensation will get it. That should be announced early next week, Mr. Speaker. In the meantime, those workers are being treated by their physician and the staff is monitoring on an ongoing basis the changes in conditions in the workplace.

MR. G. FILMON: Mr. Speaker, in view of the fact that the physicians have recommended that the workers not return to the work force, in view of the fact that they, under the present criteria, are not eligible for workers compensation, what has the Minister's department suggested to the workers as a means of livelihood or income under these circumstances?

HON. G. LECUYER: Mr. Speaker, I cannot say at this point in time if every one of these individual case's claim will be accepted or not. The doctors will decide whether these workers should go back to work or should not. The levels could vary in different individuals and normally if there is other type of work where they are less exposed, then they could be told that they could go back to work into a different type of job where they are less exposed until the level reduces, and that perhaps is one of the solutions that might be suggested to some of these workers. In the meantime, Mr. Speaker, the workers will be awaiting a decision by the board which is forthcoming shortly.

Unfortunately, Mr. Speaker, as happens in the adjudication of claims, sometimes through the review process or the appeals process there is unfortunately too lengthy a waiting period. That being the case, I know it does create undue burden on some workers and they have to seek other recourse available to them, whatever recourse is available to them, to help out in such circumstances, including I would hope assistance from their colleagues in the workplace and from the employer.

Ethiopian relief - Government contribution

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I'd like to direct a question to the Minister of Finance concerning his recent announcement on Ethiopian relief, probably the greatest tragedy of our time, and in view of the fact that many Manitobans, as individuals, have made generous contributions to Ethiopian relief and many organizations, the Minister announced that he was going to make a remission on the sales tax on records for this project, a rather faint-hearted gesture.

MR. SPEAKER: Question.

MR. R. DOERN: I would like to ask him if he has an estimate of the amount of money that might be saved or contributed by the Manitoba Government for this project; are we talking \$5,000 or \$10,000.00?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, obviously that depends on the response of Manitobans to the request to them to purchase those records which would, of course, provide more assistance for those people whom we are all concerned about. Of course, what the member must understand is that there are other ways in which the province comes to the assistance of people in conditions, such as those people in Afghanistan, including our contributions to the other organizations involved there, and this certainly . . .

A MEMBER: But it's sure to help the people in Afghanistan.

HON. V. SCHROEDER: But, Mr. Speaker, let's not suggest this is the only amount of funding that has gone to Afghanistan from the Province of Manitoba —

(Interjection) — I'm surprised that the Member for Turtle Mountain would make such a foolish comment.

Mr. Speaker, of course the Member for Elmwood should be aware that when Manitobans make those contributions, the Province of Manitoba as well contributes by way of a reduction in its income from taxation from Manitobans and we encourage people to do that.

MR. R. DOERN: Mr. Speaker, I am not aware of what the government is doing for Afghanistan which the Minister mentioned twice, I'm talking about Ethiopia.

I would like to direct a question to the First Minister and ask him whether his government would be prepared to make a meaningful generous contribution to the starving millions of people in Ethiopia, whether he has considered, in discussion with his Ministers, for example, shipping thousands of bushels of grain, or making a hard-cash contribution to the plight of those people?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, the plight of those, indeed, that inflicted with famine throughout Africa is a matter of deep concern, I know, to each and every member in this Chamber.

Mr. Speaker, we are engaged in what I believe to be the appropriate organization to co-ordinate, to the limited extent we can, assistance to the Third World countries through the Council for International Co-operation by which we provide grants to that organization and then voluntary organizations provide input. We are involved with respect to that.

There is a line within my allocation as Minister by which there can be discussion of that item as to whether indeed that item should be increased or not.

Ethiopian relief - shipping of foodstuffs

MR. R. DOERN: Mr. Speaker, as a final supplementary I would like to direct a question to the Minister of Agriculture and ask him whether any of his provincial counterparts are shipping foodstuffs in any co-ordinated plan to Ethiopia for relief.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, I believe that is correct. There are co-ordinated approaches being taken in other provinces, as there are in this province as well through I believe the Mennonite Central Committee, and our staff have been assisting them in this endeavour.

Affirmative Action Program - Limestone project

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, my question is to the Attorney-General.

The other day the Attorney-General in his Ministerial Statement entitled "Law Day" made specific mention

that in Manitoba we are developing a very significant Affirmative Action Program in connection with the Limestone project. I would ask the Attorney-General would he help to have the question answered and have the agreement tabled that sets out the affirmative action clauses that were signed, I understand, some time ago with the Allied Hydro Council, with respect to the Limestone project? I asked that question some time ago of the Minister of Energy. It would be some tangible demonstration for us of the Affirmative Action Program this government is talking about.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I'll take that question as notice, Mr. Speaker, and pass it on to the Minister of Energy and Mines and I am sure that in due course, the agreement referred to will be tabled.

Manitoba sugar producers - financial support

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. I have a question to the Minister of Agriculture. Mr. Speaker, it would appear that the Province of Manitoba sugar producers in the sugar industry, whether or not it will operate this year depends on whether there's action coming from this government. Will the Minister of Agriculture recommend to his Cabinet that some of the advertising funds and some of the apple-polishing money that is being spent be diverted to the support of the Manitoba sugar producers?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, I believe that western Canadians opted for a policy of fairness when they elected our new Federal Government.

Mr. Speaker, there appears to be some lack of fairness coming out of the Federal Government as it relates specifically to agricultural policy, to Native policy with the latest Nielson Report, with the cutbacks in agriculture, the cutbacks in women's programs and the shifting of costs, basically an attempt to shift the costs from the Federal Government to the provinces and other agencies.

Mr. Speaker, it should be clearly understood that historically over the last several decades, the national government has had a policy in which they have indicated that we will have a small sugar industry in this country and they have opted to support that industry.

This year, for some unknown reason, there's been a change in federal policy indicating that we no longer are prepared to support the sugar industry and, Mr. Speaker, we want to know what the Federal Government's intentions are. Are they in fact going to allow the sugar industry to fade out by virtue of their latest announcements or what is their long-term policy position vis-a-vis the sugar industry?

MR. J. DOWNEY: In view of the fact, Mr. Speaker, that there are three provinces in Canada that have a sugar

industry, Quebec, Manitoba and Alberta, and Alberta have offered funds to support their sugar industry, the Federal Government yesterday offered funds to support the Canadian sugar industry. Will the Minister of Agriculture be supporting the Manitoba sugar producers and the sugar beet processing industry in the province?

HON. B. URUSKI: Mr. Speaker, I want to advise the honourable member when I raised this matter with the Federal Minister and the Minister from Alberta in Regina last November that we could see some problems coming. The Minister from Alberta indicated to his federal counterpart that they should hang in there because the sugar companies were, in fact, playing hardball with the farmers of this country. Mr. Speaker, that's how tough the Alberta Government was. They were the first to come up with money and already take the Federal Government off the hook. I can accept that, Mr. Speaker, because the Federal Government has made a very nice energy agreement with the oil companies of Alberta, and the Province of Alberta can in fact reciprocate very easily in terms of that oil agreement, in terms of the position and the revenues that they see and the advancement that they have in their province. Mr. Speaker, that is very clear. We want fairness for the farmers of this province and fair treatment.

But, Mr. Speaker, we have put options to the Federal Government to indicate that the entire industry can be supported with a very small levy on the 90 percent of sugar that is being imported into this country to be processed. Mr. Speaker, it would put the companies in a much more fair position vis-a-vis the farmers, because the companies then couldn't lever the farmers against provinces and the Federal Government if that levy was there. It would make no difference to them.

We've put that to the Federal Government, Mr. Speaker, and we want to know what their long-term policy is. Are they intending to phase out the sugar industry in this country?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.
The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, a short answer from the Minister. Can the Minister confirm that there will be no support for the Manitoba sugar industry this year?

HON. B. URUSKI: Mr. Speaker, I want to answer that question in this way. The honourable member should clearly be raising that matter with his colleague who is the Minister for Multiculturalism, the Minister for Agriculture, and the Minister responsible for the Wheat Board as to what their policy vis-a-vis the sugar industry is going to be in this country.

We certainly are intending to meet with the sugar beet producers and to look at the ramifications of what the federal announcement is and what commitments they are intending to make in the longer term for the sugar beet industry. But, Sir, coming from a member opposite who for four years lambasted the Federal Government every time they imposed tried to shift the costs on any producer group . . .

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

An answer to a question should not be a speech. Order please!

PCBs - exposure information

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker. I would like to direct my question to the Honourable Minister of the Environment, Workplace Safety and Health, and I would precede it with advice that this question is not argumentative and not repetitive, and I would just ask him to keep his cool and answer the question that I ask. I want the Minister to understand the question, so I would ask him to pay close attention. It's not directed to the people who know where and when to contact re the PCBs, it's the people who do not know who to contact, the people who have been exposed and do not know that they have been exposed. What advertising campaign has the Honourable Minister set up to advise those people that there is an absolute danger of being exposed to PCBs?

HON. G. LECUYER: I advise the member to see his doctor.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. Order please.
The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker, to the same Minister. I hope that I don't get a foolish answer to such an important problem that is facing the people of the Province of Manitoba today.

Can the Minister advise what legal action has been taken to recover the costs of the PCB cleanup?

HON. G. LECUYER: Mr. Speaker, the member should realize that the legal aspects of it are the least of our concern. At the moment our concerns are to care for the people who might indeed be affected by this. We expect today that part of the truck itself, hauling the transformers, probably will travel on its way to Alberta. Staff left this morning for Kenora to make sure that before it leaves Ontario, we are satisfied that it has been decontaminated.

I understand there will be another truck, which is an enclosed truck, carrying some of the contaminants. I understand, as well, that Transport Canada and the RCMP will also be following the trucks as they come through Manitoba. The legalities of it we hope to recover from the company, and actions in that regard will be undertaken.

MR. A. KOVNATS: I want to thank the Honourable Minister for at least admitting now he is concerned.

To the same Minister, Mr. Speaker, on Wednesday last, the Minister accused me of waiting two days to rephrase my questions. Why did the Minister wait two years to send new lead poisoning criteria to the Workers Compensation Board?

HON. G. LECUYER: Mr. Speaker, the member opposite makes an assumption and I do not necessarily accept that as fact. I certainly and personally was not Minister responsible for the Environment, Workplace Safety and Health Division at that time; nor do I assume, Mr. Speaker, that these were not sent; nor do I assume that the Compensation Board only makes its decisions based on information received from the Workplace Safety and Health Division. The member is absolutely wrong in that. If he wants to imply that the Compensation Board makes its policies and decisions on directions of the Workplace Safety and Health Division, hopefully, Mr. Speaker - and I do believe that we have competent staff on the Compensation Board who follow the best available information from all sources in order to draft the policies on which they will make the decisions.

As far as caring, Mr. Speaker, not only do we care on this particular issue, but from the very moment that we learned of it our staff from the department went to the homes of the people who came from Kenora - the family that is going back today - we went to their homes, we counselled them in what measures to take to protect themselves. We towed their vehicle last Sunday into a compound so that it would not adversely affect any other people in Manitoba. We have today offered to transport them back to their home.

Mr. Speaker, we indeed also have responded to over 100 enquiries on this particular issue, and approximately 9 to 12 of these - I am not sure of the exact number - of these vehicles were cleaned by staff from the department and others were counselled on how to do it on their own.

MR. A. KOVNATS: Mr. Speaker, the Honourable Minister has just replied that he has responded to 100 requests for consideration. Mr. Speaker, I would assume that there were thousands of people that were involved.

Can the Honourable Minister advise whether he is going to do something about trying to contact the thousands of people that were involved rather than just sit there and just wait for the telephone calls to come in?

HON. G. LECUYER: Mr. Speaker, since this issue has arisen, a large number of people have, through the media, invited people and including myself, who thought that they might have come into contact to indeed consult their doctor.

We have also the Chief Medical Officer who has got in touch with doctors, who did not understand how to deal with this particular issue, were invited to consult the Chief Medical Officer. The Chief Medical Officer in Ontario has been as well giving counsel to doctors in Ontario.

Mr. Speaker, we have told publicly the people of Manitoba who thought they were affected in any way in this regard, what to do. But I do appreciate the fact that the member would like us to set up a provincial-wide campaign to advertise an issue that at this point, I personally feel, has been dealt with in a proper manner.

Boissevain Land Titles Office - closing of

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the First Minister. Can the First Minister advise the House whether he has decided to reverse the decision to close the Boissevain Land Titles Office?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I think this question was answered by the Attorney-General the other day. I don't know whether the Attorney-General has a response or not.

MR. B. RANSOM: Mr. Speaker, two days ago the First Minister promised to make a statement in the House and said that he was receiving written recommendations from the Attorney-General. If no reversal of the decision is made, the office will be closing a week from today and I'm simply asking the First Minister whether he has decided to reverse that decision.

HON. H. PAWLEY: Mr. Speaker, I think what was indicated to the House the other day by the Attorney-General is that a statement would be made by the government at such time as a decision was made.

MR. B. RANSOM: Mr. Speaker, the office will be closing a week from today if the government does not make a decision to reverse the earlier decision.

Can the First Minister simply advise the House whether he has looked at the facts and has decided to proceed with the original decision or whether in fact, he is going to reverse that decision so that five full-time jobs and two part-time jobs will not be removed from Boissevain and southwestern Manitoba for doubtful savings?

HON. H. PAWLEY: Mr. Speaker, I don't know whether the Attorney-General is in a position to respond today. I want to indicate to the honourable member that unpopular decisions do have to be made from time to time to ensure that there is cost efficiency in the operations of government and honourable members cannot have it both ways. On one hand they cannot be saying that the government of the Province of Manitoba must reduce the deficit; at the same time daily, Mr. Speaker, to call upon the government to expend more and more funds.

Mr. Speaker, on the basis of the information that has been analyzed by the Department of the Attorney-General, I understand there is little alternative but to close the Land Titles Office in Boissevain.

Nielson Report re Indian people - responsibility to provinces

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. E. HARPER: Mr. Speaker, my question is to the First Minister. This is in view of the fact that the Nielson Report which was leaked to the . . .

SOME HONOURABLE MEMBERS: Oh, oh!

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

The Honourable Member for Rupertsland.

MR. E. HARPER: Thank you, Mr. Speaker. My question is in light of the Nielsen Report in regard to the responsibility of Indian people. The recommendation was made to the Prime Minister to transfer responsibility to the provinces regarding Indian people. My question is with the First Minister, has the First Minister been informed of this change of policy of the Federal Government?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, it's my understanding that this has been a recommendation made to the Federal Government by way of the Nielsen Task Force, that well-known task force as well that was created under the Honourable Mr. Nielsen, to deal with agricultural policies without any western representation contained therein.

Mr. Speaker, no, to my knowledge there has been no consultation by the Nielsen Task Force with the aboriginal peoples of Manitoba, not Canada, and to my knowledge not with the provinces and certainly not with the Province of Manitoba.

MR. E. HARPER: A supplementary question, Mr. Speaker. In the Estimates that were tabled in the House of Commons regarding Indian Affairs, the Department of Indian Estimates, there is a departmental priority which states in the Estimates that the Federal Government will try to improve the access of programs to the Indian people, the programs that are available in the Provincial Government. Could the First Minister assure this House and also the Indian people that the Provincial Government will not assume any federal responsibility because the Federal Government has trust responsibilities and it has Treaty obligations which is a special relationship between the Federal Government and the Indian people and the Provincial Government doesn't have that special relationship? Could the First Minister assure the people and also the Indian people of Manitoba that this will not occur?

HON. H. PAWLEY: Mr. Speaker, I think that is a very important question to be addressed in view of the indications and signals that we're receiving on practically a daily basis of potential transfer of financial responsibilities onto the backs of the provinces, whether it be sugar beets, or the Women's Centre in Fort Garry, or the Night Riders Program in the City of Thompson. There is a long-standing commitment and covenant in regard to the Indian people and Her Majesty, as represented by the authorities of the day in Canada, going back well over a century, Mr. Speaker, that covenant is one that we respect. I trust the Federal Government respects that covenant and will continue, Mr. Speaker, to maintain their responsibilities to the Indian people of Canada arising from that very clear and firm covenant treaty that was signed over a century ago.

Manitoba 23 - federal funding

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

MR. G. MERCIER: Mr. Speaker, I have a question for the Premier. My question to him is did he or any member of his government have any knowledge of the fact that the Manitoba 23 organization which supported the government's proposed language constitutional amendment was receiving funding directly or indirectly from the Federal Government despite denials from that organization?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: No, Mr. Speaker.

Manitoba 23 - provincial funding

MR. G. MERCIER: Mr. Speaker, a second question. Did the government provide any assistance directly or indirectly, or any funding directly or indirectly to the Manitoba 23 organization or any other organization which supported the province's proposed language constitutional amendment?

HON. H. PAWLEY: Mr. Speaker, I certainly know of no financial contribution whatsoever. I wonder if the members will recall the time I requested the Prime Minister of Canada, Pierre Elliott Trudeau, to butt out of any involvement in respect to the referendum at the City of Winnipeg level. Unfortunately it appears, and this has yet to be verified, Mr. Speaker, that indeed the federal people may not have done so.

MR. G. MERCIER: Mr. Speaker, the Premier indicated he knew of no direct or indirect funding to any organization. Does he know of any other type of assistance that was provided to such organizations?

HON. H. PAWLEY: No, I don't. If the honourable member has anything specific, let the honourable member raise any specific item because I do not know of any specific areas of assistance, direct or indirect.

Gravel haulers - regulation re weights and lengths

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. My question is for the Minister of Highways and Transportation.

Mr. Speaker, the goal of the provincial Highways' Ministers was to establish uniformity in weights and lengths of vehicles on highways for the past several years. Can the Minister of Highways indicate why in the case of gravel haulers that Manitoba has adopted a regulation on lengths and weights which differs from Saskatchewan's?

MR. SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: Mr. Speaker, the Provinces of Saskatchewan, Alberta and Manitoba originally had agreed on a recommendation from the Roads and Transportation Association of Canada to have a uniform standard for axle distances for dump truck operators.

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However, there was a change made by the Government of Saskatchewan later to revert back to the old system that they were using. We have not followed that change in this province because we don't think that it is in the best interest of the highways in this province, and bridges that require of course constant maintenance and extra dollars. Our concern, of course, is for the condition of our roads and bridges. The extra weights and the spacing of the axels has a lot to do with the effect that they have on the condition of roads, so we're considering that very carefully.

In the Province of Saskatchewan, they have made a change and we think that is not the right change. They have not, though, allowed the total gross vehicle weight to be as high as it is in Manitoba. That decision was made to increase those weights by the former Member for Pembina here in Manitoba at a cost of millions of dollars undoubtedly, which of course haven't been quantified yet, and he has to take some responsibility for that. But we have higher weights in this province than they do in Saskatchewan, based on a decision made by that member when he was Minister of Highways and Transportation.

MR. D. ORCHARD: Mr. Speaker, in view of the fact that the Minister's department, prior to holding a meeting on April 23rd with an affected trucker who is going to discuss this issue with the Minister, why has the Minister and his department as of yesterday shut this trucker down in terms of his haul of nickel concentrate from Thunder Bay to Thompson and put this particular trucker and his employees off the road because he will not allow them to haul weights that they could haul just two weeks ago?

MR. SPEAKER: Order please, order please. The time for Oral Questions has expired.

ORDERS OF THE DAY HOUSE BUSINESS

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker. Before we proceed with the Order Paper, just a brief statement with regard to House Business. It would be my intention today to deal with the bills that are standing on Adjourned Debate for Second Readings and then with the Report of the Rules Committee. Mr. Speaker, after discussion, however, with the opposition House Leader with regard to the Notice Paper, Sir, I would like to change the committee meeting for next Tuesday. It would still be the Standing Committee on Public Utilities and Natural Resources, Sir, but it would consider the report of the Manitoba Public Insurance Corporation, and we would defer consideration of the Manitoba Telephone System until after the MPIC Report had been completely considered.

Mr. Speaker, other than that, I have no announcements with respect to House Business next week, we'd be continuing with Estimates as we have this week.

I will be discussing with the Opposition House Leader the lineup for the next departments after Municipal

Affairs in the committee, and when we have concluded those discussions we should have an announcement of several more departments, both for the House and the committee.

Sir, would you please call the bills standing as Adjourned Debate on Second Readings?

ADJOURNED DEBATE ON SECOND READINGS

MR. SPEAKER: On the proposed motion of the Honourable Minister of Health, Bill No. 2.
The Honourable Member for Pembina.

MR. D. ORCHARD: Stand, Mr. Speaker.

MR. SPEAKER: Stand. On the proposed motion of the Honourable Attorney-General, Bill No. 17.
The Honourable Member for St. Norbert.

MR. G. MERCIER: Stand, Mr. Speaker.

MR. SPEAKER: Stand. On the proposed motion of the Honourable Minister of Finance, Bill No. 21.
The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I would just like to ask the Minister of Finance whether he has information available that I had asked for when he introduced the bill?

MR. SPEAKER: Before the Minister starts, is that the member's contribution at Second Reading?

MR. B. RANSOM: No. Mr. Speaker, when the Minister of Finance introduced the bill I raised two questions of clarification with him; he undertook to provide the information and I'm asking the Minister of Finance whether that information is now available. If it's not available then I'll ask that the bill stand.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: No, Mr. Speaker, I still do not have the information, I'll ask again.

MR. SPEAKER: May we have this matter stand? (Stand)

BILL 22 - THE MUNICIPAL BOUNDARIES ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 22.
The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, having reviewed Bill No. 22, and it having been addressed by our critic, the Honourable Member for Virden, we are prepared to allow this bill to move to committee at this stage.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I move, seconded by the Honourable Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the Report of the Standing Committee on the Rules of the House received by the Assembly on April 10, 1985.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to consider the Report of the Standing Committee on the Rules of the House received by the Assembly on April 10, 1985, with the Honourable Member for River East in the Chair.

COMMITTEE OF THE WHOLE HOUSE RULES OF THE HOUSE

MR. CHAIRMAN, P. EYLER: Committee, come to order. We are considering the Report of the Standing Committee on Rules of the House; we are on the third paragraph on Page 72 of the Votes and Proceedings of April 10, 1985, if members have that particular copy left.

The Honourable Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Mr. Chairman, I would ask the indulgence of the committee if we could go back to the previous paragraph, the paragraph which says: "Your committee recommends that the Clerk's Office include a Legislation Progress Chart in the Votes and Proceedings on a weekly basis as soon as it is feasible to set up a word processing program to do this.

MR. CHAIRMAN: Does the member have leave? (Agreed)

MR. H. GRAHAM: Mr. Chairman, I raise the question for several reasons. One of them is on the whole process of word processing, and the increasing use that is being made of word processors in this building, and it may very well be that it will be difficult to get the use of a word processor in this building if we become overloaded with terminals, and it may in fact delay things.

I know it's very difficult to ask questions directly of the Clerk at this particular time but, for instance, I notice that our Votes and Proceedings, which we have always received first thing when a Session sits, lately we have not been receiving our Votes and Proceedings as soon as the House opens. This morning, for instance, we have not received the Votes and Proceedings for yesterday.

Mr. Chairman, the Government House Leader says we never did. Mr. Chairman, I beg to differ with him. I think for years, when he was an Assistant Clerk, I think Votes and Proceedings and the Order Paper, it didn't matter what time the House rose at night, they were always there the next morning.

I also notice, for example, Mr. Chairman, that the Debates and Proceedings, the last one that we have received is for Tuesday night. Now this is Friday morning, Mr. Chairman, and if we are going to add a further workload to the Clerk's Office and a further burden to the word processing services, are we going to in effect slow down the work of this House rather than provide further assistance to the work of the House?

So I wanted to raise this at this particular time, Mr. Chairman, because I think maybe we hadn't given it enough consideration in committee when we asked that we add a little further workload to the Office of the Clerk and to the printing of Votes and Proceedings, because I don't think we would want to further slow down the service that we are getting to the House at the present time.

MR. CHAIRMAN: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Chairman. I am somewhat surprised that a former Speaker of the Assembly, the Member for Virden, would have retained so little about the management of this place from those days when he had responsibility for it. I respect his opinion but, Sir, it's not based on any of the facts that were in place when he was there, or any of the plans that were in place when he was there, of which then he was fully apprised, but he may have forgotten.

The word processing unit, and this was discussed at the Rules Committee and was discussed at the Legislative Assembly Management Commission when it was purchased, is a self-contained system which does not depend on CPU capacity downstairs, either in the central system down there or in Hansard, and it will be produced in the Clerk's Office; that was explained at the committee. There is no limitation therefore on the number of terminals available for connection in the other systems in the building. So, Sir, that argument against this proposal I submit, has no merit.

Sir, I am also surprised that the honourable member would suggest that Votes and Proceedings on Fridays were available at 10:00 a.m., in the morning. To my knowledge they never have been; that has never been the practice. They are available for the afternoon sitting when we have an afternoon sitting, and that has always been the practice. The Order Paper, yes, but the proofs of Votes and Proceedings, to my knowledge, have always been and are still being cleared by the Clerk's Office first thing in the morning, with the printing done later in the morning, and delivered here some time at or shortly after noon.

With regard, Sir, to his concerns that this new development might be affecting the delivery times for Hansard I would point out, Sir, delivery times for Hansard maintained their normal schedule this Session, with a 24-to-36 hour maximum turnaround, until we went into double Committee of Supply. That has always been the practice and then we do get a little behind. That's been the case since 1976 when we started the double committee system and it's only been on rare occasions that Hansard for double Committees of Supply have shown up the very next day on the 24-hour turnaround.

I regret that, and part of the reason that additional processing capability has been provided to Hansard and part of the reason the Legislative Assembly Management Commission approved a partial separation of Hansard from the government word processing system downstairs was to give them increased capability to meet the deadlines they could meet before we went into the double committee system in 1976. Certainly this proposal in no way infringes upon that. In fact if

anything, Sir, it develops further staff skills and training in the use of that equipment and enhances the ability of the Clerk's Office to provide that service by developing the skills amongst a larger pool of staff available to the Clerk of the House.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. I would like to ask the Government House Leader then for further information. If we continue to increase the number of terminals, how many printers have we got tied into the system at the present time? Because it isn't just the number of terminals, it is the availability of the printer that will determine the function or the efficiency of the system and if we only have one or two printers, has the government any program to increase the printers? At the present time you can have 20 terminals, but you can't have 20 printers going at the same time.

HON. A. ANSTETT: Mr. Chairman, I think we are getting beyond the question in the report, but for the advice of the honourable member I will confirm that the stand alone unit in the Clerk's Office has its own printer and is therefore not dependent upon the terminal capacity of any other units in the building; and for his information I would point out that the partial separation of Hansard will enable Hansard upon completion - I don't know that it is done yet; the Clerk, by nod, confirms that it is not complete - that they will have the capability of running two printers on a full-time basis there.

I should remind the honourable member that in both cases, for example, in the case of Votes and Proceedings and in the case of the Progress Chart, the printer will provide the printing of it in a computer printout form, but the actual printing will still be done by the company under contract for the printing of these House papers.

MR. H. GRAHAM: Well, Mr. Chairman, I raised the issue or asked permission to raise it because, No. 1, I was concerned about whether or not we would be overloading the office of the Clerk. The second thing was to make sure that the present services we get in the Assembly would not be adversely affected.

Now if the Government House Leader gives me that assurance, then perhaps my fears are ill-founded. I just had the idea that perhaps in retrospect if there was any danger that it might adversely affect the present service we get, I don't think that the Progress Chart on a weekly basis is really of that much benefit to us, but that was a feeling that was expressed by members of the Rules Committee. They agreed to it so I won't say anything further about it now.

HON. A. ANSTETT: Mr. Chairman, I cannot give the honourable member the assurance he requests. That is the prerogative of the table officers and that is their responsibility to ensure that services are provided.

However, the honourable member will recall that the Standing Committee on the Rules of the House requested that this activity be pursued. The direction to the Clerk of the House in the Rules Committee, subject to concurrence by the Whole House, was that this be done as soon as possible in accordance with the availability of resources. It is assumed in that, Sir,

that it would not be done to the detriment of the provision of other services to members, and I think that understanding was very clear in the Rules Committee.

I am not in a position, Mr. Chairman, to assure members that that will occur; I can't offer any guarantees. But I have every confidence that staff of the Assembly will act as requested by the Rules Committee. The member having been a member of the committee who concurred in this report, I'm sure that he and I will both be looking forward to seeing the job done well without a detriment to any of the other services provided by the office of the Clerk of the House.

MR. CHAIRMAN: By leave, that item had been reverted to, it has already been passed.

Paragraph 3, the guaranteed minimum of debating time - the Member for Elmwood.

MR. R. DOERN: Mr. Chairman, I regard this as one of the most serious questions to be discussed by the Legislature at this, or any other time, because what we are now confronted with is, we have evolved from a system of rules whereby bell ringing could be employed, was very rarely employed, I might add, but due to the seriousness of the French Language Debate, the division bells rang many times. Of course, in response to that the government suggested that there be a 15-minute time limit placed on the bells. Now we, of course, had a response to that and that is that there should be at least a minimum period of debating time, public hearings, and perhaps some other formula like a two-thirds majority, or a referendum.

I recognize that these matters were discussed in committee and I appreciate that it is a complex problem, but what we are now confronted with is we have gone from a system whereby the government had a very serious and forceful weapon called closure, and to counterbalance that the opposition had a response called bell ringing. Now the government has, in effect, taken away the weapon that the opposition had, so they have all the weapons.

The opposition, in effect, is defenseless in the face of the government's weaponry, the use of closure and now, the invocation of a 15-minute bell ringing. So if we'd had the present rules as they stand in this report two years ago, then Manitoba would be officially bilingual. There would have been no public hearings; there would have been no plebiscite; but there would have been extreme public dissatisfaction in our province.

We see that kind of thing right now today in the Province of New Brunswick, that beacon of bilingualism on the east coast of Canada, that model of progress that is now starting to crumble and disintegrate around the ears of Richard Hatfield.

Well, Mr. Chairman, I see that immediately I am getting to the Minister of the Environment, which doesn't take much. There is the fastest gun in the west, and then there is the thinnest skin in the Legislature. It's probably from sniffing PCBs that he is responding with irritable and ugly comments.

Mr. Chairman, I want to remind members of the Chamber, and particularly members of the Legislature, that it was the first time in 50 years that this government

invoked closure. "Closure" is a dirty word in the NDP lexicon. That is a dirty word, yet this government saw fit in the last year or two to implement closure on a number of occasions. Mr. Chairman, that must have galled and upset many members of caucus and particularly many members of the party. So we not only had closure, we had double closure in this House.

I want to remind members opposite what some of the stars, some of the biggest names in the NDP heavens, people that I respect very much, and people who have the respect of most Canadians and most Manitobans, have said about that procedure back in 1956 . . .

MR. CHAIRMAN: Order please.

The Honourable Government House Leader on a point of order.

HON. A. ANSTETT: Yes, Mr. Chairman, I appreciate the desire of the honourable member to debate a much broader question than the question which is before the House, but our rules are very strict with regard to debate in committee. They are supposed to be strictly relevant; those are the words provided in our rules to the matter under debate.

The matter under debate is the question of deferring a decision on a guaranteed minimum debating time. If the member wishes to rehash a debate he has engaged in, in this Chamber, for most of the last year-and-a-half, he can choose a more appropriate time for that or bring in a resolution in Private Members' Hour as the vehicle for that debate. But, Sir, committee debate on this paragraph in this Rules Report under the relevance requirement certainly is not the vehicle for the member to raise those matters and play those games.

MR. CHAIRMAN: Order please.

The Member for Elmwood to the same point.

MR. R. DOERN: Mr. Chairman, we are talking here about a section in which the committee wrestled with a problem for a number of months and could not agree on a workable formula that was accepted to both sides.

Mr. Chairman, I regard that as one of the most serious questions before the House. Now we are not just talking about a rule that may or may not be used someday by the Chamber because of its obscurity, we are talking about a central, crucial rule that has been discussed by the Rules Committee and is now being discussed by the Committee of the Whole.

I am simply saying that if this paragraph and this report goes through as is, then it's game over in terms of a constitutional amendment to The Manitoba Act in the Canadian Constitution. All we would have then is a loss on the part of the opposition in terms of a tool that they had, a weapon that they had, to stop the government from ramming through legislation.

It is to the government's advantage, Mr. Chairman, to have this matter not resolved in this committee.

MR. CHAIRMAN: Order please. Is the member speaking to the item in the report or to a point of order?

MR. R. DOERN: Mr. Chairman, I am speaking to the point of order as to whether or not it is relevant to

have a debate on the whole question of constitutional amendment because all we have here is a portion of that proposal, namely, a guaranteed minimum debating time - that is one portion of a package that was discussed - and the House Leader trying to tell me that we have to stick to a very narrow interpretation.

I say that this is a vital question to this House and to this province and that we want a debate. Now I don't intend to revive the entire French Language Debate; we don't have enough months in the year for that. But I intend to argue with the government and the House Leader that we want a formula to ensure some protection to Manitobans that this report won't pass today or next week and then the government brings in its response to a Supreme Court decision and rams it through in 15 minutes.

MR. CHAIRMAN: Order please.

The Opposition House Leader to this point of order.

MR. H. ENNS: Yes, Mr. Chairman, to the same point of order. I think, Mr. Chairman, it's important to read that paragraph carefully. "Your committee considered the matter of a guaranteed minimum debating time for constitutional matters." Now, Mr. Chairman, nobody disputes that. We did spend a considerable amount of time considering that important matter. Now it would, for instance, be quite in order - pardon me, Mr. Chairman - and your committee failed to come to an agreement. It's so recorded in this paragraph and we agreed to defer the matter.

But, Mr. Chairman, I would not be standing and raising points of order if the Government House Leader or indeed any other member of the government decided to use this occasion to stand up and tell us why the committee failed to come to an agreement, to tell the House why his proposal of a limited 10 days guaranteed debating time with the provisions that he had made recommendation to the committee didn't receive the adoption by the committee. He can use whatever facts or reasons that led him to bring about or for even considering a minimum guaranteed time for constitutional matters as legitimate discussion on this matter.

I think, Mr. Chairman, the real reason - well, in fact, two things - why this government deemed it necessary to change a rule with respect to bell ringing that has served this Legislature since this Legislature came into being, that had never been abused, if I want to use the terminology of the Government of the Day - I would not use that terminology; I would say used so effectively on and for the behalf of the people of Manitoba . . .

MR. CHAIRMAN: Order please, order please. Order please.

The point of order is related to the deferral consideration of a guaranteed minimum debating time. I believe the member is speaking to the issue as a whole rather than to the point of order which has been raised.

MR. H. ENNS: Mr. Chairman, I will accept your advice. I was simply trying to say, though, that included in that paragraph are some very important considerations that in my judgment deserve the attention and the

consideration by my honourable members that obviously if they wish to do so.

MR. CHAIRMAN: The Honourable Government House Leader to the same point.

HON. A. ANSTETT: Yes, Mr. Chairman, just in response to those who have spoken to the point of order I raised. I certainly accept most of the arguments put forward by the Opposition House Leader.

This is an important question that certainly the debate on this item would appropriately be addressed. The attempts of the committee to deal with this matter and their recommendation that the matter be deferred, and whether or not we wish to approve that deferral, that is the matter at hand, Sir. If debate were to be strictly relevant to those items, and the debate between the Member for St. Norbert and the Member for Lakeside and myself on Monday addressed those very questions.

But, Sir, to suggest that it then raises the question of bell ringing and limits thereon or abuse upon the use of that, abuse of bell ringing, or the use of closure on bills or the use of any other rules that are available, primarily for the opposition, not for the government, broadens the scope of that one sentence to a debate which certainly is beyond our Rule 64(2).

MR. H. GRAHAM: Speaking to the same point of order, Mr. Chairman. I would like to draw your attention to the fact that I believe the Chair was in complete agreement with the speaker and you, Sir, felt that the speaker was within his rights. It was an intervention on a point of order that was raised by the Government House Leader that interrupted the debate, Mr. Chairman, and I would suggest to you that the point raised by the Honourable Government House Leader is one that indicates a rather very nebulous point of order to begin with, but it more or less indicates to you, the intent of the Government House Leader, that he does not want any debate to occur on this; and you, Mr. Chairman, have to make that kind of decision whether or not you want debate to continue.

MR. CHAIRMAN: Order please, order please. The Government House Leader has raised a point of order considering the order of debate as to whether or not it was strictly relevant to the paragraph under consideration. There are two key items in this paragraph, one centres on the guaranteed minimum debating time for constitutional matters and the other focuses on whether or not this should be deferred.

The Member for Elmwood, I believe, was in some way speaking to the point of order when he conceded that this particular guaranteed minimum debating time for constitutional matters was only part of a much larger issue which he wished to address. The debate in this committee should be strictly relevant. If the Member for Elmwood is indeed setting a case for demonstrating the importance of guaranteed minimum debating time and whether or not this should be deferred, that would be an order. However, the debate must be strictly relevant to those two items, the guaranteed minimum debating time and the deferral recommendation for this paragraph.

The Member for Elmwood.

MR. R. DOERN: Mr. Chairman, I'll try to narrow my remarks a bit because I know that the government doesn't want any reminders of any kind about the French language fiasco which is being relived every day across the street in the law courts of Manitoba when some of these revelations I think, are first of all, damning and embarrassing to the Federal Liberal Government and also to the Franco-Manitoban Society.

So I'll try to be more specific and simply say that there were various proposals made to resolve the constitutional question and the constitutional crisis in the province, and I'll simply mention one of them that was made and then I'll go back to the two-week, 10-day proposal and that is, there was even an agreement, as members might recall two years ago, signed by the Member for Turtle Mountain and signed by the Attorney-General, that would have provided a two-week maximum on bell ringing. We remember that.

Well, the government went from there to making a proposal that there be a 10-day minimum or a two-week minimum debating time allowed and, Mr. Chairman, I would like to see that adopted. I would like to see that proposal implemented, but not in isolation, and the point is that we need a sufficient minimum guaranteed period of time in which to debate a constitutional amendment, that is a fact. Now I don't know whether that's two weeks or four weeks or six weeks or eight weeks or what, I cannot say what that time is; it depends on the importance of the matter. But a minimum time, which was proposed by the government, strikes me as being reasonable, but not in isolation, and that's the problem that I have.

Now I understand that the official opposition also wanted a guarantee that this would not necessarily be in sequence, that it might not necessarily be two consecutive weeks. It might be a week followed by a few weeks, followed by a day of debate, followed by a week or whatever. So that is something I think that also has to be considered, and I say that was a reasonable government proposal as far as it went. But then the government seemed to have problems with the proposal of the Member for St. Norbert and he suggested that concomitant with that, should be public hearings.

Mr. Chairman, I find it strange in principle that the government couldn't accept that.

A MEMBER: We did.

MR. R. DOERN: Oh, you did. Well, that's good. But your word is not necessarily the same as the law as it is written and — (Interjection) — the House Leader is now saying that it was also agreed to and he said that the other day, so I'm saying that there are two points perhaps that there could be agreement on, and those matters should be brought in now. They should be attached to this report.

Mr. Chairman, there are other questions that I think should be included and that is in addition to that, serious consideration has to be given to a two-thirds majority or a referendum, and I think those proposals also have to be very very seriously considered because, Mr. Chairman, part of this is a case of, whom do you trust? — (Interjection) — The House Leader says, trust me, and I don't think there is one person on this side who would trust him on a life and death matter.

I do not rest easy with this report and I do not rest easy with the assurance of the House Leader that if you look up the transcripts somewhere you'll see that this happened and that happened. What is happening right now is, if this report passes today the government can at any time in this Session make proposals on the French language question and those proposals will pass. — (Interjection) — I don't know what the House Leader is saying. I'm prepared to sit down and listen if he wants to make a remark here.

Mr. Chairman, if we have a package before us, which we do not have, then when the Supreme Court rules they are now 10 months later - it was June 18th of last year to June 21st I believe - that the Supreme Court looked at the Bilodeau case - that's 10 months later - the court will rule, the government will look at the ruling of the court and the government will then respond to the the ruling of court. If at that time they decide to bring in the identical package to what they brought in before, Mr. Chairman, then we will debate the matter; and if the government decides to invoke closure, the bills will ring for 15 minutes and the matter will pass in the Chamber - game over.

So I'm saying nobody on this side of the House can feel easy about the possibility of the state of affairs as they exist today, and I'm simply saying that I would like to hear members of the official opposition make their proposals now. I would like to hear the government accept some of those proposals now and then perhaps we can put an amendment into this report now. Because otherwise, Mr. Chairman, we are at the mercy of the government, and the people of Manitoba are at the mercy of the government, and they have demonstrated time and time again that they do not trust this government in regard to the question of official bilingualism.

MR. CHAIRMAN: Paragraph 3, Page 72.- the Member for Virten.

MR. H. GRAHAM: Thank you very much, Mr. Chairman.

We have heard a lot of debate and there's been a lot of concern both on the government side and on the opposition side over changes in the rules as it pertains to constitutional amendment. Mr. Chairman, our Rules Committee - and I speak as a member of that - we could not come to a solution to setting up in our rules a clear-cut manner to handle debate on constitutional amendments. Mr. Chairman, I have to say I view that with a great deal of regret because I think it is important that in our rules we do have a method of dealing with constitutional amendments in a manner that is quite separate and apart from dealing with the everyday affairs of our House and the rules that apply to the running of it.

Because it is not very often that this Assembly is required to deal with constitutional matters; the Constitution of our country basically and rightfully is the domain of the House of Commons in Ottawa. But from time to time, and because of the patriation of our Constitution - and I don't even feel that I should use the word "patriation," because I don't think we really had a Constitution until recently - we dealt for years with the British North America Act and it was an act of the United Kingdom.

But, Mr. Chairman, we now do have a Constitution in Canada, and it was just the other day the Attorney-General made a statement to the House about one of the articles of that Constitution which came into effect, I believe, last Wednesday. It will have an influence on the lives of all Canadians, but I'm just raising that, Mr. Chairman, to point out that as the Constitution affects all Canadians in various walks of life, I believe there will be actions taken to change it from time to time.

I believe there are some activities presently in the minds of all Canadians for further change to the Constitution. In fact, it wasn't too long ago that I believe our First Minister attended a conference in Ottawa dealing with proposed constitutional change and yet here in Manitoba we are - the best word I can use is - "muddling" about. We can't even make up our mind on how we are going to deal with that matter should it come before the floor of this House. And that, Mr. Chairman, causes me a great deal of concern.

I think we should have enough foresight to make preparations in our rules so that we can deal with it and everyone knows the manner in which we are going to deal with it, so that the ground rules are laid out for a proper constructive debate to be held in this Chamber. That, Mr. Chairman, is something I regret that our Rules Committee could not come to any clear and definitive conclusion on it. The best that we could come up with, Mr. Chairman, was a motion to defer it and I think that's much like sticking your head in the sand. I think we should deal with it, and we should deal with it now, because it isn't too long, or we don't know when this House will have to deal with matters of that nature.

So I would hope that the government in particular consider the stand that was put forward by their members on the Rules Committee. I would ask them to seriously reconsider and if it is at all possible for this committee to make changes to deal with it in a logical and orderly manner so that everyone knows how we can handle constitutional matters in this Chamber. I think that the people of Manitoba would be well-served, and I know the Government House Leader would like to have this report passed today and concurrence motion probably next week or a week after, to have the thing shelved so that it is no longer an embarrassment to the government.

But, Mr. Chairman, I think that we should sit down and take some time, discuss this thing properly, and see if we can't come up with a solution to handle debate on constitutional matters in a manner that is fair and equitable to all - not just members of the Assembly, but members of the public and the citizenry of Manitoba. I think the people of Manitoba would be proud of our actions if we could do that.

I regret, Mr. Chairman, I think members of the opposition addressed the question quite properly. We did put forward suggestions and they were well thought-out suggestions, suggestions that would give the people of Manitoba opportunity to participate, to know that constitutional change when it occurred and required provincial input would be well-handled in this Assembly.

So, Mr. Chairman, I am not the least bit concerned if this report does not pass today. As long as members of this Assembly address the question of constitutional change, the manner in which they are going to handle it in this place, and if it takes another month, if we can

come up with a solution so that we can handle this thing properly, I think that our time is well spent.

MR. CHAIRMAN: The Member for Kirkfield Park.

MRS. G. HAMMOND: Yes, Mr. Chairman, I would like to say a few words on the deferral of this motion.

When I was reading the committee report and noticed the Government House Leader's remarks that they still believe their proposals were correct and that they believe so, it certainly makes me extremely nervous that this is going to be deferred. I am sure that if the people in Manitoba were aware of it, they would be extremely nervous when they read that kind of a statement, because I think very often in their minds they like to feel that this is a past issue. Of course, when we see the Minister making comments like that, we know very well it's not.

I think if they would allow the public hearings to be held, as was suggested by the Member for St. Norbert, that we could come up with some kind of a formula on constitutional matters.

The Constitution is something far different from anything else that we deal with. It's not anything that we can change back again; it's going to be forever in most cases. It's not like one government can step in and change it as we would other legislation. I think it's too serious a matter to be deferred and I think this committee should be encouraged to do everything they can to make sure that we come up with a formula that will please both sides of the House, but particularly the people of Manitoba.

Manitobans have usually been very passive when it comes to legislation. It's sort of shrug your shoulders and, oh, the government, there they go again. But on this issue they were extremely active and would become active again and I think the government is very foolish not to recognize this.

I don't know what they are afraid of by listening to the people, by having them speak to motions that they might bring forward on the Constitution, and certainly on constitutional issues there should be consensus and for the government simply to defer and go along with the 15 minutes, I don't think is good enough.

I agree with the Member for Virden. I think that this is an issue that shouldn't be just dealt with today, that we should continue debating this until we can come to some agreement on this matter because it's most important that we satisfy the people of Manitoba. I believe as a politician, and I have always believed this, that no matter what I think about an issue, if I find out what the people of my constituency think, then that's the way that I should be voting because I am not here on my behalf. I am elected to serve my constituency.

Here is an issue where the people of Manitoba have been speaking about, have given every indication of their wishes, and yet the government still persists, as the House Leader has indicated, that they believe their proposals were correct on the constitutional amendment and they still believe so. So if they continue to believe this and if the Supreme Court hearing comes down, they are just liable to put through some amendments, and with 15-minute bell ringing it's all over and we will have a constitutional amendment.

We probably will never see another New Democratic Government again, which would suit us fine, but it

wouldn't suit the wishes of the people of Manitoba and I think that's the most important issue here today, that to defer this is a very cowardly way of dealing with this particular issue. I think that the government had better get back to bargaining with this side of the House and the people of Manitoba and do themselves a favour, as well as the people, and come to some solution that we can all live with because we are not that far apart on an agreement. If they can't do that then I suggest, as the Member for St. Norbert said, that they call an election and let's deal with the matter out in the public.

MR. CHAIRMAN: The Member for Roblin-Russell.

MR. W. MCKENZIE: Thank you, Mr. Chairman. I would like to add some comments to this motion that the House concur in the report of the Standing Committee on the Rules of the House, which was received on the 10th of April, 1985.

Mr. Chairman, like others I feel this is an extremely important issue that we are discussing here this morning. I am wondering on this motion that the matter be deferred, and in looking at the minutes of the Standing Committee on the Rules of the House, those meetings were all held commencing on the 8th of November, 1984. So this famous Cabinet meeting that they held in Gimli was held previous to this Rules Committee decision that we are dealing with today. Of course, Mr. Chairman, we well know what happened at the Gimli meeting, that all matters that are controversial shall be deferred by the members opposite.

So, Mr. Chairman, I have a hard time wondering just what was going on amongst the members opposite when they were sitting in the Rules Committee, knowing full well that an ultimatum had come down from on high, that anything that was controversial such as this rule change should be deferred until after the next election.

Mr. Chairman, that's the subject matter that we are dealing with today because in all sincerity this motion then to have concurrence that is before us, if this is deferred in the House this morning, Mr. Chairman, it likely will not be dealt with until after the next election.

MR. CHAIRMAN: Order please. The Government House Leader on a point of order.

HON. A. ANSTETT: No, Mr. Chairman, I was just going to ask the honourable member if he would permit a question on the very point he is making about deferral.

MR. W. MCKENZIE: Well, when I'm finished.

HON. A. ANSTETT: I wanted to save you a little embarrassment.

MR. CHAIRMAN: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: So, Mr. Chairman, I know the motion that was brought to the committee by my colleague from St. Norbert, good and well, but my understanding of it, they are the ones that govern across the way, they are the ones that are ruling this province

and governing the province. That Cabinet minute just happened to cross my mind today as I sat here wondering what implications that had in the matter that is being deferred.

Mr. Chairman, the reason I am speaking today is that I am concerned about constitutional matters that other members have raised here this morning that we are going to have to deal with in this House. Because of the amending formula that is part of the Constitution of our country, these matters are going to come up fairly regularly, I suspect, and the House is going to have to deal with constitutional matters.

So I think it's extremely important that we come to some conclusion either by amending this resolution that's before us or giving the Rules Committee some guidelines that they could go back with and take another look at it, I would even suggest to the Honourable House Leader and his Premier, let's put it on the ballot for the next election and let the people decide. Do you want the rules to stay as they were with — (Interjection) — well, let's put it on the ballot; let the people decide because the people certainly told this government where they stood on the bilingual services issue.

But the rules that were in place in this House, Mr. Chairman, stood the test of time extremely well. It certainly rapped the knuckles of the government when they tried to proceed with the resolution on bilingual services, Mr. Chairman, but nevertheless those rules stood the test of time. I'm concerned in these rule changes that the opposition is going to be muzzled or we're going to lose some of the ability or tactics that the opposition are entitled to in a democratic system to get our point across.

Mr. Chairman, I well recognize the wounds that were suffered by members opposite when the Attorney-General brought that famous resolution on bilingual services into the House, and in the ensuing weeks he was shunted aside and pushed away. He lost his job as House Leader; he lost his job as the Minister in charge of piloting the resolution through the House. He was pushed aside and they brought a backbencher in to take over who is now the House Leader. So you can imagine the turmoil and the wounds and the hurts that were being felt by the Government of the Day on the issue.

So I don't think that the government in dealing with this matter gave it the attention and the understanding that it deserves because of the fact of the eruptions that took place in their benches during those ensuing weeks.

But I suggest this morning, Mr. Chairman, because of the seriousness of the issue and because of the fact that I think it should be dealt with before the next election is called that we should maybe set up a committee maybe to amend this resolution, defer the debate for maybe a week and see if we can't come up with amendments that are successful or that will be acceptable to the House.

The other alternative that I say, we'll put it on the ballot during the forthcoming election campaign and ask the people of this province: do you want the rules on constitutional matters to stay like they were? It stood the test of time in this province for decades and decades, or do you want to go with this system that the Government of the Day has proposed with the assistance of the members on our side in the Rules

Committee as a solution to the problem? But the tragedy of it is that we haven't solved the problem - it's deferred - I wonder, Mr. Chairman, when the Rules Committee in the past have had to defer issues of this importance or this magnitude as our duty as legislators and the Government of the Day in its capacity as government.

So, Mr. Chairman, I would sincerely hope that we can by continuing the debate, continuing the discussion on this extremely important matter, come up with a solution and not defer it as the section says that we're dealing with this morning. It's an extremely important issue, Mr. Chairman, and I hope that as legislators we can somehow remove those words in this resolution that the matter be deferred.

MR. CHAIRMAN: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Chairman, I, too, want to join in the debate on the rules change proposal. I think it's extremely important as well to go back over some of the background as the constituency in which I represent feel about what kind of activity led us in this Chamber to consider such a rule change, and they weren't particularly overjoyed about the fact that we had the kind of government long-headedness that we had that tried to impose on the people of Manitoba a constitutional change which was I guess first of all misunderstood as to why, or could not understand as to why, it was brought forward in the secretive manner in which it came forward, that the government was not very open with it. Then, of course, when it was uncovered and they were disclosed as to what they were up to, it really made them more suspicious than ever of what the government was up to. My colleague from Roblin-Russell suggested possibly it should be on a ballot.

I go back, Mr. Chairman, and say that kind of an impasse that was reached in this Legislative Assembly, dealing with such a major constitutional matter, should have been put to the people in an election campaign as an election issue. That, Mr. Chairman, should have been the way in which this whole matter was resolved. I don't think we're accomplishing anything here by trying to limit the debate as to the ground rules or the rules in which the province operates and the direction that it goes.

I think in constitutional matters that there should be limitless time, and if there is an impasse, Mr. Chairman, then let the people decide not as to whether there is a limitation on debate of the Constitution, put the question in an election campaign. Campaign, Mr. Chairman, to the people. Be persuasive in your ways in trying to encourage them how you feel, but by force, Mr. Chairman, by setting the rules that such important matters have to be done by force or time limitations is not in my estimation the way a democratic society should operate. I don't believe that you restrict yourself or restrict the people of a democratic society in such important issues. It is not the way in which the tradition of this province or this country is operated. I can't see why we should be here today debating such a matter as limiting such an important issue.

I haven't heard members of the government come forward with any positive reasons as to why we should

limit the time of debate on constitutional matters, unless, Mr. Chairman - one has to ask the question, and the people of Manitoba should be aware of this - they're prepared to present again the same proposal that we dealt with a year-and-a-half ago.

Mr. Chairman, is that the real hidden agenda of the current government, that we are again going to be dealing with such a controversial change in our Constitution that we're going to now change the rules so that we, the opposition, who disagreed and 80 percent of the people of Manitoba disagreed with the direction the government was going on constitutional change, that we won't be able to stop them, that we won't be able to stand in our place and fully disclose what their objectives are when we were supported by 80 percent of the people? Is that the hidden agenda that we're dealing with, Mr. Chairman? One can only ask these kinds of questions if that's the objective.

Well, I haven't heard, Mr. Chairman, any of the government members. I haven't heard any of the government members stand in their place and debate and put to rest the concerns that my colleague from Roblin-Russell has brought forward, my colleague from Virden. I haven't heard any of the offsetting debate. That's what it's all about. You just would wonder at a government who think, because they've got a majority in an Assembly like this, that they have the God-given right to carry on forward without explaining their actions. Therefore, Mr. Chairman, we cannot support, or I cannot support, the minimum debating time for constitutional change.

The very basic guidelines, the very basic rules of which the people have to operate under should not be dealt with in such a manner. I disagree with it, my constituents disagree with it, and again I think it's only proper that we bring forward to those people that the reasons that they disagree with it is because of the lack of trust of the government and the motives as to why they want to do it.

So, again, we have to suggest that possibly they may want to come forward with the same issue that they were beat on before, and that is not in the best interests of this Assembly. I don't think that the people of Manitoba should be subjected to that kind of methodology of changing the Constitution and limiting our opportunity to talk about it.

I think the real final decision on a constitutional change, if there is such an impasse that we cannot resolve it in the Assembly, as should have been done in the last constitutional change, and the rancour which developed in this Chamber, was to go to the people, was to call an election, and let the public decide which political party, which members of the Legislative Assembly they wanted to speak out in their manner.

Well, Mr. Chairman, the Member for Springfield says I don't know what I am talking about. Mr. Chairman, why would one even have it on the floor? Mr. Chairman, why would they want to change the rules in the Assembly? With a 15 minute — (Interjection) — Yes, with a 15 minute bell ringing, Mr. Chairman, a limit to the 15 minute bell ringing, that's right. Who brought that in, Mr. Chairman? Who brought that forward? It wasn't us, Mr. Chairman. It was the Government of the Day. That's why, Mr. Chairman, we don't want to see any limitations put on a constitutional debate.

Mr. Chairman, I think it's time that this government fully exposed their hidden agenda; whether it's dealing

with the rules change of the Assembly, whether it's dealing with the kinds of monies and the way in which they are spending them in the province, I therefore think it's extremely important that this matter do be deferred, that we do not subject the people of Manitoba to the imposition of the heavy hand of a New Democratic Government.

MR. CHAIRMAN: The Member for St. Norbert.

MR. G. MERCIER: I have a question to the Government House Leader, Mr. Chairman.

Does the Government House Leader not believe that amendments to the Constitution should be made by consensus in the Legislature?

MR. CHAIRMAN: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Chairman, I missed the very last part of the question. By consensus, something?

MR. G. MERCIER: In the Legislature.

HON. A. ANSTETT: No, Mr. Chairman, I do not believe that. I believe that would be the preferred method of doing things, just as I believe that rules changes should be accomplished, if at all possible, by consensus, hopefully by unanimity. But, Sir, the establishment, and if we look back through history we will see that there are very very very few constituent Assemblies in the history of parliamentary democracy, or under republican democracies, that have been established by consensus. In fact, the whole taking of constitutional authority into a document has involved a compromise, that at some point the making of decisions on which there was not a consensus. That is the essential component of decision-making.

If the honourable member wishes to look at any of the famous Constitutions that are symbols to democracy throughout the free world, he will see that there were objections, there were other opinions. I offer, in addition to the Canadian Constitution, The BNA Act of 1967, the American Constitution, the Constitution of Australia, of New Zealand, and even, Sir, the development of the unitary state on the British Isles.

Sir, I am sure the honourable member would be hard pressed to find an example for me of what he suggests a complete consensus in the legislative body required to make that decision.

MR. G. MERCIER: Mr. Chairman, is it then the Government House Leader's position that even though a substantial percentage majority of the population of a province, disagree with the proposal of a government, that the government should still be able to proceed without that consensus?

HON. A. ANSTETT: Mr. Chairman, the honourable member is now dealing with a matter which has been dealt with many times before. He is dealing, Sir, with a very fundamental principle of parliamentary democracy. I think it's an important one and, Sir, I don't think that my words would be adequate to address the principle his question challenges.

I quote, Sir, from the speech of a gentleman named Edmund Burke in November, 1774, to the Electors of Bristol. As the Member for Elmwood intelligently points out, to my surprise, Mr. Burke was a Tory. I don't want to read the whole speech, Mr. Chairman, so if members will bear with me I will find the appropriate quote.

"Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion, high respect; their business, unremitting attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs; and above all, ever, and in all cases, to prefer their interest to his own. But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. These he does not derive from your pleasure; no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."

One paragraph later, Sir, Burke goes on to say: "To deliver an opinion is the right of all men; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear; and which he ought always most seriously to consider. But authoritative instructions; mandates issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience, - these are things utterly unknown to the laws of this land." - and, Sir, if I may add parenthetically, to the laws of Canada in the British tradition as well - "and which arise from a fundamental mistake of the whole order and tenor of our constitution.

"Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of parliament."

Mr. Chairman, I am familiar with that speech. I have had many occasions in the last year and a half to read it as a reminder of some of the driving principles on which I came to this Assembly.

If the Member for St. Norbert in his question, wishes to repudiate these principles, I would appreciate hearing from him.

MR. G. MERCIER: Mr. Chairman, I am quite familiar with the passage that the Government House Leader just read. I would ask him this question, though.

Would he not now acknowledge that there is a different system of laws and constitution comparing the British to the now-Canadian Constitution, whereas in Britain the Constitution can simply be changed by an act of the Legislature and by an act of Parliament?

Now, in Canada, with the amending system to the Constitution we have, it is quite possible, indeed even

probable, that a new government elected in Manitoba, on the assumption that this government had amended the Constitution the way it had wished to, could not amend the Constitution in Canada without the concurrence of the Federal Government.

Would he not acknowledge there is quite a difference in the legal systems between Britain and Canada with respect to the types of constitutions that we have?

HON. A. ANSTETT: Mr. Chairman, I would certainly acknowledge that. I would certainly acknowledge that the provision of a written constitution makes one facet of Canadian constitutional law that which is written different from our British heritage. But, Sir, I would submit that the question asked earlier by the honourable member related to a facet of our Constitution which, in totality, has been borrowed from the British experience, and is unwritten and is much more fundamental to the protection of democratic values in our society than anything which has been written in our current Constitution, and it is the principle, the foundation of parliamentary democracy. To me, Sir, that is far more important than the question of the specifics of the amending formula to which the member correctly refers, and I agree with his observation.

MR. G. MERCIER: Mr. Chairman, one further question to the Government House Leader. I take it then the Government House Leader would be opposed to, specifically in the rules, allowing for unlimited debating time with respect to amendments to the Constitution?

HON. A. ANSTETT: Mr. Chairman, the obligation - and we have had this debate sometimes in the past - of the Legislature to make decisions, not necessarily the decisions the government proposes that it makes, but to come to conclusions in its debate, would be frustrated if the rules specifically provided that, on any question, a single member, or two members, or any size minority could completely frustrate the workings of that Parliament. If the honourable member wishes me to cite parliamentary authorities more learned than either he or I on that very point of parliamentary democracy in a legislative deliberative assembly, I'd be prepared to do that.

MR. G. MERCIER: Mr. Chairman, I thank the Minister for those answers because it gives us some helpful background as to the government's position with respect to constitutional amendments. It would appear from his answers that the government is prepared to proceed to amend the Constitution, even where a substantial majority of the people of Manitoba oppose the government's position and will put limits on the debate, and will proceed with amendments to the Constitution which will become entrenched and which cannot be changed by a subsequent government. That is, in essence, Mr. Chairman, the position of the Government House Leader and the government with respect to proposals to amend the Constitution. They are prepared to proceed, even though a substantial majority of the population of Manitoba oppose whatever they are proposing; they are prepared to entrench their changes, knowing that a subsequent government elected by the people cannot change what they are

doing; and they are prepared to put limits on that debate and not require that a consensus on constitutional amendments be made.

That is the position of this government as expressed by the Government House Leader in response to the questions I have just asked him, and that is why, Mr. Chairman, members on this side of the House, and I suspect many many Manitobans, simply distrust this government. They distrust this government, and that is why, Mr. Chairman, it was our proposal - and I do want to correct the Member for Roblin-Russell, if he did not have all the information. It is why we asked this matter be deferred until after the next election, because there is an essential element of trust in this government which has to be decided in an election campaign before this government can be allowed to deal with amendments to the Constitution.

HON. A. ANSTETT: Mr. Chairman, I deliberately worded my answers to the questions asked by the Honourable Member for St. Norbert so that he could judiciously use them so as not to misinterpret and place upon my answers the response he has just provided. Sir, I did not explicitly state any of the things he suggested, although he would have like me to have. I answered very carefully and very judiciously. Any member of the public reading those answers will know that the Honourable Member for St. Norbert's interpretation, Sir, is incorrect.

We agreed in committee to the proposal put forward by the Member for St. Norbert with one minor caveat; we agreed last year in this House, and, Sir, I have been on record both in the committee and in this House to ensuring - and a commitment to ensure on behalf of the government - that, not only did adequate debate take place, but also, Sir, that a public hearing process in accordance with the past practices of this Legislative Assembly would be followed.

Mr. Chairman, the honourable member is fully aware of the legal imperatives contained in The Constitution Act, 1982, with regard to this matter and with regard to the proposals he made in the Rules Committee. We had the opinions of, not only lawyers, but lawyers who were constitutional experts, and we've had this debate for some time.

Sir, I wish we could have come to a conclusion. I do not believe government and opposition were that far apart. I had hoped we would, but we agreed to the suggestion that the matter be deferred. I do not quarrel with the Member for St. Norbert if he chooses not to place trust in that process, but it was his lack of trust, not the government's willingness to make a commitment, which resulted in this recommendation from the committee.

MR. CHAIRMAN: The Member for Arthur.

MR. J. DOWNEY: Mr. Chairman, the Minister of Municipal Affairs tries to again cast the blame, or some kind of question as to the motives of the opposition and what's going on. I think the question has been

MR. CHAIRMAN: Order please.

The Government House Leader on a point of order.

HON. A. ANSTETT: Mr. Chairman, at no time did I impute or question the motives of honourable members opposite and, if anything, I said, implied that, Sir, I believe I was very forthright and on the record stating what honourable members opposite had said and how I interpreted it. If there was any imputation of motives, Sir, I not only apologize, but I withdraw that imputation.

MR. J. DOWNEY: Well, I thank the Minister for that. I'll check Hansard, because I thought that's what he had indicated following the remarks of the Member for St. Norbert.

Mr. Chairman, I think we should again just before we conclude the comments, or before I conclude my comments on this, I just want to go over one other aspect of it, and that I was possibly not as clear as I should have been earlier on what I see the intentions of this kind of a rule change. I think we, as legislative members of this Assembly, have for many years - I have relatively had a short period of time compared to some people's political term - used the parliamentary system which has, I think, left our province in pretty good order, has left our country in pretty good order. We have been able to enjoy the kinds of freedoms that many many countries throughout the world have not been able to enjoy.

Mr. Chairman, I think it's extremely important that before any kinds of changes are made to constitutions, or to the rules in which constitutional debates are changed, have to be looked at very carefully. If the Minister and the government think we're taking an exceptional period of time to debate this, then I think that's all the better because the decisions that are made here in this Assembly, the decisions that are made controlling the Assembly and the debate that takes place in this Assembly could, in fact, change our country to the degree which no one could imagine. I don't particularly want to change the kind of a country that I've lived in or the kind of the province that I have lived in, any major changes in the whole operating structure of it. It's worked fairly satisfactorily.

Yes, Mr. Chairman, it's even allowed the people from Inkster to send in members such as they have sent in. Yes, Mr. Chairman, that's the kind of system we have. Yes, members of my constituency have sent people like me, Mr. Chairman; the Member for Elmwood; yes, Mr. Chairman, to speak on their behalf. It's allowed us to have freedom of speech. It hasn't brought forward, to this point until this government got in place, restrictions as to the time in which we can make our minds up as to how we're going to vote.

But we now have, Mr. Chairman, a government that wants to impose some deadlines. One only has to question the motives behind it and again, it's the motive of not being able to impose in a constitutional way, their wishes on the people of the province. That, Mr. Chairman, is the concern that I have; changes that can be made that would take years of debate between federal and provincial government to ever change back again. It would be pretty permanent, Mr. Chairman. In fact, so permanent that the people who are standing there promoting it or who are government members and are promoting it, I don't think really understand what the possibilities are or where we could lead to, and I guess that's the bottom line.

If they would stand in their place and give us an idea as to some of the extraneous or some of the indeed abnormal situations, then fine. But they can't, Mr. Chairman. Why change a system of governing a province or a country when the one that's working hasn't been working that badly? I can't, Mr. Chairman, for the life of me understand why that should be carried out. That's the question. You should have some rough idea where you're going particularly when you have a system that isn't that bad to start with. Why try to perfect a system that isn't working badly.

Well, again I go back to the reason that we got into this whole debate several months ago, and the fact that the opposition stalled this government when they were heading in the direction in which 80 percent of the people of Manitoba didn't want them to go to, go in; they were defeated, Mr. Chairman; they should have called an election, but they are persistent. They change the time limit on ringing of the bells so that they could force us back in to put the question. They are proposing, even though we wanted to defer it, but they are proposing that we have a minimum debating time for constitutional change. That, Mr. Chairman, should not be. I think it's the intent of the opposition to continue to point out to the people of Manitoba that it won't be pushed past lightly in this Chamber. In fact we will, Mr. Chairman, put forward as tough a debate as we have to until we hear members from the back bench of the government.

The Member for - I can't remember what it is; he sits not too far away here and makes a lot of noise, Mr. Chairman - the Member for Flin Flon hasn't stood. I again go back to that whole constitutional debate. I heard very few of the Ministers of the government and the back benchers stand and defend what they're doing. Well, I challenge them to stand and speak on this rule change, — (Interjection) — speak now because he has young children and he's got constituents that what he is allowing to happen here, by eliminating the constitutional debate, could in fact make some changes for their future that, goodness knows, might not be in their best interests. He grew up in a society. He grew up in a province, in a community that allowed him all the freedoms. It allowed him to become involved in a political party of his choice, that allowed him to run and become a representative of a constituency and to become a Minister of the Crown. Yes, he has had the opportunities of all those things under the current system, under the current Constitution in this province, in this country. He's been given the responsibility to carry out certain duties under our current system. But he is proposing, Mr. Chairman, a whole change in the structure that some day it may in fact change all that opportunity that he has had to direct and be a part of the direction of our country.

And that's why I'm saying, I would like them to stand and tell us what some of the things are that we can look for when these kind of changes take place. Why would you want to limit the constitutional debate? I would think, when you look at the history of the constitutional change in Canada, it's taken a long time. I don't really know, if you put the question to the people of Canada, how many would really have put that on their number one priority? I really don't think that the majority of people in Canada thought that we had to change the Constitution of Canada.

Mr. Chairman, I think the people of Canada and the people of Manitoba right now are more concerned about their daily bread. I think they're more concerned about the economic activities of their community. Mr. Chairman, it's a matter of prioritization, and right at this particular time I think it's extremely important that the government reconsider their proposal to the minimum debating time; that they reconsider the bell ringing that they have imposed on us the time limit, and I would hope that more members of their government would stand and defend the direction in which they're trying to go.

MR. CHAIRMAN: Paragraph 3, Page 72—pass - the Member for Virden.

MR. H. GRAHAM: Well, Mr. Chairman, I've listened to the words of the honourable Government House Leader and the words of other members and I go back to the proposal where the Government House Leader said that there was basically agreement on the proposal that was put forward by my honourable colleague, the Member for St. Norbert. He said there was only one point and yet I'm not too sure that all members of the Assembly know what that one point was. Basically the point where there was disagreement was, at what point during the whole process would the public be heard? It was, at what point would the public be heard? And the government position was that we should not fix it rigidly in a rule; that they wanted the right to put the proposal forward, go and listen to the public, and then we could have the debate in the House. I believe the government objected to interrupting the debate once it started in the House, and then listening to the people.

I suppose I can understand their point of view because it would allow them to do what they have done in the past, and I refer to the original proposal that sparked this whole debate. I recall the government announcing that there would be public hearings, so they held them but we found at that time they were held by the then Government House Leader, who at that time was also the Attorney-General, but at that time he said they would only be informational meetings and that was where the members on this side of the House began to become alarmed; because while they considered them to be public meetings - yes, they were public, they were held outside the Assembly and the public was invited to them and I suppose you could call that a public meeting - but they were only informational meetings. It indicated to me at least the nature of this government because they could then say we held public meetings, but it also indicated the philosophy of these people, that they were prepared to tell the public what was good for them, but they weren't prepared to listen to the public in return. And that, Mr. Chairman, is where we see the true nature of this government, that public dialogue is a one-way street; it's not a two-way street.

We saw that confirmed again in Rules Committee when the government objected to the proposal of the Honourable Member for St. Norbert that, I think - I forget the wording - the wording was "prior to the sixth day of debate, there shall be public hearings held" and the question would go before the public at that time. There is very good reason for that, Mr. Chairman, because that gives the public the opportunity to hear

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the viewpoint put forward by the government; it gives them the opportunity to hear the viewpoint of other people than the government - independent members of the Assembly, members of other parties, members of the opposition - and the public then has something to judge and gives them then the opportunity to be better informed before they make their public presentation.

It seems rather strange, Mr. Chairman, that the government would not accept that proposal, and you have to ask the question why? Why would they not accept that? It seems to me to be a very logical proposal. I think the public would be better informed and would be in a better position to offer valuable advice to the members of this Assembly. But, Mr. Chairman, the government would not accept that proposal.

So that is why we have this paragraph in here, because the Rules Committee was unable to come to a consensus on what would be best. It was an admission of defeat on the part of members of the Rules Committee because of the intransigence of this government.

I thought the proposal put forward by the Honourable Member for St. Norbert was fair, reasonable, it gave the public of this province the assurance the constitutional debate would have a guaranteed minimum time. It guaranteed to the public that they would have the opportunity, after the debate had started, to be heard and, Mr. Chairman, I find it very difficult to understand why the government would not accept that as one of the reasonable rules for the conduct of debate on constitutional matters which very rarely come before this Assembly, but it gives the public the assurance that we would have orderly, progressional debate and they would have the opportunity to make their commitment and make their input so that members of the Assembly could benefit from their words of wisdom.

So, Mr. Chairman, that is one of the reasons why I have a great deal of trouble at this time.

MR. CHAIRMAN: Order please. The hour is 12:30, time for Private Members' Hour.

Committee rise. Call in the Speaker.

IN SESSION

MR. P. EYLER: Mr. Speaker, the Committee of the Whole House has met to consider certain recommendations of the Standing Committee on Rules of the House and reports progress and begs leave to sit again.

MR. SPEAKER, J. Walding: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, I move, seconded by the Member for Inkster, that the Report of the Committee be received.

MOTION presented and carried.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The time being 12:30, Private Members' Hour.

On proposed resolutions - the Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I believe there is a predisposition to dispense with Private Members' Hour today, and I would therefore move, seconded by the Honourable Member for Lakeside, that the House do now adjourned.

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