



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

| Name | Constituency | Party |
|--------------------------------------|--------------------|-------|
| ADAM, Hon. A.R. (Pete) | Ste. Rose | NDP |
| ANSTETT, Andy | Springfield | NDP |
| ASHTON, Steve | Thompson | NDP |
| BANMAN, Robert (Bob) | La Verendrye | PC |
| BLAKE, David R. (Dave) | Minnedosa | PC |
| BROWN, Arnold | Rhineland | PC |
| BUCKLASCHUK, Hon. John M. | Gimli | NDP |
| CARROLL, Q.C., Henry N. | Brandon West | IND |
| CORRIN, Brian | Ellice | NDP |
| COWAN, Hon. Jay | Churchill | NDP |
| DESJARDINS, Hon. Laurent | St. Boniface | NDP |
| DODICK, Doreen | Riel | NDP |
| DOERN, Russell | Elmwood | NDP |
| DOLIN, Hon. Mary Beth | Kildonan | NDP |
| DOWNEY, James E. | Arthur | PC |
| DRIEDGER, Albert | Emerson | PC |
| ENNS, Harry | Lakeside | PC |
| EVANS, Hon. Leonard S. | Brandon East | NDP |
| EYLER, Phil | River East | NDP |
| FILMON, Gary | Tuxedo | PC |
| FOX, Peter | Concordia | NDP |
| GOURLAY, D.M. (Doug) | Swan River | PC |
| GRAHAM, Harry | Virten | PC |
| HAMMOND, Gerrie | Kirkfield Park | PC |
| HARAPIAK, Harry M. | The Pas | NDP |
| HARPER, Elijah | Rupertsland | NDP |
| HEMPHILL, Hon. Maureen | Logan | NDP |
| HYDE, Lloyd | Portage la Prairie | PC |
| JOHNSTON, J. Frank | Sturgeon Creek | PC |
| KOSTYRA, Hon. Eugene | Seven Oaks | NDP |
| KOVNATS, Abe | Niakwa | PC |
| LECUYER, Gérard | Radisson | NDP |
| LYON, Q.C., Hon. Sterling | Charleswood | PC |
| MACKLING, Q.C., Hon. Al | St. James | NDP |
| MALINOWSKI, Donald M. | St. Johns | NDP |
| MANNES, Clayton | Morris | PC |
| McKENZIE, J. Wally | Roblin-Russell | PC |
| MERCIER, Q.C., G.W.J. (Gerry) | St. Norbert | PC |
| NORDMAN, Rurik (Ric) | Assiniboia | PC |
| OLESON, Charlotte | Gladstone | PC |
| ORCHARD, Donald | Pembina | PC |
| PAWLEY, Q.C., Hon. Howard R. | Selkirk | NDP |
| PARASIUK, Hon. Wilson | Transcona | NDP |
| PENNER, Q.C., Hon. Roland | Fort Rouge | NDP |
| PHILLIPS, Myrna A. | Wolseley | NDP |
| PLOHMAN, Hon. John | Dauphin | NDP |
| RANSOM, A. Brian | Turtle Mountain | PC |
| SANTOS, Conrad | Burrows | NDP |
| SCHROEDER, Hon. Vic | Rossmere | NDP |
| SCOTT, Don | Inkster | NDP |
| SHERMAN, L.R. (Bud) | Fort Garry | PC |
| SMITH, Hon. Muriel | Osborne | NDP |
| STEEN, Warren | River Heights | PC |
| STORIE, Hon. Jerry T. | Flin Flon | NDP |
| URUSKI, Hon. Bill | Interlake | NDP |
| USKIW, Hon. Samuel | Lac du Bonnet | NDP |
| WALDING, Hon. D. James | St. Vital | NDP |

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 13 July, 1983.

Time — 2:00 p.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 Minister of Health.

HON. L. DESJARDINS: Thank you, Mr. Speaker. It's a pleasure for me to table the final report, the inquiry into the private operators and lotteries, that is, the Jewers Report. I would like to take this opportunity to congratulate and thank Judge Jewers, who did such an excellent job.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Yes, Mr. Speaker, I beg leave to table the Annual Report for the year 1982 for the Environmental Management Division.

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

SPEAKER'S RULING

MR. SPEAKER: Before Oral Questions I have a short statement to make to the House. On Tuesday, July 12th, the Honourable Member for Elmwood stood in his place to raise a matter of privilege regarding statements made in the House by the Honourable Member for Radisson. After listening to the advice of the Government and Opposition House Leaders, I took the matter under advisement in order to review Hansard and the remarks of the two members.

A careful review of the remarks of both members show that they hold differing opinions of the same set of facts. Beaudesne is quite clear on the subject when it says in Citation 19.(1) "A dispute arising between two members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege." The motion is therefore not in order and cannot be put to the House.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I must respectfully challenge your ruling.

MR. SPEAKER: The question before the House is shall the ruling of the Chair be sustained. Those in favour, please say aye; those opposed, please say nay. In my opinion, the ayes have it, I declare the motion carried.

MR. R. DOERN: Yeas and nays, Mr. Speaker.

MR. SPEAKER: Does the member have support? Call in the members.

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

YEAS

Anstett, Ashton, Bucklaschuk, Cowan, Desjardins, Dodick, Dolin, Evans, Eyler, Fox, Harapiak, Kostyra, Lecuyer, Mackling, Malinowski, Pawley, Penner, Phillips, Plohman, Schroeder, Scott, Smith, Uruski, Uskiw.

NAYS

Banman, Doern, Downey, Driedger, Filmon, Gourlay, Graham, Hammond, Johnston, Kovnats, Lyon, McKenzie, Mercier, Nordman, Oleson, Orchard, Ransom, Sherman.

MR. CLERK, W. Remnant: Yeas, 24; Nays, 18.

MR. SPEAKER: The motion is accordingly carried.
The Honourable Member for Virden.

MR. H. GRAHAM: A point of order, Mr. Speaker. I believe the Honourable Minister of Housing was not in his place when voting commenced, and I would ask that his name be struck from the voting.

MR. SPEAKER: The Honourable Minister of Housing.

HON. J. STORIE: I believe the Honourable Member for Virden may be correct, Mr. Speaker. I would just like the record to note that had I voted I would have supported the Chair.

ORAL QUESTIONS

Closing of obstetrical units

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Health, and I would ask him if he could confirm that he is aware that there was a demonstration in front of the Legislative Building last evening to protest the government's planned closure of the obstetrical unit at Seven Oaks Hospital?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: I don't know if I understood the question correctly. Was I aware? No, I wasn't. My honourable friend knows that we walked out of the building together and we found a sign on my car on the front window - in protest I guess you can call it - and on the back window also. I have checked the newspaper; I haven't heard of anything happening in front of the Legislative Building, so I rechecked the

newspaper today and I read that there were approximately 100 people around the Seven Oaks Hospital. — (Interjection) — Well, then I misunderstood; but no, I wasn't aware, except what I found on my car when I went to drive away at 11 o'clock last night.

MR. L. SHERMAN: Well, Mr. Speaker, I would have to infer from the Minister's answer that to a certain extent he can confirm which was my question. He can confirm that he was aware of some activity in this respect at the Legislative Building last evening.

I would ask him whether he is investigating the participation there of particular individuals, the possible participation of federal members of Parliament representing the New Democratic Party, the possible participation of administrators of community clinics closely associated with the New Democratic Party, and other personnel of that kind?

HON. L. DESJARDINS: No, Mr. Speaker, I was unaware, as I just finished saying, until this morning that there had been a delegation or any demonstration, and it certainly is not my intent to investigate anyone. I think it's a free country, and should people want to make demonstrations, I don't think these people were hiding anyway if my honourable friend saw them. They are right; there are some of them that would make recommendation and representation to government. Different Ministers at times would take notice of that; and I think the only thing I'm interested in is the issue and is our decision a fair one. I'm convinced just as much as ever that it is the right thing to do.

MR. L. SHERMAN: Well, Mr. Speaker, since the Minister seems apparently unaware of the participation of some individuals very closely connected with the NDP and this government, it's difficult to ask questions of a specific nature. But let me put this question to him then - it's important that the subject be addressed, Mr. Speaker, because of the issue and because of the divisions in the NDP on the subject - would the Minister confirm the alleged observation by Member of Parliament, David Orlikow, that the Federal Government is to blame for the closure, or the impending closure, of the Seven Oaks obstetrical unit?

HON. L. DESJARDINS: Well, Mr. Speaker, I can't see where the Federal Government would have the responsibility for an action of a Provincial Government and I can't in all conscience, as much as I'd like to, blame the Federal Government in this instance.

MR. L. SHERMAN: Mr. Speaker, would the Minister investigate the alleged presence and participation in that demonstration of one Mr. Marty Dolin, the Executive Director of Clinic, the community clinic on Broadway Avenue, and the husband of one of the Ministers of the Crown, and one of the Executive Council colleagues of the Minister of Health?

A MEMBER: It's a free country.

HON. L. DESJARDINS: Now, Mr. Speaker, in our party we have an understanding; I leave Mr. Dolin alone and Mary Beth leaves my wife alone.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: It's not funny. In fact, it was rather rude, it was rather rude. In fact, the insinuation was bad.

MR. SPEAKER: Order please.

MR. L. SHERMAN: I'm sure, Mr. Speaker, that — (Interjection) — it might have been a joke, Mr. Speaker, but perhaps not an appropriate one. I'm sure that there would be many Manitobans who won't be reassured by that kind of an answer from the Minister, particularly the hundreds, in fact, the thousands who were concerned about the impending closure of the Seven Oaks obstetrical unit.

I ask the Minister directly, Mr. Speaker, if there is not a direct conflict of interest in his purporting to proceed with a policy that would close the obstetrical unit at Seven Oaks Hospital while the husband of his colleague, the Minister of Labour, participates in a demonstration aimed at repudiating and rejecting that policy?

HON. L. DESJARDINS: If my joke wasn't too successful, neither is the last one. Not too long ago, yesterday in fact, we had a long dissertation on a bill that we brought in. I think it was supposed to be for the wife of the members here to state what assets they had. My God, that was a sin. You know, these people were independent; they had their lives to do. I am not worried about the spouse of anybody in this House at all. This is not my concern. They were not elected to the House. This is not the concern that I could dictate to them.

The thing is that a decision was made, a decision that was brought in Cabinet — (Interjection) — I can't hear all of you in the same time. I would love to hear you. I'm sure you've got a lot of lovely things to say.

Mr. Speaker, the issue is this. What I will investigate - and I'm talking about in general - is our policies. Are we wrong in our policies? Do we review our policies? On this one, I have met with both hospitals; I've met with the nurses; I have met with the College of Physicians and Surgeons. I have gone around and I am convinced, and I think that I did get some kind of support by the Health critic for the other side, if I remember right. So this is the issue.

Now, I'm not going to be concerned with who is protesting for what reason and so on. I think that in a free society you see brothers against sisters at times and so on. I read in the great Republican country south of us where Reagan has someone that they just confirmed in a position and his wife is giving him a lot of trouble. I don't remember the name. So this is — (Interjection) — I beg your pardon. I can't answer a nod. If you want to nod, all right, that's fine. I can't answer if I don't understand.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Labour. I would ask her whether her executive assistant participated in the demonstration last night, whether personally or through the loan of equipment or an automobile or in any other way?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Mr. Speaker, I have no idea of what the after-hours activities of staff are, and I was not aware of this demonstration. I can state that categorically. I do know that in the area around Seven Oaks Hospital, there has been concern expressed about the closing of the obstetrical unit. I would have to be deaf, dumb and blind to not have been aware that people were concerned about this.

The activities, one of the members opposite has mentioned a AAA licence plate. I can also state categorically that my car was in its parking place while I was here at a Cabinet meeting and in the House listening to the Leader of the Opposition last evening for two hours.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: A final question on this subject, Mr. Speaker, for the moment, and I direct it to the Honourable First Minister and ask him whether, in view of the demonstrable rift and division in the New Democratic Party, federally and provincially, reaching . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. L. SHERMAN: . . . into the very bowels of the Executive Council itself, whether . . .

MR. B. RANSOM: It's a good place for it, too.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. L. SHERMAN: . . . Mr. Speaker, members on this side of the House and Manitobans in general can assume, and I presume that we can assume, that the policy enunciated by the Minister of Health to close the obstetrical unit at Seven Oaks is not subscribed to in any collective way or in any consensus way by the government and that so far it is pure rhetoric, and that the obstetrical unit at Seven Oaks and, in fact, the one at Concordia may well not be closed and phased out.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I think that the honourable member may have no doubt that the Minister of Health has certainly spoken on behalf of the government as a whole pertaining to the policies re the obstetric units at Concordia and Seven Oaks. It may very well be from time to time that my own spouse may demonstrate on a matter that she disagrees with me upon, but that is part of human rights, isn't it? That is part of Human Rights, that is part of the democratic process and to do otherwise would be to remove from Manitobans the opportunity to express their particular points of view.

Conflict of interest legislation

MR. L. SHERMAN: Well, Mr. Speaker, a final question to the First Minister now; the other one was a preliminary final, Sir. In view of the First Minister's equivocation and the government's equivocation and rationalization on this subject, can we now ask the First Minister directly whether, in the light of these circumstances, he will withdraw the proposed conflict of interest legislation and the section having to do with conflict of interest affecting MLAs and their families, spouses and children from the Order Paper, because of the evident conflict of interest which he is condoning with respect to the Seven Oaks obstetrical unit?

Can he condone that conflict of interest and still demand that a conflict of interest such as is addressed in the legislation before the House is ruled illegitimate and illegal in Manitoba?

HON. H. PAWLEY: The honourable member unfortunately hasn't read the bill, otherwise he would not have asked the question. The bill deals with pecuniary interest, it does not deal with what we do indeed cherish. Each and every Manitoban cherishes the right of each Manitoban to speak out freely on subjects that he or she holds true to one's self to be able to assemble — (Interjection) — the freedom of thought.

Mr. Speaker, it may very well be that honourable members across the way would want to control the thinking, the thoughts, and the assembly one's spouse. That may very well be the views of honourable members across the way. I think it not ought to be and I don't think it is, but they're leaving, somewhat in a humorous way, that impression this afternoon.

Mr. Speaker, what we're dealing with is questions pertaining to pecuniary interest in the bill, which is an entirely separate matter from what we were dealing with earlier this afternoon.

HON. S. LYON: Take it out of The Marital Property Act then if it's an entirely separate matter. You're at odds with yourself.

Bilingualism in Manitoba

MR. SPEAKER: Order please.

The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I'd like to direct a question to the Minister responsible for the Civil Service Commission, and ask her whether she can confirm that at least six positions have been bulletined and/or advertised as bilingual positions since September of 1982; namely, a secretary to the Chief Justice; an ag rep in Morris; a secretary for Cultural Affairs; a secretary for the A.G.; an administrative secretary in Cultural Affairs; and a receptionist-typist in Federal and Provincial Relations?

Can she confirm these or more positions have been advertised or bulletined?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Mr. Speaker, I will be happy to check on that. If it's only six, I think I would be concerned. Six out of 17,000 certainly isn't very many,

but if it's since 1982, I would also assume that we were following a program that was well in place.

MR. R. DOERN: Mr. Speaker, can the Minister also indicate whether these were bilingual positions before or whether they have become bilingual positions?

HON. M.B. DOLIN: I will add that to my list of questions to be answered.

MR. R. DOERN: Mr. Speaker, can the Minister also indicate whether the province will be establishing courses for civil servants to learn French at taxpayers' expense?

I give as an example the ag rep in Morris, which again talked about the ability to conduct business in both English and French or a willingness to learn French. Will there be courses established?

HON. M.B. DOLIN: Mr. Speaker, courses for civil servants have been in place for awhile. We certainly have them under way at this present time. We have a long waiting list that has been there since before any of this current discussion was taking place. A number of our civil servants are bilingual; others are pleased at the opportunity to be able to upgrade their language ability. We have a waiting list to get into these courses. We have a pilot program under way, and I'm sure the member is quite aware of the details of that.

MR. R. DOERN: Well, Mr. Speaker, then I would ask the Minister, in view of the fact that several hundred new positions may be shortly created as a result of this legislation, or its potential enactment, are they planning to hire a lot more instructors, provide a lot more space, and encourage more civil servants to get enrolled now for the logjam that it is about to arise.

HON. M.B. DOLIN: Mr. Speaker, in answer I can only refer the member to the catalogue of training courses that is offered to civil servants by the Civil Service Commission. The Training and Development Branch is a very active one that constantly look over and prioritizes its course selection, always has long waiting lists, it has become more and more active in past years, as training for employees has become a known priority amongst all employers. Many, many people are involved in this.

Training within the French language, if you will, which the member is referring to is certainly a part of the training and development that might be offered and would be, in fact, demanded by employees.

Jobs Fund - advertising

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

MR. G. MERCIER: Mr. Speaker, I have a question for the First Minister.

A few days ago I asked the First Minister about the costs of advertising the Jobs Fund and related projects. The First Minister refused to provide me with that information and instead tried to hide that information by requiring me to file an Order for Return, which the government would answer at its own convenience.

Today, Mr. Speaker, in one day, in two Winnipeg newspapers, the citizens of the City of Winnipeg have been bombarded with six different ads, full-page ads in the Winnipeg Sun, almost full-page ads in the Winnipeg Free Press on both sides. The estimated cost, Mr. Speaker, of these ads is approximately \$13,000, Mr. Speaker, in one day.

My question to the First Minister, Mr. Speaker, is how much of the taxpayers' money is being spent today for all of the advertising it has done in the newspapers, on television, and on radio in an attempt to prop up the bungling incompetent image of this government and to carry out this propaganda war?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, let me assure the honourable member, the Member for St. Norbert, that the advertising - for instance, one of the ads that he held up pertaining to science and engineering students - informing employers of the availability of that program is a lot more - 200, 300, 400 percent more reasonable, more sensible insofar as informing Manitobans of a program that's available, as compared to their program pertaining to, "We're sitting on a gold mine," that was published in September of 1981. "We're sitting on a gold mine," a full page ad in September of 1981.

Mr. Speaker, let it be very clear we are going to inform Manitobans of the science and engineering program; we're going to inform Manitobans of the availability of other programs under the Jobs Fund. We have a responsibility to communicate to Manitobans the existence of programs, the availability of programs, give Manitobans the opportunity to respond to those programs, and also to advise Manitobans as to how their monies are being expended.

MR. G. MERCIER: Mr. Speaker, we had three large mega projects which would have provided thousands of permanent lasting jobs for Manitobans, Mr. Speaker; instead we having nothing but short term make-work projects, Mr. Speaker.

My question to the First Minister is this: Will the payroll taxes that the government is causing parents to pay to the government on babysitters' wages, will that cover the cost of this extravagant and wasteful advertising that the government is undertaking, Mr. Speaker?

Mr. Speaker, would the First Minister, in view of the fact that all of these ads in two Winnipeg newspapers today would provide 80 work weeks of employment, Mr. Speaker, would he not cancel this program and instead at least provide jobs to some of the 46,000 people, who are unemployed under this government?

HON. H. PAWLEY: Mr. Speaker, last Friday evening I heard the President of the Canadian Construction Association in Winnipeg, at their convention, indicate very clearly in the interview that Manitoba is one of the few provinces that had embarked upon a Jobs Fund Program; one of the few provinces in Canada that were attempting to do something in a meaningful way insofar as unemployment was concerned, Mr. Speaker, and if the honourable member doubts my words, he can refer to the television interviews and news of last Friday evening.

Mr. Speaker, the honourable member makes reference to the 1.5 percent Post Secondary Education Levy. Mr. Speaker, I am surprised that the honourable member would have the nerve and the gall still to raise questions pertaining to that levy when he has had the opportunity to note what is happening in budgets such as New Brunswick and Alberta; and of recent days the atrocious budget in the Province of British Columbia when user fees were increased; when basic human services have been diminished very very extensively; when other taxes are being increased extensively, I would suggest the honourable member might wish to seize the opportunity to read up on what's been happening in some of the other provincial jurisdictions in this country.

MR. G. MERCIER: We live in Manitoba, Mr. Speaker, where this government is taxing the wages paid by parents to babysitters; where this government is passing legislation to require the taxpayers of Manitoba to pay their election expenses; and where this government must be spending over \$500,000 so far to advertise their Jobs Fund and to carry out their propaganda war. In view of these . . .

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

HON. R. PENNER: Mr. Speaker, I know the Honourable Member for St. Norbert has very open and explicit leadership ambitions but question time is not the time to try to sharpen up his oratorical skills. You know, this is really a patent . . .

MR. SPEAKER: Order please.

HON. R. PENNER: . . . and obvious abuse of question period, and I call upon you, Sir, to exercise your authority and put an end to this kind of explicit and open and cynical abuse of question period.

MR. SPEAKER: The Honourable Member for St. Norbert with his question.

MR. G. MERCIER: Mr. Speaker, we're not at one of the Attorney-General's informational meetings where he only allows five minutes to people to state their views on an important subject facing Manitobans.

Mr. Speaker, in view of the fact that this government must be spending over \$500,000 so far in advertising and carrying out its propaganda war; and in view of the fact that the City of Winnipeg has a growing problem with respect to taxpayers who are unable to pay their taxes in the City of Winnipeg - taxes which, under this government, have increased . . .

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

HON. R. PENNER: Again, Sir, speaking in my capacity as Government House Leader, I must again ask you whether or not this kind of extended preamble is going to be used again and again to abuse question period?

MR. SPEAKER: Order please. When I can find the appropriate citation, I will read it once more to the House.

Order please. May I once more bring to the attention of all members Citation 359.2 which says: "The question must be brief. A preamble need not exceed one carefully drawn sentence. A long preamble on a long question takes an unfair share of time and provokes the same sort of reply. A supplementary question should need no preamble." I would ask that all members bear that in mind in asking future questions and replying to them.

The Honourable Member for St. Norbert.

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

Mr. Speaker, in view of the problem the City of Winnipeg is having with delinquent taxpayers, collecting taxes, which have in two years under the NDP Government increased three times the total amount of the tax increase for four years under the Progressive Conservative Government they took over office from, would the First Minister not consider cancelling this extravagant wasteful advertising program and instead provide some tax relief to the taxpayers of the City of Winnipeg?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, clearly it is very difficult to win with honourable members across the way because it was only about two months ago the Honourable Member for Emerson was scolding and chastising the Minister for Labour for not informing Manitobans of the Careerstart Program that exists under the Jobs Fund Program, in total. Now, Mr. Speaker, when we attempt to inform Manitobans of the existence of the Science and Engineering Program for businesses in the Province of Manitoba, honourable members indicate that we should scrap that program; we shouldn't advise the businesses of this province. Then the next remark would probably be from the Honourable Member for Sturgeon Creek or the Honourable Member for St. Norbert, that the program is not being responded to because we're not getting out there and informing Manitobans.

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Thank you, Mr. Speaker. I have a question for the Minister of Labour.

A while ago the Member for Elmwood asked her to verify whether or not six positions were bulletined in the Civil Service in which the knowledge of French was a desirable trait. I wonder if the Minister of Labour could also take it as notice, to report back whether or not any jobs have been bulletined in the last 18 months in which a knowledge of Cree would be a desirable feature.

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Yes, Mr. Speaker, I will be happy to add that again to the list and, in fact, I will inform the House as to whether any language requirements or ability to speak a language would be an asset in our Civil Service hirings and the total number of job bulletins that have gone out.

A MEMBER: Ask her about Ukrainian, John.

MR. P. EYLER: Mr. Speaker, I have another question for the Minister of Northern Affairs.

I wonder if the Minister for Northern Affairs can tell this House whether or not his letterhead is bilingual, in English and Cree.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: The letterhead is bilingual. It's in both English alphabets and in Cree syllabics; and it's for that purpose to enable those who read Cree to better understand the origin of the letter; and it's for that purpose out of respect for that longstanding language in this province.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, a question to the First Minister.

In light of the interesting information just given to the House by the Minister of Northern Affairs about the use of Cree language on government letterhead, is it the intention of the First Minister to entrench that in Section 23 as well?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, in case the Honourable Leader of the Opposition hasn't been following the events pertaining to the conferences that have been held, the conference that was held last February pertaining to aboriginal treaty rights, I'm pleased to advise - and there is a resolution before the House - that the Prime Minister of this country and the 10 Premiers of this country are presently evaluating the entrenchment of aboriginal rights. We will be meeting next year approximately March or April of 1984 in order to deal with the entrenchment of the rights, the entrenchment within the Constitution of the rights, of basic rights of the first peoples to this country, Mr. Speaker, and that will be a continuing process that we anticipate will take place over the next three or four years of continued meetings. — (Interjection) —

MACC - 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, in the last few days and, in fact, today I have received several phone calls from farmers who are having extremely difficult times obtaining financial support through FCC or from their bank, is the Manitoba Agricultural Credit Corporation out of funds as well as that of the Federal Government?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, the honourable member should be aware that there are funds being voted now

for MACC. It is our anticipation, with respect to the amount of staff that we have within the corporation, the funds that we have voted or are about to vote in this Legislature will be sufficient to cover the borrowing needs of Manitoba farmers that we will be able to handle with the amount of staff that we have.

I should point out to the honourable member that we have made representations to the Federal Government dealing with the question of FCC borrowings in which they had indicated that FCC would be able to go on the open market to borrow whatever funds they required for long-term farm financing and funds that were originally requested by FCC were cut back from, I believe, \$500 million to \$250 million in terms of their allowance to go ahead. We have made representations in this regard and we will be further discussing this kind of a matter at the Ministerial Conference next week, the long-term financing of agriculture.

MR. J. DOWNEY: Well, Mr. Speaker, the Minister has not answered my question. The question specifically was, are there sufficient funds available to serve the needs of Manitoba farmers? The question was not, Mr. Speaker, are there enough staff to handle the applications made? Is his criteria, Mr. Speaker, to serve farmers with a limited amount of staff and leave the farmers hang out to dry when it comes to the financing of their operations? Is that the criteria he uses? That's his criteria, Mr. Speaker, that he is now telling the farmers of Manitoba, because he doesn't have staff to handle the applications, that they have to go bankrupt. He does not care for them. Will he change his policy, Mr. Speaker, and answer the question? Are there sufficient funds in MACC to deal with the difficult times that all farmers in Manitoba are having because they can't get funds from the Federal Government or the banking industry?

HON. B. URUSKI: Mr. Speaker, the member should have answered his own question. We, in fact, doubled the funding available to MACC when we first came into government. In fact, that situation existed within the first few months that we came into government; there was a shortage of funding.

The honourable member, no doubt, should also be aware that MACC is but one of many financial institutions and funding agencies available to farmers and there is no way that the Province of Manitoba, through the MACC, is able to provide the financing needs of the entire agricultural community.

In fact, the honourable member should be aware as well, that the agricultural community needed, annually, somewhere in the neighbourhood between \$600 million and \$1 billion to finance ongoing operating costs. MACC is but one of the many lenders and we have provided some assistance there, but we certainly cannot provide all the funding.

MR. J. DOWNEY: Mr. Speaker, the Minister of Agriculture has again indicated that his priority as a Cabinet Minister with the Pawley Government is to provide funding for advertising to prop up his government, rather than to help the farm community which needs assistance.

A further question to the Minister of Agriculture, Mr. Speaker. In view of the fact that many of the phone calls I am receiving are coming from farmers who have either gone before the review panel, which he has established, which was supposed to assist farmers; in view of the fact that people who are strong NDP supporters in the farm community, be it very few, but they are now phoning, saying that there is no use phoning the Minister of Agriculture, because the committee system that he has established is only deferring these farmers to other credit corporations, like the Federal Credit Corporation, who are out of money, like banks who are putting the pressure on farmers, demanding their loans be paid off, will he get into the real world, Mr. Speaker, and meet with MACC, and his Cabinet, and put through sufficient funds to deal with the urgent need that's in the farm community today?

HON. B. URUSKI: Mr. Speaker, first of all, the honourable member must have been talking to so many farmers because there's only been, I believe, half a dozen that have been before the panel. In fact, the panels were never designed and never envisaged to deal with the last minute financial crisis of the farm community.

We were attempting to - and frankly the opposition did assist in that and I . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. B. URUSKI: . . . and I appreciate the assistance that they gave us in terms of providing some names to the panels that we have established. Mr. Speaker, because of the panel review there was never envisaged that MACC would be picking up every farm family that was in financial difficulty as a result of coming before the panel.

Mr. Speaker, there is a recognition and a responsibility on the entire community, on the entire financial community, to shore up and be involved and the financial community has given us a commitment that they will hang in and assist agriculture to those who they have felt are viable. But to suggest that all of a sudden now the Province of Manitoba has to be able to fund all of the difficulties and financial problems that every farmer in Manitoba has, Mr. Speaker, we are unable to. That is a ludicrous suggestion that we would be able to, in this province, to do that. — (Interjection) — We are doing as much as we can with the limited resources that we have.

Mr. Speaker, in light of the comments from the opposition saying that your deficit has grown too much, you have spent too much money, cut back on spending, and now some of the honourable members rising and saying, spend more - they can't have it both ways.

MR. J. DOWNEY: Mr. Speaker, in other words the Minister of Agriculture is saying that the election propaganda, the guarantee that was signed by his Premier saying that no farmer, that no business person would lose their homes or their farms under an NDP Government, was totally untrue.

Secondly, Mr. Speaker, will the Minister of Agriculture confirm that every dollar that is loaned out under MACC is not a grant or a gift to the farmers but, in fact, money that will be paid back and will not add to the deficit of the Province of Manitoba; he's again misleading the people of Manitoba?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.
The Honourable Minister of Agriculture.

A MEMBER: Try telling the truth.

HON. B. URUSKI: Mr. Speaker, first of all, the honourable member makes an assertion that I answered before. I have said that we are voting and presently have funds available to MACC. He's making the contention, the attempt to leave the impression on the record that there are no funds in MACC. We have voted enough funds to MACC, which we believe will be adequate to cover the needs of the clients that we are able to handle in the normal fashion.

Mr. Speaker, to say that somehow we should be assisting everyone, the member forgets . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. B. URUSKI: Mr. Speaker, they can get up an ask me questions after I'm finished. I will be very pleased to answer them. Sir, what I want to say is that over 1,000 farm families have been assisted under the Interest Rate Relief Program. Without that assistance, many of those farm families would have had to leave agriculture. It may still occur that some of them may still lose their operations and we may not be able to help everyone; but, at least, Mr. Speaker, we did not sit idly by while interest rates were at 20 percent when they were in government.

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

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Member for Riel.

COMMITTEE CHANGES

MRS. D. DODICK: Mr. Speaker, I have a committee change.

Law Amendments: The Member for Kildonan substituting for the Member for Logan; and the Member for Thompson substituting for the Member for Riel.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debates on second reading in the following order: Bill No. 54, No. 2, No. 47, No. 87, No. 88, No. 3, and No. 7.

**ADJOURNED DEBATES ON
SECOND READING - PUBLIC BILLS**

**BILL NO. 54 - THE PAYMENT OF WAGES
ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 54, standing in the name of the Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I took the adjournment on behalf of my colleague who will be closing the debate.

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

MR. B. RANSOM: Mr. Speaker, I simply wish to clarify that the Honourable Minister of Natural Resources cannot take the debate on the part of the Minister in order that she may close debate. Any other member has the opportunity to speak if the Minister of Natural Resources doesn't wish to.

MR. SPEAKER: The Honourable Member for Turtle Mountain is correct. Are you ready for the question?
The Honourable Minister of Labour will be closing debate.

HON. M.B. DOLIN: Thank you, Mr. Speaker. I intend to speak very briefly to close debate on this bill and, in fact, apologize to all members of the House for the delay in moving this very important bill to committee, but it was for good reason, which is what I would like to explain in closing debate.

I have been involved in a series of very productive, consultative meetings with the Chambers of Commerce, with loaning institutions, with employee representatives about the amendments to this bill. I intend to bring forward further amendments when the bill goes to committee, and we will have ample time to discuss them at that point. The amendments that I intend to bring forward will be reflective of the consultative discussions that have been taking place over the last four weeks.

With that message to members, we will move the bill to committee.

MR. SPEAKER: The question before the House is the second reading of Bill 54. Is it the pleasure of the House to adopt the motion?

A MEMBER: No.

MR. SPEAKER: On division.
The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, there was some indication on this side of the House that we didn't agree with the question.

MR. SPEAKER: Then I will put the question to the House.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The question before the House is the proposed motion of the Honourable Minister of Labour, the second reading of Bill No. 54. Those in favour, please rise.

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

YEAS

Anstett, Ashton, Bucklaschuk, Desjardins, Dodick, Doern, Dolin, Evans, Eyler, Fox, Harapiak, Kostyra, Lecuyer, Mackling, Malinowski, Pawley, Penner, Phillips, Plohman, Santos, Schroeder, Scott, Smith, Storie, Uruski, Uskiw.

NAYS

Banman, Downey, Drisdger, Filmon, Gourlay, Graham, Hammond, Johnston, Kovnats, Lyor, McKenzie, Mercier, Nordman, Oleson, Orchard, Ransom, Sherman, Steen.

MR. CLERK: Yeas, 26; Nays, 18.

MR. SPEAKER: The motion is accordingly carried.

On the proposed motion of the Honourable Attorney-General, Bill No. 2, the Honourable Attorney-General will be closing debate.

The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I have now had an opportunity to review the remarks made over several months, in fact, by members of the opposition and by members on this side in speaking to this very important piece of legislation. In addition, I have had further discussions, very productive and fruitful discussions in my view, with members of the Winnipeg Police Association, with the Chief of Police of the Winnipeg force, and with others.

On the whole, these meetings have been helpful and, in many instances, I was able to respond positively, indicating that I would consider some changes to the bill. I will be indicating some of the likely areas for change in the course of these remarks. In fact, I may say, and I have no hesitation in saying this, that I have on the whole found that remarks made by some of the members of the opposition have been constructive and helpful, and designed, I thought, to improve the bill.

I must, however, in having said that, respond very briefly to some remarks made by the Member for Sturgeon Creek and get that out of the way. He said at one point in his remarks, and I quote, "The Attorney-General has been known and, in my opinion, has been known in Winnipeg for a long time to be in opposition to the police forces." And then goes on in his remarks to imply that I wanted to use this legislation - legislation which was started under the former Attorney-General and developed under the former Manitoba Police Commission - to appoint a Police Commissioner to lord

it over the police. Mr. Speaker, nothing could be further from the truth.

The relations between the Department of the Attorney-General and the City of Winnipeg Police Force and the RCMP have been exceptionally good, and that is acknowledged and will be acknowledged on any occasion by the Chief of Police of the City of Winnipeg and by the Assistant Commissioner of the RCMP and his other officers. They have been productive; they have been open; there has never been a moment of suggestion of any kind of conflict of this sort suggested in that despicable remark by the Member for Sturgeon Creek. Indeed, had that ill-tempered and ill-advised and ill-considered remark come from any other source, I would have demanded an apology, but it isn't worth it.

The Member for Sturgeon Creek went on to say that I had ignored representations. Then he and some of his colleagues, in a burst of logic that defies analysis, went on to lambaste me for proposing amendments. Where do they think these suggestions for changes came from? They came from an ongoing, and as I earlier described it, a productive consultative process.

And what's wrong, Mr. Speaker, with a consultative process that goes on as well after as before a bill is printed? Indeed, I think that's a practice to be encouraged. I noticed that my colleague, the Honourable Minister of Labour and Employment Services, said today, with respect to Bill 54, that she had a continuing consultative process which has led her to bring in and she will be bringing in some proposed amendments. That surely is the way in which we ought to operate, and I stand proud of the fact that my department has, with respect to its legislation, been - and it will continue to be - an open department.

The Member for St. Norbert ought to recall, because he is one of those who made this criticism when he said it was ill-considered because now you're bringing in a lot of changes; but, literally, within months of the enactment of The Builders' Liens Act drafted in his department, and for which he was the lead and responsible Minister, within months of that act coming in, it became urgently necessary to begin preparation of an amending bill of mammoth proportions because some of these pieces of legislation are complex and you draft them. You draft them according to principles that you believe ought to be enshrined in the legislation, that look good at the time; then you circulate that bill, because quite often people want to look at a bill before they can respond. They come forth with suggestions.

If it's left to the committee stage - and here I'm addressing the whole question of what I think the process ought to be - if it's left to the committee stage, then it's often very difficult, perhaps too late in the day, for a Minister to be able to respond appropriately to some of the concerns that people, who are directly affected by a piece of legislation, have.

So the Member for St. Norbert, of all people, ought not to lecture about ill-considered legislation. The Law Enforcement Review Act has been under consideration since 1979. The bill, as it was printed, in my view is a good bill; as a result of the process about which I am speaking, I think it will be a better bill. Let me say that it was never, in my view, a case of the bill being badly drafted. I said very well in that bill what I wanted to say, but I have been quite willing, and I will always stand

willing where fundamental principles are not affected, to compromise on particular points.

The question has been raised: Why is this legislation being introduced? Essentially, Mr. Speaker, because the police have awesome power and authority. They are virtually the only ones, other than the Armed Forces themselves in our society, to legally have, as it were, guns on their hips. Very few people would disagree about controlling the abuse of authority wherever that authority may lie.

The only real argument that I would apprehend and be able to respond to is how is this or that particular potential abusive authority to be met? The way in which abusive authority may be met will, of course, to a very considerable extent, relate to the amount of authority, the potential for abuse, the scale of the problem and things of that kind.

I listened, Mr. Speaker, in amazement to some speeches which seem to ignore or not to know about current legislation and current practices here in Manitoba and elsewhere with respect to legislation of this kind. For example, the Member for Morris said, with something approaching pristine naivete; why, he said, you're going to have a politically appointed commission.

Now, the only body that will be politically appointed will be the board, but every police commission is a politically appointed commission. The Manitoba Police Commission as it is presently constituted is a politically appointed commission. That's what police commissions are. They are politically appointed bodies. That's what police commissions should be. They should be politically appointed bodies because that is where you get the equivalent of ministerial responsibility for the use of that power in civil society.

The Member for Morris and others - let me use this as another example of what I think is a degree of amazing innocence if it's that - argued, well gosh, you are going to have open hearings - and I'll deal with that issue in a moment. But what do they think the current practice is?

The Manitoba Police Commission Act already provides explicitly in specific language for the openness of hearings, and makes the closing of such hearings an exception rather than the rule. So the notion that somehow or other this particular Attorney-General just discovered something new that he wanted to fiddle around with in a bill is absolutely ludicrous.

That is current practice with respect to the Manitoba Police Commission dealing with disciplinary matters. That is how the hearing in Winkler took place; that is how the hearings in Brandon took place - open, conducted by the Manitoba Police Commission under provisions in a statute that were extant and still are under the lifetime of that administration without them at any point changing it. So the notion that we have something startlingly new in the provision in this particular bill which calls for open hearings is erroneous.

Mr. Speaker, what is being proposed in this bill is not something new but, in my view, something better. And the answer to the question "why," since there is, admittedly, a mechanism in place, is that the present mechanism is not good enough. The essential feature of the mechanism which is being changed; that is, the means by which citizens who allege abusive authority as it affects them can complain and have those

complaints processed. The essential feature of the existing mechanism is that it is in-House. Essentially, the police investigate themselves.

The Canadian Civil Liberties Association, in the context of a study a few years ago that looked at a whole number of aspects of the administration of criminal justice, in one of their tables it pointed out that approximately of all of the allegations, Tables 20 and 22 in that study, that of all of the allegations alleging police misconduct - and admittedly they are only allegations and I go no further than that - only 12 percent of those interviewed proposed to do anything about the allegations. Of these, when asked why, 90 percent said, it won't do any good.

No doubt, of course, there is a strong subjective element to that. We don't know whether they are feeling that going to the very police, who they allege misconducted themselves, would do no good, whether that indeed would have happened, but it's clear that the feeling constitutes a profound and powerful barrier to citizens exercising the right, which they ought to have, namely, to have complaints of this kind impartially, independently and in an unbiased way, investigated and adjudicated, But that may be subjective.

But if one looks at statistics from the City of Winnipeg, and I have statistics for the years 1981 and 1982, as to what in fact happened with complaints of this kind, it's not altogether subjective, or at least it doesn't appear to be subjective.

In 1981, as of December 31st, of all of the complaints dealt with by the internal investigating unit, 144 related to civilian complaints about alleged misconduct. The rest, some 70 or other, dealt with internal matters. Of those 144, only 17 were sustained - only 17 out of 144 - which already suggests that there may be something markedly wrong with the existing system because remember, Sir, under the existing system a citizen, in order to have an independent adjudication, must be able to go first from the internal investigation - if they go there at all which constitutes one barrier, the decision-making process constitutes another - then it has to go to the Winnipeg Police Commission and only then, by way of a further appeal, to the Manitoba Police Commission.

In 1982, and this is instructive, I am dealing here with 113 citizen complaints received in 1982 and dispensed of as follows. Complaints of excessive use of force, 32, none sustained, 32-0 for the citizens; misconduct and poor attitude, 62, 20 sustained; police officer engaging in private business, one, unwarranted; improper procedure, one, sustained; missing monies from a towed vehicle, one, unsustained; missing monies from a search of a suite, one, unwarranted; alleged complaint of theft of luggage and monies by police officers, one, unwarranted; police harassment, three, all unwarranted; complaints of storage charges on a towed stolen auto, one sustained; complaint of towing charges on an unregistered vehicle, one sustained; unwarranted attacks by police dogs, two, neither sustained. So you have a total of 23 sustained out of 104 citizens' complaints, which again strongly suggests that the present method, the present mechanism is not working at all well.

One in any event is left to wonder, and that's the point, Mr. Deputy Speaker. Citizens who do cross that immensely difficult barrier of going to the very police

force about which they have some concerns and asking them to investigate themselves; citizens who do cross that particular barrier, must be left in a state of some wonder when you look at that kind of record where in 1981, for example, something like 12 percent were sustained out of all of the complaints. Justice here, as elsewhere, must be seen to be done.

I just want to, still answering the question why, read into the record the findings of the Manitoba Police Commission in three particular cases. This is a board chaired by Mr. Jeff Oliphant, Q.C. It's in the Winkler case, May of this year. I am reading from the reasons for judgment, Page 16.

"Two other matters of concern to us are the manner in which the complaint was investigated by the Winkler police department and the handling of the complaint by the Board of Police Commissioners in Winkler." It goes on: "While we accept Sargent Southall's evidence that he tried to be as unbiased as he could, we find it hard to accept that members of the public generally and the complainant in particular, would view the investigation of the complaint as being fair especially in light of the social relationship and the friendship that existed between the investigator and the person who was the subject of the investigation," and it proceeds. I will read one or two more passages.

"Mr. Wiebe, who is the Mayor of Winkler and the head of the Commission, testified that when the complaint was considered . . . " Just listen to this, Mr. Deputy Speaker, it's astonishing. "That when the complaint was considered by the Winkler Board of Police Commissioners, no witnesses testified before the Winkler Board, nor was any notice given to the complainant that the Winkler Board of Police Commissioners were meeting to consider his complaint. Mr. Wiebe's evidence was, that the complainant knew nothing of the deliberations of the Winkler Board of Police Commissioners until after a decision had been reached, dismissing the complaint."

So there they sit in splendid isolation, dealing with an investigation of the complaint against a person by that person's friend. They don't even call the complainant; they don't give the complainant notice, and that is supposed to be fair. That is supposed to be proper. Surely even the members opposite, as critical as they might want to be of some of the provisions of the bill which I have brought in, must see that it is an intolerable situation. It is a denial of due process. It is a denial of fairness.

They conclude, "The manner in which the internal investigation was handled and the procedures utilized by the Winkler Board of Police Commissioners, give little comfort to anyone who values basic civil rights.

"Public confidence in the impartiality of a police investigation and the fair handling of complaints by the Board of Police Commissioners will be eroded should the practices which were followed here be allowed to continue in the future.

"The success of any system which provides for the handling of complaints by citizens against the police depends on the confidence of the public, that the system is both fair and impartial." That's in the Klassen case.

Again, Sir, in the Rice case in Brandon in May of 1982, the Manitoba Police Commission pointed out very sharply that the Board of Police Commissioners in handling that matter did not follow its own regulations.

In Stewart and Watson, in Brandon, in November of 1978, again from a decision, this time the chairperson was Mr. Perry Schulman - I note that Mr. Perry Schulman ran for the Progressive Conservatives against me in Fort Rouge; Mr. Jeff Oliphant, Q.C., from Dauphin; Ms. G. Hammond - I wonder who that was.

A MEMBER: It was Gerrie.

HON. R. PENNER: That's who it was. In passing, we find it necessary to comment upon the manner in which this complaint was handled by the Brandon Board of Police Commissioners. There are two areas which cause us concern: The first is the fact that Dr. Stewart was not given an opportunity to appear in person following the filing of his written complaint on December 22, 1977; the second matter that causes us concern is that we think a public hearing would have been appropriate and that the complaint could have been fully heard and disposed of at that time. So that, Mr. Speaker, there is clearly - and I'm not saying voluminously - but there are clearly practices with respect to the hearing of citizens' complaints which are wrong, which have been criticized, which are still there and which must be dealt with.

I would like now to deal with some of the particular criticisms that were made and constructive suggestions and to indicate areas in which I will be responding positively when this bill comes before committee.

First of all, Mr. Deputy Speaker, with respect to the time for filing, it was alleged that in the bill, as drafted, the time for filing the complaint was too long. It left the police officer, if he knew that there was some concern about an episode, in a sense hanging out to dry, without knowing whether or not he might have to face or she might have to face some procedure. We're, Sir, proposing to reduce that to 30 days with some built-in time for an extension of those 30 days in unusual circumstances. If - and I hope it never happens - for example, someone is physically abused to the extent that they're physically not capable of filing a complaint within 30 days and don't have anyone who can do it for them, then an extension could be granted.

With respect to the right of third parties to complain on behalf of someone else, this right has been restricted, or will be restricted in a proposal being brought forward, so that unless the person is physically or mentally incapacitated, then no third party complaints will be received without the consent of the complainant or the person alleged to be a victim. That is in response to a point raised both here in the House and by the Police Association.

With respect to some concerns about this novel, but not completely novel notion of a maximum penalty being recommended, which has worked very well in B.C., the bill, you may recall, Sir, provides that when referring a case to the board the commissioner shall recommend to the board a maximum penalty to be imposed for each alleged act of misconduct, and the board of course shall not apply a more severe penalty, but may substitute indeed a lesser penalty. The point here is that it was thought that if the board itself was aware of the recommendation before it adjudicated that that could unfairly influence its adjudication.

Under the proposed amendment, the commissioner's recommendation will not be revealed until the board

has made a determination of guilt or innocence in the case.

With respect to open hearings, here I've adverted to this in my earlier remarks, I think, as a matter of principle in the administration of justice, hearings should be open. It's my view based on a number of cases decided under the charter that the charter is being interpreted as requiring that as a general principle. Certainly the B.C. legislation calls for that specifically. Our own Manitoba Police Commission's hearings are mandated as being open out of the existing legislation and I've referred to that before.

However, in response to a point that was made that did trouble me that, well, here you are dealing with people who are substantially, of course, by occupation and by their very character, law abiding. They may have gotten into difficulties. It may or may not amount to an abuse of authority. Everything is going to be out in the public and they'll be embarrassed both with respect to their family and friends and their colleagues and publicly, if you have open hearings. To avoid that, but yet still permit open hearings so that the appearance of fairness is there, we propose an amendment where, in effect, it's a no-publication order; that is, the name of an officer whose case is being heard in that formal way cannot be published until after the hearing is over and an adjudication made. So that the officer will not for the period of time of the hearing be embarrassed by the appearance in public that may be created by the reporting of evidence with respect to a specific named person be embarrassed by the suggestion that he or she is a wrongdoer when it may turn out indeed that they are not. So, I'm responding positively to those suggestions.

With respect to the standard of proof, I've carefully considered this matter and although it seemed to me when I drafted the bill, gave instructions for the drafting of the bill, that it was appropriate at first indeed to have what is called the civil standard of proof, balance of probabilities. Later, after representations, I thought that it would be appropriate to follow what I believed to be correct when you're dealing with the ultimate penalty of dismissal; namely, that the standard of proof there should be beyond a reasonable doubt, sometimes called the criminal standard of proof. Then as I thought about that and discussed it with the association, it became clear to me that was entirely unworkable for a whole number of reasons.

In any event, the net result is that I will be bringing in an amendment where the standard of proof for all cases will be beyond a reasonable doubt.

It's a compromise and I worry that it could render the legislation to some extent less effective than it might otherwise be in doing that, but I think I ought to bring in that kind of a change and monitor it carefully over a year or two. I think a lot will depend on the quality of persons appointed to the board and their ability to adjudicate in a judicial way.

Again, Sir, the question of an appeal has been raised and the bill as drafted - if you'll bear with me, I'm just looking for my copy of the bill - gave a very limited right of appeal. An appeal from a decision of the board lies to the Court of Queen's Bench upon any question involving the jurisdiction of the board.

After representations in considering which way to go, I will likely be bringing in an amendment, Sir, which

will allow an appeal to the Court of Queen's Bench on law as well as jurisdiction.

With respect to double jeopardy and this concern that has been addressed by some members opposite, by the Police Association, by the Chief of Police, by others, has been one that has troubled me. Again, I will be proposing an amendment that if an officer who has alleged to have abused authority is in fact charged with a criminal offence and goes through that process in any way, then that will be the end of it. There will be no further right of a complainant to take the issue to the Law Enforcement Review Agency.

Parenthetically, you might just note here that the Member for St. Norbert and others stated that because more police officers recently have been charged with criminal offences, that therefore this somehow or other demonstrated that we did not need the Law Enforcement Review Agency and its procedures.

I would argue, first of all, that the statistics do not show that there's been any marked change in the number of police officers charged with criminal offences other than those which are completely statistically related to the increase in size of the force.

In any event, Sir, it's an irrelevant consideration. The Law Enforcement Review Agency is for dealing with those abuses of authority, which do not reach the level of being criminal. One would hope and one would expect, and indeed one knows, that where a police officer is engaged in anything that might well be criminal, the force now, and will be able to do so after this bill is passed, that's clear, investigate it as a criminal matter, and if a prima facie case, if there's some evidence, that is laid before a Crown Prosecutor to see whether a charge is laid. If a charge is laid, then the law enforcement review bill no longer applies, as the bill is now proceeding, and the matter will be disposed of one way or another, guilty or innocent, or stay of proceedings - it doesn't matter - will be disposed of under that particular investigative mode, but it will not come back to the Law Enforcement Review Agency.

With respect to the composition of the board, it was argued by one or two persons, certainly the Member for Morris as I recall it, I think the Member for Tuxedo, why in the world are you having a provision that requires that one of those presiding in any hearing should be a lawyer? It's been my experience in the criminal civil courts over a fairly extensive period of time, sitting on arbitration boards over a considerable period of time, both with respect to rights, and with respect to interests, sitting, teaching evidence for some 13 years, that the law of evidence and the procedures relating to the admissibility of evidence is not only complex, but indeed the very outcome of a trial or a hearing can depend on whether or not the hearing is run with a certain degree of propriety and rigour, so that the irrelevant is not considered, so that hearsay on hearsay is not considered, so that prejudicial statements which have no basis in fact are not considered, so that opinion in an area reserved for opinions by experts is not considered; all of these, and many more. Indeed, the new proposed Canada Evidence Act will have close to 200 provisions. That is to say that someone whose rights are being tried in a sense, who may suffer a penalty - a penalty which may effect that person's career - should not have the most rigorous protection is, I think, an error. I feel very strongly about the need for

that kind of hearing. I would think it would be wrong to have a panel that is composed solely of lawyers, and as I'll indicate in a moment that will not be the case at all.

The Member for Morris suggested - well you could get along by having someone that you'll hire as a counsel for a particular hearing, but that I can tell you, Mr. Deputy Speaker, and I'm sure the member for St. Norbert would know this from his own practise, is simply unworkable. You cannot, when a matter of evidence comes along say, just a minute, stop everything we'll go and consult, and we'll get an opinion from someone who is sitting as counsel but not presiding.

However, another question of representation has been raised, to which I think I will be in a position to respond by the time this reaches committee, and that is with respect to police representatives on a hearing panel. That is not precluded now by this legislation. There is nothing in this bill which says that cannot be the case, except, of course, where a police officer - should a police officer be one of those appointed - be one from the force where the respondent works. But I will be considering - this is a matter yet to be determined - I will be considering the inclusion in the overall panel as a matter of specific statutory requirement the inclusion of one or more police officers on the overall panel of seven from which hearing panels are selected.

The Chief of the Winnipeg Police has been particularly concerned about Section 27, that sets out the discipline code as it were. A member commits a disciplinary default when he affects the complainant in a number of ways. I just want to indicate what the problem is and leave that for committee consideration. The Chief is worried about the particular definitions under abusive authority. He agrees that such legislation should contain as a disciplinary default abusive authority. But the way in which it reads now, abusive authority, for example, without limiting the generality of abusive authority, and then five examples are given. One of them, for example, is being discourteous or uncivil. I pointed out to the Chief, first of all, that every other discipline code that I have seen, B.C., Alberta, Saskatchewan, first of all, is far more voluminous than this one, far more itemized, far more particularized, and all of them contain these exact words.

I further pointed out to the Chief, and if the Member for St. Norbert is here I'd like him to take note of this, that if you leave the term "abusive authority" without some particular meat on that skeleton, some flesh on that skeleton, then it leaves it open to the board, in any hearing, to decide for itself what abusive authority means. Whereas, the alternative is to limit the board to some extent by defining abusive authority. I'm prepared, Mr. Deputy Speaker, to go either way on that. That's an open matter and will be decided in committee, but I would caution that those who want to just leave abusive authority alone are writing a blank check for the board.

MR. B. RANSOM: It's something like defining significant.

HON. R. PENNER: Not as easy. So, Mr. Speaker, that is a matter that will be considered when we get to committee.

The Member for St. Norbert - Mr. Speaker, you'll advise me how much time I have please.

MR. DEPUTY SPEAKER, P. EYLER: The honourable member has five minutes remaining.

HON. R. PENNER: There are just one or two other matters that I want to deal with in general. One had to do with the role of the association, whether or not the association should have a specific role and, Mr. Speaker, the board will have power to add parties but it will be clear that no witness, no complainant can be cross-examined more than once. That's the one thing I wanted to avoid, because that is definitely very unfair.

With respect to other forces, I will not deal with this at any length at this time, I have already stated and members opposite have acknowledged the constitutional difficulty of including the RCMP within this legislation. However, there is a parallel piece of legislation, An Act to amend The Provincial Police Act, where the law enforcement review investigative machinery can be used with respect to the RCMP. So I am trying to bring the RCMP part way into the umbrella of the act. However, we could not constitutionally subject them to the actual hearing and discipline that is proposed.

Mr. Speaker, having spent some time on details, let me conclude with some remarks on general principles. The Member for Morris said that he represents a riding that has total and complete respect for the law and just as importantly for law enforcers, particularly police people. Well so do I, Mr. Speaker, and so does everyone in this House as far as I am aware, but that misses the point. The bill is not introduced out of any disrespect for police officers, Sir. It is introduced out of a commanding respect for the rule of law.

Justice Brandeis once said that, "Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the laws scrupulously. Our government," and I continue with the quote, "is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. If the government becomes a lawbreaker, or any agency of the government becomes a lawbreaker, it breeds contempt for the law. It invites every person to become a law unto himself. It invites anarchy. To declare in the administration of the Criminal Law that the end justifies the means; to declare that the government may commit crimes in order to secure the conviction of a private criminal, would bring terrible retribution. Against that pernicious doctrine, this court should resolutely set its face."

I say, against that pernicious doctrine, this House should resolutely set its face. That holds true indeed, I think, for constitutional imperatives as well. This bill, Mr. Speaker, will increase respect and reduce cynicism.

I conclude with just a short statement from Mr. Justice Creever, which introduces the report just received of the Office of Public Complaints and Commissioner of Police Complaints in Toronto which is there on a three-year trial basis. So the notion over there that Penner is trying some experiment, actually where there is an experiment going on is in Toronto, not here.

"In a democratic society, no police force, no matter how generally well-respected, should be allowed to be a law unto itself. To rely solely upon the police force's integrity and self-discipline is to permit that force to become a law unto itself. Mr. Justice Horace Creever, Report of the Commission of Inquiry into the Confidentiality of Health Information."

I conclude with that quote. I commend that quote, the spirit of that quote, and the letter of this law to the House.

MR. DEPUTY SPEAKER: Are you ready for the question?

The Member for Rhineland.

MR. A. BROWN: Mr. Deputy Speaker, I wonder if the Honourable Attorney-General would allow a question. Let's say that a person is apprehended and he resists arrest, and during that period of time he is bruised somewhat while resisting arrest. Would that then qualify, a case such as that, to be heard in front of this commission? If so, if this is the case, then why would any policeman then want to arrest anyone, because if this person resists arrest he knows for certain he is going to be hauled before a commission?

MR. DEPUTY SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: The Member for Rhineland should be aware that there is very strong mechanism built into this bill to weed out the frivolous and vexatious. Indeed the statistics, which time did not permit me to quote and I won't take the time of this House to do so now, from the first year of the Toronto project shows what other statistics from B.C. and other jurisdictions show; namely, that there are some complaints which come, which are frivolous and vexatious, which ought not to be processed further, and they don't get any further than a commissioner of complaints.

So I obviously cannot guarantee anything to the Member for Rhineland, but I can assure him that this bill is designed so that it isn't possible simply by saying, I have a complaint, to invoke the whole machinery of the law. Indeed if the bill were deficient in that regard, then it ought properly to be criticized, but it isn't. There is that protective machinery in the bill.

MR. DEPUTY SPEAKER: Are you ready for the question? The question before the House is the second reading of Bill No. 2. Is it agreed to pass the bill?

A MEMBER: No.

MR. DEPUTY SPEAKER: On division.

BILL NO. 47 - THE MUNICIPAL COUNCIL CONFLICT OF INTEREST ACT

MR. DEPUTY SPEAKER: Bill No. 47, on the proposed motion of the Honourable Minister of Municipal Affairs, standing in the name of the Member for Virten.

MR. H. GRAHAM: Thank you very much, Mr. Deputy Speaker.

Mr. Speaker, yesterday, we heard in this Chamber one of the finest addresses I have ever heard in the many years that I have been here. It dealt with a subject matter that I think proved beyond a shadow of a doubt that the present government is not listening to the people; that this government is out of step with reality and doesn't really understand what the real needs of our community are. I think this bill is a perfect example of it.

They are bringing in a bill for municipal council conflict of interest. Really the bill has nothing to do with conflict of interest. There's only a very small mention in one or two paragraphs about conflict of interest. The rest of it, all they're concerned about is disclosure of assets. That is not what the people in Manitoba want. It's not what the people in rural Manitoba want, nor is it what the people in the City of Winnipeg want. I suggest to you, Mr. Deputy Speaker, that what the people in the City of Winnipeg and people on the Municipal Council in the City of Winnipeg may require or may desire in the field of conflict of interest legislation is vastly different, much different than that which is required in the rural areas of Manitoba.

I don't think the Minister of Municipal Affairs understands that. I am sure he doesn't understand it. To make matters worse, Mr. Deputy Speaker, I don't think he even understands the concerns of rural Manitoba as expressed by the rural councils, because he stood up in this House just yesterday and said that he had the support of the rural municipalities on this issue. Mr. Deputy Speaker, I just wonder where the Minister has been. I don't know whether he doesn't answer his telephone, or whether his hearing aid is broken, or whether he doesn't open his mail. It may be a combination of all three, but certainly the message that's coming out of rural Manitoba on this particular bill is vastly different than what the Minister is trying to portray in this House and, I presume, in the Cabinet. Now, if the Minister is giving this government wrong information, then it's understandable how this government can get so far out of touch with people, that it is bringing forward legislation that is contrary to the wishes and the needs of the community.

It is fundamentally important in any government that you keep a pipeline, a line of communication with the community and with the people, and obviously the Minister of Municipal Affairs has got his plugged some place. He is out of touch with what the rural municipalities are saying. He is totally out of touch. He came back and said in glowing terms, how wonderful his reception was at the various meetings of the various districts of the Union of Manitoba Municipalities.

Well, Mr. Deputy Speaker, I attended one. My colleagues attended others. In fact, I think every meeting that was held in rural Manitoba was attended by some members of this caucus. The message that I got from talking to the members that attended the various ones, was a vastly different message than what the Minister of Municipal Affairs tried or attempted to portray in this House.

Now, either he is giving false information or he has a remarkable lack of ability to understand what people are saying. Now I don't know which is the true case.

A MEMBER: Oh, I know, it's the latter.

MR. H. GRAHAM: I don't know which is the true case. But the No. 1 issue, Mr. Deputy Speaker, is that the proper information is not getting forward to the First Minister or to the Cabinet.

On top of it, Mr. Speaker, I'm not too sure that he's interested in meeting with all the various municipal councils. I'm told that he didn't bother attending the meeting of the Urban Association. I'm told that the Minister of Urban Affairs didn't bother attending.

HON. E. KOSTYRA: I wasn't invited.

MR. H. GRAHAM: He wasn't invited. He is the Minister. I thought that the Minister would make it his business. — (Interjection) — Well, isn't that great, Mr. Deputy Speaker? Here is the Minister saying that he's not going to do anything unless he's invited.

HON. E. KOSTYRA: That's not what I said.

MR. H. GRAHAM: Well, that's what you did say. You said you weren't invited.

HON. E. KOSTYRA: That's right. I didn't even know they had one.

MR. H. GRAHAM: So the Minister says I'm not going to have anything to do with urban meetings if I'm not invited.

HON. E. KOSTYRA: That's not what I said.

MR. H. GRAHAM: Well, this is what the case is. You didn't go because you weren't invited.

HON. E. KOSTYRA: That's not what I said.

MR. H. GRAHAM: So, Mr. Deputy Speaker, how do we know, how is this government going to know what the needs are if they don't attend the meetings; or if they do attend the meetings, if they don't turn their hearing aids on? We then see how ludicrous a situation we get into when you start bringing in legislation that deals with urban government and the Minister of Urban Affairs doesn't even bother going to their annual meeting.

When you have the same type of legislation applying to rural municipal councils - and there's a vast difference between an urban council and a rural council - but they find a common piece of legislation to deal with both and I suggest to you, Mr. Deputy Speaker, that that doesn't work.

If you wanted to bring in a conflict of interest piece of legislation that applied to the City of Winnipeg, rather than bring in an omnibus bill, why didn't they bring in amendments to The City of Winnipeg Act and do it that way, if the particular needs of the city in this field were their concern?

I have been told by numerous people in rural Manitoba that there never has been any concern for conflict of interest in rural councils. There has been the odd case that has been brought to the attention of the council from time to time; even brought it to the attention of the Minister if the council failed to act on it, but it was always solved and solved to the best interests of the people concerned.

So, when you bring forward this type of legislation that embraces both rural and urban municipal corporations under the same umbrella and their needs are vastly different, then you're certainly going to get differing views on what is going to happen.

Mr. Speaker, I would go so far as to say that if this is not changed, we are going to have surrogate government in the Province of Manitoba. Mr. Speaker, it is entirely possible that a community can become so enraged with this proposal that no person in that area would allow their name to stand for office. What are you going to do then? Then you'll have the Minister of Municipal Affairs appointing government and I suppose if you're an advocate of the doctrines of Karl Marx you would feel very happy about that.

I suppose if you wanted to create unrest and distrust in this country, this is an excellent way to do it. I would suppose, Mr. Speaker, that if you want to set a mark as a Minister of Municipal Affairs in your declining years, that this is the way to do it. But I would suggest to you, Mr. Speaker, the mark that would be left would not be one that you would honour and cherish. It might be very similar to the "Perfect Peter Plan" that was held up in high regard at all the various municipal meetings around the province, by the Minister himself.

No, Mr. Speaker, I think that this bill will not serve the interests of Manitoba well at all. In particular, I don't think it will serve the interests of rural Manitoba. I cannot speak for the urban area, but I do know that the City of Winnipeg has had a review of the bill done. It's highly critical. It covers many pages and it's a review that I think is very very essential, and every member of this Assembly should consider it carefully when this bill goes to committee.

It's my hope that the City of Winnipeg will present their views at that time, because that is the purpose of holding committee meetings on any of these bills. It's not just enough that they be there to present their views. There's one other ingredient in order to make good legislation, and that is that government be prepared to listen. If government is prepared to listen to the legitimate concerns of the City of Winnipeg and other municipal corporations, then I have not got the same apprehension as I have at the present time.

I think, Mr. Deputy Speaker, that apprehension is well-founded, because everything that we have seen this government do this Session has given us no indication whatsoever that they are listening to people; or, if they are listening to people, they are taking their directions from Ottawa and doing what they're told to do like nice little boys and girls and saying, yes, daddy, this is what we will do for you.

Mr. Speaker, yesterday, I received a copy of a letter from one of the municipal corporations in my constituency. I only received a copy because the main letter was sent to the Minister of Municipal Affairs. Yesterday, he was asked in this House by my colleague, the Member for Arthur, if he had received any comments from municipalities on this thing, and he said, yes, he had received one or two letters.

Well, I have a copy of one and the Member for Arthur has a copy of one, and if those are the only comments that the Minister has received, Mr. Deputy Speaker, I can assure you that they are both highly critical of the manner in which the government is proceeding. The Minister of Municipal Affairs stood up and told us that

he got very, very many compliments on the way he was proceeding, but he has no evidence of them. He's only received one or two letters. So I don't know whether you take more credence in the spoken word or whether the written word is the one that you can trust.

So, seeing as how I know it's improper, Mr. Deputy Speaker, to refer to the presence or the absence of any member in this Assembly, but I would like to be able to ask the Minister of Municipal Affairs if he was prepared to table the letters that he has received on this. I have talked to the mayor of the council that wrote him this letter and sent me a copy, and he has given me permission to use it. He says it's quite all right with him if I want to table it in the House.

I just want to tell you, Mr. Deputy Speaker, that this is not a letter; this is a copy of a letter that the Minister of Municipal Affairs has. The letter is from the Village of Hamiota and the date is July 8th. It's addressed to the Honourable A.R. Pete Adam, Minister of Municipal Affairs, Legislative Building.

"Dear Sir:

"Council of the Village of Hamiota is gravely concerned regarding the implications of the proposed Bill No. 47, The Municipal Council Conflict of Interest Act.

"For over 75 years, our village has had a succession of concerned, forthright mayors and councillors who have guided the affairs of the village in an efficient manner. While the present council agrees that real estate and business interests within the municipalities should be disclosed in any situation where there is even a suspicion of conflict of interest, it is firmly convinced that many of the disclosures outlined in Sections 10(a) to (i) are not only unnecessary, but are a reflection on the integrity of councillors.

"The members of our council are convinced that possible candidates for election will refuse to accept nomination if Bill 47 is passed in its present form. This would aggravate an already difficult situation to get competent persons to accept nominations.

"We believe that interests of a councillor and his dependants, as described in Section 10(e) and (f), in particular, are the business of the councillor and his dependants alone and should not be on file where any curious person has the right of perusal.

"We are convinced that while most councillors and prospective councillors have nothing to hide, they will resent very strongly this proposed intrusion into their private affairs and those of their dependants." And I repeat: ". . . this proposed intrusion into their private affairs and those of their dependants.

"This proposed legislation may be necessary in the more complex situations encountered by the councillors of large cities, but it is highly unnecessary and even ridiculous that identical legislation should be applied in small rural communities."

And the final paragraph reads: "All members of the council of the Village of Hamiota have stated that they will not submit nominations if the proposed bill is passed without amendment. Yours very truly, the mayor of the Village of Hamiota."

Mr. Deputy Speaker, those are the concerns of one municipal corporation in my constituency. I have talked to mayors and Reeves of other municipal corporations within my constituency and they are in agreement with

the sentiments expressed by the mayor of the Village of Hamiota. I have not talked to all of the municipal corporations or all of the mayors or Reeves because, Mr. Speaker, we're now in the middle of July and many of them are taking their holidays and they're not available for comment.

I would suggest to you, Mr. Speaker, that when this bill goes to committee, many of them will be on holidays or the office may be closed and the secretary is on holidays; and how is the Minister going to get adequate notice to the various municipal corporations when this bill goes to committee? How is he going to get adequate notice? I would suggest, Mr. Speaker, that the Minister give a commitment to this House that when this bill goes to committee, his office will personally phone every municipal council, or officials of that council if he cannot get the office, to ensure that every municipal corporation knows when this bill goes to committee.

Mr. Deputy Speaker, the attitude of the Minister of Municipal Affairs was shown here yesterday when in reply to questions from the Member for Arthur, he referred his previous answers to questions from the Member for Minnedosa, at which time the Minister said, well, I'm sending out copies to each council. He said, I'm not interested in the councillors. If you want to send copies of the bill to the individual councillors, go ahead.

Is that the attitude of a Minister of the Crown charged specifically with the responsibility of municipal government and that's his attitude to councillors in this province? Mr. Deputy Speaker, it is shameful, to say the very least. Mr. Deputy Speaker, it might even be considered disgraceful, and I am being very tolerant when I use language of that nature.

Mr. Deputy Speaker, I don't know how much more emphatic I can be in pointing out to this House and to the Minister of Municipal Affairs that he is proceeding in the wrong direction with this bill. I think it is an insult to all the community-minded members of Manitoba who have voluntarily offered to serve the interests of their various communities in the very worthwhile and time consuming job of trying to run a municipal corporation. They get very little thanks for it, they get very little praise; but they get untold criticism if they do one little thing wrong.

But the most insulting thing that I have ever seen brought forward is this piece of legislation which to me is an insult to every community-minded person who has any public spirit in them at all. This attempt by the Minister to pry into their own individual affairs, to be not the least concerned about conflict of interest but only concerned about disclosure of ethics, to me, Mr. Speaker, is missing the mark completely. It is not assisting municipal councillors in any way and is, indeed, insulting to most of them.

So, Mr. Speaker, again I ask the Minister to give ample time and to make sure that every municipal corporation gets plenty of warning when this goes to committee, because there are many municipal offices throughout Manitoba that are one-man offices and they may be closed and you cannot rely on the mails today. I just saw a story on the front page of the Free Press today where a person was going to court and didn't because he didn't get any official notice, and he himself was a postal employee. So we know that even the post office has no faith in the mails today.

I would hope that the Minister would give an undertaking to personally or, through his office, directly

communicate with every council or councillors in rural Manitoba before this goes to committee. I believe, Mr. Speaker, that we on this side of the House have done what we can to bring to the Minister's attention the pitfalls and the wrong-headed philosophy that he is using in this legislation.

When it goes to committee, it's my hope that the municipal people will be given ample opportunity to present their views there so that we could possibly either get sufficient support from members on that side of the House to scrap the bill or, failing that, to make some drastic changes in this piece of legislation which I consider to be totally unnecessary in its present form.

Mr. Speaker, those are my final remarks with regard to second reading on Bill No. 47.

MR. SPEAKER, Hon. J. Walding: Are you ready for the question?

QUESTION put, MOTION carried.

MR. B. RANSOM: On division.

MR. SPEAKER: On division.

BILL 87 - THE WORKPLACE SAFETY AND HEALTH ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Northern Affairs, Bill No. 87, the Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, when the Minister introduced this bill, he cited at the beginning and throughout his speech a number of very distressing circumstances in which workers had suffered serious injuries. I hope that he was not suggesting that it was only members on that side of the House who have concern about safety in the workplace.

He's nodding his head that he certainly didn't. He recognizes, Mr. Speaker, that it is a concern that is shared by all members of the House. In sharing that concern, Mr. Speaker, we can still at the same time have concerns about the manner in which steps are taken to protect the safety of workers.

Now, Mr. Speaker, one of the important principles contained in this bill is involved with the compulsory aspect of requiring every employer, with more than 20 employees, to have a workplace safety and health committee.

In addition, Mr. Speaker, the bill provides that there shall be a workplace safety and health committee at a construction project, where the total floor space exceeds 50,000 square feet; and then at a construction project where there is a construction of, or any addition to - and there is listed 11 different types of projects.

With respect to that Subsection (c), I point out to the Minister, I think he should give some consideration to clarifying what "any addition" means because taken literally, Mr. Speaker, that could mean a very small project at an oil refinery, a steel mill, or any of the other items listed. I think that certainly requires some redefinition because taken literally, I don't think that the Minister would want to have a workplace safety and health committee for very small additions to any of those types of projects.

The existing legislation, Mr. Speaker, provides that the Cabinet can appoint workplace safety and health committees in specific workplaces or in classes of workplaces and that, I believe, Mr. Speaker, has proven to be fairly satisfactory. It was the policy of the previous NDP Government; it was a policy of the legislation under which our government acted, under which workplace safety and health committees were expanded and increased. I believe, Mr. Speaker, that the Minister has to provide some justification for taking the extraordinary step to require every employer in these circumstances outlined in his bill to have a workplace safety and health committee. He indicated in his opening remarks that it would mean an expansion from some 390 committees to some 1,400 committees, I believe. That is obviously an addition of some 810 committees.

Now, Mr. Speaker, there also is of course an exemption section contained in this provision by which an employer, I take it, could apply to the Minister and ultimately to Cabinet to have an exemption from this compulsory aspect where the number of employees are 50 or less. I don't know, Mr. Speaker, whether the Minister considered the exemption clause in specifying the fact that he thought there would be some 1,400 workplace safety and health committees after the passage of this legislation, or whether he's taken that into consideration. But he, I think, has to provide some justification and some demonstration of the need for such compulsory legislation.

I think it is much more appropriate, Mr. Speaker, if the government would simply follow the existing legislation, and where it is deemed to be necessary, because of circumstances in certain workplaces or in certain classes of workplaces, that workplace safety and health committees be appointed in those circumstances.

Mr. Speaker, I would suggest that it is much better for the relations between managers and workers, where these things are done co-operatively between management, between workers, between the government, and not imposed arbitrarily upon them by this type of legislation.

There are going to be obviously, Mr. Speaker - and we just simply issue this as a warning - situations where there's not going to be any need for a workplace safety and health committee, none or very little. The Minister is imposing a committee upon that workplace; he is imposing on that workplace the requirements with respect to educational leave, which is a fairly significant cost of overhead, Mr. Speaker, upon employers. He's referred to the fact that it may be up to 1 percent of payroll, Mr. Speaker, and he says it's not that much money. But, Mr. Speaker, this is a government that has already imposed 1.5 percent on employers through the payroll tax and has increased other taxes, the sales tax; they've increased the hydro tax, the cost of hydro.

Well, Mr. Speaker, the Minister says what does it cost not to do this? No doubt, Mr. Speaker, in some of the instances where the imposition of a workplace safety and health committee is justified, there may very well be savings and we are not suggesting that there are not circumstances in the Province of Manitoba where additional workplace safety and health committees should be appointed. I don't have access to the investigative information that the Minister has through his staff. In general, I'm saying there probably are situations where there should be committees appointed.

What I'm saying is he should demonstrate the need and a justification for making it compulsory to have a committee in all of these situations, Mr. Speaker, where there are 20 or more workers. One could simply take a walk of about two or three blocks from this building towards downtown and find a large number of offices where there are 20 or more workers and you would have some real concerns about whether or not this is a cost that should be assessed against those employers and against those workplaces.

Mr. Speaker, we have to be - and we are - the government has to be concerned about not only the safety of workers, certainly that is a genuine concern, but this type of legislation and these types of committees should only be imposed in justifiable circumstances, and where they are imposed needlessly, with the associated cost with respect to educational leave, etc., then we are imposing upon the employers of this province another added cost. Mr. Speaker, when we do that and when we take that into consideration along with the other additional overhead costs which this government has imposed upon employers, they have significantly increased the cost of doing business in Manitoba. When I say that, Mr. Speaker, I'm not speaking particularly out of any real concern for employers because what my concern there is, is the resulting number of jobs and employment opportunities that are lost to Manitoba, or that are decreased in Manitoba as a result of the increased overhead costs. The problem, Mr. Speaker, generally speaking, throughout Canada and particularly in Manitoba, is productivity.

Now, in circumstances where workplace safety and health committees are justified, they could very well result in better productivity, but with this kind of omnibus legislation we issue the warning that there may also be a significant number of situations in which workplace safety and health committees are imposed - which are not necessary - but which create an additional overhead, an additional cost of doing business, make it difficult for those employers to compete with people outside of the province and result in a lack of growth of our economy and a lack of growth of jobs and a lack of growth of employment opportunities.

So, Mr. Speaker, that is one of the overall concerns that we have particularly with respect to the imposition of workplace safety and health committees. Those concerns also, of course, apply to the appointment of workplace safety and health representatives and they go on to apply to the provisions with respect to requiring employers to provide educational leave, Mr. Speaker, which involves that additional cost of doing business in Manitoba and increasing the overhead.

There is also, Mr. Speaker, a significant amendment in this piece of legislation with respect to the right to refuse work. The Minister and I had some discussion of that principle, probably more from the Minister than I, during the Minister's Estimates, when the Minister indicated his concerns in this particular area.

One question that arises, Mr. Speaker, in reviewing the provisions of this act and the incorporation of this principle into this piece of legislation, is that what happens if it is found that the situation is not dangerous and a worker, using this piece of legislation for whatever

motives, has refused to perform work after all of the steps have been taken . . .

MR. SPEAKER: Order please. The time being 4:30. When this bill is next before the House, the honourable member will have 25 minutes remaining.

IN SESSION

PRIVATE MEMBERS' HOUR

RES. NO. 12 - A PEACEMAKER ROLE FOR CANADA

MR. SPEAKER: The first item on the agenda for Wednesday's Private Members' Hour is Private Members' Resolutions. On the proposed resolution of the Honourable Member for Inkster, Resolution No. 12. The resolution is open.

The Honourable Member for The Pas.

MR. H. HARAPIAK: Mr. Speaker, I would like to speak in support of this resolution put forth by the Member for Inkster; a resolution which has had some very interesting and controversial debate; a resolution which urges Canada to play a role as peacemaker in a very dangerous exercise that is being carried out by many super powers of the world.

The role of peacemaker would not be a new role for Canada as a country. Lester Pearson was involved in a role during the Suez crisis and I believe that a great catastrophe was avoided because he had the will and the courage to take a strong leading role in negotiations during that time. Through his leadership a bloody crisis was avoided.

When the last great Conservative with a vision, John Diefenbaker, was Prime Minister, he also had the courage to speak for peace. He received tremendous pressure from the United States as well as from within his own caucus when he was the Prime Minister, to arm the Bomarc missiles with nuclear warheads. He showed the courage of his convictions and would not allow any nuclear weapons to be carried on the Bomarc at that time.

Mr. Speaker, the Member for Inkster also pointed out that Stanfield and Trudeau were also involved in bringing peace talks together during the time of China and the U.S. crisis. So the role of peaceful negotiators would not be a new position for Canada. We have acted in that capacity in the past.

Mr. Speaker, it has been brought to our attention that about 50,000 nuclear warheads are deployed on this planet. The combined force of these weapons is great enough to destroy all forms of life on this planet. If they were all detonated, it would leave this world in a radioactive wasteland.

The greatest danger of these weapons, Mr. Speaker, is that people have plans of becoming involved in a limited nuclear war. There are scientists who say that it is an impossibility. The only thing limited about a nuclear war would be the time it would take to destroy all life on this planet. If one side released a nuclear weapon, either intentionally or accidentally, there would be nuclear holocaust.

A MEMBER: It's true. That's true.

MR. H. HARAPIAK: I believe that Manitobans have demonstrated and given a clear message that they would like to see Canada become a nuclear free zone, and also that they would want no nuclear weapons manufactured or deployed in this country.

A year ago there were 20,000 people who marched in opposition to the nuclear arms. This year, there were between — (Interjection) — in Winnipeg, that's right, and then there were others in other parts of the province. This year there were between 25,000 and 30,000 people who again marched peacefully in Winnipeg. There were also demonstrations in Dauphin and in Neepawa, and many of the other centres - Flin Flon - and many other rural centres.

I was disappointed to hear the Member for Lakeside express his opinion that all these marches were organized and paid for by the KGB. Surely he gives his fellow Manitobans credit for having more understanding of the world politics and does not believe that Manitobans are naive enough to believe this, or does he only believe that members of his caucus can understand the issue. I do not believe that his fellow Manitobans are naive. I believe that they have a better understanding of the potential dangers of a nuclear war than the Member for Lakeside.

There is an increasing number of Canadians who are demanding that Canada be declared a nuclear free zone. Yet despite the number of letters, petitions and marches that are being held in this country, the Federal Government continues to increase its Budget and to arm this country and are considering allowing testing of nuclear weapons in this country. The Federal Government continues to increase its budget and to arm this country, and are considering allowing testing of nuclear weapons in this country, nuclear Cruise missiles. In a recent vote opposing nuclear testing, only two members of the Federal Government voted against the resolution. So with their majority, it won't be long before they will be testing the Cruise missiles in Canada.

Mr. Speaker, the Canadian public would like to see the Federal Government once again take a lead like Norway has done and say no to any further escalation of the nuclear arms race. They would prefer to see a freeze followed by a massive reduction and the final elimination of all nuclear weapons. The public is frightened because they know that we are dealing with a weapon that could destroy this planet.

Mr. Speaker, last Monday in the Winnipeg Sun, Lesley Hughes had an article entitled, "We must prevent the last war." The article puts into words my feelings very well, so I am going to read parts of the article. She speaks about people, dealing with her feelings during a time a crisis arrives, and she feels that we are at a point of no return in the nuclear arms race. She goes on to say that, "Anyone can tell the truth, you see, if times are tough enough. You see that time is now. It has been a long time coming, because I was raised as a true Canadian spirit, brought up to behave myself, respect authority and trust power, to be seen and not heard and so on.

"But in spite of being Canadian and being a journalist, both of which have a tradition of asking questions and not having answers, I find myself embraced by the agony and ecstasy of the global peace movement ready to challenge any member of any government on the issue of the arms race. The agony, of course, is confronting

the unthinkable, looking directly at Hiroshima and knowing we can outdo the horror show exactly a million times. It's letting in the legitimate terror, the feeling of a mother cradling a critically injured child and looking for help down an empty road. The ecstasy is finding your way out of the confusion, the lies and fears that surround the arms race. It is the joy of breaking away from the faceless crowd which has scared itself into impotence. It's rediscovering your humanity and rejoicing in its strength.

"I looked at length, in my thoughtful Canadian way, at American neighbours to the south and Russian neighbours to the north, and I see that in spite of what President Reagan says, history is not a black and white western movie. The Americans are not heroes and the Russians are not villains, though we have in this country idolized one and dehumanized the other. Rather, they are all fallen humans capable of beauty and terror just like me. Both American and Soviet systems have their origins in passionately moral revolutions, and both have betrayed their people.

"I see American farmers forced out of their homes and lands by the banks, and that is not freedom. I see dissidents from Soviet officialdom brutalized and silenced, and that is not freedom. I see two superpowers willing to bankrupt their citizens to produce indefensible weapons; each claiming his weapon can deter the savagery of the other, a myth that has tyrannized this earth for 40 years, kept ignorant, hungry and sick.

"My place is not with any government which claims the right to commit the supreme sacrifice in a movement of petulance or panic to put an end to civilization. My place is not with any government anywhere which puts national interests ahead of planetary survival. My place is not with the faithless and the fundamentalists who have already kissed the world goodbye. My place is not with Pierre Trudeau who is hiding behind obsolete, NATO commitments instead of allowing his country to emerge as a peace broker among all nations.

"No, I have found my place. I am with Einstein who mourned his part in the escape of the atom; who predicted there will be no control over it except through the aroused understanding and the insistence of people of this world. I am with the churches who, one by one, are saying out loud that while there have been just wars, there is no just genocide. I am with doctors around the globe who are telling their government, east and west, that they won't accept the responsibility of cleaning up after the last war.

"I'm with a growing number of media people who admit the last war will cover them, rather than vice versa. I am with the trade unions who are beginning to think twice about assembling all those little bits which together will serve to obliterate them and their families in the name of freedom. I am with the women I have met from all over the planet in Connecticut and who have promised to fight for me for the future of our children even if men won't.

"I have won my battle with hatred and so have many more millions around the world, regardless of colour, language or political system. Like the Quakers, we are prepared to take the risk of peace upon ourselves rather than impose the risk of holocaust on the world. Our hope is in each other and in the democratic tradition which promises power to the people."

Mr. Speaker, one of the unfortunate costs of all the publicity surrounding the whole nuclear question is the

fear that has been put into the minds and the hearts of our young people. The latest example of this is a young 11 year old American girl who wrote to Yuri Andropov about her fear of nuclear war, Samantha Smith. The parents of this young girl are presently in Russia with her right then. She hopes to ask Andropov if he will promise never to start a nuclear war. She believes that Americans will not start one. In the simplicity of a child, she wants to know why these weapons are being made and pointed at each other if neither of them intend to start a war. What a terrible legacy we are leaving our children! They are living with the fear that the world they live in can be destroyed in a moment's notice.

Mr. Speaker, I may be naive, but I believe it is time that we started to have some of this childlike trust and faith and start the reduction and, finally, the elimination of nuclear weapons. I would hope that members opposite would support this resolution that was submitted by the Member for Inkster, and give the Federal Government the clear message that we are opposed to nuclear armament at this time.

Thank you, Mr. Speaker.

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

MR. G. LECUYER: Thank you, Mr. Speaker. I too would like to add a few words of support on this most important resolution. As I begin my remarks, Mr. Speaker, on this most important resolution, I would like to briefly revert back to some of the comments or some of the remarks made by the Member for Morris when he spoke on this resolution.

The member stated that, "With certainty, . . ." and I quote, ". . . there will be war again." He went on to quote from Ecclesiastes to back up this statement. Also, he said, and I quote, Sir, "Should hostilities ever break out, I can tell you that I believe in this country and I will fight to the end. I will do so because I will not live on my knees, and that, I suppose, is the difference. The issue of freedom becomes the bottom line for me, none other." And further he states and I quote again, "I believe that the world has seen war since the beginning of history and it will continue into the future."

Mr. Speaker, I'm sure no one in this House would likely agree to fall on his knees and refuse to protect the freedom of this country from foreign invasion. I can assure you, I wouldn't. But let's put things in their right perspectives. If we go back to the beginning of times when men were throwing stones at one another in war, and evolved into using swords and horses and guns and tanks and airplanes and bombs; and today we are talking about missiles - nuclear weapons, which do not destroy or kill the enemy at hand, but kill and destroy whole nations, whole countries and could very well annihilate the whole of this planet.

That is not, at any rate, in reference to the Member for Morris's remark, what this resolution is all about. This resolution specifically and I quote, ". . ." urges the Government of Canada not to permit the testing or the development of the Cruise missile, or any other military hardware intended to be used in the deployment of nuclear weapons."

Secondly, it says and I quote again, "We urge the Government of Canada to strenuously promote peace and dialogue between nations."

Another point the Member for Morris made repeatedly and ended his speech with those words, I quote: "I believe that there is a cost to peace. We're a free society. We have to do our share. We must test this particular armament just for our future protection." And earlier the member had stated that the Americans spend 10 cents of every dollar of taxes towards the maintenance of peace. He means, of course, money spent developing ever more sophisticated armaments. For he says, "For the purpose of providing protection, but these, of course, as time goes, could very well be for the total destruction of mankind. The Russians are doing the same and other nations and an ever-growing number of nations are embarking on the same bandwagon of nuclear armaments."

Well, Mr. Speaker, should these be looked upon only as cost for peace. Many people - experts in many fields - believe that these costs are destroying the economies of the world. I will get to that in a moment, after a final comment on the Member for Morris' speech.

After referring to the numerous ills of our society such as murder, rape, broken homes, broken marriages, etc., he says, and I quote, "We don't have to look 1,000 miles away to see it, Sir, we see it right here. Yet, we have those in our midst who would walk in assembled groups" - the demonstrators, Sir " - who would walk in assembled groups and seem to be saying, look we are civilized people, why don't we lay down our arms and do away with the threat of annihilation?"

Well, Mr. Speaker, of course he is referring to the most successful march which took place in Winnipeg earlier - that is in the month of June - similar marches which took place in many other cities of Canada, the United States and Europe.

Let's hear what the Member of Parliament, a Conservative Member, Doug Roche has to say on the question of people getting together, banding together and making their voices heard on this most important question. He says, "All the great movements of our time: civil rights, political liberation, womens' rights and environmental concerns did not evolve from the top down with politicians in the lead. Indeed they came about because massive numbers of people realized the danger in their midst and were motivated to do something about it. Movements were spawned to which politicians had to react."

He predicts that the movement will help produce a political atmosphere, in which the public and foreign policy will have to change, because the people will stand up - stand up for what they know is right - and will make their voices heard so loud that the politicians and the leaders of this country will be heard. Hopefully, even the members on the opposite side will hear this message. I have to believe that some of them do believe that now.

Mr. Speaker, when I last spoke last year on the issue of disarmament, I went into a lot of facts and figures, which I don't think are necessary to be given in terms of what destructive power now exists around the world. I would much rather, at this time, use this opportunity to show what the effects of nuclear disarmament have in another sphere.

When I was working in Africa some years ago, I can recall the high esteem in which Canada was held for

its impartial peacekeeping role, which everybody is familiar with in Cyprus, in Egypt, and other areas of the world. Now people worry because they see that Canada might be buckling under the pressure by the United States to test the nuclear Cruise missile and I wonder what these people will think about Canada if that should happen.

I am not advocating unilateral disarmament. I don't think anyone is, but definitely people have to start talking. The dialogue must start now, if it's not already too late, so that we can bring about a multilateral disarmament.

The vast majority of Canadians are against the development, the deployment of the Cruise missile in Canada. Some polls say that 53 percent of Canadians oppose the testing of Cruise missiles, and contrary to the remarks made by the Member for Fort Garry, these people are not against Canada's peacekeeping role in the Western Alliance. In fact, they refuse the testing of the Cruise in Canada, and in doing so they play a positive peacekeeping commitment role within the Alliance, NATO. To refuse the Cruise testing in Canada does not at all imply support for unilateral disarmament, nor is it a rejection of our commitments to NATO. Even the Prime Minister has so stated himself.

The members opposite believe, as Reagan, that the more nuclear arms, the greater the deterrent, to the point of damaging their economy countries have now embarked on this particular path, creating unemployment, cutting back social services and multiplying the risks of nuclear war. Is it not enough that the nuclear powers are already in a position to destroy the planet many times over? To increase the number of nuclear weapons simply forces the other side to follow suit and thereby again increasing the possibility of nuclear war.

Canada can and must play an intermediary role to force the nuclear powers to negotiate. To negotiate to stop producing nuclear armaments now and then start reducing the number of weapons they have in stock. Even the Federal Government has stated that our commitment to NATO does not include commitments to the testing of the Cruise missile. Therefore, our opposition to the testing of this weapon is a logical one because it is, as other members have already stated, a weapon which must exert an escalating pressure on the opposition to also develop similar weapons because it is so difficult to detect.

My colleague for Thompson in his speech put this issue and our position in the proper perspective, and in a parallel line with John Diefenbaker's position against the deployment of the Bomarc missile some 20 years ago. His, that of Diefenbaker I mean, was an expression of Canadian sovereignty, not an expression of anti-American gesture.

A lot of the members across I've heard them say - well similar protests do not take place in eastern bloc countries, do not take place in Russia. We can't be sure of that, but I suppose they are quite correct. But had they the freedom to do so, I am pretty sure that we would see them doing the same, because after all they do not want to be destroyed either.

The fact is we have the freedom to so express ourselves, and I think we should make use of that freedom to do so, because if we don't, maybe we follow in the same path and the same kind of system that

they have over there. I hope that if enough people in the free world say it, that the Russians will also get the message.

Nuclear weapons acceleration on both sides must alarm us, because with each additional weapon we come closer to the day of reckoning, closer to the day of holocaust. A coalition of disarmament groups is currently challenging in the courts the testing of the Cruise missile in Canada, based on Article 7 of the Charter of Rights and Freedoms, which states "Everyone has the right to life, liberty, and security of a person, and the right not to be deprived thereof, except in accordance with the principles of fundamental justice."

It will be argued that the proposed Cruise missile testing is an infringement of that right to life, and security, because of its contribution to the nuclear arms race.

As veteran U.S. Arms Control Consultant, Arthur Massey Cox says in his new book "Russian Roulette, and I quote, "There is no need for any more NATO missiles unless there is an intention to adopt a policy of nuclear war fighting." Soviet strategic weapons with a slight change in trajectory can destroy European cities, and NATO's Poseidon submarines, each of which carries enough multiple warhead missiles to destroy all major cities in the Soviet Union.

Neither the SS-20's, the Pershings, or the Cruise missiles are required. None of these weapons are required. Deployment is simply - and I'm saying none of these on either side - their deployment is simply an acceleration in nuclear armaments and simply brings us closer to nuclear disaster. Canada's Defence Minister, Gilles Lamontagne, says "NATO's nuclear posture in no way represents a policy of seeking to fight and win a nuclear war." That may not be NATO's policy, but it certainly is the policy of the Reagan regime and the Andropov regime at the moment.

When the \$180 billion program to expand the U.S. strategic nuclear capability was announced in 1981, it was intended the Pentagon said, and I quote, "To enable the United States to regain nuclear superiority over the Soviet Union within this decade, and to enable it to fight nuclear wars from a limited strike to an all-out exchange."

Further, a 136-page document leaked in Washington outlines the Pentagon's plans for winning an extended nuclear war, as well as for a waging war in outer space. All military experts know and admit that you cannot avoid a strategic nuclear exchange once you start the flexible way with tactical nukes in Europe.

In an article which appeared recently in the Ottawa Citizen, January 11th, 1983, Richard Wynn writes "Nuclear weapons have been in existence for a third of a century. Two factors now make their existence intolerable; the first is efficiency, and the second is inefficiency, because on both counts we can fail." Further he says, "The two sides at least now feel the need to be seem to be trying to come up with ideas for arms limitation."

Further in this article he says "This decision about Cruise missile testing amounts to one of those rare occasions when Canada has to stand up in full international view and actually be counted on one side or the other. By signing the document, Trudeau will commit Canada irrevocably to the nuclear build-up.

Any subsequent musings by him about the horrors of nuclear holocaust would not be so much irrelevant as ridiculous. By not signing the document, he would precipitate a major diplomatic breach with the U.S. The decision obviously isn't an easy one, but in the end the choice is clear. However necessary for purposes of defence the nuclear build-up appears to be, it is in essence insane. Perpetuated, it will lead one day to a blowup much more probably by accident or misunderstanding than by design."

After all we have to remember, Mr. Speaker, that it was the Prime Minister of Canada in 1978 who proposed his policy of suffocation; a policy which made the following progressive proposals: a comprehensive nuclear test band, an agreement to stop flight testing of all new strategic delivery vehicles, an agreement to prohibit all production of weapons of fissionable material, an agreement to limit and then to reduce military spending.

After having stated this, we reach a point where we're, as a Government of Canada, considering allowing the testing of the Cruise. I fail to see the logic between these two positions. I fail to see how, for instance, social spending in Canada last year was cut by \$2.5 billion, and we have committed ourselves to the spending of \$10 billion, and part of which was recently announced in the frigates and whatnot.

Mr. Speaker, it was the Prime Minister of Canada who said at Williamsburg, and I quote, because the words probably would not be suitable, or acceptable in this House otherwise, "We must bust our bloody asses for peace." Well, if we talk on one side of the mouth and we do the opposite on the other side, Mr. Speaker, I don't see ourselves doing that much in that direction.

An article . . .

MR. SPEAKER: Order please. I note that in Beauchesne it forbids members from using unparliamentary terms by putting them into the mouths of someone else or for reading unparliamentary expressions into the record. They say that partially is a warning to other members that the habit of doing so does not spread in this House.

The honourable member has one minute remaining.

MR. G. LECUYER: Well, I guess, Mr. Speaker, I cannot very well take away from the record the words that were said. I guess I'll have to apologize for the Prime Minister of Canada for using the foul language.

Mr. Speaker, an article or a magazine recently was sent to all of the members of this House, it's called: "A CUSO Journal for 1983," titled "People need Water, not Weapons." It has numerous articles which I think I would recommend all members read.

In the editorial comment, Maureen Johnson states: "The two largest and most dangerous issues facing us today are the spiralling out-of-control arms race on the one hand and the spiralling out-of-control process known by the euphemism 'underdevelopment', which simply adds up to poverty, destitution and injustice in the world." What is she referring to, Mr. Speaker? She is referring to the fact that our economies have been suffering in the last three years, that people have been unemployed by the thousands.

The first article in this review reports on a conference which was held recently, the Canadian Council for

International Co-operation, and it was held purposely at the same time as the 21st High Technology Institute Industries Export Conference in Ottawa. Both conferences went on at the same time.

In this first article, the . . .

MR. SPEAKER: Order please. The honourable member's time has expired.

Does the honourable member have leave to continue? (Agreed)

The honourable member has leave to finalize his remarks.

MR. G. LECUYER: The speakers of this conference, Mr. Speaker, presented strong arguments that the arms build-up is ill-advised, counterproductive and courting disaster. They have gone on to show that many of the countries, especially the developing countries' economies are in such bad shape because they have been spending so much money on nuclear disarmament.

A MEMBER: Armaments.

MR. G. LECUYER: On armaments. We know what happened in Iran and the fall of the Shah there was mainly due because of excessive spending on armaments.

Ken Shipley, the Director of the Canadian Council for International Co-operation Board and a member of CUSO states: "It is projected that total global international development assistance over the next five years will equal world military expenditures over the next four days. Clearly, things are badly out of whack," he says. CUSO is now 22 years old; we have done good development work over the years and have grown and improved as a development agency. Yet the disturbing thing is that most of our host countries are worse off today than they were in 1961, both relatively and in most cases absolutely. Something is wrong.

More and more leading thinkers are laying at least some of the blame at the feet of the military industrial complex. Money and resources devoted to militarization are not available for civilian purposes. Military expenditures do not contribute to the productive capacity of domestic economy. This is particularly critical when Third World countries feel compelled to spending increasing amounts on military goods, but the view is also becoming more prevailing that military spending as contributed to the present world economic crisis.

I would like to end by quoting again from Doug Roche, the MP in Ottawa, when he says: "I came to the conclusion that it will little avail us to design the orderliness of the post 2000 era in developing terms if we are not first able to assure the survivability of the world to reach the year 2000. So, for me, survivability became the key to economic and social progress, let alone justice. I came to the recognition that development, all the things I have stood for so long, demands disarmament.

Thank you.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I truly had not intended to enter this debate, but comments made by some of the members opposite have prompted me to do so, partly because of what I see as the fallacy of their logic and the inconsistency of the positions which they take, and the fact that I believe they have misinterpreted the actions taken by the Right Honourable John Diefenbaker some decades ago. Mr. Speaker, I intend to deal with that issue in some detail. I don't pretend to have a vast understanding of all of Mr. Diefenbaker's background at all, but I do know that the situation is not as portrayed by the members opposite.

First of all, Mr. Speaker, let me acknowledge or place my position on the record, of course, that I, the same as the members opposite, abhor the possibility of a nuclear conflict taking place. I view as madness any contemplation of limited nuclear war but, Mr. Speaker, where we begin to differ, of course, is on what set of circumstances or what actions are most likely to prevent that world catastrophe from taking place. That's where we clearly have differences with the members opposite.

I certainly do not put myself forward as being especially knowledgeable in the area of armaments and defence, but I do know a few of the fundamental facts, Mr. Speaker, that we have had in this world now of sufficient nuclear weapons to essentially destroy the world for some decades. That hasn't happened, and many people will argue that it hasn't happened because of the balance of terror, the horror of contemplating what the results would be.

There was a period of time, of course, when one nation had a nuclear monopoly and, Mr. Speaker, had they chosen to do so at the time, could have achieved the dream of many dictators, that of world domination. The United States chose not to do that, Mr. Speaker, even though they had complete nuclear domination.

Mr. Speaker, while we are on this topic, I would like to put one other thing on the record concerning the bombing of Hiroshima and Nagasaki that has been, of course, decried by many people. Of course, it was a tragedy of immense proportions, but, Mr. Speaker, one should not lose sight of the fact that had that not taken place, there is, in my view, a great likelihood that people in the world, not realizing the immense destructive power in nuclear weapons might well have moved to a much greater conflagration in the absence of those two bombs having actually been employed, because if one had not actually seen the results of what happened, I believe that the human mind generally would not be able to comprehend the awesome power associated with a nuclear explosion. Although hundreds of thousands of people died and suffered and continue to suffer as a consequence of those attacks . . .

A MEMBER: Why the second bomb?

MR. B. RANSOM: Well, Mr. Speaker, there are reasons for why the second bomb. I am not about to go back and debate from the perspective of 40 years later what was right or what was wrong, but, Mr. Speaker, I have recently had the opportunity to read a book, I don't just recall the title, written by a French journalist who was in Japan during the War. Perhaps the honourable members opposite will be familiar with the fact that although there are a great many books dealing with

the war in Europe, there are not very many books that actually deal with the war in Japan itself; what life was like in Japan, how the people behaved, the relationship that they had to the government, the infighting that was going on within the government, the intrigue that was taking place between Japan and the Soviet Union, and the problems that they had between various factions in the government in Japan and the position of the Emperor.

Sir, for various reasons, there were two bombs dropped. I simply put forward the position that the sacrifice that those people made - it hardly can be called a sacrifice, I guess, because they had no part and no choice in it - but the suffering and the destruction may well have prevented far far greater destruction in the world in the decades that followed that period of time.

Mr. Speaker, the members opposite seem to place additional or greater faith than I do in the USSR, in the goals of the USSR and of the statements made by the USSR. I am sorry, Mr. Speaker, but I don't happen to share the same kind of faith in what is said by the Soviet Union, because the basic doctrines of communism are based upon world revolution and power flowing from the barrel of a gun. When you have Khrushchev sitting in the United Nations and hammering his desk with his shoe and saying, we will bury you, Mr. Speaker, I am afraid that I tend to have a much much greater fear of what the USSR is likely to do than I do of what our friends, the United States, are likely to do.

I don't share the same views that the Prime Minister of Canada shared when he stood on the deck of that Russian frigate and talked about the great fear that Canadians had of the United States. I don't accept that position, Mr. Speaker. I realize that the members opposite naturally hold a genuine position in their abhorrence of the possibility of nuclear war, but how to bring it about, how to prevent that from coming about is where we differ. The members opposite seem to feel that by weakening the technical capacity of the Western World to wage war, that somehow lessens the probability of war taking place. I have difficulty in accepting that argument, Mr. Speaker.

Mr. Speaker, I would like to quote some of the things that Mr. Diefenbaker said, because the members opposite keep bringing up the Bomarc issue as though that was some abhorrence that Mr. Diefenbaker had of the nuclear warhead itself. The issue hinged more around sovereignty and control of the weapon than it did for the weapon itself. If the United States had said, we will give you nuclear warheads for your Bomarcs and they will be exclusively under your control, Mr. Diefenbaker would have had them.

The question was: Who would retain control? It was a question of sovereignty. Of course, there was also a question of whether or not there would be an option for a conventional warhead to be placed on the Bomarc. That may have been the original intention, to go with conventional warheads, but when the United States didn't proceed that way, of course then that limited the choice and ultimately the Bomarc was a bust as a weapon in any case.

But the members opposite shouldn't present that situation as being a position that John Diefenbaker had taken simply against nuclear weapons, because he said

- if I can skip from quote to the quote, Mr. Speaker, - he said, for instance, "We cannot as rational human beings accept as inevitable the thought of a world laid waste by nuclear warfare, but that possibility cannot be denied. Contemplate it, we must. Accept it, we cannot. The shadow of nuclear war makes it mandatory that we strive for a solution of the difficult problems which beset freedom-loving nations." That was a quotation from a speech made by him in June of 1959.

When one couples that with another statement which he made in 1963, and I quote again, Mr. Speaker, "We have spent billions of dollars on defence since World War II. Much of which has spent might be considered by some to have been wasted, but if it had not been for the defences we've built up and those associated with us, our freedom might long since have disappeared. It was not a mistake to take measures to ensure the necessary security on the basis of the information we had then, even though in light of subsequent events some of the things that were done had been proven, as with every country, to be unnecessary."

Mr. Speaker, I take those two comments as very strong evidence that Mr. Diefenbaker's position differs very little from the position that I would take.

In fact, I find myself completely comfortable reading the positions that were taken by John Diefenbaker. He certainly recognized the potential world disaster that would be associated with nuclear war and he found that unacceptable and he said that we must work towards solutions, but at the same time, he didn't advocate lessening the defences of Canada. He says, of course, it was not only for the defences we built up and those associated with us. Well, Mr. Speaker, who was most associated with us if it wasn't the United States?

So Mr. Diefenbaker's position is not one that the members opposite should be putting forward in defence, somehow, of their position that the Cruise missile should not be tested in Canada. I think that draws an extremely long bow to put forward that position on the basis, at least, of the information that they have provided to us at this point.

Mr. Speaker, there was another comment that Mr. Diefenbaker made in 1970 and I'll quote again. He said, "It is sometimes contended by a vociferous minority that Canada should withdraw from her defence commitments. I have no ear for the lullabies of the neutralist, neither have the overwhelming majority of Canadians."

Now, Mr. Speaker — (Interjection) — Well fine, the member says if he was here today. Mr. Speaker, what do we have but the record of a man's actions and his statements and for another person 20 and 30 years later and some years after that great Canadian's death to say, if he had been here this is what he would have done. Mr. Speaker, I find that a little difficult to accept from the members opposite.

Mr. Diefenbaker didn't accept the neutralist approach and he saw that the defences that Canada had built up and that their neighbours had built up had protected the freedoms that this country had. Even though there were vast sums of money spent, he defended that and he said that even though, as years passed, one could see that at the time - perhaps in the light of additional information - it had been unnecessary but it wasn't evident at the time. One has to act on the information

that they have at the time that a decision must be taken, and that is what he did.

Mr. Speaker, let me give a few other quotes. This is what Mr. Diefenbaker had to say about the Soviet Union, because Mr. Diefenbaker had rather a great - what's the word - I hate to use a word myself that perhaps wouldn't be reflective of what he would have said, Mr. Speaker, so let me just read the quotes. He said, and I quote: "The Soviets smile but at the same time they try to create and foster discord among the members of the United Nations. Coexistence is a seductive word, one of their smartest pieces of propaganda ever developed in the use of that word." That was a quotation on June 20, 1955.

A further quotation: "There can be no double standard in international affairs. I asked the Chairman of the Council of Ministers of the U.S.S.R. to give to those nations, under his domination, the right of free elections; to give them the opportunity to determine the kind of government that they want under genuinely free conditions." That was a quotation of September 26, 1960.

A further one: "If the Soviet system is paradise, why is it that the people of West Berlin do not beset the Brandenburg Gate and beseech the burgomaster of East Berlin for citizenship?" That was a quotation on August 15, 1961.

A further quotation: "Why should a powerful nation stoop to deprive its citizens of their religion and of the traditional symbols used in religious observance? What justification then can there be to deprive Jews of unleavened bread at the Passover?" April 4, 1962.

A further quotation, Mr. Speaker: "They said I shouldn't annoy Mr. Krushchev. I don't want to annoy him. All I want to do is to give his people the same freedom as others. He made his speech asking Britain and France why they had not ended colonialism. I said to him, physician heal thyself." June 11, 1962."

And a further one: "Why, why not speak out? What do we lose by letting the U.S.S.R. know that there can be no justification, moral or humanitarian, or on a national security basis for the kind of thing that Solzhenitsyn deals with in such detail. For years the purveyors of silent diplomacy, along with some of their

sycophance in the educational institutions of our country, led Canadians to believe that all was well in the U.S.S.R." That was December 5, 1974, not all that long ago, Mr. Speaker.

On the basis of the assessments of the statements made by that great Canadian, who had a knowledge infinitely greater than any member of this Assembly had about international affairs, I feel that my skepticism and indeed my fear of the long-term goals of the Soviet Union are well-founded, Mr. Speaker. They are well-founded on the basis of statements made by a great Canadian like Mr. Diefenbaker. They are well-founded based upon the actions that the world has seen undertaken by every Marxist, Communist, totalitarian regime in the world.

There is no example in the world of where people living under the domination of Communism can be said, in any sense of the word, to be free, Mr. Speaker. To somehow expect that we should sit back and judge the positions being taken by the Soviet Union are to be equally trusted, along with the positions taken by the United States, I simply can't accept. Perhaps the members opposite do and if they do, that's their choice to do so, Sir.

This is a resolution that I don't believe, even if the intent of the resolution was carried out, would contribute at this point in history to reducing the danger of nuclear war.

So, Mr. Speaker, I will not be able to support the resolution put forward by the Member for Inkster.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I was about to give a few views on this question, but I know members are concerned it is almost 5:30 - I think there's a minute left - so I'll be happy to call it 5:30.

MR. SPEAKER: The resolution then will stand in the name of the Honourable Minister of Natural Resources.

The time being 5:30, the House is adjourned and will stand adjourned until 2:00 p.m. tomorrow (Thursday).