



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	Virден	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

Monday, 15 August, 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

MR. SPEAKER: The Honourable Member for The Pas.

MR. H. HARAPIAK: Mr. Speaker, I move that we present the report from the Standing and Special Committee. I beg to present the Second Report of the Committee on Private Bills.

MR. CLERK, W. Remnant: Your Standing Committee on Private Bills beg leave to present the following as their Second Report:

Your committee met on Monday, August 15, 1983, and heard representations with respect to the bills before the committee as follows:

Bill No. 58 - The Occupational Therapists Act;
Loi sur les ergothérapeutes,

Mr. David Balfour, Association of Occupational Therapists of Manitoba,

Bill No. 94 - An Act to amend The Optometry Act,

Mr. Ron Dorman, Private Citizen,

Ms. Mary Field, Ophthalmic Dispensers of Manitoba,

Mr. Cyril Labman, Solicitor for Pennsylvania Optical, Wintrob Sales Ltd., Jack Austin Drug Ltd.,

Mr. Keith Letts, Manitoba Optometric Society.

Your committee has considered:

Bill No. 36 - The Agrologists Act; Loi sur les agronomes,

Bill No. 52 - An Act to Incorporate The Salvation Army Catherine Booth Bible College; Loi constituant en corporation le Collège biblique Catherine Booth de l'Armée du Salut,

Bill No. 58 - The Occupational Therapists Act; Loi sur les ergothérapeutes,

Bill No. 94 - An Act to amend The Optometry Act,

And has agreed to report the same with certain amendments.

Your committee has also considered:

Bill No. 38 - An Act to amend The Society of Management Accountants of Manitoba Act,

Bill No. 79 - The Engineering Profession Act; loi sur les ingénieurs,

Bill No. 103 - An Act to amend The Law Society Act,

And has agreed to report the same without amendment.

All of which is respectfully submitted.

MR. SPEAKER: The Honourable Member for The Pas.

MR. H. HARAPIAK: Mr. Speaker, I move, seconded by the Honourable Member for Concordia, that the report of the committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Headingley Jail - riot

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Community Services and Corrections. I would ask him whether he has had time to familiarize himself with the insurrection that occurred at Headingley Jail on the evening of August 11th, because I would like to ask him one or two questions relative to that subject, Sir.

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: I have some knowledge of the situation, Mr. Speaker.

MR. L. SHERMAN: Mr. Speaker, I'd ask the Minister whether he can confirm that the City of Winnipeg Police, who operate as backup to security guards and line custodial personnel at Headingley in the event of trouble, arrived on the scene in Headingley and then were unceremoniously dismissed by an official of the Corrections Department?

HON. L. EVANS: Mr. Speaker, I can advise to the contrary.

MR. L. SHERMAN: Well, Mr. Speaker, in advising to the contrary, is the Minister advising that the police never arrived on the scene or that once arrived they remained on the scene?

HON. L. EVANS: Certainly, the police were there for the initial instance, I understand, they were in the building but subsequently they maintained positions outside of the building.

MR. L. SHERMAN: Mr. Speaker, can the Minister then clearly repudiate suggestions that have come to me - and I quite admit they may be inaccurate but I put them to the Minister - can he clearly repudiate

suggestions that have come to me from sources at Headingley that officials of the Corrections division turned the police away and sent them home after they arrived, on the grounds that there was no need for interference by City of Winnipeg Police?

HON. L. EVANS: Mr. Speaker, what I can advise the honourable member as well as other members of the House is that I had a conversation this morning with the Chief of Police of the City of Winnipeg who advised me that he was quite satisfied with the relationships of his staff and the staff of the Correctional Institute at Headingley. He had no complaints whatsoever. He had heard of some queries as the Honourable Member for Fort Garry perhaps is alluding to, but that he was very satisfied that the co-operation was adequate and the matter was generally dealt with satisfactorily.

MR. L. SHERMAN: All right, Mr. Speaker, I accept that from the Minister. I would ask him whether he has had conveyed to him concerns by line custodial officers at Headingley over the fact that no action, apparently, is being taken against the ringleaders or the instigators and that those line custodial officers believe that that kind of response or lack of response by the authorities and by their superiors to that kind of difficulty creates many more problems for them, and really opens up the avenue for inmates at the jail to participate in insurrections of that kind with licence in the future and without fear of any punishment or any discipline?

HON. L. EVANS: Mr. Speaker, I can advise the Honourable Member for Fort Garry that I've not had any direct communication with any line officers that he refers to who have expressed concerns to him, obviously, but I have been in discussion with my staff about the matter and, from our observations, we cannot identify any one, two, three, four or any singular group of people who could be described as so-called ringleaders or organizers of this demonstration or insurrection, whichever term you wish to use.

This being the case, it's very difficult to decide as to who should be disciplined and frankly, Mr. Speaker, it would be an injustice to punish everyone when you do not know who are the guilty parties as opposed to who are the innocent parties. It would not serve the public interest, in my view, to impose some discipline or punishment on many inmates who may be totally innocent in this matter.

MR. L. SHERMAN: Mr. Speaker, would the Minister concur with an MGEA report, resulting from an MGEA investigation of the situation at Headingley, which said that public safety is at risk because of the situation at Headingley and that there is a danger of continuing outbreaks of that kind?

HON. L. EVANS: Mr. Speaker, I haven't had the opportunity to read the MGEA report, although I understand that such a report has been made public and I can appreciate the concerns of the staff at Headingley, as represented by the MGEA. But frankly, Mr. Speaker, there are so many factors at work with regard to the causes of demonstrations or insurrections or riots or whatever, at any type of correctional institute,

whether they be federal or provincial, whether they be in this country or indeed any country in the world, and we are very cognizant of the fact that we should look at ways and means of making improvements. Indeed, this is the very reason why this government appointed the Garson Committee, and I would remind members of the House that this is the first time in the history of Manitoba that a major review has been taken and indeed, is still under way, of the adult correctional system in this province.

The fact that the government has appointed a committee of competent people to review and study the situation, I think, is indicative of our desire and concern that we have as good an organizational system as possible to undertake the responsibilities that we have under the Constitution of Canada with regard to corrections.

MR. L. SHERMAN: Mr. Speaker, would the Minister acknowledge that criticisms raised and leveled by the opposition, inside this House and outside this House over the past year and a half, in the Minister's Estimates and in question period, with respect to security, safety, morale and discipline at Headingley, now are justified, now have been vindicated by the MGEA report and even by what the Minister just said at this moment, notwithstanding the Minister's protestations for the last year that there were no such serious problems?

HON. L. EVANS: Mr. Speaker, I don't believe that I have indicated in the past that there were not certain serious problems that had been raised in this House but the Member for Fort Garry, in the past, has suggested to the House that the reason we've set up the Garson Committee, was because of concerns that he has raised. I have indicated on numerous occasions the basis of the establishment of that committee arose essentially out of study and a tour by myself undertaken last summer, wherein I visited every single Adult Correctional Institution in the Province of Manitoba and talked to dozens of people, senior people, middle-ranking people, line officers as well as others who have a professional interest in corrections in the Province of Manitoba.

I appreciate the honourable member's concern and I welcome his concern. I would only remind him, as I reminded him in the past, if these concerns of his were so great, why didn't he and his government undertake a major study of the Adult Correctional System in Manitoba as this government has undertaken? Mr. Speaker, the problems that exist in this institution are not necessarily new problems. The problems that have been referred to are problems that have been going on for many a year in this province.

Alcan Aluminum Project

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister of Energy and Mines. The news brief has appeared on the wire today which says that the Aluminum Company of Canada will apply to the Provincial Government of B.C. for a permit to construct

an aluminum smelter in that province. Construction could be expected to begin in 1985 and create 1,200 jobs and employ 750 people over the long term. Can the Minister of Energy and Mines advise what knowledge he has of this application?

MR. SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: We had been informed of this about a year ago. Mr. Speaker, by Alcan that they had always had interest in pursuing the Quebec smelter and the B.C. smelter and a Manitoba smelter to serve the interior of North America. The B.C. smelter would serve the far eastern countries and we were always aware of their long-term intentions, Mr. Speaker, to try and phase the developments to relate to seaports, to relate to markets both international and domestic, so this is no surprise to us, Mr. Speaker.

MR. B. RANSOM: A further question to the Minister, Mr. Speaker. It's well known of course that Alcan was negotiating with the Province of Manitoba to construct an aluminum smelter here, but the government said that those negotiations were broken off because of the poor economic circumstances throughout the world. It now appears that Alcan is prepared to proceed with its Quebec expansion and is proceeding to build a new plant in B.C. as well.

Can the Minister advise the House when we can expect to see this government undertake serious negotiations with Alcan to have that company return to Manitoba once again to pursue the avenues which it was following when this government took over in 1981?

HON. W. PARASIUK: Mr. Speaker, discussions with Alcan have been continuing on an ongoing basis between government officials, including myself, and Alcan officials. Those discussions will continue, Mr. Speaker. A lot will depend on the long-term upturn of a market and the actual location of markets.

The Japanese market is still a strong market, Mr. Speaker. There's a lot involved in what is happening in Australia, because Australia was also another source of possible smelter sites so, Mr. Speaker, the discussions continue with Alcan and we would hope that over the long run, there might be something that could be arranged with them or other aluminum companies, but a lot of that will depend on the long-term development of the world economy, Mr. Speaker, which has yet to achieve any type of sustained growth.

MR. B. RANSOM: Mr. Speaker, a further question to the Minister of Energy and Mines. When Alcan first agreed to come to Manitoba and begin their feasibility studies here, it was a fundamental principle that Alcan would be able to own part of a power station. The New Democratic Party, during the election of 1981, said that they would not allow Alcan to have ownership of part of the power station. Can the Minister advise the House whether or not that is still the position of the New Democratic Party?

HON. W. PARASIUK: Mr. Speaker, the Government of Manitoba is not prepared to relinquish to Alcan or Inco

or any firm, ownership of a plant indefinitely into the future, as was the case with the previous administration. We believe that it is important to protect the long-term integrity of Hydro, because Hydro we expect will continue as a resource in this province indefinitely into the future. It is a renewable resource, owned by the people of Manitoba, for the people of Manitoba.

We believe that it is possible for users of hydro-electricity to sign contracts with Hydro, as do people who take on electricity to heat their homes or for other uses, Mr. Speaker, or for other industrial uses. We believe that it's possible for major industrial users - and we've had them in the past - to develop their long-term hydro needs through contracts with Hydro and the position of this government then remains, that we will not give up forever ownership of Hydro plants as would the previous administration.

Unemployment in Manitoba

MR. B. RANSOM: Mr. Speaker, I have a question for the First Minister. Since the development of an Alcan smelter in Manitoba would have resulted in the expenditure of hundreds of millions of dollars on the development of a power station as well as hundreds of millions of dollars on the development of the smelter itself and could have created the sort of jobs which now are going to British Columbia, can the First Minister advise what alternatives his government are putting forward to the people of Manitoba to create long-term, lasting, meaningful employment in this province?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, there is certainly no certainty in respect to any particular course of action pertaining to Alcan; there's no certainty that the project would not have proceeded in British Columbia; there's no certainty that the project as proposed would have proceeded in the Province of Manitoba and, as the Minister has just informed the the Honourable Member for Turtle Mountain, there are ongoing discussions pertaining to Alcan and the Province of Manitoba as to the future viability on the part of both Alcan and the Province of Manitoba entering into an agreement.

MR. B. RANSOM: Mr. Speaker, perhaps the First Minister missed the question which I asked. I'll repeat it. What alternative is his government putting forward to this sort of development? This is the kind of development that should have been taking place in Manitoba and was being aggressively pursued until his government took over. What is the New Democratic Party Government offering to the people of Manitoba by way of replacement to create long-term, meaningful, lasting employment in this province?

HON. H. PAWLEY: Mr. Speaker, I want to advise the honourable member that the economic strategy of this government is not to place all one's eggs in one basket, but rather to have a multifaceted approach in respect to economic development. Mr. Speaker, let me assure honourable members that the Province of Manitoba by way of economic development, by the way of the creation of jobs, by the way of contending with

unemployment has done quite well, very well in comparison to other provinces in Canada and certainly all members, indeed, ought to be pleased that insofar as Western Canada is concerned we have done extremely well insofar as . . .

MR. SPEAKER: Order please.

HON. H. PAWLEY: . . . insofar as the creation of employment. Honourable members may not be pleased to hear that kind of information, I know not for what reason, but insofar as economic direction Manitoba has come out of the recession in a position that is better in comparison to that which has occurred in other parts of Canada in the main, Mr. Speaker. As to future course, future development, with the strength that Manitoba has, whether it be by way of the agriculture industry in the province, by way of mining, by way of oil, manufacturing, transportation, whether it be by way of other kinds of development, Manitoba is in a good, solid position from the point of view of abundance of resource, skilled people and a key location insofar as Canada is concerned, to make substantial and comparatively good progress in respect to its position in Canada. Honourable members ought to take some small pleasure in respect to that.

MR. B. RANSOM: A final supplementary to the First Minister, Mr. Speaker. Since the province is undeniably endowed with great resources, with great opportunity and great potential, will the First Minister consider replacing his Minister of Energy and Mines with someone who is competent to negotiate arrangements for the development of some of these resources?

HON. H. PAWLEY: The people of the Province of Manitoba replaced the previous government and the previous Minister that was responsible in Energy and Mines on November 17, 1981. The people of the Province of Manitoba, I'm satisfied, will judge the competence of this Minister and this government at the appropriate time in the future and there is no need for replacement of one that is doing well under trying circumstances at the present time.

Manitoba School for Retardates

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. L. HYDE: Thank you, Mr. Speaker. My question is directed to the Minister responsible for Community Services and Corrections.

On July 5th, I questioned the Minister if he could confirm whether the North Grove wing of the Manitoba School for Retardates would be closed due to improper fire standards. He indicated to me, Sir, at that time that the amount of money required to upgrade that building to proper safety standards was not justified. The Minister stated how the government planned to look for other options to accommodate the 220 residents who are currently cared for in the North Grove wing. The Minister indicated to me, Sir, at that time, that I was asking a government policy question and that the policy was still not determined.

My question to the Minister is, now that it's 36-or-so days later, could the Minister inform the House, my constituents, and possibly more important, Mr. Speaker, the parents and the guardians of those 220 patients of that wing, whether the government has a policy and what it is.

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, as the honourable member may know, we have been receiving advice from many groups in Manitoba with regard to the care and treatment and assistance of the mentally handicapped people of Manitoba, and there are varying views in this regard.

Specifically however, with regard to the North Grove Building, I stand by my original statement that it does not seem to be a feasible idea to spend money in upgrading that particular building for fire safety purposes and this is the advice we're being given by the engineers and others involved.

With regard to looking at options, we have a committee of Cabinet, the Social Resources Committee of Cabinet. Research is being done in this respect and we're looking at various costs. Therefore, I can report to the honourable member that we're still looking at various options, various combinations of future care for a certain number of handicapped people who now reside at the Manitoba School for Retardates.

MR. L. HYDE: Mr. Speaker, I have a further question to the same Minister. I wonder if the Minister could confirm whether or not 10 employees of the Manitoba School have been laid off.

HON. L. EVANS: I can't confirm that statement, Mr. Speaker.

MR. L. HYDE: I wonder if the Minister would look into that question of mine and confirm whether there is such a thing as the 10 employees being laid off at the Manitoba School.

HON. L. EVANS: Yes, Mr. Speaker, we'll look into that matter.

Doctor shortage - rural areas

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

MR. W. McKENZIE: Thank you, Mr. Speaker. I have a question for the Honourable Minister of Health.

Mr. Speaker, to the Minister of Health, in light of the statements that appeared in the Winnipeg Sun, "No shortage of doctors here; immigrant doctors shut out of Canadian practice," and statements that have been coming out of the Department of National Health and Welfare by the Honourable Monique Begin, I wonder can the Minister advise me and the people of rural communities such as Roblin, when these medical services, comparable to the City of Winnipeg, can be provided to these rural communities while this ongoing debate is being thrashed around as to who's getting medical services and who isn't.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, when the rural municipalities can convince the doctors - by the way, we have probably too many in the City of Winnipeg - to go and work in these communities, I think you'll be well served.

MR. W. MCKENZIE: I thank the Minister for basically a "no answer."

I wonder can the Honourable Minister advise me and the Community of Roblin, how long can one doctor serve the Town of Roblin, about 2,500 population, 7 days a week for months and months on end? How long do he and the department expect one doctor to stand up under those trials and tribulations and provide medical services? That's only the Town of Roblin; that's not talking the outlying areas. How long does he expect one doctor to carry on under those conditions?

HON. L. DESJARDINS: Mr. Speaker, the question was, when are they going to have more doctors in the rural areas - and it was an answer. The answer to my honourable friend was, when the communities can convince the doctors to move to and work in these communities, that's when they'll have the doctors.

In the meantime, is my honourable friend suggesting that the government should draft the doctors and force them to go in certain areas? If that is the suggestion, I'll be very pleased to hear from my honourable friend.

MR. W. MCKENZIE: Mr. Speaker, the statistics that appear in the Winnipeg Sun says that Manitoba is served by one doctor for every 542 people. Here immigrant doctors are shut off; they're not allowed to go and practice in rural Manitoba. Am I the MLA, the one that's supposed to get the doctors? Can I ask the Honourable Minister, is he prepared to go the Medical College at the university and set up regulations or some kind of guidelines for the students who are graduating from the Medical College and see if they can't go out and serve these rural communities for two or three years, under the terms and conditions of their graduation?

HON. L. DESJARDINS: Mr. Speaker, yes, I would be willing to do that. If I remember, not too long ago, the members of the party of which my honourable friend is a member, criticized me for suggesting that should be looked into. Now another thing, I don't think it would be right to have more doctors that are coming from other countries and so on, when we have too many doctors here.

The point is, we must find a way, with the medical profession and so on, to either hire the doctors beforehand, before they finish their education, with the understanding that, yes, they would serve a certain number of years in rural areas, remote areas and the North. Yes, I think it will have to come to that. One of these days we might have to look at the numbers and give numbers here for the doctors in the City of Winnipeg.

MR. W. MCKENZIE: Mr. Speaker, I think the Honourable Minister put his finger right on the problem. He said, we have too many doctors here in the City of Winnipeg.

I'm wondering, is the Federal Minister, in his ongoing discussions about the quality of Medicare they're providing the people of this province and especially rural areas, is the Federal Minister prepared to deal with this Minister on that subject matter before we get into any more debates about who is getting what out of Medicare?

HON. L. DESJARDINS: Mr. Speaker, that question should be asked of the Federal Minister. We're not getting that much discussion as it is now. I doubt if they would want to open discussions on something which is the responsibility of the province. I don't think we'd be too anxious to discuss that situation with them unless it is an understanding of my colleagues in other provinces that we follow certain guidelines, and that might be advisable.

Labour liaison officer

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, my question is to the Minister of Economic Development. Last week she indicated to the House that Mr. Fullerton's contract had been signed and also said that she would be tabling it. I wonder if the Minister is prepared to table that contract now.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Yes, Mr. Speaker, I just happen to have some copies of that contract here and I'm prepared to table it.

Nicholl Report

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is for the Honourable Minister of Education. It is now almost seven weeks since Dr. Nicholl's Report on Education Finance in the province was promised. When can we expect that report to be tabled, Mr. Speaker?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, we're going to table the report as soon as we can, recognizing that it's one of the most complex and comprehensive reports on education finance that has been done in the Province of Manitoba for some 20 years.

As I indicated when the question came up before, we recognize that school boards are bringing in their budgets and that they're going to have to make decisions as quickly as possible. On the other hand, we're not going to rush it. We're going to take the time that is needed to review it, and I hope to be able to make it public in the near future.

MR. G. FILMON: Mr. Speaker, last time I asked the question, about two weeks ago, the Minister indicated that it was the proceedings of the House that were

preventing her from tabling the report. Is the Minister concerned that the report ought not to be tabled while we're still in the Session in case there's anything controversial in it?

HON. M. HEMPHILL: Mr. Speaker, I'd like to remind the Member for Tuxedo that this education finance review was the first of its kind in terms of being a review that involved the public. I think that for the first time in the history of Manitoba - perhaps not, I don't have information that goes all the way back - but for a long time, the review is done that allowed input from the public. We had 150 briefs and presentations. I have committed myself to an education finance review that involves the public, and I think I indicated before that once we table it and provide it, we will allow some input and reaction again, so it's built into the process. We won't be neglecting that.

MR. G. FILMON: Mr. Speaker, in view of the fact that a recent survey of public school trustees indicated that more than three-quarters of them favoured public support to private schools, will that continue to be a cornerstone of the government's position with respect to funding?

HON. M. HEMPHILL: Mr. Speaker, since all grants, all funding, all revenue dealing with education finance are part of Dr. Nicholl's responsibility, and are going to be contained in the report, it's premature to pull out any individual grant or financial formula and respond to it. He will be recommending on all of them, and we will be discussing and dealing with all of them.

Jobs Fund

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: I have a question for the First Minister, Mr. Speaker.

In his presentation dealing with employment which the First Minister made to the conference in Toronto last week, he alluded to an employment program to be carried out during the winter months. Can the First Minister advise whether this is an extension of the present Jobs Fund, or whether there will be new funding over and above the \$200 million mark which is alleged to be available for the present Jobs Fund?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: First and foremost, many of the projects that have been announced up to this point will involve main construction during the winter months, whether it be by way of the Fire Training Centre in the City of Brandon, by way of the Earth Sciences Building at the University of Winnipeg Field House. Most of the projects' design work, tendering will be taking place within the next few months and the construction will be under way in peak form during the winter months. Insofar as other actions that may be necessary, they will depend upon on what the employment circumstance is during the winter months.

I should also just add that, of course - and the honourable member is probably aware of this insofar

as the municipal and community works project is concerned - it will be basically a winter program with the applications being received from municipalities and from community groups, responses being granted to those applications later this fall for construction work during the winter months.

MR. B. RANSOM: So, Mr. Speaker, there really is nothing new, a plan for the winter program then. Can the Minister advise whether or not he even contemplates any additional funds being made available?

HON. H. PAWLEY: That will depend upon the unemployment figures during the winter months, if the unemployment situation is one that worsens during the winter months then it would be the responsibility of this government as it would for any government, to examine and to undertake such programs as may be appropriate at that time to deal with any rising levels of unemployment.

Certainly as far as the Jobs Fund is concerned, the significant impact by way of the non-residential construction portion of that program will mainly impact the employment figures during the winter months.

MR. B. RANSOM: Mr. Speaker, a further question to the First Minister. Over the past two weeks I have been placing questions to the Deputy Premier and to the Minister of Health in his capacity as Acting Premier last week, seeking information from the government as to just how many jobs have been created under the Jobs Fund, how much money has actually been allocated. To date, that information has not been forthcoming, and now that the First Minister is back from the First Ministers' Conference, will he undertake to get that information to the House by tomorrow?

HON. H. PAWLEY: Mr. Speaker, certainly we can obtain that information provided to the member in question for the number of jobs that have been created up to a certain point, July or August of this year, a certain date, and also insofar as the amount of monies that have been allocated. I think it was indicated to the honourable member that the budgetary amount has been fully allocated.

MR. B. RANSOM: A supplementary then following upon the First Minister's statement that the budgetary amount has been fully allocated. Has, in fact, more money been allocated than is available in the budgetary portion of the funding?

HON. H. PAWLEY: Mr. Speaker, insofar as the allocated sums, there may very well be some excess, but insofar as the flow of monies are concerned, because of the construction process, it's likely that the allocated sum may not likely be reached by the end of the fiscal year.

McKenzie Seeds

MR. B. RANSOM: Mr. Speaker, I have a question to the Minister responsible for McKenzie Seeds. Has the Minister responsible for McKenzie Seeds had an opportunity to discuss the current situation there with Mr. McDowell, the Chairman of the Board, at some point during the past two or three weeks?

HON. L. EVANS: Yes, Mr. Speaker.

MR. B. RANSOM: Mr. Speaker, the Chairman of the Board of McKenzie Seeds, Mr. McDowell, has indicated that he has seen nothing wrong with one Phyllis Poets working as manageress of the Carillon Card Shop in Brandon, a firm owned by present or previous employees of McKenzie Seeds, while at the same time holding a full-time position with McKenzie Seeds. Does the Minister concur in the statement made by Mr. McDowell that, indeed, that situation did not represent a conflict of interest?

HON. L. EVANS: Mr. Speaker, the honourable members asks a question dealing with the ongoing management and administration of the McKenzie Seeds Company. I'd remind the honourable member that the chairman is one member of a board that has responsibility for overall guidance and direction of the company but we also have an interim Chief Executive Officer, Mr. Harold Grant. Those matters are matters that are being dealt with by the present management and board of McKenzie Seeds, that is, the ongoing day-to-day affairs of the company. If there are any difficulties, I'm sure they will deal with it appropriately.

MR. B. RANSOM: Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds. Has the Minister been able to satisfy himself as to the earliest point at which the present board of directors were advised about possible conflicts of interest at McKenzie Seeds?

HON. L. EVANS: Well, the honourable members asks a rather general question. Certainly, Mr. Speaker, the information that has been gathered by the Provincial Auditor and I believe the honourable member has obtained some of that information directly from the Provincial Auditor.

MR. B. RANSOM: No, I've obtained nothing from the Auditor.

HON. L. EVANS: Well, my understanding was otherwise, but regardless, some of the conflict of interest situations that occurred were those that occurred back when the honourable member's party was in the Government of Manitoba and when their particular board was in control of the McKenzie Seeds Company. Well, Mr. Speaker, I can advise the honourable members that the Auditor's report will indicate that there were certain conflict of interest situations that existed and occurred during the administration of the previous government.

MR. B. RANSOM: Mr. Speaker, a further question to the Minister. Has the Minister been able to determine whether or not the board of directors or the audit committee of the board of directors had been informed of the possible conflict of interest situation at a date substantially prior to it being raised in the House, or substantially prior to the letter which the Minister of Finance tabled earlier?

HON. L. EVANS: Mr. Speaker, my general impression is that certainly if there was any major, serious conflict

of interest situation that existed that the board would certainly have dealt with it in that time.

Premiers' Conference

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

MR. G. MERCIER: Mr. Speaker, my question is to the First Minister. Now that the First Minister has returned from the Premiers' Conference last week where he was surrounded by Conservative Premiers from other provinces and he is now back amongst his socialist colleagues, can he advise the House whether he has overcome those feelings of loneliness that he spoke about last week?

HON. H. PAWLEY: Mr. Speaker, let me assure you that once I walked into my caucus and saw all the friendly faces of my caucus today, the feelings of loneliness that I was burdened with last week were suddenly removed.

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

ORDERS OF THE DAY COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: Mr. Speaker, on Law Amendments, the Member for Osborne for Churchill, and Concordia for Seven Oaks. Industrial Relations, Radisson for Churchill, Inkster for The Pas. On Agriculture, The Pas for Transcona. Statutory Regulations, Brandon East for Lac du Bonnet, and Wolseley for Radisson.

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Mr. Speaker, I also have some changes on committee. Industrial Relations, Filmon for Mercier, Oleson for Enns. Agriculture Committee, Enns for Gourlay.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, will you please first call the report stage of Bills 82 and 106 and that, Sir, will be followed by going into Committee of the Whole on 55, 75 and 93 and then we'll begin going through the third reading.

REPORT STAGE BILL 82 - THE JURY ACT

MR. SPEAKER: On the report stage of Bill No. 82, shall the Report of the Committee on Bill 82 be concurred in?

The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, with respect to this amendment, I wonder if the Attorney-General could,

when he perhaps closes debate on his amendment, indicate whether he has had an opportunity to review the proposed amendment with groups like the Trial Lawyers Association and the appropriate committee of the Manitoba Bar Association. We, on this side, Mr. Speaker, certainly in principle, support this type of amendment but the Attorney-General did, when this bill was in Law Amendments Committee, indicate a true and genuine concern at that time, I think, that the most often used criticism of a jury trial was that the jury was fixed and, I believe, I'm quoting him accurately and I wonder if he has discussed this amendment with those groups who would be concerned, particularly about that aspect.

MR. SPEAKER: Are you ready for the question? The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, that's a very valuable suggestion from the Member for St. Norbert and I undertake to confer with the groups mentioned by him. It may be that, if there are concerns - and I've heard none but that doesn't mean that there aren't any - we may have to come back to that particular section next Session. But certainly I will see whether time permits to get in touch with some of the groups very quickly before the end of this Session but, if not, I can assure him that concern will be addressed.

QUESTION put on the amendment, MOTION carried.

QUESTION put, MOTION carried.

**BILL 106 - AN ACT TO AMEND AN ACT
RESPECTING THE TAXATION OF THE
CANADIAN
PACIFIC RAILWAY COMPANY BY THE CITY
OF WINNIPEG
AND TO AMEND THE WINNIPEG
CHARTER, 1956**

MR. SPEAKER: On the report stage of Bill 106, shall the report of the committee on Bill 106 be concurred in?

The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I had an amendment prepared by Legislative Counsel, but I have been unable to obtain a seconder, so I will simply speak against the report stage.

MR. SPEAKER: Order please. Would the honourable member move his motion?

MR. R. DOERN: Well, Mr. Speaker, then I will move my motion in the hope that I will obtain a seconder for the purpose of debate.

I move that Bill 106 be amended by striking out the figures "1989" in the proposed paragraph of the Preamble to an Act to amend an Act Respecting the Taxation of the Canadian Pacific Railway Company by the City of Winnipeg, and to amend The Winnipeg Charter, 1956, as set out in clause 1(d) thereof, and substituting therefor the figures "1983"; and

(2) by striking out the figures "1988" in the 3rd line of clause 2(a) thereof and substituting therefor the figures "1982"; and

(3) by striking out clauses 2(b), (c) and (d) thereof and substituting therefor the following clauses: (b) by striking out the figures "1988" in the 1st line of clause (c) thereof and substituting therefor the figures "1982" and (c) by striking out clauses (d) and (e) thereof; and

(4) by adding thereto at the end of Section 3 thereof the words and figures "but it is retroactive and shall be deemed to have been in force on from and after January 1, 1983."

Moved by myself and seconded by the Honourable Member for Burrows.

MOTION presented.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Thank you, Mr. Speaker. Mr. Speaker, I'd like to thank the honourable member for allowing me simply to put this in motion as an amendment to the bill, because it seems clear that both the government and the opposition are not in favour of the amendment. I wish to explain my reason for proposing it.

Mr. Speaker, it was, in fact, a decision of the New Democratic caucus and therefore the government, that a private member's resolution would go forward to bring the tax concessions that the CPR had for a century in Manitoba to an end. That first began, Mr. Speaker, a couple of years ago when I proposed a private member's resolution calling for an end to these tax concessions and giveaways, and that motion did not proceed. At that time it was the Lyon administration. A number of members from the Conservative Party were opposed to such a proposal. It was not until a year ago, in 1982, that a private member's resolution came into the House which I drew up and it was, in fact, carried with the support of the government caucus.

Mr. Speaker, I would like to just quote the resolve portion of that amendment which was: "THAT the agreement between the CPR, the City of Winnipeg and the Province of Manitoba be reopened so that the railway will commence paying 100 percent of its assessed value by the end of 1982." Mr. Speaker, that was, in fact, carried, that was, in fact, voted on at the end of the Session and that was, in fact, the mandate which the Minister of Urban Affairs had when he began a negotiation with the railway and the City of Winnipeg. Mr. Speaker, that always struck me as odd, because the Minister then went through almost a year of negotiations when, in fact, he had a mandate to legislate. It really wasn't necessary for him to open discussions with the railway because he, in fact, was calling for a complete end to the taxation privileges that the CPR had had. So, instead of legislating an end, he began to negotiate; instead of calling an end to this privilege that the railway had, he wound up providing them with a six-year extension.

Mr. Speaker, I would like to remind you that the railway from 1881 to 1953 paid no taxes in the City of Winnipeg, and it was only in the year 1954, of their own accord under pressure and stress from the citizens of Winnipeg and many mayors in the past, that they began to voluntarily pay a 25 percent figure. Then, finally they

were forced by the Roblin Government to introduce a measure in 1965 in which they would pay 50 percent until 1972, 60 percent from '73-80, and in 1981 to '88, 70 percent. So that's the level that we're at. If this had been extended, if this agreement had been allowed to run its course, it would have required the railway to only pay their fair share of taxes in the year 2005. Mr. Speaker, it is because of that background and because of the changing conditions that a private member's resolution was introduced into this House.

Mr. Speaker, things have changed in the last 100 years. Winnipeg is no longer a city of 8,000 people; it is now a metropolis of 600,000 people. The railway has grown from a railway company to a giant conglomerate that owns a steamship company, an airline, oil and gas, investments, real estate and many other investments and corporations.

Mr. Speaker, there are ads running nowadays in Maclean's magazine showing a portion of the Canadian Pacific empire, Canadian Pacific Enterprises Limited, which does not include the railway, and they list their assets as \$11 billion. So, Mr. Speaker, why are we, as the representatives of the people, dickering and allowing this corporation to get off the hook? I mean, does anyone in this Chamber honestly believe that the CPR hasn't had a good deal up until now? They have saved, depending on how one would calculate their taxations, millions and millions and millions of dollars and if they're taxed now, if their full tax is just under \$2 million, and you were to take that back and calculate an amount and compound it over 100 years, then you would come up with a figure that could run \$100 million or it could run a couple of hundred million, Mr. Speaker.

I must say that I am disappointed in the fact that the Minister of Urban Affairs went in and started to negotiate with the railway and came out with an agreement whereby, in 1983, the railway would pay 70 percent; in 1984, they would pay 70 percent; in 1985 and 1986, they would pay 80 percent and then in '87 and '88, they would pay 90 percent. What he did, in effect, was to give them six more years.

Of course, his position is, well, he saved 15 or 16 years. Mr. Speaker, he went in with a mandate and with a moral authority and with public support not only from this Chamber, but from the citizens of Winnipeg and from the people of Manitoba who are fed up with this type of concession that was made to the railway.

Mr. Speaker, I would simply conclude by making a couple of points. This fear of going to court seems to have become an obsession on the part of several Ministers and there is a fear that the railway might go to court and might oppose the government if the government legislated against. Mr. Speaker, when you're dealing with a corporation that has billions and billions and billions of dollars, it strikes me as extremely unwise for them to oppose a government representing a province and representing a city for an amount of a couple of hundred thousand dollars per annum. The CPR is certainly a tough, hard-nosed corporation that fears no man. They have demonstrated that over and over and over again, but the government and the Minister of Urban Affairs seem to be nervous about the prospect that the CPR might go to court, just as the Attorney-General seemed to be concerned about going to court over the bilingual issue, about the fear of failure, when it seemed that the fear of failure was remote in the extreme.

I would simply say that the people of Winnipeg have paid the CPR millions of dollars; they've given them millions of dollars in tax concessions over a hundred years. It's no longer necessary to extend that. The government should have gone in and simply brought in legislation and terminated that particular agreement and I would say, Mr. Speaker, in conclusion, that as far as I'm concerned, rather than end the agreement, the Minister of Urban Affairs fumbled the ball and gave the CPR a six-year extension, gave them another six years of tax concessions that are valued between \$2 million and \$3 million and should have acted in a stronger fashion and brought what can only be described as an unconscionable transaction to an end.

I think it was wrong for those people, 100 years ago, to make an agreement that was supposedly going to last forever and believe that they were going to bind future generations forever from collecting taxes from the railway. The railway has benefited from that and the city has been hurt from that, Mr. Speaker, and I think it is a good thing that this agreement is coming to an end, and the City of Winnipeg can certainly use tax monies in a time when they are hard-pressed for finances.

Mr. Speaker, I oppose this particular agreement and I recommend to members of the Chamber, this amendment, which would require the railway to pay their full taxes as of January 1st and bring about an unjust and unfair agreement, much to the detriment of the people of Winnipeg and the people of Manitoba.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Very briefly, Mr. Speaker. The Member for Elmwood raises the question - I'm not quoting him exactly word for word, but closely - why are we dickering to get the CPR off the hook?

Mr. Speaker, the CPR are off that particular taxation hook now and this bill puts them back; but instead of putting them back wriggling and screaming and kicking and litigating, it does so on the basis of an agreement. It may be argued that, well, let the CPR take us to court and let me say that the CPR might have a basis for doing so when one examines the bill and the wording of the present bill, the one which is being amended.

The fact is, as I have argued frequently, based in part on experience, that it's the trouble with the court process - and we need it, no doubt - is that it's a winner/loser situation; it's an adversarial situation that leaves two persons or two parties who ought to be and indeed have to, in many circumstances, living together in some kind of relationship, at loggerheads and as enemies. If you have the possibility of resolving a contentious issue in a consensual way, then one should always look at that and give it a very high value. We are mindful of the fact that, as a government with a majority in the Legislature, it's possible for us to use that majority and say, this is what we think is right and go ahead and legislate. But I think it has become evident in the last two Sessions with this government that we do listen and we do discuss with parties directly affected and we do at least search for that consensus and sometimes - indeed, I would think always - a consensus means some give and some take.

So having said that, what we have is not a fear of the courts. Indeed, I think that we recognize on this

side of the House and I'm sure it is recognized in the opposition, that we live under the rule of law and that we welcome the existence of the rule of law and the ability, where necessary, to have recourse to the courts to resolve matters in a civilized way; but where you can, as I say, work things out on a consensual basis and they are honourable, they you should do so.

Here's a situation where virtually millions of dollars of revenue will be added to the coffers of the City of Winnipeg in advance of the time when they might ordinarily expect it. So I think this is a defensible move; it is not a surrender at all. In fact, it is a distinct advance for the City of Winnipeg and we, as the Government of Manitoba, having a close relationship with the City of Winnipeg and recognizing its needs, are proud to be able to do this in this way.

QUESTION put on the amendment, MOTION defeated.

QUESTION put, MOTION carried.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to consider Bills 55, 75 and 93 with the Honourable Member for River East in the Chair.

COMMITTEE OF THE WHOLE HOUSE

BILL 55 - THE LEGISLATIVE ASSEMBLY ACT

MR. CHAIRMAN, P. EYLER: Committee, come to order. We are considering Bills No. 55, 75, and 93. What is the will of the committee, clause by clause, page by page? Clause by clause.

Bill No. 55, are there any amendments to be circulated?

HON. R. PENNER: I have an amendment for 63(2)(b) - but we are doing clause by clause.

MR. CHAIRMAN: Clause 1, Mr. Mercier.

MR. G. MERCIER: On division.

MR. CHAIRMAN: On division. Clause 2—pass; Clause 3—pass; Clause 4, Mr. Penner.

HON. R. PENNER: Re Clause 4, Mr. Chairman, I move, THAT the proposed Clause 63(2)(b) of The Legislative Assembly Act as set out in Section 4 of Bill 55 be amended by striking out the words "Board of Internal Economy" in the 2nd and 3rd lines thereof and substituting therefor the words "Legislative Assembly Management Committee."

MR. CHAIRMAN: First the amendment. Any discussion on the proposed amendment? Is that agreed? Clause 4, as amended—pass. On division?

MR. G. MERCIER: No.

MR. CHAIRMAN: Clause 5—pass; Clause 6—pass; Clause 7—pass. On division?

MR. G. MERCIER: On division.

MR. CHAIRMAN: Clause 8—pass. On division?

MR. G. MERCIER: On division.

MR. CHAIRMAN: Clauses 9 to 12 were each read and passed; Title—pass; Preamble—pass. Bill be reported—pass.

BILL 75 - THE STATUTE LAW AMENDMENT (TAXATION) ACT (1983)

MR. CHAIRMAN: Clause by clause or page by page? Mr. Schroeder.

HON. V. SCHROEDER: I have one substantive amendment and then numbering changes flowing from that amendment.

I move,
THAT Section 64 of Bill 75 be struck out and Section 65 to 69 be renumbered as Section 64 to 68 respectively;

THAT renumbered subsection 68(1) of Bill 75 be amended by striking out the figures "67" in the 2nd line thereof and substituting therefor the figures "66";

THAT renumbered subsection 68(2) of Bill 75 be amended by striking out the figures and word "64, 66 and 68" in the 2nd line thereof and substituting therefor the figures and word "65 and 67";

THAT renumbered subsection 68(9) of Bill 75 be amended by striking out the figures "65" in the 1st line thereof and substituting therefor the figures "64".

MR. CHAIRMAN: Excuse me, Mr. Schroeder, it's customary to go through it clause by clause and then introduce your amendments at the time those clauses are read.

Is it the will of the committee to go clause by clause or page by page? Page by page.

Pages 1 to 18 were each read and passed; Page 19, Mr. Schroeder.

HON. V. SCHROEDER: Mr. Chairman, can I move the motion that I just moved a few minutes ago?

MOTION presented.

MR. CHAIRMAN: Yes. Is there any discussion on the motion?

HON. V. SCHROEDER: The motion requesting the deletion of Section 64 is being requested because the government has not finalized a related review with the mining industries. The review, in fact, we expect will recommend that this section of the bill should be retroactive to January 1, 1979 or alternatively that no such amendment might be considered, so we may be bringing in something next year on this.

MR. CHAIRMAN: Any further discussion of the motion? Pass.

Mr. Schroeder.

HON. V. SCHROEDER: The rest of them as I had read out were merely renumberings as a result of the deletions.

MR. CHAIRMAN: Page 19 as amended—pass; Page 20—pass; Page 21—pass; Page 22—pass; Title—pass; Preamble—pass. Bill be reported—pass.

**BILL NO. 93 - THE LEGISLATIVE
ASSEMBLY
MANAGEMENT COMMISSION ACT**

MR. CHAIRMAN: Bill No. 93 - are there any amendments to be handed out? Page by page? (Agreed)

Pages 1 to 5 were each read and passed.
Page 6, Mr. Penner.

HON. R. PENNER: Mr. Chairperson, I move,
THAT Section 10 of Bill 93 be amended by adding thereto at the end thereof the following subsection;
10(3), where under an act of the Legislature or regulations made thereunder, Ministers of the Crown or departments of government may use services provided by the government for the purposes of government programs administered under the Ministers or through the departments. The commission may use those services for the purposes of administering the business and activities of the Assembly, and for the purposes of that act or those regulations, the commission shall be deemed to be a department of the government and to have all the powers and authority of a Minister of the Crown.

MR. CHAIRMAN: Any discussion on the amendment? Mr. Penner.

HON. R. PENNER: It was recognized in reviewing the bill that there was a gap in terms of the powers of the commission to be able to go to the Department of Government Services or the Queen's Printer or Translation, and have the authority to use services directly for the purposes of the Assembly. After consulting with Legislative Counsel, Mr. Speaker, and considering the best way of handling that gap, this amendment was designed to make sure that the commission, and that, of course, is the Legislative Assembly Management Commission, replacing the old Board of Internal Economy, will have the power clearly. Maybe you thought that they impliedly had the power, but now they will have the power clearly, and would have to be, of course, for the purposes delineated in the act, it will have the power to use government services in the same way that a department may.

MR. CHAIRMAN: Any discussion of the motion? Is it agreed to pass the motion—pass. Page 6, as amended—pass. Page 7, Mr. Penner.

HON. R. PENNER: Mr. Chairperson, I move,
THAT subsection 11(1) of Bill 93 be amended by striking out the words and figures "or 9" therein, and substituting therefor the words and figures "9 or 10."

MR. CHAIRMAN: Any discussion of the motion? Is it agreed? Pass
Mr. Penner.

HON. R. PENNER: I move,
THAT subsection 11(2) of Bill 93 be amended by adding thereto at the end thereof the words "or other officials of the Assembly or employees of the government."

MR. CHAIRMAN: Any discussion of the motion? Is it agreed?

HON. R. PENNER: Agreed.

MR. CHAIRMAN: Page 7, as amended—pass; Page 8 - Mr. Penner.

HON. R. PENNER: Mr. Chairperson, I move,
THAT Section 15 of Bill 93 be amended by numbering the Subsection 1, and by adding thereto at the end thereof the following subsections; 15.2, all rules and regulations made by the Board of Internal Economy Commissioners prior to the repeal of The Internal Economy Act continue in force and effect as though they had been made by the commission until they are rescinded or varied by the commission; 15(3) all orders, requisitions, agreements, vouchers, decisions issued or made by the Board of Internal Economy Commissioners prior to the repeal of The Internal Economy Act shall be deemed to have been made by the commission.

These are our transitional provisions and clearly give continuity to the changeover between the board and the commission.

MR. CHAIRMAN: Any discussion—pass; Page 8 as amended—pass.

I have here also a list of French language amendments. Is it agreed that they will be accepted as printed and distributed? Agreed. Title—pass; Preamble—pass. Bill be reported—pass.
Committee rise. Call in the Speaker.

The Chairman reported upon the committee's deliberations to Mr. Speaker.

IN SESSION

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, I move, seconded by the Member for Wolseley, that the report of the committee be received.

MOTION presented and carried.

**THIRD READING - GOVERNMENT BILLS
BILL NO. 55 - THE LEGISLATIVE
ASSEMBLY ACT**

HON. R. PENNER presented Bill No. 55, An Act to amend The Legislative Assembly Act, for third reading.

MOTION presented and carried.

MR. SPEAKER: On division?

MR. G. MERCIER: On division.

Bills No. 75 and 93 were each read a third time and passed.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the debate on third readings in the order in which they appear on Pages 2, 3 and 4?

**ADJOURNED DEBATE ON THIRD READING
AMENDED BILLS**

BILL 12 - THE WATER RIGHTS ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 12.

QUESTION put, MOTION carried.

**BILL 26 - THE FINANCIAL
ADMINISTRATION ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Finance, Bill No. 26.
The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, the Honourable Member for La Verendrye is not here but we are prepared to have the question put on this item.

QUESTION put, MOTION carried.

**ADJOURNED DEBATE ON THIRD READING
BILL 35 - THE TRUSTEE ACT**

MR. SPEAKER: The proposed motion of the Honourable Minister of Natural Resources, Bill No. 35, standing in the name of the Honourable Member for Turtle Mountain.

QUESTION put, MOTION carried.

BILL 44 - THE FISHERIES ACT

MR. SPEAKER: On the proposed motion of the Honourable Member for Turtle Mountain, Bill No. 44.
The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, the Member for Springfield adjourned this for me and we're prepared to let this pass.

QUESTION put, MOTION carried.

BILL 45 - THE FOREST ACT

MR. SPEAKER: On the proposed motion of the Honourable Member for Turtle Mountain, Bill No. 45.
The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, the Member for Springfield adjourned this for me and we're prepared to let it pass.

QUESTION put, MOTION carried.

BILL 57 - THE CO-OPERATIVES ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 57.

QUESTION put, MOTION carried.

**BILL 73 - THE SCHOOL CAPITAL
FINANCING AUTHORITY ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 73.

QUESTION put, MOTION carried.

BILL 76 - THE CROWN LANDS ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 76.

QUESTION put, MOTION carried.

**BILL 80 - THE CIVIL SERVICE
SUPERANNUATION ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 80.

QUESTION put, MOTION carried.

**BILL 84 - THE RESIDENTIAL
RENT REGULATION ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 84, standing in the name of the Honourable Member for Tuxedo.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, we're prepared to have this item put to a vote.

QUESTION put, MOTION carried.

**BILL 91 - THE REAL ESTATE
BROKERS ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 91, standing in the name of the Honourable Member for Tuxedo.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, we're prepared to have this bill go to a vote.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the third readings as they appear on Pages 4, 5, 6, 7, 8 and 9 of the Order Paper?

THIRD READING - AMENDED BILLS

**BILL 2 - THE LAW ENFORCEMENT
REVIEW ACT**

HON. R. PENNER presented Bill No. 2, The Law Enforcement Review Act, for third reading.

MOTION presented and carried.

MR. SPEAKER: On division?

MR. B. RANSOM: On division.

MR. SPEAKER: On division.

Bills No. 6, 7, 19, 20, 21, 22, 25, 43, 46, 49, 51 were each read and passed.

MR. SPEAKER: Bill No. 56.

HON. R. PENNER: Just hold 56, Mr. Speaker.

BILL 60 - THE HIGHWAY TRAFFIC ACT (2)

HON. R. PENNER presented Bill No. 60, An Act to amend The Highway Traffic Act (2), for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Thank you, Mr. Speaker, I appreciate the responsibility and, indeed, the role of government to exercise its majority in passing through this Chamber legislation that they see fit from time to time. It is not my intention to speak at any great length on third reading of Bill 60, but simply to indicate that what has been in fact singularly noteworthy about legislation introduced by this government during this Session is that how often they have done so against the expressed will of those about to be legislated.

We have, on numerous occasions, listed them off. Bill 90, The Cattle Producers; enactments with respect to the public education system where you have the virtual complete opposition of those responsible, Mr. Speaker, not those who have of course a great role to play in the education system, the teachers, but those who are charged specifically with the responsibility, the trustees, the school divisions that have in very clear terms indicated their opposition to measures being proposed by this government; so, too, with Bill 60 before us, the mandatory helmet and seat belt legislation.

Mr. Speaker, there are differing positions being taken on this bill. Some of my colleagues have expressed differing positions on the bill but, Mr. Speaker, as I understand we will be graced once again, tomorrow, with the presence of the many many motorcyclists around this building to once again express to the government their displeasure at this piece of legislation.

Mr. Speaker, allow me at least to put on the record, as someone who has been exposed to numerous kinds of public presentations for or against bills, I've had the experience of having just about been run under by vegetable trucks, back in the late '60s when vegetable producers got very irate at certain marketing procedures. We've had very irate farm groups, beet growers, invade the building when they felt they were hard-pressed for some government assistance. It seemed very dramatic, very sad, moving presentations made by responsible grown men and women when they saw or felt that some of their livelihood, their business was being threatened, on another long Session that

was held during the month of August when private automobile insurance was wiped out in the Province of Manitoba.

I refer to these only in the sense that one can't help but be impressed with the responsibility and the dignified way in which the cyclists of this province have made their protest known to this government either through their group action, certainly through their individual spokespersons and in their presentations to the committee itself. They were well put out presentations; they were technically supportable representations; and they were presented to us in a mature, unemotional way.

Mr. Speaker, I simply want to put on the record my continuing opposition to Bill 60. I think the Minister and this government is legislating in an area that responsible adults ought to be able to look after their own affairs. There are so many other areas that if you extend this principle that governments could and perhaps will start to legislate. After all, this is not a matter of protecting the public from some third party from harm on the part of uncontrolled or unregulated actions by yourself. This is now passing regulations that, by and large, involve the person that is the user of the vehicle, in this case the cyclist.

Mr. Speaker, there's no end to the kind of legislation that we could pass when we, as government, start to deem it's necessary to do that. There's no question in my mind that if we, even in the heat of this August, decided to pass legislation that mandatory long underwear would become part of our law on the 1st of October or on the 1st of November, that we would undoubtedly keep a lot of people out of hospitals, a lot of people away from colds and sicknesses and potential pneumonia cases. There's no end to the kind of legislation that we could pass when we move into this realm.

Mr. Speaker, it's interesting to note that a country that has had this kind of legislation for many years, 10 or 12 years, has just this year repealed it. It's a country by the way which I don't suggest that we should emulate for safe driving record, I think they, along with most other European countries, have a lot to learn on that score from us in terms of highway traffic safety, but the country that I'm referring to is West Germany. I understand that they have placed a moratorium on seat-belt and helmet legislation in that country just this past few months with the event of the new government that was elected there early on in spring.

Also, of course, Mr. Speaker, there have been a number of jurisdictions, a number of states that have after a number of years, many years of experience with this kind of legislation have seen fit to repeal this kind of legislation. Whether or not that is possible in the future in Manitoba will, of course, depend on the makeup of the House and the will of the Government of the Day.

Mr. Speaker, I'm satisfied by simply stating my opposition to this legislation. It is, as I continue to call it, a scoff law; far too many of my people will scoff at it; far too many Manitobans will scoff at it, and thus bring contempt on laws generally.

Thank you.

MR. SPEAKER: The Honourable Minister of Highways.

HON. S. USKIW: Mr. Speaker, I just want to take a few moments to point out that we, too, were impressed with the presentations that we received from the various interest groups on this issue, and certainly from the cyclists who made a number of constructive suggestions, which were later incorporated by way of amendment to the original bill, which will make for a better safety package than was envisaged at the outset. I believe we have all gained by that exchange and by the fact that this process does take place in this Legislature, unlike all of the other Legislatures in Canada.

I also want to make note of the fact that just the other day the Minister of Transportation from Saskatchewan, who was speaking at an event in Brandon, indicated that this was not something that would be described as a matter of choice, but rather a matter of saving lives and reducing injuries. That's the way the Conservative Government of Saskatchewan looks at this issue. So, one has to be satisfied that this certainly can't be classified as a political partisan issue. It's one that we will find people on all sides of the question of all parties, and I guess the proof is going to be in the pudding, Mr. Speaker, because at the end of a number of years of our own experience, I think we will be better prepared to make a final determination whether, in fact, what we are doing here today is indeed going to be valuable from the point of view of safety and health. I believe it will be, but, of course, we will have to give it the test of time to make the final determination.

I'm sure that any Legislature will want to reflect on that 3 or 4 or 5 years down the road and review this decision. It's my belief that review will result in a continuation of these kinds of safety laws, perhaps amended in some form, but in principle I think that they will remain. I would be very much surprised to learn otherwise.

Mr. Speaker, I think that all that has been needed to be said on this issue has been said by many people. It's not my intent to take a great deal of time today, merely to acknowledge the fact that some members on the other side chose to support this issue, and I thank them for that support, but it does indicate that we have support on this issue from all groups in Manitoba.

MR. SPEAKER: Are you ready for the question?
The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Lakeside that debate be adjourned.

MR. SPEAKER: The Honourable Minister of Community Services on a point of order.

HON. L. EVANS: To the point of order. Perhaps we can get your direction, but on third reading, the Minister has just made a statement, would he not be closing debate on that?

MR. SPEAKER: No, that does not apply on third reading.

MOTION presented and carried.

HON. R. PENNER: Mr. Speaker, would you revert to 56 before proceeding?

Bill No. 62 was read a third time and passed.

BILL 56 - THE BRANDON CHARTER

HON. R. PENNER presented Bill No. 56, An Act to amend The Brandon Charter, for third reading.

MOTION presented and carried.

MR. SPEAKER: On division?

MR. B. RANSOM: On division.

MR. SPEAKER: On division, agreed and so ordered.

Bills No. 64, 65, 66, 68, 69, 70, 72, 78 and 85 were each read a third time and passed.

HON. R. PENNER: Just to announce at this juncture, Mr. Speaker, with respect to Bill 87 that the Minister will be proposing an amendment at report stage on Wednesday on Bill 87.

Bills No. 89, 96, 97, 98 and 101 were read a third time and passed.

BILL NO. 110 - THE CONSUMER PROTECTION ACT

HON. R. PENNER presented Bill No. 110, An Act to amend The Consumer Protection Act, for third reading.

Motion presented and carried.

MR. SPEAKER: On division?

MR. B. RANSOM: On division.

THIRD READING

Bills No. 39, 40, 53, 59, 71 and 83 were each read a third time and passed.

BILL 90 - THE CATTLE PRODUCERS ASSOCIATION ACT

HON. R. PENNER presented Bill No. 90, An Act to amend The Cattle Producers Association Act, for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Mr. Speaker, just prior to this bill being given third reading, I thought it opportune that once more we ought to remind the government and the Minister of Agriculture of the anti-democratic nature of the move that he is taking here.

Mr. Speaker, as we review the contents of this bill, I think it becomes quite evident that this is not a bill

that is designed to help the cattle producers to assist in the promotion of beef and the enhancement of the beef industry in Manitoba.

This bill, Mr. Speaker, is no more than a political revenge bill. There's a saying about politics that your first objective is to get elected; your second objective is to get re-elected; and your third objective is to get even. This New Democratic Government, of course, has been very surprising in that, after having achieved its first point of getting elected, it's now skipped to the third point of getting even without ever passing through the second one of getting re-elected. It seems to me, Mr. Speaker, that as long as they're going to put forward legislation like this, they might not achieve point two. In fact, I think they've given up any hope of achieving point two and that's why they've skipped to point three already.

They're getting even with a group that has achieved tremendous gains and tremendous things on behalf of the cattle producers of Manitoba. They've succeeded with a number of promotional efforts in having the consumption of beef and the promotion of beef, done very very well in this province, they've proved their worth to the cattle producers in Manitoba. They've proved it so much so, Mr. Speaker, that out of about 12,000 checkoffs in the province during the course of the last year, I think it was just a matter of a couple of hundred of producers who applied for a refund on their checkoff.

Mr. Speaker, that I believe is an indication of the acceptance of this system in Manitoba. That I believe is an indication that the Cattle Producers Association is working well and in the interests of the cattle producers and indeed, in the interests of the consumers of Manitoba. Because in fact we have seen that the Consumer Association supported the Cattle Producers Association in their fight against this bill but, Mr. Speaker, they ran into a brick wall, a brick wall that was manned by the two people who are sitting in the front row smiling at me right now, not only the Minister of Agriculture but his colleague, the Minister of Transportation, the former Minister of Agriculture.

Of course, the former Minister of Agriculture is the one I believe who politically has the most to say with respect to this bill because he's the one who bears the scars of the criticism, of the repudiation which he took at the hands of the Cattle Producers Association prior to the 1977 election and he remembers those things all too well. Of course, it is he who pushed so hard to ensure that this bill would be forced through committee at 3:00 a.m. during committee stage because he was not about to give in one whit to the Cattle Producers Association, Mr. Speaker. Based on that kind of political revenge motive, Mr. Speaker, we have a bill that is going to be very damaging to the interests of the cattle producers of this province.

We have a very very fine editorial by the Manitoba Co-Operator that lays it out very very well, I think, as to the whole question of whether or not the checkoff system works well and is a democratic system and is in the best interests of the producers. Of course, it's laid out so well that I don't understand how anybody with any sense of logic and reason and fair play could ever accept the position that's being taken by this Bill 90.

This Bill 90, Mr. Speaker, which the Minister of Agriculture says is just going to make some minor

changes and make it more democratic is going to, in effect, gut the whole operation of the Manitoba Cattle Producers Association because they cannot take on any commitments on behalf of cattle producers in this province. They cannot undertake major campaigns in advertising, in promotion of beef consumption, in the expansion and enhancement of the goals of the industry if they don't know that they're going to have the funds with which to support these things. The only way that they can be assured of these funds is on a checkoff system and members opposite understand that, Mr. Speaker. They understand that full well, because they support it in terms of union dues. They are very supportive of the union movement in this province and in this country.

I read just last week of all of the contributions that they received for their political campaigns from the various union groups in this province and, Mr. Speaker, those union funds and the support of the union electorate not only in working on campaigns, we heard about the boiler room technique they used to coerce all of the union members to support the New Democrats in 1981, how effective they were at the arm twisting, at the personal representations made through union leadership in this province.

Mr. Speaker, they support the checkoff in union dues, but this system of checkoff, which is not unlike the union-due system by a co-operative voluntary group of producers who are together for one major objective, that is, to enhance and expand the development of their industry. They don't support it despite the fact that this is extremely democratic. Anyone who doesn't believe that he or she is getting their monies worth out of the Cattle Producers Association can at the end of a year apply for a rebate of those dues. Now, how more democratic can you get, Mr. Speaker? But this government wants to turn back the clock and gut the Cattle Producers Association, and in fact damage for all time and future the cattle producers opportunities in the marketplace in Manitoba. They want to do it despite the fact that experience has shown that the system that they're going to with respect to this bill is the same as the old Saskatchewan system that has major weaknesses, Mr. Speaker. It has major weaknesses and I quote from the Manitoba Co-Operator editorial of June 23rd: "The experience in Saskatchewan when the proposed format, now before the Manitoba Legislature, was in force in that province was that not only were producers opting out, but that truckers were sometimes just checking off the manifest on behalf of producers without knowing what the fund was used for and under the impression that it was just another form of tax. The Saskatchewan fund dried up to 35 to 40 percent of what it was originally when only 1 percent of the producers were claiming refunds." We're turning back the clock to go to the Saskatchewan system despite the fact that the Saskatchewan system did not work, and in fact was not in the best interests of cattle producers in that province.

So we're going to go ahead and do this to damage the interests of cattle producers in Manitoba. Mr. Speaker, I could go on at great lengths but I know that members opposite have their minds made up. They showed it in the manner in which they forced this through at the committee stage; they forced this through in a heavy-handed manner at 3:00 a.m. in the morning

. . .

MR. H. ENNS: Autocratic, despotic, Czarists.

MR. SPEAKER: Order please.

MR. G. FILMON: . . . and, Mr. Speaker, this has nothing to do with logic and reason. This has nothing to do with the best interests of the cattle industry because the Cattle Producers Association has benefited the industry people a great deal. There's a need for a strong association so that the industry can continue to expand and enhance its operations in the market. This isn't a bill that will improve the lot of cattle producers in Manitoba; it's not a bill that will strengthen the beef industry in Manitoba. It's a get-even bill, Mr. Speaker, that's what it is, it's a get-even bill.

That, Mr. Speaker, is not a good thing for any government to do and I know that this government will pay for it in the next election. Thank you very much.

QUESTION put, MOTION carried.

MR. B. RANSOM: On division.

MR. SPEAKER: On division? Carried on division.
The Honourable Attorney-General.

Bills No. 99, 100, 102 and 104 were each read a third time and passed.

BILL 105 - THE MUNICIPAL ASSESSMENT ACT (2)

HON. R. PENNER presented Bill No. 105, An Act to amend The Municipal Assessment Act (2), for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. A. ADAM: Thank you, Mr. Speaker, I just want to put a few short comments on the record to indicate my appreciation on the support that I have received from the official critic and members opposite on Bill 105, and the speedy manner in which it was passed at committee and back into the House for third reading. This bill, of course, is well understood by members opposite. It's the first step in assessment reform in the Province of Manitoba. I just want to put on the record my appreciation for the support I received from the members of the opposition.

QUESTION put, MOTION carried.

Bill No. 108 was read a third time and passed.

DEBATE ON MOTION CONSTITUTIONAL AMENDMENT RE: ABORIGINAL RIGHTS

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, by leave, I move, seconded by the Minister of Highways, that the subject

matter of the resolution on aboriginal rights be referred to the Standing Committee on Privileges and Elections to receive representations and consider the matter and report at this Session. Bear with me a moment, Sir.

QUESTION put, MOTION carried.

COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: I have committee changes, Mr. Speaker, on Law Amendments. The Member for Brandon East will substitute for Lac du Bonnet, and the Member for Burrows for Gimli. On Industrial Relations, the Member for Rupertsland will substitute for the Member for Fort Rouge.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: A couple of announcements with respect to House business, Mr. Speaker.

The Standing Committee on Industrial Relations is meeting tonight and will be considering Bill 77 only, and I announce a meeting of the Committee on Industrial Relations for Wednesday morning to consider Bill 95. Both those bills already stand referred to that committee.

I would announce a meeting of the Standing Committee on Privileges and Elections for Thursday morning of this week at 10:00 a.m. to hear representations on the subject matter of the aboriginal rights resolution.

Mr. Speaker, I move, seconded by the Minister of Highways, that the House do now adjourn.

MR. SPEAKER: Would the Government House Leader confirm the House is to meet tomorrow at 2:00 p.m.?

HON. R. PENNER: Yes, the House will be meeting, Sir, tomorrow at 2:00 p.m. and again Wednesday at 2:00 p.m. Just looking down the week, there are committees set for Industrial Relations, and Agriculture for tonight; Law Amendments for tomorrow morning; Statutory Regulations and Orders, and Municipal Affairs for Tuesday night. As things now stand, Industrial Relations again for Wednesday night; with the possibility of Agriculture continuing on Wednesday morning; Wednesday morning for Industrial Relations; but I'll be discussing the continuation of Agriculture with the Opposition House Leader for Wednesday morning. — (Interjection) — Yes, if necessary, to go Wednesday night.

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