



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, 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, 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	Virden	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, 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, Jerry T.	Flin Fion	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 21 April, 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 Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker. I beg leave to file the Annual Report of the Manitoba Police Commission for the year 1982.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Questions, may I direct the attention of honourable members to the gallery, where we have 100 students of Grade 9 standing of the Minnetonka School under the direction of Mr. Koskie and Mr. Watson. The school is in the constituency of the Honourable Member for Niakwa.

There are 29 students of Grade 9 standing from the Ken Seaford School under the direction of Mr. Sawiak. The school is in the constituency of the Honourable Minister of Labour.

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

ORAL QUESTIONS

Portage la Prairie Summit

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, my question is to the Minister of Economic Development, and I would like to ask the Minister if she received a letter from Mr. Dick Martin. The letter is addressed to herself and the Minister of Finance - Mr. Martin being the president of the Manitoba Labour Federation - stating that the follow-up meeting of the Portage la Prairie Summit was nothing more than a rehash of points and he received very little content from it.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Mr. Speaker, I have received that letter.

MR. F. JOHNSTON: Mr. Speaker, I wonder if the Minister could also inform the House if Mr. Martin said there

was a shortage of data for discussion and that the structure of meeting was such that they could not discuss points intelligently.

HON. M. SMITH: Mr. Speaker, the meeting format was information shared by overheads and presentation on the first evening and then open discussion in the morning. I think Mr. Martin was expressing his impatience which I fully understand, given the high unemployment, for more structured meetings and focus on specific problems in the future. I understand and sympathize with that approach and we are in fact moving towards that type of format in the future.

MR. F. JOHNSTON: Mr. Speaker, I wonder if the Minister could also inform the House that Mr. Martin said the Portage la Prairie meetings gained the government great political advantage.

Finally, Mr. Speaker, did Mr. Martin also suggest that he is concerned that there is little short-term, medium-term or long-term economic planning being done by this government? And is he concerned that he has seen evidence that Crown Investments is not working with the Economic Development Department, Co-op Development Department, Labour Development Department or Department of Finance? And has he real concern because he believes that there will be more closings, there are many people out of jobs and that he would like this government to start moving toward solving these problems?

Mr. Speaker, I probably have quoted from a letter that has come from Mr. Martin to Mr. Schroeder to Mrs. Smith, a copy to the Premier and I would like to table the letter at this time.

MR. SPEAKER: Has the honourable member completed his question? Oral Questions, the Honourable Minister of Economic Development.

HON. M. SMITH: Well, Mr. Speaker, I think the members opposite will recognize by the contents of such a letter, the frankness that exists between the Federation of Labour and the government but the fact that in all instances we are not, as is so often taunted from the other side, puppets on a string of the Federation of Labour.

Mr. Speaker, I think the concern of the Federation of Labour is more jobs quickly. The concern of our other partner in the summit is, how are we going to go about getting those jobs in the Province of Manitoba? Mr. Speaker, the role of government has to be, to listen intently to both sides and to see where we, using our authority and our spending power which although substantial is limited, to meet the respective needs of these groups. Mr. Speaker, I give all of you here, and the citizens of Manitoba, our assurance that we are working as rapidly as we can but that we do not resent people criticizing us or raising questions because that's their right and we accept it, and really I guess try to take due notice of it. We, I guess, know

the efforts we are making to co-ordinate and use our limited resources to do what we can, so we don't feel apologetic although we certainly wish, Mr. Speaker, we could close the gap on employment much more rapidly than we are able to do.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Then, of course, my question is to the Minister, Mr. Speaker, that the Minister is saying that Mr. Martin is confirming what this side of the House has been saying since last December or the last year-and-a-half that this government has no plans for economic development future.

HON. M. SMITH: Mr. Speaker, I think what I confirmed is that the Federation of Labour understandably because of the great number of loss of jobs that they've encountered, as a result of our recession/depression, are of crucial concern to them.

Mr. Speaker, to conclude from that that there is no strategy or action on our part is, I think, a jump of logic common only to the other side.

Mr. Speaker, in an atmosphere of polarization and a different perspective and different priorities it is not easy to create a joint co-operative problem-solving approach. But, Mr. Speaker, just because it does not result in immediate total success is no reason for this side to give up on that approach and we will continue to proceed along that line regardless of the cries of doom and gloom from the opposition.

MR. F. JOHNSTON: Mr. Speaker, the Minister obviously didn't hear my last question and I would just read very quickly, "Finally I wish to bring to your attention my concern that very little short, medium, or long-term economic planning is being done by the government." Does that not state that Mr. Martin agrees with this side of the House?

HON. M. SMITH: Well, Mr. Speaker, when we have a question of what the head of the Federation of Labour thinks, what we do is call him up on the phone and arrange a meeting and talk it over with them. I suggest that the opposition are welcome to do likewise. We intend to maintain our dialogue and to work with the Federation.

New Arena - Core Area Initiatives Fund

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

MR. G. MERCIER: Mr. Speaker, my question is to the Minister of Urban Affairs. Can the Minister of Urban Affairs, Mr. Speaker, advise this House whether or not the provincial government has approved the construction of a new \$25 million arena north of Portage Avenue?

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. E. KOSTYRA: No, Mr. Speaker, I cannot confirm that.

MR. G. MERCIER: Mr. Speaker, I ask the Minister of Urban Affairs then, whether the government has approved the construction of a new \$25-million arena north of Portage Avenue, not whether he can confirm it or not, but have they approved the construction of a new arena?

HON. E. KOSTYRA: Mr. Speaker, I can confirm that the Province of Manitoba has had discussions with the City of Winnipeg and the Federal Government, with respect to the possibilities of ensuring greater public and private sector activity, greater job generating activity in the City of Winnipeg, and also looking at proposals that would help bring about the revitalization of the inner city. Those discussions are continuing with the other two levels of government.

MR. G. MERCIER: Mr. Speaker, in view of the fact that some \$10 million of public money from the City of Winnipeg and from the Provincial Government while we were in government, has been spent on the existing arena to improve that facility, can the Minister advise whether a new arena north of Portage Avenue is a high-priority project of this Provincial Government, and whether funds from the Core Area Initiative Agreement, which we entered into with the Federal Government in order to improve employment opportunities, to aid Natives, to spend on Chinatown, to spend on historical buildings, to spend in the east yards, will be diverted for an arena? Is an arena a high priority of this Provincial Government?

HON. E. KOSTYRA: As I indicated, it is a high priority of this government to deal with the continuing decay in the inner City of Winnipeg, and also to maximize whatever benefits that may be derived by joint co-operation with the Federal Government and the City of Winnipeg. In that regard, we are prepared to consider proposals that are made by other levels of government, and I can tell the member that there have been discussions. Discussions have been ongoing for sometime on a variety of proposals, some proposed by the Federal Government, some proposed by the city with respect to development in the Inner City of Winnipeg.

Unlike some other people, I am committed to continue those discussions in a confidential manner as was asked at the time we initiated some more recent discussions because, as the member can appreciate, until decisions and firm conclusions are reached, one has to deal with those kinds of discussions in a confidential manner so that word of it doesn't get to the state that some people may have the opportunity of getting gain off development of that nature.

So I don't intend, Mr. Speaker, to get involved in a debate on an item that is under discussion, but where there have been no conclusions reached with respect to it.

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

MR. G. MERCIER: Mr. Speaker, could I ask the Minister if he is prepared to support the diversion of funds from the Core Area Initiative funds, which are intended to

be used for employment opportunities, other developments and other purposes, for the construction of an arena north of Portage Avenue? Does he support the use of those funds for the construction of a new arena north of Portage Avenue?

HON. E. KOSTYRA: Mr. Speaker, I am committed to using the Core Area Initiative funds and other funding from the various levels of government to ensure that we have greater employment opportunities in the core area of the City of Winnipeg, so we can bring about meaningful employment for core area residents, and to do whatever is necessary in co-operation with the other levels of government to ensure there is economic activity in the centre of the city. In that regard, I am prepared to consider proposals that may be made to the province by other levels of government and discuss it with them, view them or review them in the context of the overall objectives regarding jobs and redevelopment of the inner city of the City of Winnipeg.

Custom Harvesting - U.S. Border regulations

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker. My question is to the First Minister. The fact that Manitoba harvesters will not be allowed to cross the American border for custom harvesting according to the new regulation that has been passed, as they have done for the past 35 years or so; and the fact that we have many substantial operators in the southern part of the province who will have to lay off men and liquidate their equipment, can the First Minister indicate whether he and his government will be making representation to the Americans to try and see whether they will change or are prepared to change their regulation?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, the Acting Minister of Agriculture has some information pertaining to the substance of the question posed by the Member for Emerson.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. A. ADAM: Thank you, Mr. Speaker. It's been a practice over many years that custom combining has been moving back and forth over the borders to harvest in both areas, particularly from the southern part of the States. It's been a custom that the farmers down there, or custom operators, have moved in all the way up the U.S. and into Canada because of the different seasons and climate.

The agreement that has been established with the United States and Canada is still in place. However, some of the farmers in the U.S. are complaining that the staff that the custom combine operators are bringing into the States are undercutting the U.S. wages. For that reason they are asking that anyone that wishes to come in will have to obtain special work permits to come in with the combine crews. My understanding,

Mr. Speaker, is that there are approximately 50 combines and crews of from five to ten people cross the border each year to harvest crops.

The Department of Agriculture officials are trying to seek clarification from the U.S. Immigration officials, particularly on what is required for the temporary worker petitions that are required to be filed and certified by the U.S. Department of Labour at the present time.

We're also in contact with the federal agriculture people, who are also looking at the issue at the present time.

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker. My question would be to the First Minister again, and aside from the comments made by the Minister of Municipal Affairs, I'd just like to indicate that the impact would also be felt on the Manitoba farmers when these operators have to liquidate their machines and their staff, and they will not be able to perform their duties here.

My question to the First Minister is: Can the Minister indicate whether the provincial relationships in the last month with our American neighbours has possibly had any bearing on the decision with their regulations now?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, the question doesn't really deserve an answer.

Constitutional Amendments

MR. SPEAKER: Oral Questions. The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, my question is to the First Minister.

During the constitutional discussions in 1981, a proposal to entrench property rights in the Canadian Charter of Rights and Freedoms was dropped, primarily at the request of the then NDP Government of Saskatchewan, with the result being that only, in Section 7, guarantees only life, liberty, and security of a person, but it omits the basic right of property, Mr. Speaker.

Since the Prime Minister has assured Parliament that he is prepared to proceed expeditiously with the co-operation of the Progressive Conservatives to entrench property rights in the Constitution, will the First Minister give his pledge that his government will support the entrenchment of property rights in the Constitution?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'm pleased that the member has asked that question because there have been some informal discussions amongst the various Premiers of Canada.

There are some concerns that are being expressed by different Premiers of Canada including, Mr. Speaker, some of the Premiers that are of the same political persuasion as members across the way. The Attorney-General is presently looking into the various aspects of entrenchment from a legal point of view and is

prepared to further elaborate and expand on this particular point.

The member would be probably interested in knowing that I have been approached and I have been lobbied quite persuasively by one of my premier colleagues who is a Conservative against agreeing to the proposal.

MR. B. RANSOM: Mr. Speaker, I'm sure that the Premier is aware that the agreement of seven premiers, seven provinces, will be required - the Legislatures of seven provinces - to see property rights entrenched in the Constitution. What we are interested in, in this Legislature, is the position of the Government of Manitoba. Will the Premier assure us that he supports the principle of the entrenchment of property rights in the Constitution of Canada?

HON. H. PAWLEY: Mr. Speaker, we will be bringing in a resolution in the middle part of May, so the honourable members should examine the resolution that will be introduced later during the Session.

I should just mention that indeed my colleagues, Conservative premiers, pretty well all, have serious questions, serious concerns, that they have shared with me and certainly I am looking into the various concerns that have been expressed. Mr. Speaker, it appears to be easy for Conservatives across the way to support entrenchment, but there are serious concerns that some of the Conservative premiers in the country have toward entrenchment. Certainly I am not going to dismiss lightly some of the concerns that have been raised by some of my premier colleagues in this country.

MR. B. RANSOM: Mr. Speaker, we are having indications from the backbench, such as the Member for Inkster, that he does not support the entrenchment of property rights in the Constitution. Since the First Minister is quite prepared to talk about positions that other premiers are taking in this matter, is he prepared to tell us what his position is on this matter? That's what we're interested in, Mr. Speaker.

HON. H. PAWLEY: Mr. Speaker, I think the honourable member should await the resolution that will be brought in at that time, approximately May, as to whether or not he is satisfied with the contents. I'm simply pointing out to the member that serious concerns and questions have been raised, not by those that the honourable member feels ideologically opposed to, but those that the honourable member is ideologically identical to in this country.

Secondary vocational school - Waverley Heights

MR. SPEAKER: Order please. The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Education and I would ask her whether she can confirm a decision to build a regional secondary vocational school in the Waverley Heights area of south Winnipeg with federal and provincial participation?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: No, Mr. Speaker, I'm not able to confirm that today. I am able to indicate that that proposal is on my desk and we have been reviewing it and having discussions with the Federal Government about that and other areas of post-secondary education for some time and I hope to be able to make an announcement on those discussions very soon.

MR. L. SHERMAN: Well, Mr. Speaker, I would like to ask the Minister if she can advise this House whether it is now her intention, or prior to question period today, whether it was her intention to announce tomorrow a decision in the affirmative to build that school with provincial and federal participation and to make a joint announcement with the Federal Minister of Manpower and Immigration?

HON. M. HEMPHILL: Well, Mr. Speaker, I indicated to the member opposite that I was not able to confirm his question here today. I also indicated that discussions and negotiations are ongoing. We are very close, I think, to final resolution of these discussions and when they are completed we will be making the announcement as quickly as possible.

MR. L. SHERMAN: Well, Mr. Speaker, then could I just ask on behalf of the residents of south Winnipeg including my own constituency whether we can now take it for granted that plans for tomorrow's press conference announcement have been scrubbed?

Consumer Price Index

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the First Minister. According to Statistics Canada, retail sales in Manitoba increased by only 2.4 percent February, 1983 over February, 1982, placing Manitoba in the eighth lowest position of increase in retail sales of all 10 provinces. At the same time, Mr. Speaker, during that same period as the consumer price index for Winnipeg was rising at 7.5 percent which made Winnipeg fourth highest of 15 major cities in Canada, will the First Minister assure the House that the increases in taxes put on during the Budget in February, the increase in sales tax and the removal of the hydro rate freeze will not further worsen this unfortunate situation?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: I don't know whether the honourable member was present yesterday, but the Member for St. Norbert asked a very similar question. Mr. Speaker, as I pointed out yesterday in the House, we cannot compare one month of this year with one month of last year.

The only proper way of comparing province to province is to take one calendar year and compare it with the previous calendar year and then assess our position relative to other provinces. In that light, Mr. Speaker, I should inform the Member for Turtle Mountain - he'll be pleased to know - that insofar as retail sales

are concerned, Manitoba led the country by way of percentage increase in retail sales 1982 over 1981.

The honourable member will also be pleased to be informed, I'm sure, Mr. Speaker, that as far as the consumer price index was concerned, we had the lowest rate of increase in consumer price index 1982 over 1981 of any province in Canada.

A MEMBER: Why don't we have the lowest increase?

HON. H. PAWLEY: Just so the Member for St. Norbert understands fully what I have said - because from his seat he is expressing some confusion - the increase, CPI, Manitoba, 1982 was the lowest increase in CPI in any province in Canada according to the information that I have.

Mr. Speaker, further to the honourable member's question, Manitoba led the nation by way of introduction of its Budget. Our Budget was introduced on February 24th resulting in an impact for the one particular month in Manitoba out of relationship to other provinces in Canada that had not yet introduced their Budgets.

Mr. Speaker, I wonder indeed what the impact will be during the course of 1983 in the Province of Alberta to the effect that they have imposed per-diem fees pertaining to hospital care in the Province of Alberta. What will be the impact on the CPI in the Province of Alberta?

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I should point out to the First Minister that the statistics which I quoted were February '83 over February '82, which, of course, was prior to the Minister of Finance introducing his Budget. We are very pleased at the position of Manitoba during 1981 and 1982, Mr. Speaker. The First Minister indeed inherited a strong economy at the end of 1981. What we are interested in is 1983.

Can the First Minister assure us that during 1983, given the tax increases and the removal of freezes on hydro and tuition fees and bus fares, that Manitobans will continue to enjoy the same relative position that they did in 1981 and 1982?

HON. H. PAWLEY: Mr. Speaker, I just want to, for a moment, disabuse the honourable member of one false assumption the honourable member appears to be working under, a reference to us having inherited a strong economy. We certainly did not inherit a strong economy in Manitoba. We did not inherit an economy in Manitoba that stood well in relationship to the economies of other provinces in this country. In fact, Mr. Speaker, by way of economic indices, the Manitoba economy stood seventh, eighth, ninth, or tenth, compared to a situation now, despite the tough times, of first, second, or third by way of most economic indicators.

So honourable members should not mislead fellow Manitobans of the correct facts in the relationship to the inheritance of the economy by this government on November 30th of 1981.

Mr. Speaker, if honourable members would like to, I would welcome and I would encourage them to ask

questions in the regular form in this Chamber and I'll be delighted to respond to them.

Insofar as the projections for consumer price index 1983, I do not know whether at this particular point there are any projections yet insofar as year end on CPI. In view of the fact that there are no projections yet issued, it would be certainly indiscreet on my part to be either creating a false expectation or a false fear, when indeed there are no projections that have been made by any reputable body.

Unemployment rate

MR. B. RANSOM: Mr. Speaker, can the Minister confirm for this House and for the 54,000 unemployed Manitobans that the economy of Manitoba grew by 3.8 percent during 1981, the last year of the Lyon administration, and it declined by 3.3 percent in 1982, the first year of the NDP administration?

HON. H. PAWLEY: Mr. Speaker, I know that the honourable members constantly like to compare '81 with '82. What they do, of course, Mr. Speaker, is isolate Manitoba from the situation that occurred throughout the country, and we know that the entire country, including Manitoba, suffered from the international recession during 1982. The end result of that, Mr. Speaker, is that each province in Canada suffered in '82.

In each province the level of unemployment increased. Job retention decreased in each province in Canada. But, Mr. Speaker, though we suffered, we suffered less. Our economy, according to the Conference Board of Canada, out performed other economies, insofar as the fact that we did better in holding our own in the midst of international recession in 1982 than any other province, with the possible exception of the Province of Saskatchewan.

Ammunition to Nicaragua

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker. I direct my question to the First Minister and would ask the First Minister to inform the House, whether or not the Member for Springfield and the Member for Inkster will be flying to Libya - the home of that benevolent dictator and champion of human rights, Gaddafi - to help load Russian arms and ammunition onto Libyan airplanes bound for Nicaragua?

HON. R. PENNER: On a point of order, Mr. Speaker.

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

HON. R. PENNER: The Member for - and this is going to be followed by a motion - the Member for La Verendrye, in what purports to be a question, but clearly wasn't, has made the gravest kind of insinuation and accusation with respect to two members of this House. I believe that is a question of privilege for the House and I am going to ask that he withdraw, and if he isn't

going to withdraw, I am going to make a motion. That is a serious thing to do.

You don't play fun and games with the reputations of members of this House in that way. If he's not prepared to withdraw, I'm prepared to make a motion.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Mr. Speaker, I asked the question trying to get some information, but if the members opposite feel that it has slighted somebody on the opposite side in some way, I have no hesitation in withdrawing it.

MR. H. ENNS: Maybe they don't like the aircraft he uses, it must be Challenger Jets.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

Sherritt Gordon Mines - shutdown

MR. B. RANSOM: Mr. Speaker, it is now well-known that Sherritt Gordon Mines at Fox Lake, close to Lynn Lake, will be unfortunately shutting down within the next two or three years, leaving the Town of Lynn Lake without any appreciable economic base.

The company, Sherritt Gordon, has made a submission to the Federal Government and to the Manitoba Government to undertake exploration work to prove up the Agassiz gold deposit near Lynn Lake, with the hope of providing some further mining activity in that area. That proposal has evidently been rejected by the Minister of Energy and Mines. Could he advise the House, therefore, as to what proposals he put forth yesterday in his meeting with Sherritt Gordon officials?

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

HON. W. PARASIUK: Mr. Speaker, I'd be pleased to. I met with the President of Sherritt Gordon Mines yesterday. We discussed the situation. We both agreed that it was important for Sherritt Gordon to do everything possible they could to try and ensure a continuation of the life of the Community of Lynn Lake. We agreed that it's important for the Government of Manitoba, through Manitoba Mineral Resources Ltd., and through the Geological Services provided by Energy and Mines, to do everything possible on its part to ensure a continuation of the life of Lynn Lake.

We both agreed that we have to do everything within our own jurisdictions. We also said it would be best if we worked together, to try and ensure the continuation of the Community of Lynn Lake, even though we know that it may not be possible to find ore to replace the ore that will run out in Fox Lake.

On that basis, Mr. Speaker, Manitoba Mineral Resources Ltd. did put forward two proposals for joint ventures. One was to conduct further work on the Agassiz development, and the other was to undertake joint ventures with Sherritt Gordon to do exploratory work around the Community of Lynn Lake with respect to other leases.

Mr. Speaker, Sherritt Gordon said that they would like to pursue private investors on the Agassiz one in the future, that they still wanted to make a NEED application, but they certainly would seriously consider the joint venture proposals put forward by the Manitoba Mineral Resources Limited with respect to exploration activity in and around the Community of Lynn Lake, because Sherritt indicated to us that even if the Agassiz development proceeded - and there are a lot of "ifs" involved in that - that would be insufficient to have the full continuance of Lynn Lake as we know it today.

Sherritt Gordon Mines - NEED Program

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, can the Minister inform us whether or not the proposals made by Manitoba Mineral to Sherritt Gordon are two separate proposals? Is there a separate proposal for proving up the Agassiz deposit, and a separate proposal for further exploration for copper, nickel, zinc, etc?

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

HON. W. PARASIUK: Yes, Mr. Speaker, they are separate proposals. One does relate to Agassiz, specifically. The others relate to other possibilities which could entail copper, lead, zinc or gold.

MR. B. RANSOM: Can we assume, Mr. Speaker, that the proposal put forward by Manitoba Mineral with respect to the Agassiz deposit wouldn't eventually lead then to joint venturing and an ownership position for Manitoba Mineral Resources in that deposit if it should prove to be viable?

HON. W. PARASIUK: That would have been the case, Mr. Speaker, but we are talking about voluntary joint ventures between Manitoba Mineral Resources Limited and Sherritt Gordon.

Sherritt Gordon has turned down that joint venture proposal. They have indicated that they will be making a greatly revised proposal to the federal-provincial NEED Program, because the original proposal that they put forward clearly did not meet a criteria established by that particular program. So they are putting forward a much greatly revised proposal which indeed will be considered by that program to determine whether in fact the revised proposal falls within the criteria.

MR. B. RANSOM: A further supplementary, Mr. Speaker. Is there a proposal from Manitoba Mineral Resources in the hands of Sherritt Gordon at the moment with respect to Agassiz, or is Sherritt Gordon expected to make a proposal to Manitoba Mineral Resources?

HON. W. PARASIUK: Mr. Speaker, Manitoba Mineral Resources Limited made a proposal to Sherritt Gordon. Sherritt Gordon turned down that proposal and indicated to us that they would be making a proposal to the federal-provincial NEED Program for a very short-

term program with respect to some surface and underground drilling. At some stage within the next nine to 10 months, they would then have to determine whether they would proceed with further development. If they did that, they would then have to provide the capital themselves or seek partners. They could do that privately or publicly, Mr. Speaker.

Enterprise Manitoba Program - Catalogues

MR. B. RANSOM: Mr. Speaker, a question to the Minister of Economic Development. Under the federal-provincial Enterprise Manitoba Program, there was an element of that program which provided assistance to small manufacturers expanding employment in the province to assist them with the development of sales catalogues - and sales catalogues of course being a vital element of doing business - is that program still in place?

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Mr. Speaker, there is a design element that was solely supported by the Federal Government which has been withdrawn, and some of the design projects did deal with the cataloguing. There are some general funds though, that can still go towards help with catalogues.

MR. B. RANSOM: A supplementary to the Minister then, can I assume from her answer that even though funds from the federal side of the agreement have been withdrawn, that people who previously qualified under that program can still expect some assistance to flow from the provincial side?

HON. M. SMITH: Mr. Speaker, I would have to take the latter part of the question as notice. The first part though, the design program was never an official component of Enterprise Manitoba, but we had undertaken to do some administration of a program called DASP, Design Assistance Program, that was a federal program. We were doing some of the administration, and it's that program that has been discontinued. But I will undertake to get more detailed information and if there is a specific proposal that the member opposite has in mind, if he would let me know what it is, I'll find out about that as well.

Police Services - rural areas

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

MR. W. MCKENZIE: Mr. Speaker, I have a question for the Honourable Attorney-General. I wonder, can the Attorney-General advise the House that he is receiving any complaints from the rural towns and villages regarding the cost of police services that are being asked for the 1983-84 year? Jurisdictions in my constituency are telling me the costs are well over 20 percent and there have been some concerns by towns and villages in the area. I wonder if he is familiar with it.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Yes, Mr. Speaker, I have had one complaint and I believe it's from a town in the member's constituency, Grandview, if I'm not mistaken, raising that question. I think what should be pointed out is that we are tied into a 10-year contract with respect to the services of the RCMP and when towns or villages are on what is called an extension contract, utilizing the services of the RCMP, unfortunately they're adversely affected, as the province is as a whole, by these escalating costs.

If I'm not mistaken, the percentage cost for the Province of Manitoba this year rises from something like 50 percent or 52 percent to 54 percent. In any event, I'll be sending a detailed answer to the Town of Grandview indicating the source of that increase. It is not anything, of course, that the province itself has added on.

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

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Yes, Mr. Speaker. Would you please call Second Reading on Bill 54, An Act to amend The Payment of Wages Act; followed by Bill 50, The Manitoba Intercultural Council Act, following which we'll go to the debate on second reading.

SECOND READING - GOVERNMENT BILLS

BILL NO. 54 - AN ACT TO AMEND THE PAYMENT OF WAGES ACT

HON. M. B. DOLIN presented Bill No. 54, An Act to amend The Payment of Wages Act for Second Reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Labour.

HON. M. B. DOLIN: Thank you, Mr. Speaker. Our experience with The Payment of Wages Act over the last while indicates that due to certain deficiencies, inadequacies and uncertainties, the Act has not really been as effective as it might have been in the collection of unpaid wages.

For example, there are provisions relating to the priority of wage claims that are inadequate. There are procedures for collecting unpaid wages from corporate directors and receivers or receiver-managers that are unclear and deficient. The provisions that relate to the director wage liability requires some clarification and some strengthening.

The intent of the proposed amendment is to strengthen and to improve the wage collection process by correcting these deficiencies and removing existing procedural shortcomings. To this end, one of the main changes being proposed in the bill will be to provide for the priority of wage claims over the claims of all

other creditors, including secured creditors. As the Act presently stands real property mortgages and perfected purchase money security interests are very clearly and explicitly given priority over wage liens. As well, judicial interpretation of existing legislation provisions in the Act would appear to indicate that virtually any type of security that is registered prior to a wage lien has priority over that particular wage lien.

In our view, this particular existing situation is quite unacceptable. It's our firm conviction that the wages worked for and earned by a worker should be a priority over the claims of any other creditor. Consequently, it's proposed that Section 7 of the Act be amended to clearly provide that wages that are due and payable to an employee, constitute a lien and charge on the property and assets of the employer, and that those wages are payable in priority over all other liens, security interest and claims.

For example, this priority would extend over any assignment made by the employer; any personal property mortgage or any real property mortgage; any debenture charging real or personal property; the fees of a receiver or a receiver-manager who is not court-appointed; any contract or account and any purchase money security interest. The one exception to this priority is that the fees of a receiver or a receiver-manager who is court-appointed will be payable in priority to a wage claim.

In most instances, wage claims arise only after mortgages and other security interests have been registered or filed. If these prior registered security interests are viewed as having priority over wage claims, it would virtually nullify the priority that is intended to be given to the wage claims. Consequently, Section 7 of the Act is also being amended to provide that the priority of wage claims is applicable regardless of whether the assignment, mortgage or other wage claim was made, and whether it was registered or filed before or after the lien for wages arises. In other words, wage claims would have priority over mortgages and other security interests that have been registered, filed, or perfected prior to the time that the wage claim arises.

Section 7 of the Act is also being amended to increase the amount of unpaid wages to which the priority provisions apply. At present, the wage priority extends to an amount not exceeding \$2,000 in respect of each employee. This amount is being increased by 75 percent, to \$3,500.00. Since the original \$2,000 limit was established in 1975, the consumer price index has risen by more than 85 percent and the average weekly earnings have risen by more than 80 percent. Therefore, the proposed increase to \$3,500 represents an updating of that provision.

A further area of concern that we have relates to the effectiveness of the practice of issuing payment-of-wages orders to corporate directors, and to receivers or receiver-managers for compliance. The Act is not very explicit in this regard, nor is it clear as to the legal obligations of corporate directors, and receivers or receiver-managers in such circumstances, and consequently amendments are being proposed to rectify this situation.

Existing provisions in the Act leave no doubt as to the authority of the Director of Employment Standards or to the Labour Board or to the the Judge of a County Court to direct a payment of wages order to an employer

for compliance. A new provision will clearly stipulate that such an order may also be directed to a court-appointed receiver or receiver-manager, who would then be required to comply with that order. This is to remove any uncertainties about this particular provision.

Another related provision clearly provides that a payment-of-wages order may also be directed to corporate directors and officers, in a case where the corporation is bankrupt under The Federal Bankruptcy Act, or in cases where the corporation has failed, or is unable to pay the wages of employees. The provision also stipulates that corporate directors and officers must comply with that order. The main purpose of the provision is to remove the necessity in bankruptcy cases of having to exhaust proceedings against the corporation prior to proceeding against corporate directors to collect unpaid wages. The members, I'm sure, realize that time is often of the essence in situations like this, and the new provision is intended to eliminate any unnecessary delays in initiation of proceedings.

Proposed amendments to another section, Section 23.1 of the Act, relate directly to or are consequential

MR. SPEAKER: Order please. During second reading of a bill, there should be a discussion on the principle involved there. The Honourable Minister should not refer to individual clauses.

HON. M.B. DOLIN: Thank you, Mr. Speaker. I appreciate the learning experience that the first introduction of a bill in this House is for me.

Another proposed amendment to the Act relates directly to or is consequential from, and other sections do flow from the initial intent of the Act to make wages a priority. Generally, a corporate director may be liable for the payment of wages not only where the corporation fails or refuses to pay unpaid wages, but also where the corporation is bankrupt under The Federal Bankruptcy Act.

Questions have been raised in respect to the inconsistency of this Act and The Corporations Act. The inconsistency is in regard to the extent of director liability for unpaid wages and there is a discrepancy between the two Acts. The former Act, or the one that we're dealing with now, provides that corporate directors are liable for up to two months of unpaid wages, while the latter Act, The Corporations Act, says that they are liable for up to six months of unpaid wages. For the purposes of consistency it is being proposed that The Payment of Wages Act also provide for director liability up to six months. This would remove the discrepancy between the two Acts.

There also appears to be no valid reason why the action limit liability to 12 months vacation wages, so an amendment would make corporate directors liable for any unpaid vacation wages.

It has also been suggested that the Act is not clear as to the applicability of certain other provisions of the Act in the proceedings that are taken against corporate directors. In order to remove these uncertainties and to provide a clear law, we will set out proceedings against corporate directors through an amendment that specifically stipulates that those sections, in fact, do

apply. While the sections clearly apply to proceedings against employers, questions have been raised as to whether they apply to corporate directors. The amendment will eliminate all of the uncertainties in this area so that there will be no question when these items come before the board.

In the establishment of the payment-of-wages fund, a regulation was adopted in 1981 setting out the criteria and requirements relating to the administration and operation of the fund. Now legal counsel has advised us that certain provisions in that regulation are actually substantive in nature and might much more properly appear as part of the statute. As a result, we will be transferring sections of that regulation to the Act.

One of the provisions relates to the vesting in the Director of Employment Standards the rights of an employee to unpaid wages in the case where the employee has been paid those wages from the Fund. This will enable the Director to take the actions and proceedings that are necessary to collect those unpaid wages from the employer in the name of the employee. This is when they have already been paid out from the Payment of Wages Fund. It will also eliminate the need for all of the paperwork that has gone on during the time that particular provision was in regulation and not in the statute.

Another provision that will be transferred to the statute from regulations provides that any money collected by the Director with the rights vested in him or her must be paid into the Fund. However, if the amount collected exceeds the amount paid to the employee from the Fund, the excess amount must be paid to the employee and not credited to the Fund and that will become a part of the statute and not the regulation.

At present, the trust condition applies in respect of wages that are due and payable, and I emphasize the word "payable." Since wages are not payable until five working days after the expiration of each pay period or five days after the termination of employment, the trust condition is not deemed to arrive until those periods expire, and this is in regard to the employer holding the funds in trust. An amendment deletes the word "payable", so as to make the trust condition for the employer applicable as soon as the wages are due or earned. As indicated earlier, time delays are often detrimental in these situations and we want to eliminate as many of them as we can.

Other amendments being proposed are either technical or procedural. For example, there is the definition of the word "employee." That is being amended so as to make it consistent with the basic definition of the word "employee" throughout The Employment Standards Act. A further example is an amendment which authorizes the Director of Employment Standards to initiate certain actions at the time an investigation is commenced, rather than only at the time when a complaint is received.

In summary then, the proposed amendments to The Payment of Wages Act are intended to give claims for unpaid wages the highest priority available; to clarify and strengthen procedures for collecting these unpaid wages from corporate directors and receivers; and to generally improve procedures for the collection of these wages from directors or receivers. The changes are based on the firm belief that wages worked for and

wages earned should receive first consideration in the orderly payment of debts from an employer.

I, therefore, recommend this bill for approval by this Assembly.

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

MR. G. MERCIER: I move, seconded by the Member for Sturgeon Creek, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 50, the Honourable Minister of Cultural Affairs.

BILL NO. 50 - THE MANITOBA INTERCULTURAL COUNCIL ACT

HON. E. KOSTYRA presented Bill No. 50, The Manitoba Intercultural Council Act; Loi sur le conseil interculturel du Manitoba, for Second Reading. (Recommended by the Lieutenant-Governor).

MOTION presented.

MR. SPEAKER: The Honourable Minister.

HON. E. KOSTYRA: Thank you, Mr. Speaker. The purpose of The Intercultural Council Act is to create an arm's-length agency to make recommendations and to provide information and advice to the Manitoba Government on all ethnocultural matters relating to the province, including education, human rights, immigrant settlement, media, communications and cultural heritage. The Council membership will include Manitobans from ethnocultural groups throughout the province.

The bill to establish the Intercultural Council is a result of the report of the Interim Liaison Committee on Multiculturalism, appointed in May, 1982. On January 20, 1983, following an extensive study of the practices in other provinces and community consultation, including 37 written and 55 oral presentations from rural and urban Manitoba, the Liaison Committee submitted a report recommending the creation of a Manitoba Intercultural Council.

The name of the Council reflects its objectives and functions. It is to encourage cross-cultural understanding and mutual respect among the diverse ethnocultural population groups in Manitoba. It is also to be a vehicle for seeking a consensus on the approach to common problems. Each ethnocultural population group will have the opportunity to participate on the Council together with representatives of associations of ethnocultural groups in each of the seven regions defined by the Manitoba Bureau of Statistics and organizations composed of and serving several ethnocultural groups.

The Intercultural Council must meet at least twice each year with a quorum of one-third of the members, including one-third of the regional representatives. The Council is required to call a general assembly every two years to report on the Council's actions and to elect members. The Government of Manitoba may refer

any question relating to the purpose of the Act to the Council, and the Minister responsible for the administration of the Act must meet at least once per year with the Council.

The Intercultural Council is to be provided with a significant level of independence in the performance of its duties. The powers include the appointment of staff, acquisition and disposition of property, the receipt of money from the Legislature and elsewhere, acceptance of gifts and the power to enter into agreements for the purpose of carrying out the objectives of the Act.

In conclusion, Mr. Speaker, this bill creates a Council which is a significant departure from the norm of government bodies. A majority of the membership will be selected by the communities directly affected by the activities of the Council. This reflects our belief that the expertise and experience necessary to present solutions for the problems confronting ethnocultural population groups rests within the community itself. The creation of the Manitoba Intercultural Council again places Manitoba in a leadership role providing an enabling structure to address the pressing problems and challenges of all Canadians seeking to recognize cultural pluralism as a positive force in society.

I commend this legislation to the House.

MR. SPEAKER: The Honourable Member for Kirkfield Park.

MRS. G. HAMMOND: I move, seconded by the Member for Portage la Prairie, that debate be adjourned.

MOTION presented and carried.

ADJOURNED DEBATES ON SECOND READING

BILL NO. 22 - THE WILLS ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill 22, standing in the name of the Honourable Member for St. Norbert.

MR. G. MERCIER: Yes, Mr. Speaker, we've had the opportunity to examine this bill and it does, in most of its contents, conform with the recommendations of the Law Reform Commission. There are some questions I'll want to place to the Minister when it is in committee, Mr. Speaker, but I think we're prepared to let the bill pass without further debate.

QUESTION put, MOTION carried.

BILL NO. 2 - THE LAW ENFORCEMENT REVIEW ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, standing in the name of the Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. My colleague, the Member for St. Norbert, has spoken on this bill, and he emphasized very strongly that this bill should not be in the House and it really should be

withdrawn. Mr. Speaker, it isn't often that we have a bill come into this House and before we even get to Law Amendments we have six pages of draft amendments; we don't have six pages of amendments, we have six pages of draft amendments before the bill even gets to Law Amendments.

Mr. Speaker, it would be a very kindly thing on the part of the Attorney-General, in fact it would be considerate, in fact it would be good House procedure and it would be having consideration for the Legislature, if this bill were taken away and we had it come in in at least a form that the opposition and the people of Manitoba who are concerned about this bill could understand. But to have draft - and I repeat, draft - amendments, Mr. Speaker, is almost an insult to this House, in fact, it is. It's having absolutely no regard for the members of this House.

Mr. Speaker, the fact that the bill shouldn't be here at all; the bill is not really necessary at this time. The bill has not got the consensus of opinion of all the law enforcement people and the people concerned with law enforcement in this province. The bill definitely stood in a situation where the previous Attorney-General - in fact, it wasn't a bill, there were recommendations on his desk - said that there is no consensus on this. What I want to do, is to do what the Police Commission in Manitoba has been asking, to find some way to overcome a small problem. It may be regarded as small to some, but I think it was a very big problem, a very deep concern, that there had to be another step or another place to have investigation of allegations against our policemen. This could have very easily have been accomplished with the present Manitoba Police Commission without any trouble whatsoever, having some amendments to that Act after you had consensus of all of the people involved.

Mr. Speaker, we now have the City of Winnipeg Police Commission, the Brandon Police Commission, I believe Steinbach has their police force, Winkler and others and with those commissions you have the Manitoba Police Commission, which was structured to do a particular job and you know they have done a very good job up until now. But like all commissions that are brand new, certainly there comes a time when you have to reassess what they are doing and you have to take advice from them and the people they are working with on how you should restructure it to make it better.

But, no. We have an Attorney-General who obviously went into office and saw these suggestions on his desk or in his department and said, aha. You know 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 at times to the way they are structured, the way they are allowed to work within this province. So, aha. Here I have it in my hand. You know, I'm going to form a brand new commission, a body that will make this commissioner practically lord and mighty over all as far as any police commissions are concerned. He will be the person who will make all the decisions over the police forces and, Mister, we can't go into detail in the bill.

But I happen to have read the presentation from police chiefs . . .

HON. R. PENNER: You haven't read the bill, that's obvious. Try reading the bill.

MR. F. JOHNSTON: . . . from the solicitor from Winnipeg and I have had people who have been very close to police work in this province for a long time and in other areas for a long time take a look at it. The technicalities of it, we can't go into now but the way they have been explained to me by very learned people can be very devastating to the work of our police forces in Manitoba.

Now, the Attorney-General says to me from the other side, I haven't read the bill. I have read the bill. I didn't quite understand it all, but I went to people that did and that's what the Attorney-General didn't do. He didn't give a damn what anybody else said, he just wrote it the way he wanted it. He didn't listen to anybody else. He hasn't taken into effect the submissions from the police chief, from the solicitors and other people that have made representation to him and to us. Does he not think that the people in this province come to the opposition to say to them, you know, this government is doing something that is going to be harmful and you should bring it to people's attention and you should know about it? Does he think that people don't come and talk to us? In fact, on many occasions they enjoy talking to us and not to the government, not to the Attorney-General, especially on this particular subject.

Mr. Speaker, this bill has taken away, basically, other than inside discipline from the Chief of Police, from his officers, from his board that he has put forward among his officers to see that they were disciplined.

If the Attorney-General had talked to men that have been in the police force and in high positions in the police force for a long time, he'd have found there were regular morning meetings on discipline to see if there was anything that had to be done. He'd have found, and he obviously knows, the number of charges that are being laid against policemen at the present time. He has the Manitoba Police Commission to refer to, and they said there might be one more little step that we should go to, to make sure that all of the justice is done. But no, we get a bill that takes the power away from the Police Chief practically, or does on major complaints; takes the power away from the Manitoba Police Commission and puts the power into this Commissioner and his group to be able to make those decisions.

As one person wrote in the presentation, Mr. Speaker, "We are in a sorry state when we do not have confidence in the officers that we appoint to do the job." We are in a sorry state if we don't have confidence in them; we are in a sorry state if there isn't somebody else to do the job if you haven't got confidence in the other. We are in a very sorry state if the Attorney-General of this province has had to decide that he has to take all of this authority away from the people that are appointed by elected members, or placed in a position by elected members, and place the authority into this Commission.

HON. R. PENNER: They support the bill, 100 percent.

MR. F. JOHNSTON: Mr. Speaker, he said they support the bill 100 percent?

HON. R. PENNER: Yes.

MR. F. JOHNSTON: I doubt that.

HON. R. PENNER: You want to make a bet?

MR. F. JOHNSTON: Well, I would not make the bet because the Manitoba Police Commission that he is speaking of supporting the bill 100 percent, is not the same people on the previous Police Commission that have some representations to me.

HON. S. LYON: They're loaded up with his appointees.

MR. R. BANMAN: If he appoints the people, they would agree with it.

MR. F. JOHNSTON: Now, doesn't that say, Mr. Speaker, that the Attorney-General has gone completely the wrong way, when there is discrepancy between people and he hasn't solved it and he hasn't got any consensus of opinion? He has just moved forward with what he liked, in fact his teeth would turn green with envy to be able to pass this bill in this House.

Mr. Speaker, ask anybody that's been involved with police forces, or working with police forces, even in the Law Society, ask any of them what our present Attorney-General feels about the authority of the law at times. So all of a sudden we get this type of legislation placed before us.

Mr. Speaker, being a policeman is not an easy job. I was once the Chairman of the St. James-Assiniboia Police Commission, as the Member for St. James was. We both worked together in that. We both chaired the Commission. Every time a young policeman would come in to be interviewed to be a policeman, one of the questions you would naturally ask is, "Why do you want to be a policeman?" And you got the usual answers: that he was interested in society, he was interested in young people, he was interested to see that the people were raised properly, and he believed in law enforcement. That was the standard answer.

Then you would have to say to him, you're making it sound like a marvellous job, but it isn't all that easy. Do you realize that maybe your neighbours will start to shun away from you? Do you realize that there will be people that will be critical of you, even when you give them a speeding ticket when they're going 100 miles over the speed limit, they're never wrong - you're always wrong? Do you realize that there will be times that on the spur of the moment you will have to make a decision to do something that may not go with the grain; you may have to do something that you don't feel is right, but you have to do it to protect law enforcement? Do you realize that there'll be times when you have to become involved in affairs, whether they're personal affairs of people, marital affairs, and what have you, that will be very messy, but you'll have to become involved in them? Yes, they realized all of those things, but they said, Mr. Speaker, they would still want to be policemen.

Well, Mr. Speaker, this bill, with this Commissioner, if a policeman has to make a decision on the spur of the moment - and they have to - and this Commissioner decides, or there's a complaint and he investigates it, do you know by the time the process is finished or by the time that he says we're going to have a public hearing, and I repeat - public hearing - the policeman is almost guilty? You know, there really isn't any sense

in having the hearing because this Commissioner, through all his investigation, has decided the man is guilty and there should be a hearing.

Mr. Speaker, I think that's absolutely deplorable. And do you know, it isn't only the person that complains or that was harmed by the policeman - or let's not use the word "harmed" and I guess it could happen - but there are many people who believe they have been mistreated by the police force and they have the right to complain and all of a sudden they decide, well, I don't think I have a complaint, I don't intend to bring it before the Police Commission or the Police Chief. Do you know that a third person, somebody who was standing on the street watching everything, somebody else could decide to make a complaint against the policeman's actions, rather than the person who felt that they had been mistreated?

Mr. Speaker, that leads to absolute distrust or it leads to absolute discouragement to the policeman when he's doing his job, that somebody else, the third person, can decide to make this complaint, and they've got three months to do it. Now, isn't that ridiculous? Isn't that ridiculous? You know, somebody could be wandering around saying, I'm looking for people to make complaints about a policeman, what did you see one do last month?

Mr. Speaker, that type of legislation against policemen is rather disgusting. In fact, it's really really insulting to our way of life. Mr. Speaker, do you really believe that a policeman who is doing his job who has to make a decision on the spur of the moment, that it may be unpleasant to him; and if he knows that other than making the decision he could be called up on the platform by his police chief; he knows that his police chief and his officers will be taking his actions into consideration; he knows that the Manitoba Police Commission can take his actions into consideration; and he knows now that somebody will be investigating it, if they so desire, and by the time he has decided whether the man is guilty or not, or by the time he decides to have a public hearing, the investigation obviously says that the man must have been doing something wrong? You know, I don't think any other group in society has to live with that kind of discipline. The legal profession wouldn't be able to work under these regulations.

Mr. Speaker, then the policeman, he has to have a public hearing and do you realize his neighbours, his family, his wife and children will all be aware of what is happening. He's got a pretty tough time in being a policeman in some cases in his neighbourhood, but now he's going to have his name spread all over the papers for everybody to see, which could be a detriment to his wife and children. I ask the Attorney-General what will that do to the morale of the Police Department? What will that do to a man who is trying to decide to do his job or not do his job when he knows that this kind of a condition exists?

Mr. Speaker, I would say that is just asking too much of policemen who are a necessity to our society, who are a credit to our society and a benefit to everybody that they serve. Mr. Speaker, it's very much like a military type of a position and as I mentioned lawyers discipline themselves, doctors discipline themselves, nearly all people are able to discipline their own society and this, Mr. Speaker, this Act doesn't take into consideration

the RCMP and has absolutely no control over the RCMP in this province. So, it is obvious that there is some sort of a reason to pick on the Winnipeg Police Force, the Brandon Police Force, the Winkler or Steinbach Police.

But you see, Mr. Speaker, it is obvious that there is no concern about the others; maybe there is — (Interjection) — I'm well aware of the Supreme Court case that came from B.C., everybody is aware of that.

HON. R. PENNER: It came from Alberta.

MR. F. JOHNSTON: Well, Alberta, B.C. Well, Mr. Speaker, I've often said when somebody makes a slip in this House we always hear from the firefly over there, that flitting little person that goes on and off only when there is a joke in the House.

So, Mr. Speaker, if it's Alberta I stand corrected by the learned Attorney-General of this province who believes he is so smart and there are other people believe he's smart, but quite frankly you can't use that word about him unless you add the word smart aleck. So, Mr. Speaker, I take my lessons from the Attorney-General and I say, thank you for telling me it was Alberta. Fine.

Mr. Speaker, does that change it? There was a Supreme Court of Canada decision, does it change the decision whether it was B.C. or Alberta? It doesn't. The Attorney-General obviously knew that when he wrote this bill. So, why have this bill when all he needed were some changes to The Manitoba Police Commission Act so that they could take that one step further that they wanted to go. Those were the original recommendations because they had some concern that there was doubt in people's minds that justice was being done as far as the people were concerned and the police force was concerned.

That was the one step that they were concerned about, but no, we have a bill that will be harmful to our police force. We have a bill that will put men in doubt when they want to do their job. We have a bill that says somebody can come along three months later and do something about it. Mr. Speaker, we have a bill that basically takes the control out of the police force, the elected people that are close to it, and we are now coming to what you'd call state police control in Manitoba, or provincial, if he doesn't like that word - provincial police control. But, he's only taken the provincial police control over Winnipeg, Steinbach, Brandon, Winkler and wherever they have their own police force. — (Interjection) — Oh, excuse me. My colleague, the Member for La Verendrye, corrects me, Steinbach is RCMP. I don't think that makes much difference. It's the same as the Alberta situation.

Anyway, Mr. Speaker, I would say that this bill is something that the Attorney-General doesn't need. It is a disgrace that it has come in the way it has come in. There are people that have made representation to him and I have them here - he has copies of them as well - that he hasn't even taken into consideration most of their suggestions. He has just said that I have never agreed with the way the Winnipeg Police Force works or the way the chief runs it, or in my opinion that's what the member believes. He must have just said to himself, because he has come in with a bill that says,

this is the way it's going to be and we're going to have one supreme person that is going to be set up, which will inevitably harm our police force. It will harm the protection to the people of Manitoba and if there are those out there who believe that our police force is not a good police force, I remind honourable members that the Winnipeg Police Force has been, in ratings, one of the tops across Canada for many years.

The police chiefs that I have known were probably the hardest disciplinarians and task masters that I have ever met. That was one of their firm beliefs and, Mr. Speaker, there are those in this society who believe that when a policeman does something, that it doesn't matter what he does, he's wrong and they are right. There are those who believe when they get into the position of power that they will have it be the way they want it to be, and that will not work in this Canada because that's not the way the people will allow it to happen.

The people expect the police force to be able to do what they were there to do, protect the people, and there are times when their job is not very good, not a nice job. There are times when there will be mistakes made. Thank heavens we don't have near as many mistakes here as they have in other areas, mainly because we have always had good people at the top. But, Mr. Speaker, they are there to protect people and they should be there to protect the people with administration that knows police forces, knows the problems of the job.

Mr. Speaker, the Minister is going to have a group of lawyers as part of this bunch or people that are going to judge the policeman. Do you know that every lawyer that loses a case is mad at the policeman? Well today, Mr. Speaker, we find lawyers who lose a case and the next thing, it's headlines, they put their case in the paper. The police investigation was not good; the police did this wrong; the police did that wrong. There are lawyers who say that the evidence the policeman gave was not the best type of evidence. There are lawyers trained by the Attorney-General all through the province. Mr. Speaker, I assure you, if they are of the same belief as he is and if they think the same way he does about policemen, they absolutely must believe that the policemen are always wrong. To have lawyers being the people that will be deciding the fate of policemen is absolutely disgusting.

I would ask the Attorney-General to change it around. I would ask you to get a group of policemen that are well-meaning policemen with fine reputations in this city and let them judge some of the lawyers.

HON. R. PENNER: Good idea.

MR. F. JOHNSTON: Good idea is right! So all right, if the lawyers don't have to go through this type of thing, why are we putting the people that protect us - they protect the lawyers; they protect the lawyers' homes; they protect everybody. Why do we have this type of a situation?

Mr. Speaker, the Attorney-General may be smiling about this now, but he is going to find out that before this bill is finished in Law Amendments that he has done the worst job of any Attorney-General in this province by putting together a bill that would have

concern for the law enforcement in this province on the behalf of the people of Manitoba. He is going to find that out, and I'll tell you what he will do, in my estimation, he will sit there and say, oh no, no, that's not right; you know, you're not interpreting that right, I didn't mean it to say that. No, no, it doesn't mean that; it says this. But let me tell you, once the bill is passed, they've got you and, by God, that's something that this Attorney-General will find out, he will find out he's done the worst job of anybody drafting legal legislation for the people of this province. — (Interjection) — The province has got you. Any bill has got you. You see, he laughs about it. He doesn't realize the power that this puts into the province's hands, or maybe he does realize it. He is going to sit there and he is going to say, oh, it didn't mean that; that doesn't mean that; you are interpreting that wrong, and I'll just repeat it another way. But, after the bill is passed, the Attorney-General of the province has the control of the Winnipeg Police Department and all other police departments, other than the RCMP, right in the palm of his hand.

HON. E. KOSTYRA: Nonsense, utter nonsense!

MR. F. JOHNSTON: Mr. Speaker, the Attorney-General just accused me of not reading the bill. I ask the Minister of Cultural Affairs, read the bill. Have you read the presentations from other people? No, you haven't. He hasn't read the presentations from the Police Chief; he hasn't read the presentations from the Solicitor of the City of Winnipeg; he hasn't read the presentations that have been put forward. I submit, Mr. Speaker, I will send them to you. Until he says that I am completely wrong, why doesn't he at least read the presentations?

Mr. Speaker, this Attorney-General has written the worst legislation that has ever come forward by any Attorney-General regarding the police forces of this province who are the benefit and people who protect the people of Manitoba, and he will be sorry for it.

Thank you.

MR. DEPUTY SPEAKER, P. EYLER: The Member for Inkster.

MR. D. SCOTT: Thank you, Mr. Deputy Speaker. I wasn't really intending to get up and speak on the bill, but after the tirade by the Member for Sturgeon Creek, I decided that maybe one should get up to address the bill, to speak on what the bill's intentions are and what the principle of the bill is, and to try and clear up some of the innuendoes that he has given towards the intention of bringing this bill in, be it towards the government, be it towards the Attorney-General, who is probably the most enlightened Attorney-General this province has ever seen . . .

A MEMBER: The one we have now? You've got to be kidding.

MR. D. SCOTT: You're darn right, the one we have now.

The Member for Sturgeon Creek claimed that this would give absolute distrust by the police; that they would have absolute distrust in - I don't know if he

meant in one another. It is just exactly the opposite that this bill is intended to do.

This bill was brought forward on the basis that the police in their ultimate form are ultimately responsible to the people, to the public. The public has every right to know and every right to participate in actions where police have overstepped the bounds of good police practices. This bill will enforce and re-enforce the principles of good police practice that are practised in this province.

A police officer, or if you wish to call him a peace officer, has nothing to fear in this bill. If he has a mean streak running through him perhaps maybe he has, but I don't think that is the case.

We have, in this bill, a provision for the establishment of a Law Enforcement Review Commission, and this commission or board will have at least - not all, as the Member for Sturgeon Creek tried to assume and tried to accuse - two lawyers on the board, the presiding officer and a deputy presiding officer. That is precisely because of the understanding of due process of law, so that the rules of evidence can be applied correctly both in this instance and also in any subsequent actions that may be taken.

It is essential that there are members of the learned bar, when one is reviewing police practices, when one is reviewing the administration of the law because that is what the police are really doing, they are administering the law on the street — (Interjection) —

I didn't hear his comment, I'm sorry, Mr. Speaker.

MR. F. JOHNSTON: I just said, will the honourable member permit a question?

MR. D. SCOTT: No, when I'm finished my comments I may permit a question if time is remaining, if time is allowed.

MR. F. JOHNSTON: Well, is there a lawyer on the Manitoba Police Commission? Is the Chairman a lawyer? Thank you.

MR. D. SCOTT: The Manitoba Police Commission has not been abolished by this bill, is not being abolished by this and it shouldn't be abolished by this. So this is giving, for the public's benefit, an example where the public in the past, the public has questioned the, I guess, some of the judgments that have come out of the present Police Commission.

There's too much in camera and this tries to bring out - and they're not going to have frivolous cases. He makes the mention of someone running around trying to bring up cases for someone to come in and bash the police and try to give facetious evidence against police officers. Well, it's the responsibility of the commissioner to investigate these so that sort of thing does not happen. The likelihood of that happening, I would suggest, is exceptionally remote because the whole responsibility and the whole credibility of this board is going to be, to a very large extent, on the capacity of the commissioner to review and to - because he doesn't review and he must accept the position in the case being brought forward by any particular person who feels that he has been wronged by a peace officer - he's got to do it in writing. He's got to prepare a

written report of the investigation and obtain written statements from witnesses. And if he doesn't have witnesses and if a witness tries to come and commit perjury on the stand here as well, then that person gets himself into the same situation as someone who stands up in a court of law today and tries to mislead that court of law. We're seeing what happens and can happen with that presently, or potentially at least, in Montreal in the famous case that's being investigated by the House of Commons currently.

We have accusations once again that the man is guilty before he even arrives before the commission. I do not think that is true. If you feel, and the Member for Sturgeon Creek feels, and maybe this is his - when he was law maker perhaps this is what he thought - that anybody who was accused is guilty. Well, in our system of law, for the Member for Sturgeon Creek's information, a man is innocent until he is proven guilty, and a policeman has that privilege the same as any other individual in this society. In this bill he has it even more because this bill is to reinforce good police practice, and that is what it will do is reinforce good police practice. It will cut out the frivolous cases that even go before the Manitoba Police Commission now and give that commission an added credibility as well to keep some of those cases from even appearing before it.

It seems that from some accusations that have been made here in the Chamber, that a police officer is going to be afraid to conduct his duties. He's going to be afraid to conduct his duties. Well, does that mean that if an officer is afraid to conduct his duties that when he conducts his duties that he is beyond the scope of the law? I think that is totally false. He is not and the police officer must operate within the law and respects that law - he's the man enforcing it - and for the officer to feel that the only way he can enforce the law, the only way that he can bring somebody to trial, or bring someone a charge against the person is to do it without proper and approved police procedures, I would say would be a travesty of justice and a gross accusation of falsehood to the police officers of Manitoba.

We have in this bill a mechanism for both public confidence and for confidence by police officers and if this - there's just no possible way that the enforcement of this Act, and the bringing it into force of this Act would be used or could be used as a witch hunt against police officers, because it would be discredited right off the top. It is that line of credibility that this board must establish, as the Police Commission presently has been working to establish.

When it is done in the public, what it is done in the open, the public has a far greater sense that justice has been served, and not only has appeared to have been served but has been served. That is the basis that all of our law, that all of our law on our land, it cannot be, simply appear to have been just, it must be just. The appearance of that justice is verified ten times over when it is done in a public forum, in a forum that people can relate to, in a forum that people have confidence in, in a forum that people have had virtually ever since the Magna Carta in 1215, I believe.

So, Mr. Speaker, the police officers, as much as the Member for Sturgeon Creek might want to get then all riled up, I put to you have nothing to fear with this bill. As a matter of fact this bill will serve to honour

and to respect and to give more honour to those police officers conducting their work within, as all police officers are to do, and is further recognized now, and that's why they go through such rigorous training within accepted police practices.

They have no fear and I have spoken to police officers on this. I have spoken to them. And for them to have fear of any kind of an action being brought against them, for them to fear any kind of public review, I would say, would have some misgivings as to their ability and their confidence, I should say, in their own profession and in their own ability to carry out that profession.

We have in this country one of the finest police forces in the world. We do not want to see, or have no intentions of seeing, that police forces with the additional equipment and whatever else that can be brought on board for them, and some of the equipment that one sees being brought on board, one really questions of how much it is used in defense of public justice and how much it could be as some other countries have used it in a violation of public rights. But the individual officer, in his conduct on the street, and that is so important because the police officer is the person on the street. He is the law to the average citizen. The average citizen must have confidence in that. I would say to you that the average citizen has confidence in that. I would say to you that the average citizen has confidence now and that this legislation will serve to reinforce that confidence and to keep that confidence from waning when a bunch of charges come against officers which are simply facetious. If there are charges that are brought, if an officer has misused his office, then I would suggest that the police community and the respect for the profession in the public eye is enhanced when a penalty is served to someone who works outside of the law, just the same as it is for any other individual.

This bill is aimed towards bringing greater public confidence and it is also aimed towards the enhancement and the continued enhancement of police officers operating within accepted and legal police practices.

Mr. Speaker, I, for one, commend the Attorney-General of the Province of Manitoba in bringing forward this legislation. It is legislation that we, as citizens, can be proud of. It is legislation that police officers across the province can be proud of as well, Mr. Speaker.

Thank you very much.

MR. DEPUTY SPEAKER: The Member for Tuxedo.

MR. G. FILMON: Mr. Deputy Speaker, I move, seconded by the Honourable Member for La Verendrye, that debate be adjourned on that bill.

MOTION presented and carried.

BILL NO. 3 - THE FARM LANDS OWNERSHIP ACT

MR. DEPUTY SPEAKER: Bill No. 3, on the Proposed Motion of the Honourable Minister of Agriculture, standing in the name of the Member for Rhineland.

The Member for Portage.

MR. L. HYDE: Thank you, Mr. Acting Speaker. It is indeed a pleasure for me this afternoon to be able to

speak on Bill No. 3, The Farm Lands Ownership Act. Mr. Speaker, I wish to speak on this bill and leave it standing in the name of the Member for Rhineland.

MR. DEPUTY SPEAKER: Is that agreed? (Agreed)

MR. L. HYDE: Mr. Speaker, this is a bill that this Minister of Agriculture seems so determined that it be made the law in the Province of Manitoba. It also allows me to express my own concerns of what he intends to have passed in this Session of the Legislature. I am sorry, Sir, that the Minister of Agriculture is not in the Chamber this afternoon to hear some of the concerns that I have and concerns of a lot of the farmers in my constituency of Portage la Prairie.

Mr. Speaker, during the last Session, this same Minister presented to this Assembly, Bill No. 54 and after he heard the strong objections that were brought to the House, he withdrew the bill from the Order Paper. It is, Sir, my wish, for the sake of the democratic will of the people of Manitoba, that this Minister reconsider what he is attempting to do and that is denying a Canadian and a foreigner with landed immigration status the right to own property in the Province of Manitoba. It is my wish, Sir, that this Minister will withdraw, once again, this bill pertaining to the wish of his government.

The Minister says he is concerned with the plight of the young farmer; of how they are not going to be able to compete with the foreigners wishing to purchase farmland in our province. I, too, am concerned, Mr. Speaker. I am concerned with the position of our future farmers in this province, that they find themselves in, Sir.

In my opinion, Mr. Speaker, there are several factors that are putting the young farmers of today in the position where they cannot compete and establish themselves in the business of farming. Farming today is big business, requiring a large initial outlay of money plus the cost of production of a commodity that is so essential to all of us.

Mr. Speaker, inflation is the key factor why land prices have increased. Inflation has hurt and is hurting each and every one of us in our society in one way or another. We read almost every day of businesses being forced into bankruptcy — (Interjection) — yes, farms too. In my own constituency of Portage la Prairie, just recently this past week, we read of a family who has been forced into bankruptcy for the simple reason that long-range funding was not possibly made available to them. I am not saying, in this case, that it was totally that, but it has a lot to do with the position of a lot of the farmers today.

In my own constituency, besides farmers going broke, we had a hotel recently had to close its door. A GMC dealership recently was forced into receivership. Many farmers are in deep trouble and their problems are growing each day.

Mr. Speaker, the competitive market is another reason why the price of good farmland has increased to where it is today. Sure, we can blame the foreigners, but let us not forget that our own Manitoba farmers wishing to increase their own holdings is another factor, is another reason why the price of land today is increasing the way it is. Mr. Speaker, I have pointed out just two

reasons, and I'm sure there are others, and that this segment of the land market must buy, based on a realistic return to its investment.

I have spoken to people who immigrated from Germany and are Canadians who purchased land east of Portage, and they have told me that the economy of the country is looking after the control on the price of land. One must have a reasonable return on his or her investment or money, if they are to invest in our land. Mr. Speaker, inflation alone has largely looked after the foreign investor, whether he is looking at farmland or investing in any type of real estate in our province.

If the Minister is successful in passing Bill No. 3 and restricts the foreign buyers and that, Sir, includes the Canadians who live outside of Manitoba, Mr. Speaker, he will be held responsible for putting many farmers who today are barely hanging on, due to the economic conditions of our country, by putting them in the position where their bankers or their creditors will be forced to foreclose on them due to the lack of equity. This is a most serious position and I know a lot of farmers are finding themselves in that predicament, Mr. Speaker, the availability of sufficient long-term monies at a rate of interest the young farmers starting out can handle. I'm not talking about the short-term operating loans, I'm referring to more money being made available through the Manitoba Agricultural Credit Corporation and the federal program, the Federal Agricultural Credit Corporation.

Sufficient long-term financing is drastically needed to assist the future farmers of today. The government, Mr. Speaker, instead of withholding its support to the Manitoba farmers, should be increasing it with long-term financing. The Federal Government, after World War II, made long-term financing available to the veteran wishing to return to farming and, Mr. Speaker, I was one of them. That extended credit made it possible for me and many thousands of men like me to get back into farming. This, in my opinion, Sir, is how the future farmers of Manitoba are going to be able to survive. If we restrict foreign money from being invested in Manitoba, whether it be in farmland or whatever type of investment they should choose, we would be making a very drastic mistake. This province needs their dollars.

Mr. Speaker, the Manitoba Farm Bureau, the largest organization representing the farmers of Manitoba, are showing a great deal of concern about what is contained in Bill 3. The Manitoba Farm Bureau is aware of the fact that the farming community of Manitoba is not of one mind on what restrictions, if any, should be placed on the right to own land in Manitoba and I, too, am aware of that. The Manitoba Farm Bureau is concerned with the loopholes that are presently in the Act, loopholes that allow foreign buyers access to our Manitoba farmland solely for the purpose of speculation. The Manitoba Farm Bureau have agreed consistently that farmers in Manitoba should not have to compete in buying farmland with foreign nationals who buy solely, Sir, for the purpose of speculation and, Sir, the Manitoba Farm Bureau is in no way opposed to the purchase of farmland in Manitoba by foreigners who become Canadian citizens and operate a farming enterprise side by side with our own Manitoba farmers. This, Mr. Speaker, is fair ball.

I would hope, Mr. Speaker, that the Minister of Agriculture would consider and act on some of the

advice that he has received from the Manitoba Farm Bureau, an organization that truly represents the farm population of Manitoba, instead of lobbying with the group of farmers, the Farmers Union, who I understand represent from 1 percent to 2 percent of the farmers in Manitoba - and I understand our Minister of Agriculture is a member of that organization - that he listen to what the Manitoba Farm Bureau have to say and concentrate on tightening up some of those loopholes that are obviously there and not deny Canadians the right to own Manitoba agricultural land. Mr. Speaker, a farmer who has worked all his lifetime and indeed it does take a lifetime to own and pay for all the machinery, the land, the equipment and the improvements that one must make to be a successful farmer - that, Sir, is the ambition of most successful people who choose farming or any other free enterprise business, that is, to own his or her own business.

When the time comes and the farmer has to make that decision to sell or not to sell, whether it be for health reasons or be it the time when he and his wife would like to retire, they should have the right to dispose of their life's work as they see fit. Mr. Speaker, that farm couple should have the right to sell their property to anyone they wish and at their highest price available to them. That, Sir, must be their given privilege for they have worked hard all their working years so they could retire in some form of comfort and dignity.

Mr. Speaker, the Minister of Agriculture, by introducing Bill 3 will, if he has his way, destroy the privilege and the rights as it is today. Ownership controls of any sort should not be allowed to restrict or deny any Canadian the right to own property in Manitoba, or for that part, anywhere in Canada providing, Sir, of course, that he or she has the resources to pay for it. The rights and opportunity for all Canadians need and must be protected. Too many lives have been lost, Mr. Speaker, in defending that democratic right to be destroyed by the Premier of this Province and his Minister of Agriculture.

Mr. Speaker, I can't understand just what this Minister has against Canadians living outside of Manitoba. He has classified them as foreigners. I wonder, Sir, how long it is going to be before he and the First Minister of our province start to erect that wall along the east and west borders of our province. It is for sure, Sir, the wall along the U.S. border was started the morning after the protest march was held in front of the U.S. Consulate. This NDP Government, under the leadership of Premier Howard Pawley, has stopped all positive progress that was in store for Manitoba, and now they are determined to stop further investment in our province.

Mr. Speaker, at this time, I want to read into the record a letter that was addressed to me from a Mr. Lawrence Henry of Portage la Prairie, and it reads: "I would like to bring to your attention that I believe Bill 3, the proposed farm ownership bill, goes beyond all reason as to who and who may not own land, in which manner they can own it in Manitoba.

"The only control needed in regard to Manitoba farmland, is restrictions to stop foreign speculative buying, "foreign" being people from outside of Canada.

"I do not believe that a government-appointed board, as proposed in Bill 3, or a board of any kind, should be saying what Canadian can own land and what

Canadian cannot own land. This would seem to be unconstitutional," he says.

"I feel the legislation is discriminatory and restrictive to the control of farmland ownership and will place in jeopardy the position of many farm families.

"Bill 3 will place many of our farm families who have incorporated their farms, in order to allow all the family to participate, in a tenuous position, regarding the ownership of their land on which their livelihood depends.

"Bill 3 also has a double standard in that it allows residents of the province to own land as individuals, however, these same individuals, as shareholders of a farm corporation, are unable to own the same land unless they meet the restrictive definition of the "Family Farm Corporation."

"The part of the bill that states the percentage of farmland that can be owned by the inactive members of a farm family, could force divestiture and will jeopardize the cash flow position of the active members to a point where unwanted and needless sale of part of the farm may have to be made.

"Our homesteading forefathers would surely turn over in their graves if they could realize that all the efforts and hardships they endured to start their family farms would be lost to their surviving family generations through this legislation.

"Bill 3 will do more to hurt the family farm and the corporate family farm, which is really one in the same thing, than no legislation at all."

Mr. Speaker, this last paragraph, I believe is probably one of the most important of all in this letter. It reads, "We would remind this government that the rural people have given them no vote of confidence, no mandate to enact such legislation as Bill 3. By far, the majority of their support comes from the urban areas and these people are not aware of the rural situations."

Now, that is the feeling of the Henry family in Portage la Prairie, and there's a similar letter, Sir, addressed to me, signed by Gilbert Vust and I want to read to you, Sir, and this letter is addressed to me personally.

"Dear Sir: We were unable to attend any of the meetings sponsored by your party, concerning the proposed land ownership legislation. However, I did attend the meeting that the Agriculture Minister had in the Westward Village Inn to introduce this legislation. From that meeting and press reports, we have several concerns.

"Firstly, we are basically opposed to any government imposing controls which will artificially change or hide the real value of any commodity that is normally allowed free course in a supply and demand market. We think this legislation is designed to have this effect, and undoubtedly will change the price of farmland by design or otherwise.

"Secondly, many farm families or individuals like myself, have paid a price for farmland that was set by a free market system. We have worked hard, as you know, quite often at low returns to labour to pay the purchase price plus interest on this land. This is quite acceptable to myself and I believe, to most other farmers, when we realize that we are building good equity for our future years or retirement. This legislation, however, would clearly have the effect of reducing that retirement fund.

"Thirdly, in a nation that is being troubled from coast to coast with talk of separation, province against

province, Canadian against Canadian, we can see where this legislation will only drive the wedge deeper and cause even further antagonism amongst Canadians. Furthermore, how can Canada expect to become legitimate partners in a world community in trade, culture, or social services, when we discriminate against other world citizens, by not allowing them to invest in our country, or even to keep investments they have here, but prefer to live elsewhere.

"Fourthly, why should agricultural land be the only asset placed under price control? Why not shopping centres, real estate, commercial operations, or for that matter any other Canadian resource? We realize and acknowledge the fact that the present farm economy does not allow a young farmer without substantial financial resources to purchase farmland and begin farming. Perhaps a method of loan guarantee or subsidy to young farmers, who have proven their capability and competence to farm on the basis of on-farm experience, would be better than to eliminate the farmland market." This letter, Sir, was signed by Gilbert Vust of Portage la Prairie.

Mr. Speaker, there were seven meetings held in my constituency throughout the farming area of my constituency, where some 88 farmers were asked to express their personal views on Bill 3. To be honest I have to say, Sir, that there were some felt some restrictions were needed but by far the majority wanted no interference on the part of the government. I have here a number of positions that were taken by those attending and some, as I say, were against government interference and for the most part, they were so.

There was a unanimous concern about the concept and the power of a board and the difficulty inherited with this assistance. If intervention should decrease land value, then the government may not be prepared or capable of dealing with the consequences; overbalance of decreased equity to operating loans causing liquidation of operation to increase the number of farms on market in an already non-active market.

Increases of potential justification of the government establishing a land bank may be just the thin wedge of all land government-owned, restricts freedom of private ownership. Another one, not consistent to intervene only in agricultural land market and not other business proprietorship. Boards have proven to be awkward, another level of bureaucracy being created, executive director and staff. Another one, only wants to be assured the opportunity to be competitive.

The immigration laws as they relate to land ownership can be more aggressively affected. It says here, not a significant concern to farmers. Emphasis needs to be placed on the land abuse of farmlands, the monitoring through existing municipal programs. The price received for the commodity needs to be concentrated through more aggressive advertising, seek new markets, etc. Other operating costs are escalating unchecked, i.e. fuel.

The position, "Ownership controls should not restrict any Canadian," says one farmer, "whether land is in Manitoba, Ontario or British Columbia or where." The opportunity and rights for Canadians to own property needs to be protected and assured, not restricted. Speculation more of a concern than who specifically owns the land. Frequent rollover of land increases the momentum of land pricing increases. Acknowledge that

farmers are speculators, but their competitiveness is still governed by potential return from the land.

"Land prices are affected by land prices in other parts of the world," says one farmer. Manitoba is part of a real world and not in a bubble. Land value increases regardless of any government intervention. Farmers are speculators. New special crops are also increasing the price of farmland and the potential return. Another farmer says, "The young people need to be encouraged to farm to ensure an educated and experienced new generation of farmers. Large enough loans available at reduced interest rates. Forgiveness of capital gains to retiring farmers who are selling to young farmers.

They even said that the suggested controls are untimely. They also went on to say, this same man says, "It may have been more appropriate 10 years prior, but too late to be effective today." Very skeptical re the information of this legislation allowing for those it is designed to restrict, finding loopholes while hurting others, local farmers whose land value may be decreasing.

Illusion re government directions. At first they encourage the value and encourage creating a program to potentially decrease value. A legitimate concern, government would be looking at tax and lobbying for tariff changes and creating new markets for the commodity. Mr. Speaker, these are just some of the comments that were made by farmers who are actively in the business in my constituency.

Mr. Speaker, the Minister has repeatedly said how he wants to hear from the grass roots of the industry of agriculture. What I have brought to his attention are the expressions of 88 farmers of my constituency. I wonder, will he consider what they are really telling him?

I would like to conclude my remarks this afternoon, Mr. Speaker, by reading a letter to the editor of Portage la Prairie. This is to the provincial Minister of Agriculture, and I quote:

"The provincial Minister of Agriculture, Mr. Bill Uruski, in his anxious attempts to pass his Bill 3, Farm Land Protection Act, has taken to some unusual procedures. He has turned a deaf ear to very strong opposition from the credible farm organizations and challenges their legitimacy. Then through public lectures and letters to newspapers he attempts to tell the public that his new laws, based on his own desires, are what they actually want and need." Seems like democracy from the top down.

In a very abrasive letter Mr. Uruski attempts to undermine the credibility of the Manitoba Farm Bureau so he can ignore their sincere reservations about his bill. Some of the reservations are:

1. That no Canadian should be prevented from owning land in Manitoba.
2. That tremendous power is given to a politically appointed board as to who can and can't own farmland.
3. The wisdom of further eroding land prices and thus equities at a time when farm net worth is already dragging seriously.
4. The fourth recommendation, the reverse onus of guilty until proven innocent flavour of the bill and other legal and moral doubts. Virtually every Manitoba farmer is a member in the Manitoba Farm Bureau through his membership in one of the 17 farm organizations it is made up of.

When Mr. Uruski questions whether the Farm Bureau is truly concerned with protecting the interests of Manitoba farmers, who does he think should be the farmers' spokesman? Probably the National Farmers Union which he says he frequently consults and of which he is a member, and which has an inactive membership of probably less than 2 percent of Manitoba farmers, he ends up by saying, "Give your head a shake, Billy." That's signed by one of my farmers in Portage la Prairie, Jim Pallister, and he's the Director of the Manitoba Farm Business Association.

Mr. Speaker, I have expressed my concerns, the concerns of some of the farmers of my area, the suggestions brought forth from the Manitoba Farm Bureau. Mr. Speaker, I am sure that I will be speaking often, if necessary, in the future on this bill when the opportunity arrives. I know, Mr. Speaker, that there'll be several amendments being made, brought forward to this bill and it is my wish, Sir, that the Minister of Agriculture will give some thought to the recommendations that have been brought forward not only by me, Sir, but by many organizations throughout the Province of Manitoba. I am sure that the Minister will be given advice that he'd be well to take and observe and include possibly in the future of the benefits to our farmers of this province.

I want to stress once again, Sir, that a farmer and his family, his wife and family, they can work and have worked for productive years of his life which they say goes up to 40 years. He's worked hard in those 40 years to put himself and his family in a position where he can retire with some form of dignity and concern. The day, Sir, that this is denied of that man or woman or that family, that right, it is a serious day for Manitoba.

I referred earlier to the meetings that were held in my constituency and I've only touched on some of them, Sir, but there is one thing came from that meeting and has been in my mind for some time, that wondering whether the present Minister of Agriculture, whether he would take and consider a credit system of some sort where, when I should choose to sell my farm, if he would consider a credit system that would help me, as a farmer, to benefit in the taxes that we are all faced with when selling our property. If there is some form of a tax credit system that could be - and I'm sure there is - adapted by this government, I would certainly think that would be on the right track.

Mr. Speaker, I believe it is so close to 4:30 and I have pretty well exhausted my talk at this particular time. I want to emphasize once again that we will certainly be fighting this bill right to the last. I am positive that the Minister is wrong. He will be told by many many farmers and property owners in the Province of Manitoba in very strong terms, Sir, that he is out a country mile when he comes to disturbing the manner in which we, as farmers, can own property.

I thank you, Mr. Speaker, for this opportunity to speak and I shall be ready to speak again in the future.

MR. SPEAKER, Hon. J. Mackling: Order please. The adjournment will stand in the name of the Honourable Member for Rhineland.

The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I move, seconded by the Honourable Minister of Urban Affairs, that Mr.

Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty, with the Honourable Member for River East in the Chair for the Department of Education.

SUPPLY - EDUCATION

MR. CHAIRMAN, P. EYLER: Committee come to order. The hour being 4:30 p.m. it is time for Private Members' Hour. Committee will reconvene at 8:00 p.m.

IN SESSION

PRIVATE MEMBERS' HOUR

MR. SPEAKER: Order please. In Private Members' Hour, the first item on Thursday afternoon is the adjourned debates on second reading of public bills.

On the proposed motion of the Honourable Member for The Pas, Bill No. 36, standing in the name of the Honourable Member for Pembina.

Is it the wish of the House to have the matter stand? (Stand)

Bill No. 44, On the Proposed Motion of the Honourable Member for Turtle Mountain, the Honourable Member for The Pas. (Stand)

Similarly, Bill No. 45, also in the name of the Honourable Member for The Pas. (Stand)

SECOND READING - PUBLIC BILLS

BILL NO. 41 - AN ACT TO AMEND THE LABOUR RELATIONS ACT

MR. G. MERCIER presented Bill No. 41, An Act to amend The Labour Relations Act for Second Reading.

MOTION presented.

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

MR. G. MERCIER: Mr. Speaker, I am pleased, I think, to be able to introduce a bill that I'm sure will engage and deserve the support from members opposite.

This is a bill, Mr. Speaker, that I think is appropriate to this particular age in that the principle involved in this bill is that of providing or requiring, legislatively, unions to represent every employee in the bargaining unit fairly, without discrimination and in good faith, and any breach of that legislation can result in an unfair labour practice.

Now, Mr. Speaker, this principle has been enforced for over 30 years in American statute law, where the courts have imposed a duty on unions to provide fair representation to union members. The concept has been adopted in the Province of Ontario and in the Province of British Columbia during the past years, and as well has been included in the Federal Canada Labour Code.

Mr. Speaker, I point out also and I want to note for the record that I have said that in the past, with respect to various principles and pieces of legislation, that just because the Canadian Bar Association has supported a particular matter it is not conclusive. But I point out for the record that with respect to this issue the Canadian Bar Association has adopted a resolution suggesting to all provincial legislatures where this principle is not in effect that they support the principle that "where bargaining agents have a right to represent employees for purposes of collective bargaining, that there be a duty imposed upon such bargaining agent to represent fairly and without discrimination all persons for whom they are entitled to bargain collectively, and they urge provincial governments to enact this principle where such does not exist in the respective labour law legislation."

Mr. Speaker, the rationale for such legislation is that such provisions are necessary and desirable in the interest of protecting individuals represented by a bargaining agent against abuse of their rights because the statutes do give a special privilege status to bargaining agents.

A bargaining agent is deemed to be the exclusive bargaining agent for all employees in the bargaining unit as long as supported by a majority of the employees, so the minority may very well be vulnerable in that a union can wield substantial power over the workers in a unit.

Several cases in Ontario, Mr. Speaker, for example, upheld that unions were in breach of this duty where the union acted negligently or incompetently in failing to prosecute grievances properly.

There was, Mr. Speaker, an article in Maclean's Magazine last summer and I would like to refer to parts of it. It was in, I believe, the August 26th issue of 1982, where they refer to an example of a 64-year-old dairy worker, from Salmon Arm, B.C., who learned that the union had discriminated against her because of her age and sex. For 19 years she had operated a butter machine at a dairy and paid her union dues. Then in February of 1979, just 10 months before she was to retire, she was laid off. The company justified its action by claiming that the greying woman was too old and fragile to manage a heavier cheese racking job once the dairy shut down its butter-making operation.

The employee with more seniority than several younger male colleagues, who'd been kept on, disagreed and begged her union to come to her defence. But throughout this intimidating ordeal the teamsters remained uncharacteristically distant. The union member, Mrs. Cameron, said all they did was give me the cold shoulder.

Because she was locked into a collective agreement that gave the teamsters the sole right to represent all of those employees, she was unable to negotiate directly with her employer. Much to her dismay she found that her only recourse was to file a complaint with the Provincial Labour Relations Board alleging that the union failed in its duty of representation, as that province, as I've said, Mr. Speaker, does have similar legislation.

They point out that since the duty of fair representation became law in British Columbia, Alberta, Ontario, and Quebec during the past decade and was recently added to the Canadian Labour Code, more

than 2,000 workers, about 300 in the past year alone, have charged their unions with shoddy representation.

In this case, she was awarded \$11,800 in compensation, money she would have earned from the time she was laid off until her retirement, after the board ruled that the teamsters had failed to enforce her seniority rights.

The article does point out, Mr. Speaker, that since the legislation was passed forbidding unions from acting in a manner that is arbitrary, discriminatory, negligent, or in bad faith, such victories are rare. Indeed, only 50 of the 2,000 cases so far have been upheld. They point out that labour boards have been cautious in determining what constitutes a serious breach of fair representation.

They go on to point out, though, for those employees who have been truly victimized, the legislation can be a useful weapon. They refer to a case before the Ontario Labour Relations Board, where a female teacher for a school board was fired after helping her colleagues join the Canadian Union of Public Employees. In the midst of negotiating the local's first collective agreement, this lady who was president of the local, received notice that her job was terminated. Because she had an unblemished work record and impeccable credentials, the counsellor suspected her employer of foul play. She contacted her union to file a complaint alleging that the school board was dismissing her because of union activity. The union person refused on the grounds that he felt her case would be difficult to prove.

Dissatisfied with that advice, she hired a lawyer to file a complaint against CUPE for acting arbitrarily on her behalf and the Ontario Labour Relations Board sided with her and ordered the school board to reinstate her with compensation for lost wages. As for CUPE - it was required to pay half of its member's legal fees amounting to \$4,825.00.

Mr. Speaker, the article concludes by stating that, "At best the clause covering the duty of fair representation cannot guarantee employees that unions will not make mistakes. But it can give people the right to have their concerns heard before an impartial body," explained the Chairman of the British Columbia Labour Relations Board, "and if the Labour Boards can foresee any good coming from the present influx of cases," he said, "it is at the recourse will keep unions from falling asleep at the switch."

So, Mr. Speaker, it's evident that there are a fair number of cases, or applications coming forward under the existing legislation in other provinces, but they're being handled cautiously by the Labour Board in those provinces so that unions, I submit, do not have to be fearful - too fearful of this type of legislation. But there are obviously some cases where individual member's rights have not been protected and they do require a remedy, Mr. Speaker, and that is what this legislation would propose to do - to give employees a remedy where they have been certainly, without question, not had their rights defended.

I think, Mr. Speaker, their examples are most appropriate to cite in commending this legislation to members, because they will see from the examples that there have been some cases, individual cases, where employees have had their rights affected arbitrarily, discriminatorily, and that is why they should have recourse to such legislation.

There is an excellent article - and perhaps the Attorney-General will get it, or I'd be pleased to provide copies to members - in the Canadian Bar Review, September 1982 edition, Volume 60, in which there is a lengthy review of cases in Ontario under the duty of fair representation in Ontario. They point out that - and I'd like to refer to a couple of examples from this review, Mr. Speaker - where an unpopular member has succeeded on a complaint, the conduct of the union or its officials has been found to be very hostile. They point out that in a case involving Toronto East General Orthopedic Hospital, both the union steward and the president of the local had signed a petition demanding the dismissal of the complainant, Mr. Speaker. It's no wonder his complaint was not acted on by the union.

In another case, a similar petition was circulated, demanding that the complainant be removed as foreman of a job and this was signed not only by the president of the union, but by the vice-president and treasurer, as well. Again, Mr. Speaker, it's a wonder his complaint was not upheld and he needed recourse to this kind of legislation.

It is being shown in this review that the duty has been violated, where it has been shown that the union official deciding whether to take the complainant's grievance forward has a personal interest in not wanting to do so, has filed a grievance against specific individuals without informing them of his actions or giving them an opportunity to defend, has positively mischaracterized the complainant in such a way that the union did not file a grievance on the complainant's behalf, or has done essentially nothing in pursuing the interest of the complainant regarding his grievance.

The article points out that it may be contrary to the duty of fair representation not to inform the aggrieved of the availability of any appeal procedures, and so it was held in RCA Ltd., Prescott, Ontario, to be a violation of the section there for the union not to notify the complainant of a union meeting, where his grievance was to be discussed and a decision made as to whether it would be taken to arbitration.

As the article deals with arbitrary conduct, Mr. Speaker, they refer to another decision by the Ontario Labour Board, where the board characterizes irresponsible and therefore arbitrary the attitude of union officers, who having recognized they made an error in failing to assign the complainant to a work project, did nothing at all to rectify this situation. So too the court reached a similar conclusion when complainants bemoaning the fact that they were not advised of a meeting, at which it was voted to entail their seniority after the merger of two plants, received a curt response from one union official, we can do anything we feel like.

Well, Mr. Speaker, the examples in this article go on considerably. They point out that it is considered to be arbitrary conduct to totally ignore or blindly refuse to consider a complainant of the interest and position of the complainant. In a case involving the union brotherhood of carpenters and joiners of American Local Union 2737, the complainant, a senior carpenter, was permanently laid off from work with no explanation given.

The complainant consulted the business agent for the union, but the latter did almost nothing on his behalf. The complainant himself had to secure the additional

severance pay to which he was entitled and arranged to secure a copy of a grievance form, after the business agent was ordered by the president of the local to file a grievance on the complainant's behalf.

In addition, although the agent was advised of the reasons for the complainant's layoff, he never relayed this information to him. The business agent attempted to justify his conduct on the grounds that the complainant's grievance was insignificant, compared to his concern to keep the company in operation. The board characterized his conduct as indifferent, in summary, and thus arbitrary.

Mr. Speaker, this article, which is an excellent review of the decisions of the Ontario Labour Relations Board, again concludes, and I refer to it just briefly - "There is much to commend in the jurisprudence of the board in cases involving the duty of fair representation. The board is judiciously sought to avoid unduly interfering in the affairs of trade unions, while attempting to secure certain minimal protection for individuals or groups within the bargaining agent. On the whole, the legislation certainly has not been without effect in making unions more conscious of their duties and responsibilities in representing the interest of their constituency."

Mr. Speaker, I think the examples that I have cited in this article in the Maclean's article, and I'm sure that are perhaps well-known to some members opposite, will be of sufficient interest to them for them to decide that this is an amendment to The Labour Relations Act that is necessary and desirable in order to prevent individual members of unions from arbitrary and discriminatory and bad-faith actions on behalf of the unions; not that they occur that often, Mr. Speaker. I think the cases and the decisions point that out, but there are some very strong individual cases of hardship that have resulted from inappropriate actions by some unions. So this is legislation that is certainly very much in the best interest of individual members of unions, as is being concluded in these articles and reviews of cases, Mr. Speaker, and I would urge the members opposite to pass this legislation.

She may very well, Mr. Speaker, say that in view of her announcement of a general review of labour law, that this bill should be deferred, but I would suggest to her there has been a lot of work done and a lot of research into this particular question, the duty of fair representation by unions, that the legislation has been in effect for a significant period of time in a number of provinces and federally. There is a significant review in the Canadian Bar Review that I've referred to and certainly all of this material demonstrates that there are sufficient number of cases where individual union members have suffered from action of the union leadership where they've been treated arbitrarily, where they've been discriminated against, where there's been some bad faith. I'm not pointing to unions as the only organizations that that can happen and that can happen in any other organization, Mr. Speaker, but here, unions are the exclusive bargaining agents for all employees and their individual members do deserve the right to fair representation.

I would urge members opposite, in view of all of the decided cases so far and the experience so far, that this is a bill which does deserve their support.

MR. SPEAKER: The Honourable Member for Wolseley.

MS. M. PHILLIPS: Mr. Speaker, I move, seconded by the Member for Riel, that debate be adjourned.

MOTION presented and carried.

PROPOSED RESOLUTIONS

RES. 7 - TOWARDS DEMOCRACY IN THE WORKPLACE

MR. SPEAKER: The next item on the agenda is proposed Resolution No. 7, standing in the name of the Honourable Minister of Cultural Affairs, who has six minutes remaining.

HON. E. KOSTYRA: Thank you, Mr. Speaker. The few minutes that are left to me I'd like to just further the point that I was making when I last spoke on this resolution and that is that there has been a tendency in the past when looking at the involvement of workers in the workplace that they were viewed as those that were doing specific jobs and that management tended not to take the views of workers seriously when it came to issues in the workplace as to work methods or modes of operation. It was viewed that workers really didn't have any role in having some direction as to what goes on in the workplace. I can tell you from my experience, Mr. Speaker, that in many cases when I was representing workers and suggestions were brought forward as to work methods, that over time, even though management at that particular moment chose to ignore what was being suggested because in many cases they had blinkers on and just felt that they need not listen or take any advice from workers, that over time, they were proven to be wrong; that over time, it was made clear by actions that would follow that had they heeded the advice in many cases, there would have been a change in workplaces.

This resolution, as I indicated last time, is suggesting the further breaking of new ground in the Province of Manitoba and I made reference last time to the situation that exists in some of the other countries of the world wherein there is a greater degree of worker participation in the management and in the boards of corporations, and it's interesting to note that in those same countries where workers have a far greater role in the managing and operating of companies, that those same countries have a considerably lower rate of industrial disputes. Those are also countries that society generally in those countries recognizes the role of working people and unions.

In the final WHEREAS of this resolution, it makes mention of the movement by the Province of Manitoba with respect to its Crown corporations. In fact, there is for the first time in the history of this province worker representatives on the Manfor Board of Directors, and one that's being monitored very closely by the Minister responsible, by the Minister of Labour; also, to look at how that experiment will work so that it can be looked at in the context of other government Crown corporations. So I think that is an historic move by this government and one that I think is taking us a step down the road to change the way that workers and management have related to each other in the province.

As I indicated last time, that road is not going to be an easy road when you have to change positions that

have developed, unfortunately, over time into a state of an adversarial position, that it takes time to get some mutual respect and mutual trust so that people can have different relationships and that management can respect workers; and workers, on the other hand, can take the responsibility that comes with being on a board of directors and being in a position of affecting the management decisions with respect to that workplace.

I note, Mr. Speaker, that my time is quickly coming to an end, so I would just close by urging all members to support this resolution so that we can go on urging the private sector to move in this direction, and I know there is some recognition of that with some of the business people that I have had discussions with, because I think it's very important for the economic life of this province for us to be moving in this kind of direction.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Thank you, Mr. Speaker, I rise to support this resolution. I commend the Member for Wolseley for introducing it. I think that it is worded in a very commonsense fashion. My concern, though, with the resolution is that it may not be interpreted in a commonsense fashion. Naturally, everyone can interpret it in their own way. Different statements can mean different things to different people.

As it is worded, I believe that it is a very reasonable kind of resolution, but if it were carried to the extreme of not recognizing the right of people who have capital invested in a venture, to make the decisions about how that capital will be employed within the guidelines that society as a whole sets out for that capital to be employed, I have found in my experience that it is not generally a good idea to give people responsibility unless those people also have accountability; that to give people the right to make a decision that affects others and then not hold those people accountable for it just really won't work in practice. So that, if this is carried too far, then it can be detrimental to the well-being of the business and, hence, of the person investing their capital and of the people who are employed by the business as well. One has to recognize, I think, that there are people who are specialists in their areas. They have expertise in an area of knowledge and they are the people who are in the best position to employ it.

Now, I am all in favour of employers and employees doing whatever can be done to gain a better understanding of each other's positions. If that is what we're talking about, then I think it's a highly desirable goal to work towards.

I note with some interest one WHEREAS, one paragraph in the resolution, which makes reference to the Economic Summit Conference organized by the Government of Manitoba at Portage la Prairie last November, which had been pretty well universally hailed by the government and by the private sector people and by labour people who were involved. Now today, when I see a copy of the letter from Mr. Martin of the Manitoba Federation of Labour, written to the Minister of Finance and to the Minister of Economic

Development, and the President of the Manitoba Federation of Labour says, and I quote, "I believe the government has scored a political victory in having the Portage la Prairie Conference."

Mr. Speaker, that begins to confirm in my mind that, in that case, the government had set out really to achieve a political victory, and now we see that even the Federation of Labour themselves are confirming that. They acknowledged, really, that that was the direction that conference was going; that's the direction that it took. That's the sort of thing that would lead to a breakdown of the relationship in trying to work towards what, I think, the Member for Wolseley is getting at in this resolution, that unless people are working towards the same goals, then there is going to be misunderstanding and there are going to be problems arise from it.

Another portion of this resolution, another paragraph of the resolution, which I find interesting and which, I think, will prove as a test for her colleagues in government, and that is the paragraph that says:

"WHEREAS the Government of Manitoba has proposed that a process of consultation and participation by employees in Crown enterprises would be beneficial to the employees, the enterprises and the citizens of Manitoba;" That, no doubt, is a reference to the appointment of employees to the Board of Manitoba Forestry Resources Limited. We will see how that works out in the long run. Simply taking workers and putting them onto the board, I'm not sure is going to accomplish a great deal because it seems to be an oversimplification of processes that have developed in Britain and in western European countries as well. We'll watch that one with interest.

But what will be the test is the offer which has been made to the government by the Manitoba Government Employees Association. This offer was made last October, whereby the Manitoba Government Employees Association was offering to help in the Budget process. The lead-off of the article from the Free Press by Mr. Tom Goldstein was, "The Union representing Provincial Government employees will cast aside its traditional adversarial role and offer to help management to find solutions to deal with the current economic malaise." So there clearly, that union says that they were prepared to throw off the traditional adversarial role and begin to work with the government.

It goes on, further down in the article, it says, "Under the MGEA proposal, local union officers and stewards would work with government management during the Budget process in an effort to improve the quality of service to the public. The union would not submit or endorse any proposals which would cost its members jobs. The proposed joint process would begin in the 1983-84 fiscal year in preparation for the 1984-85 Budget."

Now here is an excellent opportunity for the government to implement this resolution which is going to be passed, I feel confident. I know it is going to receive support from a number of people on this side of the House and I expect the members opposite will be supporting it. So here is an opportunity where the Manitoba Government Employees Association has offered to drop the traditional adversarial role and work with the government in putting together its Budget proposals for 1984-85. So perhaps the Member for

Wolseley will be urging the Minister of Finance, who is the Chairman of the Treasury Board, to accept that position and work with them. It will be interesting to see what the government response will be to that.

Now I would like to spend some time to point out another reason why the idea embodied in this resolution will only be implemented with difficulty under present circumstances and, I would suggest, not at all under circumstances where you have businesses where the employees are unionized, and those unions belong to the Manitoba Federation of Labour, because I do not think that it is going to be possible for the employees to be affiliated with a political party at the same time as they are trying to work on a non-adversarial role towards bettering the relationship between management and the employees. I believe that objective can only be accomplished if those workers, those employees, are members of a union that is interested in working for the benefit of that union and the benefit of its members and not for some other outside purpose like supporting a political party. In this case, it happens to be the New Democratic Party that is supported by the Manitoba Federation of Labour. The difficulty is, of course, that the Federation of Labour has been dedicated to the support of the NDP and, when we were in government, to the removal of our party from government and Dick Martin made no bones about that. Within a few short months after we were elected to government, he said our objective is to remove that government from office.

Now, I think it will be very difficult for members of that union or of a union that's affiliated with the Federation of Labour to drop that adversarial role and work with management towards the betterment of both the company and the individuals. And let me just, as a further example of that, Mr. Speaker, refer to a publication from the Canadian Labour Congress, which was put out in January of 1982, talked about the Manitoba victory, how sweet it is, it talked about the on-the-job canvass, and this was conducted by the Canadian Labour Congress and by the Manitoba Federation of Labour.

Now, what sort of attitude is an employer likely to have towards union members who are making an effort on the job to remove the government of the province from power? Now, that employer may have their own private views on politics, just as the individual union members are entitled to have their own private views about politics, and we would all hope that every individual would take an interest in the political system and in preserving democracy.

But to have this kind of organized campaign going on in the workplace at the same time as those employees and managers and employers are supposed to be working in the direction of the resolution put forward by the Member for Wolseley, I think, is simply unrealistic. It's just not going to happen. I don't think it's in the best interest of the employees, in any case, to be affiliated with the New Democratic Party and there are a number of people who have been in the party, of course, who hold that same view, that it's not in the best interests of the workers to belong to a union that supports the New Democratic Party. Let me just give a quotation from this publication, Canadian Labour, in January of 1982, which should raise some concerns even in the minds of the members opposite. We're not

just talking about the employees, but talking about the New Democrats who are in government because Mr. Martin is quoted here as saying, "As we see it, we're still in the initial stages of the program. Once it's fully developed, it will have an even more exciting potential and uses."

Now, having succeeded in getting rid of the Conservative Government and getting the Pawley government elected, Dick Martin still says that they are just in the initial stages of the program and once it's fully developed, it will have even more exciting potential and uses. What can that mean? It can only mean the exercise of influence on the members opposite in an undue fashion and in a way that would not be in the interest of the public generally.

A MEMBER: The letter of February 23rd is interesting too.

MR. B. RANSOM: Just so that I put on the record an indication that I'm not alone in the view that the individual employees are better served by unions that are not connected officially with a political party, there was an article in the Financial Times of April 18th, 1983, where interviews were conducted with Dennis McDermott of the Canadian Labour Congress and with Mr. McCambly of the Canadian Federation of Labour and the views of those two gentlemen, of course, are entirely opposed. Let me just quote from this interview where the interviewer asked a question to Mr. McCambly, he said, "The CFL's position that it will have no political affiliation puts it on a nearly opposite tack to that of the CLC, which is closely allied with the NDP and would like nothing better than to destroy the Liberal Party of Canada. Why is that such an important tenet?" The answer from Mr. McCambly was, "We can't be an effective labour body if we are affiliated with a political party. It would be a sham anyway. A political party, no matter what it is, is obligated to represent all the people, not just labour. That kind of connection simply isn't useful in our primary purpose of representing our employees."

So you see that embodied within that statement by the President of the Canadian Federation of Labour are both the concerns which I have just pointed out to the members opposite: one, that the union members will not be served by the kind of political affiliation that they have with the NDP; and secondly, that it places the government in a very difficult position because ultimately they must represent the public interest, and when they are faced with a statement such as I quoted from Dick Martin concerning the imaginative uses that the on-the-job canvass can be put to, that should cause concern for a government that has to represent the interests of the people.

It's interesting also to see the different views that were taken in this article, the different views between Mr. McDermott and Mr. McCambly. Mr. McCambly favours a closer harmony between labour and government, and he sees that as being possible if labour is not affiliated with a political party. It is quite understandable that Mr. McCambly, if he was closely affiliated with the New Democratic Party would be in quite a different position in going to deal with the Federal Government than if he's in the position that he is, not

being affiliated with them. When he sits down with the Federal Government, they can sit down as a government with a public interest in mind and a union with the interests of its employees.

When Mr. McDermott sits down with the Federal Government, he's not sitting down just with the interest of the employees at heart, he's sitting down with the interest of the New Democratic Party. The government knows, the Liberal Government knows that when they're talking to him that's what they have, because Mr. McDermott, this articles says - "McDermott recently launched a campaign of the decent majority to achieve economic reform (and destroy the Federal Liberal Party)."

Well, that may be in the interests of the New Democratic Party to politicalize the Federal Liberal Party, and while the Federal Liberal Party has done great damage to this country in recent times, the country would not be served by the destruction of the Liberal Party, but evidently the interests of the Canadian Labour Congress and Mr. McDermott would be served by that move. So how can Mr. McDermott represent the interests of his members in dealing with the government when they are pursuing that kind of a policy?

The same thing, I believe, follows then in trying to achieve some greater measure of co-operation between employers and employees, managers and employees. It can only be done when the interests of both those groups are directed towards the welfare of the company or the unit that they're working for, that they don't have outside interests other than the general constraints imposed by the Federal Government. If that can be achieved, then the object, which the Member for Wolseley wants to achieve through this resolution can be achieved, but if that prerequisite doesn't happen then, Mr. Speaker, we're not going to see the degree of co-operation and understanding that we would all like to see.

Nevertheless, I'm going to support this resolution, Mr. Speaker, in the hopes that we might ultimately see that those basic ground rules changed from what they presently are.

MR. SPEAKER: Are you ready for the question?
The Honourable Minister of Economic Development.

HON. M. SMITH: Yes, Mr. Speaker. I also rise in support of the resolution.

I'd like to comment just briefly on the approach being taken by the other side. I feel quite heartened by the fact that the concept is getting general support, because I think that offers hope in the future for all of us finding better ways to work together.

I'm not surprised that there is a different interpretation as to what it should mean and what its hopes of success are, because I think the fear and suspicion, the different view of the world that emanates from different groups of society is part of the very difficulty that we have to address.

However, I think if, as I understand a democratic process, it is a process that's open, it's a process where difference of opinion is not feared, not rejected, not silenced, but in fact encouraged, listened to, and worked through, Mr. Speaker.

I understand the fear that people have. What if all the, say, public sector people are members of a union

and that that union, in fact, supports the political party, because it does, I guess, give feelings of unease and suggestion that special interest groups will somehow dominate in the actions of government and at election time.

I think one of the fallacies in logic though that comes from that view, and I'd always thought it was a Liberal view, I hadn't particularly associated it with the Conservative Party, that somehow society is made up of a group of a lot of warring interest groups, groups which have permanently opposed interests and aspirations, and those differences can't be resolved in any mutually acceptable way. I guess the technique of governing then or developing a political platform is a balancing out, a kind of uneasy keeping of the peace between groups who really can't share any common vision. I think given that perspective all the concerns and misgivings that the member opposite expressed follow.

However, I think what is missing in that perspective is a recognition that what a political party does when it sets a platform, and when it goes through the open debate to set its policy - at least what our party does from my experience with it, and with the labour member participants who are an important part of our party but by no means the only part - what happens, Mr. Speaker, is that in open debate, and in a democratic process at conventions and policy committees and so on, what is worked out is a common view of what is good for the total society. It's a view of mutual, of interdependence, of mutual respect. Not that there are not disagreements, both as to how things should be resolved or particularly what would represent the just society, but there is a devotion to a common quest, as it were, to find the ways to resolve our differences and to find, given our common inhabiting of a certain area of Canada or a certain part of the world, how we in our particular area can articulate a common perspective and find a way to bring it about.

When we hear democracy in the workplace discussed, or just the workplace discussed, we hear some groups coming at it from a perspective of profit. The workplace exists as a means by which people with capital and with knowledge can organize labour in order to maximize profit.

To give that perspective due credit, I think the people are saying that they honestly believe the sum total of all these groups, so organized, will bring about the best for the total society, and so they are concerned if the people with the money, and the people with the so-called superior knowledge are somehow challenged in any way, neglecting that the labour component of an operation brings a certain kind of knowledge, and experience to the common task that may be ignored to the peril of the people who are trying the maximize profit.

After all, the people with hands on experience of important aspects of an operation do have something to contribute. They don't perhaps have the broad perspective or the long-term view, the necessary skills to work out the total policy for a company, but the very fact that they can see how things are working out in the day-to-day hands on area of their work experience. If what they observe, think, and learn can somehow get integrated into the planning process and the operation of the business or the institution, it seems

to me that any smart owner or manager would want to optimize the chance of good solutions to common problems.

I think, in fact, that is the approach that each in our various ways, in admittedly a zigzag course that we are approaching. I think the recession/depression that we have all been through or are going through has frightened us in a way that may turn out to be productive. Because I think it has made us, all groups, reassess some of the common approaches that we had and think afresh of how we can better deal with the current challenges and the future, which the one sure thing we can say about it is that it will be different than the past. I think democracy in the workplace has got to be one of our major tools in tapping the creativity, the experience, the motivation of all the people at their respective areas of work.

Mr. Speaker, there is a lot of concern. I do spend a lot of time working with and listening to business concerns. There is a general concern throughout Canada in productivity of our business industry and government. Now productivity, Mr. Speaker, has many components, and there is one group that just says, somehow, labour isn't working hard enough or labour is too greedy, too irresponsible, too much industrial unrest and loss of time. There's elements of truth in some of that, but it is a very incomplete understanding of productivity.

Others analyse and say, well, there is inadequate capital investment or there is not a replacement of outworn capital equipment that still sits around and gets counted in when they are assessing or measuring productivity, and that if we could make our operations more technically sophisticated and state of the art that somehow we would improve our productivity.

There is another component, Mr. Speaker, that I think may turn out to be the most important in the future, and that is the commitment, the willingness to learn, to contribute that comes from each member of the enterprise, and that goes all the way from the people who invest, through the people who manage, to the people who do the very many kinds of work in the enterprise. We cannot do without any of these components, Mr. Speaker, but to think that they have to be organized in a tight hierarchy with communication going down and not up again, I think, is an attitude that's very shortly going to be so outmoded that it is laughable.

There are new models and ways to organize work and money in order to get good, efficient production. Interestingly enough, many of the new models are coming not from Europe. We have all, I guess, focused on the European models and argued back and forth about whether Scandinavian model is the most productive or the West German or Netherlands or Austria or whatever. I haven't heard either side of us arguing that the Russian model is the most effective in terms of productivity or work or democracy, but I think we have taken a great interest - all of us - in western Europe.

Interestingly enough, the area that many people are looking to now is Japan, not that the Japanese society is identical to here, but when examined more closely - and I guess our curiosity went up as their success

in economic competition increased - we're finding that there are elements of worker participation that we never used to see. We used to see that society as a very patriarchal society and people very docile and very work-oriented. I think we thought that their businesses were very enterprising; that government didn't really play much role in planning. Although we are finding that the Japanese say they don't plan, but they have a way of doing the things that are the components of planning so they get the good benefit of it.

But what we didn't realize until quite recently, when there was a lot of material, a lot of articles written about it, is that the Japanese in their centuries of developing mutual respect for one another in a social way had also learned to listen to one another. When they translated that into modern, industrial plants, what it became was a willingness and an ability to listen to the workers and to profit from their insight and their experience on the plant floor. That wasn't the only component, but the more it is looked at, the more people on this side of the ocean are recognizing that there was a system there that was enabling the ordinary worker to feel involved, to feel appreciated at their level of expertise and to feel that they had a say in the organization of their work and the improvement of their particular work task.

Mr. Speaker, I wouldn't argue for that form of industrial democracy to be translated here. I think it is important that we develop a made-in-Canada type of democracy, but I think if we can base it on a belief that human beings really are more productive when they feel valued and respected, when they're more committed to their work, Mr. Speaker, and more willing to come to realistic agreements when it comes to wages and working conditions, if they have access to information; if they feel a valued part of an undertaking.

I think the kind of worker democracy we'd like to see would not just be representation on a board, but would include experiments, because I don't think we know the only or best models in profit-sharing, in ownership-sharing, in joint decision-making, in plant floor committees. Because I think the democratic process is not something people understand or know naturally. It's something that has to be learned over a period of time, and I think what we are interested in is finding ways to offer that opportunity to more and more people in the workplace.

Mr. Speaker . . .

MR. SPEAKER: Order please, order please. When this resolution next comes before the House, the Honourable Minister will have seven minutes remaining.

The Chair will accept a motion to adjourn. The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I move, seconded by the Honourable Member for Turtle Mountain, that subject to the committees meeting this evening, we now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 10:00 a.m. tomorrow (Friday).