

LEGISLATIVE ASSEMBLY OF MANITOBA
Wednesday, 23 April, 1980.

Time — 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions . . .

**PRESENTING REPORTS BY STANDING
AND SPECIAL COMMITTEES**

MR. SPEAKER: The Honourable Member for Radisson.

MR. ABE KOVNATS: Mr. Speaker, the Committee of Supply has adopted certain resolutions, directed me to report same and ask leave to sit again. I move, seconded by the Honourable Member for Virden, report of Committee be received.

MOTION presented and carried.

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

INTRODUCTION OF BILLS

HON. KEN MacMASTER (Thompson) on behalf of Hon. Don Orchard (Pembina), introduced Bill No. 38, an Act to amend The Highway Traffic Act.

HON. GERALD W.J. MERCIER (Osborne) on behalf of the First Minister, introduced Bill No. 48, an Act to amend The Legislative Assembly Act. (Recommended by His Honour the Lieutenant-Governor.)

INTRODUCTION OF GUESTS

MR. SPEAKER: Before I call Oral Questions, I should like to draw the honourable members' attention to the Speaker's Gallery where we have a Mr. Baptiste Molai, from the Kingdom of Lesotho. He is here on a United Nations Fellowship, visiting the Human Rights Commissions and Judicial Officers in several jurisdictions.

We also have 80 students of Grade 9 standing from the Minnetonka School with an exchange group from Brockville, Ontario. They are under the direction of Mr. Ruff, and this school is in the constituency of the Honourable Minister of Finance. On behalf of all the honourable members, we welcome you here this afternoon.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question is to the Minister of Health. In view of a pending strike at the Golden Door Centre on Pembina Highway involving some aid to 80 ill and elderly residents, can the Minister of Health indicate to the House whether he has a contingency plan in

preparation, or to ensure the continued care of those residents?

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Yes, Mr. Speaker, the Golden Door Nursing Home has a contingency plan in place that has been developed in communication with the Manitoba Health Services Commission, with which my office is familiar, to take care of services to the 82 residents of the Golden Door Nursing Home in the event that a strike does take place. The strike vote has been held; it was in the affirmative, and a strike is scheduled for Friday morning, but there is always hope that it won't take place.

MR. PAWLEY: A further supplementary then, Mr. Speaker, to the same Minister. Can the Minister advise whether or not the contingency plan will avoid adding further pressure upon the already existing short bed situation in the city of Winnipeg in the hospitals?

MR. SHERMAN: Yes, Mr. Speaker, it's intended to do that. It consists in a return to their homes of a number of the residents whose relatives are prepared to look after them at home, in a position to look after them at home, and whose cases make that possible. It includes an expansion of direct home care services to be made available to the families involved and it involves the use of beds in rural hospitals in immediate outlying communities very close to Winnipeg.

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

MR. SAUL CHERNIACK: Mr. Speaker, I have a question I'd like to address to the Honourable Minister of Municipal Affairs, if he could give us the reason for the suspension of two elected councillors, the reeve and deputy reeve, in the Local Government District of Alexander.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. DOUG GOURLAY (Swan River): Thank you, Mr. Speaker. Yes, three of the five council members had resigned and there wasn't a quorum left to operate or carry on the functions of the municipality. And in view of accusations and allegations that had come into my office, I undertook to suspend the two remaining members of council until such time as I could determine whether there was any substance to the accusations.

MR. CHERNIACK: As a supplementary to the Minister, can one then assume that when there are accusations or allegations made about improper conduct by an elected person, that the role of

government is to suspend those people until the investigation has been completed?

MR. GOURLAY: As I explained, there was not a quorum left to carry on the functions of the Advisory Council, and in view of the fact that it gave me a chance to determine whether there was substance to the accusations, the two council members were informed of this decision and that's the action they took.

MR. CHERNIACK: Mr. Speaker, in view of the fact that the Minister has given two reasons; one being an investigation because of allegations of impropriety made, the other reason being given that there was no quorum, may I request him to clarify, firstly, whether a lack of quorum means that the people remaining must be suspended since they couldn't meet anyway without a quorum, and secondly, whether an allegation of impropriety is sufficient to suspend elected officials. Two reasons given. Could he elaborate on the two reasons and which of them have greater weight in his mind?

MR. GOURLAY: One course of action would have been to call for by-elections to fill the three vacancies, and doing that, then the council would have been back to full strength and could have continued on their functions. However, in view of the other reasons stated, the council members were suspended until further notice.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Speaker, a question to the Minister of Municipal Affairs. Could he then inform the House as to whether, had the other councillors not resigned, he would not have suspended the other two, the two that he suspended?

MR. GOURLAY: Not unless the accusations and allegations had come forward, even though those other council members had not resigned. Part of the investigation is to try and determine why they did resign.

MR. SCHROEDER: A question for the Minister of Urban Affairs. In view of the apparent policy of the government to ask for the suspension of members of councils who have allegedly been involved in some impropriety, can he advise the House as to whether that is what is proposed with respect to certain city of Winnipeg councillors?

MR. GOURLAY: Mr. Speaker, I thank the Member for Rossmere for raising this issue. I was going to attempt to respond to questions from the Member for Wellington from yesterday. Mr. Speaker, those questions from the Member for Wellington dealt with the enforcement provisions under The City of Winnipeg Act. Mr. Speaker, if an individual considers that there has been a breach of the section 88(1) which is the one that has been referred to, any citizen may lay a complaint with the police force in the usual way. There would then be an investigation and a report to the Crown Attorney who would then

in the usual manner decide whether charges should be laid. The procedure that would be applicable would be the summary conviction procedure, and there is a general penalty section under The City of Winnipeg Act which would be applicable, which relates to a fine of up to 1,000 or imprisonment. If, Mr. Speaker, after conviction, if that did take place, and a councillor refused to vacate his seat, then section 94(2) of the Act comes into play and under The Local Authorities Election Act, a petition may be brought by four or more persons who voted, or had a right to a vote at the election, to unseat the councillor.

MR. SCHROEDER: Thank you, Mr. Speaker. Again to the Minister of Urban Affairs. There have been allegations made against certain councillors in the LGD of Alexander; there have been allegations made against certain councillors in the City of Winnipeg. Could he advise us as to whether similar proceedings will be taken by his government with respect to each set of councillors?

MR. MERCIER: Mr. Speaker, I believe that there have been specific complaints brought with respect to the LGD of Alexander, which are being reviewed. As I've indicated in the procedure, if a complaint is received it will be investigated according to the procedure that I have indicated.

MR. SPEAKER: The Honourable Member for Rossmere with a final supplementary.

MR. SCHROEDER: Thank you, Mr. Speaker. Can the Minister then confirm that it is the position of the government that regardless of what information it receives with respect to an alleged offence, that it doesn't act to protect its provincial legislation unless someone specifically makes a direct complaint to the Attorney-General, or to the Minister of Urban Affairs?

MR. MERCIER: Mr. Speaker, a complaint may be made in the usual way to the police department or to Crown attorneys and if that's done, as in every other case, an investigation will be carried out.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. WARNER H. JORGENSEN (Morris): Mr. Speaker, now that the Member for Lac du Bonnet is here, I'd like to respond to a question that he posed in the House with respect to the safety provisions that are taken at the CIL dynamite storage plant in East Selkirk. The reply to the question is as follows: The CIL dynamite storage plant in East Selkirk is regulated under The Canada Explosives Act. It is an approved magazine under the Act. It has approved locks on the doors. It is completely surrounded by a 10-foot high chainlink fence topped with 3-strand barbed wire, and the gates are locked. Access to the grounds and the buildings is by telephone arrangement only. The site is isolated with no residences nearby, but it is not manned 24 hours a day, although a 24-hour security could be implemented. It is not considered essential or required under the federal legislation.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Well, Mr. Speaker, I would like to know what the position of the government of Manitoba would be in the event that there was a problem as a result of a break-in or as a result of a fire that may or may not have been caused by an individual. Does the province of Manitoba assume no responsibility whatever, given the fact that an explosion there could result in an awful lot of damage to the community and the surrounding area?

MR. SPEAKER: Order please. The question is hypothetical. It's dealing with things that might possibly happen. Would the member care to rephrase it?

MR. USKIW: Well, Mr. Speaker, I don't want to wait till it happens because then it will be too late to ask the question. I would like the Minister to tell us whether there are any contingency plans that he has, or the government has, in the event that there should be a problem.

MR. JORGENSON: Well, Mr. Speaker, we would have to respond in the way that we normally respond to occasions such as this, and that is, the response mechanism would be put in place. I presume that the first group that would be notified would be EMO and the Fire Department would be there as quickly as it could possibly get there.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. WESTBURY: Thank you, Mr. Speaker. My question is for the Honourable Minister of Education. Would the Minister advise the House whether it is a fact that the third level of the apprenticeship program for tool and diemakers and for machinists, the first two levels of which are taught at Red River, is it a fact that the third level will be taught out of the new Winnipeg Economic Development Centre in Windsor Park?

MR. SPEAKER: The Honourable Minister for Education.

MR. COSENS: Mr. Speaker, that's quite possible if enrolments justify the use of that facility.

MRS. WESTBURY: When the Honourable Minister is making a decision or a recommendation on this, Mr. Speaker, would he give consideration to the fact that tools and facilities already exist at Red River Community College and the cost of installing these tools and facilities at the other building would considerably increase the cost of supplying this course.

MR. COSENS: Those matters have been taken into consideration, Mr. Speaker. I think it is a matter of capability of training people in one facility with the equipment that is there, as opposed to adding additional equipment, where you have no space at all for it. That's our problem as far as Red River is concerned at this time, we don't have the capacity to add that equipment in the space we have.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, I would like to address a question to the Minister of Urban Affairs and ask him whether he would consider the introduction of conflict of interest legislation requiring the full disclosure of a persons assets and holdings upon seeking elected office or upon achieving elected office.

MR. SPEAKER: The Honourable Minister of Urban Affairs.

MR. MERCIER: Mr. Speaker, as I indicated yesterday, consideration is being given to conflict of interest legislation that has been proposed by the City of Winnipeg Council.

MR. DOERN: Mr. Speaker, I would like to also direct a question to the Minister of Highways, who I think has conclusively proved that he is one of the wheels inside Cabinet, and this concerns his statement —(Interjection)— well I believe he is riding a bicycle, Mr. Speaker, but I don't know whether it's a tricycle or not. I wanted to ask him, concerning his statement about the lower accident rate between bicyclists and car drivers, he has noted publicly that there has been a decrease and he attributes it to the Bicycle Safety Training Program of his Department and the Minister of Education. I want to ask him whether he has considered introducing legislation requiring proper lights on bicycles, which was a former practice in the city of Winnipeg, which is apparently no longer a requirement, which I believe is a safety hazard.

MR. SPEAKER: The Honourable Minister of Highways.

MR. ORCHARD: Mr. Speaker, I want to thank the Member for Elmwood for that question. I would like to first of all enlighten him, because he obviously doesn't know the difference between a bicycle and a tricycle, that indeed was a bicycle. And the Member for St. John had some problems with that as well, Mr. Speaker, and I trust he will likewise be enlightened.

Mr. Speaker, the member brings up a question of lighting, which is not under consideration at present, but I will point out to the Member for Elmwood that part and parcel of the bicycle safety course that is being offered to some 27,000 students throughout the province this year, last year, the last couple of years — part and parcel of that safety and training course is the safe equipping of your bicycle so that people, the children, are very much encouraged to install reflectors on their bicycles so that they are properly identified, not particularly at night, but particularly at dusk, etc. The reflectors are to be put on the spokes of the wheels as well as the pedals, and on the back, behind the seat, to give reflectorized identification from both behind, in front and from the side. There isn't a requirement, as the Member for Elmwood points out, for lighting systems on bikes.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I think the Minister is still soft-pedalling this issue and I want to ask him again — he says he's encouraging people to use reflectors and so on. I'm asking him whether he should not require people who operate bicycles to have flashlights and similar battery-operated equipment, because reflectors are useless to a very large extent. Would he consider compulsory legislation in that regard?

MR. ORCHARD: Mr. Speaker, that aspect of lighting the bikes can be given careful consideration but, at this point in time, I wouldn't consider compulsory legislation to require cyclists to carry some form of lighting on their bicycles. Mr. Speaker, the Member for Elmwood is choosing upon an issue that it should be pointed out he has carefully neglected to point out that as a result of the extensive safety and training program that my department has offered and has brought to the school children, in co-operation with the Winnipeg Parks and Recreation Branch, plus the City Police, that in fact over the past three years we have had a very encouraging decrease in the accident rate. Mr. Speaker, by far and wide, the majority of the accidents do not occur in the evening or in the night-time when such lighting would be of the benefit alluded to by the Member for Elmwood. Mr. Speaker, the children who rides bikes, by and large, ride them in daylight hours and at this time, as I've indicated earlier, we have no consideration at present to make lighting requirements compulsory.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, my question is to the Minister of Northern Affairs. I wonder if the Minister could tell us whether or not a special audit was done of the books of the Northern Association of Community Councils, and whether or not grants were withheld until late to the last quarter of the last fiscal year for the Northern Association of Community Councils, and whether or not the NACC has received their funding for this year yet.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: Thank you, Mr. Speaker. With respect to the NACC, no audit has been done to my knowledge and the fourth quarter payments have gone out. With respect to the current year's funding, I would have to take that as notice.

MR. McBRYDE: Mr. Speaker, my question also to the Minister of Northern Affairs is whether or not the Native Communications Incorporated has had a special audit done of their books, whether or not NCI has had their grant funds withheld for the last quarter of the last year or delayed and sent late, and whether the funding has yet gone out this year for the Native Communications Incorporated.

MR. GOURLAY: Mr. Speaker, I don't know if I can remember all the questions that were asked. With respect to the special audit on the Northern Communications, there has been no special audit. With respect to the final payment for the past fiscal year and the question of the funding for the current year, I would like to take that as notice and bring back further details.

MR. SPEAKER: The Honourable Member for The Pas with a final supplementary.

MR. McBRYDE: Yes, Mr. Speaker, my final supplementary to the Minister of Northern Affairs is, why then are these two organizations being treated differently than the Manitoba Metis Federation, and is in fact the treatment by this government of the Metis Federation a form of revenge or punishment for the MMF for staging a public demonstration, and is this a warning to any organization that receives funding from the province of Manitoba that they better not involve themselves in any public protest?

MR. GOURLAY: Mr. Speaker, I appreciate the member asking that question. With respect to the MMF, I am sure that members are fully aware of the publicity that came out last summer with respect to the question of who really represents the Metis people. With respect to the audit that was carried out, the audit was taken place by the Department of Finance, was for the period ending March 31, 1979. And although to my knowledge there were no irregularities identified because the department, or the government, did not place any specific strings to how the money was to be used, there was some concern that there was a lot of money being spent on travel and meetings. And this is one of the reasons that we are undertaking to re-examine the whole question.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, some time ago the Member for St. Boniface raised a question of uniform regulations for shopping carts and referred to an incident where a shopping cart was struck by an automobile in the middle of the street. The First Minister, in responding, indicated that I should advise as to whether or not there is a sufficient body of law to prevent the kind of misuse of shopping carts. Mr. Speaker, I can advise the Member for St. Boniface that there is municipal, provincial and federal legislation. In the city of Winnipeg By-law No. 1075 of '75 defines shopping carts and provides that no person shall in any public place abandon or leave a shopping cart unattended. The general penalty section permits an individual to be fined up to 1,000 and a corporation to be fined up to 5,000.00. Section 194(2) of The Highway Traffic Act provides that a person who drops, throws, or deposits upon a highway any substance or thing likely to injure a person, animal, or vehicle, shall immediately remove it or cause it to be removed, and that section has a fine of not more than 100.00. Criminal code theft section could also be applicable, Mr. Speaker. Obviously the major problem inherent in this matter is enforcement, catching the person who disposes of a shopping cart off the premises.

There would appear, Mr. Speaker, to be sufficient legislation and the real difficulty is securing of witnesses able to testify as to one or more of these offences.

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

MR. LAURENT L. DESJARDINS: Mr. Speaker, I thank the Minister for his answer but I think the Minister then has recognized that it is hard to enforce. Is it the intention of the Minister to either review the legislation or at least try to meet with the operators of these supermarkets to see if anything can be done because it's a real problem, and it's been going on for years, and the Minister says himself that this law is practically not enforceable, and I still think something should be done.

MR. MERCIER: Mr. Speaker, perhaps it might be appropriate for personnel from the Consumer Affairs Department to meet with the operators of shopping centres to determine if a greater degree of control could be exercised on people taking shopping carts off the premises.

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

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I direct this question to the Minister of Municipal Affairs in that he is conducting an investigation into the affairs of the LGD of Alexander. Could he indicate whether there have been any allegations against any members of his staff?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: Thank you, Mr. Speaker. I think it would be fair to say there has been some discussion with respect to the credibility of staff.

MR. URUSKI: Mr. Speaker, in view of the fact that the Minister has suspended the council of the LGD of Alexander, could he indicate whether he has suspended the staff of the LGD of Alexander as well.

MR. GOURLAY: Mr. Speaker, with respect to the administrator and other office staff of the LGD of Alexander, as far as I am concerned, I have a great respect for their credibility and they are not elected people. However, the situation is such that I chose to look at the situation with respect to council members at this point.

MR. URUSKI: Mr. Speaker, it seems that the municipal councillors are having the gun out for them these days. Mr. Speaker, I would like to ask the Minister whether he is considering amending The Municipal Act in view of the apparent contradictory statements between himself and the Minister of Urban Affairs in their treatment of councillors in rural Manitoba versus the city of Winnipeg.

MR. GOURLAY: Mr. Speaker, I would answer that question simply by saying no.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: I wish to direct my question to the Honourable Minister of Education. In view of the fact that the president of the Manitoba Association of School Trustees is likely in frequent contact with the Minister, as he should be, was the president reflecting government policy when he stated in Carman on April 8 that there will be more emphasis on the user-pay concept in financing education?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Not to my knowledge, Mr. Speaker.

MR. HANUSCHAK: Is the Minister intending to act upon that section of the bill which appeared before a committee of this House in October which would give him the power to impose a user fee?

MR. COSENS: Mr. Speaker, I hope to have a new bill before this House soon and at that time we can take a look at that section.

MR. SPEAKER: The Honourable Member for Burrows with a final supplementary.

MR. HANUSCHAK: Mr. Speaker, will the Minister table the two pieces of legislation which are indeed vital, prior to the consideration of his estimates?

MR. COSENS: Mr. Speaker, I'm not sure what time my estimates will be before the House. I can't give the member that assurance at this time.

MR. SPEAKER: Orders of the Day. Order. Order please. Before we . . . Order please. The Honourable Member for Kildonan on a point of order.

MR. PETER FOX: Thank you, Mr. Speaker. I would like to say that this House runs by consensus and by agreement, and it was by agreement that the Minister of Education's estimates were put off. Now if he's going to hide behind that, there will be no further agreements in this House. I want him to know that because this is no way to operate a consensus.

MR. SPEAKER: Order. Order please. Order please. The honourable member did not have a point of order. The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, just on a point of clarification. In answering the member, I merely said I couldn't give him an assurance because I am not sure of what day my estimates will start in this House. I know that they will follow the Minister of Corrections, but as far as the bills are concerned, I can't give him the exact assurance of what date they will arrive.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, thank you. One more question that I'd like to answer, the Leader of the

Opposition asked me a day or so ago, whether I would talk to the Law Society to ascertain whether or not there is a similar problem occurring elsewhere in Manitoba, similar to the situation which was outlined this past week. Mr. Speaker, I have discussed this matter with the Law Society and can advise the Leader of the Opposition that I'm informed that there is no other case other than the Hawes case, to which he referred, in which a client has recovered judgement against a lawyer and has been unable to collect the amount of the judgement by virtue of the lawyer's inability to pay in a denial of liability by the insurer, based upon failure to give the required notice.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, I thank the Attorney-General for that information. Can the Attorney-General advise whether or not in his discussions with the Law Society, he dealt with the subject matter of ensuring that innocent third parties unable to collect due to inability on the part of that third party to collect from the negligent solicitor, that the Law Society would, in those instances, ensure that innocent third parties would be properly compensated in the future?

MR. MERCIER: Mr. Speaker, I can advise the Leader of the Opposition that on January 28 of this year, the Executive and Finance Committee of the Law Society approved a proposal from their Professional Liability Insurance Committee to conduct a general review of the present liability policy. That motion was approved by the benchers. The President has asked these committees to deal with the specific problem which has come to the Society's attention for the first time in the Hawes case, namely whether provisions should be made to cover the case where the solicitor has failed to give the required notice to the Claims Committee, so that matter is under review now by the Law Society, Mr. Speaker.

MR. PAWLEY: Mr. Speaker, further to the Attorney-General, can the Attorney-General advise whether or not, in the positive finding on the part of the committee in question, that the Law Society then will undertake to ensure that the particular client in the instance before the Law Society, Mrs. Hawes, will be properly compensated?

MR. MERCIER: Mr. Speaker, I doubt that compensation could be provided retroactively. I don't believe that the terms of the insurance policy could be amended retroactively to deal with that question. As I understand it though, there is to be considered by this Legislature, a private member's bill to attempt to deal with this matter again now that Mrs. Hawes has attempted to follow all of the possible solutions to her problem and has been unsuccessful.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Mr. Speaker, my question is to the Minister of Northern Affairs. Yesterday the

Minister indicated that the reason the core funding was being withheld from the Manitoba Mtis Federation was because he was trying to determine which group he believed should enjoy his government's financial endorsement, and today he intimates that his department is holding back this funding because a lot of it, in his words, has been spent on meetings and travel. Can the Minister please indicate now, which is the real reason for withholding this core funding from the Manitoba Mtis Federation?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: For those reasons that the honourable member has already mentioned.

MR. COWAN: Thank you, Mr. Speaker. Is the Minister of Northern Affairs, Mr. Speaker, prepared now to use this opportunity to categorically state that there is no political — and I use that in the negative sense of the word — no political motivation behind his department's refusal and his own refusal to provide the core funding to the Manitoba Mtis Federation?

MR. GOURLAY: Thank you, Mr. Speaker. Certainly, none whatsoever.

MR. SPEAKER: The Honourable Member for Churchill with a final supplementary.

MR. COWAN: Thank you, Mr. Speaker. Then can the Minister indicate when his department will make a decision as to whether or not this funding will be provided to the Manitoba Mtis Federation? And as it appears he has been consulting with the Mtis Confederacy in this matter over the past while, is he also prepared to commit himself to consulting with the Manitoba Mtis Federation in regard to the same matter in the near future?

MR. GOURLAY: Thank you, Mr. Speaker. For the benefit of the Member for Churchill, I indicated that I had met with both the Confederacy and the MMF. I have met with them the same number of times. I invited them to come to my office and to bring two people, and both of them complied to that fact. As a matter of fact, yesterday I extended an invitation to meet with Mr. Morrisseau, and I thought that he would be coming by himself, although it didn't matter that he brought five other people with him.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, by way of further supplementary to the Minister of Municipal Affairs, can the Minister of Municipal Affairs advise whether or not he outlined to both MMF and the Confederacy the various options which he indicated to the House yesterday he had under consideration pertaining to the payment of these moneys?

MR. GOURLAY: Thank you, Mr. Speaker. As I recall, I did not indicate options to any group, various options that might be available.

MR. PAWLEY: Mr. Speaker, is the Minister prepared to assure this Chamber that he will be entering into the fullest consultation with the MMF, outlining to them the options which he has under consideration and ensuring that he receive some response from them pertaining to same? As well, Mr. Speaker, I might add that he has been in consultation with the Confederacy, the same to that organization.

MR. GOURLAY: Thank you, Mr. Speaker. I feel that I have received sufficient information from those two particular groups and hopefully a decision can be reached soon.

MR. PAWLEY: Mr. Speaker, I wonder if the Minister can advise what he means by receiving information from the two groups, without consulting them as to the options which he has under review in order to better assist him in permitting those organizations to provide him with the relevant information, prior to his determining a route for him to undertake on behalf of his government.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: Thank you, Mr. Speaker. I think that I have outlined pretty well our actions and the fact that we have met with the Confederacy and the MMF and other groups that have been associated, the Manitoba Metis Women's Association, and I would say, as I have indicated many times in the last couple of days, that I will be hopefully bringing forth a decision on this whole question very soon.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON: Mr. Speaker, I have a question to the Attorney-General following along the lines of the Leader of the Opposition. I wondered if the Minister could confirm and advise that the Law Society, in addition to having the liability insurance from French and Company, also collect some hundreds of dollars every year from members of the Law Society, the 800-some-odd members, and there is a fund in excess of 300,000 of which Mrs. Hawes could collect the money directly from the Law Society, and would the member undertake to find out the reasons why the Law Society has refused to pay Mrs. Hawes.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I'll take that question as notice and make those enquiries of the Law Society.

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

MR. WALDING: Mr. Speaker, my question is to the Treasury Bench. I would like to ask whether the government has any involvement into investigations into iron ore deposits in western or west-central Manitoba?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I will take that question as notice on behalf of the Minister of Mines.

MR. SPEAKER: Order please. The time for question period having expired, The Honourable Minister of Government Services.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I wonder if before you call the Orders of the Day I have this opportunity to apologize to the members of the House, through you, Sir, to the members of the general public, and more particularly to the directors and staff of Mount Carmel Clinic, for comments that I made during last Monday night's session when the estimates of the Department of Health were under consideration.

I have had an opportunity to peruse those comments by availing myself of a draft copy of the Hansard. The remarks were uncalled for and incorrect and I will be apologizing more formally to Mount Carmel directors and staff by way of letter today.

MR. SPEAKER: Before we proceed to Orders of the Day, I would like to make a statement to the House.

Through the last two months we have had a fair degree of difficulty with the new process that we have established for the printing of Hansard. We have tried a complete new system called the Word Processing System. We did have some rental equipment in place for the first month until the new equipment arrived. The new equipment is now in place. There has been a bit of difficulty establishing a communications system; we now have a hook-up to the Manitoba Data Processing, where the recordings are placed on a magnetic tape which is then transported to Magnecord Graphics, who do the typesetting.

You will notice today the latest phase in that changeover where we are now producing a typeset copy of Hansard with two columns rather than the single column. We believe that it will make it easier for you to read and I hope that members will take a look at it and give me the benefit of their opinion as to whether or not this is a superior product to what we had before.

The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, my first comment would be that it is awfully small print and I think as members read it diligently they will come to that conclusion.

Mr. Speaker, would you call the Adjourned Debates on Second Reading as they appear in the Order Paper.

ADJOURNED DEBATES ON SECOND READING

BILL No. 2 — AN ACT RESPECTING THE OPERATION OF SECTION 23 OF THE MANITOBA ACT IN REGARD TO STATUTES

MR. SPEAKER: Adjourned Debates on bills. Bill No. 2, An Act respecting the operation of section 23 of The Manitoba Act in regard to Statutes. Standing in the name of the Honourable Member for Logan.

MR. WILLIAM JENKINS: Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for St. Johns.

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

MR. CHERNIACK: Thank you, Mr. Speaker. I want to thank the Honourable Member for Logan for adjourning the debate on my behalf, in my absence. There are not very many comments I wish to make. I do want to comment about the fact that I support the comments of other members on this side who have been critical of the narrow approach that is given in this bill before us.

It is strictly a compliance with the interpretation of the Supreme Court and there is nothing I've heard or read which would indicate that the government intends to do more to recognize the role of both the founding people in this country and to recognize, to me much more importantly, the problem that is taking place across Canada that is threatening to split it asunder.

Mr. Speaker, I was born in this province and in this country without any previous designation as to which language I would be speaking but I happen to be speaking the language which comes most readily to me and to most of the people that are within my hearing from time to time. Nevertheless, one cannot ignore the fact that there is a substantial group of people in Canada to whom the language that they find most comfortable and in which they were born to participate as Canadians was French. Mr. Speaker, I speak more than one language, I do not speak French. The other languages I speak are a matter of choice for me and it was not a matter where I felt compelled to speak in French at all. I regret very much, Mr. Speaker, that I did not have the opportunity that is now being given to a limited number of people in Manitoba to learn to speak French and to speak French in order to make it possible for them to communicate with fellow Canadians, who find that French is the language in which they conduct their day to day lives. Although, as I say, the language I first spoke as a child is neither English or French, nevertheless I recognize that the rights of the people who speak French in Canada are much more justified than any other language that is spoken, including the one which was my first language.

I therefore regret very much that this bill reflects only compliance with what is interpreted to be the law of Manitoba. And I regret there is no proper indication, none that satisfies me, that there will be a stronger recognition of the need — and I consider it a need — for Manitobans to learn to be able to communicate in the two languages which are the official languages of this province under this bill that is before us. Once we recognize this bill, I do not know that we're doing much about, except to enshrine in history retroactively the French language into statutes, many of which are dead and never looked at again. Mr. Speaker, I don't see, and I agree with those people who are most concerned in promoting the use of the French language in Manitoba, that doing what is proposed in this bill is going to really correct a problem which will be with us forever. Whatever happens in Quebec, the

problem of communication between the peoples of Canada in one of the two official languages, is going to continue. Mr. Speaker, once this bill is passed there's not the slightest doubt that no one in Manitoba would have the right to say French is not a language equal with that of English, because this law which is brought and introduced by the First Minister of this province will read: In this Act official language means the English language or the French language. So, Mr. Speaker, regardless of bias, regardless of prejudice, regardless of personal preference, once we vote for this bill and once it becomes the law, we recognize that official language in Manitoba is both English and French. And, Mr. Speaker, my regret is that, having been indicated a decision to pass this law, that nothing really is being proposed to ensure that it becomes more acceptable, more practical, more in the spirit of a wish to learn to live together than a spirit of compliance with the law. I would really think that all the money that is being spent in translating old statutes and all the money that is being spent in compliance with the requirements as they are spelled out is not really being redirected into a meaningful living way, a living way to recognize that French will be a living language in Manitoba.

Having said that, Mr. Speaker, I want to comment only on one aspect which bothers me as a lawyer. I don't pretend that it's really going to be serious and yet it opens up a question which to my mind is not readily resolved. There is a section of the bill which reads, and I'll read that portion: If the bill for the Act, and it speaks of any Act presented in the future, if the bill for the Act was printed in both official languages when copies thereof were first distributed to the Members in the Assembly, preference shall be given to that meaning of the provision that, according to the true spirit-intended of meaning of the Act as a whole, best ensures the attainment of its objects. Mr. Speaker, it's not that complicated a sentence to understand but it is to me almost impossible to understand the implications of how it's to be dealt with. Because what it says is if a bill is presented in English, then that shall be the language that is used, that version shall be used for interpretation; if it's presented in French then, of course, it's the French version and not a translation thereof that will be used to interpret any aspect of the law. Well, that's straightforward; if it's presented in one or the other language, then the court should go on the basis of the interpretation of that language in which it is presented. But the Act says, when it's presented in both languages at once, which indeed is the case with this particular Bill 2 and is the case already in at least one other bill that I recall seeing, then it will be up to some court — I was going to say some Solomon, and then I thought, boy, Solomon is famous for several things. One is that he used a sword to try and settle an issue, and that is a devisive one; and the other thing Solomon is famous for I suppose is his expertise in either Aramaic or Hebrew, I'm not sure of that. I'm pretty sure that neither English nor French were his expertise so I think I will not use the term that we need a Solomon. But it will be some person that will be challenged with the argument that one or the other of the two languages represents the true spirit intent and

meaning of the Act as a whole and, therefore, shall be used for the interpretation.

The first response I thought was, well, now we really need bilingual judges but not a judge who has had an immersion course in one language and a life's living in the other language, but someone who really understands all the implications, ramifications and meanings, orientations of each language; but then has to go past and beyond that to understand what the Legislatures truly intended, what was the true spirit they had in accepting that, and indeed, Mr. Speaker, it might even be a question of finding out whether the people debating the bill, such as I'm doing now, am debating it with an intent to interpret the French version or the English version. I guess there's not much doubt as to which version I'm looking at but, nevertheless, Mr. Speaker, it seems to me it opens up the possibility for confusion and a lack of precision. As far as I could learn from the superficial inquiry, there is really no particular instance when a court was faced with that problem that is attempted to be dealt with in this section I have just read. I don't know that a court really directed itself to deciding whether it was the French version or the English version which reflected the true spirit intent and meaning of the Act as a whole in order to best ensure the attainment of its objects.

But it seems to me it's a problem and anybody who is involved in passing legislation should try to foresee that a problem that is visible or apparent can be resolved. I did investigate what is being done in other jurisdictions on this question and I find that in the federal Act they have a section, Section 8 (2) (a) and (c), which I will read in summary form. In construing an enactment, both its versions in the official languages are equally authentic. That's the statement; they're equally authentic. But then it says in (2), In applying subsection 1 to the construction of an enactment, (a) word is alleged or appears that the two versions of the enactment differ in their meaning, regard shall be had to both as versions so that, subject to paragraph (c), the like effect is given to the enactment in every part of Canada in which the enactment is intended to apply unless a contrary intent is explicitly or implicitly evident. Mr. Speaker, sometimes I wonder about these legislative councils or the people who draft legislation, but that's what it says. And then it goes on to say in (c), where a concept matter or thing in its expression in one version of the enactment is incompatible with the legal system of institutions of a part of Canada in which the enactment is intended to apply, but in its expression in the other version of the enactment is compatible therewith . . .

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

MR. MERCIER: On a point of order, Mr. Speaker, with regard to past experience in dealing with bills on second reading. May I suggest that the debate is to deal with the principle in the bills and not a detailed discussion of individual sections of the bills. If this particular matter is of concern to the Member for St. Johns, then certainly it's one that will be discussed in detail in Law Amendments committee, but should not be discussed in this manner in second reading.

MR. CHERNIACK: On the point of order, Mr. Speaker, I appreciate the Honourable the Attorney-General's efforts to try and reduce the volume of debate but nevertheless I'm speaking in principle about the Act and what it intends to do. And what it intends to do — and I'm speaking on the point of order — is to establish two languages and then it starts making certain comments as to how they shall be used in their presentation. And I don't need the Minister to assure me that it will be debated extensively in committee. I can assure him it will be debated extensively in committee which does not deny me the right to raise this particular point without reference to the section. I did not give the number of the section. He can find it if he wants to but I do have a right, Mr. Speaker, I assert, to discuss that aspect, that principle embodied in this entire bill. Are you going to rule me out of order, Mr. Speaker?

MR. SPEAKER: The Honourable Member for St. Johns may continue.

MR. CHERNIACK: Thank you, Mr. Speaker. So, Mr. Speaker, let me now inform the Attorney-General, who is obviously listening to what I'm saying, . . . —(Interjection)— and he says, the only one, and that's . . . —(Interjection)— Well, I'm assured on my side of the House that he is not the only one. Let him speak for his side only, Mr. Speaker. The Canadian version, it is a confusing way, I think, attempting to say something like what is said much more clearly in the bill that we are now discussing, but nevertheless seems to give a vague approach as to how interpretation is to be carried out, and I don't think that it's desirable for legislation to be vague; I think it should be as precise as possible. All right, the Canadian version, as I say, the federal version, seems to play this game in a balanced way and I think with uncertainty. I am told, as I say, and after making a superficial investigation, that there is no apparent interpretation by a court on this section of this federal section so as to give it greater clarity. I would think that the Attorney-General, who obviously is prepared to defend the bill as it is before us and is telling us that we will have extensive discussion in committee, I would assume that he will give us an authentic, well thought out, completely elaborated interpretation of how this section can be used based on precedent of how it has been used in the past; so that he will be assisting the committee when it meets to discuss this bill by giving it the wisdom that he has been able to put to this bill and the wisdom he will have been able to acquire from others in order to be fulfilling his role as the legal beagle, as has been suggested to me as the term to describe him.

However, I find that in other legislation, such as New Brunswick, section 14 in New Brunswick, Chapter 01 of 1977, I believe it is, says: In construing any of the instruments, bills, statutes, writings, records, reports, motions, notices, advertisements, documents, or other writings mentioned in this Act, both versions in the Official Languages are equally authentic. That is the section I find here and that doesn't help very much either, Mr. Speaker, but no doubt the Attorney-General will have the answer. However, Mr. Speaker, when you turn to the one province which has most at stake in regard to the

use of the French language in Canada, the province of Quebec, we find a rather simple statement which is set out on page 7173 of December 27, 1979, Volume 2, No. 36, Laws and Regulations, and it amends The Interpretation Act by inserting Section 40.1 and it says: In case of discrepancy between the French text and the English text, the French text prevails. So, Mr. Speaker, Quebec doesn't have any problem. They say when there is any discrepancy between the two then the French text shall prevail.

That makes sense to me, Mr. Speaker. It seems to me that a person bringing in a bill to this House in the French language which that person will be entitled to do after this bill passes, can bring it in the French version and then that is the one that will prevail. That person can choose, on the other hand, to bring it in the English language and that version will prevail. I believe that a person bringing in a bill in both languages could state in the section thereof, this bill shall be construed and interpreted in accordance with whichever language he selects, either the French or the English language. But failing that it seems to me that we ought to provide in this very bill before us a provision that, unless otherwise stated, a bill presented in both languages shall be interpreted, and I think it should be interpreted in accordance with the English version. For that reason I am raising this point to indicate that it would be useful, I believe, that when the matter goes before the Law Amendments committee, the people who will be appearing before it will be prepared to give their advice and counsel on what I think is a problem that may occur and which I believe creates uncertainty in the legislation, so that we may consider amendments to clarify and so that we may recognize the fact that although we are going to have two official languages, one or the other will have to be used to interpret certain statutes, and I think it would be desirable to have it clarified. So I am proposing that should be considered at Law Amendments.

Other than that, Mr. Speaker, I believe this bill should go forward to be discussed at the committee level. I would urge that the government do show their good intent in more tangible ways than to start translating the statutes of Manitoba back to Day One. It seems to me that they're opening up a whole field of what I believe is not necessary and there should be a way to work it within the Supreme Court judgement. For example, I believe that a person in accordance with the judgement has a right to come to court and to ask for documentation in the French language but I don't think that it has to be done in advance to the extent that all of the statutes, the whole gamut of existing statutes, not repealed, should be translated and published and be available in that language, just for the sake alone of compliance. I would much rather that that effort and that money would be expended in making the future more clearly that of recognition of the bilingual aspects of much of Manitoba life but, much more importantly, much of the life of Canada.

Mr. Speaker, I would only comment further that my leader has, on several occasions, attempted to get the First Minister to agree that we must be talking in this House about the future of Canada, as it is and as it will be, within this next number of months, and that that is a matter of such great importance that transcends much of the material that we do discuss

here. The subject I am raising and which is raised by Bill 2 is a subject that bears discussion throughout the length and breadth of Manitoba, not only in this Assembly. But so far the First Minister has refused to even make it possible for this Assembly itself to have meaningful discussions about the future of Canada. Part of the reason is, I think, that he didn't want to discuss it and avoided discussing it and avoided discussing constitutional change as if there was no use and no value in constitutional change at all. It seems now, that in the last few days he has become involved in it and pontificated on it and maybe then, on his return, he will be prepared to see to it, not just to make a statement but rather to make possible a meaningful exchange within this Legislature and with people from outside of the Legislature, so that we can all start discussing what the future of our province and of our country is likely to be and how we would like to assist it to be continued in a unified manner.

I think that is a very important feature and one which I think we will yet be discussing. That is a much greater ramification than this bill before us, which actually is compliance with a judgement of the Supreme Court of Canada and, I'm afraid, nothing else.

MR. CHAIRMAN: Are you ready for the question? The Honourable Member for Fort Rouge.

MRS. JUNE WESTBURY: Merci, M. le président. Je pense que c'est indiquer que je parle sur ce sujet. Il me semble que le ministre en présentant a cette lgislation a une responsabilitt pour prsenter aussi son esprance relative . . . pour accder a d'autres besoins des Manitobains pour qui la langue premiere est le franais. M. le président, ce gouvernement a une obligation pour dmontrer quelques directions a tous les citoyens du Manitoba, aux Anglais et aux Franais. Le premier ministre se refuse a dire quelque chose aux Franco-Manitobains qui marque notre dsir qu'ils restent Canadiens, que les Qubcois restent Canadiens. Le fait que l'excusif de la Socit Franco-manitobaine annonce leur appui des sparatistes de Qubec est tragique, M. le président. C'est une tragdie, il me semble, cause en partie par l'interfrenc du premier ministre aux problemes endurs par les Franco-Manitobains. Ou est la direction de ce gouvernement, M. le président? Comme une librale, la libration de cette lgislation, c'est appropri que je parle aujourd'hui pour tous les libraux de cette province pour parler oui a cette lgislation et pour parler aux Franco-Manitobains et aux Qubcois aussi. Les libraux du Manitoba dsirent pour vous, disons non a sparation, a destruction du Canada de la meme maniere quand une de deux maitresses de maison servant en cette Chambre, c'est comme il faut aussi pour moi d'exprimer l'admiration et l'hommage pour les Yvettes du Qubec, les Yvettes qui convenant a l'assaut d'un des ministeres du gouvernement de Qubec car organise un ralliement immense pour parler a M. Lvesque et a Mme Payette non a la question de sparation. Merci aux Yvettes de Qubec, M. le président. Mon franais n'est pas bon; je le parle aujourd'hui parce que je veux dmontrer a nos cousines de Qubec et aux Manitobains qui parlent en franais comme langue premiere que moi-meme et aussi tous les autres libraux, nous avons

besoin de lui. Mr. Speaker, I shall vote for this bill, but I believe the Minister has failed in presenting it by not submitting to this House a schedule of anticipated dates when we could expect translation devices to be installed in this House. Or if it is expected that these devices would be too expensive to be contemplated, Mr. Speaker, then in good faith he should relate to us the estimates which he has presumably gathered together as to the costs.

A much less expensive method of demonstrating good will, beyond mere compliance with the court order in this matter, would be for arrangements to be made for French lessons to be offered to Legislatures at their expense and to senior staff. This is the alternative to simultaneous translation and I would be proud to be one of the students in such a class, Mr. Speaker. Thank you.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. A.R. (Pete) ADAM: Merci beaucoup. Je suis dsappoint avec qu'est ce qu'on a devant nous. a va pas assez loin. Pour moi le ministre a manqu sa chance. Il aurait pu introduire quelque chose, montr de la bonne volont et puis que le franais soit parl dans les diffrents dpartements sociaux, par exemple, les gardes-malades publiques. Il faudrait qu'il y ait des gardes-malades qui peuvent parler en franais. On m'a dit aussi, les gens de chez-nous, ce n'est pas a qu'ils veulent voir. Ils veulent avoir le droit d'administrer leurs coles, c'est a qu'ils veulent voir. Ils veulent avoir le droit d'administrer le curriculum, l'administration et puis les classes. Ils veulent etre avec d'autres coles francaises qui sont totalement francaises, comme l'cole a Laurier dans ma circonscription. C'est la seule cole qu'on a en franais. Je pense que le dsir serait que cette cole-la soit attache avec d'autres coles dans la province pour administrer seulement le curriculum et puis l'administration de l'cole. La balance sera attache avec la division qui . . . les endroits et puis les fonctionnaires, les commissaires devront etre des commissaires de langue francaise. Comme c'est la, ils ne le sont pas; ils sont d'autres langues. Alors on m'a dit:

Mr. Speaker, the main concerns they have is they would like to have the authority to administer the French schools, the curriculum in the classes. They would like to be attached to other schools that are total French immersion schools. They would have a division; a part of the schools, would be associated with other French schools in the province and they would have French trustees. That's what they want, and for the balance of the school district would be attached to whatever school district they're in. As far as transportation of students are concerned and as far as maintenance and construction of schools is concerned, they would be attached to the school divisions in which they are situated. But as far as the administration of the school and the curriculum and the class, they want that to be totally French without interference from any non-French school trustees. That is their main concern. What we see here before us today is not what they actually want; they're not satisfied with this, and the Minister has missed his opportunity to do something, to demonstrate his goodwill, but the minute that he introduced this bill,

Mr. Speaker, the moment he had finished introducing it he started talking about 500,000.00. The cost, that's exactly what he started to do and that really hurt the French people, Mr. Speaker. It's the reluctance on the part of the government to have to spend 500,000 to try and help the French people.

Mr. Speaker, the French people have been robbed for 90 years; they've been robbed of a right that was theirs. They have been robbed of their culture and the damage is irreparable. We'll never be able to undo the damage that's been done over the last 90 years. That is the sad part of it and the government is dragging its feet, Mr. Speaker. That's where the Attorney-General made a serious mistake when he started talking about money, because we'll never be able to repay the French people what has been stolen from them. So I want to say that I'm going to support the bill, even though it's very insignificant; the Minister could have expanded it to show his goodwill and he didn't choose to do that. In other words, he was dragging his feet on it and we're stuck with it but I know that it will not satisfy the French people. We have to go much further, much further, than that.

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

MR. FERGUSON: Mr. Speaker, I beg to move, seconded by the Member for Roblin that debate be adjourned.

MOTION presented and carried.

BILL NO. 5 — AN ACT TO AMEND THE PUBLIC TRUSTEE ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 5, An Act to amend The Public Trustee Act.
The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I adjourned this bill on behalf of the Honourable Member for Burrows.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Mr. Speaker, we have reviewed Bill No. 5 and we are prepared to let it go to committee. There are some questions which we will likely raise dealing with the specifics of some of the sections. One, in particular, is the one which will allow the public trustee to establish funds within which he would invest the assets of those, the estates within his charge and raises the question why would the public trustee want the right to set up more than one fund, why not simply one fund within which all of the assets of all the estates would be invested. But anyway, Mr. Speaker, that is a question that I think could be more properly and effectively dealt with in committee so, therefore, we are prepared to allow it to go to committee for further debate at that stage.

QUESTION put, motion carried.

MR. SPEAKER: Bill No. 6, an Act to amend The Wills Act and The Mental Health Act.
The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, can we have Bill Nos. 6 and 16 stand, please.

BILL NO. 18 — AN ACT TO AMEND THE SURVEYS ACT

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for St. Johns.

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

MR. CHERNIACK: Thank you, Mr. Speaker. When I first read this bill, there were a couple of questions occurred to me that I wanted to raise to the Attorney-General. One was the principle involved that when a monument was to have been planted and there was a substantial difference between locations, then he or the Registrar-General, on determining that some person might be prejudicially affected, would cause a notice to be posted near the monument and certain other aspects, but there was no provision for notice to be given to the person adversely affected. On reading what the Minister said on April the 9th, Page 2199 of Hansard, I find that he has already himself found that there seemed to be an important omission in the bill and he said, I wish to also advise members that at committee I will be introducing an amendment to Bill 18, which will require that notice be sent to a registered owner of land who may be prejudicially affected by the re-establishment of a lost corner. So it seems to me that he has, himself, seen the defect which I felt I had seen and will be prepared to come into correct that.

But, then, the only other point was that I believe there is one section that is not clear and that is in the case when the Registrar-General receives an objection to or evidence against confirmation. If the surveyor and the Registrar-General do not accept the evidence as valid, then there shall be a person served with notice. I don't think it's clear, Mr. Speaker, and since the Attorney-General is present in the Chamber, I would point out to him that I'm dealing with a specific which is involved in the principle of the bill and I thought it only fair to him for me to indicate to him the concerns that I have so that he will be better prepared to deal with these concerns when and if this bill passes to go to committee. So that, Mr. Speaker, although I'm dealing in specifics I'm doing it for his sake and I think that it would be helpful to him if he is able in committee to deal with the points, rather than have them raised in committee without any notice to him of our concerns.

With that, Mr. Speaker, I want to assure the Attorney-General that this bill, momentous as it is, will certainly get my support and I'll do my best on this side of the House to elicit support of other members so that he can proceed with vital legislation that he has brought to us in Bill 18.

MR. SPEAKER: The Honourable Attorney-General will be closing debate.

MR. MERCIER: Mr. Speaker, I just wanted to say that I'm always delighted to receive as much assistance from the Member for St. Johns as he's prepared to give on this bill.

QUESTION put, motion carried.

MR. SPEAKER: Bill No. 27, an Act to amend The Liquor Control Act.
The Honourable Member for Logan.

MR. JENKINS: Could we have this matter stand, Mr. Speaker, please.

MR. SPEAKER: Mr. Speaker, if we could now we proceed into estimates, I would move 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. Mr. Speaker, we will proceed with one committee in the House.

MOTION presented and carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Radisson in the Chair for the Department of Health.

SUPPLY — HEALTH

MR. CHAIRMAN, Abe Kovnats (Radisson): This committee will come to order. I would direct the honourable member's attention to Page 61 of the Main Estimates, Department of Health, Resolution No. 77, Clause 3, Item (g) Dental Services, (1) Salaries—pass — the Honourable Member for Seven Oaks.

MR. SAUL A. MILLER: Mr. Chairman, I wonder if the Minister could tell us how many of the existing school divisions are covered under the MDA plan and how many are still operating under the government plan; that is, the latest figures and what is the change from last year?

MR. SHERMAN: Mr. Chairman, there are 30 school divisions, roughly speaking, covered under a Children's Dental Health Program. I say roughly speaking, because the details that I'll be giving the Honourable Member for Seven Oaks and the committee will indicate the intention of that remark. There are some areas in the province that are served that don't qualify as full school divisions and we group them together. So with that one caveat, that some specific isolated communities are grouped together in a category, we're looking at 30 school divisions, 20 of which are, at the present time, served by the government program and 10 of which have been served by the Manitoba Dental Association Program; that is at the present time and that is the status of the program as it has existed over the past year.

The government program, in addition to serving 19 specific divisions — yes, 19 specific divisions — also serves some remote communities in the north along the bay line, including Cormorant, Jenpeg, Ilford, Pikwitonei and Thicket Portage. And so, for purposes of making conversation and discussion a little easier,

we lump them together in a category and call it a division and call it, therefore, 20 divisions, Mr. Chairman.

The Manitoba Dental Association Program has been serving what we call 10 divisions, in fact, it's nine and two-thirds divisions, plus some remote northern communities, so we have classified it as 10 divisions. The two-thirds is in Kelsey School Division No. 45, which is essentially the community of The Pas and we serve, through the Manitoba Dental Association Program, two-thirds of the schools in that school division; so that's really a two-thirds division. And then in the Frontier School Division, the Manitoba Dental Association Program serves the communities of Gillam, Leaf Rapids, Cranberry Portage, Cold Lake, Sherridon and Lynn Lake and Snow Lake, so that, grouping those together we talk in terms, as I've suggested, of a category of a complete division and we call it 10 divisions.

Now up until a very few days ago, that was the status of the breakdown of the 30 divisions served by a children's dental health program in Manitoba at the present time. There are more than 30 school divisions in the province of Manitoba, Mr. Chairman, as you know, but this is the extent, geographically, to which the program has been developed and expanded up to this point in time.

Within the last few days, during the statement I made introducing my Estimates for this year, I announced a forthcoming change in that division of responsibility, which will be effective with the new school year starting September 1st and the machinery for which will be put in place during these next few months, this spring and summer, which will see three divisions and a district, formally contained in the government category, changed over into the Manitoba Dental Association category. Those are the school divisions of Pelly Trail No. 37, School Division No. 30 which is Pine Creek, School Division No. 16 which is Boundary and the Sprague School District. Those will come out of the 20 division category under government administration and move into the 10 division category under the MDA administration. So that for the new school year we'll be looking at 17 divisions served by the government program and 13 divisions served by the Manitoba Dental Association. The reason for the switchover in those three divisions in Sprague district, from government to MDA, is because those divisions are nurse poor, to use a colloquialism, in the subject area; they do not have dental nurses available to them. There are dentists available and willing to take over the program and to hire dental nurses, which has been one of our objectives and so that changeover is being made. But there is no geographic expansion of the program in the coming year. We are still talking about the same 30 divisions; only 17 of them instead of 20 will be under government administration and 13 instead of 10 will be under MDA administration.

MR. MILLER: Mr. Chairman, as I take it, there is the shift of an additional fee to the MDA and the reason given by the Minister is simply that they are dental nurse poor, I believe he used the term the dental nurse poor. Mr. Chairman, I'm not surprised that they are dental nurse poor. If the government hadn't cancelled the program which we were working with Saskatchewan to train these dental nurses in

and if the government had continued the program there wouldn't be a shortage, or these areas wouldn't be dental nurse poor. But I can see what's happened here; I can almost see the writing on the wall. Year after year the Minister is going to be able to stand up and say, this area is dental nurse poor and therefore, we are going to the MDA plan.

Mr. Chairman, this has been our criticism of the government from day one. I think I would have preferred if the Minister had, from the beginning, said unequivocally, we do not agree with a plan which is operated by government; we prefer a plan that's controlled, operated entirely in the hands of the private dental sector. If they had said that we would have had our differences of opinion but that would have been clear, unequivocal.

But what's happening here is an erosion of the plan, ostensibly on the argument that there are no dental nurses; and there are no dental nurses because the training of the dental nurses, which has taken place and which an agreement was entered into with Saskatchewan has been discontinued. Many of the dental nurses who have graduated could see the writing on the wall and have sought employment elsewhere. As a result, it is inevitable, because the program is very new, it was in its infancy when this government took office, it was inevitable that there would be a shortage of dental nurses unless the program for training them, the agreement with Saskatchewan for the training of these nurses, would be continued and an annual enrolment would go into Saskatchewan and after two years would graduate and come back into Manitoba. And sure there's a fall-off on these things, but there would always be a new fresh group to sustain the number required. And when this plan was first conceived there was no one and this was a long-term, long-range proposition; that it would take many many years to fully develop it to where a child would be covered from infant, from very young, to let's say, four year olds or five year olds, till age 18 and that it would require many many dental nurses. But it had been put in place with the idea that annually the age limit would be increased; annually there would be an expansion into new areas of the province that aren't covered; and annually there would be graduates from Saskatchewan, from the dental nurses school, that would be coming into Manitoba, as graduates, and filling in the positions that are required. But it's obvious this government doesn't want to sort of say unequivocally, we're opposed to that program, we're going to scrap it; even though, in my opinion, and I think in the opinion of many, it made manifest sense to operate a program as was conceived by the former administration.

What we are seeing here as well is no expansion of the program at all. I know that more children are going to be covered because the new enrolment in September of 1980 — children who are going to be five years old or six years old in 1980 — will come into the program. But what about the rest of the province that isn't covered? What's happening in Winnipeg? We didn't move into Winnipeg initially because we felt the greater need was in rural Manitoba and there was a very large population that had to be covered in Winnipeg and there are many dentists. But there is a need in Winnipeg, there is no question and a children's dental health plan is an

essential part of general health. There is no question in anybody's mind; I don't think the Minister will argue that, because what studies are showing is that a child that is enrolled in these programs at age five or six and carries on to 16, 17, 18, that child will have learned and will continue to maintain oral and dental health. It's ingrained in them; it's part of their lifestyle; it's totally accepted, because every year they're in a program which checks their teeth. If they've got a clean bill of health, off they go; they're given continued educational programs as part of that check-up; fluoridation takes place. That was another reason, incidentally, why Winnipeg was left till last, because Winnipeg water is fluoridated; many rural communities are not fluoridated, and that, we know, is a good prevention program for cavities; for the maintenance of sound teeth.

So I deplore the fact that the Minister has simply given as a reason, that they are dental nurse poor, because he is creating that poor situation. He's creating it by having closed off the training program, therefore, there's no new inflow of dental nurses; there can't be any, except those that are working in private dental offices, hygienists and other assistants to a dentist.

Mr. Chairman, although today there may be a fair utilization I've always maintained that the way to reach the children is in their school; for the dentist to be in the school, for the dental nurse to be in the school so that the fear of the dentist is overcome; it's a more natural surrounding. I've seen it operate, I've seen it work and in the final analysis it has to be less costly. I know, I'm sure the Minister will get up and quote statistics from a study which says that the utilization rates are good and the costs are, perhaps, even lower, but in the long haul your not, I feel, at the mercy of a dental profession, a handful of people who, like any profession, who are small in number, can wield a great influence. Because once the public program is dissipated, is gone, and it will go, it's inevitable, then the MDA will determine the level of fees and if you don't like it you can lump it, because they're the only ones there; there is no alternative. And we're back where we started from, and I'll use a parallel of the Medicare system, where a fee for service is established, and once established it's almost impossible to get rid of, because there are a small number of people involved in the delivery of the system; and where you have a small number, they control and have a great deal of influence on what happens. And I predict that the cost will rise as the countervailing public program disappears, as they don't have a benchmark with which to cope with; they don't have somebody standing over their shoulders at the end of the year saying, now why is it that the public health program perhaps costs less than your program. When that restraint is gone, I predict that the MDA will raise their fees, jack up their fees and say, this is what you pay or we don't do it, and there will be nobody to do it. With it will come a drop in utilization, and with it will come an increase in costs.

Mr. Chairman, those are just a few comments that I have to make initially with this program and, as I say, I regret that the Minister is using the attrition to move all the programs to the MDA, rather than saying bluntly, philosophically, we don't agree; philosophically he thinks the Member for Seven Oaks

may be wrong, and therefore philosophically he's going to pursue a policy which turns the entire program over to the private practitioner. I wish he would say that when I sit down and this debate can be then much clearer than it has been today.

MR. SHERMAN: Mr. Chairman, I think I've said that. I think the record will show that I've said that. I said that at the outset of the debate on this program that accompanied my first estimates as Minister in 1978 — February, March, April, that period of 1978 — but I think the Honourable Member for Seven Oaks takes too much for granted when he thinks that he, or I, or anybody occupying the Ministry in the field of health in Manitoba can simply stand up and say that we would prefer, all things being equal as I have said, that the program be run by the profession and the professionals and not by the government, and so that's the way we're going to go, and expect that that remark can end the debate. It's precisely because neither the Member for Seven Oaks nor the Member for St. Johns, nor, I think, the Member for St. Boniface, and perhaps several others, were prepared to accept that, and that's perfectly within their rights that I have had to go on from there, and I am prepared to go on from there and I accept that it's legitimate that I should go on from there and say that I have to be able to demonstrate to those members that all things are equal before we can proceed in that direction.

I would also comment just briefly on the honourable member's reference to the shortage of nurses and to my explanation for the changeover to the MDA in the three divisions to which I referred. In fact, Mr. Chairman, when I suggest that those divisions, and particularly Pelly Trail were nurse poor, I am referring to those specific divisions, not to the province as a whole. There is, in fact, no shortage of dental nurses. There are dental nurses who have been trained and graduated from Wascana who are not working in the field of dentistry today, much to my regret. I deplore that very much, but I must admit that and confess to that because it is a fact, and for the Honourable Member for Seven Oaks to conclude from what I have said that there aren't dental nurses around to put into these divisions would be incorrect and would be misleading, and it would be a case of my remarks having misled him. There are dental nurses around but those particular divisions, particularly Pelly Trail, lost their dental nurses who resigned or moved, or went elsewhere for reasons of their own.

It's not always easy to get dental nurses to go into some of these school divisions, although in most cases, most of the dental nurses looking for employment in the dental field are certainly willing to go to most potential assignments, but because those divisions lost their nurses, because the cost efficiency report of the Storey Review Committee indicates that in terms of utilization and in terms of unit cost the Manitoba Dental Association plan is certainly competitive with, if not superior to, the government program, we want to give the professionals a chance to operate in those divisions, and because they're willing to hire dental nurses and provide them with employment opportunities, which has been part and parcel of my thrust and my motivation and my intention all along, this provides us with a happy combination of circumstances to

turn three divisions over to the professionals and to find employment for dental nurses.

Pelly Trail in particular has not, in recent weeks, or I believe even in recent months, been served by the dental nurse or dental nurses who were originally there. Those dental nurses left and Pelly Trail was being served by dental nurses who were being flown in or transported in from other divisions, which is impractical to say the least. So the situation that has arisen has presented us with the opportunity of turning the program over to professionals and insisting or agreeing with those professionals that employment opportunities will be offered dental nurses. Whether we get dental nurses to go into each and every one of those divisions will remain to be seen, but there are dental nurses available in the market, in the province, Mr. Chairman, who are not working, who are certainly not working in dentistry at the present time, so I don't want to leave the impression with the Honourable Member for Seven Oaks that there are no dental nurses around. There certainly are.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. PAWLEY: I'd just like to follow on to some of the comments by the Minister of Health. In respect to those dental nurses that have graduated from Wascana, can the Minister advise whether or not he has checked with each and every one of the graduates to ascertain whether or not those that do wish to practise dental nursing have, in fact, been given that opportunity, and that they are prepared to go anywhere in Manitoba to do so.

MR. SHERMAN: Mr. Chairman, the complete group of dental nurses to graduate from Wascana during the years of the bursary program is not, by any means, Sir, working in the field of dentistry in its totality in the province. This is certainly one of my objectives and my office's objectives. The Honourable Leader of the Opposition is quite correct when he refers or refers by implication to my statements and comments on this subject in the past. I want dental profession opportunities made available to all those dental nurses. That has not been accomplished yet.

MR. PAWLEY: Mr. Chairman, first, I don't believe the Minister answered my precise question in a precise manner. Has he, or through his department, approached each and every one of those that did, in fact, graduate from Wascana to ascertain whether or not they would accept a position of dental nursing if one was offered to them within the province of Manitoba?

MR. SHERMAN: I can't speak for the last class to graduate, Mr. Chairman, which was the class that graduated in June of 1979, and consisted of about 36, 37 graduates, I believe, but certainly that was true of the class that graduated in June of 1978. We were in very close consultation with that group and in fact met with them and their representatives, and I had given that group an undertaking that every effort would be made to find them employment in the field of dentistry, but I can't speak for the class of '79.

We certainly have attempted, through the Dental Nurses Association, to maintain contact with and awareness of the individuals in that group and in that class on what they are doing, and we've certainly met repeatedly with the dentists and urged that employment opportunities be made available. There has, in fact, been considerable co-operation from the Dental Association through an informal central office process that was set up between the dental nurses and the Dental Association to act as something of a brokerage house to put dentists and dental nurses in touch with each other, and certainly some of those members of the class of '79 have been hired and are working in dentistry. I think the number is about 11, but there is a substantial number who have not been hired and who are not working in the field of dentistry.

Some have expressed interest in becoming dental hygienists, and through a co-operative project put together by the MDA and those individual dental nurses themselves and the Manitoba Dental College, an upgrading course in dental hygiene is going to be made available and launched in the very near future and I believe 10 of those dental nurses are going to take dental hygienist training and then will go to work as dental hygienists in the field.

MR. PAWLEY: Mr. Chairman, I wonder if the Minister could advise us when he last approached the dental nurses in order to ascertain whether or not they were satisfied, whether they, in fact, had been given adequate opportunities to ensure that they were able to carry out the practice to which they were trained in.

MR. SHERMAN: No, but I can certainly check the correspondence and get that information, Mr. Chairman. I can say that my office, and the former director of Dental Health Services for the province, Dr. Jim Leake, and the new director sitting in front of me on my right, Dr. Cliff McCormick, certainly are and have been in touch with the dental nurses and the Dental Nurses Association. There has never been a lack of opportunity for contact and communication, but I can't tell the Leader of the Opposition when my last direct contact with the association was in person. There has been ongoing contact between them and my office.

MR. PAWLEY: Mr. Chairman, the Minister had indicated that he was faced with a problem at Pelly Trail; that in fact there were vacancies; that dental nurses did not want to fill those vacancies or were not available to fill those vacancies, and it was for that reason —(Interjection)— or didn't want to, for some reason or other, incapacity to ensure that those vacancies were filled in Pelly Trail by dental nurses. And as a result of that, the Minister went to the Manitoba Dental Association to request the Manitoba Dental Association to undertake responsibilities pertaining to Pelly Trail, rather than Pelly Trail falling within the area of responsibility of the dental nurses.

Mr. Chairman, I would like, in pursuing this, to find out, due to the fact that the Minister was faced with this problem, and I certainly can understand the Minister's problem: If he can't get the services of dental nurses to enlist for responsibility in a school

division, it leaves him with very, very little alternative but to go to the MDA. But Mr. Chairman, I would like, therefore, for the Minister to indicate what efforts were undertaken by him. Were all dental nurses that had graduated from Wascana approached to ascertain whether or not they would undertake responsibility in Pelly Trail? In other words, what search, what efforts were undertaken by the Minister to try to continue the, I believe, excellent work — the Minister would agree — on the part of the dental nurses in Pelly, were in fact to be continued serving the people in Pelly Trail rather than simply giving up that service and switching over to the MDA program.

MR. SHERMAN: I'm sure, Mr. Chairman, that all dental nurses unemployed in the dental field in the province of Manitoba were not approached and asked if they wanted to go to Pelly Trail. We lost the dental nurse or nurses who were in Pelly Trail and we were only able to serve them at that point in time, which was in recent months, through supplying the service from dental nurses in other school divisions who were transported in. I would have to check with my department to see how many and how strenuous were the efforts made to identify other dental nurses who were prepared to move to Pelly Trail. I am sure in my own mind that there certainly was no widespread poll conducted among all unemployed dental nurses to see whether they wanted to go into Pelly Trail or not. There was a difficulty, though, in that there was apparently none available at the moment, and so they were being supplied from outside the division.

The truth of the matter is that the Manitoba Dental Association approached us with respect to Pelly Trail and identified a dentist, a professional, who was prepared to hire a dental nurse and was anxious to take over the children's program. We did not move on any such requests or in any such directions pending the conclusion of the Storey Committee's Cost Efficiency Report as honourable members know, nor are we moving in any expansive way on the basis of that report, because there is a recommendation under very serious consideration by us for a health status evaluation now to be carried out.

On the basis of the approach that, I repeat, I offered inside the House and outside the House in 1978, and from which I have not deviated, that is, that all things being equal, this government prefers a program run by the dental professionals of the province rather than run by government; and on the basis of the conclusions of the cost efficiency report, on the basis of the fact that there were dental professionals available willing to take over the program and agreeable to hiring dental nurses, it provided us with what I described a few minutes ago as a happy combination of circumstances, an opportunity to turn three additional divisions over to the MDA, which is my objective. —(Interjection)— The Honourable Member for St. Johns responds as though it is something I have been secretive about. I think if he checks Hansard, and certainly he has been one of the leading participants in this debate for two years, I don't think I've ever made any bones about the fact that the Progressive Conservative Government and current Minister of Health would prefer a children's

dental health program operated entirely, entirely, by the professionals in the dental profession in this province. I have a responsibility to my friends opposite and through them to their constituents, as I have to my colleagues, and through them to their constituents, who embrace all the people of Manitoba in total, and I cannot act on personal preference unless I have the conclusive arguments.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Chairman, I would like to just return to the subject matter, which I would like to obtain further elaboration upon. In addition to the Pelly Trail, we have the Pine Creek and the Boundary School Divisions that have been turned over to the MDA as well.

We have a statement by the Minister, I believe two years ago, that he would attempt to make every effort to do all that was humanly possible within his ministry to ensure that every dental nurse that graduated from Wascana would be given opportunity to pursue the career for which she or he had chosen. We now have the report commissioned by the Minister, I won't debate the contents of that report, that the dental nurses were providing a service equal, approximately, and at a cost approximate to that of the MDA.

Mr. Chairman, the vacancies occur. The Minister indicates that he hadn't really made a thorough search to ascertain whether there were dental nurses available. I believe, and I don't want to be unfair to the Minister, that the Minister indicated that he hadn't even tried to find out whether there were some of these youngsters, who had just graduated from Wascana, that were available in the province to undertake the responsibility for which they had received training for.

Mr. Chairman, the Minister said he wanted to take advantage of happy set of circumstances, to move the MDA into the school divisions in question. I want to put to the Minister that there are young girls that I know of that spent two years of their lives following a course of studies in Regina, with a career in mind. They were quite proud of that opportunity and looked forward, Mr. Chairman, to spending a major part of their lives contributing to the community by way of this profession of dental nursing, who are now working in other fields — sales clerks in stores — because they haven't been placed, they haven't been given the opportunity. The Dental Association or the Minister, in some way or other — I don't want to be unkind to the Minister, but I believe it is a fact — has not insured that graduates have, in fact, been placed.

What bothers me then, Mr. Chairman, is that we do have a situation in which the Minister has said, there are vacancies. Those vacancies were not filled, and the Minister said that dental nurses weren't available. I find the Minister didn't search nor did he try to search out to find whether or not there were some of these young girls and young boys that were available to work in these school divisions. I think there were, Mr. Chairman. I feel positive there were, because they have spoken to me. They have expressed their frustration and their distress that after two years with the fullest and the best of expectations, on their part,

in serving their community, they haven't been given an opportunity to pursue that career for which they were trained. Rather than it being a happy set of circumstances, which the Minister made reference to, I think it is a very unhappy set of circumstances. Moneys were paid out by the Minister and by the previous Minister in order to insure that young Manitobans would pursue this particular line of training in Regina. I don't have the figures, but I know we could work them out very very quickly. I believe I am not being wreckless in stating that the numbers are hundreds of thousands of dollars were spent of moneys of Manitoba taxpayers to train these girls and boys to assist them. Now we have situations where there are vacancies in school divisions, and rather than the Minister going out to insure that these young girls and boys were given a first opportunity, he grabs on to what he suggests was a happy set of circumstances to turn over the dental work in those areas to the MDA, despite the fact that the report that was commissioned within his own department said that dental nurses were doing a job, service, costwise equal to that of the MDA. I am just very very disappointed that the Minister has not been more aggressive, hasn't undertaken a greater search and hasn't checked about. I could give the Minister names, unless he has just given up this last while, of those that would like to have followed this career, and it would seem, I think, by the ideological bent of the Minister, who has very very honestly admitted he has an ideological bent in respect to this program, has frustrated the hopes and the expectations by these young girls and boys that spent two years of their lives in Regina attempting to learn this career and not be given any opportunity to develop that training in their own home province.

MR. SHERMAN: Mr. Chairman, it is a happy combination of circumstances because it will permit dental nurses to be employed by dentists, which is not an easy accomplishment. The Honourable Leader of the Opposition is not aware, and I don't expect him to be aware, or perhaps that it presuming too much, perhaps he is aware but I wouldn't blame him if he weren't aware of the difficulties that we face in this entire field in attempting to make a fundamental change in a program that involves a profession with its own set of by-laws, and its own set of ethics, and its own history, and its own professional positions, and its own ideology. In that respect they are probably no different from any of the rest of us and it has not been easy, either for us or for the Dental Association, to accommodate the concept of the dental nurse — I don't want to rethresh old straw and open up debates that we have already exploited, I think, in this Chamber to some extent in the past — but to accommodate a new dental discipline or profession, which they saw as an invasion of and an intrusion into the historic profession of dentistry, as they conceived it and as it was contained within their by-laws and their regulations, so that has not been easy. When I say a happy combination of circumstances, it is a happy combination of circumstances, because we are not turning over any school divisions to the MDA, to any dentist who does not hire a dental nurse, and that is paramount in the discussions and

in the ongoing consultations that we have had with the dental profession since Day One in this exercise, and that is that I want those 88, approximately — I don't want to be held to that figure, but it is 86, 87, or 88 — dental nurses who graduated from Wascana in the three or four years of that course, most of them female, but some males, I want them given the opportunity to practice in the field of dental health. That is, if they want to; there may be some who have other ambitions now, but all who want to. No private dentist will take over the operation of this program in any school division unless he or she hires a dental nurse, so that I say that it is a happy combination of circumstances.

We have made strenuous efforts to try to have the dentists in other parts of the province hire dental nurses. The dentists, in fact, assure me and have assured the government caucus that given the Children's Dental Health Program, they will hire all the dental nurses, but we say that we would like to see the equation worked the other way: Hire the dental nurses and then we can work out something with respect to the program. That, Sir, is something of a chicken and egg impasse, as I am sure you will appreciate, and it hasn't been entirely resolved yet. But I can put the mind of the Honourable Leader of the Opposition to rest with respect to the three divisions that we are talking about and any others that are turned over to the MDA. A requirement of that turnover is that they hire a dental nurse.

MR. PAWLEY: Mr. Chairman, I wonder if the Minister would be prepared to provide this kind of commitment, that as the situation develops in other school divisions, as he states, it developed in Pelly Trail and Boundary and what not, and vacancies occur, rather than just turning that school division over to the MDA, would the Minister be prepared to commit himself, for the sake of those young girls and young boys being given a first opportunity to move into that school division to provide that service to fill those vacancies if the Minister received names of dental nurses that are now not working in dental nursing but in other fields that would like to work in dental nursing? Would he in the future insure that rather than just turn the school division over to the MDA, that he would first give those young graduates an opportunity to fill those vacancies, so that we can insure that all 88 are really employed and not some working as sales clerks in our stores as some have been for the last two or three years?

MR. SHERMAN: I know, Mr. Chairman, that some have been working in other jobs, store clerks and other positions, in the last two years, and it concerns me very much. I intend to develop the situation that I have suggested I am working on, a situation that provides all of them with that opportunity to work in the dental field. But I can't give the Honourable Leader of the Opposition that commitment. What I can commit is that there will be no geographic expansion until this question is resolved as to whether the thrust is towards the MDA or towards the government-run program and I can assure him that the young people he's concerned about figure very prominently in any turnover of existing divisions to the MDA because none will be turned over unless dental nurses are hired. So that what I can commit

and am committing to the Honourable Leader of the Opposition is that paramount in the transition is the employment of those dental nurses. What he's asking me to commit is contrary to the direction in which we would like to go and the direction which would appear to be at least defensible on the basis of evidence collected so far and that is to look to the dental profession essentially to deliver the service. What he's basically interested in, I suggest to him is the employment of those dental nurses and that I can guarantee him. They will not operate the program under the government but they will work as dental nurses for dentists who are operating the program on behalf of the government through the MDA.

MR. CHAIRMAN: The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, the Minister stated that he deplored the fact that there is a shortage of nurses. I have never heard so much garbage and I have never seen so much hypocrisy. The Minister also stated that when asked, when challenged to say which programs he wants, he said that yes he wanted this program, everything else being equal, and that is also a joke. He wants that program period. He wants that program and nothing else. He sold out and he is going to ruin a good plan. There was a plan that was starting through a lot of work that was very successful. There was no reason in the world to change it. But this government is strictly ideology and selling to an influential group of people. You know, if we ever say anything about the would be higher class in society we are accused of everything; we are accused of confrontation. And the Minister is the worse one for that to try to drive the wedge between. He did it in opposition; he's doing it now and he repeats when it's not founded, when he has correspondence that proves this is not the case, he wants to say that it's just confrontation. For their part, for the Minister's part with other groups, that he doesn't feel important enough, well then there is no confrontation, he ignores completely; he doesn't talk to them and they are so afraid to say anything at all because they have been threatened.

Now there is no doubt, the Minister, if he was sincere when he said that he would prefer a plan run by the dental profession, everything else being equal, he would have accepted the suggestion and the challenge that we made last year and the year before to leave that program alone and start in another area; let them start their own. They took over after the groundwork was done, after a lot of hard work was done they took over. They are comparing utilization in one instance with the people who's parents refused to have them go through the program but then he takes only those that have accepted it first and he says that's utilization.

Mr. Chairman, if he feels that he can justify himself with this document that we have in front of us he is sadly mistaken. This is another Tritschler Report, this is something to whitewash, to justify the move of the Minister and the government. The proof will be in a few years and the comparison will be made by a program that exists, such as in Saskatchewan, and the one that we have here. This is where you are going to see, when they come back and threaten to

withhold services if they don't get the bigger fees; when we see what utilization is; when the people will have to be bussed here into a dentist's office.

If we talk like this it means we don't respect the dental profession. He talked about the dental profession and he talked about the invasion of their historical rights, that's the rub, that's the concern, and every single profession did it. At one time, nobody recognized the physicians and surgeons. I think they started, they were barbers and they were ridiculed and they fought and they accomplished something; in this day of high cost for health care, where you need more paramedical, and which is exactly what our program was, and it was judged that it was as good if not a superior program, by dentists, by the tops in the nation.

The Minister says he deplores the fact there are no nurses. He chased them away and he admits himself quite candidly, he talks about co-operation. It's not co-operation. He talks about them, they are professional, they know what they are doing, but he's interfering. He says be consistent. He's interfering, he's telling them and he made no bones about it last year also that he read the riot act, that's not co-operation. If you want it you will have to employ these nurses. I don't give a darn where but you will have to employ them until they go away and this is going to happen very very soon. This is exactly what the situation is and the Minister last year — you know he never mentioned the profession. That is a profession also and they were proud of their profession and they were happy and they were doing good work. Now when he was questioned last year this is what the Minister said; they were working as dental nurses. He said that he would guarantee jobs for those that were already there. The others, he would do his best to see that they would be employed and he read the riot act and it was obvious why; that he didn't want to feel the political implication of the province having paid for nurses and then that they wouldn't be hired, that there wouldn't be a job when they were promised a job.

He wants them to disappear and it's great for the profession. They are chasing away the condition in the program. They can't say anything and this is what they were going to do. This is the kind of employment. Some of them are employed as dental nurses in the government program until they can take away from them. Those are my words, until they can take away from them. Some of them are employed as dental nurses in private dentist's office; some of them were employed as dental auxiliary in private dentist's offices. They would not necessarily be classified as dental nurses. I wonder what he would think if the medical profession would say, would you like to go back as an orderly? I'll guarantee you a job, you'll be an orderly. This is what they were saying. A couple of them are practising as dental nurses in Saskatchewan. We do have one class still to graduate and I still don't know, there was no guarantee at the time, they were looking at the contract to see if they were obligated to pay the rest of their education. That is the class of 1979. He says we succeeded with respect to the class of 1978, and we will certainly do our utmost with respect to the class of 1979, but we are not taking any more in — now I am quoting the Minister.

There are no more going to Wascana College on bursaries.

Mr. Chairman, this was a commitment made by this government without knowing a thing about it, without having studied the program at all. They had not made any effort to familiarize themselves with the program, and we had an excellent program. They chased the director, who was one of the best in the country, who was recommended by everybody highly, who could not stand it anymore and he left because he felt that that was a joke. We respect this was not a plan to try to scuttle, embarrass, or take anything away from the dentists. This was a plan where you were answering services; where you were bringing in services; and you were getting certain people that were limited to do something and under the eyes of a dentist. It's practically impossible to get an appointment to see a dentist in Manitoba especially in certain areas. You have to have a kind of a grant to entice them to go there. This was an area where a young dentist who hadn't established, who was trying to establish a practice, or others that wanted to work just a few days a week, and we depended on that and we depended on the goodwill of these people to run a program.

The comparison as I said will be made, Mr. Chairman. A comparison will be made with one program. Not a program that they did everything to scuttle, and we've got that letter and before this over this will probably be quoted again. Everything was done to scuttle the program by a group that justified that they were only the ones that could do it. If the Minister was so sure of himself . . .

MR. CHAIRMAN: Order please. The hour is 4:30, Private Members' Hour. Committee rise. Call in the Speaker.

The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again

IN SESSION

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Virden, report of Committee be received.

MOTION presented and carried.

MR. SPEAKER: We are now under Private Members' Hour, Wednesday afternoon. The first item of business on Wednesday is Orders for Return and Address for Papers that have been transferred for debate. We have one order standing in the name of the Honourable Member for Brandon East.

MR. WALDING: Mr. Speaker, the honourable member was not able to be here at this time. I wonder if we could have the matter stand over until it next reaches in the Order Paper.

MR. SPEAKER: I've been asked if the matter can stand, is that agreed? (Agreed)

We will then proceed to resolutions. Resolution of the Honourable Member for The Pas, standing in the name of the Honourable Member for Rupertsland. The honourable member has seven minutes left.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. Well much has been said on this issue during the earlier debate on this resolution and during the lengthy debates of the Minister of Natural Resources Estimates in the House, so I would propose to be brief and simply summarize the main points of contention which were behind the drawing up of this particular resolution and indicate the New Democratic Party caucus position on this issue, Mr. Speaker.

We believe that, as we have indicated in the past, the Minister should withdraw the proposed resolution or proposals for changing the fishing regulations. We had earlier demanded in January of this year that the Minister, if he was not prepared to withdraw the proposed regulations, that he allow a democratic vote of the fishermen to indicate their feelings on these proposed new policies. We believe that would have the same effect as the Minister simply withdrawing the proposed regulations since the majority of fishermen are clearly opposed to these proposals. Mr. Speaker, we believe that the Minister has failed in his responsibility toward this client group that is served by his department by inadequately consulting the fishermen before proposing these regulations. The fishermen were furious with the way in which his department handled the situation by bringing the regulations out as a fait accompli rather than bringing them out as proposals which they would have the opportunity to discuss and to comment on before they became actual policy.

We believe that as a result of that whole fiasco, Mr. Speaker, that the Honourable Minister has certainly lost credibility in the eyes of the fishermen. The net result of that is the fishermen no longer trust the government to handle this matter in a responsible way in their best interests. So it will not be possible, in our opinion, for the Minister to be able to go back to discuss with the fishermen these particular proposals because the fishermen will be suspicious of any amendments to the proposed fishing regulations. They will simply feel that the Minister is attempting to bring in, in another way, the same kinds of regulations that he has been proposing to force down their throats without any adequate consultation. I might just by way of listing, Mr. Speaker, where votes have been taken in meetings of fishermen, in places like Fairford, South Indian Lake, Berens River, Norway House, Winnipegosis, Duck Bay, Mafeking, Moose Lake, in various communities around Lake Manitoba, a majority of fishermen around Lake Winnipeg, fishermen at Victoria Beach and Crane River, and many other areas, in meetings have voted in opposition to the Minister's proposed fishing regulations.

So I think if the Minister reads and looks carefully at the results of the meetings that were held by his staff throughout the province, he will find that the fishermen generally are opposed to his regulations and I think that it would be showing good faith on

his part if he were to accept this recommendation to him by our caucus, by way of this resolution, that this proposed fishing regulation regarding the licensing of fishermen be simply withdrawn by him. I would recommend to the Minister that he start afresh and go directly to the fishermen with an open book, so to speak, and give the fishermen an opportunity to indicate to the government where there are areas that they feel the government should be assisting them in the way of improvements in fishing regulations, or improvements in programs that could assist the fishermen. The fishermen are caught in the same kind of cost price squeeze that every other producer is caught in, Mr. Speaker, and this is something that the Minister could be addressing himself to, rather than establishing a system of fishing licensing which can only result in the exploitation of the small fisherman.

We believe that the small fisherman that is operating in the province of Manitoba has a right to exist, and in particular that is one group that the Minister should be addressing himself to, and seeking ways of assisting that fisherman to become more efficient and to assist him in dealing with the high costs that he's facing, particularly in the area of transportation, in the area of facilities for fishermen collectively where they have to pack their own fish lakeside. The Department of Environment, federally, demands certain regulations regarding the standard of facilities that the fishermen must have lakeside. I think that the Minister should be addressing himself to this kind of a problem. On one hand, the federal government department is demanding that the fishermen have very sophisticated equipment and packing facilities; and on the other hand, the fisherman is not in an economic position, even collectively, to be able to establish that kind of facility for himself or his group. I think the Minister should be helping the fishermen to do that.

I think my time is just about up, Mr. Speaker, so with those few words I would certainly hope that the Minister would concur with our recommendation that these policies be withdrawn.

MR. SPEAKER: The Honourable Member for Dauphin.

MR. JIM GALBRAITH: Thank you, Mr. Speaker. Mr. Speaker, I don't intend to be too long, but I do have a few concerns in the fishing field. Some of my concerns are brought to light by the Member for Ste. Rose and he says that I have said that he has spread rumours around, but he says he has not, he says he has attended a few meetings and he names Crane River, Eddystone, Meadow Portage, but he says that he has not made any comment on the new fishing policies at these meetings. But then right in Hansard he says, I was asked to attend a meeting, and he doesn't just exactly say where, but he says, There were 40 fishermen present, and he said, I didn't know just quite how to handle the situation except to advise them it looked as though it was a plan to undermine the Fish Marketing Board. And then he goes on to say, I did not think the leasing arrangements would be of any advantage to them, meaning the fishermen. Well, I guess maybe that's a matter of opinion whether these are rumours or not, but as far as I am concerned, and our Minister has

assured me, our government has no intention of doing away with the Fish Marketing Board.

It was the Member for The Pas that made these comments during his few comments the other day on this resolution. He said, The previous Conservative government agreed to and brought forward legislation to create the Freshwater Fish Marketing Corporation. He goes on to say that legislation died on the Order Paper when the election was called in 1969, and the NDP government implemented that legislation, creating the Freshwater Fish Marketing Corporation, which was designed to work for the benefit of all the fishermen of Manitoba, and to ensure that the fishermen got a reasonable return for their efforts in the area of fishing.

Mr. Speaker, as far as I am concerned, our government is making attempts to improve the Freshwater Fish Marketing Board, not destroy it. I've listened to the Member for Rupertsland and the Member for The Pas, and it seems to me, in my opinion, that everything according to them is perfect in the fishing business in Manitoba. No changes are needed, no improvements are needed. Mr. Speaker, I've never seen anything perfect in my life, and I'm certain that there must be some improvements that can be made to the fishing policies in Manitoba.

The Member for Ste. Rose verifies that in his few remarks on fishing policies during the debate on the Fisheries estimates. During his remarks there he gave 14 reasons why we should continue to deal with the fishermen. No. 1, that no licences be issued to fishermen with no production records for three years. I would imagine this was a meeting with the fishermen from Lake Manitoba, because it makes a few references to Lake Manitoba. His second concern that he mentions that was brought forward by the fishermen was: Where a retired fisherman no longer wanted to be active in fishing on a commercial basis, that he be allowed to obtain a special permit, say for one gill net, or whatever fathoms, for his own use. The third reason he gave: That the quota be left at two million pounds for Lake Manitoba;

No. 4: That the size of the gill nets be left as they are at present, and he says, I think it is 3 3/4 on Lake Manitoba. The fifth reason that he lists: That the nets be set at least 100 yards apart between fishermen, between nets, I presume. The sixth recommendation: That the Lake Manitoba Commercial Fishermen's Association have representation on the Freshwater Fish Marketing Corporation. The seventh one, he says: There is an advisory committee, but it has very little power. He says that advisory committee was changed to giving even representation on the board, that might solve some of the problems. Apparently there are some problems with the advisory committee.

No. 8: That licences be required for dip net fishing on culverts. And he goes on to say that this must be referring to rough fish. He does not say that he agrees with all these recommendations but anyways, he has listed them here, and I will continue. No. 9:

To look at the feasibility of marketing carps and mullets outside the Freshwater Fish Marketing Corporation. Mr. Speaker, the Honourable Member for Ste. Rose says he did not agree with this one, but nevertheless the fishermen of Lake Manitoba are discussing it. No. 10: That the lake be restocked with pickerel at different places. No. 11: That there

should be some kind of arbitration or appeal board to be set up between the government and Lake Manitoba Commercial Fishermen's Association.No. 12: That the government institute some sort of check-off for the Lake Manitoba Commercial Fishermen's Association. He says, something similar to what the livestock producers of Manitoba has. He says that he does not agree with this, but nevertheless the fishermen of Lake Manitoba must be thinking along that line.

No. 13: That the grant system by dismantled, and No. 14: That the money be allocated for purposes of subsidy on mullets.

Mr. Speaker, with those recommendations that are coming from the fishermen from Lake Manitoba, I would like to move an amendment to that resolution, seconded by the Honourable Member for Portage la Prairie, and I have copies here for members.

Mr. Speaker, I move, seconded by the Honourable Member for Portage la Prairie:

THAT the resolution be amended by deleting all words after the first Whereas and substituting the following:

the Minister of Natural Resources is charged with the responsibility of managing the fish resources of the province; and

WHEREAS it is desirable to strengthen the commercial fishing industry and increase the opportunities available to fishermen; and

WHEREAS the Minister of Natural Resources has developed policy proposals designed to achieve this end; and

WHEREAS extensive discussions of the policy proposals have been held with fishermen throughout the fishing areas; and

WHEREAS these discussions have shown the necessity of modifying and further explaining the proposals to fishermen; and

WHEREAS the freeze on the issuing of licences is being lifted;

THEREFORE BE IT RESOLVED that the Minister of Natural Resources continue to work with fishermen to refine policies which will work to the benefit of the individual fishermen and the commercial fishing industry.

MOTION; presented.

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

MR. COWAN: Thank you, Mr. Speaker. It's rather difficult, on short notice, to respond to the member's amendment, other than to say that it is not in keeping with, I believe, the original intent or ideas or suggestions behind the Member for The Pas original motion which I, of course, have to support.

In regard to the amendment, Mr. Speaker, this is a subject to which we have addressed ourselves to a fair extent during the course of this session and outside of the session during the time in which the Minister tried to, I believe in an arrogant manner, force his will upon the fishermen of this province by freezing licences and thereby putting them at a disadvantage; and then by announcing a policy would be in effect and going out to explain that policy to the fishermen while not, at the same time, going out to listen to what the fishermen had to say,

and I will get into that a bit later in my comments today.

But I do believe that we have debated this subject extensively in the Chamber during the question period, during the estimates procedure during which I spoke and many members on this side spoke, and also up to now, during this debate on this particular resolution.

We know that it has been debated at the same time outside of the Chamber, Mr. Speaker. We know that it has been debated sometimes behind closed doors, and that would be the Minister's doors, and other doors throughout the province. We know that it has been debated sometimes publicly in the media and also at the meetings that were held throughout the province.

I would like to just address myself specifically to one particular meeting at this moment, and I think by doing so I will indicate how the whereas in this particular amendment do not exactly fit the image which I carry in my mind of that meeting in South Indian Lake and which other members on this side of the House carry in their minds as a result of meetings that they had gone to. I believe those images to be fairly correct images, although they be from a different perception than perhaps the member who introduced this resolution has.

In South Indian Lake, Mr. Speaker, the meeting was held sometime during the federal election and I had been requested by fishermen and interested parties in that community to attend that meeting for the purpose of not only listening to the policy that they believed was being forced upon them, but also to deal with the problem of a licensing freeze, which was detrimentally impacting on many of the northern fishermen, and also to provide what advice and assistance I could as their elected representative, so I went there to listen for the most part, Mr. Speaker. What did I hear? I heard the Minister's representatives trying their hardest to put forth the policy that the Minister had developed behind closed doors in such a manner so as to avoid the least antagonism and the least amount of hostility from the fishermen who were assembled there, because they were indeed antagonistic, and they were indeed hostile, and for very good reason, Mr. Speaker. —

(Interjection)— The member says it is not true at all. Well, he was not there. The Member for Emerson says it is not true at all, well; he was not there, Mr. Speaker. I am certain if the Member for Emerson would take the time to speak to some of the representatives of his government's department who were there, he would find that that to which I speak today is absolutely true; that my impression of that meeting is an accurate impression and my transmittal of that impression during this debate is an accurate transmittal of what actually did transpire. The fact is that not only the fishermen there, but their families and other interested parties in the community of South Indian Lake rejected categorically, out-of-hand, without the slightest hesitation the manoeuvres of the Minister to impose his will upon northern fisherman. They did so, not only in the community of South Indian Lake, but they did so, to the best of my knowledge, in all other northern communities, to either a lesser or a greater extent. I am informed that they did so also in many of the southern communities. They rejected the

policy, the changes that the Minister was trying to ram down their throats; they rejected a licence freeze because it was detrimentally impacting them; and they rejected the implied allegations against the FFMC, because those were part and parcel of the Minister's manoeuvrings. Let there be no doubt about it, that there is an ideological conflict on that side of the House in regard to the role that FFMC should play and the role that FFMC is playing. They wish to see a reduced role for that corporation, that is what they want to see, so they rejected the implied attack on FFMC, and they did so, Mr. Speaker, for some very specific reasons.

In the community of South Indian Lake right now, as in other communities, the system which is in place, although not perfect, is satisfactory or at least is better than the system that the Minister was trying to impose upon them; that they would rather have the system that is in place now than what the Minister was suggesting. I am not saying that the fishing industry is in perfect shape in the province of Manitoba. I don't believe it is in perfect shape in any province. I don't believe that it can be in perfect shape, because there are always going to be problems. The Minister, as Minister responsible, as the whereases of this amendment say, has to deal with those problems. He has to take into account those problems.

I talked to the Minister the other day during the estimates about the problem of mercury pollution in South Indian Lake and the effect that it was having on the fishery there. He has to deal with that particular problem. I wish he had devoted as much time to dealing with that problem as he has devoted to trying to railroad some new policy down the throats of the province's fishermen. The people in South Indian Lake wish he had spent as much time doing that, because that is a problem which they believe to be one of primary concern and a priority in their own community.

But that aside, Mr. Speaker, they rejected the Minister's changes because — we mentioned the implied attack on FFMC — they, in my opinion, believe the converse is true. They believe that FFMC is playing a very satisfactory role right now and the impression that I received from that meeting was that they were very supportive of not only the concept, but also supportive of the organization, Mr. Speaker.

They also rejected the long-term leasing. That was the major thrust of the Minister's policy and that was that there would be twenty-year leases that would be sold or that would be provided to the fishermen at a charge and then could be sold by the fishermen to other fishermen. Why did they reject that? Because they saw through the transparencies of the Minister's motives in this, because they saw the ultimate results. It would be hard to fool the fishermen in South Indian Lake or Pukatawagan or any other community when it comes to the area of fishing. They know very well of which they talk and they know very well of what they want to see happen in their own industry. They knew if the Minister was allowed to implement his policy, they knew that the following results would come to bear:

Number one, they saw the licences leaving their communities. Let's trace that down a bit and follow it through, so that we understand the concerns that

they expressed at that meeting. They would be given a licence that would imply that they could catch a certain quota from that licence, and they would have that licence under their control for a period of 20 years, but they could sell that licence; they could sell that licence, Mr. Speaker. Therein lies the difficulty, because they knew that there would be bad years, as there are good years in fishing; they knew that they had a capital investment in fishing; they knew that if there was a particularly bad year that they would find themselves hard pressed for cash; they knew that it would be very difficult to avoid the temptation of selling that licence under those circumstances; they knew that once they sold that licence that they would have difficulty, extreme difficulty, getting another licence.

So what did they see happening? They saw outsiders, people living outside of the community, coming in and buying those licences, because when you open those licences up to a bidding system, when you do that, Mr. Speaker, then, if the free enterprise system unfolds as it should and as it always has, you will find that the highest bidder will be able to purchase up large numbers of licences. You will also find that given the cash flow in those communities and given the opportunities of people in those communities to amass large sums of money, that people would be able to outbid them from outside the community. They saw that as a threat and they rejected it. They were angry, they were hostile and they were antagonist that the Minister would even try, even attempt to force that sort of a system upon them which would ultimately result in them losing control of the fishing industry from their own community.

They saw also, and I believe if you extrapolate the process out, you will have to agree that what they saw is correct. They saw that the number of licences would end up in the hands of a few, because there would be people who would be able to outbid others, and they would start collecting licences, because the more licences they had, the more fish they could catch; the more fish they could catch in the good years, the more profitable it would be to them; and the more profitable it would be to them, the more capital they would amass; the more capital they would amass, the more licences they would be able to buy; and meanwhile the small fisherman is driven out of the business. That is what would have happened.

The third factor, and the one that perhaps they were most upset about, Mr. Speaker, is the fact that their children would be frozen out of the fishing industry by the Minister's proposals. Why? Because once you sell the licences, then the children as they came of age and were able to participate in the fishing industry would have to buy the licences. Where do they get the capital to outbid those that have amassed large sums of capital? Where does that happen? It won't happen, and they will find themselves working for others in a wage industry rather than in an entrepreneur industry, which it is now. They will find that if they want to fish the lakes, they will have to fish the lakes on other persons' boats. They will have to work for a wage instead of being able to go out and own their own small segment of the industry. —(Interjection)— The member from somewhere says that they will make more money. Perhaps they will make more money in

certain years and perhaps they won't, but the fact is they will lose the pride that they had; they will lose the control of the industry that they have now, and that is very important to them.

A MEMBER: Then they will have to form a union, or join a union, and you won't like that. That will annoy you.

MR. COWAN: I am being accused, and justifiably so in this instance, Mr. Speaker, of being a free enterpriser. I am not an ideologue like the members opposite. I am not an ideologue. I think I am throwing back something I heard from them the other day. Mr. Speaker, the fact is that the system that is there now is working well, and the fact is that there are problems which can be addressed, but you do not have to destroy the entire system to address those problems.

What they saw were the young fishermen being forced into a wage economy and out of the entrepreneurship, which they valued, and if they value that, I will therefore support them in their endeavours to maintain it as long as it does not inflict harm on others, as long as it does not impact detrimentally on others. But the fact is that that would have happened.

Mr. Speaker, seeing that my time is running a bit short, and I did want to speak to this in more general terms. I have spoken specifically to the substance of the Minister's efforts, to the details, and I believe that those remarks, remarks that I had gained from the people of South Indian Lake, were worthy of putting on the record, because I think every opportunity we have to prevent this sort of abuse we must exercise our right and our responsibility to do so.

Now I want to talk about the style, the style of the Minister's efforts in this regard, because I believe, Mr. Speaker, that they have reacted to this or acted in a typical matter, and that is arrogantly and that is in isolation. They did not consult with the fishermen to any significant degree before they imposed their licensing freeze. They did not do that. They did not consult with the fishermen to develop this policy; they went in and tried to superimpose this policy. They failed and thank goodness that they failed, but they failed because the fishermen — and I give them all due credit — stopped them from their folly. That is why they failed, because they handled in what, I believe, to be another typical way, and that is in an inept style and an incompetent style. The fishermen saw through the transparency of their motives and stopped them, but the fact is there was no proper consultation and there was no co-operation.

Why would I bring this matters up, Mr. Speaker? I bring those matters up because I think we have to address ourselves in the same debate to what is happening right now with the Manitoba Mtis Federation, who are suffering under that same sort of attack from this government, that they have been stripped, or that their core funding has been withheld from them because of the arrogance and the fact that this government prefers to railroad its way through, to ram it objectives down, rather than to deal in a consultant and a cooperative manner with groups in society. The Mtis Federation does

represent and has a very vested interest in the fishing industry in northern Manitoba.

I believe, Mr. Speaker, that what we have seen in the last few days is a government who operates behind closed doors — and I use that as a quote from the President of the Manitoba Mtis Federation — a government that makes decisions behind closed doors, such as whether or not they are going to supply core funding to the MMF or whether or not they are going to allow the fishing industry to continue as it is, and then goes out and attempts to impose it; then goes out and attempts to railroad it down the throats of those most affected.

I think that we have grown to know that style very well over the past number of years, Mr. Speaker. I believe it is only through the concentrated efforts, such as we have seen in the instance of the fishermen who blocked their efforts, that we have been able, from time to time, to stop the government from going out, and in a very dogmatic and ideological way imposing their doctrine on the citizens of this province.

So while, Mr. Speaker, we have this amendment before us, I do not believe that it addresses fully the issue that is at hand here. I do not believe that it in any way enables us, as a legislature, to deal with the dogmatic and the arbitrary manner in which the government reacted and acted in the first instance. And I hope they have learned a lesson; I hope that the fishermen's efforts have a longer term impact than just preventing them from imposing what is a very foolish policy and I hope they don't impose that policy. But I hope that what the fishermen have been able to accomplish also, in the long term, provides the government with an example that they can't just go out and impose their ideology on others without at least the very minimal, without at least sitting down and talking these things out in a systematic and a rational method, without listening. And if they attempt to do so in the future they will run up against roadblocks of this nature time and time again because the people of this province are getting smart to the ways of that government and they're not going to allow themselves to be run over anymore by a government that is so dogmatic in its pursuit of its ideology that it will not, at least, sit down and talk things out. Thank you.

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

MR. ADAM: Well thank you, Mr. Speaker, I was hoping to see more contributions from the members of the government side, because we haven't heard very many speakers from that side and I would hope that they would, since this is a very important question and a very big industry in Manitoba, I would hope that more Conservative members of the government side would get up and get into the debate. Those we have heard up to now only spoke for a few minutes and if those members who don't represent fishermen, like perhaps the Minister of Resources and that, at least the Member for Wolseley should get up and make a speech, so at least we'd have somebody on that side speak for the fishermen of this province.

Mr. Speaker, there are a number of members on this side of the House, perhaps more members on this

side of the House are representing constituencies where there are a great number of fishermen involved. And you know, I speak for the Member for Rupertsland, the Member for The Pas and the Member for Churchill, myself and I'm not sure whether there are any others that represent — well, maybe the Member for Flin Flon may have some fishermen up there, not too far away from home. But surely, Mr. Speaker, even if you do not represent a constituency that would have a number of fishermen, you should get up and I would hope that the members on the government side would address themselves to this very serious question.

Mr. Speaker, the Minister was stopped cold in his tracks; the fishermen stopped him dead cold. You know, he really didn't know what hit him when he went out on these meetings, Mr. Speaker. Of course, he didn't go himself because I think he suspected what kind of flack he was going to receive. But I'm told that on some of these meetings, these meetings that were presumably said to be an explanatory way to go out and tell the fishermen what the policy was. Well I attended two of those meetings; I attended two. —(Interjection)— Oh, yes, but I attended two meetings that were sponsored by the department. The third meeting was not sponsored by the department, it was just fishermen that were there with no departmental people. And they phoned up and said, you know, we don't know what's going on and we're worried; we want somebody to come out and explain to us what's going on and it was a public meeting for fishermen, yes. There were about 40 — 30 or 40 there at that particular meeting that I went; there were no departmental people there at all. We had a good discussion. The Minister didn't apprise me of what was going on. I know that he was supposed to have sent letters out to fishermen all over this province, but I certainly didn't receive one and I'm unaware that any of my colleagues have received any of these notices, Mr. Speaker. And it seems to me that the Minister could have at least given us the courtesy, as elected representatives of fishing communities, that we would have at least been apprised of what his intentions were.

Well, Mr. Speaker, we met in Crane River with no department people there and we had a good discussion. Of course, I could not give them too much information because none was available to me; the Minister was not confiding what he had in his mind. But for him to come out and tell us that he had gone out to speak to people to get their views is completely false, because the two meetings that I attended where there was departmental people there, what happened, Mr. Speaker, is that they had great big tablets — oh, about four-by-three and everything was on, they had great big writings, 1, 2, 3, 4, 5 and this is what we are going to talk about. And as far as I know some of the meetings never lasted 10 minutes. I was told that around the southern end of Lake Manitoba that one meeting didn't last more than about 10 minutes. They just said goodbye guys, get out, we don't want to see you. That's what happened and that is how his policy was well-received and I am told all through that on Lake Winnipegosis, up around Mafeking or Pelican Rapids, up around that area — I didn't attend those meetings — I never attended any meetings on Lake Winnipegosis, but I am told that one of those

meetings only lasted about 10, 15 minutes. When they saw what the Minister was proposing, they said, you might as well pack it and get out. So I know that the Minister wasn't well-received with his policy and he'd have been well-advised to go out and talk to people first and find out what their views were, instead of sitting in his office with his ideological hang-ups and propose a plan that he doesn't even know if it's going to work. Because I'm sure that we have told the Minister and the last time that I spoke on this I advised the Minister that the Manitoba fishery has never been a self-sustaining occupation, as such, only in a very minimal way. The fishery in Manitoba, inland fishing, has always been as a supplementary roll of income, it's always been regarded as that; it's a rancher that lived along the lake that worked his livestock and in the wintertime he supplemented his income in the wintertime; it is people who went out and did trapping in the springtime and maybe fished in the summertime; it is other people who have done other things and supplemented their income; some people go out and work all summer when there's lots of work available and when they get home in the fall, when they've been laid off to all these jobs, they come home and they get involved in fishing. And that has been, traditionally, the way that it has happened, Mr. Speaker. And it's happening not only in the fishing industry, it's happening in the agriculture industry and it has happened over the years, where people have had to go out and supplement their income with other occupations.

But here the Minister was coming out with a program that he dreamt somewhere, I don't know where he was sleeping when he dreamt this scheme out, Mr. Speaker. It was a dream, Mr. Speaker, it was a dream, but it would have been a nightmare for the fishermen had he been able to implement. It would have been a nightmare, and I heard the key. You know, when the Minister spoke on this resolution the other day, when it came up, he let a word slip out and I heard that word again today, from another member — I'm not sure if it was the Minister, I don't know which one — but the word was: you make more money if you work for somebody else, and that's the key behind the mind of the Minister. He wants to have a big operator and have a lot of people working for them; that's the way you've got to have it, one great big fisherman in Manitoba and everybody else working for wages, Mr. Speaker; one great big rancher in Manitoba and everybody else being cowboys working for this one guy. That's exactly the key, that's what the Minister has behind his mind, Mr. Speaker; that's what he has behind his mind; that's what he's thinking of and it came out again today. I'm pretty sure it's the Minister that said that. That's what the Minister has behind his mind; that's what he dreamt up. Mr. Speaker, I attended the meeting in Meadow Portage, it was the day after the meeting I attended in Crane River, and the people in Crane River I don't believe had a meeting there with the department people, they were going to Meadow Portage and they were concerned that they would not be able to defend themselves against departmental people. And they were wondering if I would attend to keep the Minister honest, to keep him honest, that's what they wanted me there for, to make sure that he didn't put something over on

them. Well I attended, Mr. Speaker, I went to that meeting and I sat as an observer, I didn't get involved in the meeting until some of the fishermen, they looked at this program, this great program that was going to do so much for the fishing industry and one of the fishermen got up and asked the chairman, you know, he said, our representative is here, who represents this constituency and us here and we'd like to hear what he has to say. And I stood up and I said, Mr. Chairman, this is your meeting, it's not my meeting, I don't feel that I should be getting involved in your meeting, you're hiring the hall, you're paying for the hall, I don't want to interfere in your meeting, on a matter of principle. And the chairman said, well the fishermen insisted, we want to hear what he has to say.

Mr. Speaker, the chairman said, well he didn't have much choice because there's about 75 big fishermen there and so the chairman said, it'll be all right, we don't mind if you speak. I got the impression, Mr. Chairman, that the department people were not too enthused about the program to begin with. It look to me as they were doing, very reluctantly, dragging their feet on it, and I got the impression that they this program, this policy change, did not come from departmental people, but came from the Minister himself, in his chair, in his office; dreaming in his chair to try and figure out a way of how he could undermine the Freshwater Fish Marketing Corporation. He was trying to scheme up a way of how he could undo the Freshwater Fish Marketing Corporation through the back door.

Now the Member for Dauphin says that, my Minister assures me that he wants to keep the Freshwater Fish Marketing Corporation and he wants to strengthen it. Well, I'm going to tell you, Mr. Speaker, that the fishermen don't trust this Minister anymore. They don't trust him and we don't trust the Member for Dauphin either. We don't trust him either, Mr. Speaker. Because if he takes the word of the Minister, if he hadn't allied himself with the Minister we might have believed him, but he went and tied himself with the Minister and we know what this Minister does; we know what this Minister does. So, the fishermen are concerned, they're concerned, and I'm sure the fishing industry was in a mess. I remember; I was in it. Yes, I was involved in the fishing industry; I was right in it, I know. It was a mess and I'll tell you why it was a mess, because you had about 25, 40, 50 dealers all over the place. That's why it was in a mess. That's why the quality was poor. That's why it was in a very very poor situation. And it is only after the Freshwater Fish Marketing Corporation came into being that things started to level off and get better in that industry.

But let not the Minister think that he is going to impose, particularly that one section of the licensing for leasing and have a black market going on, a black market going on, on licences. Never mind, it gets to a point, Mr. Speaker, where it is more profitable to deal in licences than it is to sell fish. It is more profitable to do that. That's what happened in the Crown land leases and it is going to happen again because the Minister will see that happens. It is going to happen again in the Crown lands and he wants that to happen with the fishing industry. — (Interjection)— Yes, yes in Crown lands there was a big black market going on in the Crown lands and I

am sure that the Minister of Government Services knows about it, too. He knows how it was; how leases were being traded even though it was illegal to do so. There were leases being sold by people who didn't own them but just by the fact that they said yes, a guy came to someone who had a lease and said, Look, how much do you want for your lease; I'll buy it off you. Well, how much will you give me? Crown lands, crown lands —(Interjections)—

MR. SPEAKER: Order please. I believe we were talking about fishing instead of Crown lands, and the honourable member has four minutes.

MR. ADAM: Mr. Speaker, I'm making a comparison as to what would happen in the fishing industry if we bring in that kind of licensing where you could sell your licence. It is the same as selling a lease, and I want to show what a bad situation that was in the Crown lands. I think I gave one example here, where the fourth owner . . . The first man got a lease from the Crown at no cost, whatever the cost was, and that land was transferred to another fellow for 3,000 and the next owner kept it a couple of years and he turned around and sold it for 12,000.00. And the fourth fellow turned around and was selling it for 25,000.00.

It gets to a situation, Mr. Speaker, where it is more profitable to sell leases and sell licences than to use them to produce livestock or to catch fish and that's the point that I'm trying to make, because we've seen that happen in the dairy industry, as well, where quotas are sold and where young people that want to get in just cannot get in because of the costs involved. That is why we have dairy farmers going out of business. You would have the same thing happening in the fishing industry and that's what the fishermen back home are worried about. They are worried that their sons and daughters would never be able to be fishermen, that they would be hired men, hired people. That's what they're concerned about.

Mr. Speaker, the Minister brings in a resolution, most of it is motherhood. Most of it is motherhood but there is one section, Mr. Speaker, the fourth whereas says, further explaining the proposals. He wants to go out and try convince those people to accept those licensing arrangements. That's what he wants to do. He is going to keep going back there and holding meetings until he gets his foot in the door. That's what he wants to do. He wants to convince a few people to accept that policy and then he's away. He's devious. We know what he's up to. Mr. Speaker, that's a devious way to get your policy in. That's a devious way, going about it in a round about way, and he's going to keep going back time after time after time to convince these people that they should accept these new proposals. I'm saying it will be disaster, a complete and out and out disaster if they ever bring in these kinds of policy changes. The people prefer — I'm sorry, Mr. Speaker, maybe you're upset with the word devious. No, I thought you were looking at Beauchesne's.

Mr. Speaker, as I said a while ago, the fishery that we have, especially those winter fishes, there's a bit of an exception on the summer fishing; the summer fishery is always a bigger fishery than the winter fishery. It is much more difficult to catch fish through

the ice. It is much more difficult to get your nets in under the water, under three feet of ice sometimes, later on, after Christmas. So it is much more difficult to fish in the wintertime. I would say that the Minister cannot come in with a blanket policy as he had proposed for all of Manitoba, because each lake has a different situation, Mr. Speaker. There may be some things that we have to improve in the system but not the ones that are proposed by the Minister.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I regret that the time is so short. I've been sitting here listening with some interest to the comments from gentlemen on the other side in regard to the fishing industry. I am not going to address myself to all the aspects of the policy that the Minister has placed before the fishermen, but I did want to address certain points that I've been hearing coming across from those opposite.

First of all, Mr. Speaker, I think we have to realize that the fishing industry is different than any other industry we have in this province. There is probably no other industry that is as regulated by government as the fishing industry. It is not surprising, Mr. Speaker, that over the years the fishermen have built up a great apprehension about governments of any type, and they have a great distrust of governments of any type, because they see them as enforcers of regulations that they often do not agree with.

Mr. Speaker, it is not surprising that given that type of mind set and I think we can appreciate it, if we know fishermen; given that type of mind set, that when they were presented with a new set of proposed policies — and I say they were proposed, they were out there for discussion — that there was an immediate apprehension. But there is nothing wrong with that, Mr. Speaker. There is nothing wrong with apprehension. It can result in a very careful examination of policies. However, that did not happen because we had the greatest example, Mr. Speaker, of political opportunism and distortion take place that we have seen for some time.

The gentlemen opposite saw this as a great opportunity, particularly with a federal election at that time, to go among the fishermen and distort and raise that apprehension and tell them: Look, this is the worst that could happen; this is what these policies will do to you. And they painted the blackest picture. They took the policies and made them look ridiculous and they were talking to people who have a basic apprehension about government policies. They are pretty apprehensive after eight years of NDP fishing policies. But however, these gentlemen saw this as the great opportunity to get in there and build on that apprehension and they did it, and they did it very effectively among many of the fishermen at that time.

The Minister very wisely said, you can't have a logical common sense discussion of these policies in this type of climate and he decided that he would certainly set the policies aside until after the election; I think a very sensible thing to do. Proof that the Minister made the right choice, Mr. Speaker, was the fact that now many of the fishermen are telling me, we see that these policies do have a very good

focus, that they are going the right way and we think that with some refinement, some reworking, some more discussion, that they are what the fishing industry needs.

But, Mr. Speaker, the gentlemen opposite didn't give that opportunity for rational discussion. They saw it as a real time to play politics, to distort all they could, and they did it, and they did it very effectively. I have to give them credit. It is one of the best jobs of distortion I have seen for a long time and I must tell them it worked, because they were dealing with people who are very very apprehensive about any policies . . .

MR. SPEAKER: Order, order please. The hour being 5:30, when this subject matter next comes up the Honourable Minister will have 17 minutes. The hour is 5:30 and the House is adjourned and stands adjourned until 2:00 o'clock tomorrow (Thursday).