



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

**DEBATES
and
PROCEEDINGS**

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 11 January, 1984.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

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

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, yesterday, before question period, I advised the House that I would be meeting later in the day with the Honourable Monique Begin, Minister of National Health and Welfare to discuss the new Canada Health Act.

I also undertook to provide a brief report on the results of those discussions.

In my view, the meeting was productive and encouraging. Our major concerns were given a fair hearing and I am quite optimistic that we should start seeing some positive responses to at least some of them fairly soon after Madam Begin and her staff have completed their cross-Canada tour.

For example, we expect to see the introduction of a number of amendments designed to clarify and tighten up the wording of The Canada Health Act and the draft regulations. It is my understanding that, with the exception of the new provisions concerning user fees and extra billing, the Federal Minister generally does not wish The Canada Health Act to operate in a way which differs significantly from the operation of the hospital insurance and Medicare legislation which it will replace.

We will be studying the draft regulations in more detail, and there will be meetings of federal and provincial officials in the next few weeks to discuss any additional concerns, as well as options for improving the act and the regulations. Madam Begin said she is also prepared to consider a full-scale Ministers' meeting in the relatively near future as well.

On the question of health financing, I was naturally disappointed that Madam Begin indicated she felt there was little chance of the Federal Government's moving toward the 50-50 cost-sharing in the health care field, with flexibility for provinces and a recognition of regional disparities.

It seems Ottawa has not forgotten its concern about open-ended cost-sharing. But we continue to feel that the people of Manitoba, who have made such a major commitment to building up and supporting health care in this province, deserve a fairer contribution from the national government.

I pointed out to the Federal Minister that our figures show Ottawa's contribution will only cover about 39.3 percent of our total health expenditures in the current fiscal year. I will table a summary of those figures.

I should say that we have used what might be called a "generous" definition of the federal contribution, and

that Madam Begin did not quarrel with the arithmetic. In fact, it appears to be consistent with estimates prepared in her own department.

But the discussion of financing were not entirely disappointing. In fact, I think we may have achieved a promising breakthrough, although Madam Begin was unable to give us a specific commitment.

The Federal Minister recognized and acknowledged that provinces such as Manitoba, which have a high growing proportion of elderly citizens, face particularly difficult financial pressures in the health field, including some added costs arising out of technological advances. She gave the assurance, both in the meeting and afterwards at the press conference, that she would give careful consideration to that problem and would raise with her Cabinet colleagues our view that there should be additional federal financial support for provinces in situations similar to ours. I would hope this could include a form of cost-sharing for a broad range of health care facilities for the care of the elderly. We'll be following up our discussions by making some specific proposals to the federal Minister in the near future.

Overall, Mr. Speaker, I feel even more confident, following yesterday's meeting, that our support for the general principles underlying The Canada Health Act is the right position for Manitoba.

We feel the bill will help protect Medicare, and I believe the federal Minister is sincere in her wish to improve the quality of health care in this country. The Government of Manitoba remains prepared to cooperate fully in that effort.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Thank you, Mr. Speaker. On behalf of members of the Progressive Conservative Caucus, I wish to thank the Minister for his statement. I want to say that I hope his trust and confidence and optimism naturally is well-placed and well-founded.

I have to suggest that we remain skeptical that either the Federal Minister or her colleagues in the Federal Government really understand what is wrong with the challenges, what lies behind the challenges, what is wrong with and what is threatening to the Canadian health care system today, and we remain unconvinced that The Canada Health Act addresses those problems properly.

No one can argue with the protection of Medicare, Mr. Speaker, and I certainly concur in the Minister's assurance that his government intends to do what it can to protect Medicare and that he believes the bill will protect Medicare. On a certain limited level I have no doubt that it does intend to protect Medicare, that it is designed to protect Medicare, but the level is extremely limited and that is our concern.

Our primary criticism of The Canada Health Act as proposed, Sir, is with its narrowness, what might be termed its myopia or its short-sightedness. There is

an overweening preoccupation with two matters that have been of considerable concern to the National Minister of Health and Welfare above all others for many years and that has been extra billing and user fees. I don't minimize the threat that extra billing and user fees pose to the system, but I would hope that the Minister would agree with me that there is a very urgent need now for leadership, either by the Federal Minister or by the Provincial Ministers, to reform, revise and modernize the system, even looking at such a thing as refining and amending the legislation in such a way as to build incentives into the system for more creative management, to take the disincentives and the penalties out of the system as it is currently operated. It currently operates on a 1950's, 1960's model, Mr. Speaker, and I don't need to remind the Minister or his colleagues that we're addressing the health challenges of the 1980s and the 1990s and beyond, and that is what the Federal Minister seems to us to fail to understand.

So I thank the Minister for his statement. I do not share his confidence, although I suggest that we give him the benefit of the doubt on that trust and hope that he's right, but we urge him to keep urging the National Minister to look at the problems. The problems lie in an outmoded model, an outmoded form that can't be funded infinitely and relentlessly and interminably along the lines of a continually expanding economy, because we know that those continually expanding revenues are not there. As a consequence of the system itself has to be reformed and modernized, and I would urge the Minister to keep pressing the National Minister to take some leadership in that role.

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

HON. W. PARASIUK: Mr. Speaker, I have a statement.

MR. SPEAKER: Order please.
The Honourable Minister.

HON. W. PARASIUK: Mr. Speaker, this summer our government announced a comprehensive energy conservation loan program - for Manitoba homeowners - the Cut Home Energy Costs Program.

CHEC provides a \$1,000 low interest loan.

CHEC provides accurate sound advice on energy conservation that homeowners have been requesting.

CHEC provides protection for homeowners through an enhanced inspection program.

Today, Mr. Speaker, I am pleased to announce two more important CHEC Programs: Business cut high energy costs and community cut high energy costs.

Business CHEC is an energy conservation grant program for Manitoba small businesses.

Community CHEC is an energy conservation grant program for Manitoba non-profit organizations, institutions and municipalities.

To stimulate employment and cut energy use, business CHEC and community CHEC will pay for half the cost - up to \$15,000 - of energy conservation retrofits.

Any small business, municipality, non-profit organization or institution that owns a building may qualify. Those that rent or lease should get their property owners to apply.

Business CHEC will help the bottom line of our small businesses by providing the financial incentive to reduce energy costs for years to come.

We believe that many small businesses are strapped for cash and hesitant to invest in energy conservation. We have responded by putting together a program that combines incentive and sound advice to help small businesses cut energy costs.

Community CHEC can help reduce energy costs at a time when community organizations across Manitoba face limited budget increases.

School boards, churches, hospital boards, recreation groups, social agencies and municipalities are just some of the many community groups that should use community CHEC to cut their building energy costs.

The Manitoba Jobs Fund is providing the financial support needed to run business CHEC. The Jobs Fund will supply almost \$5 million for the business and community CHEC Programs.

Job creation from the business and community CHEC Programs could reach several hundred man years of employment if all available funds are allocated. For this reason support is being given by the Manitoba Jobs Fund.

To enhance these programs' job creation potential the province may show preference to energy conservation proposals that are labour intensive rather than those that rely on expensive capital equipment.

Retaining people's jobs will be an important benefit of business CHEC.

By helping small businesses remain competitive, Manitobans are going to keep their jobs. If managers can lower a key operating cost like energy, they will be able to keep on staff.

To qualify for either program, your business or community or organization must use at least \$5,000 worth of energy a year. That includes natural gas, oil or electricity. The total energy bill cannot exceed \$100,000.00.

Energy conservation programs will have to cut a minimum of 20 percent from applicants' energy bills. To ensure the most cost efficient retrofit, proposals must be based on an energy audit done by the energy bus or a qualified professional engineering firm.

Our department's expertise and experience in running the energy bus program makes us confident significant savings can be identified by energy audits; savings that can be made without a large investment by small businesses or community groups.

A qualified professional engineer, on the staff of the Department of Energy and Mines, will act as the CHEC Program Co-ordinator. He has an extensive background in energy conservation and previously worked on the energy bus. The energy bus has carried out almost 500 energy audits of businesses and institutions throughout Manitoba since 1978.

We are making this announcement at this time to help businesses and community groups finalize their 1984 budgets. They should now explore an energy conservation solution to reduce their operating costs.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, in acknowledging the program announced by the Minister, certainly of course

it's welcome, particularly at a time that energy rates are going up. But, Mr. Speaker, perhaps what the Minister did just describes in a nutshell between the approach that honourable members opposite take and the approach that the Conservative Party took when they were responsible for office. Because, Mr. Speaker, in 1979, school boards, churches, hospital boards, recreation groups, social agencies, municipalities, and indeed all the people of Manitoba didn't have to apply for another CHEC or PEP or STEP Programs to get some relief from high energy costs. They were assured of four years of stabilized energy costs under the program introduced by that government, a program cut short by this government when they unfroze those Hydro costs and now have the need to bring in these kind of programs.

Well, Mr. Speaker, I welcome the program in the sense that it will offer some relief to the agencies mentioned, but I can't help but point out that there is that fundamental difference in approach between how the New Democratic Party tries with a great deal of fanfare and window dressing, put the flowers around programs that were not as effective as the kind of programs that we gave the people of Manitoba when it was our responsibility, Mr. Speaker.

For four years, Mr. Speaker, Manitobans knew what their energy costs were going to be. There was no need for any application forms, there was no need for new bureaucracy, there was no need for more advertising. I suspect pretty soon we'll find great advertising costs involved in this program; another couple of \$100,000 of taxpayers' money spent to now advertise the CHEC Program. The CHEC Program, of course, has nothing to do with the country of that name that we sometimes refer to; it's an energy program that we will all be told about in TV advertisements, newspaper ads and the likes, Mr. Speaker. I welcome the program from the point of view that it will offer relief to the ever-rising increase of energy that we now can see.

Mr. Speaker, while I'm on my feet, let me tell you just how careless the Honourable Minister is with the truth with respect to energy costs when he answered a question the other day talking about average increase costs of energy over the last five years as being something like 6 percent. — (Interjection) — Mr. Speaker, that of course included three years of the freeze; three years of the freeze that I mentioned.

MR. SPEAKER: Order please, order please. Order please. The honourable member's remarks were germane to a statement made on a previous day and not to the statement made to this day. Would the Honourable Member for Lakeside keep his remarks in reply to the statement which has been given.

Notices of Motion . . . Introduction of Bills . . .

INTRODUCTION OF GUESTS

MR. SPEAKER: Before Oral Questions, may I direct the attention of honourable members to the gallery. We have 21 students of Grade 5 standing from the Governor Semple School under the direction of Mrs. R. Arvaniteedis. The school is in the constituency of the Honourable Member for St. Johns.

There are 30 students of Grade 9 standing from the Earl Grey School under the direction of Mr. D'Abromo.

The school is in the constituency of the Honourable Minister of Community Services.

There are 60 students of Grades 7, 8 and 9 from the Lord Selkirk School Division, Junior Parliament, under the direction of Mr. Perry. The school is in the constituency of the Honourable First Minister.

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

ORAL QUESTIONS

Grenada visit

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Mr. Speaker. My question is to the First Minister. It concerns a report today about a visit in late 1982 or early 1983 by the Attorney-General to Granada at which time he reportedly held discussions with various government officials. My question to the First Minister is: did the Attorney-General's visit have any official status on behalf of the affairs of the Province of Manitoba?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, when I attend different countries on holidays, as do my other colleagues, they do not have official status. It would have been, in fact, nice, particularly at this time of the year, for any one of us to have the opportunity to visit islands such as Grenada, St. Lucia, Jamaica, etc.

MR. G. FILMON: Mr. Speaker, I appreciate the Premier's remarks with respect to the nicety of having a holiday at this time of the year in a warm climate, but I'll quote from the report with respect to comments made by one Jimmy Emmanuel, the Canadian Permanent Secretary of Foreign Affairs, and what he says in reference to the Attorney-General.

"He met with a number of government ministers, including the Prime Minister and the Foreign Minister."

My question is that this would be unusual in the context of a holiday, a personal holiday. Was his visit and his discussions with these various officials sanctioned by the Government of the Province of Manitoba or the Premier?

HON. H. PAWLEY: It's quite sad and regrettable that the Leader of the Opposition would base his comments on what would appear to be inaccurate reports from The Winnipeg Sun, and I would ask for the Attorney-General to respond to the reports that apparently the honourable member has shared full confidence in their accuracy.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I regret that the Leader of the Opposition has no more regard for ascertaining the facts than the reporter of the story. That is regrettable.

The story from which he quotes starts out with an error, ends up with an error, and there is very little in-between that is accurate.

I, at no time, on my completely private holiday met the Premier of Grenada. I regret that I didn't. I had the opportunity to do so at a Christmas party, but I chose to meet the Governor-General, who is still the Governor-General, Sir Paul Scoon, and did not in fact meet Maurice Bishop. That is a source of great regret to me. I think I made an error there, but mine was a private trip.

With a respect to Unison Whiteman, I first met him here in the company of Mayor Norrie and the Lieutenant-Governor when there was a tourist reception in the Holiday Inn here, and I met, at my hotel, the Attorney-General. As he noted - that's the only part of the story that was really accurate - I was hospitable, I paid for the dinner, and discussed with him Legal Aid in Canada. There you have the whole horrible story of my private visit.

Perhaps he would like to ask about my trip to St. Lucia the year before. I mean there is a real sinister story.

There comes a time, Mr. Speaker, when we cry out for some decency, and I would have expected it from the Leader of the Opposition. He has allowed himself to be baited into that kind of adventure . . .

SOME HONOURABLE MEMBERS: Oh, oh!

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

The Honourable Opposition House Leader on a point of order.

MR. H. ENNS: Mr. Speaker, I appeal to you for some restoration of the Rules of this Chamber. The Leader simply asked a question of whether or not the visit of the Attorney-General had any official sanction. He wasn't asking for a lecture about decency or anything else.

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

HON. A. ANSTETT: Mr. Speaker, I agree completely with the Opposition House Leader.

HON. L. DESJARDINS: Sit down.

HON. A. ANSTETT: I would point out to you, Sir, that Citation 357 in Beauchesne specifically provides, and I'm looking at Section (x), "deal with an action of a Minister for which he is not responsible to Parliament, or with matters not within his official knowledge."

I point that out, Sir, to reinforce the argument made by the Opposition House Leader; also Citation 358(b), "not inquire whether statements made in a newspaper are correct;" and Citation, Sir, 322 which requires the acceptance of statements by members as to the facts.

Sir, in view of those three citations, I would suggest to you that the remarks of the Attorney-General are clearly out of order, because he is responding to a question, Sir, which was not only out of order, but an abuse of the rules of this House.

MR. SPEAKER: Order please, order please. Order please. The question was in order. I have not yet heard

the answer completed. Has the Honourable Attorney-General completed his answer?

HON. R. PENNER: Yes, I've completed my answer.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, then appreciating the sensitivity of the Attorney-General, we'll proceed . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, appreciating the sensitivity of the Attorney-General on it, we'll proceed based on the information he has provided us with; that he did meet with the Foreign Secretary, Mr. Unison Whiteman, and did discuss Legal Aid in Manitoba — (Interjection) — with the Governor-General, with the Attorney-General or whoever he discussed Legal Aid with. I would proceed on the question then. Was any portion of his expenses, meals, entertainment, whatever, paid for by the Province of Manitoba with respect to that visit?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: None whatsoever, not one single penny. That is not my style.

Secondly, with respect to that question of Legal Aid, I must say with regret that the Attorney-General and his chief legal officer, a respected member of the Law Society of Britain, asked whether there was any form of assistance available from Canada to their establishing a legal aid system in Grenada, and I had to regretfully point out that there was nothing that I was in a position to do.

MR. G. FILMON: Mr. Speaker, with respect to the same visits and discussions, was any portion of the expenses with respect to his trip there paid for by members of the government or the Government of Grenada?

HON. R. PENNER: Mr. Speaker, none whatsoever. I did buy the Attorney-General a meal, well, the Attorney-General and his wife I bought a meal, but that was never reimbursed. I think he bought me a pina colada later in the evening as we were sitting on the beach. It might have been two pina coladas, but that could constitute a conflict of interest, so I'll stick with the one pina colada that I remember.

MR. SPEAKER: Order please, order please.
The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, the Attorney-General reminds me of the old story about we're not establishing the principle or just trying to arrive at the price.

Mr. Speaker, may I then address my further question to the Premier. Did any other member of the Executive Council similarly travel to Grenada during the past year for various discussions with the officials of the Government of Manitoba?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I really don't know. I recall visiting Chili personally myself in 1978. I will acknowledge that freely to honourable members here. As to what the other members have done during their vacation period, I don't know.

CHEC Program

MR. SPEAKER: The Honourable Member for Wolseley.

MS. M. PHILLIPS: Yes, Mr. Speaker.

Considering the opposition energy critic's comments to the ministerial statement made by the Energy Minister, he's left me a bit confused. I wonder if the Minister of Energy could clarify as to whether his CHEC Program, the new program that he announced for business and community facilities, only applies to use of electricity, or whether it applies to other energy forms as well.

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

HON. W. PARASIUK: Mr. Speaker, I'd be pleased to answer that question because it points out the narrowness of the approach of the Conservative energy critic in this respect.

Many people heat their homes with natural gas, they use propane - the people in the North. It would appear that the Conservatives don't care about those people. In fact, the Conservatives wouldn't want this program brought in.

We, Mr. Speaker, are bringing in a program that'll deal with all aspects of energy costs for home heating. We believe that we want to couple this with a balanced approach. We want to keep all of our energy costs as low as possible. You might recall that it was the Conservatives who wanted the price of gas to be increased, and the price of petroleum to be increased to world prices, Mr. Speaker, which would have really rack havoc on the Manitoba people and their economy. They showed no concern about energy costs at that time.

We want a balanced approach of trying to keep all of the energy costs down to reasonable limits without incurring massive deficits for particular utilities, which was the case when the Conservatives imposed their rate freeze, Mr. Speaker. We will have balanced that off with the program which will allow people to deal with reality, not just stick their heads in the sand, but rather deal with the reality that increases and energy costs will increase in the future, that they should equip themselves, that they should look to energy conservation as a very practical way to deal with the problem. They can't deal with it entirely, but it's a practical way that allows them to act with initiative, Mr. Speaker. We want to look ahead. We want to deal with the problems as they arise, not to stick our heads in the sand, as the Conservatives have done, and in fact make the problems worse.

Abortion Clinic - Dr. Morgentaler

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

MR. G. MERCIER: Mr. Speaker, I have a question for the Attorney-General with respect to the dropping of the conspiracy to permit abortion charges against Dr. Morgentaler and his staff.

Would the Attorney-General indicate whether his action was based on the recommendations of his department and the law officers of the Crown or was it based on his own personal intervention in that matter?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: My decision in that regard was based upon my responsibilities as the Attorney-General and an ultimate responsibility must lie with the Attorney-General. It was based, legally speaking, on a recent decision of both the Manitoba Court of Appeal and the Supreme Court of Canada with respect to the duties and responsibilities of an Attorney-General.

I just might cite very briefly from that decision of the Court of Appeal, because it's important and it relates to my directing an indictment. "A single act or series of acts may render a person liable to prosecution on more than one charge . . . Chief Justice Monnin is speaking here. ". . . and someone must decide what charges are to be laid. If an authority such as the Attorney-General can have the right to decide whether or not a person shall be prosecuted, surely he may, if authorized by statute, have the right to decide what form the prosecution shall take." That is the basic legal authority.

The only other point I would make is that the decision was really based on remarks of the trial judge who presided over the preliminary, who pointed out - and I won't cite the whole passage - that with the charge of conspiracy then the defence, the basic primary defence that was to be raised in the case, would not fall squarely within the charge. In any event, he went on to say, "It is significantly more difficult for the accused to suggest this defence when the charge is conspiracy."

Having perused, as I had a duty to do, the actual course of events up to that point I made the decision by myself, as Attorney-General, acting within my legal duty.

MR. G. MERCIER: Mr. Speaker, just to clarify the matter. Is the Attorney-General indicating to the House that he was not acting on the recommendations of his department and law officers of the Crown, but his decision to drop the conspiracy charges and substitute other charges was as a result of his own initiative and his own personal intervention in this matter?

HON. R. PENNER: My intervention was not personal, it was as the Attorney-General of the Province of Manitoba. Within the scope of my duty, I had no recommendation one way or another from my senior officials, nor did I ask for one, because that was a responsibility which must rest with myself. I have no reason to believe that they have any problem with my decision since, if anything, the evidence on the charges which will be dealt with are stronger than the conspiracy charge.

MR. G. MERCIER: Mr. Speaker, in view of the fact that the subject matter is obviously a very controversial one

in our society and there are people on both sides of the question who have totally opposed views, would the Attorney-General, who has apparently personally changed the charges in this matter without the benefit of advice from his Crown Attorneys, before he completes that action - as I understand it is not yet completed - would he be prepared to obtain from law officers of the Crown their recommendations with respect to his action that he's taken in this matter?

HON. R. PENNER: Mr. Speaker, the law officers of the Crown were made aware of the decision, which I proposed to make before I made it, and as far as I am aware have no legal problem with it. I don't think they have any other kind of problem, but they have no legal problem with it.

Bilingualism - funding

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I would like to direct a question to the Minister of Municipal Affairs.

Since it has now been revealed that the Federal Government provided the Franco-Manitoban Society with an additional \$108,000, over and above their annual grant of \$627,000, for the purpose of promoting their position on Article 23, did the Provincial Government also provide additional funding to the Franco-Manitoban Society during 1983 for ads during the plebiscite or for any other purpose?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. A. ANSTETT: Yes, Mr. Speaker. I don't know, but I certainly hope not. The Premier of this province asked the Prime Minister of this country on September 22nd to resist any temptation, in fact, specifically suggested that we would appreciate a complete non-intervention position from the Federal Government with respect to that question in Manitoba.

Apparently somewhat prior to that conversation, which was reported in the media in this province, a cheque to cover legal fees and the costs of getting constitutional advice had been forwarded to the SFM. I became aware of that this morning, as did the Member for Elmwood.

I expect that the Federal Government is respecting the requests of our Premier and this government. I certainly hope so. We want a made-in-Manitoba solution and we reject, out of hand, any suggestion that the Federal Government should intervene.

MR. R. DOERN: Mr. Speaker, it's unfortunate that the Premier didn't beg Serge Joyal to keep his nose out of our affairs.

My second question is this to the Minister: Did the Provincial Government provide funding directly or indirectly to any organization, such as the Manitoba Association for the Promotion of Ancestral Languages, or the Committee for Manitoba's Constitutional Amendment, or Manitoba 23, to support the government's position on Article 23 during the October plebiscites, when \$100,000 or \$150,000 was spent by various organizations to support the government side?

HON. A. ANSTETT: Mr. Speaker, the question has been asked, although not in this House, but on other occasions at other places during the last few months. It has been answered categorically "no," and that "no" applies to all organizations on both sides of the question, whether it be Manitoba 23 or Grassroots. I'm not sure the Honourable Member for Elmwood can make the same categorical "no" statement. -- (Interjection) --

MR. SPEAKER: Order please. The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, given that the Franco-Manitoban Society receives massive amounts of funding, which are unavailable to any other members of Manitoba's multicultural society from the federal government - \$627,000 annual here plus \$108,000 additional - a 16 percent increase, will the Provincial Government reduce some of its regular funding to the SFM in view of that and make that money available to some of the other cultural groups?

HON. A. ANSTETT: Mr. Speaker, although it's not directly within my responsibility, I would like to correct an assumption contained in the member's question and that assumption is that this government in any way provides funding directly to the SFM or indirectly. The Franco-Manitoban Cultural Centre in St. Boniface, as I recall, does receive grants from my colleague, the Minister of Cultural Affairs, but I believe as well the Ukrainian Association in Dauphin, certain German organizations receive those types of grants, Mr. Speaker, but I am certain that the SFM receives no funds from the Province of Manitoba.

If the honourable member feels that public funds should be used to support this kind of political activity, I suggest that he convey that request to that level of government that's shown a willingness to provide funds for that purpose. It is certainly not this government in this province.

Pension registration

MR. SPEAKER: The Honourable Member for River East.

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

It's my understanding that under The Pension Benefits Act of Manitoba in order for a pension to be a legal pension in this province it must be registered with the Pension Commission of Manitoba. Can the Minister of Labour tell me if the City Council of Winnipeg has made an application to register its pension with the Pension Commission of Manitoba?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. Yes, in fact, there is a requirement that pension plans be registered under The Pension Benefits Act. The Pension Commission charges the Pension Superintendent to see to this and it is my understanding that several letters have gone from the Superintendent of Pensions

in Manitoba to the City of Winnipeg requesting that they file for registration.

MR. P. EYLER: A further question to the Minister of Labour, Mr. Speaker.

Is the Pension Commission of Manitoba prepared to take any action in this matter?

HON. M.B. DOLIN: Well, based on the fact, Mr. Speaker, that the City of Winnipeg has not seen fit to file for registration, yes, the Pension Commission has instructed the superintendent to have the legal counsel write to the city's legal counsel and officially ask for such filing for registration. My understanding from the act is that then there is 60 days within which they must comply.

Whether or not the plan could ever be accepted for registration is the second point that must be dealt with. It must be filed first before the commission can deal with whether, in fact, it can be registered. If it can't be registered, then it cannot be registered with the Department of National Revenue either, which has its own ramifications on the plan. It would end up probably being not a pension plan.

Abortion clinic - Dr. Morgentaler

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

MR. G. MERCIER: Mr. Speaker, I have a question to the First Minister, further to my questions to the Attorney-General and it is this: In view of the fact that Mr. Brodsky, counsel for one or some of the defendants in this matter, has indicated that the change in charges has made it easier for the defence to deal with them; in view of the fact that the Attorney-General has acted on his own initiative without benefit of an opinion from law officers of the Crown; and in view of the fact that I'm sure the First Minister, as a former Attorney-General, would consider that the administration of justice in this province should not be held in any disrepute and should not be subject to the personal opinions or bias of the Attorney-General, whether he be pro-choice or whether he be pro-life, would the First Minister undertake to obtain from law officers of the Crown an opinion as to whether or not the changing in the charges will make it easier for the defence to deal with and to be successful?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, the Member for St. Norbert heard very well the response from the Attorney-General which covers fully the rationale and the basis, as far as the action that the Attorney-General undertook, and I support the initiative by the Attorney-General on the basis of the rationale that he provided this House.

MR. G. MERCIER: Mr. Speaker, I was asking the First Minister and it's because of the answers from the Attorney-General that I'm asking him. I'm sure he does not want to see the administration of justice in Manitoba held in disrepute. In view of the fact that the Attorney-

General has acted on his own personal decision-making without benefit of any opinion from the law officers of the Crown. I am saying that an Attorney-General whether he is pro-choice or pro-life should not be acting on the basis of his own personal position with respect to a matter like this.

Would he obtain from the law officers of the Crown, not from the Attorney-General, but the experts and professionals in the field, an opinion as to whether or not the change of the charges is likely to make it easier for the defence and the accused to deal with it and to be successful?

HON. H. PAWLEY: Mr. Speaker, first, the administration of justice is not in disrepute in the Province of Manitoba, rejecting the implication contained within the honourable member's question to that effect.

Secondly, I thought the Attorney-General dealt with the very content of the question that has been posed by the Member for St. Norbert, and I thought the Attorney-General had dealt with it very comprehensively.

Winnipeg Jets

MR. SPEAKER: The Honourable Member for River Heights.

MR. W. STEEN: Yes, Mr. Speaker, I have an easy question for the First Minister. I would like to ask him, in light of the value to our Winnipeg community and to the Province of Manitoba of having the Winnipeg Jets Hockey Team located here, is the First Minister concerned at all about the many cancellations and meetings between government representatives and the Jets Management Group?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'll call upon the Minister of Health, who is involved in respect to the discussions with the Jets, to respond to that question.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, the Province of Manitoba has never refused to meet with the Jets or anyone else. The lead in the negotiations with the Jets has been taken by the members of the Winnipeg Enterprises, because the arrangements that would be made, that is, that have been talked about at least in Cabinet, would be an arrangement with the enterprise to enable them to renegotiate an agreement with the Jets. We're anxious, we're concerned with some of the rumours and some of the reports that we hear, but we have never refused to participate. I assisted at a three-hour meeting on Saturday, discussing that, and as I said the actual negotiation is done between the Winnipeg Enterprises and the Jets.

MR. W. STEEN: Yes, Mr. Speaker, to the same Minister: is the province be represented by Mr. Hugh Eliason and is he party to all the meetings?

HON. L. DESJARDINS: Yes, the province has been represented - at our request they've added someone

from the province - and that gentlemen's name is actually one of them. The other one is Mike Decter just to make sure that we'd always have one there at anytime.

Agassiz Packaging Company - Robert H. Johnston

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Thank you, Mr. Speaker. I have a question for the Minister of Finance. There was an article in the Free Press today entitled "Seed Company Rental linked to lawyer." It refers to a Mr. Robert H. Johnston. I wonder if the Minister of Finance can tell us whether this Robert H. Johnston is the same Robert H. Johnston who is the past president of the Brandon East Progressive Conservative Association?

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

I'm not sure if that question is on a matter within the administrative competence of the government. Would the honourable member wish to rephrase his question?

MR. P. EYLER: No, Mr. Speaker, I think the reaction of the opposition has answered that question for me.

I have a further question to the Minister of Finance which I think is within his area of competence. Is this Robert H. Johnston the same Robert H. Johnston who incorporated and owned shares in Vantage Western Data? If so, when was this established?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Yes, Mr. Speaker, Vantage Western Data Ltd. was incorporated in October of 1981 by Robert H. Johnston.

A MEMBER: That was before the election, was it?

MR. P. EYLER: One further question for the Minister of Finance. Can the Minister of Finance tell me if this Robert H. Johnston is the same Robert H. Johnston who was involved in establishing Agassiz Packaging Company? When was this company established?

HON. V. SCHROEDER: Yes, Mr. Speaker, Agassiz Packaging Company Ltd. was incorporated also in October of 1981 by Robert H. Johnston.

McKenzie Seeds

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister responsible for A.E. McKenzie Ltd. The chief executive officer of A.E. McKenzie, Mr. Moore, was fired last July as a consequence of a conflict-of-interest situation there. Is the company now benefiting from a full-time permanent chief executive officer?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker.

No, we don't have a full-time permanent chief executive officer. The background to that is that we advertised for a CEO shortly after Mr. Moore was fired. The applications were received by the interim management group. A number of people were interviewed. One individual was deemed to be acceptable and the negotiations, we had hoped, would have been completed in December to hire him. As it happens, there were a number of delays with respect to the man's family and so on and he ultimately decided not to come.

The current management group is in the process of recruiting from some of the other individuals who had been chosen as the short-listed group to become CEO and we hope that we could have an individual in place just as quickly as possible, because certainly that is an important element in terms of the recovery of that corporation.

MR. B. RANSOM: A supplementary to the Minister, Mr. Speaker. Can the Minister advise the House now when the Annual Report of A.E. McKenzie will be filed given that last year, I believe, the letter of transmittal was dated December 10th, 1982? Since we're a month past that now in the current year, can he advise when the report will be filed?

HON. V. SCHROEDER: Well, Mr. Speaker, I don't recall the specific date from last year. I do know that ordinarily the statement does not become available until it has been approved by the Board of Directors. Certainly the Board of Directors didn't approve of it for the last year until somewhere around the end of January or into February. When my friends on the opposite side were in government, those approvals took place anywhere between late January and April of the next succeeding year. It was only after that, that the report would come to the Legislature and sometimes when the Member for La Verendrye was in charge something in the vicinity of 100 days after that point in time.

We are now in a position where the company is examining the interim documents that were provided to the Board of Directors. There were some questions raised at the Board of Director's meeting last Thursday, which must be answered by those people who prepared the preliminary, unaudited report. When those questions are answered to the satisfaction of the Board of Directors, we will then provide an official report for the year-end.

HON. R. PENNER: An audited report.

HON. V. SCHROEDER: Absolutely, an audited report. When the report is finalized, it will be made available. It will certainly, as I indicated in the House previously, be made available at least as quickly as it had been in the past when that group was in office.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: A final supplementary to the Minister, Mr. Speaker. Given that under the management of this

government, we have seen the chief executive officer and two other officers of that company fired; we have seen the auditors of that company replaced; we have seen the Chairman of the Board of Directors resign; we have seen the Minister responsible for the company either resign or be sacked as Minister responsible, when will the government call the Standing Committee on Economic Development so that they can question officers and Ministers involved with A.E. McKenzie Company?

HON. V. SCHROEDER: Mr. Speaker, that will be done in the ordinary course during the upcoming Session. Certainly we can discuss with the opposition when, during that upcoming Session, would be most convenient. It would seem to me that it would be only logical to ensure that before we do that, the RCMP report be completed, the final report for last year have been approved by the Board of Directors and audited and presented, so that we would have something to work on.

Let us remember, Mr. Speaker, that almost all of the activity, and certainly the majority of the financial activity that took place between those officers and the corporation, was commenced when the previous government was in office. There is no evidence whatsoever that anyone in this government knew anything about that before June of 1983, not one whit of evidence. The only evidence there is, is that members of the opposition and the M.P. for Brandon-Souris did know about it prior to that. They were the ones who knew about it. There is not one whit of evidence that anyone involved with this government knew about it until June of 1983.

When we found out, we immediately commenced an investigation and within a few days we were charged with cover-up on an investigation that has now taken the police more than six months. We were expected from here to come up with final conclusive information for the opposition within a couple of days, when it's taken the RCMP six months, and they still need at least a couple of weeks to finish it up. They've got two people on the job full-time.

When the information is available, you can be assured that it will be made available to the opposition and to the public of Manitoba.

MR. B. RANSOM: Mr. Speaker, we fully realize that the Provincial Auditor has been involved and the RCMP have been involved in the internal financial dealings involving officers of the company and others. What we are interested in is the government's management of the Crown corporation, and the control or lack of control over the Crown corporation. Those are the items into which the Standing Committee on Economic Development can inquire, and indeed determine whether or not the statements made by the Minister of Finance with respect to knowledge on the part of the former Minister or indeed the First Minister are correct. I simply ask him, given that these are extraordinary circumstances, when will the committee be called?

HON. V. SCHROEDER: Mr. Speaker, those things will be done in due course during the Session. I should say that the Member for . . .

HON. H. PAWLEY: Mr. Speaker, just on a . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

The Honourable First Minister on a point of order.

HON. H. PAWLEY: Mr. Speaker, just in case I heard correctly - I don't know whether I heard correctly or not - an insinuation by the Member for Turtle Mountain that I was aware of wrongdoings before those wrongdoings were raised the House, I want to advise you in this House that the implication or the innuendo that the honourable member attempted to cast in this House is totally untrue.

HON. V. SCHROEDER: Mr. Speaker, again, I repeat we have no evidence that any member - and this includes several Auditor's reports and a number of conversations with the Auditor. There has been no evidence uncovered of anyone in this government having had any knowledge before the Member for Turtle Mountain raised it in this House or in the committee five or six days before he raised it in this House.

I should say in terms of interim management, the Member for Brandon East was quite involved and interested during the year in terms of making sure that in the interim things would be going well.

I just give you one example of one of the problems we had in terms of determining the profitability of that corporation. We couldn't tell what portions were profitable and which portions were losing money. We had things like onion and bulb sales; we had netlawn sales; we had packet sales, greeting card sales. We had no clue though which ones were making money and which ones were losing money. The Member for Brandon East got things together and made sure that we would get more information.

That information will be made available to members of this House. They will have far more information this coming year than members of this Chamber or members of the public have ever had before.

MR. SPEAKER: Order please. I would hope that all members would remember that questions are supposed to be short and concise and to the point, and answers are supposed to be the same way.

The time for Oral Questions has expired.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, will you call the second reading on Bill 115, please?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

SECOND READING - GOVERNMENT BILLS BILL NO. 115 - AN ACT RESPECTING THE OPERATION OF SECTION 23 OF THE MANITOBA ACT

HON. A. ANSTETT presented Bill No. 115, An Act respecting the Operation of Section 23 of The Manitoba

Act; Loi concernant la mise en application de l'article 23 de la Loi de 1870 sur le Manitoba, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

HON. A. ANSTETT: Yes, Mr. Speaker. Honourable members will be aware that copies of this bill were distributed last week and I hope many members have had a chance to review it. I would like to, in fairly short time, just make a few remarks on the contents of the bill and the intent of the bill.

I think that most members are aware that the bill has, for all intents and purposes, the same effect on implementation that would have obtained had Sections 23.7 and 23.8 of the amendment before the House been enacted. The resolution to amend The Manitoba Act, however, is proposed to be amended in such a way as to eliminate those specific sections and the bill is consequential to and flows directly from that amendment proposal. It will provide then, in statutory form, Sir, what was contained in those two subsections. It attempts to address some of the concerns that have been expressed by Manitobans with respect to the possibility of inflexibility. I think there were some real concerns addressed in that area, that in the future an amendment to The Manitoba Act might not have the flexibility that a statute would have.

Mr. Speaker, the government wants to address those concerns and deal with them honestly and find a way of accommodating and providing some flexibility for future amendments to meet changing conditions.

One of the most important things that the act provides, in addition to the equivalent sections which allow for the provision of services in both English and French from government head offices and from certain regional offices and offices which, by their very special nature, should be providing services in both official languages, is the specific provision of language service districts. These, Mr. Speaker, will be areas of the province and there are approximately 30 municipal jurisdictions where, by census data, 8 percent of the population or 800 people are of French ethnic origin or at least 8 percent or 800 are of English ethnic origin. So that in those areas where both criteria are met, at least 8 percent of both language origins, that area would be designated as a language services district and services would be provided in both languages. Of course, Sir, I think it's obvious to all members that the 8 percent or 800 criteria is always met in all areas with regard to the English language, but there are approximately 30 municipalities plus certain designated areas of the City of Winnipeg where that definition will operate in the province.

The major change then, Sir, in allowing for language service districts in the statute and the flexibility that then allows to respond to changing census information and changing demographics in the province, is that it also eliminates the need to define the term "significant demand." Members opposite, members on this side, many members of the public had, over time, expressed some concern about exactly how that term would be

interpreted. So, Mr. Speaker, this obviates any requirements for judicial or bureaucratic and administrative interpretation of the term "significant demand."

Mr. Speaker, one of the additional advantages of proceeding by statute, rather than by amendment to The Manitoba Act, is that an implementation mechanism and mediation mechanism can be directly provided. I think members on both sides of the Chamber were aware that some form of implementation statute would have been required at a future Session, whether or not The Manitoba Act amendments had been passed the way they were originally introduced, some method for providing for implementation of the intent of Sections 23.7 was required. By removing Section 23.7 then, we get the additional flexibility of providing specifically for an advisory council, which not only will deal with implementation in all of the agencies of the province, which will be providing services in both languages, but will additionally be able to make recommendations for changes in the act. Certainly their primary responsibility will relate however to the implementation of the provisions and gearing up for the time when those services will be provided.

Mr. Speaker, that advisory council will have representatives of both the employer, the Province of Manitoba, the Crown corporations and the Civil Service Commission, as well as employee representatives from the various organized units which represent government employees.

Mr. Speaker, in addition there will be representatives of the two official linguistic groups in the province to provide some balance and ensure that the interests of service in those languages are balanced against the need to accommodate employee concerns. — (Interjection) — You'll have to speak a little louder Mr. Minister if I am to hear you. If the Minister has recommendations for the advisory council, I would suggest he submit them to himself.

Mr. Speaker, the statute also proposes to establish a new legislative officer position, that of the language services ombudsman. The duties and responsibilities of this position are fashioned very much on that provided for the ombudsman of the province. His appointment and tenure is also fashioned on that provided for the provincial ombudsman and we expect that he will have similar respect and credibility with members of this Assembly as that accorded to the current ombudsman.

The Member for Emerson, in reference to the five-year appointment, does point out one small difference. The current ombudsman's appointment, I believe, is for six or seven years - I think it's seven - and is renewable for one term. Only two terms can be served, a total of 14 years. This term is for five years only, but there's no limit on renewal. So there are some differences in terms of the way it's set up, but basically powers, responsibility, tenure and appointment are the same. — (Interjection) — In answer to the question from the Member for Emerson from his seat, no pay range has been established. That is something that would have to be established in consultation and perhaps the member may wish to sit on the Committee of Privileges and Elections, and in addition to the appointment, make recommendations as part of the

committee as to what the salary classification should be. We certainly welcome the participation of honourable members opposite in helping determine both who that person should be and the operating guidelines that will be established.

Mr. Speaker, this statute will provide for services to be given in both languages at principal administrative offices of the government departments, through the courts, through quasi judicial bodies, Crown corporations, and other government agencies.

I should note, however, because I think there is some small danger, and I don't suggest for a moment that members opposite would fall into this misinterpretation, but I am concerned that some members of the public may, and I want to make it doubly clear that in no way does the use of municipal boundaries for the determination of the language service districts - because that's how Statistics Canada collects their census data - in no way does that imply an obligation on municipalities to provide those services.

The services spelled out in that section, which lays out those obligations on the Government of Manitoba, specifically apply only to the province. But just to be doubly sure on top of that, even though the definition is clear, at the beginning of the statute there is, in the lateral portion of the statute, a provision which specifically excludes all municipalities and other local government institutions from any application of this act to their jurisdiction.

At the same time, Mr. Speaker, there is, in addition, a provision which allows municipalities to advance the equality of status of use of both languages at their discretion. I commend both of those sections to members' attention. I trust there will be no dispute as to their interpretation, but I'm willing to discuss that during debate on the bill.

Similarly, there is a very clear protection proposed in the bill for the legal customary rights and privileges of other linguistic groups in the province to ensure that none of the guarantees to provide services in French and English will, in any way, infringe upon the legal and customary privileges and rights to which other language groups have become accustomed.

Mr. Speaker, I think the bill is a fairly straightforward document. Most of the principles and the reasons for proposing the document have been discussed in great detail in debate in this House over the last six or seven months. I think it would be inappropriate, Mr. Speaker, for me to rehash that debate or re-engage in the debate about the principle of providing service to Manitobans in both languages in those areas where population warrants. Mr. Speaker, for that reason the government is proposing the bill. For that reason the government is proposing to introduce this services concept by a bill, rather than an amendment to The Manitoba Act.

Mr. Speaker, so rather than going through the arguments as to why this should be done and why services and the provision of services is an important thing in Manitoba, I leave that debate to those who wish to read last summer's Hansard and that discussion on Section 23.7. I believe there is absolutely no question that providing services to Manitobans has the support and consent of all members of this House. I think it's been made clear, certainly in a statement by the former Leader of the official Opposition last May in response to a ministerial statement, that he certainly had no

quarrel. In fact, he would welcome statutory provision of services, or services by administrative action. His opposition at that time was only to an amendment to The Manitoba Act. I know some members opposite as well have said that they welcome the opportunity to engage in a discussion of the provision of services by a bill. That they're willing to look at, but they certainly had reservations, and strong reservations. We appreciate that to an amendment to The Manitoba Act.

So, Mr. Speaker, in view of what I believe is very strong public support to the provision of services in French and English from the Manitoba Government - I think members opposite are familiar with some of the documentation on that - some of the polling that was done, a major CBC poll that was done at the time of the plebiscite this fall, which although it expressed opposition to what was called entrenchment, expressed in excess of 70 percent support to the provision of services by the government.

So, Mr. Speaker, I think we're making a proposal that does address that kind of popular consensus to provide services to Manitobans, but do it in a flexible way, so that governments can address changing needs, whether those needs are increasing or decreasing in character, or are needs which must be addressed in terms of changing demographics and population. I think that's important, Mr. Speaker. I think it's a major part of the government's proposal to try and address the concerns of Manitobans, to try and avoid a court imposed solution, to try and find a made-in-Manitoba solution.

Mr. Speaker, I recommend it to the House as a vital part of a consensus for the '80's, rather than an historical binding document of 1870. I think that's important. I think that's the way we should go.

Thank you, Mr. Speaker.

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

MR. G. MERCIER: Mr. Speaker, I just have a few questions for clarification.

Could the Minister advise if the government proposes to proclaim this act prior to January 1, 1987, and if so, approximately when?

HON. A. ANSTETT: Mr. Speaker, the member raises a very important question. It would not be our plan under any circumstances - and I wish to assure the House and the public of Manitoba - that it would not be our intention to proclaim this bill prior to the proclamation of the amendment. Obviously the implications of that under Section 23.1 might be, if freedom were interpreted to include rights granted by statute, to be the equivalent of entrenching the bill. I think that interpretation is possible. I won't offer any suggestion as to whether that's remote, probable, or just possible, but that is possible. For that reason we give the assurance that there is no intention to proclaim the bill prior to the proclamation of the amendment to The Manitoba Act.

With regard to its proclamation after that date but before January 1, 1987, the government has advice that it would probably take - in fact, the original proposal January 1, 1987 was the date - because it would

probably take that long to ensure that there was an orderly setting up of the administration to provide services. It may be necessary to - after the date of proclamation of the amendment - provide for the setting up of the advisory council, provide for those sections to be proclaimed. It may be necessary, from that point of view, to have that advice into the system on the setting up of the administrative machinery.

In addition, it may be necessary to proclaim the sections with regard to the ombudsman, perhaps six months in advance of the actual coming into force, perhaps July of 1986 - if you're assuming January 1, 1987 - so that the appointment of the ombudsman by the government, on recommendation of the standing committee can be made, prior to the coming into force of the section.

So I think those are very important questions and I thank the member for asking them.

MR. G. MERCIER: Mr. Speaker, I thank the Minister for that answer. Just one further question.

Could he explain, in view of his answer, why the act would repeal a former act of 1980, which was Chapter 3 - the act which has the same name: An Act Respecting the Operation of Section 23 - why that act would be repealed immediately on passage of it.

HON. A. ANSTETT: Mr. Speaker, Bill 2, 1980 Session or Chapter 3 of the 1980 Statutes relates solely to the translation, enactment and validity and authority of the statutes passed by the Manitoba Legislature. Clearly, Sir, the changes proposed to The Manitoba Act in the amendment before the House provides for the validity and enactment of those statutes.

I have assured the honourable member that this bill will not be proclaimed until after the amendment comes into force. The amendment provides then for those matters which are addressed in the 1980 statutes, and it is then no longer required. So it would be repealed after the amendment is proclaimed.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister that he may wish to deal with now or perhaps not, but he's referred on many occasions to services. Of course, it's central to the intent of the bill, but in no case is it outlined as to what is intended, what that word "services" is intended to mean, or indeed what "communications" is intended to mean. Would the Minister care to elaborate on that at this point?

HON. A. ANSTETT: Mr. Speaker, the term which is in - and I will respect the normal admonition not to get into detailed section-by-section references but, for purposes of answering the question, Section 16, 17 and 18 make use of the term that was also provided for in the proposed amendment to The Manitoba Act.

Those sections refer to "... the right to communicate in English and French with, and to receive available services in English or French from, . . ." That refers to all communications with principal administrative offices, etc., and in those language

services districts, those regional offices which provide services, all communications with and all available services from those offices from the Provincial Government. That is the intent.

MR. SPEAKER: Are you ready for the question?
The Honourable Leader of the Opposition.

MR. G. FILMON: I have just one further question. It follows on the question of the Member for St. Norbert. The Minister has indicated that it is not the intention of the government to proclaim the bill prior to proclamation by the Government of Canada of the amendment to the resolution that we're currently debating. Would he be willing to provide that assurance in the form of an amendment to the bill?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. A. ANSTETT: Mr. Speaker, I am pleased to answer the question. Since it is the government's commitment to provide that assurance, if for legal reasons or in terms of addressing the concern of members opposite the proclamation or final section of the legislation could be amended - and I don't purport to answer for what legislative counsel may have to say on this suggestion - it could be amended to make it relative to proclamation of the amendment, I'm certain that my colleagues would have no objection to providing for that amendment during committee stage.

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

MR. A. KOVNATS: Thank you, Mr. Speaker. I beg to move, seconded by the Honourable Member for Gladstone, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Government House Leader.

HON. A. ANSTETT: Mr. Speaker, would you call the amendment to the resolution, standing in the name of the Honourable Member for Niakwa, please?

ADJOURNED DEBATE ON RESOLUTION CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

MR. SPEAKER: On the proposed amendment of the Honourable Attorney-General and the amendment hereto proposed by the Honourable Minister of Municipal Affairs, the Honourable Member for Niakwa has 40 minutes remaining.

MR. A. KOVNATS: Thank you, Mr. Speaker. I rise today, and I have some reservation as to the amount of time that I'm going to be able to carry on because I am speaking with a little bit of physical difficulty inasmuch as between Christmas and New Year's, not knowing the plans of the government, I had some surgery done in my mouth. It has given me some physical difficulty,

but if you can stand the slurring of the "s's," I will try to carry on.

I want to, at this point — (Interjection) — oh, I can smile. I have got part of the dentures, Mr. Speaker, but it was some teeth that I had removed. I'm not that unhappy about it inasmuch as when you've got something in your mouth that is really not supposed to be there, you've got to get them removed. I would hope that the people with their feet in their mouth on the other side have them removed before too long.

I want to wish all, Mr. Speaker, yourself included, a very Happy New Year. We are now into the third year of this Session. We started in 1982,'83, and here we are into 1984, Mr. Speaker. I am not sure whether I am pleased to be part of the record of the longest Session ever held in the Manitoba Legislature, but it's a fact that I am involved with it, Mr. Speaker, and there is nothing I can do about it. We have been accused of extending the Session by filibustering. Mr. Speaker, I was elected to represent the people in my constituency, and that is what I am doing here today, Sir.

Mr. Speaker, I would also like to take this opportunity to congratulate the two new Ministers: the Honourable Member for Radisson, the Minister of Environment, Workplace Safety and Health; and the Honourable Member for Springfield, the Minister of Municipal Affairs. I wish them success in their jobs, and I hope that they carry on in the tradition of good government. If they do a good job, I will be here to laud them, not to condemn them.

The Minister of Municipal Affairs has a very difficult task to perform inasmuch as this is a very trying subject, this resolution before the House today. I know that he had sat at all of the hearings throughout the province. I was at many of them, but not as many as he. I think that he's got a feeling for what has been told around the province. I have a feeling as what has been told around the province also, and I will be extending on that at a later time, Mr. Speaker.

I would also like to extend my personal congratulations to the Member for Ellice on his being appointed a Q.C. in the new year. Just as a very passing remark also, I think that he deserves all of the things coming to him inasmuch as I would hope that there would have been other things coming to him other than just a Q.C. I know he is very, very talented. He speaks his mind. It's not in agreement with what I have to say on many occasions and just as we were leaving the building the other day he says, you know after I had run as Mayor against Mayor Norrie in the City of Winnipeg, he says, it wasn't a Q.C. I should have got a V.C.

Anyways, Mr. Speaker, I want to congratulate Mr. Paul Robson, the Manager of the Winnipeg Blue Bombers and the coaching staff. I'm taking all of these opportunities because, Mr. Speaker, I am not that good and that privileged to be able to debate in the manner which some of the other members of this Legislature are able to debate.

I have heard accusations, you know, get back to the subject and please, Mr. Speaker, what I am saying is it's my inability to debate in the same manner as them that causes me to wander around. If I do leave the subject, Mr. Speaker, I certainly will return to the subject before too long. I just ask a little patience. I just ask a little patience from the members and I hope that I'm not going to be condemned for speaking my mind.

I mentioned by congratulations to Paul Robson, the manager of the Winnipeg Blue Bombers, the coaching staff for the fine job that they've done. I've had much association with professional football and it's of special interest to me to see that this job of the coaching staff and the manager of the Bombers have taken the Bombers to the finals in the Western Canadian Football League last year, even though they weren't successful and didn't go to the Grey Cup, but I think there is many things in the future that will be to their credit.

Anyways, Mr. Speaker, the very interesting part considering some of the criticism that has taken place through La Liberté. I am now getting down to the point where it's going to be directly on some of the things that are referred to in the resolution.

I received a call earlier today from a school teacher at an all French school condemning me and the Conservative Caucus for placing an ad in La Liberté wishing all a Merry Christmas and a Happy New Year. I was condemned for being a hypocrite because of what he thought the attitude we have, we as a caucus, towards the French people in the Province of Manitoba. I don't think, Mr. Speaker, that I could possibly let that go and I certainly spoke to him about it, advising him that I thought that he was off base in making that condemnation, inasmuch as some of my very very best friends are French. I didn't want to be associated with any anti-French feelings as our caucus does not want to be associated with any anti-French feelings. There is, I think it's a political ploy on somebody's part, particularly on this chap who phoned me to try and make me say things that I might have been a little sorry for, but I can hold my temper and I can understand his feelings. But I was just wondering, Mr. Speaker, where was this phone call and the condemnation of La Liberté when some caricatures appeared in the paper a few months back condemning the conservatives as Klu Klux Klan and burning buildings and things of that nature?

Mr. Speaker, I think what we have to do is to put it into prospective. You know, you can't have it all one way. If you're going to condemn one thing, you must condemn the other. Mr. Speaker, this was not coming from this particular gentlemen. I just thought that I would bring it up because you know what is happening is that little bits and pieces are being picked out so that they can condemn or accept. I think it's very, very unfair to not look at it in an open mind. I hope, Mr. Speaker, that I can come into this debate on this resolution with an open mind. I believe that I have, Mr. Speaker.

Mr. Speaker, I would like to also take this opportunity to wish a Happy New Year and congratulate the Deputy Speaker of the Manitoba Legislature. Mr. Deputy Speaker, congratulations to you and all the very best in the New Year. I was very, very disturbed as to what had happened a little earlier where the Member for River East got up and asked a couple of questions which disturbed me a little bit, because you don't have to be politically astute to know where somebody is going when they're asking questions. Mr. Speaker, I wasn't going to bring it up, but I had heard some condemnation about some of the sleazy remarks made by one of the government House members concerning a question posed by one of the Conservative opposition. I think this is in the same category, Mr. Speaker, as to

what the Honourable Member for River East had brought up, in the same category as sleazy remarks.

I think the rules have to be the same on both sides. They really do, Mr. Deputy Speaker. The rules have to be the same for both sides. If that is the case, let the rules be kicking or biting or scratching or making sleazy remarks, but as long as they're the same for both sides. I don't think one person can get up in a very indignant manner and make claim to the rules.

I hope that it's nothing that I have said that you are looking up in the book, Mr. Deputy Speaker, but I'm going to carry on anyway.

Mr. Deputy Speaker again I will apologize for my lack of debating skills — (Interjection) — well, this is another part of the rules about the remarks made about the leader and really which is the leader and some of the things that have happened in the House, but I've got all that covered, and I'm going to be making reference to that.

I have condemned the opposition in their manner and their lack of following the rules and their interjections and all it does is cause more arguments, Mr. Deputy Speaker, including the laughter and the jibes and some of the mistakes that are made. You know, they're honest mistakes, nothing to be condemned about, Mr. Deputy Speaker. Really, it's nothing to be condemned. You know sometimes during the debate something is said in error. For instance, to make remarks — (Interjection) — that's right. You know that upset me so much I've just got to bring it up. My friend, the Honourable Member for Roblin-Russell, was having some difficulty with his dentures and they weren't quite in place and it was a cause for laughter from the Government House side of the Legislature. You know, it bothered me very very much, Mr. Deputy Speaker, considering that I don't have my bottom teeth. I was hoping that the Honourable Member for Roblin-Russell would be here, just in case I had requirements of the bottom plate because he had offered me his. I felt that the laughter that was caused by his discomfiture in the Legislature was certainly uncalled for. I'm not going to make a bigger issue about it, but to laugh at somebody's handicap. I guess it is a handicap, Mr. Deputy Speaker, not to have your own teeth and you know to make such a big issue about it. I think enough said. The laughter has ceased and I think that's the last that has to be said about it. I just hope, Mr. Deputy Speaker, that I don't give them also cause for any laughter, because I am speaking very closely and slowly so that I don't run into the same problems.

I've got to condemn the government for bringing the House back at this time, not because of the resolution and to report on the hearings, but we went all through that and it's not the opposition that are causing the delay. It's the government that is causing the delay in the passing of this bill. We are debating it. They are not debating it, Mr. Deputy Speaker. They are entitled to debate it, Mr. Deputy Speaker, and this is what's causing - or part of the reason of the delay. I think that government, as the government, must enter into the debate on this resolution, unless, Mr. Speaker, they are afraid. There's no reason for them to be afraid unless, as I just explained a few minutes ago, it doesn't matter and if a mistake or a slight error is made, we will forgive you. It's not that serious to make a mistake, Mr. Deputy Speaker. But I think — (Interjection) — well, you know,

talking about a Leader, I've got something I'm going to be making a remark about in a little while. Vic, don't go, it's not that serious. Mr. Deputy Speaker, please, I've got to insist that the Minister of Finance stay. The whole gallery up there, the press gallery has gone. I would ask the Minister of Finance to please stay and join me because . . .

Mr. Deputy Speaker, I'm going to speak on the French language hearings, the hearings that I attended - what has been caused, the damage that has been caused by this resolution coming into being. The New Democratic Party has lost some of the support that they have had, not all of the support, because I can understand, Mr. Speaker, they have gained some support in addition. They have gained some support because they have gone to the Société franco-manitobaine and they've made arrangements for them to be involved with the extension and restoration of French language rights and I agree that there has to be some restoration of French language rights. It's absolutely imperative that this restoration be discussed and be restored. I have nothing against something of that nature, Mr. Speaker.

I want the condemnation that the Conservatives were responsible for the loss of these French language rights to be thrown right out because the Conservatives were not the ones who caused the loss of French language rights. In 1870, when these rights were given to the Francophone of Manitoba, they deserved it and they still do, Mr. Speaker; but in 1890, when these rights were taken away, it was not by a Conservative Government. It was by a Liberal Government, who are now involved in trying to restore these rights through the federal scene, but it was a Liberal Government not a Conservative Government.

A MEMBER: Does that mean that you support it?

MR. A. KOVNATS: Are we in question period, Mr. Speaker? Anyways, Mr. Speaker, I would just love to be able to answer these questions, inasmuch as it would mean that we were government and they were opposition.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. DEPUTY SPEAKER, P. EYLER: Order please.

MR. A. KOVNATS: Mr. Speaker, I would ask that if you keep me posted as to the time, I will try to allow myself a few minutes at the end to answer any questions . . .

MR. DEPUTY SPEAKER: The Government House Leader on a point of order.

HON. A. ANSTETT: Mr. Speaker, the honourable member says he welcomes an opportunity to answer questions, so I would ask if he would grant leave at the end of his speech to answer a few questions then.

MR. DEPUTY SPEAKER: The Member for Niakwa.

MR. A. KOVNATS: Mr. Speaker, I will endeavour, because of the importance and keeping to the subject

and trying to get it all into one 40-minute debate, because it appears that this is going to be my last opportunity to debate this resolution.

A MEMBER: I wouldn't say that.

MR. A. KOVNATS: Oh, is there more? I didn't realize. To my knowledge, Mr. Speaker, at this time, it looks like I will try to allow myself some time at the end of my discourse to be able to answer any questions and oblige the Honourable Government House Leader, because I know that he will be prepared to pose some very very interesting questions. I hope the questions will lead me to answer my favouring of the extension of French language rights.

I have always supported the extension of French language rights. As a matter of fact, not too long ago - well, just as a passing remark, I have taken the French language training, inasmuch as I feel that strongly towards the culture. I feel strongly towards the culture of the Francophone and my French friends in Manitoba and I don't want to be criticized for making reference to them as my French friends because they are my French friends. I think the term Francophone sometimes can be a little bit misunderstood and it's a little cold and you know I have a nice, warm feeling towards my French friends as well as my English friends. As I mentioned a little earlier, some of my best friends are French. Some of my best friends are English also. Some of my best friends are Irish - I had to say that, Mr. Speaker, otherwise my wife would be very very critical. But I'm not unhappy for the use of French in the Legislature. I've got friends in Sanford. I'm not unhappy with the extension of French language rights in the Legislature, in the courts, in the schools.

You know, I could see what was happening when we were out - oh boy, I've forgotten the town that we went to - little small town, it's mostly Icelanders - Arborg, I'm sorry, Arborg, that's the one - and I listened to some of the presentations. Mr. Speaker, those presentations in Arborg, by and large, weren't complaining about the lot, the rights of the Francophone in Manitoba as to they're allowed to speak French. By and large, what I got out of it, at the Arborg hearing particularly, from the people of French background who were speaking, it was all through the educational system. They wanted some additional help in their educational system, less time to travel to different areas. But they didn't seem to be that unhappy with their association between the French association and the English association in the Province of Manitoba. That's not what our problem has been.

My next door neighbours and my friends who are living very very close, of French background, gee, they're not unhappy with the situation. Again as I mentioned, I can't blame the Société franco-manitobaine for them grabbing and taking whatever the government is prepared to get for them, even if it's an extension more than what the restoration of French language rights entail.

A MEMBER: That would be awful.

MR. A. KOVNATS: I'm not against it. I'm not against the Society going for anything of that nature. Good for

them! I'll support them, but why — (Interjection) — I didn't say, but. Your House Leader will have a question at the end. If that's going to be part of the question, I'll be happy to answer it, unless you are going to ask me something of a personal nature that I can't answer at this time. But look, I'm going to have to get up, and I am going to have to make a decision on this resolution. I am going to have to vote on it, and you're going to see what will happen at that time.

I am not insinuating I'm changing my position. Don't misunderstand what I am saying, but I am just responding to some of the derision that I have received from the government.

Anyways, Mr. Speaker, I was talking about the French people who are living in this community. They are not unhappy. You've got a very small percentage, and I don't think that they are unhappy. I think what is going on is that they just feel that their rights have to be restored. I think that we all agree that to some extent their rights have been restored under the Lyon administration, but there's more and it's coming. We will restore those rights.

I can see some of the government departments with the extension of French language rights, and some of the services - I don't want to get into this, because it's really making reference to the bill rather than to the resolution, but there are so many things that have to be explained to me so that I can explain to the people who are calling me and saying, "Abe, don't give in. Don't make any changes. Allow it to stand the way that you've always allowed it to stand." I keep telling my people, if changes are necessary to restore the French language rights, then changes will be taking place. It's just a matter of degree, and whether this satisfies all of the people who are involved.

Mr. Speaker, I listened to the people of the Province of Manitoba. I have looked at the results of the plebiscite. I have taken my own plebiscite. I have taken my own investigation through the people in my area, all of the people I represent. I just didn't select a few people. I selected quite a few, and it was at random. As a matter of fact, some of them supported the resolution completely but, by and large, most of them did not support the resolution. Mr. Speaker, I have to listen to those people. I am their representative. I'm not sitting on the fence. I am their representative, Mr. Speaker, and I must represent them to the best of my ability and do what they ask me to do to the best of my ability.

I lost some friends over it a little while back when the Honourable Member for Emerson had brought in a bill to increase the drinking age. It's not getting away from the resolution, because I think there's a comparison, Mr. Deputy Speaker. He brought in a resolution to increase the drinking age. I wanted to support that resolution, Mr. Speaker, but I had investigated, and I went to the people who were directly involved and they said, no. Don't raise the drinking age. It is not going to correct the problem. So what I'm saying, Mr. Speaker, I listened to the people that I represented, and I will listen to the people that I represent when it comes time to voting on this resolution.

Mr. Deputy Speaker, I am not sure how much time I've got, and I'm trying to allow myself - there is something very important at the end of my speech that

I would like to get in, Mr. Deputy Speaker. Can you advise me as to how much time I've got?

MR. DEPUTY SPEAKER: The honourable member has 10 minutes remaining.

MR. A. KOVNATS: Ten minutes. I got up and, Mr. Deputy Speaker, I was really intending just to make five or 10 minutes of remarks. All of a sudden, it just seemed to get out of hand. I must apologize to the House. It was not my intention, Mr. Deputy Speaker.

The government under this resolution tried to gain votes from a group of people. I think that they did gain some votes from a group of people by entering into this type of negotiations with the SFM, the Federal Government. I am very very sorry that I wasn't involved prior to them entering into the negotiations. I would have loved to have contributed into the negotiations on a non-party basis, but they didn't see fit to bring it and keep us posted, which they should have.

Mr. Deputy Speaker, I'm going to have to - oh boy, have I got a lot of stuff here concerning - no, Charlie Brown. There was some discussion about one of the Ministers making remarks about Charlie Brown pulling the football away when somebody was going to kick the football. I have something here I wanted to speak on, on Mary Poppins, Mr. Deputy Speaker, because during the story on Mary Poppins where "A little bit of sugar helps the medicine go down," I think that's what they have to do with this resolution is a little bit of sugar to help the resolution go down. There is just not enough sugar, Mr. Deputy Speaker.

Just in closing, Mr. Deputy Speaker, I just wanted to advise the government, where are they going? I have used this terminology before, damn the torpedoes, full speed ahead! They just don't care of the consequences. They are rushing to exterminate themselves, which reminds me, Mr. Deputy Speaker, about how they are rushing to exterminate themselves to create and contribute to their own demise. It reminds me of the lemming.

I went to the encyclopedia, Mr. Deputy Speaker, and I just want to bring to the attention of the House what a lemming is, so that we can create a comparison of the government of the Province of Manitoba with the life of the lemming, and the life cycle of the lemming and their habits.

Mr. Deputy Speaker a lemming is a small rodent of the bleak tundra of the far north temperate and polar regions, noted for its regular fluctuation in population and its periodic migration. There's only a little bit more, Mr. Deputy Speaker, and I'm going to read it. I think I've got another five minutes.

MR. DEPUTY SPEAKER: The honourable member has seven minutes remaining.

MR. A. KOVNATS: Pardon?

MR. DEPUTY SPEAKER: Seven minutes remaining.

MR. A. KOVNATS: Anyway, Mr. Deputy Speaker, during normal periods, lemmings make short annual spring migration in search of food and shelter and every three or four years they may move in detectable ways, away

from the centre of denser population. The well-known armies of lemmings that devastate the countryside and sink into the sea, occur infrequently.

Usually after several years of high breeding capacity and low mortality, lemmings may begin to move in greater numbers - at first erratically and under cover of darkness, and later in bold groups that may travel in daylight. Wherever barriers block their easy passage, they tend to crowd in rising numbers till a kind of panic reaction drives them over the obstacles and they continue on in larger bands frequently down the valleys. Behaviour changes and intensify and lemmings show more pugnacity, offering fight to animals they ordinarily would avoid.

Can you see the comparison, Mr. Deputy Speaker? Now this is the part, Mr. Deputy Speaker. Some reach the sea and plunge in, swimming until exhausted, acting under the same blind impulse that have forced them to cross smaller bodies of water with safety.

Mr. Deputy Speaker, can you just imagine the lemmings climbing over the cliffs, over obstacles and plunging into the sea and destroying themselves? Mr. Deputy Speaker, can you see the same comparison with the New Democratic Party on how they are destroying themselves by fighting over one another to try and appease a particular group? They are destroying themselves, and I can't stand to see the loss of people of some high calibre, in some cases, just destroying themselves.

Mr. Speaker, the Leader of the Opposition, or the Leader of the Government - I'm sorry, there's an error and I guess nobody is listening because I didn't receive any laughter for an honest mistake I had made - but the Leader of the Government, the First Minister, the Member for Selkirk, the head lemming in the Province of Manitoba, is leading some of the subordinate lemmings to jump off the cliff into the water and create their own demise. I don't like to see it, Mr. Deputy Speaker, because we are not that far away from reaching an agreement on the resolution. There's not that much that has to be withdrawn to make it acceptable, but I would think, Mr. Deputy Speaker, we are close enough now that I don't want to see them destroy themselves.

I would rather take them on in an election in two, two-and-a-half years time and we will destroy them. I don't want them to be destroyed on their own. I don't want them to say that they contributed to their own demise, because I think we have the capabilities, we have the strengths, we will have the numbers to destroy them in the next election. Mr. Speaker, you don't have to have a crystal ball to know that is what is going to happen.

Mr. Speaker, can you imagine it? I'm ready to close because I'm going to allow just a couple of minutes for some questions. Can you imagine, Mr. Speaker? You know, they still have a chance to survive. Not all the lemmings have jumped off of the cliff into the water and have drowned - not all, there's still some, yes. The Honourable Member for Brandon East, the Honourable Member for Elmwood have saved themselves from jumping off the cliff into the water. Others have a chance to survive. You can go on holidays. That's a chance for a lemming to survive, you know, but you can't shirk your duties, and the duties are to debate and discuss this resolution.

If I could just make one suggestion. If you recall during the last war and at least I do, Mr. Speaker, because I had taken a training course down at Rivers - that's where the paratroopers were being trained and they used to have two parachutes - one on the front and one on the back. When they would jump out of the airplane, they would have this one parachute attached and as they jumped out, it would automatically open, but if it didn't and they were plunging down to earth at a great speed, ready to meet the ground and be finished for an awful long time, because when you come down at that speed - and I think it's 32 feet per second. I don't know why I remember that figure, Mr. Speaker, but I guess it was my training as a football referee to remember that because I was good at seeing something and remembering it. — (Interjection) — On some occasions no, but as a football referee, Mr. Speaker, I have never made an error like I saw last Sunday in the final game in the AFL, I guess it was, where it was very flagrant. I've never made a mistake like that, and I don't intend to make a mistake of any seriousness now, and I'm certainly not about to follow the government out of the airplane with one parachute that doesn't open. But they have the opportunity to grasp the rip cord on the other parachute and save themselves. Mr. Speaker, they can save themselves, as the lemmings can save themselves, by not getting too close to the water.

Mr. Speaker, they can save themselves and I implore them to save themselves, to enter into the debate on this resolution, so that the people of Manitoba will know that their representatives in the Legislature are representing them. That 80 percent - or whatever the figure was in the referendum, 76 percent - they've got to let them know that they represent those people, and those people are against some of the things in the extension of the French language rights. But if they don't get up and speak on it, because there has only been two or three that have, Mr. Speaker, the people of Manitoba will not know. They will not know the status of this government.

In closing, Mr. Speaker, again I apologize for my lack of debating ability, which does not allow me to know all of the practicalities on how to get around swaying from the subject. I just don't know these things, Mr. Speaker, how you get around speaking on a particular subject.

I wish the government good luck. I wish the government bad luck also; probably more bad luck than good luck, because they really don't know which way they are going. I apologize and I thank you very much for your consideration for allowing me to carry on even though I know that I swayed a little bit from the subject.

Thank you, Mr. Speaker.

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

The Honourable Minister of Highways.

HON. J. PLOHMAN: Thank you, Mr. Speaker. I was debating delaying getting up at this point. I know that the Member for Niakwa was exploring this side of the government to take part in the debate. However, one wonders what debate they're talking about. I didn't

know whether he was talking about the Superbowl for awhile or lemmings, and he went into so many different subjects. All I can say . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. PLOHMAN: All I can say is that if we're lemmings, that they over there are bats, Mr. Speaker.

MR. SPEAKER: Order please.

MR. A. KOVNATS: I wasn't the one who brought up Charlie Brown.

HON. J. PLOHMAN: Mr. Speaker, it has been typical of all of the members of the opposition in this debate, if we can call it that, because they have ranged over every different topic you could think of just filling in time. It's obvious, it's filibustering and we don't intend to filibuster our own resolution or our own bill, Mr. Speaker.

We are here because we are here, seriously, on a very serious matter, Mr. Speaker. It's a matter that I have indeed taken some time to rise and speak on I have to admit. I did not speak on this resolution in the last part of the Session, Mr. Speaker and I did that for a reason. I had over that time, taken the time, because I think it is the developing thinking on a matter of this importance. It is something that is a developmental process. It takes time to develop your thoughts. I've taken the time, I believe, to understand, to appreciate the issues. I think I've kept an open mind on this and a positive attitude over the last six months.

During that time, Mr. Speaker, I have talked to other people to get their views. I've shared my views with them. I've taken the time to contemplate and then to synthesize and draw together in the development of a positive course of action. I think that that is very important, Mr. Speaker, and I think that it is something that the opposition could be well advised to do as well, to keep an open mind, to view this question with a positive attitude, because it is a real problem and must be addressed.

Now, I want to share my own personal feelings, and I believe they reflect the views of my constituency as well, Mr. Speaker, here in this House with my colleagues, but particularly with the members opposite for a very important reason, because I hope against hope that they too can take a reasonable and rational approach, a sensible approach to this issue. I still feel that there is some hope for them, although I'm not holding out a great deal.

It is an emotional issue, Mr. Speaker. This issue conjures up reactions and feelings that have developed over many years. It probably goes back to confederation or even before that.

The Member for Emerson yesterday talked about the bias out there that he seems puzzled about. Well, that bias has built up over the years, for many years in this province and in this country. Old wounds surface, previous experiences, new stories, all real or imagined fears, they all combine to inflame reactions disproportionate to reality, that really sometimes bear

no resemblance to reality and to what is actually being proposed, Mr. Speaker.

Those feelings can be traced back, as I said, to Confederation and beyond that, but they have been recently rekindled by the Federal Government in their disastrous bilingualism policies that have been thrust on Canada. That has caused divisiveness in this country, Mr. Speaker, there is no doubt. In addition to that, Rene Levesque and his Separatist Government in Quebec and Bill 101, which that bunch over there supported in the court cases, Mr. Speaker, which has done more - Bill 101 I believe - to divide and alienate Canadians than any other piece of legislation in this country in recent times.

Those fears and negative feelings now, Mr. Speaker, manifest themselves in opposition to our government's proposals here in this House, in opposition to our government's proposed solutions. Those fears that have built up over a great number of years, those that have rekindled by the federal Liberals and by the people of Rene Levesque's government in Quebec, they, Mr. Speaker, have manifested themselves in opposition to our government's solutions to a problem that has lingered here in Manitoba over the years and now having reached a point where it must be dealt with, where it no longer can be ignored or swept under the carpet like the previous government did. They may say they dealt with it and that the rights were restored, but they did not, Mr. Speaker. Tokenism and words are not solutions to this problem.

MR. H. ENNS: Mr. Speaker, on a point of order.

MR. SPEAKER: Order please. The Honourable Opposition House Leader on a point of order.

MR. H. ENNS: I would like the honourable member to consider whether he honestly believes that an act of this Legislature is tokenism.

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

The Honourable Minister of Highways.

HON. J. PLOHMAN: Mr. Speaker, it's quite possible that the Honourable Member for Lakeside thought it was tokenism. He couldn't even remember his government passed it, and that was evidenced in a passage read in this House by the Minister of Northern Affairs. So he couldn't even remember he passed it, Mr. Speaker. It depends what the purpose of that act and what it accomplished, whether it was tokenism in dealing with the serious problem that the government was facing at that time and which we still face, because, of course, they did not deal with it.

It has reached a point where it must be dealt with, Mr. Speaker, I believe, in an honest, open and caring way by a caring government, a responsible government, by a government that is willing to demonstrate positive leadership in this province. That, Mr. Speaker, is in sharp contrast to the negative, destructive leadership that this opposition has shown on this issue in this province.

They have, Mr. Speaker, been looking for the ghosts in the dark on this issue right from the beginning. They

have looked on the negative side of this issue. They have not treated it seriously in a positive way, so that they could combine to have input into a positive solution, Mr. Speaker.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. PLOHMAN: The Leader of the Opposition on Monday, Mr. Speaker, in his speech of this divisiveness. He talked about "divisiveness, acrimony, convulsion of the entire province," but he did not say what was the major cause of that convulsion, of that acrimony and that divisiveness. He did not say that those people there in opposition were largely responsible for that divisiveness in this province by the position they took on this issue over the last six months. By exploiting and inflaming that divisiveness, they have for their own political benefit - that's their main purpose in this whole debate, Mr. Speaker - and not for the benefit of Manitobans like they say, this concern that they bring forward, that they are concerned about this divisiveness in this province.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. If the Honourable Member for Emerson and the Honourable Minister of Health wish to hold their own private debate, perhaps they would do so outside of the Chamber. Then the remainder of us could listen to the Honourable Minister of Highways.

HON. J. PLOHMAN: Mr. Speaker, I believe that in a cold-blooded, calculated way, the opposition has deliberately set out to stir up this divisiveness in this province for political reasons. I want them to prove that isn't the case. I believe that is the case.

They have the nerve to say - a number of them have said that, the Member for Lakeside, the Member for Emerson, a number of them said that we're doing this for political purposes. The Member for Emerson last night said that this was a diversion that we had created in this province, a diversion so that people would get their minds off the economy and all the good things we're doing there.

Mr. Speaker, I have to refer back to the very profound question that was asked yesterday by my learned colleague, the Minister of Northern Affairs, when he asked, "Are we crazy?" Mr. Speaker, are we collectively crazy here?

SOME HONOURABLE MEMBERS: Yes, yes.

HON. J. PLOHMAN: Mr. Speaker, we didn't get an answer from them yesterday. They seem to be able to make up their mind on that side of the House today, but let me say, Mr. Speaker, that question will serve the test of time, and we will find out who's crazy on this issue.

You know on Monday, the Member for Minnedosa from his seat during the Attorney-General's speech - and the Attorney-General made an excellent speech. I want to commend him, because he explained the legal

aspects of this very clearly to the members of the opposition. They did not care to listen, Mr. Speaker. They did not listen to those facts, but he laid it on the line very clearly to the opposition, but they did not hear it.

He has done an excellent job in an open way right from the beginning on this issue. It is very unfortunate that he has to bear the brunt of that kind of criticism in this House, the Attorney-General in carrying this issue; as has his successor, the new House Leader in this House here in Manitoba, Mr. Speaker, who has taken this issue and has done a very competent, excellent job in working with the people and with his caucus and with the members of Cabinet on it, as did his predecessor on this.

Let's got on to what Dave Blake said, or - pardon me, Mr. Speaker - the Member for Minnedosa. I apologize for that slip. As the Attorney-General was outlining the very important aspects, he says he was listening. He said, "That sounds good in here, but it won't wash out there." He pointed out, it won't wash out there. In other words, Mr. Speaker, the truth, the facts are okay in here, but who cares about them, because you can't convince the people out there. So that's how we get our position. That is what was implied in that, Mr. Speaker. That statement, Mr. Speaker, I believe tells it all.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. PLOHMAN: They, Mr. Speaker, the Member for Virden, those people there in opposition are not interested in reason and in justice, in a proper solution to this and a rational approach to this problem, Mr. Speaker. It is straight politics for them, straight politics from the beginning, blatant politics.

It was evidenced very clearly in the Member for Emerson's speech yesterday, Mr. Speaker. You know, when the heckling got pretty tough for him, he in an emotional outburst, a hysterical outburst, yelled at the members of the government, "The pressure's on you, guys. Each one of you is squirming in your seats. Call an election. There wouldn't be six of you left because of that." Mr. Speaker, that's what he said in this House. Straight politics, that's their position on this, Mr. Speaker. It dominated his speech throughout.

He said, "That's why we are at each other's throats, to make political points." That was another statement from his speech, ". . . politically fortunate for us," - another statement from his speech. "Everyone is to some degree playing politics in it." It was in every element of his speech, Mr. Speaker, and he talked about this House as a stage on which he could act out his political gain. He talked about this House as a stage for acting, Mr. Speaker. His speech was dominated by two very in-depth themes throughout his speech: politics, politics, politics, and why, why, why. That was the summation and the total of his speech yesterday, and I listened to it very very closely. Those were the themes, Mr. Speaker.

He naively stated yesterday, the French language problem here in Manitoba, "It is being resolved automatically because of the Forest case." That's what

the Member for Emerson said. It's being resolved automatically. But what does "automatically" mean, I have to ask the Member for Emerson? This is a rhetorical question. He doesn't have to answer that, because he didn't answer it yesterday. Does it mean the Supreme Court, Mr. Speaker? What about Bilodeau? What about the continuing court cases, Mr. Speaker? What about the validation of our statutes here? What is this automatic resolution he talks about? What about their inept actions of 1980 with Bill 2, Mr. Speaker?

We, on this side of the House, Mr. Speaker, realize the necessity, the absolute need of a creative and just solution to this problem, a solution put together here in Manitoba. We've done that from the beginning. That has been one of the hallmarks of this whole endeavour, Mr. Speaker, and that is that the solution be made-in-Manitoba. It must not be an Ottawa solution in any way, either by the Federal Government, nor must it be an Ottawa solution in terms of the nine federal judges that sit there and that impose judgment upon our laws and our life in Manitoba. It must be done here in Manitoba, Mr. Speaker. It has been done and it will be done here in Manitoba. But they ask Why? why now? That seems to be the tough question over there Why? Why now?

One of the major reasons is because they didn't do anything, Mr. Speaker, in 1980 when they had this problem in front of them. They did not do anything of substance. They passed and act as I stated earlier, Bill 2, which stated that French and English were the official languages of Manitoba, and which of course was a mistake, they made a mistake. It must have been inadvertent that they were the two official languages because they set about denying that reality on all their actions that followed, Mr. Speaker.

So they must have made a mistake and the Member for Lakeside didn't even remember that it was in there. They proceeded to deny that reality of Canada that French and English are the official languages. We have accepted that reality on this side of the House, Mr. Speaker. I don't think they've ever got to that stage yet. They're still debating that over on the other side. They know that, Mr. Speaker, I think most of them know the truth, but they are in the dubious position of understanding the truth, but are not willing to be a party to it because of politics. It's as simple as that. They are not willing to be a party to the truth on this issue because of politics.

It is a sad day for the Conservatives, Mr. Speaker, and I've got a lot of help over here. I'm really enjoying it. The Member for St. Boniface is a great helper whenever you don't need him.

Mr. Speaker, I want to tell you clearly and I wanted to say to this House that this solution, and I call it a solution, to the problems that have plagued Manitoba and that have resulted in the rights being denied of the Francophone community for many, many years has my complete and unequivocal and unqualified support. It has the unqualified and unequivocal support of this caucus over here. I've heard it said that it isn't the case, Mr. Speaker. I say that with pride and dignity and you will see day after day in this House that is the case, Mr. Speaker.

Mr. Speaker, I say that primarily for myself. You will see as the days go by exactly what the case is. You

better get that clear in your minds right now. It takes pride, Mr. Speaker. I take pride in the democratic process as it has existed in this situation and its closeness to perfection. I marvel too, Mr. Speaker, at the willingness of our government, of our party, to listen, to evolve the position, to respond to the people, and that point was made by the Minister of Northern Affairs yesterday when he said, "The real question is, did the government listen?" I think he showed clearly that the government listened in that period in those hearings, Mr. Speaker. I marvel at our government's will to persevere against great odds, Mr. Speaker, in this province to find that illusive solution. It has not been easy, Mr. Speaker. It has drawn out the best in my colleagues, in my party, and my government, Mr. Speaker. It has pulled us together in a positive, in a dynamic way, Mr. Speaker, as we have worked together toward finding a common solution. It's challenged our will and our dedication. We have grown over that period of time, Mr. Speaker, with the power of conviction into a united and harmonious caucus and that will be demonstrated time and time again in this Legislature, Mr. Speaker.

I want to address briefly to the opposition the question, why does the New Democratic Party feel so strongly? Why does the New Democratic Government feel so strongly about an issue such as this? Why do we think it is so important, Mr. Speaker? Why does our government feel it is so important?

I believe the Member for Emerson summed it up very well yesterday when he said in the course of his remarks, and again I'm sure it was inadvertent on his part, but it did - I liked his speech, it was excellent, there was a lot of good stuff in there to use - he said, ". . . because we have touched on a very sensitive issue that affects every minority . . ." "That was in the course of his remarks. That's why we're at each other's throats, because it is a very sensitive matter that touches every minority. That is the key - every minority, Mr. Speaker.

How we treat this minority in this Province of Manitoba, with what respect and seriousness we approach their rights, reflects directly upon how we will attach ourselves, and direct our efforts in the future towards the rights of other minorities in this province. So it is a very important statement. It does affect every minority.

It also affects how we will treat all those minorities in the future and our party can stand by its history on how we have treated minorities in the past, Mr. Speaker. I wanted to say over the past 50 years, since the beginning of the CCF, and then the New Democratic Party, since the days of J. S. Woodsworth, our party has stood consistently, Mr. Speaker, for fair play; our party has stood for those that have been wronged; our party has stood for justice; and our party has stood for hope. Many of these people here have never appreciated that and, of course, there was no hope in some of those parties at that time at all, and I doubt whether there's any more hope there now, Mr. Speaker.

So we have fought over the years in this province, in other provinces in Canada, for programs like Medicare, or pensions, and we can talk about the contributions of Stanley Knowles to that from the party, Mr. Speaker, for Pharmacare, for Autopac, for programs like that, for day care, for rent controls, for workplace health and safety. We'd stood for cultural rights.

Mr. Speaker, those are the kinds of things that we stood for, and that's what our party stands for, and this stands in there as a shining example, Mr. Speaker, of the best that our party has stood for over the years.

Mr. Speaker, we stand even on an unpopular issue. It is our nature to stand not for how popular something is, but how good it is, Mr. Speaker. Our government will stand by those principles for all minority groups, all cultural groups in this province, and all minorities in this province, Mr. Speaker. That is clear.

Their true feelings come out very clearly when the Member for Minnedosa from the seat of his pants says, we care about the 95 percent, not about the 5 percent, Mr. Speaker. That is the difference between that party and this party, Mr. Speaker.

MR. SPEAKER: Order please.

The Honourable Member for Minnedosa on a point of order.

MR. D. BLAKE: Yes, on a point of order, Mr. Speaker.

It would indicate that I do not care for the remaining 5 percent. That's an assumption that he cares to make. It's like asking the chap if he stopped feeding his wife. No one would say that he ever started, but if you ask him if he stopped and he answers you, it's assumed that you were. He's assuming that I'm not supporting the other 5 percent.

MR. SPEAKER: Order please, order please.

That was not a point of order.

The Honourable Minister of Highways.

HON. J. PLOHMAN: Mr. Speaker, all I can say is that it's what I heard. Of course, he didn't deny that he said that, Mr. Speaker, and you could read whatever you like into what he said. But that is what I heard, Mr. Speaker, and it has been confirmed. It has not been denied by the honourable member — (Interjection) — Mr. Speaker, he'll still go with the 95. He said it again.

You know, that is it. That was the theme that I started out with, Mr. Speaker, in my speech, that it is straight politics with the opposition. They are not worried. They are not concerned about the people of Manitoba. They don't stand by principles; it is straight politics with them, Mr. Speaker.

Our spirit on this side of the House derives from this issue . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

HON. J. PLOHMAN: Mr. Speaker, the strength that we on this side have gained through the adversity of this issue will serve as a springboard for us to move forward in the future with renewed vigor as we tackle the issues facing Manitoba in this province. We are confident that we have found that reasonable and rational solution to a very difficult problem over the last number of months and weeks, Mr. Speaker, in a way that is proper and just to this province.

The opposition has played a very important part in us finding that solution, Mr. Speaker, in a very negative way. That is certainly their tradition in this House and

in the opposition. Certainly they have played that role in a negative way. They could have done it in a positive way, but they encouraged us in their own negative way, Mr. Speaker, to stop, to think, to ponder the issue more. I say, it could have been done in a positive way, but it was done in a negative way and it did serve the purpose. They served a certain purpose in the democratic process.

We have responded as a government. It's clear. We have responded as a compassionate and caring government must. We have responded, Mr. Speaker. But now, Mr. Speaker, the ball and the bill and resolution is in their court. It is thrown back to them now, Mr. Speaker.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. PLOHMAN: I would like to know where their legal opinion is, Mr. Speaker, that they touted in here. They were going to get a legal opinion. The Leader of the Opposition was going to get a legal opinion to show that there are all those ghosts in the closet. Well, where is that legal opinion? Why hasn't it been tabled in this House, Mr. Speaker?

The opposition must turn around now that negative and venomous and destructive criticism.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. PLOHMAN: Mr. Speaker, the opposition has an opportunity now to turn around that negative, venomous and destructive criticism that they've levelled that has caused so much divisiveness in this province over the last number of months. They have an opportunity now to turn that around, to take the high road. Their new Leader has that opportunity to be a statesman on this issue. They have that opportunity there. It is a challenge to them, Mr. Speaker.

Will he be a statesman? Will that Leader be a statesman, the new Leader? Is he the real Leader? If he is, will he be a statesman, Mr. Speaker? Will he lead in a positive way to change that negative image of that Opposition Party? They must now, Mr. Speaker, search their souls. The ball is in their court. They must search their souls, Mr. Speaker. They must look within and say, at last, yes, Mr. Speaker, we have accomplished a great deal together on this issue. Yes, we have accomplished a great deal.

The opposition can say that at this point, Mr. Speaker. They have accomplished a great deal, and the government has responded. It has altered its course; it has revised. They can take some credit for that, Mr. Speaker. The government has searched for that solution, Mr. Speaker. Now they can say — (Interjection) — but there's nothing wrong with changing. The Member for Morris says, that's why we have changed it. Because we realize it's a difficult solution, and we have incorporated all of those views, as many as possible, into this synthesis, this solution, Mr. Speaker. The opposition can now say, now, we can go forward together. The battle is over, Mr. Speaker. That is what

the opposition can say. They can now say honourably, yes, we support the Manitoba solution, Mr. Speaker.

As far as our part is concerned on this side of the House, let there be no mistake. United we stand; united we shall succeed for that which is right, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Thank you, Mr. Speaker. It's an opportunity and a pleasure to participate in this debate which, I'm sure, will go down in historic records for people for generations to review. Certainly it's a pleasure for me to follow the Midnight Cowboy from Dauphin on his contribution to this debate.

I would like to congratulate the appointment of the Minister of Municipal Affairs and the Member for Radisson. Certainly I would like to offer my congratulations to them but, Mr. Speaker, this has to be the worst government that this province has ever seen. I hope that it's the worst . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. D. GOURLAY: Mr. Speaker, this is the worst government this province has ever seen, and I'm sure it will be the worst government that we'll see for a long time to come. In recognizing the two speakers, I have mixed feelings about congratulating them, because certainly it's not an honour to participate in the worst government this province has ever seen.

It's interesting to follow the course of action on this resolution, the amendments that have been brought in. Certainly basically, we end up with a rehash of the old proposals in a condensed version, watered-down. Certainly the sections that validates the numerous bills is one that I think is important, and it's a good part of the amendment. But the 23.1 is the problem area which would make English and French the official languages of Manitoba.

Just to briefly mention that one opinion that I have received, that the rights granted by Section 23 are very limited rights, the right to use English and French in the Legislature and in the courts and publication of statutes in both languages, the proposed amendment makes French an official language, and that can mean anything that the courts interpret it to mean. The consequences are unforeseen and could cause disruption.

I think that has been the basis of our contribution in debating this issue, that by including this into 23.1, making English and French official languages, that it is unlimited extension of French rights and this is why 80 percent or more of the people in this province are seriously objecting to what the government is endeavouring to do.

I would just like to go back a few months. The A-G, who was initially responsible for piloting this proposal, consisting of a number of amendments which was derived from a meeting of himself and Mr. Bilodeau, the Federal Government and the SFM - a secret meeting that no one had any knowledge of - and they derived this agreement which had been brought in. Now, we

have seen it has been amended I think three or four times, but initially the A-G said that nothing could be changed in it because it was an agreement that had been made by a number of participants and he wasn't prepared to make any changes, and we would have to go with it in its original form.

He also indicated there would be no committee hearings so that the public could have an input into it. He did indicate that there would be informational meetings to explain what the constitutional amendment would be all about. But why did the Attorney-General do this? Certainly there was really no need for it because after the Supreme Court ruling in 1979, this restored the rights of the French people in the province.

I just refer to a couple of releases that were made at that time. On January 25, 1980, Translation Services to be expanded. The Manitoba Government is expanding its Translation Services substantially in what Attorney-General Gerry Mercier describes as a major first step, to meet both the spirit and the legal requirements of the recent Supreme Court decision on Manitoba's language legislation.

Mr. Mercier said the Translation Services will be located in the Department of Cultural Affairs under Minister Norma Price, and that the additional expenditures amounting to nearly a-half million dollars will be made in the upcoming fiscal year and the final two months of the present fiscal year to develop the capacity necessary for the translation of legal documents, including statutes and other material deemed to come under the scope of the ruling.

In complying with the Supreme Court decision the Provincial Government has subdivided the total workload into three levels. It goes on to describe those three levels. The catch-up phase during which about 1,300 pages of statutes, plus an unknown number of pages of regulations and other documents, will have to be translated from English to French.

The ongoing needs of the government, particularly where bills and legislative documents must be provided in both languages, to meet increases in general translation services. Mr. Mercier said negotiations are under way with the Federal Government in an effort to obtain the services of expert advisors and qualified translators to obtain professional and technical advice in areas of staff recruitment and training and to acquire supervisory assistance.

Senior managerial and professional levels of the Federal Bureau of Translations have taken part in the consultative process. The province's translation unit will be increased by 11 staff man years. This increase, plus the use of translators on contract, will allow for the completion of the catch-up phase in three to five years. This time period can be reduced, depending on the amount of assistance provided by the Federal Government.

Mr. Mercier said translation work will begin immediately with particular emphasis on new legislation being introduced at the forthcoming Session of the Legislature. In order to improve productivity further, a full use will be made of the computerized word bank of the Federal Government. With the Supreme Court decision declaring Manitoba's Official Language Act to be inoperative, Section 23 of The Manitoba Act of 1870 will, once again, become fully operative that section declares, and it goes on to quote the official Section 23 of The Manitoba Act.

I think that Section 23 of The Manitoba Act should be put onto the record once more. "Either the English or the French language may be used by any person in the debates of the House of the Legislature, and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person, or any pleading or process, in or issuing from any court of Canada established under the BNA Act 1867, or in or from any of the courts of the provinces. The acts of the Legislature shall be printed and published in both those languages." Nowhere does it make reference to official and that's in the Constitution of Canada.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

MR. D. GOURLAY: I'm just explaining it all to you. The Minister of Finance can laugh, but I understood he's a lawyer and surely to goodness he can understand the difference in this, but obviously he doesn't, as well as a lot of the other members on the other side including the Minister of Highways.

Now another release on March 20, 1981, a section established on French language - I'm sure the members have read this because it was tabled by, I think it was the Premier or the Attorney-General - to improve government services in two official languages; that's the subheading. Premier Sterling Lyon has announced the establishment of a small section in the Department of Cultural Affairs and Historical Resources to improve the capacity of the Provincial Government to respond to requests from the public and French language. Reporting to the Deputy Minister, the section will assist him in the following functions: liaison between the Franco-Manitoban community and government departments; liaison with government departments in channelling requests for specific services or information required by individuals or organizations; studying and recommending policies and priorities of services provided in the official minority language, French; responsibility for matters relating to French language and culture at the provincial, federal and international levels; advising Provincial Government departments in the planning and operation of programs and services in French.

Mr. Lyon noted that the present Deputy Minister has filled an informal liaison role between the government and the Franco-Manitoban communities since his appointment. After the decision of the Supreme Court of Canada in December, 1979, restoring Section 23 of The Manitoba Act, he was appointed to act as liaison between the Francophone community and Provincial Government departments.

The new section, he said, was appointed after further study of what additional measures were required to improve the capacity of the government to meet the need for services in both official languages and after consultation with various interested organizations and persons. Reviewing Manitoba's actions since the Supreme Court judgment, the Premier said besides passing a largely procedural bill to give legal effect to the French version of Manitoba statutes, the government has undertaken in earnest to provide

translation and interpretation services in the courts as and when required.

"Despite the scarcity of qualified legal translators in Canada," he said, "Manitoba has made good progress in translating statutes and legislative bills. As of February 15, 1981, 30 acts or related material totalling 700 . . . "and so on. "The recent hearings on the Constitution of the Legislature Standing Committee on Statutory Regulations and Orders marked the first time in recent Manitoba history," Mr. Lyon said, "that briefs could be delivered in either official language." So that's made reference to the results of the Supreme Court ruling, and the subsequent action taken by the then Government of the Day.

Well, we heard the Attorney-General say back some several long months ago that he would not be able to change the amendments. There would be no hearings. But after the pressure that the opposition placed on the government and pressure from the public at large, including the Union of Manitoba Municipalities and other groups in the province, the government decided that they better heed to the advice of the opposition and what the people were telling them, and they decided to have hearings in the province.

What was the Eastern media saying about what was happening in Manitoba? I think that it was interesting to note some of the adverse editorials that were appearing in many of the Eastern papers. These were being supplied by the Quebec Alliance. Just to read briefly from the Globe and Mail, an editorial put in here by William Johnson, and I won't read very much of it but just a quote:

"It is a tough one. The Manitoba Government's attempt to restore French rights, removed unconstitutionally by the Provincial Legislature in the 1890s, became problematic with Winnipeg's decision last week to hold a plebiscite on the issue, or will Winnipeg act alone? Dozens of rural municipalities are preparing to jump on the bandwagon with the same intent of blocking an amendment to the Constitution of Manitoba and of Canada recognizing French as an official language of Manitoba. If the plebiscites yield an anti-French vote with a large turnout, it will be morally and politically impossible for the Manitoba Government to proceed."

The editorial leaves the impression that the rights had never been restored. It makes no reference to the outcome of the Supreme Court ruling of 1979, and the subsequent passage of Bill 2 to implement, make operative the — (Interjection) — pardon?

MR. SPEAKER: Order please.

MR. D. GOURLAY: I already indicated, Mr. Speaker, where I was reading this from, and certainly the member will be able to check Hansard to get that.

There are a number of similar editorials which tend to indicate that French rights have been denied and still are denied in Manitoba. Of course, we all know that's not true. The rights were restored in 1979.

A MEMBER: Have you got a legal opinion to back that up?

MR. SPEAKER: Order please.

MR. D. GOURLAY: I would just like to indicate now what were the Manitoba newspapers or media saying about what was happening. In the Winnipeg Free Press, "Why the big hurry about bilingualism? Penner has not explained why there is a December deadline."

Now we're not sure that there was a deadline. There was some indication that January 15th was the last deadline, but comments made by the Minister of Municipal Affairs - I believe yesterday he threw up his hands as if he hadn't heard of any January 15th deadline, so perhaps there was no deadline.

To just briefly refer to the editorial back - I don't know what the date on this Free Press was. Here's the Winnipeg Free Press of Friday, August 5th. The headline is: "Take all necessary time. The Pawley Government has in its grasp the means to turn its difficulty with the constitutional amendments into a triumph of statesmanship." Just to skip a few lines and quote further, "It will have to offer a reasonable way for those Manitobans who are interested in the subject to have a hand in shaping their own Constitution, but the new Constitution provisions will be empty, sterile if they are not felt to reflect the beliefs of most Manitobans."

Just to go on to the last paragraph, "The linguistic and ethnic realities of Manitoba and of Canada will endure. What is just and reasonable this year will be so next year and the year after. Let there be no panic and no rush. Manitoba takes its constitutional obligations very seriously, and should take the time to shape them as it means them." This was in the Free Press, August the 5th.

The same day, The Winnipeg Sun, just to quote briefly from their editorial, "The government's attempt to get out and explain the bilingualism package is admirable, but its sense of urgency seems more a display of unseemly haste. People have a lot more to say about it, and if they don't get to be heard the isolated speeches could turn into a deafening roar. This is no small matter. Better to grind it out, introduce it again in the next Session if necessary, but give everybody a chance at it."

I think this is what we have been attempting to do in opposition is to point out the difficulties that we have with this piece of legislation. Certainly the French rights, as outlined in the original Constitution, were upheld in 1979, and what we have here now is an extension to some degree of those rights. This is what is causing a lot of the problems.

For instance, today there was an ad in the Free Press regarding a similar situation in New Brunswick. This was a half-page ad placed by a Miss Jean Hiebert from Argyle, Manitoba. "Bilingualism is not what it appears to be . . . don't do it!" Just to quote briefly, "After 15 years of official bilingualism, New Brunswickers are admitting that it hasn't worked and wish they had been more concerned when the legislation was passed. They now feel they should warn Manitobans of the pitfalls. The following are excerpts from some of the many letters that have been received from New Brunswickers.

Just to make reference to a few of them, and I quote: "Since New Brunswick became bilingual the division between the English and the French has spread further than anytime in our history." We can see that happening in here. I am referring to the amendment that is on the Order Paper. "Bilingualism also openly discriminates in the work force not only with the Civil Service jobs, but also in the private sector."

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

MR. D. GOURLAY: Well just to go on, the Province of Manitoba put out this brochure last August, "The Facts About French Language Services." It states here, "Manitoba is not becoming bilingual." It's interesting. "This proposed French Language Services Program is not federal bilingualism." Yet one of the main amendments that we are discussing here this afternoon is 23.1 which would make English and French official languages of the province. So they say that "This proposed French Language Services Program is not federal bilingualism" but how do you stop the creeping bilingualism that we witnessed, and have witnessed, and continue to witness through the Federal Government?

I can just indicate a personal situation that I have with my son-in-law who is a French-Canadian. He comes from Montreal. He decided to take a career in the RCMP. He couldn't speak very much English, but he got into the forces and went to Regina back in 1976. He graduated in time to go to the - What was going on in Montreal in '76? Expo? '76 - the Olympics. So Mike graduated from the Regina RCMP and he wasn't fully bilingual. He had the French, but he didn't have the English and so they sent him to Montreal to help with the Olympics and after he completed a stint there he returned to Manitoba and was posted to Melita. He worked in Melita for some six months before coming to Swan River, and I believe he was at Swan River a couple of years, and he had to go back to Regina a few times in order to get his bilingual status. Now he's still working in Manitoba and I've had some discussions with him regarding the bilingual amendments that the government is introducing.

To take that a step further, I have a son who can't speak French, but he can speak English, and he has been waiting three years now to get into the RCMP. Of course, he has been anxious to get into the services and he's been writing to the recruiting office to see where he stands. Some 18 months ago he got a letter saying that he'd be called up in from three to six months, and that he was No. 2 on the male bilingual list. He is still waiting. I think the last six months or so he's had subsequent letters saying that the recruitment has been delayed because not many RCMP are retiring these days and so they don't need the numbers. However, he has since found out that there's some troops there. If you can speak French or if you have Native ancestry, they have those troops that are going through. So he has been waiting now some year-and-a-half as No. 2 on the male unilingual list to get into the RCMP.

I've discussed this with my son-in-law, who has feelings toward the bilingual situation that we are faced with in the Province of Manitoba, and certainly he has some reservations as to what is happening here in the province because he has first of all be posted to Melita, been posted to Swan River, and now he is posted to Snow Lake. All of those three detachments have very low numbers of French-speaking people. So he has some reservations as to this bilingual program that Manitoba is entering into and he can appreciate why 80 percent of the people are upset about it, or against it.

Well, anyway I mentioned that the Attorney-General and the government finally agreed to recess back in August and to get on with a number of hearings in the province. Certainly, I was really pleased to have one of the locations in Swan River, unlike the Member for Dauphin who apparently was not interested in having one of the hearings in Dauphin, in spite of his comments here today how sincere he is in wanting to proceed with this program. So anyway, Mr. Speaker, I can say that I was really pleased to have one of the hearings locations in Swan River. I don't know about the Member for Gimli. I understand that he didn't want to have one there either. The Minister of Tourism, I guess it is, the Minister responsible for Telephones, the MLA for Beausejour, I'm sure that he'd have liked to have had a meeting in the Beausejour area, but that opportunity was not able to go there.

In Swan River, we had a number of people signed up to make presentations, but it was one of the few really good harvest days that we had in Swan River and the number of the presentations that were slated to go, they were not able to be there because of the harvest situation.

I think one of the situations that arose there, that many people spoke to me after about that concerned them, was the fact that the SFM had a representative there making a presentation and they felt that, you know, there was a conflict of interest because the SFM were part of the original agreement and why would they want to send a representative to Swan River to make a presentation in that area? Well, there was nothing wrong with that, except they were a little bit disappointed that they would go to that expense to come that far to make a presentation.

But now we hear today that there's some additional \$108,000 allocated to the SFM, so that I'm sure that some of that money obviously went to those people so that they could tour around the province. As I understand they made presentations in all of the rural locations. I'm not sure about here in Winnipeg, but all of the other rural locations in Manitoba. Certainly, I think that the people felt that this was hard to understand, especially when the SFM were part of the original agreement.

So, what did some of the people say at Swan River? I think it's important that I should — (Interjection) — the Member for Radisson keeps piping up from his seat that we're filibustering. If they would just listen to what is being said on this side . . .

MR. SPEAKER: Order please.

MR. D. GOURLAY: Here is a very prominent NDP individual from the Swan River area that was making a presentation and I would like to just quote a paragraph from his presentation. "It is unfortunate also that certain parties to this debate have chosen to exploit the issue for purely political purposes, having decided to fan the flames of mistrust rather than promoting understanding and a just settlement to a legal challenge to a constitutional issue." Well, the only group that I can think of that were trying to make political hay out of this is the NDP, because the opposition that I am getting in my area, or all of the people, many of them are NDP supporters. They can't understand why this government has introduced this amendment.

One of the concerns that this individual brought out was, "On fundamental issues such as this, I have no hesitation in supporting entrenchment. This does not forever preclude the Legislatures dealing with the issue since there is a procedure for amendment." But when that has been explained, how you'd ever undo what is being done here, it's virtually impossible. — (Interjection) — No, I would like to see if this goes through how it can be undone down the road without — it's really entrenched and it would be very very difficult to change it. You know it yourself.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. D. GOURLAY: Virtually impossible is very difficult, I would say.

This is quoting from the same individual, "In conclusion, I would like to restate my support for the amendment indicating only a word of caution that very careful consideration be given to the meaning of 'significant demand'. The proposal is fair, but it must also be workable and practical. I am confident that there is expertise available to draft the amendment in a way which will make its implementation manageable."

Well, we've already had about five attempts at drawing up the amendment and still . . .

A MEMBER: What's wrong with this one?

MR. D. GOURLAY: Well, I'm getting to that.

MR. SPEAKER: Order please.

MR. D. GOURLAY: There's quite a bit wrong with it and I'll just tell you in a minute.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

MR. D. GOURLAY: I'm just going to quote here from another individual. This is a school teacher that made a presentation in Swan River and I asked him a question, "However, in your brief you're saying that numbers should not be a factor, so that one in your case would be enough to proceed with French Language Services?" I'll just read that again. I'm sure the members opposite didn't hear that. The question was, "However, in your brief you're saying that numbers should not be a factor, so that one in your case would be enough to proceed with French Language Services?" This individual said, "I think so. Let's take an example again of this Valley. If you travel 110 miles from Swan River you can hear French on your radio. You cannot hear French in the Valley. I mean 110 miles in any direction, and I wonder why that is that you can hear French up North and you can't hear it here." He felt that really French services should be supplied even though there is just one individual in the area.

I have no objections to the French language at all. I think it's a good language and I think that the French Immersion in Swan River added somewhat to the dissatisfaction with this amendment, because there

were not enough students in order to have the French Immersion, but it was forced on the school board.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. D. GOURLAY: There was two court cases. One reversed the other, but by the time the court cases were all finished, I think there was something like 19 students, so the Minister of Education used her authority to force upon the school board that they proceed with the French Immersion. I think because of the low numbers in the course, it made it very difficult and very expensive for the school board to proceed with the French Immersion, but officials from the Department of Education said, don't worry about the cost, the Department of Education has money for that.

I think that as long as the numbers are there to support the education, there's no problem, but where the numbers are not there, then it becomes very difficult.

Well, anyway after the hearings were all finished, the government really didn't heed the advice of the people that made presentations, because subsequently there was a number of referendums that were held throughout the province. In the R.M. of Swan River, which is a very representative area of my constituency, there was some 88 percent that voted against the government proposal; 11-point-some percent were in favour.

So what followed all this hearing episode? Well, we see now that the A-G has been replaced by a brand new Minister. The December deadline is no longer significant, and apparently the January was never in existence. My time is running short and I would just like to — it brings me back to the current resolution, "English and French to be official languages," and it's been said that the 'official' doesn't really make any difference. I think the Minister of Finance said, we use 'official' all the time, so what, it's not in the Section 23 of The Manitoba Act, but now they want to put that into the amendment, 23.1, English and French to be official languages.

You will recall the letter of June 27th that the Premier sent out to the Secretary-Treasurer of the Town of Swan River, and he quite conveniently included the word "official." He had a dumbfounded look on his face when it was brought to his attention, but he said, oh that must be a typographical error. But now, it's kind of interesting that it is part of the resolution. I was almost thrown out of the House for accusing someone of misleading the people, but what else can you say about it if it's not misleading?

I would like to conclude by saying that my Leader had said that . . .

HON. A. ANSTETT: You said you were going to speak on the amendment, Doug. When are you going to do that?

MR. D. GOURLAY: Mr. Speaker, just to conclude, when my Leader was speaking, he made reference to the legal opinion of Mr. Kerr Twaddle. He said, there was a remote possibility that the amendment could mean there could be extended French services to the amendment, and that there could be a remote risk and

that was too big a risk to take. The people would not appreciate if we did not put up a fight regarding this possibility.

So, Mr. Speaker, on the legal opinions on the present wordings of the amendment . . .

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

Are you ready for the question?

The Honourable Member for La Verendrye.

MR. R. BANMAN: I wonder, Mr. Speaker, if it would be the disposition of the House to call it 5:30.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, we would certainly agree to the member adjourning debate, and then calling it 5:30.

MR. R. BANMAN: Mr. Speaker, I beg to move, seconded by the Member for Morris, that debate be adjourned.

MOTION presented and carried.

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